

CHAPTER I

MISHNAH ALL SACRIFICES SLAUGHTERED NOT IN THEIR OWN NAME<sup>1</sup> ARE VALID,<sup>2</sup> SAVE THAT THEY DO NOT FREE THEIR OWNERS OF THEIR OBLIGATION,<sup>3</sup> WITH THE EXCEPTION OF THE PASSOVER-OFFERING AND THE SIN-OFFERING.<sup>4</sup> [THIS HOLDS GOOD OF] A PASSOVER-OFFERING IN ITS PROPER TIME;<sup>5</sup> AND A SIN-OFFERING AT ALL TIMES. R. ELIEZER SAID: ALSO THE GUILT-OFFERING [IS INVALID]. [AND THE LAW HOLDS GOOD OF] A PASSOVER-OFFERING IN ITS PROPER TIME, AND A SIN-OFFERING AND A GUILT-OFFERING AT ALL TIMES. R. ELIEZER ARGUED: THE SIN-OFFERING COMES ON ACCOUNT OF SIN, AND THE GUILT-OFFERING COMES ON ACCOUNT OF SIN: AS A SIN-OFFERING [SLAUGHTERED] NOT IN ITS OWN NAME IS INVALID, SO IS THE GUILT-OFFERING INVALID [SLAUGHTERED] NOT IN ITS OWN NAME. JOSE B. HONI SAID: [SACRIFICES] SLAUGHTERED IN THE NAME OF A PASSOVER-OFFERING OR A SIN-OFFERING ARE INVALID. SIMEON THE BROTHER OF 'AZARIAH<sup>6</sup> SAID: IF ONE SLAUGHTERED THEM UNDER A HIGHER DESIGNATION THAN THEIR OWN THEY ARE VALID; UNDER A LOWER DESIGNATION THAN THEIR OWN, THEY ARE INVALID. HOW SO? IF ONE SLAUGHTERED MOST SACRED SACRIFICES UNDER THE DESIGNATION OF LESSER SACRIFICES,<sup>7</sup> THEY ARE INVALID; IF ONE SLAUGHTERED LESSER SACRIFICES UNDER THE DESIGNATION OF MOST SACRED SACRIFICES, THEY ARE VALID. IF ONE SLAUGHTERED A FIRSTLING OR TITHE IN THE NAME OF A PEACE-OFFERING,<sup>8</sup> IT IS VALID; IF ONE SLAUGHTERED A PEACE-OFFERING IN THE NAME OF A FIRSTLING OR TITHE, IT IS INVALID.

GEMARA. Why must [the Tanna] teach, SAVE THAT THEY DO NOT FREE [THEIR OWNERS OF THEIR OBLIGATION]; let him teach, 'and they do not free their owners of their obligation?'<sup>9</sup> — He informs us this: they merely do not free their owners of their obligation. yet they retain their [original] sanctity, and no alteration therein is permitted, in accordance with Raba's dictum. For Raba said: If a burnt-offering was slaughtered under a different designation, its blood must not be sprinkled under a different designation .<sup>10</sup>

If you wish, I can say [this follows] from reason, and if you wish I can say, from Scripture. If you wish, I can say [this follows] from reason: because he made an alteration therein [once], is he to go on making alterations therein?<sup>11</sup> And if you wish, I can say [it follows] from Scripture: That which is gone out of thy lips thou shalt observe and do; according as thou hast vowed a freewill-offering unto the Lord thy God etc.:<sup>12</sup> is this a freewill-offering —

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(1) I.e. under a different designation. E.g., a burnt-offering slaughtered as a peace-offering.

(2) They count as a sacrifice, and all their rites, such as sprinkling the blood, burning the emurim (v. Glos). and eating the flesh, must be performed.

(3) If the owner vowed e.g.. a burnt-offering, this sacrifice does not free him of his obligation and he must bring another.

(4) These are altogether invalid; hence they must be burnt (not on the altar), and the usual rites may not be performed.

(5) Sc. from midday on the eve of Passover until nightfall.

(6) Sotah 21a.

(7) Sacrifices were divided into two categories: (i) Most sacred; these included the sin-offering, meal-offering, burnt-offering and guilt-offering; and (ii) Lesser sacrifices e.g.,the peace-offering. Passover-offering and the thanksoffering.

(8) The sanctity of the former is lower, v. infra 89a.

(9) Which is more in keeping with the terse style of the Mishnah.

(10) But as the blood of a burnt-offering.

(11) Obviously not-one wrong does not authorise another!

(12) Deut. XXIII,24.

## Talmud - Mas. Zevachim 2b

surely it is a vow?<sup>1</sup> The meaning however is this: if you have acted in accordance with your vow,<sup>2</sup> let it be the fulfilment of your vow; but if not, let it count as a freewill-offering.<sup>3</sup> Now as a freewill-offering is it permitted to make a change in it?<sup>4</sup>

Rabina said to R. Papa: You were not with us in the evening within the Sabbath limit of Be Harmack,<sup>5</sup> when Raba pointed out a contradiction in two important laws, and then reconciled them. What are these important laws? — We learnt: ALL SACRIFICES SLAUGHTERED NOT IN THEIR OWN NAME etc. Thus it is only when they are slaughtered for another purpose; but if no purpose is defined, they even acquit their owners of their obligation, which proves that an undefined purpose is the same as its own purpose [defined]. But the following contradicts it: 'Every Get<sup>6</sup> which was written not in the name of the woman [for whom it is intended]<sup>7</sup> is invalid;<sup>8</sup> and [in point of fact if it is written with] an undefined purpose it is also invalid?<sup>9</sup> And he answered it: Sacrifices, where no purpose is defined, stand [to be slaughtered] for their own purpose.<sup>10</sup> whereas a woman, if nothing is defined, does not stand to be divorced.

