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**Chapter Three**

The reader will be find it strange when he reads the comments which we have attached to the mishnahs (*mutūn*) of which this chapter is composed; or he will get mixed up on the matter of its dating, after having read, in the previous chapters, mishnahs attributed to leaders who existed after the time in which lived Akabia son of Mahalel, who starts off the ordering of the mishnahs in this chapter of ours, with the mishnah (*mutūn*) attributed to him. And it contains in it other mishnahs (*mutūn*) attributed to other Sages who died before the establishment of the Academy at Jabneh.

And to remove this confusion, we should say that the arrangement of mishnahs does not always take into consideration historical order; rather, it also takes into consideration the purposes for which they are intended.

And listed in the first chapter is an exploration of the jobs of judges and teachers. And listed in the second is an exploration of the way to avoid sin.

And this chapter is dedicated to mishahs (*mutūn*) which guide believers on the way to avoiding the anger of the Creator and harming others, contemplating death and punishment and the Day of Judgement, and the duties of a man towards himself.

And the mishnahs (*mutūn*) of the chapter are arranged according to the time of the Sages who transmitted them. And it first mentions Akabia son of Mahalel; then Haninah, the minister of the High Priest; then Haninah son of Teradion, who were killed with the one who killed them, the Roman emperor Hadrian, as will be seen.

And before proceeding with the translation and explanation of this chapter, we have sought to dedicate a special study to the book which is attributed to the author of the fourth mishnah, due to its importance, and its great relevance in the history of Israelite philosophy, and the belief of believers in the sanctity of the Talmud among the Jews.

**[118]**

**The Book of the Zohar**

This book is composed of several enormous volumes attributed to Rabbi Simeon bar Yohai, one of the important Tanaaim — who lived in the Galilee — such that the Israelites until our day still associate his name with reverence and majesty, and every year they celebrate him with a special holiday, known by the name *hillulat rabbi shimon*, on which they make a pilgrimage to his grave from the outer reaches of the inhabited world.

And the poem (*qaṣīda*) that they recite in his praise is more renowned than needs mentioning, though we will refer to one of its verses, and it is נעשה אדם נאמר בעבורך, in recognition of the position of this man among the Israelites. And the meaning of the verse is that God said, “Let us make man” in your honor, oh Rabbi Simeon.

Rabbi Simeon was, in his era, influential and had extensive fame, even among the Romans, evidenced by his having once travelled to Rome and having even sought from the Emperor the annulment of one of the orders — which he had issued to the general of the Roman occupation — as it infringed upon the religion.

And it is told about him that he was once sitting with two of his companions, Rabbi Judah and Rabbi Jose, and near them was one of the traitors, those whom a nation does not lack, unfortunately. And his name was Judah son of Gerim.

Rabbi Judah began praising the occupiers, and mentioning their good deeds, and he said: “Oh, the superiority of this nation, who built for us the bridges (bridges) **[note: the second “bridges” is apparently Turkish],** arranged the markets, and constructed the bathhouses.”

Rabbi Jose bowed in silence, not answering him.

As for Rabbi Simeon, he objected to the praise of his companion, saying: “The occupiers only do things for their own benefit. For they have arranged the markets in order to display their harlots. And they have constructed the bathhouses in order to enjoy them. And they have built their bridges in order to collect their tolls.”

Then Gerim reported this conversation to the general of the Roman occupation, and he presented it to his court. And the court decided to raise the rank of Rabbi Judah, as a reward for his praise; to exile Rabbi Jose for his silence; and to execute Rabbi Simeon for his patriotism and his hostility to the Romans.

And he fled to the village of Meron, and he hid in its famous cave for a number of years, and it is the cave **[119]** where he was buried later on, and to which the Israelites make pilgrimage, as mentioned above.

And it is said that the composition of the Zohar occurred during this hiding of his.

As for the Zohar, its meaning is “brightness,” and it is a collection of explanations and comments on the Five Books of Moses, interspersed with many appendices, the sum of which are designated by the name *sod*, i.e., their secret (*ha-kabbalah*) i.e., the inherited tradition. And it is a peculiar mixture of unreal and imaginary ideas on the matter of theology and the soul and what is beyond the grave. And it is akin to the views of the authors who are grouped together among the Christians under the name *mystics*, i.e., the ones concerned with secrets; and the teachings that were transmitted from the imams known in Islam as Sufis.

And the educated from among the Sages of the Israelites have agreed upon disavowal of the extraneous ideas that were added to the book of the Zohar. And there is no lesson in the opinion of these pretenders about the knowledge, those for whom fanaticism covers their ideas and seals their hearts and minds, like those who fought us and persecuted us as we began printing this book.

However, the name of the Zohar is never mentioned in the Talmud, although its author, as mentioned above, was among the important Tanaaim whom the Galilee produced.

Furthermore, it was not known during the time of the great philosopher, the teacher Mūsā bin Maimūn, widely-known as Rambam. And based on this, many reliable investigators have disputed the accuracy of the attribution to Simeon bar Yohai, and they have asserted that it is the composition of Rabbi Moses de León, one of the important scholars of the Israelite settlement in Castile (Spain) — because he is the one who published it and spread it — claiming that it was conveyed to him from Rabbi Musa son of Nahman, known as Ramban — and he is the second of the scholars well-known as *poskim*, i.e., masters of legal opinion (*fatwā*) — and that this scholar had found that copy in the city of Safed.

And we have had the good fortune, before publishing this chapter, to meet with our intelligent friend, the meticulous scholar, the virtuous Rabbi Mendel Kohen. And we showed him what we wrote, and we mentioned to him our inclination to favor the opinion of modern investigators. And he disapproved of our tendency towards this viewpoint. And we excuse him, for he looks upon this book only from the viewpoint of a religious leader, unshaken and committed to faith, whereas we **[120]** look at it with the view of the historian, free of bias.

However, we see, from the duty that our approach and our principle imposes on us, that we should mention here what our friend the sage said as refutation to the proof of the deniers of the attribution of the Zohar, the [modern] investigators.

And he said: And it mentions in the Talmud (in the tractate Shabbat) that Rabbi Simeon increased in knowledge and deep study after his emergence from hiding. And such an increase refers to his explanations to the books of Moses.

