

10. And whatsoever man there be of the house of Israel, or of the strangers that sojourn among them, that eateth any manner of blood, I will set My face against that soul that eateth blood, and will cut him off from among his people. 11. For the life of the flesh is in the blood; and I have given it to you upon the altar to make atonement for your souls; for it is the blood that maketh atonement by reason of the life. 12. Therefore I said unto the children of Israel: No soul of you shall eat blood, neither shall any stranger that sojourneth among you eat blood.

13. And whatsoever man there be of the children of Israel, or of the strangers that sojourn among them, that taketh in hunting any beast or fowl that may be eaten, he shall pour out the blood thereof, and cover it with dust. 14. For as to the life of

10 וְאִישׁ אִישׁ מִבְּיַת יִשְׂרָאֵל וּמִן־הַגֵּר הַקֹּדֵר
 בְּחֹלֶם אֲשֶׁר יֹאכַל כְּלֵדָם וְנִמְתִּי פָנָי
 בְּנִפְשׁ הָאֲבֹלֹת אֶת־הַיָּם וְהַקִּרְתִּי
 אֹתָהּ מִתְּוֹךְ עַמִּי: כִּי־נִפְשׁ הַבְּשָׂר
 בְּדָמָהּ הִיא וְנָתַתִּי אֹתָם לְעַלְמֵי־בָרָךְ
 לְכַפֵּר עַל־נַפְשֹׁתֵיכֶם כִּי־הִיָּהֶם הוּא
 בְּנִפְשׁ יִבְרָר: עַל־כֵּן אֲמַרְתִּי לְבָנֵי
 יִשְׂרָאֵל כָּל־נִפְשׁ מִמֶּם לֹא־תֹאכַל דָּם:
 וְהִגַּדְתֶּם הִגַּד בְּחֹלְכֶםם לֹא־יֹאכַל דָּם:
 13 וְאִישׁ אִישׁ מִבְּנֵי יִשְׂרָאֵל וּמִן־הַגֵּר הַקֹּדֵר
 בְּחֹלְכֶם אֲשֶׁר יֹאכַד צִיד חַיָּה אוֹעֵף
 אֲשֶׁר יֹאכַל וְשָׁפַךְ אֶת־דַּמּוֹ וְכָסָהוּ
 בְּעֹדֶר: כִּי־נִפְשׁ כָּל־בְּשָׂר דָּמּוֹ בְּנִפְשׁוֹ

or that killeth it without the camp, 4. and hath not brought it unto the door of the tent of meeting, to present it as an offering unto the Lord before the tabernacle of the Lord, blood shall be imputed unto that man; he hath shed blood; and that man shall be cut off from among his people. 5. To the end that the children of Israel may bring their sacrifices, which they sacrifice in the open field, even that they may bring them unto the Lord, unto the door of the tent of meeting, unto the priest, and sacrifice them for sacrifices of peace-offerings unto the Lord. 6. And the priest shall dash the blood against the altar of the Lord at the door of the tent of meeting, and make the fat smoke for a sweet savour unto the Lord. 7. And they shall no more sacrifice their sacrifices unto the satyrs, after whom they go astray. This shall be a statute for ever unto them throughout their generations.

8. And thou shalt say unto them: Whatsoever man there be of the house of Israel, or of the strangers that sojourn among them, that offereth a burnt-offering or sacrifice, 9. and bringeth it not unto the door of the tent of meeting, to sacrifice it unto the Lord, even that man shall be cut off from his people.

וְיָקְרָא אַחֲרֵי מוֹת יִז
 אוֹיֵעוּ בַּמִּחְנֶה אוֹ אֲשֶׁר יִשְׁקֹט מִחוּץ
 לַמִּחְנֶה: וְאֶל־פֶּתַח אֹהֶל מוֹעֵד לֹא
 הֵבִיאוּ לְהַקְרִיב קָרְבָן לַיהוָה לְפָנָי
 מִנִּפְשׁוֹ וְהָיָה דָם יִחַשֵׁב לְאִישׁ הַהוּא דָם
 שֶׁשָּׁפַךְ וְנִקְרַת הָאִישׁ הַהוּא מִקִּרְבַּע עַמּוֹ:
 5 לְמַעַן אֲשֶׁר יָבִיאוּ בְנֵי יִשְׂרָאֵל אֹת־
 זְבֻחֵיהֶם אֲשֶׁר הֵם זֹבְחִים עַל־פְּנֵי
 הַשָּׂדֶה וְהֵבִיאוּם לַיהוָה אֶל־פֶּתַח אֹהֶל
 מוֹעֵד אֶל־הַבַּיִת וְזָבְחוּ זָבְחֵי שְׁלָמִים
 6 לַיהוָה אוֹתָם: וְנָלַק הַכֹּהֵן אֶת־הַדָּם
 עַל־מִזְבֵּחַ יְהוָה שֶׁפַח אֹהֶל מוֹעֵד
 וְהַקִּטִּיר הַחֹלֵב לְרִיחַ נִיחֹם לַיהוָה:
 7 וְלֹא־יִזְבְּחוּ עוֹד אֶת־זְבֻחֵיהֶם
 לְשַׁעֲרֵם אֲשֶׁר הֵם זֹנִים אַחֲרֵיהֶם
 הַקֹּת עוֹלָם הַקִּידֵי־נָאֹת לָטֵם
 8 לְדֹרֹתָם: חֹדְשִׁי (שְׁלִישִׁי בַּשָּׁנָה חֹדֶשׁ)
 וְהָאֹמֵר אִישׁ אִישׁ מִבְּיַת יִשְׂרָאֵל
 וּמִן־הַגֵּר אֲשֶׁר־יִגֵּר בְּחֹלְכֶם
 אֲשֶׁר־יַעֲלֶה עָלָה אוֹזֵבַח: וְאֶל־
 פֶּתַח אֹהֶל מוֹעֵד לֹא יָבִיאוּ לְעִשׂוֹת
 אֹתוֹ לַיהוָה וְנִקְרַת הָאִישׁ הַהוּא מִנִּפְשׁוֹ:

10. And whatsoever man there be of the house of Israel, or of the strangers that sojourn among them, that eateth any manner of blood, I will set My face against that soul that eateth blood, and will cut him off from among his people. 11. For the life of the flesh is in the blood; and I have given it to you upon the altar to make atonement for your souls; for it is the blood that maketh atonement by reason of the life. 12. Therefore I said unto the children of Israel: No soul of you shall eat blood, neither shall any stranger that sojourneth among you eat blood.

