

approached the captor and said to him, הֲרֵאֵנִי אֶת יוֹפֶיהָ – “Show me her beauty!” – אָמַר לוֹ – [The captor] said to him, “Boor! – אם אתה רוצה ליקח קח – If you want to buy her, buy her! – שאין ביופיה בכל העולם כולו – For her beauty is without equal in the entire world!” – אָמַר לוֹ – [The man] said to [the captor], אֶף עַל פִּי בֵן – “Even so I would like to see her for myself.” – הִסְשִׁיטָה שֵׁשׁ חֲלוּקִים – He removed six robes from her. – וּשְׁבִיעֵי קֶרְעָתָהּ וְנִתְפָּלְשָׁה בְּאָפֶר – She ripped the seventh robe, and rolled in the dust.^[25] – אָמְרָה לְפָנָיו – She said before [God]: רְבוּנוּ שֶׁל עוֹלָם – Master of the Universe! – אִם עָלִינוּ לֹא חֶסֶת – If You do not have pity on us, הַגְּבוּר לָמָּה לֹא תַחֲסוּ – why is that a reason for You not to have pity on the holiness of Your mighty Name?^[26] – וְעֲלִיָּה קוֹנֵן יִרְמְיָה – In reference to her, Jeremiah prophetically laments: אֲבָל יָחִיד עָשִׂי לִי – O daughter of My people, gird on sackcloth, and roll in the ashes. – מְסַפֵּד תִּמְרוּרִים כִּי פָתָאם וְבֵא הַשָּׂדֶר עָלֵינוּ – Make for yourself a mourning as for an only son, a most bitter lamentation, for the plunderer shall suddenly come upon us.^[27] – עֲלֶיךָ לֹא נֵאמַר – It is not said: “upon you [the people];” – אֲלֵא עָלֵינוּ – rather, it is said: “upon us [God and the people].”^[28] – בְּבִיכּוֹל עָלֵי וְעֲלֶיךָ בָּא – God is saying: It is as though the plunderer comes upon Me and upon you. When Israel is made to suffer, God’s name is desecrated.

The Gemara concludes its discussion of the destruction of the Temple by recounting the sin which triggered the Divine decree to destroy the Temple:

אָמַר רַב יְהוּדָה אָמַר רַב – Rav Yehudah said in the name of Rav: מַאי דְכָתִיב – What is an illustration of that which is written: “They oppress a man and his house, even a man and his inheritance?”^[29] – מַעֲשֵׂה בְּאָדָם אֶחָד – There was an incident in which one man, who was a carpenter’s apprentice, coveted the wife of his master.^[30] – פַּעַם אֶחָת הִוצֵרֵךְ רַבּוֹ לְלוֹת – His master once needed to borrow some money. – אָמַר לוֹ – [The apprentice] said to him, שִׁגְרָ אִשְׁתְּךָ אֶצְלִי וְאֶלְנָה – “Send your wife to me, and I will give her the loan.” – אָמַר לוֹ – [The master] sent his wife to [the apprentice], and [the apprentice] spent three days with her. – קָדַם וְכָא אָצְלוּ – [The master] arose early the next morning and went to [the apprentice]. – אָמַר לוֹ – [The master] asked him, “Where is my wife whom I sent to you?” – אָמַר לוֹ – [The apprentice] said to him, אֲנִי פִטְרָתֶיהָ – I excused her immediately, – לֹא לְתַרְתִּי – but I heard that some youths misbehaved