And he also said: That the Zohar was called with this name because it begins with this phrase: והמשכילים יזהירו כזהר הרקיע, whose translation is “And the knowledgeable will be radiant like the bright expanse of sky,” and so he named the book, then, according to the custom of the ancient authors in naming books, as in their naming the book of Genesis “The Book of ‘In the Beginning,’” because it begins with this phrase; and their naming the book of Deuteronomy “Words” because it begins with the phrase ואלה הדברים, whose translation is “These are the words.”

And he also said: That the Zohar was lost, like other books spoken of in the Torah and the Talmud, and that it was not discovered until after the time of the teacher Mūsā bin Maimūn, who was not acquainted with it; and this teacher, due to this, did not mention it in his writings.

As for Rabbi Mendel’s personal view, it is that the Zohar was composed from three sections. **[Note: unclear phrase.]** in some of them.

The first section is sayings that begin as such: “Rabbi Simeon said,” and these are, in his view, indisputably genuine.

The second section consists of what his disciples added after him, and all of them are mentioned by name in the paragraphs that they added.

The third section consists of what Moses de León, the publisher of the book, inserted.

And we have presented our knowledge about this book, and our views, and the views of others on it. And we leave the judgment of its probability to the discernment of the reader.

**[121]**

**The First Mishnah**

Akabia son of Mahalel said: Contemplate three things and you will not fall into sin. From where you came, to where you are going, and before whom it is determined that you will produce an accounting of your deeds. As for your origin, a malodorous drop. And as for your destiny, soil, cadavers and maggots. And as for your accounting, you will be before the King, the King of Kings, the Holy One, blessed be he.

Akabia son of Mahalel: He was a contemporary of Shemiah and Abtalon, and he lived until the time of Hillel the Elder. And he was the most renowned sage of his time in terms of piety and devoutness.

And the mishnah (*matnun*) attributed to him, due to its simplicity, does not require explanation. And he intended with his saying to deter people, in order for them to refrain from greed, which is the most important motive that drives a person to harm his brothers.

And we have acted freely in the translation in fulfilling the intended meaning, though the words differ slightly.

**The Second Mishnah**

Rabbi Haninah, the minister of the High Priest. Pray for the peace of the government. For except for fear of the government, a man would swallow his brother alive.

Rabbi Haninah, the minister of the High Priest: He is one of the ten Sages who were killed by Hadrian, the Roman emperor, to avenge the honest Joseph. And this emperor selected ten of the most knowledgeable Israelite sages, in terms of learning and their greatness in rank, and he asked their opinion about the penalty that should be imposed **[122]** on one who sold his brother. And they gave the opinion of execution. So he said to them: “Your ancestors sold Joseph and were not punished for this offence. And I have selected you — you, the most knowledgeable and most sensible of their offspring — to implement among you the rule of law.” So they accepted the retribution. And they killed the evil of the killers.

Pray for the peace of the government: And the speaker did not limit his instruction only for the peace of the Israelite government, despite there having been the Roman occupation at that time. The execution was restricted to Roman workers, as well as the collection of funds and the collection of tithes. And he is ordering obedience to the ruler, irrespective of his religion and nationality. And based on this principle, the author of the Gospel, who came after him, said: “Give unto Caesar what is Caesar’s, and unto God what is God’s.”

**The Third Mishnah**

Rabbi Haninah son of Teradion said: When two are alone and they do not discuss the Law, then their gathering is a gathering of fools, as it says, “And in a gathering of fools he does not sit.” But if two alone discuss the Law, then the glory of God sets in among them, as it says, “Then those fearful of God spoke, and the Lord listened and heard, and there was written before him a book of remembrance for those fearful of God and respectful of His name.” This provides evidence for the conversation of two; so from where do we know that the lone individual who sits occupied in (study) of the Law will be assigned a reward from God? (And the reference is from) where it says, “He sits alone and silent, for he has risen above himself.”

Rabbi Haninah son of Teradion: He was a scholar from among the greatest Sages of the Israelites, for he was among the ten killed by Hadrian, whom we have already mentioned. And this scholar became famous for his good handwriting, **[123]** for he wrote, in his own handwriting, numerous copies of the Torah on scrolls of parchment. And when he received the decree of Hadrian, he ordered him burnt wrapped in one of such scrolls. And he was burned.

When two are alone: And it is possible to translate this phrase: “When two sit.”

And they do not discuss the Law: And it is also possible to translate it, “And there are not words of Torah between them.”

Then their gathering is a gathering of fools: Because their lack of engagement in the Law is considered foolish, as they have transgressed the text of the commandment mentioned in the Torah with the obligation to study it during nighttime and daytime. And this is undoubtedly a harsh ruling.

As it says: In the first Psalm in the Psalms of David.

And in a gathering of mockers he does not sit: It is as though he wanted to say that the meaning David intended in his teaching is that the righteous man, whom he later on describes for his perseverance in studying the Law of the Lord, is one who should not sit with those who do not go along with him in studying the Law.

Then the glory of God sets in among them: And we have translated the word *shekhina* with “the glory of God,” approximating the meaning of the mishnah in the mind of one who sees that the word *shekhina* is a vague word suggesting many meanings, and that the closest of them to the mind is the meaning of revelation or the divine, spiritual effect on human minds and perceptions.

As it says: In Mal. 3:16.

Then they spoke etc.: This quotation is obviously clear, unlike the final one that follows it, which is taken from Lam. 3:28.

**[124]**

**The Fourth Mishnah**

Rabbi Simeon said: When three sit at a meal and do not discuss the Law during it, then it is as though they have eaten sacrifices of the dead. As for when they discuss the Law, then it is as though they have eaten from the table of the Lord.

Rabbi Simeon: He is Rabbi Simeon bar Yohai, to whom the book of the Zohar is attributed.

When [three] sit: From this phrase the extent of the Israelites’ attachment to study of the Torah becomes clear, and their regard for continuous study of its rulings, commandments, prohibitions and philosophy as among their most important duties, even during meals; and for fulfilling this obligation, the leaders have arranged special prayers — which we find the tractate of *Berakhot* — that the eater recites before and after the meal.