10. *that eateth any manner of blood.* N quotes Maimonides that the Chaldeans abhorred the eating of blood, but that the Greeks drank it in order to have affinity with the demons and thus get to know what the future had in store for them. N maintains that the prohibition originated in the fact that those who eat the blood become in time imbued with the same bestial passions which the animal possessed. The Israelites must, accordingly, pour the blood on the altar as an atonement, as it is not right that one creature (man) should devour the life-blood of another creature. To emphasize the fact that the blood must not be eaten, it was ordained that the blood of a beast or fowl must be covered over with earth.

I will set My face (panai). R cites the Midrashic explanation which reads the word as *penai*, 'leisure,' and makes God say, 'I will turn away from all My affairs and concern Myself only with him.' The penalty of excision is incurred by eating the blood of any animal and not only of one brought as a sacrifice.

11. *the life of the flesh.* Every living creature depends for its life on its blood. It was, therefore, chosen to expiate the sins of man which would have brought about his death (R).

by reason of the life. Since blood contains the life of the animal, it can atone for the life of man (E).

12. *no soul of you shall eat blood.* Repeated to emphasize that adults must not allow their children to eat blood (R).

13. *or fowl.* Whence do we know that covering with earth applies to the blood of geese and fowl that have been kept for some time in the house as well as those just caught? This is to be derived from *taketh in hunting* which is literally 'who hunteth a hunted (creature)', i.e. which has been hunted whether at that time or previously (R).

cover it with dust. After it has been covered with earth, it will no longer be fit to be eaten (Sh). The places where the animals are usually hunted are deserted and are the haunt of demons.

without the camp. Outside the court of the Sanctuary (R).

4. *blood shall be imputed.* It is as if he had slaughtered a fellow-man (R, N). *he hath shed blood.* The apparently redundant words are added to teach that if he sprinkles the blood outside the court, his punishment is excision by the hand of God (R).

5. *which they sacrifice in the open field.* i.e. they err in sacrificing the animals to demons and not to God (Sh).

7. *satyrs (se'irim).* They are demons who are so called because they have a hairy (*se'ar*) appearance (E). They appear to deluded persons in the form of goats (*se'irim*) (N).

a statute for ever. Not to sacrifice to demons even though they are not regarded as gods, but the aim is only to seek their help (S).

9. *shall be cut off.* His offspring will die and his days be shortened (R).

פ' קק"ב v. 4. פ' קק"ב v. 3.

desireth to eat flesh; thou mayest eat flesh, after all the desire of thy soul.
 21. If the place which the LORD thy God shall choose to put His name there be too far from thee, then thou shalt kill of thy herd and of thy flock, which the LORD hath given thee, and thou I have commanded thee, and thou shalt eat within thy gates, after all the desire of thy soul. 22. Howbeit as the gazelle and as the hart is eaten, so thou shalt eat thereof; the unclean and the clean may eat thereof alike. 23. Only be stedfast in not eating the blood; for the blood is the life; and thou shalt not eat the life with the flesh. 24. Thou shalt not eat it; thou shalt pour it out upon the earth as water. 25. Thou shalt not eat it; that it may go well with thee, and with thy children after thee, when thou shalt do that which is right in the eyes of the LORD.
 26. Only thy holy things which thou hast, and thy vows, thou shalt take, and go unto the place which the LORD shall choose; 27. and thou shalt

אֲנִי רְצוֹן לֶאֱמֹן וְלִשְׁמֵרָה וְלִשְׁמֵרָה
 לְשׁוֹמֵר שְׂמוֹתַי וְלִשְׁמֵרָה וְלִשְׁמֵרָה
 אֲשֶׁר נָתַן יְהוָה לְךָ בְּאֲשֶׁר צִוִּיתִי
 וְאֲבָלְתָהּ בְּשַׁעֲרֶיךָ בְּכָל אֹמֶת נִפְשֶׁהָ
 אֲזַי בְּאֲשֶׁר אֶתְּחַבְּבֵנִי וְאֶתְּחַבְּבֵנִי
 הַאֲרָץ כִּן תֹּאכְלֶנָּה וְשִׂמְנֶהּ וְהַפְּחֹד יִחְדָּו
 וְאֲבָלְתָהּ כִּן תֹּאכְלֶנָּה וְלִשְׁמֵרָה וְלִשְׁמֵרָה
 כִּי הַדָּם הוּא הַנֶּפֶשׁ וְלֹא תֹאכְלֶנָּה עַל-הָאָרֶץ
 עִם-הַבְּשָׂר׃ לֹא תֹאכְלֶנָּה לְמַעַן
 יֵשֵׁב לְךָ וְלִבְנֶיךָ אֲחֵרֶיךָ כִּי-תַעֲשֶׂה
 הַיָּשָׁר לְךָ וְיִדְרֶיךָ תִּשְׂאָה וְיָבֵאתָ אֶל-
 הַמִּקְדָּשׁ אֲשֶׁר-יִבְחַר יְהוָה וְנִעֲשִׂיתָ
 וְיָדָר יִרְי׃

21. then thou shalt kill . . . as I have commanded thee. The term used for slaughtering animals dedicated to the altar is *Shechitah*, implying the traditional method that was given orally to Moses on Sinai. This method is now extended to the slaughter of animals for food (N).

27. and thou shalt

22. the unclean and the clean. See on verse 15.
 23. only be stedfast in not eating the blood. This stern warning against eating blood was necessary, because eating blood as part of the Egyptian worship of satyrs was still practised by the Israelites (cf. Lev. xvii. 7) (N). Because the blood is absorbed in all the limbs, it is necessary to take every care to remove it (Sh).
 the life with the flesh. This prohibits eating flesh cut from a living animal (R).
 24. thou shalt pour it out upon the earth

as water. The blood must not be stored but rendered unfit for consumption by pouring it on the ground (S).
 25. and with thy children after thee. Eating blood has an evil effect on the mind of man who indulges in it and even on his descendants after him. Hence the assurance that abstinence from blood would result in happiness also for one's offspring (E).
 that which is right in the eyes of the LORD. Though the practice may be abhorrent, the reason for the observance of this law must be the fulfilment of God's will (S).
 26. only thy holy things. Although in the Holy Land animals for ordinary consumption might be slaughtered in any place, consecrated animals had to be offered on the altar in the Sanctuary (R).

