

22.1.07

7b (משנה ה') → 8b (זכולהו איתנהו ביה)

1. אֶסְפָּרָם מַחֹל יָרְבֵּן וְהַקִּיצָתִי וְעוֹדֵי עֵמֶק: תְּהִלִּים פֶּרֶק קֶלֶט פֶּסוּק יח  
 2. כִּי בָרַךְ אֶבְרָכָךְ וְהִרְבָּה אַרְבָּה אֶת זֶרְעֶךָ כְּכֹכְבֵי הַשָּׁמַיִם וְכַחֲלוֹ אֲשֶׁר עַל שַׁפַּת הַיָּם וַיִּרֶשׁ זֶרְעֶךָ אֶת שְׁעַר אֲבִיבֵי: בְּרֵאשִׁית פֶּרֶק כֵּב פֶּסוּק יז  
 3. אֲנִי חוֹמָה וְשָׂדֵי כְּמַגְדָּלוֹת אִזְ הֵייתִי בְּעֵינָיו כְּמוֹצֵאת שְׁלוֹם: שִׁיר הַשִּׁירִים פֶּרֶק ח פֶּסוּק י  
 4. אִף חָבַב עַמִּים כָּל קוֹשֵׁיו בְּיָדָהּ וְהֵם תָּכֹו לְרַגְלָךְ יֵשָׂא מִדְּבַרְתִּיךָ: דְּבָרִים פֶּרֶק לֵג פֶּסוּק ג  
 5. גַּם כִּי יִתְּנוּ בְּגוּלִים עִתָּה אֶקְבָּצֶם וְיַחֲלוּ מַעַט מִמֶּשָׂא מִלֵּךְ שָׂרִים: הוֹשֵׁעַ פֶּרֶק ח פֶּסוּק י  
 6. וְלָכֶם מֵהוֹדְעִין דִּי כָל כְּהֵנִיא וְלֵנִיא זְמַרְיָא תְּרַעֲיָא נְתִינִיא וּפְלַחֵי בֵּית אֱלֵהָא דְנָה מְנַדָּה בְּלוּ וְהִלְךְ לֹא שְׁלִיט לְמַרְמָא עֲלֵיהֶם: עִזְרָא פֶּרֶק ז פֶּסוּק כד  
 7. וְהָיָה כִּי יֵאמְרוּ אֵלֶיךָ אָנָּה נָצָא וְאִמְרַת אֲלֵיהֶם כֹּה אָמַר ה' אֲשֶׁר לְמֹנֹת לְמֹנֹת וְאֲשֶׁר לְחֹרֵב לְחֹרֵב וְאֲשֶׁר לְרָעַב לְרָעַב וְאֲשֶׁר לְשָׂבִי לְשָׂבִי: יְרֵמְיָהוּ פֶּרֶק טו פֶּסוּק ב  
 8. יָקָר בְּעֵינָי ה' הַמּוֹתֶה לְחַסְדֵּיךָ: תְּהִלִּים פֶּרֶק קטו פֶּסוּק טו  
 9. טוֹבִים הֵיוּ חֲלָלֵי חֶרֶב מִחֲלָלֵי רָעַב שֶׁהֵם יְזוּבוּ מִדְּקָרִים מְתַנּוּבֹת שְׂדֵי: אִיכָה פֶּרֶק ד פֶּסוּק ט

## I 'ה משנה: civic obligations and taxes

- a A member of the חצר is compelled to contribute towards a gate and guard-house  
 i Dissent: רשב"ג – a guard house is not apt for all חצרות - (ברייתא) – only one adjacent to ה"ר  
 1 Defense (רבנן): sometimes the רבים push their way in  
 b A resident of the city is compelled to contribute towards a wall and gate for the city  
 i Dissent: רשב"ג – a wall is not apt for all cities (ברייתא) – only one adjacent to the border  
 1 Defense (רבנן): sometimes the army may come to any city  
 c Residency is established after having been in the city for 12 months  
 i Challenge (from ruling re: עיר הנדחת – 30 days)  
 1 Answer: to be considered a "citizen" (העיר) – 12 months; for residency (העיר) – 30 days (from נדרים)  
 ii Challenge: ברייתא with scale of variable assessments based on 1, 3, 6, 9 or 12 months (for city walls)  
 1 Answer: our משנה rules 12 months in re: city walls  
 2 Tangent: ר' יוחנן ruled that everyone must share in cost of העיר פסי, even יתומים; but not רבנן (don't need שמירה)  
 3 Parallel: ר"פ cost of wall, guards and weapons – everyone but רבנן must pay  
 4 General rule: people only have to contribute towards need from which they get benefit  
 iii story: רבא assessed יתמי for צדקה  
 1 Challenge: ruling that we don't assess יתמי, even for שבויים  
 2 Answer: he did it to make them feel important  
 iv Story: איפרא מלכא) gave money for "great מצוה"; from ruling above, inferred it should be פד"ש  
 1 Source: vv. 7-9 present hierarchy of affliction, captivity being worse than immediate death or starvation

d However: if he buys a residence, he becomes a resident immediately

## II Analysis and application

- a Tangential question: how is the tax assessed? (ר' → ר"א) in any case, ר"י directed ר"א not to waver from the ruling)  
 i Version 1: is it by financial stake or by members of the household?  
 1 Answer: by financial stake  
 ii Version 2: is it by financial stake or by proximity of the residence to the wall?  
 1 Answer: by proximity  
 b Story: (סנהדרין) assessed students for cost of wall  
 i Opposition (ר"ל): they themselves need no protection, as per vv. 1-3  
 c Related: ר"ח assessed students and scholars for regular tax  
 i Opposition (רבנן): he violated תורה (v. 4) and נביאים (v. 5) and כתובים (v. 6)  
 d Related: ר"פ assessed יתומים for their portion of a well-digging fee  
 i Challenge: if no water is found, others (adults) can forgive their stake, but not יתמי (minors)  
 1 Answer: if nothing is found, they'll be repaid  
 e רב יהודה's ruling re: contributing towards repairing walls of city  
 i Even: orphans must contribute, but not students, as they need no protection  
 ii But: even they must help with digging of wells, unless the diggers go out in bands (unseemly)  
 f Story about רבי and the faux הארץ עם; the related story about the tax on טבריה which was lifted when the ע"ה left