

# Toldot Shimshon

by Rabbi Shimshon Chaim Nachmani zt"l

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## Chapter III – Mishnah 5

רבי חנינאי בן חכניאי אומר, הניעור בלילה, והמלהך בדרך יחידי, והמפנה לבו לבטלה, הרי זה מתחייב בנפשו.

**Rabbi Chananiah ben Chachinai said: One who wakes up at night, or walks on the way alone and turns his heart to idle matters, behold, this one is mortally guilty.**

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**לא** כל האדם, ולא כל השעות, ולא כל המקומות שוין, ושומר נפשו ירחק מהם.

**“Not every person, nor every place, nor every hour is identical,”<sup>1</sup> and “one who distances himself from them guards his soul.”<sup>2</sup>** I.e., there are some individuals who are dangerous, and some places and times of the day that are known to have increased danger. One should take care to avoid such dangers, to the extent possible.

בברכות דף ג' אָמְרִינוּ, מִפְּנֵי שְׁלוּשָׁה דְבָרִים אֵין נִכְנָסִין לְחֶרֶב וְכוּ'. וְקָאָמַר הָתָם, דְּאִפְּלוּ בְּתַרֵּי תִּישִׁינּוּ לְמִזִּיקִים, הוֹאִיל שְׁבַחֲרָבָה הוּא מְקוּמָן. וּבִשְׂדֵה וּבְדֶרֶךְ, בְּחֵד תִּישִׁינּוּ. וְכֵן בְּלִילָה שְׁהוּא עֵת שְׁלִיטָתָם, יֵשׁ סַכְּנָה מֵהֶם, וְאִזּוּ הַתּוֹרָה בְּעֵינֵינָא דְלֵא [ ] עָסִיק בֵּיהּ, אֵינָה מְגַנָּה עַל הָאָדָם. וְכֵן הוּא בְּכָל מְקוּם סַכְּנָה, וְזֶה פְּשׁוּט.

**In tractate Berachot, page 3a, it is said, “The Sages taught, for three reasons one may not enter a ruin: Because of suspicion [of prostitution], because [the ruin is liable to] collapse, [and] because of demons.” As it says there, even with two people, they should be concerned about demons, and in a field and on the way, one person alone should be concerned about encountering demons.<sup>3</sup> Similarly, at nighttime, which is the time of [the demons’] rule, there is a danger from them, and thus the Torah, when one is not<sup>4</sup> engaged in it, does not protect one from misfortune.<sup>5</sup> This is the case in every place of danger, and this is obvious.**

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<sup>1</sup> Mishnah Yevamot 16:3; Yevamot 120a: “[In deciding when to accept testimony regarding the identity of a corpse,] Rabbi Yehuda ben Bava says: [One cannot establish general guidelines for this matter because] not every person, nor every place, nor every hour is identical. [I.e., decomposition is not uniform. It occurs at different rates in different situations.]”

<sup>2</sup> Prov. 22:5, “Thorns and snares are in the path of the crooked; he who values his life will keep far from them.”

<sup>3</sup> Berachot 3b: “[Generally speaking, two individuals need not be concerned about demons; but, if they are] in their place [i.e., a place known to be haunted by demons], we are concerned [about demons even with two people]. And if you wish, say [instead]: Actually, [this refers] to [the case of] an individual [entering] a new ruin located in a field.”

<sup>4</sup> The first edition read “דלאן,” which the translator has corrected to “דלא.”

<sup>5</sup> This is debated at Sota 21a.

ומכל מקום, כל עת שהאדם ישן, תורתו משמרתו, לפי שאי אפשר בלאו הכי, שהרי השינה צריכה אל האדם, ואי אפשר לו מבלעדה, והוא כמו אונס והכרח. ומכל שכן, למאן דאמר בפרק ו' דערוביין, דלא איברי ליליא אלא לשינתא. ומעיקרא לב בית דין של מעלה הכי אתנו, דהיכא דלא אפשר, התורה תהיה מגנת על האדם.

**In any case, as long as the man is asleep, his Torah protects him, for it is impossible otherwise, for the sleep is necessary for the man, and it's impossible for him to exist without it, and in this way, he is like someone who is being forced and compelled. For this reason, it says in the sixth chapter of tractate Eruvin (65a), quoting Rav Yehuda, "Night was created only for sleep." Initially, the thinking of the Heavenly court is thus: that where it is not possible for a person to distance himself from danger, the Torah shields the person.**

כדאמרינו בקידושין דף נ"ה, בהמה שנמצאת וכו', זכרים, עולות. נקבות, זבחי שלמים. חנינא בן חכינאי אומר, עז בת שנתה, כחטאת, פונסה לכיפה והיא ממה מאליה. והקשו בתוספות, לעיל דאמרינו זכרים עולות, ליחוש דילמא שיערי הרגלים וראשי חדש, שהם חטאת צבור והם זכרים וכו'. ויש לומר, דלהא ליכא למיחש, דלב בית דין מתנה עליהם. עכ"ל.