27. and thou shalt

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eat thereof, as of the gazelle, and as of the hart. 16. Only ye shall not eat the blood; thou shalt pour it out upon the earth as water. 17. Thou mayest not eat within thy gates the tithe of thy corn, or of thy wine, or of thine oil, or the firstlings of thy herd or of thy flock, nor any of thy vows which thou vowest, nor thy freewill-offerings, nor the offering of thy hand; 18. but thou shalt eat them before the LORD thy God in the place which the LORD thy God shall choose, thou, and thy son, and thy daughter, and thy man-servant, and thy maid-servant, and the Levite that is within thy gates; and thou shalt rejoice before the LORD thy God in all that thou puttest thy hand unto. 19. Take heed to thyself that thou forsake not the Levite as long as thou livest upon thy land.
 20. When the LORD thy God shall enlarge thy border, as He hath promised thee, and thou shalt say: 'I will eat flesh,' because thy soul

וְכֹאֲמַל׃ כִּם הִסֵּם לֹא תֹאכְלוּ עַל-
 הָאָרֶץ תִּשְׂפְּכוּנוּ בַּמַּיִם׃ לֹא-תֹאכְלוּ
 לֶאֱכֹל בְּשַׁעֲרֶיךָ מִנְעֶשֶׂר וְהִגְנֶה וְהִזְרָשָׁה
 וְיִצְהָרֶיךָ וּבְכֹלֹת בְּקֹרָה וְצִאָּה וְכָל-
 נְדָרֶיךָ אֲשֶׁר תִּחְדָּר וְנִדְבָטֶיךָ וְהַדְּמוּת
 יָדָה׃ כִּי אִם-לְפָנֶי יְהוָה אֲלֵלֶיךָ
 תֹּאכְלוּנוּ בַּמִּקְדָּשׁ אֲשֶׁר יִבְחַר יְהוָה
 אֲלֵלֶיךָ בּוֹ אֶתְהָ וּבְנֶה וּבְיָמֶיךָ וְעַבְדֶּיךָ
 וְאִמָּתֶיךָ וְהַלְוִי אֲשֶׁר בְּשַׁעֲרֶיךָ וְשִׂמְחֹתָ
 לְפָנֶי יְהוָה אֲלֵלֶיךָ בְּכָל מוֹשְׁלַח יָדָה׃
 הַשְּׂמֶר לְךָ כִּן-תִּקְעֹזֵב אֶת-הַלְוִי כִּל-
 יָמֶיךָ עַל-אֶרֶץ-קָדְשָׁה׃

20. When the LORD thy God shall enlarge thy border, as He hath promised thee, and thou shalt say: 'I will eat flesh,' because thy soul

20. When the LORD thy God shall enlarge thy border, as He hath promised thee, and thou shalt say: 'I will eat flesh,' because thy soul

as of the gazelle, and as of the hart. These animals were not brought as sacrifices and therefore may be eaten by the unclean. Hence the comparison between the flesh of animals slaughtered for ordinary consumption and that of the gazelle and of the hart in regard to the unclean (E). With blemished animals, there was no obligation to donate to the priest the due mentioned in xviii. 3 (R).

20. shall enlarge thy border. In the desert, when all the people were near the Sanctuary, no animal might be slaughtered for food without dedicating it as a peace-offering; with their entry into the Holy Land, where the Israelites were scattered over a wide area, they were permitted to slaughter animals for food anywhere (N).
 I will eat flesh. The Torah here teaches a rule of conduct, viz. one should only desire to include meat in his diet when he is well-to-do (R).

21. then thou shalt kill . . . as I have commanded thee. The term used for slaughtering animals dedicated to the altar is *Shechitah*, implying the traditional method that was given orally to Moses on Sinai. This method is now extended to the slaughter of animals for food (N).

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27. and thou shalt

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CHAPTER XIII

1. All this word which I command you, that shall ye observe to do; thou shalt not add thereto, nor diminish from it.

2. If there arise in the midst of thee a prophet, or a dreamer of dreams—and he give thee a sign or a wonder, 3. and the sign or the wonder come to pass, whereof he spoke unto thee—saying: 'Let us go after other gods, which thou hast not known, and let us serve them'; 4. thou shalt not hearken unto the words of that prophet, or unto that dreamer of dreams; for the Lord your God putteth you to proof, to know whether ye do love the Lord your God with all your heart and with all your soul. 5. After the Lord your God shall ye walk, and Him shall ye fear, and His commandments shall ye keep, and unto His voice shall ye hearken, and Him shall ye serve, and unto Him shall

1 אֶת-כָּל-הַדְּבָר אֲשֶׁר-אָמַרְתִּי מִצִּוְיָהּ אֲתֹמַר
אֲתוּ תִשְׁמְרוּ לַעֲשׂוֹת לֹא-תִסֶּפֶה עֲלֶיךָ
לְרַא תִּגְדַּע מִנִּפְתִּי: 2
כִּי-יָקוּם בְּקִרְבְּךָ גִּבּוֹר אִוִּי תִלְמֵד תִּלְמוֹד
וְנָתַן אֵלָיךָ אֹתוֹ אוֹ מוֹפֵת: וְנָגַד הָאוֹר
וְהַמּוֹפֵת אֲשֶׁר-דִּבַּר אֵלָיךְ לֵאמֹר
נִלְבָּת אַחֲרַי אֱלֹהִים אַחֲרַי אֲשֶׁר לֹא-
יָדַעְתֶּם וְנִעְבַּדְתֶּם: לֹא תִשְׁמַע אֵל-
דִּבְרֵי הַגִּבּוֹר הַזֶּה אוֹ אֶל-חֹזְלֵם
הַתִּלְמוֹד הַזֶּה כִּי מִנִּפְתִּי יִהְיֶה אֱלֹהֵיכֶם
אֲתֶם לַעֲשׂוֹת מִיִּשְׁכֶם אֲתֵבִים אֶת-
יְהוָה אֱלֹהֵיכֶם בְּכֹל-בְּבֹכֶם וּבְכֹל-
נַפְשֵׁיכֶם: אַחֲרַי יִהְיֶה אֱלֹהֵיכֶם תִּלְכוּ
וְאֲתוּ תִירָאוּ וְאֶת-מִצְוֹתַי תִּשְׁמְרוּ:
וּבְכֹל תִּשְׁמְעוּ וְאֲתוּ תִעַבְדוּ וְכוּ

¹ פ' קק"ב v. 5.