Now, how do we know that sacrifices slaughtered with undefined purpose are valid? Shall we say, because we learned: ALL SACRIFICES SLAUGHTERED NOT IN THEIR OWN NAME etc., while he [the Tanna] does not teach, 'which were not slaughtered under their own designation'. But surely in the case of the Get too, he also teaches: Every Get which was written not in the name of the woman, is invalid, and does not teach, 'which was not written in the name of the woman is invalid'! — Rather, it follows from what we learned: How is 'in its own name and not in its own name' meant? In the name of the Passover-offering and in the name of a peace-offering.<sup>11</sup> Thus it is [invalid] only because he stated<sup>12</sup> 'in the name of the Passover-offering and in the name of a peace-offering' but, [if he slaughtered it] in the name of the Passover-offering and [sprinkled its blood] with undefined purpose, it is fit; which proves that with purpose undefined it is as in its own name!<sup>13</sup> — Perhaps it is different there, because one may argue: Whoever does anything, does it with the original [expressed] intention! — Rather, it follows from the second clause: [How is] 'not in its own name and in its own name' [meant]? In the name of a peace-offering [first] and [then] in the name of the Passover-offering. Thus it is [invalid] only because he stated,<sup>12</sup> 'In the name of a peace-offering and in the name of the Passover-offering'; but [if he slaughtered it] without a defined purpose [and sprinkled the blood] in the name of the Passover-offering, it is valid!<sup>13</sup> — Perhaps it is different there, because we say: the end illumines the beginning.<sup>14</sup> Alternatively, [perhaps] because he teaches 'in its own name and not in its own name' [in the first clause], he also teaches 'not in its own name and in its own name' [in the second clause]!<sup>15</sup> Rather, it follows from this: A sacrifice is slaughtered for the sake of six things: For the sake of the sacrifice, for the sake of the sacrificer, for the sake of the Divine Name, for the sake of fire-offerings, for the sake of a savour, for the sake of pleasing, and a sin-offering and a guilt-offering for the sake of sin.<sup>16</sup> R. Jose said: Even if one did not have any of these purposes in his heart, it is valid, because it is a regulation<sup>17</sup> of the Beth din.<sup>18</sup> Thus the Beth din made a regulation that one should not state its purpose, lest he come to state a different purpose. Now if you think that an undefined purpose [renders] it invalid, would the Beth din arise and make a regulation which would invalidate it?<sup>19</sup>

Now how do we know in the case of a Get that an undefined purpose [renders] it invalid? Shall we say from what we learned: If one was passing through the street and heard the voice of scribes dictating: 'So-and-so divorced So-and-so of such a place,'<sup>20</sup> whereupon he exclaimed, 'That is my name and my wife's name,' it [the Get so written] is invalid for divorcing therewith!<sup>21</sup> — Yet perhaps that is [to be explained] as [did] R. Papa. For R. Papa said: We are discussing scribes

engaged in practising, So that it was not written for the purpose of divorcement at all!<sup>22</sup> — Rather [it follows] from this:

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(1) As thou hast vowed implies that we are treating of a vow; while a freewill-offering applies to a nedabah (a freewill-offering). When one vows, 'Behold, I undertake to bring a sacrifice, ' it is technically called a vow; if one declares, 'Behold, this animal be for a sacrifice,' it is a freewill-offering. In the first case, if he subsequently dedicates an animal in pursuance of his vow, and it is lost before it is sacrificed, he must bring another. In the latter case, should the animal be lost or become unfit, his obligation is at an end.

(2) I.e., you have slaughtered it in the name of the sacrifice which you actually vowed.

(3) Additional to the vow originally made.

(4) Of course not. Hence, though it was slaughtered for a different purpose, its other rites must still be performed for the right purpose.

(5) To be able to visit us at the schoolhouse. — He was referring to the Sabbath. Be Harmack is in the vicinity of Pumbeditha; Obermeyer, Die Landschaft Babylonian p. 124.

(6) Deed of Divorce.

(7) Of course a name must be written in the Get; but even if this particular woman's name is written, yet without having her in mind, so that the fact of the name being identical is a pure coincidence, the Get is unfit.

(8) Git. 24a.

(9) Hence an undefined purpose is the same as a wrongful purpose.

(10) This may be assumed.

(11) I.e. he slaughtered the paschal sacrifice in the name of a Passover-offering as required but sprinkled the blood in the name of a peace-offering. V. infra 13a.

(12) Not necessarily, as mere wrongful intention is effective.

(13) Which proves that where the purpose is undefined the sacrifice is valid.

(14) Hence since the end (sprinkling) was in the name of the Passover-offering, we assume the beginning (the slaughtering) to have been likewise.

(15) For the sake of parallelism. Yet actually if he slaughters it without a defined purpose, it may be invalid.

