

NACH NUGGETS

Sefer Yehoshua Perek 9:1 through Perek 9:20

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This week we covered Sefer Yehoshua Perek 9 starting from pasuk 1 and going up to and including Pasuk 20.

This week we learned of the Givonim who conned Bnei Yisroel into a peace treaty. This weeks learning is hardly mentioned in the Talmud Bavli at all. In fact only one interaction regarding these pesukim is brought and it is brought in two different Gemaros.

The Gemarah in Gitten daf 46a discusses under what circumstances a man is not allowed to remarry his wife after divorcing her. One such instance is, if he divorced her because of an oath that she made. Rabbi Yehudah expands on this reason.

רבי יהודה אומר כל נדר שידעו בו רבים לא יחזיר ושלא ידעו בו רבים יחזיר: אמר רבי יהושע בן לוי מ"ט דר' יהודה דכתיב (יהושע ט, יח) ולא הכום בני ישראל כי נשבעו להם נשיאי העדה

The mishna taught that Rabbi Yehuda says: If he divorced her due to any vow that the public was aware of, he may not remarry her, but if he divorced her due to a vow that the public was not aware of, he may remarry her. Rabbi Yehoshua ben Levi said: What is the reason of Rabbi Yehuda? Based on what does he make the distinction of whether the public is aware of the vow or not? As it is written in the Torah portion describing the interaction of the Jews with the people of Gibeon: "And the children of Israel did not strike them, for the leaders of the congregation swore to them" (Joshua 9:18). This teaches that a vow taken in the presence of the public cannot be dissolved. In this case as well, if she took an oath that is known by the public, it cannot be dissolved.

ורבנן התם מי חלה שבועה עילויהו כלל כיון דאמרו להו מארץ רחוקה באנו ולא באו לא חיילה שבועה עילויהו כלל והאי דלא קטלינהו משום קדושת השם

And the Rabbis, who hold that such a vow can also be dissolved, respond to this claim in the following manner: There, did the oath take effect with regard to them at all? Since the people of Gibeon said to them: "We came from a far country" (Joshua 9:6), and they did not come from a far country, the oath did not take effect with regard to the Jewish people at all, as it was taken under false pretenses. And this, that the Jewish people did not kill the Gibeonites, like they did to the other nations who resided in the land of Canaan, despite the fact that the vow did not take effect, was due to the sanctity of God's name. If they would have killed them, they would have desecrated God's name by not fulfilling their word, although this vow did not take effect.

The Rambam (Mishna Torah Hilchos Melachim 6:5) - based on the Yerushalmi Shviit 6:1 and the Midrash Devarim Rabbah 5:14 - also alludes to the story of the Givonim and mentions that

Yehoshua sent letters to all the nations upon entering the Land. In these letters he laid out three choices for all the nations to choose from.

שְׁלֹשָׁה כְּתוּבִים שָׁלַח יְהוֹשֻׁעַ עַד שֶׁלֹּא נִכְנַס לְאֶרֶץ. הָרִאשׁוֹן שָׁלַח לָהֶם מִי שְׂרוּצָה לְבָרַח יְבָרַח. וְחָזַר וְשָׁלַח מִי שְׂרוּצָה לְהִשָּׁלֵם יִשָּׁלֵם. וְחָזַר וְשָׁלַח מִי שְׂרוּצָה לַעֲשׂוֹת מַלְחָמָה יַעֲשֶׂה. אִם כֵּן מִפְּנֵי מֶה הֶעֱרִימוּ יוֹשְׁבֵי גְבוּעוֹן. לְפִי שֶׁשָּׁלַח לָהֶם בְּכָלֵל וְלֹא קִבְּלוּ. וְלֹא יָדְעוּ מִשִּׁפְטֵי יִשְׂרָאֵל וְדָמוֹ שָׁשׁוּב אֵין פּוֹתַחִין לָהֶם לְשָׁלוֹם. וְלָמָּה קָשָׁה הַדְּבָר לְנִשְׂיָאִים וְרָאוּ שֶׁרָאוּ לְהַכּוֹתָם לְפִי חָרֵב לוֹיֵי הַשְּׁבוּעָה. מִפְּנֵי שֶׁכָּרְתוּ לָהֶם בְּרִית וְהָרִי הוּא אוֹמֵר (דְּבָרִים ז, ב) "לֹא תִכְרַת לָהֶם בְּרִית" אֲלֵא הִיא דִּינָם שֶׁיְהִי לְמַס עֲבָדִים. וְהוֹאִיל וּבִטְעוֹת נִשְׁבְּעוּ לָהֶן בְּדִין הִיא שֶׁיִּהְרָגוּ עַל שֶׁהִטְעוּם לוֹיֵי חִלּוּל הַשֵּׁם:

Joshua dispatched three communiqués before entering the Land. The first one he sent read, "*Whoever wishes to flee, may flee*". The next read, "*Whoever wishes to make peace, let him make peace*". The next read, "*Whoever wishes to make war, make war*". If so, why did the residents of Givon go and deceive us saying, "we are from a distant land" when they could have simply made peace with us (Joshua 9:9)? He had sent the (first) letter to them, and they did not accept it. Being unaware of the Laws of Israel, they thought that we won't again be offering them peace, i.e., they would not have a second chance.. So, why was this matter difficult for the Heads of the Tribes., and they saw that it would have been proper to smite them by sword were it not for the oath that they made with the Givonites.? Because they made a treaty with them, and it says, "*make no peace treaty with them*" (Deut. 7:2). Thus, their verdict was that they were to be serfs. Now, since we, in error, made an oath with them, by law, they should have been killed because they deceived us, were it not for the disgrace doing so would have caused to G-d's Name.

The Gemarah in Shiviit explains that the Gergashi took option number one. They fled the land and went to Africa. The Givonim picked option number two and made peace. However, as is so often the case throughout Jewish history, the vast majority of the nations (the remaining thirty one kings) chose to go to war with the Jewish nation.

May we merit to see the day when the nations of the world put down their weapons, put aside their hatred and we see true world peace with the coming of Moshiach.

Haftoros mentioned in this week's learning:
This week's learning is not mentioned in any haftoros