CHAPTER XIII

1. all this word which I command you. As a continuation of the preceding verse, the warning is repeated that only the mode of worship prescribed by the Torah should be followed and not that practised by idolaters (E, N). shall ye observe to do. The verb always denotes a prohibition, and is added here to attach a negative to every positive command in the chapter (R).

2. in the midst of thee. The claimant to prophecy can only be one of you, for none but Israel has produced prophets (E). a prophet. One who claims that God communicated a message to him while he was awake (N). a sign or a wonder. Sign denotes the prediction of a natural incident, while

wonder implies the forecast of a supernatural event. By both methods the false prophet seeks to authenticate forms of idolatry (N). The former signifies a phenomenon in the heavens, the latter on earth (R). 4. putteth you to proof. He endows the false prophet with this power to test you to know. Their real attitude to God will be revealed by their rejection of the signs of the false prophet (N).

5. after the LORD your God shall ye walk. No sign or wonder of any prophet should ever shake your firm belief in the true God (N). His commandments shall ye keep. This refers to the Torah of Moses (R, N); not new commandments devised by a prophet which are contradictory to the law of God (S).

עֲלֹתֶיהָ הַבֶּשֶׂר וְהַדָּם עַל-מוֹזֵבֶת יְהוָה
אֲלֹהֶיךָ וְדָם-זִבְחֶיךָ יִשְׁפֹךְ עַל-
מוֹזֵבֶת יְהוָה אֲלֹהֶיךָ וְהַבֶּשֶׂר הֵאָבֵל:
שְׁמֹר וְשָׁמַרְתָּ אֶת-כָּל-הַדְּבָרִים הָאֵלֶּה
אֲשֶׁר אָמַרְתִּי לְמַעַן יִיטֵב לְךָ
וּלְבָנֶיךָ אַחֲרַיךָ עַד-עוֹלָם כִּי
הַעֲשֵׂהָ הַטּוֹב וְהִיָּשֵׁר בְּעֵינֵי יְהוָה
אֲלֹהֶיךָ: 29 עַל-יְדֵי כִּי-יִרְדֶּה אֲלֵיךָ
אֶת-הַגּוֹלִים אֲשֶׁר אַתָּה בֹא-שָׁמָּה לְרִשְׁתָּ
אוֹתָם מִכְּנָעַן וְהִרְשֵׁתָ אֹתָם וַיִּשְׁבְּתָ
בְּאֶרְצָם: הַשְׁמַר לְךָ פֶּן-תִּהְיֶה
אֶתְרֵיהֶם אַחֲרַי הַשְׁמַדְתֶּם מִכְּנָעַן וּפְדוּ
תִרְדַּשׁ לֵאלֹהֵיהֶם לֵאמֹר אֵיךָ יַעֲבֹדוּ-
הַגּוֹיִם הָאֵלֶּה אֶת-אֱלֹהֵיהֶם וַאֲעֲשֶׂה-
כֵּן נִם-אֲנִי: לֹא-תַעֲשֶׂה כֵּן לַיהוָה
אֲלֹהֶיךָ כִּי כָל-תּוֹעֵבֶת יְהוָה אֲשֶׁר
שָׁנֵא עֲשָׂו לֵאלֹהֵיהֶם כִּי נִם אֶת-בְּנֵיהֶם
וְאֶת-בְּנוֹתֵיהֶם יִשְׂרְפוּ בְּאֵשׁ לֵאלֹהֵיהֶם:

offer thy burnt-offerings, the flesh and the blood, upon the altar of the Lord thy God; and the blood of thy sacrifices shall be poured out against the altar of the Lord thy God, and thou shalt eat the flesh. 28. Observe and hear all these words which I command thee, that it may go well with thee, and with thy children after thee for ever, when thou doest that which is good and right in the eyes of the Lord thy God.

29. When the Lord thy God shall cut off the nations from before thee, whither thou goest in to dispossess them, and thou dispossesest them, and dwellest in their land; 30. take heed to thyself that thou be not ensnared to follow them, after that they are destroyed from before thee; and that thou inquire not after their gods, saying: 'How used these nations to serve their gods? even so will I do likewise.' 31. Thou shalt not do so unto the Lord thy God; for every abomination to the Lord, which He hateth, have they done unto their gods; for even their sons and their daughters do they burn in the fire to their gods.

27. and thou shalt eat the flesh. Unlike the burnt-offering, with a peace-offering the greater part of the flesh was eaten by the offerer after the blood had been poured on the altar (R).

28. observe. This term implies the constant repetition necessary for studying the Oral Law (R).

all these words. No distinction should be made between minor and major precepts (R).

that which is good. This refers to man's relationship with God, and right to the relationship between man and man (R).

30. after that they are destroyed. You should consider why God destroyed

them and avoid the evil which would result in His destroying you (R). even so will I do likewise. This is a warning that, after the destruction of idolatry and the corrupt inhabitants in the land, the Israelites should not adopt the idolatrous cult even for worshipping the true God. For, as stated in the next verse, the ways of idolatry are abominable and degrading in themselves (N, E).

31. even their sons. The force of even is to include the practice of children sacrificing their parents. R. Akiba said, 'I once saw a heathen bind his father who was then devoured by dogs' (R); an allusion to a common practice in ancient times of putting old people to death).

Halakhic Genres at Qumran

The bulk of the halakhic formulations in works from Qumran can be assigned to two broad genres, consistent with the authority-bases outlined above. In the following discussion we group the Temple Scroll, Jubilees, and related texts as representative of one genre, and the Damascus Document and its related texts as representative of the other. This examination of almost all the halakhic literature found at Qumran evinced that each of these genres has different shadings, and some compositions juxtapose halakhot belonging to both.