(16) He who offers the sacrifice must have these in mind (or express them): (i) the particular sacrifice it is intended to be; (ii) the person for whom it is sacrificed; (iii) that it is sacrificed in honour of the Divine Name; (iv) with the intention of burning the emurim on the altar, not merely roasting it; (v) and (vi) with the intention that it shall provide a pleasing savour to God (v.e.g., Lev.III, 5 — nihoah, translated there 'sweet', is rendered 'pleasing').

(17) Lit., 'stipulation'.

(18) That one should not define its purpose—the name of the sacrifice for which it is offered, infra 46b.

(19) Surely not. This then proves Raba's first point.

(20) They were teaching pupils to write a Get, and had selected the names at random.

(21) Git. 24a.

(22) But if a scribe writes a Get for the purpose of divorce, selecting names at random, perhaps it is valid.

### **Talmud - Mas. Zevachim 3a**

Even more; If he wrote [a Get] to divorce his wife and then changed his mind; then a fellow-citizen met him and said to him 'My name is the same as yours, and my wife's name is the same as your's, it [the Get] is invalid for divorcing therewith! — Yet perhaps it is different there, because it had been designated for that particular person's divorce!<sup>1</sup> — Rather, from the following: Even more: If he had two wives of the same name, and he wrote [a Get] to divorce the elder therewith, he cannot divorce the younger with it.<sup>2</sup> — Perhaps it is different there, as it had been designated for that particular wife's divorce! — Rather, from the following: Even more: If he said to the writer, 'Write it and I will then divorce whichever I desire,' it is invalid for divorcing therewith!<sup>2</sup> — Perhaps it is different there, because selection is not retrospective!<sup>3</sup> — Rather, from this: He who writes formulas of Gittin<sup>4</sup> must leave blanks for the name of the husband, and the name of the wife, the names of the witnesses, and the date.<sup>5</sup> Rab Judah said in Samuel's name: He must also leave a blank for [the passage], 'Behold, thou art permitted unto all men'.

He [Raba] pointed out a further contradiction. Did then Rab Judah say in Rab's name: if one slaughtered a sin-offering under the designation of a burnt-offering, it is invalid; [if one slaughtered it] under the designation of hullin,<sup>6</sup> it is valid? This proves that its own kind destroys it, while a different kind does not destroy it.<sup>7</sup> But the following contradicts it: 'Every Get written not in the name of the woman [for whom, it is intended] is invalid',<sup>8</sup> and [in point of fact] even [if written] in the name of a Gentile woman it is still invalid.<sup>9</sup> And he answered: In the case of a Get, disregard the Gentile woman altogether,<sup>10</sup> [and] it is then [written] without defined purpose, which is invalid.<sup>11</sup> But as for sacrifices, disregard the hullin,<sup>12</sup> [and] it is [a sacrifice slaughtered] without defined purpose, which is valid.<sup>13</sup>

He pointed out another contradiction. Did then Rab Judah say in Rab's name: If one slaughtered a sin-offering under the designation of a burnt-offering, it is invalid; [if he slaughtered it] under the designation of hullin, it is valid? This proves that its own kind destroys it, while a different kind does not destroy it. But it was taught : [And every earthen vessel into] whose inside [any of them falleth, whatsoever is in it shall be unclean, and it ye shall break]<sup>14</sup> but not the inside of the inside, and even a non-earthen vessel<sup>15</sup> saves it.<sup>16</sup> And he answered it: They [the Rabbis] treated hullin in respect to consecrated animals as a partition in respect to an oven. Just as a partition in respect to an oven has no effect at all, so hullin in respect to consecrated animals has no effect at all. For we learned: If an oven is partitioned with boards or curtains, and a reptile is found in one compartment, the whole is unclean. If a defective receptacle,<sup>17</sup> which is stuffed with straw, is lowered into the air-space of an oven, and a reptile is in it, the oven becomes unclean; if a reptile is in the oven the foodstuffs in it [the receptacle] become unclean;<sup>18</sup> while R. Eliezer declares it clean. Said R. Eliezer: It follows a fortiori: If it protects in the case of a corpse, which is stringent,<sup>19</sup> shall it not protect it in the case of an earthen vessel<sup>20</sup> which is less stringent? Not so, they replied:

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(1) And for no other.

(2) Git. 24b.

(3) His subsequent intention has no retrospective validity in the sense that it is regarded as though he had intended it thus in the first place, and so it is still possible that he had first intended it for the other, and therefore it is invalid.

(4) Plural of Get. He writes them to have them ready whenever the occasion arises.

(5) Then he can fill them in as required. But he cannot fill them in in the first place, though writing them for the express purpose of divorce, and then find persons with the same name (Git. 26a). This proves that they must be written expressly for persons who are to use them.

(6) V. Glos — i.e., not as a sacrifice at all.

(7) A sin-offering and a burnt-offering are of the same kind — both are sacred, and by substituting the name of the latter for that of the former, he destroys its validity. But hullin, being non-sacred, is of a different kind, as it were, and does not harm it.

(8) Git. 24a.

(9) Now a Gentile woman belongs to a different category, in that the law of Get does not apply to her at all, and yet she destroys the validity of the Get.

(10) Regard the Get as though it had not been written for her.

(11) Since it must be written expressly for a particular woman.

(12) Viz., that it was slaughtered as hullin.

(13) V. supra 2b.

(14) Lev. XI, 33.