*But what about an individual who finds himself waking up in the middle of the night, when everyone else is asleep?*

**As it says in tractate Kiddushin, page 55a:**

We learned [in a Mishnah] there [Shekalim 20a]: [If there was] **an animal** [fit for the altar] **that was found** [straying], from Jerusalem [and as far] as Migdal Eder, and [similarly if it was found] within that distance [from Jerusalem] in any [other] direction, [it is presumed that the animal came from Jerusalem. Most of the animals in Jerusalem were designated for offerings, and presumably this one was as well]. **Males** [are presumed to be] **burnt-offerings** [as only males can be brought as burnt-offerings]. **Females** [are presumed to be] **peace-offerings** [as it is permitted to bring a female peace-offering].

...

It is taught [in a Baraita]: **Chanina ben Chachinai says:** [If one found] **a goat in its first year**, [it is brought] **as a sin-offering**. [The Gemara asks:] Can it enter your mind [that it is brought] as a sin-offering? [How can he sacrifice the animal as a sin-offering due to a mere possibility that it had been designated as a sin-offering? One cannot bring a voluntary sin-offering.] Rather, Abaye says: [He treats it] as [though it were] a sin-offering, **he conveys it into a cell and it dies on its own**. [Since it might be a lost sin-offering, it must be left to die.]

- Kiddushin 55a

**The Tosafot question: "Above, when the Tanna says 'males [are presumed to be] burnt-offerings,' why are we not concerned that perhaps they are the goats of a Festival or a**

**New Month, which are males? . . . We have to say that we are not concerned with that, since the court automatically stipulates about them** that in the event that [the sacrifice of a Festival or a New Month] get lost, they will become unconsecrated [per Shevu'ot 11b].”

ואם כן, בשלמא בעת השינה שהוא דבר כולל לכל הצבור, שכל בני אדם ישנים בלילה, אתי שפיר לומר שכל בית דין של מעלה מתנה שהתורה תשמור האדם באותו העת, דומיא למאי דאמרינן התם, שהקרבנות צבור לב בית דין מתנה. אבל כשיגיעור בלילה, שהוא דבר פרטי ליחידים, אז אין לב בית דין של מעלה מתנה, דומיא לקרבנות יחיד. ומשום הכי, אם לא יחשוב בדברי תורה אלא יפנה לבו לבטלה, יהיה מתחייב בנפשו. ובההו דהכא הגיעור בלילה, אזיל רבי חנינא לשיטתיה דהתם בקידושין, ואפלו אינו יודע ללמוד בדברי תורה, יחשוב במחשבתו, כדלקמן בסמוך.

**If so, it’s granted at the time of sleep—which includes the entire community, for all people sleep at night—it is fine to say that the Heavenly court stipulates about them that the Torah will guard the man at that time. This is similar to what is said there, by the Tosafot on Kiddushin 55a, that the court stipulates about the sacrifices of the community. But when awakened at night, which happens privately to individuals, then the mind of the Heavenly court does not stipulate, similar to the sacrifices of an individual.<sup>6</sup> Because of this, if he won’t think about matters of Torah, but rather turns his heart to idleness, he is mortally guilty, i.e. putting his life at risk. Regarding awakening at night, Rabbi Chanina follows the position there in tractate Kiddushin, and even if [the one awakening at night] doesn’t know to learn in the actual words of Torah, he should think about the concepts in his mind, as discussed below in the adjoining paragraphs.**

והמהלה בדרך יחידי. ידוע, שכל הדרכים, בהזקת ספנה. ובפרק ב' דשבת נמי אמרינן, ונגברי היכא מבדקי, כעין גשר. ופרש רש"י, כגון קיר נטוי, היוצא לדרך. עכ"ל. ואם איתא, שלצאת לדרך הוא ספנה, למה לא אסרוהו חכמים, כמו שאסרו קיר נטוי וכל מילי דספנה, ואמרו שהעושה אותם, דמו בראשו. ועוד, דהא קיימא לן אל יעמוד אדם במקום ספנה, שמא אין עושים לו נס. ואיך בני אדם יוצאים לדרך.

**“Or [one who] walks on the way alone.” It is known that all roads are presumed to be dangerous.<sup>7</sup> In the second chapter of tractate Shabbat (32a), it is also said, “And where are men examined? Reish Lakish said: When they are crossing a bridge. [The Gemara wonders: Only when they are crossing] a bridge and at no other [time]? [Rather,] say: [Anything] like a bridge.” Rashi explained there, “Like a leaning wall, is one who sets out on a journey.” If it is brought that to set out on a journey is dangerous, why didn’t the sages forbid this, as they forbade sitting next to a leaning wall<sup>8</sup> and all dangerous matters. They said that one who does these**

<sup>6</sup> Kiddushin 55a states that consecrated property of the most sacred order can be unconsecrated by the court, but debates whether this is true for offerings of lesser sanctity, such as voluntary individual offerings.