Temple Scroll and Related Texts

As the Temple Scroll is primarily a halakhic work, a description of its halakhic approach is equivalent to describing its literary genre. Put briefly, its language is biblical in nature and this text may be assigned to the broad category of rewritten Bible. Even the pericopes containing innovative content are worded in biblical form. Witness the Temple Scroll's presentation of the deuteronomic law permitting those living at a distance from the Temple to slaughter sheep and cattle for consumption (Deuteronomy 12), to which it introduces two changes: one halakhic and the other linguistic:

ואכלחה בשעריכה והטהור והטמא בכה יחדיו כצבי וכאיל. רק חזק לבלתי אכול הדם. על הארץ השופכנו כמים וכסיוו בעפר, כי הדם הוא הנפש ולוא תואכל את הנפש עם הבשר למען יוטב לכה ולבניכה אחריכה עד עולם ועשיחה הישר והטוב לפני אני ה' אלוהיכה.

And you shall eat in your towns, the clean and the unclean among you alike (may eat), as though it were a gazelle or a hart. Only be sure that you do not eat the blood; you shall pour it out upon the earth like water, and *cover it with dust*; for the blood is the life, and you shall not eat the life with the flesh; that all may go well with you and with your children after you for ever. *And you shall do what is right and good in my sight, for I am the LORD your God.* (53:4-8)

Halakhically, the main difference between the pentateuchal pericope and the Temple Scroll lies in the latter's addition of the obligation to cover the blood with dust, taken from Lev. 17:13, where it relates to a captured bird or wild animal. The deuteronomic verse, on the other hand, speaks of consuming cattle. In rabbinic tradition, the requirement to cover the blood of a slaughtered animal applies only to wild animals or to birds, whereas the Temple Scroll's incorporation of Leviticus' *cover it with dust* in the deuteronomic halakhah extends this obligation to cattle as well. This type of exegesis, which applies details regarding one matter to a second similar one, typifies the

הם נחפשים כשזים בזנות.
לקחת שתי נשים בחייהם ויסוד הבריאה זכר ונקבה ברא אותם וכאי החיבה שנים שנים כאו
אל החיבה ועל הנשיא כחוב לא ירבה לו נשים

ולוקחים איש אח אחדו ואח אחדו ומשה אמר אל אחוה אמך לא תקרב שאר אמך
היא ומשפט העדיות לזכרים הוא כחוב וכזה הגשים ואם תגלה כח האח אח ערות אחי
אביה והיא שאר.

They are caught in fornication twice by taking two wives in their lifetime, whereas the principle of creation is, "Male and female created he them" (Gen. 1:27). Also, those who entered the ark went in two by two (Gen. 7:9). And concerning the prince [נשיא], it is written, "He shall not multiply wives to himself" (Deut. 17:17) . . . and they marry each one his brother's daughter or sister's daughter. But Moses said, "To your mother's sister you may not draw near, for she is the flesh of your mother" (Lev. 18:13). Now the precept of incest is written from the point of view of males, but the same (law) applies to women, so that if a brother's daughter uncovers the nakedness of a brother of her father, she is the flesh (of her father). (CD 4:20-5:11)

In this passage its author disputes two halakhic points with his opponents: first, polygamy, his opposition to which he backs with three biblical citations (Gen. 1:27; 7:9; and Deut. 17:17).³⁷ It is not our intent here to analyze the nature of the prooftexts cited; for our purposes, what is important is simply the fact of the presentation of biblical sources as backing for this stance. The initial biblical citation also clarifies what the author views as the underlying rationale for the halakhah: "the principle of creation is 'Male and female created he them.'" Humans were created as a single male and a single female, and not as a single male with several females; therefore this is the correct practice.

The second halakhah is even more intriguing. In this instance, not only does the author disclose its biblical source, but also its underlying exegetical logic. The author of the Damascus Document opposed the Pharisaic practice of uncle-niece marriages, viewing it as included in the prohibited incestuous marriages detailed in Leviticus 18, which explicitly forbids marrying an aunt (v. 13). As revealed by the author of the Damascus Document, the underlying exegetical principle used to derive the prohibition against marrying a niece is that although the language of the Torah is directed toward males, these injunctions must be read as also applying to females. Therefore, just as the Torah forbids a man to marry his maternal aunt, so too are women forbidden to marry their paternal uncles by pentateuchal law.

³⁷ This prohibition is explained in the Temple Scroll as a limitation to one wife: ולוא יקח עליה אשה אחרת כי היאה לכרה חדהו עמו כול ימי חייה (11QT 57:18).

CHAPTER THREE
THE QUMRAN SABBATH CODE:
TEXT AND COMMENTARY

1. CDC 10:14-17: *The Tosefet Melakhah*

אל יעש איש ביום השישי מלאכה מן העת אשר יהיה גלגל השמש רחוק מן השער מלואו
כי הוא אשר אמר שמור את יום השבת לקדשו

No one shall do work on Friday from the time when the sphere of the sun is distant from the gate¹ (by) its (the sun's) diameter, for this is (the import of) that which He said,² "Observe (*shamor*) the Sabbath day to sanctify it (Deut. 5:12)."

This passage refers to what the Rabbis termed the *tosefet melakhah*,³ the addition of the last part of Friday (immediately before sunset) to the Sabbath. This law prohibits all labor, thus making the *tosefet* similar in observance to the Sabbath itself. According to Rabin, P. Shebi'it 1:1 (33a) indicates that this addition was considered optional. In fact, the Palestinian Talmud only informs us that the *tosefet* was considered by some to be Rabbinical in origin, while others attributed it to the Torah.⁴

This passage in CDC has been the subject of considerable argument. S. Talmon⁵ has suggested that as part of its solar calendar the Qumran sect began the Sabbath observance in the morning, and that the Sab-

¹ Ginzberg *MGWJ* 56 (1912), 424, relates this gate (*sha'ar*) to the heavenly portals of Enoch 72:2ff. (Fragments of Enoch were found in Cave 4 (Cross, *Ancient Library*, 44) and have not yet been published.) The "gate" would be the horizon. Cf. *Enumab Elish* 5:9, *ANET*, 67 and Ps. 78:23. The same idea is found in the evening and Sabbath morning liturgies (Baer, *Siddur 'Abodat Yisrael*, 164, 210). Alternately, the gate can be that of the city. This would mean starting the Sabbath quite a bit earlier. See also P. Berakhot 4:1 (7c) and L. Ginzberg, *Perushim We-Hiddushim Ba-Yerushalmi* III, 67f. Y. Gilat, "Le-Qadmutam shel 'Issure Shabbat 'Aḥadim," *Bar-'Ilan, Sefer Ha-Shanah Le-Mada'e Ha-Yahadut We Ha-Ruah*, 1963, 116-9 has taken the *sha'ar* as the city gate. Cf. his *Mishnato shel Rabbi 'Eli'ezer ben Hyrcanos* (1968), 102-106 for a discussion of the Rabbinic *tosefet melakhah*.