(15) Lit., 'a vessel of rinsing.' This is the technical designation of all non-earthen vessels, because they can be purified from ritual uncleanness in a ritual bath (mikweh).

(16) If a reptile (sherez) falls inside an earthen utensil containing eatables, even without touching them, they become unclean. On this the comment is made: only if it falls, inside, but not into the inside of the inside. Thus: if a utensil containing eatables is lying in an earthen oven (ancient ovens were open on top), with its mouth protruding above the top of the oven, and a reptile falls into the oven, the foodstuffs remain clean, as the inside of the utensil is regarded as the

'inside of the inside,' of an oven. This holds good not only when the inner utensil too is an earthen one, but even if it is non-earthen. The difference between the two is this: an earthen vessel is defiled only if the reptile falls inside, whereas a non-earthen vessel is defiled even if the reptile touches it on the outside. Now a non-earthen vessel is really of a different kind, since it differs in law, and yet it protects the foodstuffs in it from defilement, acting as interposition between the foodstuffs and the vessel in the oven. Thus a different kind too can 'destroy' the status of the food as being 'inside' the oven and gives it the status of being 'inside the inside'.

(17) Lit. 'a beehive (shaped receptacle)'.

(18) Thus the receptacle, not being of the same kind as the oven, does not destroy the status of the food as being in the air-space of the oven. If the receptacle were whole it would protect the eatables, as above. Since it is not whole, however, it lacks the status of a utensil, and this is so even if it is stuffed with straw as a repair.

(19) If this partition were in a room containing a corpse, it would suffice to protect the foodstuffs from defilement, though the contaminating powers of a corpse are far greater than those of a reptile in an oven.

(20) As in the case of the oven.

### Talmud - Mas. Zevachim 3b

if it protects in the case of a corpse, which is stringent, that is because it is divided into tents;<sup>1</sup> shall it therefore protect in the case of earthen vessels which are less stringent but which are not divided into tents?<sup>2</sup> Now this is well according to the Rabbis.<sup>3</sup> But what can be said on R. Eliezer's view?<sup>4</sup> — R. Eliezer argues a fortiori.<sup>5</sup> If so, here too we can argue a fortiori: if sacred animals profane sacred animals, how much more does hullin!<sup>6</sup> — Rather, Rab's reason is in accordance with R. Eleazar.<sup>7</sup> For R. Eleazar said: What is Rab's reason? And they shall not profane the holy things of the children of Israel, which they set apart unto the Lord:<sup>8</sup> holy things profane holy things, but hullin does not profane holy things.<sup>9</sup> This proves that a Scriptural text comes and nullifies the argument a fortiori; then here too, let the text 'its inside' come and nullify the argument a fortiori?<sup>10</sup> — This text, 'its inside', is required in respect of foodstuffs pasted round with clay and placed within the air-space of an oven. You might think, since they cannot be defiled by contact,<sup>11</sup> they cannot be defiled through its air-space either. Hence [the deduction] informs us that It is not so.<sup>12</sup> And the Rabbis? — [They argue,] No text is necessary in respect of these [foodstuffs].<sup>13</sup>

R. Joseph b. Ammi pointed out a contradiction between change [of intention] in respect of sanctity and change [of intention] in respect of owners,<sup>14</sup> and answered it. Did then Rab say: If one slaughters a sin-offering [for one offence] as a sin-offering [for another offence],<sup>15</sup> it is fit; as a burnt-offering, it is unfit? This then proves that another kind destroys it, whereas its own kind does not destroy it. Yet surely Rab said: If a sin-offering is slaughtered on behalf of one who is liable to a sin-offering,<sup>16</sup> it is unfit; on behalf of one who is liable to a burnt-offering, it is fit. This proves that a person of the same category as the offender destroys it, whereas one of a different category does not destroy it? And he answered: In the former case, the Divine Law states, And he shall kill it for a sin-offering,<sup>17</sup> and lo, a sin-offering has been slaughtered as a sin-offering. But in the latter case it is written, and the priest shall make atonement for him,<sup>18</sup> [which intimates,] 'for him', but not for his fellow, and 'his fellow' implies one like himself, who stands in need of atonement just as he does.<sup>19</sup>

R. Habibi shewed a contradiction between the law of change [of intention] in respect of owners and that of the inside of the inside, and then answered it. Did then Rab say: If a sin-offering is slaughtered on behalf of one who is liable to a sin-offering, it is unfit; on behalf of one who is liable to a burnt-offering, it is fit? This then proves that its own kind destroys it, whereas a different kind does not destroy it. Yet surely it was taught: 'Its inside', but not the inside of it inside, and even a non-earthen vessel protects it?<sup>20</sup> And he answered: 'Its inside' is written four times, 'the inside [tok]', 'its inside [toko]; 'the inside' [tok], 'its inside [toko]';<sup>21</sup> one is required for its essential law;<sup>22</sup> another for a gezerah shawah;<sup>23</sup> a third [intimates] the inside of this, but not the inside of another;<sup>24</sup> and finally [to teach]: Its inside, but not the inside of its inside, and even a non-earthen vessel protects.<sup>25</sup>