<sup>7</sup> Yerushalmi Berachot 4:4, “Rabbi Shimon bar Abba in the name of Rabbi Chanina: Any travel is presumed to be dangerous.”

<sup>8</sup> Rosh Hashana 16b: “And Rabbi Yitzchak said: Three matters evoke a person’s sins, and they are: [Endangering oneself by sitting next to] an inclined wall [that is in danger of collapse]; expecting prayer [to be accepted, as that

things, **his blood is on his head.**<sup>9</sup> Further, as we maintain, “Rabbi Yannai . . . said: **A person should never stand in a place of danger, saying that the [Heavenly messengers] will perform a miracle for him, lest they do not perform a miracle for him.**”<sup>10</sup> Also, **how would men go out on the road** to engage in commerce or some other activity, if the rabbis were to forbid everything that was dangerous?

וְצָרִיךְ לוֹמַר, דְּהוֹאִיל וְאִי אֶפְשָׁר לְבָנֵי אָדָם שְׁלֵא לְצִאת לְדֶרֶךְ, מְעִיקְרָא כִּד תִּיקְנוּ שְׁיִלְכוּ שְׁנַיִם בְּדֶרֶךְ, דְּמִזְלָא דְבֵי תְרֵי, עָדִיף. וְאִי לִיכָא שְׁנַיִם, יַעֲסוּק בְּתוֹרָה, שְׂאֵז תּוֹרְתוֹ מְשַׁמְרָתוֹ. אֲבָל אִם לֹא יַעֲסוּק בָּהּ, לֹא תִגִּין, לְפִי שְׁהִמְקוּם מְקוּם סְפָנָה. וְזֵהוּ דְאִמְרִינוּ בְּפֶרֶק ה' דְּעִירוּבִין, הִמְהִלָּךְ בְּדֶרֶךְ וְאִין לוֹ לִנְיָה, יַעֲסוּק בְּתוֹרָה.

**It needs to be said, that since it’s impossible for people to never set out on a journey, from the outset [the rabbis] established that two should go out together on a journey, for “the luck of two people is better.”**<sup>11</sup> **If there are not two, [the one setting out] should engage in Torah, for then his Torah will protect him. But if he does not engage in [Torah], it will not protect him, for the place is a place of danger. This is what is said in the fifth chapter of tractate Eruvin (54b), “Rabbi Yehoshua ben Levi says: One who walks along the way without a companion should occupy himself with [words of] Torah.”**<sup>12</sup>

וּמִי שְׂאִינוּ יוֹדְעֵי לְלַמּוּד, וְהוּא מוּכְרָח מִחֻמַּת עֶסְקִיו לְצִאת לְדֶרֶךְ יְחִידִי, מֵה פִקְנָה יֵשׁ לוֹ. מִשּׁוּם הֵכִי קִתְנִי, וְהִמְהִלָּךְ בְּדֶרֶךְ יְחִידִי וּמִפְנֵי לְבוֹ לְבַטְלָה, הֲרִי זֶה מִתְחַיֵּב בְּנַפְשׁוֹ, כְּלוּמַר, דְּנֹקָא לְפִי שְׁמִפְנֵי לְבוֹ לְבַטְלָה, הוּא מִתְחַיֵּב בְּנַפְשׁוֹ. הָא אִם חוֹשֵׁב בְּאִיזָה דְּבַר מְצָנָה, יִהְיֶה נִיצוּל, הוֹאִיל שְׁהוּא מוּכְרָח וְאָנוּס לְצִאת לְדֶרֶךְ יְחִידִי, שְׂאִינוּ מוֹצֵא מִי שְׁיִלָּךְ עִמוֹ, וְגַם אִינוּ תְלָמִיד חֻכְם לְלַמּוּד בְּמִחְשְׁבָתוֹ. דְּאִף עַל זֶה אִמְרִינוּ, שְׁבִית דִּין שְׁל מַעְלָה הֵכִי אֲתִנּוּ, שְׁיִהְיֶה נִיצוּל אִם תִּהְיֶה לוֹ מִחְשְׁבָה טוֹבָה, כְּגוֹן שְׁיִחְשׁוּב לְקַבּוּעַ עֲתִים לְתוֹרָה, אוֹ לִילָךְ אִיזוֹ שְׁעָה לְבֵית מְדַרְשׁוֹ שְׁל חֻכְם אַחַד, אוֹ לִיהְנוֹת תְּלָמִידֵי חֻכְמִים מְנַכְסִיו, דְּכִתִּיב "עֲזִי-חַיִּים הִיא לְמַחְזִיקִים בָּהּ", מִשּׁוּם דְּשִׁכְחִי עִמִּי הָאָרֶץ טוֹבָא.