² For this formula see Ex. 16:23. Note the interchange of 'mr for *dbr*.

³ B. Yoma' 81a, b, *Sifra*' 'Emor 14:7-9.

⁴ See M. Margalit, *Mar'eh Ha-Panim* to P. Shebi'it 1:1 (ed. Zhitomir), B. Rosh Ha-Shanah 9a and *Tosafot, s.v. ve-rabbi*.

⁵ "The Calendar Reckoning of the Sect from the Judaean Desert," in *Aspects of the Dead Sea Scrolls* (1958), 187-196, "Maḥazor Ha-Berakhot shel Kat Midbar Yehudah," *Tarbiz* 28 (1959), 6f. J. Z. Lauterbach, *Rabbinic Essays*, 445-51, note on 452, takes the view that the original Israelite calendar reckoned the day from morning to morning. Cf. Rashbam to Gen. 1:4.

day of the month at even, from even unto even, shall ye keep your sabbath.

33. And the LORD spoke unto Moses, saying: 34. Speak unto the children of Israel, saying:

On the fifteenth day of this seventh month is the feast of tabernacles for seven days unto the LORD. 35. On the first day shall be a holy convocation; ye shall do no manner of servile work. 36. Seven days ye shall bring an offering made by fire unto the LORD; on the eighth day shall be a holy convocation unto you; and ye shall bring an offering made by fire unto the LORD; it is a day of solemn assembly; ye shall do no manner of servile work.

37. These are the appointed seasons of the LORD, which ye shall proclaim to be holy convocations, to bring an offering made by fire unto the LORD, a burnt-offering, and a meal-offering, a sacrifice, and drink-offerings, each on its own day; 38. beside the sabbaths of the LORD, and beside your gifts, and beside all your vows, and beside all your free-

32. shall ye keep your sabbath. The day of rest is not called 'the sabbath of Israel' but a sabbath unto the LORD (verse 3) (E).

36. a day of solemn assembly (atsereth). R translates 'a day of keeping (Israel) back' and quotes the Midrashic parable of the king who requested his children to stay with him a while longer after the banquet had finished, since it was hard for him to let them go. N explains the word as 'binding'; it 'binds' together all the festivals (concludes them). E and Sh contend that it means 'restrained,' since: the Israelite withholds himself from work thereon. S gives it the sense of 'remaining': the Israelites stay another day after the conclusion of Tabernacles to continue their holy rejoicing.

בַּעֲרֵב בַּעֲרֵב עַד-עֶרֶב תִּשְׁבְּתוּ שְׁבֻתָּכֶם: ע

33 וַיְדַבֵּר יְהוָה אֶל-מֹשֶׁה לֵאמֹר: הַבֵּר אֶל-בְּנֵי יִשְׂרָאֵל לֵאמֹר בְּחֻמֹּשֶׁת עֶשְׂרִים יוֹם לַחֹדֶשׁ הַשְּׁבִיעִי הַזֶּה חַג הַסֻּכּוֹת

שִׁבְעַת יָמִים לַיהוָה: בַּיּוֹם הַרְאִישׁוֹן מִקְרָא-קֳדָשׁ כָּל-מִלְאכְתָּא עֲבֹדָה לֹא תַעֲשׂוּ: שְׁבֻעַת יָמִים תִּקְרְבוּ אֵשֶׁה לַיהוָה בַּיּוֹם הַשְּׁמִינִי מִקְרָא-קֳדָשׁ וְהָיָה לָכֶם וְהִקְרַבְתֶּם אֵשֶׁה לַיהוָה עֲצֻדָה: הִיא כָּל-מִלְאכְתָּא עֲבֹדָה לֹא תַעֲשׂוּ: אֵלֶּה מוֹעֲדֵי יְהוָה אֲשֶׁר-תִּקְרְאוּ אֹתָם מִקְרָאֵי קֳדָשׁ לְהַקְרִיב אֵשֶׁה לַיהוָה עֲלֵה וּמִנְחָה זָבַח וְנִסְכִּים דְּבִרְיָנָם בַּיּוֹמוֹ: מִלְּבַד שְׁבֻעַת יְהוָה וּמִלְּבַד מִחֻמֹּשֶׁת יָמֵי בְּחֻמֵי שְׁבֻעַת אֲשֶׁר תִּקְחוּ

no manner of servile work. One might think that it is forbidden to do servile work also on the intermediate days of Passover and Tabernacles. Scripture, however, declares, It (the eighth day) is a day of atsereth (restriction from work), but not the intermediate days (R). 37. these are the appointed seasons. When sacrifices have to be offered (E). each on its own day. As prescribed in Num. xxviii.f. Another explanation is: once the day has passed, its offering can no longer be brought (R). 38. beside your gifts. For the three festivals (cf. Deut. xvi. 17), together with the vows both public and private (E).

manner of servile work; and ye shall bring an offering made by fire unto the LORD.

26. And the LORD spoke unto Moses, saying:

27. Howbeit on the tenth day of this seventh month is the day of atonement; there shall be a holy convocation unto you, and ye shall afflict your souls; and ye shall bring an offering made by fire unto the LORD. 28. And ye shall do no manner of work in that same day; for it is a day of atonement, to make atonement for you before the LORD your God. 29. For whatsoever soul it be that shall not be afflicted in that same day, he shall be cut off from his people. 30. And whatsoever soul it be that doeth any manner of work in that same day, that soul will I destroy from among his people. 31. Ye shall do no manner of work; it is a statute for ever throughout your generations in all your dwellings. 32. It shall be unto you a sabbath of solemn rest, and ye shall afflict your souls; in the ninth

25. an offering, viz. additional sacrifices enumerated in Num. xxix. 2ff. (R).