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- (1) A single partition across a room is sufficient to divide it into two rooms, and if a corpse is in one, eatables or utensils in the other are not contaminated. Hence it is right that even a defective receptacle should have the same effect.
- (2) I.e., a partition placed in an earthen vessel (sc. an oven) does not divide it into separate compartments (here designated 'tents'), as stated supra 3a: therefore a defective receptacle cannot do so either; so Tosaf. Rashi explains more simply: if it protects . . . into tents — i.e., it is quite usual to partition off a room into two, therefore a partition converts it into two separate tents. But it is not usual to partition an oven: hence the partition cannot affect its status. On this interpretation it appears that R. Eliezer holds that a partition does affect it, protecting the foodstuffs from contamination. In that case they differ not only in respect to a defective receptacle, but also in respect to the partitioning of an oven by a board or curtain.
- (3) The view that the defective receptacle (or, a partition) does not protect agrees with Rab's statement that what is not of its own kind does not 'destroy' it.
- (4) According to him a different kind too apparently 'destroys' it: is then Rab's ruling a matter of dispute between the Rabbis and R. Eliezer?
- (5) Generally he agrees with Rab, but in this particular case he rules differently, because of his argument.
- (6) When one kills a sin-offering as a burnt-offering, he is still killing it as something sacred, and yet you say it is unfit. How much more should it be unfit when he kills it as hullin, which is not sacred at all!
- (7) Not because a different kind does not 'destroy' it, but because a Scriptural text teaches this law. Sh. M. emends: R. Elai.
- (8) Lev. XXII, 15.
- (9) Tosaf. suggests that 'the holy things' is superfluous, being understood from the context, and is therefore employed for this deduction.
- (10) From this text, 'its inside,' it is deduced supra a, but not 'the inside of the inside', which is explained as meaning the inside of a second vessel within the first. Now from this it is deduced afortiori that a partition does not destroy the unity of an oven (v. supra a), for if it did, a text would surely not be necessary for teaching that another vessel within the first protects its contents.
- (11) For a 'creeping thing' cannot touch them.
- (12) The food is defiled. This is learnt from the deduction, its 'inside', but not 'the inside of its 'inside'', whence it follows that a partition does not protect; and it is in respect of a partition of this nature, viz., clay pasted round food, that this conclusion is drawn.
- (13) For they are obviously 'inside' of the oven.
- (14) I.e. between wrongful intention in respect of the sacrifice and that in respect of the owner thereof; e.g., he offered the sacrifice under the name of one who was not its owner.
- (15) Its owner had incurred the liability on account of a particular offence, whereas in slaughtering it he (or the priest) intended it as a sin-offering for some other offence.
- (16) But who is not the owner of this particular sacrifice.
- (17) Lev. IV, 33.
- (18) Ibid. 26, 31, 35.
- (19) For otherwise he cannot be called 'his fellow' in this respect. Hence the exclusion of his fellow applies only to such a case.
- (20) Cf. supra a p. 7. n. 1.
- (21) V. Lev. XI, 33, where toko (lit, 'its inside') is repeated twice, though in each case tok ('inside') would suffice. Each tok (which could have been written) is interpreted; further, each addition, 'toko', is likewise interpreted, which gives four in all.
- (22) Viz., that any food or drink within it is defiled through the reptile (sherez) entering its air-space.
- (23) V. Glos. Teaching that the dead reptile defiles the utensil too, through entering its air-space, even without touching it; v. Hul. 24b.
- (24) Only an earthen vessel thus becomes unclean through its air-space without actual contact, but not a non-earthen vessel.
- (25) Hence this is a specially decreed law and stands by itself; therefore its principle cannot be applied to sacrifices.

## Talmud - Mas. Zevachim 4a

How do we know that the slaughtering must be in its own name? Because Scripture says, And if his offering be a zebah slaughtering of peace-offerings:<sup>1</sup> [this teaches] that its slaughtering must be in the name of a peace-offering. But perhaps that is their name?<sup>2</sup> — Since it is written, He that offereth the blood of the peace-offerings<sup>3</sup> and [he] that dasheth the blood of the peace-offerings [against the altar],<sup>4</sup> and zebah' is not written,<sup>5</sup> whereas here 'zebah' is written, you may infer from it that the slaughtering must be in the name of a peace-offering.

We have thus learned [it of] slaughtering, how do we know [it of] the other [sacrificial] services?<sup>6</sup> And if you say, let us learn then, from slaughtering [by analogy], then it may be objected, as for slaughtering, the reason is because it disqualifies in the case of a Passover-sacrifice [if done] on behalf of those who cannot eat it.<sup>7</sup> — Rather Scripture says, He that offereth the blood of the peace-offerings<sup>8</sup> which teaches that the reception [of its blood] must be in the name of peace-offerings. Then let the Divine Law state it of the reception [of the blood], whence the slaughtering [too] could be derived? — [That is not done] because [the analogy] can be refuted. As for the reception [of the blood], the reason is because it is unfit [if done] by a lay-Israelite or a woman.<sup>9</sup> We have thus learned [it of] slaughtering and receiving; how do we know [it of] sprinkling? And if you answer, let us learn it from the former [by analogy, then it may be argued]: As for the former, the reason is because they require the north,<sup>10</sup> and are practised in the case of the inner sin-offerings! — Rather, Scripture says, 'He that dasheth the blood of the peace-offerings!' [which teaches] that the sprinkling [dashing] must be in the name of peace-offerings. Then let the Divine Law write it in respect to sprinkling, whence the others could be derived? [That is impossible] because [the analogy] can be refuted: as for sprinkling, that is because a lay-Israelite is liable to death on its account.<sup>11</sup>