**One who does not know how to learn Torah, and is compelled because of his business to set out on the road alone, what remedy does he have? Because of this, the Mishnah is teaching, “one who walks on the way alone and turns his heart to idle matters, behold, this one is mortally guilty,”** as if to say, specifically because he turns his heart to idle matters, he is mortally guilty. **But if he thinks on any matter regarding a mitzvah, he will be saved, since he is compelled and forced to go out on the road alone, for he has not found someone who will go with him, and he is not a Torah scholar to learn by heart. Despite this, it is said, that the thinking of the Heavenly court is thus, that he will be saved if he has good intentions,**<sup>13</sup>

leads to an assessment of one’s status and merit]; and passing a case against another [to Heaven, i.e., asking G-d to judge another person], for Rabbi Avin said: Anyone who passes a case against another [to G-d] is punished first.”

<sup>9</sup> Pesachim 110a–112a; Avodah Zarah 12b; Niddah 17a.

<sup>10</sup> Shabbat 32a.

<sup>11</sup> Bava Metzia 105a.

<sup>12</sup> In addition to Eruvin 54b, this also appears in Sotah 46b.

<sup>13</sup> Yerushalmi Peah 1:1, “The Holy One, Blessed be He, adds good intention to deeds.”

such as thinking to fix a time to learn Torah, or to go sometime to a study hall of a particular scholar, or to benefit Torah scholars from his property.<sup>14</sup> As it is written, “She is a tree of life to those who grasp her,”<sup>15</sup> for many ignorant people can be found, and the Torah provides protection even for the ignorant, if they have good intentions.

וְזֶהוּ פְּנוּנַת הַכְּתוּב "בְּהִתְלַכְךָ תִּנְחָה אִתָּךְ". דְּקָשָׁה, לָמָּה לֹא אָמַר "בְּהִלּוּכְךָ". אֲלֵא דִּינְקָא "בְּהִתְלַכְךָ" עִם מְחֻשְׁבַּת הַתּוֹרָה, דְּהֵינּוּ בְּהִתְלַכְךָ עִמָּה, אַז "תִּנְחָה אִתָּךְ". וְכִשְׁאַתָּה יָשׁוּן, נִמְי תִּשְׁמֹר עָלֶיךָ, וְזֶהוּ "בְּשִׁכְבְּךָ תִּשְׁמֹר עָלֶיךָ". אֲמַנָּם "נְהַקִּיצוּתָּ" הִיא תְּשִׁיחָךְ" קָשָׁה, דְּהֵינּוּ לֹא לֹמַר "תְּשִׁיחַ בָּהּ". אֲלֵא קָא מְשַׁמַּע לָן, שְׂאֵם אִין אַתָּה יוֹדַע לְלַמּוּד מֵעֲצָמָךְ, בְּשִׁתְּקִין מְשַׁנְחָךְ, אִם תְּחֻשׁוּב מְחֻשְׁבוֹת טוֹבוֹת וְלֹא תִפְנֶה לְבָךְ לְבִטְלָה, הִיא תְּשִׁיחַ בָּךְ, וְזֶהוּ "הִיא תְּשִׁיחָךְ", וְלֹא קָאמַר "תְּשִׁיחַ בָּהּ".

**This is the meaning of the Scripture, “In your [own self-directed] walking [בְּהִתְלַכְךָ] [be’hit’halechecha], it will lead you” (Prov. 6:22). The question is, why does it use the unusual reflexive grammar? Why doesn’t it say “in your walking” [בְּהִלּוּכְךָ] [be’hiluchecha] with the simpler Hebrew grammar? Rather, it specifically says “in your [own self-directed] walking” with the reflexive grammar, meaning “in your walking with thinking of the Torah.” That is, if you are walking with [the Torah], then “it will lead you.” When you sleep, it will also guard you, and this is the meaning of the continuation of the verse, “when you lie down it will watch over you.” Indeed, the conclusion of the verse, “and when you are awake it will talk with you” is difficult, that is, in writing Proverbs, [King Solomon] should have said “you will talk with her.” Rather, it is coming to teach us, that if you don’t know how to learn Torah by yourself, when you wake up from your sleep, if you think good thoughts and do not turn your heart to idleness, [the Torah] will talk to you, and that is the meaning of “it will talk with you,” and not as we said, “you will talk with her.”**

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<sup>14</sup> Berachot 34b.

<sup>15</sup> Prov. 3:18.