27. howbeit (act). Ach means 'surely' (N). It has a restrictive force, viz. the Day of Atonement only atones for those who repent (R). The task of preparing food must not be done on the Day of Atonement which, in the matter of work, is the same as the Sabbath. In this respect it is unlike the festivals (Sh). an offering. As described in chapter xvi and Num. xxix. 7ff. (Sh). 28. in that same day. The intention of the phrase is that, apart from the atonement effected through the ritual of sacrifice, the day itself is holy as an occasion for the afflicting of souls and purification of sin, and consequently no work must be done (N).

30. will I destroy (abad). There is a difference between this punishment and 'cutting off,' but I am unable to explain it (E). It implies that by 'cutting off' is meant 'being lost' (abad) (but recoverable) (R). 31. ye shall do no manner of work. Repeated as a warning that he who works on the day transgresses several negative commandments; or it forbids work on the evening of the Day of Atonement as well as on the day itself (R). The repetition is made for the addition of the clause it is a statute, etc. (E).

עֲבֹדָה לֹא תַעֲשׂוּ וְהִקְרַבְתֶּם אֵשֶׁה לַיהוָה: ס וַיְדַבֵּר יְהוָה אֶל-מֹשֶׁה לֵאמֹר: אַךְ בַּעֲשׂוֹר לַחֹדֶשׁ הַשְּׁבִיעִי הַזֶּה יוֹם הַכִּפּוּרִים הוּא

מִקְרָא-קֳדָשׁ יְהִיָה לָכֶם וְעִוְיָתָם אֲתֵּי-נִפְשֹׁתֵיכֶם וְהִקְרַבְתֶּם אֵשֶׁה לַיהוָה: וְכָל-מִלְאכְתָּא לֹא תַעֲשׂוּ בַעֲצֵם הַיּוֹם הַזֶּה כִּי יוֹם כִּפּוּרִים הוּא לְכַפֵּר עֲלֵיכֶם לַפְּנֵי יְהוָה אֱלֹהֵיכֶם: כִּי כָל-הַנֶּפֶשׁ אֲשֶׁר לֹא-תִקְעֶנָּה בַעֲצֵם הַיּוֹם הַזֶּה וְנִקְרְטָה מִעַמּוֹתָי: וְכָל-הַנֶּפֶשׁ אֲשֶׁר תִּקְעֶנָּה בַּיּוֹם הַזֶּה וְהִאֲבַדְתִּי אֶת-הַנֶּפֶשׁ הַהִוא מִקְרָב עִמּוֹתָי: כָּל-מִלְאכְתָּא לֹא תַעֲשׂוּ הַיּוֹם הַזֶּה עוֹלָם לְדֹרֹתֵיכֶם בְּכָל מִקְרָבֵיכֶם: שְׁבֻעַת שְׁבֻחוֹן הוּא לָכֶם וְעִוְיָתָם אֲתֵי-נִפְשֹׁתֵיכֶם בְּחֻמֵי שְׁבֻעַת לַחֹדֶשׁ

29. whatsoever soul it be. Pressure must be brought to bear upon an Israelite who is known not to observe the fast (E).

30. will I destroy (abad). There is a difference between this punishment and 'cutting off,' but I am unable to explain it (E). It implies that by 'cutting off' is meant 'being lost' (abad) (but recoverable) (R).

31. ye shall do no manner of work. Repeated as a warning that he who works on the day transgresses several negative commandments; or it forbids work on the evening of the Day of Atonement as well as on the day itself (R). The repetition is made for the addition of the clause it is a statute, etc. (E).

to exclude the view of R. Judah, who said that the fiftieth year is reckoned both ways.¹ We are here told that this is not so.

And how do we know [from the Scripture] that we add from the profane on to the holy?² — As it has been taught: *In plowing time and in harvest time thou shalt rest.*³ R. Akiba, [commenting on this,] said: There was no need [for Scripture] to specify the ploughing and harvest of the Sabbatical year, since this has already been mentioned [in] *thy field thou shalt not sow* etc.⁴ What must be meant therefore is the ploughing of the year before the seventh which is passing into the seventh,⁵ and the harvest of the seventh year which is continuing into the period after the seventh year.⁶ R. Ishmael said: Just as ploughing is optional,⁷ so the harvest [here referred to] is an optional one, excluding the harvesting of the 'Omer, which is a religious duty.⁸ Whence then does R. Ishmael derive the rule that an addition is to be made from the profane on to the holy? — From what has been taught: *And ye shall afflict your souls on the ninth day.*⁹ I might think [literally] on the ninth day. It therefore says, *In the evening.*¹⁰ If in the evening, I might think, after dark? It therefore says, *on the ninth day.*¹¹ What then am I to understand? That we begin fasting while it is yet day; which shows that we add from the profane on to the holy. I know this [so far] only in regard to the inception [of the holy day]; how do I know it in regard to its termination? Because it says, *from evening to evening.*¹² So far I have brought only the Day of Atonement under

fiftieth year as fiftieth to the Jubilee and first to the next septennate. Tosaf., by a slight change of wording, renders: 'You are to count the fiftieth year (as fiftieth to the Jubilee), but you are not to count the fiftieth year as one (to the following septennate)', which is a smoother reading.

(1) As fiftieth to the Jubilee and first to the next septennate. (2) I.e., add a little from the ordinary week-day on to the holy day. (3) Ex. XXXIV, 21. (4) Lev. XXV, 4. (5) Ploughing under trees in the sixth year which will benefit them in the seventh. (6) Stuff which grows of itself and reached a third of its growth in the seventh year. (7) As there is no ploughing, which is considered a religious duty. (8) R. Ishmael takes the words 'in plowing time etc.' to refer to the Sabbath, and learns from them that the 'Omer' to be brought on the second day of Passover may be reaped on Sabbath, v. Mak. 8b. (9) Lev. XXIII, 32. (10) Ibid. (11) And after dark would be on the tenth.

the rule; how do I know that it applies to Sabbaths also? Because it says, *ye shall rest.*¹ How do I know that it applies to festivals? Because it says, *your Sabbath.*¹ How am I to understand this? That wherever there is an obligation to rest, we add from the profane on to the holy.