We have thus found it of all [rites]; whence do we know [it] of carrying? And if you say, let us learn it from all the others, [then it may be argued]: As for all the others, that is because they are rites which cannot be dispensed with; will you say the same of carrying, which can be dispensed with?<sup>12</sup> — Rather, Scripture says, And the priest shall bring near<sup>13</sup> the whole . . . to the altar,<sup>14</sup> and a Master said: This refers to the carrying of the limbs to the [altar] ascent; while it was also taught, [And Aaron's sons . . .] shall present [the blood]:<sup>15</sup> this refers to the receiving of the blood. Now, Scripture expresses this by a term denoting carrying<sup>16</sup> in order to teach that carrying cannot be excluded from the scope of receiving,<sup>17</sup>

Now we have thus found [it] of change [of intention] in respect of sanctity;<sup>18</sup> whence do we know it of change [of intention] in respect of owner? — Said R. Phinehas the son of R. Ammi: Scripture says, And the flesh of the slaughtering of his peace-offerings for thanksgiving etc.,<sup>19</sup> [which teaches] that the slaughtering must be in the name of a thanksgiving; now since this is superfluous for change in respect of sanctity, for that is deduced from the other text, transfer its teaching to change in respect of owners.<sup>20</sup> But is that the purpose of this verse? Surely it is required for what was taught. [Viz.,] 'And the flesh of the zebah [slaughtering] of his peace-offerings for thanksgiving': Abba Hanin said on R. Eliezer's authority: This comes to teach that if a thanksgiving is slaughtered in the name of a peace-offering, it is valid; if a peace-offering is slaughtered in the name of a thanksgiving, it is invalid.<sup>21</sup> What is the difference between these two cases? — A thanksgiving is designated a peace-offering, but a peace-offering is not designated a thanksgiving!<sup>22</sup> — We state [our deduction] from the word 'slaughtering'.<sup>23</sup> Yet it is still needed [thus]: How do we know [it of] a sin-offering and a guilt-offering?<sup>24</sup> From the word 'slaughtering'.<sup>25</sup> — If so,<sup>26</sup> let Scripture write, And the flesh of his peace-offerings for thanksgiving slaughtering [shall be eaten etc.]<sup>27</sup> why state, the slaughtering [of his peace-offerings for thanksgiving]?<sup>28</sup> So that both laws may be inferred from it.

We have thus found [it of] slaughtering; whence do we know [it of] other services?<sup>29</sup> And if you

say, Let us learn [them] from slaughtering, [then it may be objected]: as for slaughtering, the reason is because it disqualifies in the case of a Passover-offering, [when it is done] for the sake of those who cannot eat it! — ‘Slaughtering’ is stated in reference to change [of intention] in respect of sanctity, and ‘slaughtering’ is stated in reference to change [of intention] in respect of owner; as in the case of the slaughtering stated in reference to change in respect of sanctity, you do not differentiate between slaughtering and other services, so also in the case of the slaughtering which is stated in reference to change of owners, you must not differentiate between slaughtering and other rites. This can be refuted: as for change in respect of sanctity, [that is] because its disqualification is intrinsic,<sup>30</sup> and it is [operative] in respect of the four services,<sup>31</sup> and it is [operative] after death,<sup>32</sup> and it is [operative] in the case of the community as in the case of an individual.<sup>33</sup>

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(1) Lev. III, 1. So literally. E.V. ‘sacrifice of peace-offerings’.

(2) Perhaps the Heb. zebah simply means ‘sacrifice’, as E.V. the name of the offering being the sacrifice of peace-offerings, and thus it has no bearing on the question of slaughtering.

(3) Lev. VII, 33.

(4) Ibid. 14.

(5) It does not say, ‘He that offereth the blood of the ‘zebah’ of the peace-offerings.’

(6) Receiving the blood, carrying it to the part of the altar where it is to be sprinkled, and the actual sprinkling, count as separate services.

(7) E.g. on behalf of aged and infirm, who cannot eat. But if the blood is sprinkled on their behalf, the offering is not unfit; and similarly in the case of any other of the services performed on their behalf.

(8) The Rabbis refer this to the receiving of the blood,

(9) It must be done by a priest. The slaughtering however may be done by a lay-Israelite too, and therefore, but for the text which teaches otherwise, I might think that it need not be done specifically in the name of that particular sacrifice.

(10) They must both be done at the north side of the altar.

(11) If he performs it. But the slaughtering may be done by a non priest; while the receiving and carrying, though forbidden to a non priest, do not involve death. By ‘death’ is meant death at the hands of heaven, not capital punishment.

(12) If the animal is killed at the very spot where the blood is to be sprinkled.

(13) We-hikrib; E.V. ‘offer’.

(14) Lev. 1,13.

(15) Ibid. 5.

(16) The same Heb. word, hikrib here explained to mean the receiving of the blood, is interpreted as carrying (the limbs) in the other verse.

(17) I.e., receiving includes carrying, and the law of one applies to the other.

(18) I.e., that a particular sacrifice must not be offered in the name of a different sacrifice.

(19) Ibid. VII, 15.