Then it is as though they have eaten sacrifices of the dead: The intention here is sacrifices of idol worshippers.

Then it is as though they have eaten from the table of the Lord: i.e., that their meal will be pure and holy.

**The Fifth Mishnah**

Rabbi Hanina son of Hakinai said: One who experiences **[note: unclear word]** his night awake, and one who travels alone, and one who leads his heart to empty thoughts — it is as though he has intentionally comitted suicide.

Rabbi Hanina son of Hakinai said: He is one of those of noble descent of the Academy of the renowned Rabbi Akiba, one of the sages of the city of Jabneh. And it has been said that he was among the ten killed by Hadrian, however this statement **[125]** lacks proof.

One who experiences his night awake: And it is possible to translate the phrase like this: “One who wakes up during the night.”

At any rate, the author of the mishnah wanted to favor the opinion of one of the disputants in an argument mentioned in the tractate Erubin, in which one of them, Rabbi Judah, said that the night was only created for study, while the other — and he is Rabbi Simeon son of Lakish — said that it was only created for sleep, rest for the mind, in order to let a man understand what he will study tomorrow.

And one who travels alone: i.e., he travels from one country to the next alone, instead of traveling with the caravans to which travelers used to attach themselves, due to the lack of security in that time.

And one who leads his heart: i.e., he distracts his thinking.

To empty thoughts: i.e., thoughts on matters that have no relation to the pursuit of a livelihood, or with studying knowledge, in whose study the Torah charges every Israelite to engage when he is free from worldly activities. And his being in a healthy condition does not prevent him from fulfilling this obligation.

It is as though he has intentionally comitted suicide: And we have selected this translation for the mishnah (*matnun*) due to its fitting the logical sence, which corresponds to the actual, concrete facts. For staying up late, as is well known, exhausts the body and brings upon diseases; and travel on unsafe roads has a bad outcome; and devoting oneself to empty thoughts is unquestionably a waste of life. And one who has the audacity to do these things is like one who has the audacity to commit suicide.

However, there is another translation, closer to the spirit of those who claim that the night was created only for the study of the Law, and that one who does not occupy himself in its study at night has committed a crime, placing his eternal salvation in danger. As for the translation, it is “And he has brought ruin upon himself,” or it is “And he, then, became indebted to himself.” And the last one is closest to the formulation of the words in the text.

**[126]**

**The Sixth Mishnah**

Rabbi Nehunya son of Hakanah said: Everyone who accepts upon himself the burden of the Law is exempt from the burden of government and the burden of civil duties. And everyone who turns away from the burden of the Law, the burden of government and the burden of civil duties are placed on his shoulders.

Rabbi Nehunya son of Hakanah: He is one of the students of Rabbi Johanan son of Zakkai. And he is mentioned in many writings with the name Nehunya the Great. The book *Sefer Hakanah* is attributed to him, and it is a book highly revered by Israelite mystics, while the opponents of mysticism highly disparaged it. And other writings are attributed to him, the most famous being the book called *Bahir*, and the book called *Peli’ah*; and their contents are about mysticism.

Everyone who accepts upon himself: i.e., everyone who permits for himself.

The burden of the Law: i.e., one who chooses to devote himself to studying it, teaching it, and adapting his movements and dwellings to its rules.

Is exempt from the burden of government: i.e., taxes and levies are abolished for him. And some of the commentators have said that God protects him from the injustices of the rulers, as a reward for him for devoting himself to the study of the Law.

And the burden of civil duties: i.e., the duties required by courtesy between human beings, such as the exchange of visits and participation in weddings and funerals etc. And I have shown my translation and my explanation to His Excellency, the teacher and scholar Rabbi Mendel Kohen, and it did not please him. And he showed me what the great teacher, Rambam, said in this context, summarizing it “that one who takes upon himself the burden of the Law is endowed with an expansive livelihood, enabling him to do without manual and commercial labor in order to achieve a livelihood.” And he told me that he understands the words *derekh eretz* mentioned in the original Hebrew (“the way of the earth”) as working in industry and trade, however I prefered Rabbi Sima, **[127]** and the generally accepted is that these two words have the sense of courtesy and politeness. And he held to his objection **[note: unclear word]** in the consideration of the intelligent reader.

As for the rest of the mishnah, it is clear and does not require explanation.

**The Seventh Mishnah**

Attributed to Halafta son of Dosa, leader of the village Hananiah. And we have not set the wording of the text here, since there is similarity between it and the third mishnah, with some change in the verses and the arrangement of the citations. And it is said that he was one of the ten who pledged to engage in study of the Law, despite the persecution that the Sages were suffering at that time from the Roman rulers. He cited a number of verses from Scripture to prove to them that God would be with the ten should they persevere in study. And five of them were killed, and he gathered together the four remaining and reassured them, with a second citation, that God would be with the five. And two of them were killed, and he gathered together those remaining and reassured them with a third citation that God would be with the three. And one of them was killed, and he said to the other, “Let us carry on in study and God will be with us, though we are only two.” And he provided him with a citation for that. And the other was killed, leaving him alone. And he remained firm in his study, explaining himself with his final citation.

**The Eighth Mishnah**

Rabbi Eleazar, a man of Bartota, said: Give Him from His wealth, for you and your wealth are His. And likewise it is mentioned by David: “Everything is from You, and from Your hand we give to You.”

He is not Rabbi Eleazar son of Arach, whom we mentioned as being among the noble students of Rabbi Johanan son of Zakkai, for this one was among the students of Rabbi Joshua and among the disciples of Rabban Gamaliel, according to what he stated in the Talmud, where he quotes those teachers. And in the tractate Ta’anit there is **[128]** a long account praising him, that he was a generous man, great in charity, denying himself and his offspring, in order to help those in need. And the collectors of charity began to flee from him, in order not to burden him beyond his means. And once he saw two of them, who had blended into the crowd in order to hide from him. He overtook them, and he asked them for whom they were collecting. And they said to him: it is for the marrying of orphans. And he swore that the orphans would take precedence over his daughter. So he paid them his gear, and nothing remained with him other than a single dirham. And he went and took a measure of grain with it, and he placed it in one of the corners of his storehouse, which was empty. And his wife came after him, wanting to open the door of that house in order to see what he had procured, but she was unable to open it because a blessing had been cast on that grain, and it filled up the storehouse. She was amazed and went to the study hall, where her husband was studying, in order to share the news with him about what had been bestowed upon him. And he swore to her that her portion of that grain would not exceed those portions given to the poor of the city when it would be distributed among them.

