

# Zera Shimshon

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## Chapter III: Lech Lecha (Gen. 12:1–17:27)

### Essay 23. A call for judgment

**ראש השנה** פָּרַק קָמָא אָמַר ר' אָבִין כּל המוֹסֵר דִּין עַל חֲבִירוֹ הוּא נֶעְנֵשׁ תַּחֲלָה, שְׁנֵאמַר "וַתֹּאמֶר שָׂרַי אֶל־אַבְרָם" וְכוּ' "שִׁפְטָהּ ה' " וְכוּ' וְכַתִּיב "וַיָּבֵא אַבְרָהָם לְסֹפֶד" וְכוּ'. וּפְרַשׁ רַש"י, הוּא קָבַר אוֹתָהּ עַכ"ל. תִּימָא מֵאֵי בְּעֵי רַש"י בְּזָה.

In the tractate **Rosh Hashanah, chapter 1:**

**Rabbi Avin said, Anyone who passes a case against another [to G-d for judgment] is punished first, as it is stated: “And Sarai said to Abram: ‘The wrong done me is your fault! I myself put my maid in your bosom; now that she sees that she is pregnant, I am lowered in her esteem; the L-rd judge between me and you.’<sup>1</sup> Also, it is written: ‘And Abraham came to mourn for Sarah and to weep for her’<sup>2</sup>** [I.e., Sarah called upon Heaven to pass judgment between her and her husband, and therefore she was punished and died first.]

- Rosh Hashanah 16b

**Rashi wrote: “He buried her.”<sup>3</sup> What is Rashi saying by this?**

וְנִשׁ לֹמַר דְּאִתְּמַא בְּפָרְק ו' דִּיבְמוֹת (דף ס"ה) הֵיא אִיתְּמַא דְּאִתְּמַא לְקַמֵּיה דְּרַב נַחְמָן וְתוֹבְעַת אֶת בַּעֲלָהּ לְגִרְשָׁה אָמַר לָהּ לָא מִפְקֻדָּתָּהּ. וּפְרַשׁ רַש"י, וְאִם רוּצָה אַתְּ לְצַאת אִין לָךְ כְּתוּבָהּ. אָמְרָה לִיה לָא בְּעֵינָא הֵיךְ אִיתְּמַא חוּטְרָא לִידָהּ וּמְרָה לְקַבּוּרָהּ? אָמַר כִּי הָא וְדַאי כְּפִינוּ. וּפְרַשׁ רַש"י, חוּטְרָא לִידָהּ - עֵץ שְׁתִּלְשְׁעוּן עָלֶיךָ לְעַת זְקֻנְתָּהּ וְאִם תְּמוֹת יִקְבְּרָנָהּ. וְהִכִּי פָּסַק הַשְּׁלִחָן עָרוּךְ אָבֹן הָעֶזְרָא (סִימָן קנ"ד). נִמְצָא שֶׁהָאִשָּׁה אֵינָה יְכוּלָה לְטַעוֹן טַעֲנַת בְּנִים מִשּׁוּם קִיּוּם הַמִּצְוָה, אֲלֵא בְּשִׁבִיל שְׂיָהֲיָהּ לָהּ מִיִּשְׁקִיבָנָהּ.

**It can be said, as it is brought in the sixth chapter of tractate Yevamot (page 65b), “This woman arrived and stood before Rav Nachman, and had a claim for divorce against her husband [because he couldn’t father children]. He said to her: You are not commanded [to be fruitful and multiply; i.e., that commandment only applies to men].”<sup>4</sup> Rashi explained: If you want to leave the marriage, you won’t receive your dowry. She said to him: Doesn’t this woman require a staff for her hand and a hoe for [her] burial? [I.e., she wanted children to**

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<sup>1</sup> Gen. 16:5.

<sup>2</sup> Gen. 23:2.

<sup>3</sup> Rashi on Rosh Hashanah 16b.

<sup>4</sup> Because childbirth is potentially life-threatening for women, and women aren’t commanded to risk their lives for the mitzvah of having children. *Shulchan Aruch*, Even Ha’Ezer 1:13.

take care of her in her old age, and bury her when she would die.] **He said:** [In a case] **such as this, we certainly force** [the husband to divorce her]. **Rashi explained:** “**A staff for her hand**” [means] **wood that she leans upon in the time of her old age, and if she will die, he will bury her. Thus rules the Shulchan Aruch, Even Ha’ezer (siman 154, se’if 6). It’s found that the woman is not able to raise a claim for wanting children because of fulfilling the mitzvah to be fruitful and multiply, rather she can raise such a claim because then she will have someone to bury her.**