(20) This is a principle of Talmudic exegesis: where a verse is superfluous in respect of the subject upon which it directly bears, its teaching is to be transferred to another, analogous subject.

(21) ‘Valid’ and ‘invalid’ mean that the bringer has discharged or not discharged his obligations respectively.

(22) ‘Peace-offering’ is a wider term, which includes but is not included in the term ‘thanksoffering’. — Thus the verse is required for a different purpose.

(23) Whereas the other teaching is deduced from the phrase ‘his peace-offerings for thanksgiving’.

(24) That their flesh too may be eaten only on the day when they are sacrificed and the following night, as that text is interpreted in respect of thanksgiving.

(25) Which term includes other sacrifices.

(26) If that is the only teaching of that verse.

(27) Thus ‘zebah’ would be written immediately in connection with eating.

(28) Bringing ‘slaughtering’ into connection with the sacrifice rather than with the eating.

(29) Sc. that they must not be performed in the name of any but their true owner.

(30) I.e., on illegitimate intention is expressed in respect to the sacrifice itself.

(31) An Illegitimate intention in respect of any service disqualifies it (according to the terms of the Mishnah). But change in respect of owner is a disqualification only for sprinkling, which constitutes the principal rite of atonement,



either at that rite itself, or by expressing an intention at the slaughtering or any other service that the sprinkling shall be for a different owner.

(32) If the owner dies, his son must bring it, and if he slaughters it for a different purpose it is invalid.

(33) A public sacrifice, just like a private sacrifice, is disqualified if offered for another purpose.

## Talmud - Mas. Zevachim 4b

Now although two [of these refutations] are not exact,<sup>1</sup> two at all events are! (For how is change in respect of owner different, that it is not an intrinsic disqualification? [Surely] because it is a mere intention!<sup>2</sup> Then change in respect of sanctity too is a mere intention! But what you must say is that since he intended it [for a wrongful purpose], he disqualified it; then here too,<sup>3</sup> since he intended it [for a different owner], he disqualified it.<sup>4</sup> Furthermore, according to R. Phinehas the son of R. Mari who maintained: Change in respect of owner does operate after death,<sup>5</sup> on two points at least you can refute it.) — Rather, said R. Ashi, Scripture says, And it shall be accepted for him to make atonement for him,<sup>6</sup> [implying,] but not for his fellow.<sup>7</sup> But does it come for this purpose? Surely it is required for what was taught: And it shall be accepted for him to make atonement for him: R. Simeon said: Where [the sacrifice] is [a liability] upon him, he is responsible for its loss; where it is not [a liability] upon, him, he is not responsible for its loss,<sup>8</sup> And R. Isaac b. Abdimi said: What is the reason? Since he declared, ‘[I take] upon myself to bring an offering,’ it is as though he carried it on his shoulder!<sup>9</sup> — R. Ashi makes his deduction from ‘and it shall be accepted for him to make atonement,’<sup>10</sup>

We have now learned [it of] slaughtering and sprinkling: how do we know [it of] the receiving [of the blood]? And if you say, let us learn it from slaughtering and sprinkling, [it can be objected]: as for slaughtering and sprinkling, the reason is because [each is] a service which involves culpability [if performed] without [the Temple court]!<sup>11</sup> — Rather said R. Ashi: It is deduced from the nazirite's ram. For it is written, And he shall offer the ram for a slaughtering of peace-offerings,<sup>12</sup> [which teaches] that it must be offered specifically as a peace-offering. Now since this teaching is superfluous regarding change in respect of sanctity, as that is deduced from the other text, apply its teaching to change in respect of owner. R. Aha b. Abba said to Raba: Let us say, ‘he shall offer’ is a general proposition:<sup>13</sup> ‘slaughtering’ is a particularization: now [where we have] a general proposition followed by a particularization, [the rule is] the general proposition includes only what is contained in the particularization; hence slaughtering is so,<sup>14</sup> but every other service is not so? — If [Scripture] wrote, ‘He shall offer a peace-offering as a slaughtering,’ it would be as you say. Since however it writes, ‘he shall offer for a slaughtering of peace offerings,’ It is an incomplete general proposition,<sup>15</sup> and an incomplete general proposition is not treated as a case of a general proposition followed by a particularization. Rabina said: In truth we do treat it as such, but ‘unto the Lord’<sup>16</sup> is another general proposition.<sup>17</sup> R. Aha of Difti said to Rabina: But the first generalization is dissimilar from the last generalization, for the first includes [sacrificial] acts but nothing more, whereas the last one implies everything that is ‘unto the Lord’, even the pouring out of the residue [of the blood] and the burning of the emurim?<sup>18</sup> Behold the Tanna of the School of R. Ishmael<sup>19</sup> [even] in the case of a general proposition and particularization of this nature applies the rule that in a general proposition followed by a particularization and followed again by a general proposition you must be guided by the particularization: just as that is explicitly a [sacrificial] service,<sup>20</sup> and we require rightful intention, so in the case of every [sacrificial] service we require rightful intention. If so, [you may argue:] just as the particularization is explicitly a service which involves culpability [if it is performed] without [its legitimate boundaries], so is every service [included] which involves culpability [if performed] without; hence slaughtering and sprinkling are indeed included, but not receiving and carrying? or [you may argue]: as the particularization is explicitly something that must be done at the north [side of the altar] and is operative in the case of the inner sin-offerings, so all [services] which must be done at the north and are operative in the case of the inner sin-offerings [are included]; hence slaughtering and receiving are indeed included, but not sprinkling? — You can

argue in this way or in that way; they are equally balanced, and so both [arguments] are admissible.<sup>21</sup> (Another version: Each argument stands.) Alternatively, I can say, sprinkling follows from R. Ashi's deduction.<sup>22</sup>