A man of Bartota: And in the original Hebrew it is “*ish bartota*,” and the meaning of *ish* is man, and the meaning of *bartota* is the name of a city from among the ancient cities of Judea. And it is understood from the word *ish*, when it is added to the name of a city, means a master of that city, or its head or religious leader. And it can also have the sense of the *nisba* adjective, as when you say *“ish mitzrayim*” for an Egyptian.

Give him: The pronoun here refers to God, and the intention is giving and charity to the poor, believing that charity is a gift to his God.

From His wealth: The pronoun here also refers to God.

For you and your wealth are His: i.e., both of you belong to him.

And likewise it is mentioned by David: son of Jesse, and father of Solomon, king of Israel, that

Everything is from you etc.: This is a verse from among the verses of the book of Chronicles.

**[129]**

**The Ninth Mishnah**

Rabbi Simeon said: One who walks along the road reading, and he interrupts his reading in order to say, “How beautiful is this tree! How beautiful is this field!” — this interruption of his will be held against him, as it is held against one puts himself in danger.

Rabbi Simeon: It is likely Rabbi Simeon bar Yohai, author of the fourth mishnah, following the fixed principle among Talmudists that every statement attributed to “Rabbi Simeon” without other designation — its speaker is inevitably Rabbi Simeon bar Yohai. However, some copyists have attributed this mishnah to another scholar from among the Tanaaim, called Rabbi Jacob. And it is peculiar that I discovered in the copy printed by Sir Hannan in the press of rabbi Khayyam Faraj Mizrahi in Alexandria — and which contains the commentary attributed to Rabbi David Ha-Nagid — that the mishnah is attributed in the main part of the text (*matnun*) to Rabbi Jacob, and in the commentary to Rabbi Simeon.

One who walks along the road reading: i.e., one who walks in the midst of a group while he gives them a lesson; or he discusses with them one of the topics which the Law discusses.

And he interrupts his reading: i.e., he stops completing his words before their end.

In order to say, etc.: Whether he combined his saying with praise.

How beautiful is this field!”: It is also possible to translate as “How beautiful is this cultivation!” or “this furrow” or “this grazing area.” And they are all correct.

Will be held against him etc.: i.e., he will have committed an offense equivalent to the offense of intentionally putting himself in a dangerous situation for no benefit.

And here we cannot but object to the harshness of this rule.

**[130]**

**The Tenth Mishnah**

Rabbi Dostai son of Yannai, quoting Rabbi Meir, said: One who forgets one saying from his lesson, the Law considers him as one who has endangered his life. And his offense remains until he reviews his lesson and removes what he forgot from his heart.

Rabbi Dostai son of Yannai: He is not that Rabbi Dostai son of Yannai who lived in the days of the First Temple, and was dispatched by the command of Shalmaneser to teach the Cuthite nation the Israelite religion. And the Cuthite nation was a mixture of different peoples whom Sennacherib brought to settle the country of Israel after he had exiled the ten tribes from it. As for this Dostai, he is one of the students of Rabbi Meir.

Quoting Rabbi Meir: The teacher of Rabbi Dostai, and who will be mentioned in the fourth chapter.

One who forgets one saying from his lesson: What is meant here is the topic, not the words, i.e., one who forgets one topic from among the topics he studied.

The Law considers him: i.e., his ruling is according to the law (*šarīʻa*) of the Law (*nāmūs*).

As one who has endangered his life: i.e., like one who has intentionally exposed himself to destruction without a reason.

And his offense remains: i.e., his offense is unpardonable.

Until he reviews his lesson: In order to have mastery of strengthening his intellectual talent.

And removes what he forgot from his heart: i.e. and remembers what he forgot. And it appears that the speaker of this mishnah believes that the center of memory is the heart, not the brain.

N.b. We have omitted the citations from this mishnah in order to facilitate carrying out the meaning that was intended for it.

**[131]**

**The Eleventh Mishnah**

Rabbi Hanina son of Dosa said: One whose fear of sin precedes his erudition, his knowledge is stable. And everyone whose erudition precedes his fear of sin, his knowledge is unstable.

Rabbi Hanina son of Dosa said: A scholar who became renowned for his asceticism and dignity. For food he would be satisfied with little things of dry carob. It is said that one day he supplicated to God to increase his livelihood, and there fell for him a large bar of gold from the sky. So he took it and departed. And he saw in his dream that he was in heaven (*janna*), and that before him there was a table with only three legs. So he asked about the reason for that. And it was told to him that “We have today sent down its fourth leg to you.” And he awoke from his dream, sad and depressed. So he sold that bar and distributed its value among the poor. And he supplicated to God that He preserve for him his reward fully in the world to come.

One whose fear of sin precedes: i.e., every one whose God-fearing piety precedes.

His erudition: His character in terms of scholarship.

His knowledge is stable: i.e., that his knowledge lasts and his words are influenced by it, and he remembers.

And the rest of the mishnah is clear.

**The Twelfth Mishnah**

He also said: Everyone whose deeds are greater than his knowledge, his knowledge is stable. And everyone whose knowledge is greater than his deeds, his knowledge is unstable.

He also said: The pronoun refers to Rabbi Hanina son of Dosa.

Everyone whose deeds are greater than his knowledge: i.e, with that scholar who is not satisfied with reading **[132]** and engaging in study of the Law about charity for the desperate and help for the poor and pursuit of the way of piety and beneficence.

His knowledge is stable: i.e., he has established his education by his actual ability, so it will be more firmly established in minds than if it were an abstract matter. And it is possible to interpret it from a religious perspective as such: that God stabilizes the charitable scholar by assisting his knowledge and getting his memory straight again from forgetting.

And the rest of the mishnah is clear.

**The Thirteenth Mishnah**

He also said: One with whom man is pleased, God is pleased with him. And one at whom man is angry, God is angry at him.