ואם כן כִּשְׁשָׁרָה הִיְתָה טוֹעֵנָת בָּנִים, מֵאִיזָה טַעַם הִיְתָה טוֹעֵנָת? אֵי תִימָא מִשּׁוּם פְּרִיָה וְרִבְיָה, זֶה אֵי אֶפְשָׁר, דְּאִין סְבָרָא לֹאמַר שְׁבִשְׁבִיל טַעֲנָה זֹו שָׂרָה אָמְרָה "חֲמָסֵי עָלֶיךָ" וְכוּ', שְׁהָרִי אִין הִדִּין עִמָּה, שְׁהָאִשָּׁה אֵינָה מְצֻוּתָ[ת] עַל פְּרִיָה וְרִבְיָה. אֶלָּא וְדֵאִי צָרִיךְ לֹאמַר שְׁשָׁרָה לֹא טַעֲנָה אֶלָּא שְׂרוּצָה חוּטְרָא לִידָה וּמְרָה לְקַבּוּרָה דֵּהִינּוּ שְׁבִנָה יְקַבְּרָנָה, וְלִכּוֹן נִעְנְשָׁה שְׂאֲבָרָהֶם לְבִדּוֹ בְּאִ לְקוּבְרָה וְלֹא יִצְחָק.

**If so, when Sarah was raising a claim for children, for what reason was she making the claim? If you’ll say because of “being fruitful and multiplying,” this is impossible. For there is no reason to say that it was because of this claim that Sarah said, “The wrong done me is your fault,” for the law is not with her, as the woman is not commanded on “being fruitful and multiplying.” Rather, it certainly must be said that Sarah only made a claim of a staff for her hand and a hoe for [her] burial, which is that her son should bury her. Therefore, she was punished in that Abraham alone came to bury her, and not Isaac.**

וּמִשּׁוּם הֵכִי פִירֵשׁ רַשִׁ"י הוּא קָבַר אוֹתָהּ וְלֹא יִצְחָק, וּבְשִׁבִיל זֶה מוֹכַח שֶׁנִּעְנְשָׁה עַל שְׁמִסְרָה דִּין לְשִׁמִּים, דְּאִי לֹא הֵכִי קוֹשָׁה וְכִי בְשִׁבִיל שְׁמִתָּה שָׂרָה קוֹדֵם אֲבָרָהֶם רוּצָה לְהוֹכִיחַ שֶׁנִּעְנְשָׁה בְשִׁבִיל שְׁמִסְרָה דִּין לְשִׁמִּים. וְדִילְמָא כָּבַר הִגִּיעוּ שְׁנֵי תַנִּיּוֹת וְאִין מִפְּאֵן רֵאִיָה כָּלֵל, וְעוֹד דְּבִמְדַרְשׁ רַבָּה אָמְרוּ עַל פְּסוּקֵי זֶה, "יִוְדַע ה' יְמֵי תְּמִימִם". וְאִי חָס וְשָׁלוֹם נִתְקַצְרוּ שְׁנוֹתֶיהָ אִם כֵּן אֵינָם יְמֵי תְּמִימִים, אֶלָּא וְדֵאִי שְׁהִהוּכְחָה אֵינָה אֶלָּא מ'נִיבָא אֲבָרָהֶם", וְהוֹכְחָה זֹו בְּאֵה עַל פִּי פִירֵשׁ רַשִׁ"י שֶׁהוּא קָבַר אוֹתָהּ וְכִמוֹ שְׁפִירֵשְׁנוּ.

**Because of that, Rashi interpreted that “[Abraham] buried her” and not Isaac, and for this reason it is proven that she was punished for passing a case against another to Heaven, for if not so, it is difficult to understand the very obvious statement, “He buried her.”**

**Because Sarah died before Abraham, [Rabbi Ravin] wants to prove that she was punished because she passed a case to Heaven? Perhaps the natural end of the days of her life had already arrived,<sup>5</sup> and from this fact that she died before Abraham there is no proof. Also, as in Midrash Gen. Rabbah 58:1, it is said on this verse of Gen. 23:1, “Sarah’s lifetime—the span of Sarah’s life—came to 127 years,” that “The L-rd knows the days of the blameless.”<sup>6</sup> If, G-d forbid, her years were cut short, if so, they were not the days of the blameless.**

**Rather, certainly the proof is nothing other than from the text that Rabbi Ravin cited, viz, “And Abraham came to mourn for Sarah.” This proof that Sarah had been punished comes according to the explanation of Rashi that “he buried her,” and as we have interpreted, that her fervent desire had been to be buried by her son, which did not happen.**

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<sup>5</sup> Cf. Gen. 23:1.

<sup>6</sup> Ps. 37:18.