What then does R. Akiba make of this, *and ye shall afflict your souls on the ninth day?* — He requires it for the lesson learnt by R. Hiyya b. Rab from Difti.² For R. Hiyya b. Rab from Difti learnt: *And ye shall afflict your souls on the ninth day.* Do we then fast on the ninth day? Is it not on the tenth day that we fast? [We do]; but [the use of this word] indicates that if a man eats and drinks on the ninth day, the Scripture accounts it to him [9b] as if he fasted on both the ninth and the tenth days.³

Our Rabbis taught: *It is a Jubilee*⁴ — 'A Jubilee's even though they did not observe the release of fields, even though they did not observe the blowing of the trumpet.⁶ I might say [that it is still a Jubilee] even though they did not observe the dismissal of slaves. Therefore it says, 'it is'.⁷ So R. Judah. R. Jose said: 'It is a Jubilee', — 'A Jubilee's even though they did not release fields, even though they did not dismiss slaves. I might think [that it is still a Jubilee] even if they did not blow the trumpet. It therefore says, 'it is'. Now⁸ since one text brings some cases under the rule and another text excludes others from it, why should I expound: 'A Jubilee',⁹ even though they did not dismiss, but it is not a Jubilee unless they blew the trumpet? Because it is possible that there should be no [opportunity for] ¹⁰ dismissing slaves, but it is not possible that there should be no [opportunity for] blowing the trumpet.¹¹ Another explanation is that the per-

(1) Lev. XXIII, 32. (2) Difti, below the Tigris, S.E. of Babylon. (3) Because the eating and drinking on the ninth day is called in the text 'fasting'. (4) Lev. XXV, 11. (5) Added by BaH. (6) The superfluous word 'Jubilee' shows that even in these cases the year is observed as a Jubilee for the abstaining from sowing etc. (7) נ"ך This word having a limiting force. (8) This is a continuation of R. Jose's statement. (9) So BaH; cur. edd. 'It is a Jubilee'. (10) Lit., 'it is possible for the world'. E.g., if no Israelite had a slave. (11) It is hardly possible that there should be no trumpet.

פוקד עון אבת על בנים כששמע משה כך נרתע לאחריו ונבהל עד שאמר לו בומן שאינן מסורגין או אפלו הן מסורגין תיל לשנאי רשע בן רשע בן רשע: ר' נתן אומר קוצץ בן קוצץ בן קוצץ: כיון ששמע משה את הדבר הזה מיד וימהר משה ויקוד ארצה וישתחו (שמות ל"ד ח') אמר חס ושלום אין בישראל קוצץ בן קוצץ בן קוצץ (ט): ועושה חסד לאלפים יכול כשם שמדת פורענות לארבעה דורות כך מדת טובה לארבעה דורות ת"ל ועושה חסד לאלפים או לאלפים שומע אני מיעוט אלפים שנים ת"ל (דב' ז' ט') לאהבי ולשומרי מצותי לאלף דוד דורים לאין חקר ולאין מספר כענין שני (תה' ק"ג י"ז עיי"ש) וחסרי ה' מעולם ועד עולם על יריאיו (י): לאהבי זה אברהם וכיוצא בו: ולשומרי מצותי אלו הנביאים והזקנים שבארץ ישראל שמוסרין נפשם על המצות מה לך יוצא ליהרג על שמלתי את בני מה לך יוצא ליצלב על שקראתי את התורה ועל שאכלתי את המצה מה לך לוקה (מכף רגל ועד ראש) [מאה סרגול] על שנמלתי את הלולב והיא (זכ' י"ג ו') אשר הכתי בית מאהבי המכות האלו גרמו לי לאהוב את אבי שבשמים (כ):

יא. לא תשא אף שבועת שוא היתה בכלל או נפש כי תשבע לבטא בשפתים (ויק' ה' ד') נהרי הכתוב מוציאה מכללה ומחמיר עליה וסוטה מן הקרבן יכול כשם שפוטרה מן הקרבן כך תהא פטורה מן המכות ת"ל לא תשא מכלל קרבן יצאת מכלל מכות לא יצאת (ל):

דיא לא תשא למה נאמר לפי שהוא [אומר] (שם י"ט ב') ולא תשבעו בשמי לשקר אין לי אלא שלא ישבע שלא יקבל עליו להישבע מניין ת"ל לא תשא את שם ה' אלהיך לשוא עד שלא קיבלת עליך להישבע הריני לך לאלה משקיבלת עליך להישבע הריני לך לדיין וכן הוא אומר כי לא ינקה ה' אי אפשר לומר לא ינקה שכבר נאמר (שמות ל"ד ז') נקה ואי אפשר לומר נקה שכבר נאמר לא ינקה הא כיצד מנקה לשבים ואינו מנקה לשאינן שבים (ט):

יב. זכור ושמור בדבור אחד נאמרו: מחלליה מות יומת (שמות ל"א י"ד) וביום השבת שני כבשים (במ' כ"ח ט') בדבור אחד נאמרו: ערות אשת אחיך לא תגלה (ויק' י"ח ט"ז) יבמה יבא עליה (דב' כ"ה ה') בדבור אחד נאמרו: לא תלבש שעטנן גדילים תעשה לך (דב' כ"ב י"א—י"ב) בדבור אחד נאמרו: מה שאי אפשר לבשר ודם לומר כן שני (תה' ס"ב י"ב) אחת דבר אלהים שתיים זו שמענו וכת' (יר' כ"ג כ"ט) הלא כה דברי כאש נאם ה' (נ):

דיא זכור ושמור זכור בפה שתהא שונה בפיך שמור בלב (ס):
 דיא זכור (על) [על] שלא יכנס להוסיף עליו מן החול בתחלתו שמור משיכנס להוסיף עליו מן החול ביציאתו (ע):

דיא זכור וזכריהו על היין וכן הוא אומר (הושע י"ד ח') זכרו כיון לבנון (ס): שמור שמריהו מלעשות בו מלאכה: לקדשו מלמד שהשבתות נקראו קדשים: במה אחה מקדשו במאכל מתוק לשבת וביין מבושם ובכלים נאים: דיא קדשו בעטיפה (צ): דיא לקדשו בכרחה מיכן אמרו קדשוהו על היין בכניסתו אין לי אלא קדושה ללילה קדושה ליום מנין ת"ל (שמות ל"א ט"ז) ושמרו את השבת: אין לי אלא לשבתות לימים טובים