He also said: The pronoun refers to the same speaker as the previous two mishnahs.

One with whom man is pleased: And the literal translation is, “Everyone with whom the souls of people are content,” i.e., one about whose actions they are in unanimous content, agreeing to them with satisfaction.

God is pleased with him: i.e., that just this consensus of the people about their satisfaction with the man’s deeds indicates the satisfaction of God; not that His satisfaction is a reward for that consensus, for reward is ensured above that satisfaction.

And the rest of the mishnah is clear.

**[133]**

**The Fourteenth Mishnah**

Rabbi Dosa son of Harkinas said: Morning sleep, noontime wine, children’s conversation, and association with the uneducated bring a man out of the world.

Rabbi Dosa son of Harkinas said: This scholar lived during the days of Simeon the Just, as we have mentioned. And a narrative is told about him in the Talmud, which he transmitted on the strength of an authoritative source from Haggai the prophet, one of the members of the Great Assembly who preceded Simeon the Just. And it is mentioned that he was four hundred years old, however, we find it most likely that there was not only one person with this name, though only one son of Harkinas is mentioned in the Talmud.

Morning sleep: This indicates absolute laziness.

Noontime wine: This indicates intoxication during the daytime.

Children’s conversation: Because associating with them weakens the power of the mind and bears suspicion.

And association with the uneducated: Because associating with them also weakens the mind and distracts the scholar from studying and reading.

Bring a man out of the world: And what is meant here by “bringing out” is a fall in rank. And with that threat he means divine retribution and the shortening of lifespan.

**The Fifteenth Mishnah**

Rabbi Eleazar of Modi’in said: One who sullies the sacred things, makes light of the festivals, embarasses his friend publicly, despises the covenant of our father Abraham, and learns faces of the Law (*nāmūs*) not consistent with with law (*aš-šarʻ*), whatever the level of his knowledge or his good deeds — he has no share in the world to come.

Rabbi Eleazar of Modi’in: He was a scholar who lived at the end of the time of the destruction of the Second Temple and during **[134]** the time of the destruction of Betar, which was destroyed fifty-two years after Jerusalem. He was the uncle of the Israelite commander, known by the name Bar Kokhba. He had a great purpose in the time of the siege, which we have already mentioned. The Romans had their eye on Betar, because [Rabbi Eleazar] was devoting himself to prayer all throughout the day, and the Roman soldiers believed he was asking for help from God, and the blockading Romans could not conquer them. And news of this reached Hadrian, and he also believed in his holiness and his preventing the lifting of the blockade, and he gave up all hope for conquering the city. And a Cuthite man approached him and said to him that he was prepared to sacrifice himself in order to rid the Romans of that man. So he infiltrated the city by night, and in the morning he approached Rabbi Eleazar, while he was in the middle of prayer, and he whispered in his ear some incomprehensible words. Now some of the soldiers saw him, they seized him, and they entrusted him to the presence of their leader. And Bar Kokhba asked him about the secret he had whispered in his uncle’s ear. And the Cuthite said to him: “If I reveal to you the secret of the Emperor who sent me as a messenger to Rabbi Eleazar, you will inevitably kill me; and if I deny it, you will also kill me. And seeing as I am killed in both situations, it is better for me to preserve the secret.” And Bar Kokhba was angry and killed him. Then he summoned his uncle and asked him about that supposed secret. And he answered him that “the Cuthite whispered in my ear words whose meaning I did not comprehend.” But Bar Kokhba was not reassured by his words and killed him. He also kicked his feet, due to the intensity of his anger. And the resolve of the garrison was in fear from his death, and the Romans were able to conquer the city and destroy it.

One who sullies the sacred things: i.e., disdain for sacrifices and pledged vows to God, and the unlawful management of funds devoted to charity, and destroying books of the Law, and disdain for the scholars with his attacks.

Makes light of the festivals: i.e., the cessation of work that it is forbidden to do during the course of them, that is not for the necessary needs of food. And the words here are in regard to the intermediary days, during which the Torah is not explicit in terms of engaging in work.

Embarasses his friend publicly: i.e., insulting him or mentioning his flaws amongst people, for the Talmud considers shaming without a legal ruling to be a crime for which God punishes its perpetrator with his punishment, for intentionally killing an innocent person.

Despises the covenant of our father Abraham: i.e., refraining from circumcision. In case his father had held up his circumcision for sickness **[135]** he suffered during his childhood, and he grew up and could have the circumcision. Or, he refrained from circumcising his sons or those under his guardianship. And it possibly bears the sense of open immorality by fornication.

And learns faces of the Law (*nāmūs*) etc.: i.e., he explicates it with an explanation that is not appropriate for the interpretation, or he scoffs at it, or he criticizes it.

Whatever the level of his knowledge: i.e., however he excelled in learning the Law.

Or his good deeds: i.e., his pious deeds.

He has no share in the world to come: i.e., he will not enter heaven (*janna*).

**The Sixteenth Mishnah**

Rabbi Ishmael said: Be humble to your leader, be merciful with those who are below you, and receive people with joy.

Rabbi Ishmael said: He was a comrade of Rabbi Akiba and a student of Nehunya son of Hakanah, whose saying we have mentioned. And he composed a book explicating the last four books of the Books of Moses. And his book is mentioned in the Talmud with the name “Mekhilta of Rabbi Ishmael.” And he sought to provide food for virgins and widows whose parents and husbands were occupied in effort (*jihād*). And when he died, the daughters of Zion were his inheritors, as they had previously been for King Saul. And it said that he was skilled in interpretation of visions and dreams.

Be humble to your leader: In this translation of ours we have followed the opinion of the great teacher, Rabbi Mūsā bin Maimūn, however his grandson, Rabbi David Ha-nagid, translated it as such: “Oh man, lessen yourself and diminish your value before one who is greater than you.” As for its literal translation, it is as such: “Be light to the head.”

Be merciful with those who are below you: For this phrase we have followed the opinion of the great teacher. And the literal translation is: “Be easy with hopes.” **[Note: not sure what he means here. I expected ‘youth.’]**

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And receive people with joy: i.e., be bright-faced to those in front of you, such that they will accept your words.

**The Seventeenth Mishnah**

Rabbi Akiba said: Laughter and frivolity lead a man to promiscuity.