with her on the way.” – אָמַר לוֹ – [The master] asked him, “What shall I do?”^[31] – אָמַר לוֹ – [The apprentice] answered him, אם אתה שומע לעצתי נגרשה – “If you take my advice, divorce her!” – אָמַר לוֹ – [The master] said to him, אָמַר – “But her *kesubah* payment is great.”^[32] – אָמַר לוֹ – [The apprentice] said to him, אֲנִי אֶלְוֹךָ וְתָן לָהּ כְּתוּבָתָהּ – “I will lend you the money, and then you will be able to give her the *kesubah* payment that is due her.” – עָמַד זֶה וְנִגְרְשָׁה – [The master] went ahead and divorced her. – הִלֵּךְ הוּא וְנִשְׁאַף – [The apprentice] then went and married her. – בֵּינוֹן שֶׁהִגִּיעַ וּמְנוּ וְלֹא – When the time came [for the master] to repay the loan, and he did not have the money to pay [the apprentice], – אָמַר לוֹ – [the apprentice] said to him, בֹּא וְעֲשֵׂה עִמִּי – “Come and work for me to pay off your debt.” – וְהָיוּ – While they [the apprentice and his wife] were sitting, eating and drinking, – הָיוּ יוֹשְׁבִים וְאוֹכְלִים וְשׂוֹתִין – הוא היה עומד ומשקה – [the master] would stand and serve them drink. – עָלֶיהֶן – Tears would fall from his eyes and drop into their cups. – וְעַל אוֹתָהּ שֶׁעָשָׂה נִתְחַתֵּם גִּזְרֵי דִין – Because of what occurred at that moment, the decree of destruction was sealed in Heaven. – וְאָמְרֵי לָהּ עַל שְׁתֵּי פְתִילוֹת בְּנֵר – But some say that the decree was sealed because of two wicks in one lamp, i.e. because of the adultery committed by the apprentice and his master’s wife.^[33]

The Mishnah said:

אִם אֶחָד הָיָה מִן הַסִּיקְרִיקוֹן וְכוּ' – If ONE ACQUIRED land FROM A SIKRIKON, etc. and then acquired it from its owner, his acquisition is void.

The reason why the acquisition is void is that the owner’s consent is assumed to be insincere.^[34] The Gemara defines the circumstances in which this assumption holds true:

אָמַר רַב – Rav said: לֹא שָׁנוּ אֲלֵא דְאָמַר לוֹ – They taught that the acquisition is void only in a case where [the owner] said to [the purchaser]: הֵלֵךְ חֲזַק וְקָנִי – Go, perform an act of *chazakah* on the property, and thereby acquire it.^[35] – אָבַל – But where the owner wrote a document of sale, [the purchaser] does acquire the land. By writing a document, the owner shows that his agreement to the acquisition is sincere.^[36]

A dissenting view:

אֶף בְּשִׁטְרָ נָמִי לֹא קָנָה – Even in a case where the owner wrote a document of sale, [the purchaser] still does not acquire the land. – עַד שִׁכְתוּבָּהּ לוֹ – We do not assume that the owner sincerely agrees to the acquisition unless he writes for [the purchaser] that he accepts responsibility for it.^[37]

NOTES

25. Literally: ashes. [The Gemara uses the word אָפֶר, *ashes*, presumably because this word appears in the verse that the Gemara below applies to this incident.]

26. Where is Your might? (*Rashi*).

27. *Jeremiah* 6:26.

28. *Jeremiah* is quoting the word of God. See *ibid.* v. 22.

29. *Micah* 2:2.

30. Literally: his teacher (see *Rashi*).

31. The apprentice had implied that the master’s wife had participated in extramarital relations willingly. If this accusation were true, the master would have to divorce her. The Torah forbids a husband whose wife has willingly committed adultery to engage in intimate relations with her (*Maharsha*).

32. Although a woman who commits adultery loses her rights to her *kesubah* payment, in this instance the husband had no proof that his wife had committed adultery. Thus, he was not required by law to divorce his wife (see *Kiddushin* 66a); and, if he did divorce her, he would be required to pay her *kesubah*.

33. [According to either version] this was a well-publicized incident, and yet no one protested the apprentice’s outrageous behavior. Therefore, all the people were held liable [see *Shabbos* 54b] (*Maharsha*).

34. See 55b note 22.

35. Ownership of property cannot be transferred from one person to another through mere agreement. A formal act of acquisition [קנין, *kinyan*] is necessary. One of the acts through which real property can be acquired is *chazakah*. This is an act performed by the one acquiring the property which demonstrates his assumption of its ownership; for example, plowing a small part of the field, locking the gates or opening an entrance in its fence (*Rashi* to *Kiddushin* 26a בחוקה ר"ה; see *Bava Basra* 52b).

36. The land could have been conveyed without a document (see previous note). The owner would not have taken the unnecessary step of writing a document, unless his agreement to the acquisition was sincere (*Rashi*).

37. That is, the owner agrees to compensate the purchaser in the event that the owner’s creditor seizes the property for payment owed him by the owner.