Rabbi Akiba said: He is Akiba son of Joseph. And it said that his father Joseph was from the progeny of Sisera, the commander of the army of Jabin, who was fought by Deborah the prophetess, as we have mentioned. And Sisera, when he left Barak son of Abinoam, commander of the Israelite army, sought refuge in the tent of Jael, the wife of Heber the Kenite. And he raped her, and she became pregnant with an illegitimate child, and she gave birth to a boy who was raised in the Israelite religion. And he fathered offspring which led to Joseph, the father of Akiba.

This scholar was born in 2760 of creation. And he studied with Rabbi Eliezer the Great, Nahum Ish Gamzu, Rabbi Nehunya son of Hakanah, and especially with Rabbi Gamaliel. And he lived one hundred and twenty years, or rather it said that he lived one hundred forty-one years, however they did not count the first twenty-one years of his life because during them he was occupied in the tending of sheep.

And he was among the disciples of the the nationalistic commander, Bar Kokhba, who revolted against the Romans, and he gathered around him the elite of what remained of the Israelite army, and he fought the Roman soldiers in order to drive them out of Judea.

And Akiba said about him that he was the anticipated messiah about whom the prophets of the Israelites had prophesied. And he taught his students that, and those who passed by his hands **[Note: exact sense uncertain],** and their number was twenty-four thousand.

And after the destruction of Betar, none of the Sages of the Israelites remained except for him. And the Roman government forbid the Israelites from studying the Law. And he risked his life and taught five of the youth hiding, and they were: Rabbi Asher, Rabbi Judah, Rabbi Jose, Rabbi Simeon, and Rabbi Eeazar son of Shammua.

And the relation of Akiba, then, to the Talmud is like the relation of Ezra the Scribe to Scripture.

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And he was renowned for his memory, such that they called him the best, sealed storehouse. And he was capable of learning all the languages that were current in his era.

As for the academy that he led, it is the renowned academy of Bene Beraq — for it was in the city of Bene Beraq, which was in the same spot where there now exists the village of Beneberaq in the mutasarrifate of Jerusalem.

And he was content with modest manners; strongly pious, passionately faithful.

And it is told that he married a widow of one of the Roman commanders, who became fixed on his love and converted to Judaism in order to marry him; and that his first wife was one of the daughters of Kalba Sabbua, one of the wealthiest Israelites at that time.

And he was among those ten killed by Hadrian.

Laughter: i.e., an abundance of banter.

And frivolity: i.e., lack of sobriety in associating with people, and especially women from among them. And in the original Hebrew: “Lightness of head.”

Lead a man to promiscuity: i.e., they pave the way to it.

**The Eighteenth Mishnah**

He also said: Inherited tradition is a fence for the Law. Tithing is a fence for wealth. Vows are a fence for virtue. And a fence for wisdom is silence.

He also said: The pronoun refers back to Rabbi Akiba.

Inherited tradition: i.e., the sum of what successors preserve from ancestors. In other words, the hereditary teaching **[138]** that the students receive from their teachers generation after generation.

A fence for the Law: i.e., it preserves it, because it is the authoritative source which he consults when there is a disagreement between masters of individual judgments.

Tithing: i.e., separation of the tithes of money and their distribution to those possessed with need, as it is mentioned in the Torah.

A fence for wealth: i.e., it is a guarantor to the continuation of blessing in the wealth of the rich. And it is as though he says that the rich person who separates tithes of his wealth is rewarded with preserving his fortune.

Vows: Or oaths or pledges.

A fence for virtue: i.e., that one addicted to alcohol, and gluttony, and love and amusement, and the like — when he wants to abstain from the excess, he only has to vow that, or take an oath on it, or pledge to his Lord his intention.

And a fence for wisdom: i.e., it preserves it.

Is silence: It is said that one who increases his noise increases his mistakes. And this is wisdom not newly invented. And this saying resembles what the wise repeat in every language and in every time.

**The Nineteenth Mishnah**

He also said: How dear is man, who was created in the image. And He showed his favor. Because he was created in the image. As it says, “In the image of the Lord was man created.”

He also said: The pronoun again refers to Rabbi Akiba.

How dear is man: i.e., man is beloved, he is with God.

Who was created in the image: For the Torah does not mention to the rest of creatures a purposeful plan preceding their creation, **[139]** as it prefaces the creation of man when God says, before he has created (according to what the Torah narrates in the Book of Genesis), “Let us create man according to our image.” (Gen. 1:26) **[Note: not sure why the two citations in this section do not match biblical text.]**

And He showed his favor: Over the rest of the creations, living, dormant and inanimate.

Because he was created in the image: The sentence is repeated with the intention of establishing its importance in the mind of the listener.

As it says: In the book of Genesis.

**The Twentieth Mishnah**

How dear are the Israelites, who were called the children of the Lord. And He has shown their favor because they are called children of the Lord. As it says, “You are children of the Lord, your God.”

How dear are the Israelites: i.e., how great is their value with God.

Who were called the children of the Lord: i.e., those whom Scripture calls with this name.

And He has shown their favor: i.e., their priority is demonstrated to the two worlds.

Because they are called children of the Lord: The sentence is repeated to establish it in the mind.

As it says: Deut. 14:1.

And the speaker of the mishnah is the same Rabbi Akiba. And this mishnah, and the one following it, appear in the original copy as an appendix to the nineteenth mishnah (which you have already seen); but they appear separately in the copy attributed to Rabbi Judah Ha-nagid, and we have followed this second arrangement.

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**The Twenty-First Mishnah**

How dear are the Israelites, who were given a precious instrument. And He showed their favor with their gift of the precious instrument, for which the world was created. As it says, “I have given you a good share, so do not abandon my Law.”

How dear are the Israelites: i.e. how they are cherished by God.

Who were given a precious instrument: With “precious instrument” he means the Torah and what followed it.

With which the world was created: i.e., that the world was created for its sake.

As it says: Prov. 4:2.

**The Twenty-Second Mishnah**

Everything is known, and freedom has been given. And the world is judged with mercy, but judgment is in accordance with the most deeds.

This mishnah contains important philosophical and religious topics of the Israelites. And it includes the relation of God’s knowledge to the actions of humans, and the character of their judgment for their acts. And its explanation will come in view of its speaker, and he is unquestionably the same Rabbi Akiba, though his name is not mentioned in it.

Everything is known: i.e., that God has foreknowledge of all human happenings, and their deeds.

And freedom has been given: And it is possible to translate the phrase as such, “permission has been given.” And this wise scholar meant with his statement that God’s foreknowledge does not prevent a human from having free will in his actions. He is able to follow the path of goodness if he wants, or he can take the way of error if he sees to it, for this freedom is what necessitates reward and punishment, and without it judgment would not be permissible for humans.

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And the world is judged with mercy: i.e., that the Paramount God is more inclined towards mercy than severity, for He takes into consideration the circumstances that surround the sinner. And it is as if this scholar has anticipated understanding the results attained by the legal scholar [Cesare] Lombroso, who wrote lengthy studies on liability and genetics. And in translating this phrase we have depended on what we know of the tendency of Israelite philosophy. As for the literal translation, it is: “And it is with good that the world is judged.”

But judgment is in accordance with the most deeds: And the literal translation is, “Everything is corresponding to the multitude of deeds.” Therefore, some commentators have explained it as such: that the reward will be proportional to the number of good deeds, not proportional to their value. And they gave the example that one who donates ten dirhams one time will have an award less than than the reward of a benefactor who donates such a sum ten times.

And his Excellency, my friend, the scholar and teacher Rabbi Mendel Kohen, has examined my translation, and he preferred it at first sight. Then he searched in the books and showed me that the great teacher, Rashi, had preceded us in it.

**The Twenty-Third Mishnah**

He also said: All are accountable for all. And the snare is spread out before all the living. The store is open, its owner is waiting, the register is open, the hand writes, and the collectors wander about every day, imposing on the people, with him knowing or not knowing. They have what upon which to rely, the judgment is a just judgment, and everyone is ready for the feast.

This mishnah resembles the topic of the mishnah preceding it, for it discusses deeds, judgment and retribution. And the world has been likened to trade and a store. And the living enjoy there refuge, as customers who borrow from that store. And the owner lends to them because he has sufficient collateral on all of them.

He also said: The pronoun refers back to Rabbi Akiba.

All are accountable for all: i.e., that every individual, of the individuals of the Israelite nation, is accountable to the entirety of all others. **[142]** He must, then, guide those wandering astray, lead the falsifiers, and teach the ignorant, for otherwise he will be punished by the punishment hidden for them on the Day of Judgment. And some of the commentators have understood the phrase as such: “A guarantee was taken for every human.” And they said that the intent of this phrase was the completion of the saying mentioned in the previous mishnah about human freedom and choice, and that the scholar has said it as a caution to man, who is free in conduct, that absolute freedom, in terms of actions, is limited in terms of its results; i.e., that a guarantee was taken already from time immemorial.

And the snare is spread out: The intention of “snare” here is death.

Before all the living: i.e., that death has been imposed on every living being, for it is the final result of every life.

The store is open: i.e., a refuge of life accessible to all humans, and he has the freedom to choose what is permissible for him to enjoy and what is not permissible

Its owner is waiting: The meaning here of the store’s owner is God. And he has said that he does not immediately demand from those who have incurred debts.

The register is open: To record their deeds.

The hand writes: i.e., that the human himself records his deeds in it with his hand. And this is the basis of the belief mentioned repeatedly in the Talmud that the human soul ascends to Heaven while he is sleeping, and he writes down his daily deeds, the good ones and the bad ones. And we are accountable for them after our death.

And the collectors wander about every day: i.e., God’s messengers whom he sends every day to punish sinners, such as unjust rulers and killers, with infectious disease and plagues.

Imposing on the people: i.e., they take revenge on him.

With him knowing or not knowing: i.e., the sinner might learn from the misfortunes that afflict him, realizing it is his punishment; or it befalls him and for what reason he does not realize.

They have: The pronoun refers back to the collectors. **[143]**

What upon which to rely: i.e., the documents that show the debt of the debtor.

The judgment is a just judgment: i.e., that the judgment that applies punishment for a deed is a just judgment.

And everyone is ready for the feast: i.e. that eternal bliss is the fate of all, both the pious and the wicked. For the pious enjoy it immediately after death, and the evil after fulfilling the penalty that was sentenced upon them — for eternal punishment is only imposed for great crimes, like suicide, deceiving the nation, and the like.

**The Twenty-Fourth Mishnah**

Rabbi Eleazar son of Azariah said: If there is no Law, then there is no courtesy. And if there is no courtesy, then there is no Law. If there is no wisdom, then there is no fear of God. And if there is no fear of God, then there is no wisdom. If there is no reason, then there is no understanding. And if there is no understanding, then there is no reason. If there is no food, then there is no study. And if there is no study, then there is no food.

Rabbi Eleazar son of Azariah: He is the son of Azariah the priest. And he was descended from Ezra, the renowned scribe. And he was a rich notable, great among the expert scholars, and he was eighteen years old when he was selected for the leadership of the nation, after the Sages agreed to depose Rabban Gamaliel of Jabneh. And when Rabban Gamaliel yielded to the Sages, they returned the leadership to him, and Rabbi Eleazar also remained with him in the capacity of a second leader.

If there is no Law, then there is no courtesy: i.e., that the man who does not learn Torah or repudiates knowledge does not have courtesy, for he is ignorant, then, of its extent, and he does not know what it has and what is upon him.

And if there is no courtesy, then there is no Law: i.e., that the man who does not adhere to the bounds of courtesy **[144]** cannot receive knowledge from his teachers.

If there is no wisdom, then there is no fear of God: i.e., that the ignorant person, who does not know the rules of the law and the duties that it imposes, cannot know how to please God.

And if there is no fear of God, then there is no wisdom: This statement resembles what David said in Ps. 111, and its text is: “The beginning of wisdom is fear of God.”

If there is no reason, then there is no understanding: i.e., if a person does not have extensive reason in terms of reflection and perception, then he cannot understand the facts of matters.

And if there is no understanding, then there is no reason: i.e., one who does not take care to understand the facts of matters does not expand the degree of his reason.

If there is no food, then there is no study: i.e., that the poor person, who cannot achieve his necessary strength. For he is not intensively spending all his time studying the Law. Rather, he must engage in activities that enable him to earn a living with the effort of his right hand, without asking anyone.

And if there is no study, then there is no food: i.e., that one who does not set, from among his time, an arranged time period for study of the Law, divine blessing vanishes from him and he becomes poor.

And my friend, the scholar Rabbi Mendel, has remarked to me about this mishnah that the intent of the word *khokhma*,appearing in the original Hebrew, is the total amount of what a man learns from his teachers; and the word *bina*, the total amount of what he deduces from the information by means of what he learns; and the word *da’at*, what he understands by his discernment. As for us, we have translated the first word with *ḥikma*, the second with *ʼidrāk*, and the third with *ʻaql*.

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**The Twenty-Fifth Mishnah**

He also said: One whose wisdom is greater than his deeds, to what thing is he comparable? He is comparable to a tree with many branches and few roots, and when the wind blows, it is uprooted and turned on its face. As it says, “He shall be like a bush in the forest, not expecting that the good news is coming to him; rather, he remains deserted in a scorched place, in a salty land without inhabitant.” As for one whose deeds are greater than his wisdom, he is like a tree with few branches and many roots, and when all the winds of the world blow upon it, it cannot be moved from its place. As it says, “He shall be like a tree planted by streams of water, with its roots flowing in the dampness; and it does not fear the rising energy of the heat, its leaves are fresh, it is not concerned in a year of drought, and it does not stop producing fruit.”

He also said: The pronoun refers back to Rabbi Eleazar son of Azariah, the author of the previous mishnah.

One whose wisdom is greater than his deeds: i.e., one who is knowledgeable while at the same time does not engage in charitable acts — which the Torah commands him to do — and does not move promptly in fulfilling its commandments by all the means of his power. And he resembles a dense tree that does not have strong roots fixed into the ground, and it of course cannot withstand the blowing of the wind.

And he has likened deeds with the roots because they strengthen belief in the same way of acting, and because their rewards are stable **[Note: this sentence was too smudged for me to decipher 100%]**.And he likened wisdom with branches, for as wisdom adorns a man, so branches adorn a tree.

As it says: In the books of the prophets in Scripture.

As for one whose deeds: i.e., one who is more concerned with doing good and obedience than with his interest in knowledge — provided that he schedule adequate time for study, because it is among the totality of the deeds that the Law commands.

As it says: In the Psalms of David, and in the books of the prophets.

**[146]**

**The Twenty-Sixth Mishnah**

Rabbi Eleazar son of Hisma said: nests and the gates of menstruation — these are among the foundational legal issues. The calendar and the calculations — these are adornments of wisdom.

Rabbi Eleazar son of Hisma: A scholar from among the respected Sages of the Talmud. And he was called “son of Hisma” because he was quiet, only saying what he had to say; and it is said, actually, that it is because at an early age he was unable to speak, though subsequently he spoke — for the word “hisma” in the mixed language of the Talmud means “quiet,” and it also means “muteness.” And some of them have said that this Rabbi Eleazar was called “son of Hisma” because he adjudicated the rule taught for the commandment appearing in Deuteronomy prohibiting the muzzling of an ox’s mouth while it is threshing the crops; “muzzle” in Hebrew is expressed by the word *hasum*, and it is the source of the name used for this rabbi in the Talmud (hisma).

Nests: This word means types of sacrifices, which consist of pairs of pigeons or doves.

And the gates of menstruation: i.e., its rules.

These are among the foundational legal issues: i.e., that studying it is obligatory among the obligatory study of the issues and other rulings.

The calendar: i.e., the science of prayer times, holidays, seasons, and the rest of the astronomical and meteorological sciences.

And the calculations: What is meant here is *ḥisab al-jumal* (use of letters of the alphabet according to their numerical value) to find out the number of a given word by adding up the value of the letters of the alphabet.

These are adornments of wisdom: i.e., they supplement and complement it.

As for the intent of this mishnah, it is this: that knowledge of the rules of sacrifices of birds and the rules of menstruation, despite their simplicity and lack of complexity, is part of the true science; and that competence in the calendar and astronomy and mining different inferences by means of *ḥisab al-jumal* — these are among the luxuries **[147]** that have nothing to do with the true science, whose study is imposed legally, although [that competence] is incomparably more difficult than the first.

This is the first volume of that book, about which there are numerous reports and erroneous impressions, due to the lack of previous knowledge about it.

It is translated by a man whose faith does not prevent him from speaking publicly about what is in his conscience, in terms of approval or disapproval.

**[Note: this paragraph apparently describes the rabbinic middot for biblical interpretation.]** And in order to understand the intent of the word “calculations,” which we have used as a translation of the word “*gematria*”that appears in the original, we should say that the Scholars of the Talmud were very fond, from time immemorial, of applying their understanding **[note: smudges and words difficult to decipher here]** on the rules of the Torahs. If they could not find, for any issue among their issues, clear evidence from the Torah, or from the sayings of their ancestors, they would turn for help from what they call **[smudge]** *heqesh*, i.e., the proximity of words, and what they call *gematria*, i.e., *ḥisab al-jumal.*

The first part of the Talmud is concluded, and praise to God, first and foremost.

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**Conclusion**

This is the first volume of that book, about which there are numerous reports and erroneous impressions, due to the lack of previous knowledge about it.

Here it is with its faults, translated by a man whose faith does not prevent him from speaking publicly about what is in his conscience, in terms of approval or disapproval.

Does a translation such as this book merit what we obtained in terms of oppression, harassment, and the effort towards severing of livelihoods?

Does a translation such as this book allow for the leaders of the religion, who are called to lead the nation, to stand in our way **[note: smudged; difficult to decipher here ]** with everything they have in terms of means that the religion permits and does not permit?

How strange is the behavior of the leaders of the religions, and how ridiculous are the minds of man!

We ask for help from public opinion. If we are supported by demand for this book, we would take the initiative to publish what follows it. Otherwise we break the pen and say that our contemporaries are like the leaders of the religion.

Egypt April 909

Doctor Shimon Moyal