We have thus found [it true of] the nazirite's ram; how do we know [it of] the other peace-offerings? And if you say, Let us learn them from the nazirite's ram, [it can be argued:] As for the nazirite's ram, the reason is because other sacrifices<sup>23</sup> accompany it.<sup>24</sup> — If so,<sup>25</sup> Scripture should write, [And he shall offer the ram for. . .] his peace-offerings;<sup>26</sup> why state, [for] peace-offerings? — In order to include all peace-offerings.

We have thus found [it true of] peace-offerings; how do we know [it of] other sacrifices? And if you say, Let us learn them from peace-offerings, [it can be argued:] As for peace-offerings, the reason is because they require laying [of hands], libations, and the waving of the breast and shoulder!<sup>27</sup> Rather, Scripture says, This is the law of the burnt-offering, of the meal-offering, and of the sin-offering, and of the guilt-offering, and of the consecration-offering, and of the sacrifice of peace-offerings;<sup>28</sup> thus Scripture assimilates them to peace-offerings. Just as we require peace-offerings [to be offered] for their own sake, [thus forbidding] both change in respect of sanctity and change in respect of owner, so do we require all [sacrifices to be offered] for their own sake, [thus forbidding] both change in respect of sanctity and change in respect of owner.

Let us say that if one slaughtered them in a different name they are invalid? — Scripture says, That which is gone out of thy lips thou shalt observe and do,' as thou has vowed a nedabah [freewill-offering] etc.:<sup>29</sup> is this a freewill-offering — surely it is a vow? The meaning however is this: if you acted in accordance with your vow, let it be [the fulfilment of your] vow; but if not, let it count as a freewill-offering.<sup>30</sup> Now [both texts viz. . .] 'that which is gone out of thy lips' and 'this is the law' etc. , are required.<sup>31</sup> For if the Divine Law wrote, 'that which is gone out of thy lips' [only], I would say,

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(1) As it proceeds to explain.

(2) Nothing wrong is actually done to the sacrifice.

(3) Viz., in respect of wrongful ownership.

(4) Thus both can be regarded as intrinsic or non-intrinsic disqualifications.

(5) As a disqualification. The bracketed passage explains the two points in which they are not really different.

(6) Lev. I, 4.

(7) This proves that the 'sprinkling' which effects the atonement must be performed in the name of its owner.

(8) If a man declares, 'I vow an animal for a sacrifice,' he thereby undertakes a liability. If he subsequently sets aside an animal and it dies or is lost before it is sacrificed, he must replace it. But if he declared, 'I vow this animal for a sacrifice,' he accepted no liability beyond that animal, and if it dies his obligations ceases. R. Simeon deduces it from the verse quoted, which he renders and interprets thus: And it shall be accepted for him. When is it accepted for him? When its effect is to make atonement in which case he does not bring another. Hence if it did not make atonement, he must bring another. And when must he bring another in order to make atonement (i.e. to be quit of his obligation)? When he declared it a liability upon him' (E.V. for him). Sh. M.

(9) As though he had it in his care all the time, and until it is actually sacrificed his vow is not fulfilled. Thus the verse is required for a different purpose.

(10) Which implies: it must be 'for him to make atonement 'but not for another to make atonement. Whereas R. Simeon's deduction is from 'upon him' as stated in end of n. 9, p. 14.

(11) But there is no culpability if the other two services (receiving and carrying of the blood) are done outside their legitimate boundaries.

(12) Num. VI, 17.

(13) 'He shall offer (lit. 'do')' is a term embracing all services, while 'slaughtering' is a particular one.

(14) I.e. , the deduction made regarding change in respect of owner applies to slaughtering.

(15) 'He shall offer' obviously requires the completion of 'peace-offerings' before we know to what it refers at all;

'slaughtering' however interposes, and therefore it is only an incomplete generalization.

(16) The continuation of this verse.

(17) For it implies any service performed 'unto the Lord.' Thus we have a general proposition followed by a particularization and followed again by a general proposition. The exegetical rule then is that the general proposition includes all things similar to the particularization, and thus the other services are included.

(18) Whereas only the four services under discussion are sacrificial acts.

(19) Who formulated thirteen rules of exegesis, including this one.

(20) Sc. slaughtering.

(21) Since one approach includes slaughtering and sprinkling, and the other includes slaughtering and receiving, you must admit both, since neither is stronger than the other. Carrying too is then included, for it is really 'a part of the act of receiving.'

(22) Supra, from the verse 'and it shall be accepted for him etc.; hence the present deduction must be in respect of receiving.

(23) Lit., 'blood',

(24) And it is natural that one cannot be sacrificed in the name of one person and a second in the name of another, when all are for the same person. The other sacrifices are the sin-offering and the burnt-offering.

(25) If the deduction of the verse were intended to be confined to this particular sacrifice.

(26) V. marginal gloss.

(27) But no other sacrifices require all these, and consequently they may be offered under another designation either in respect of sanctity or of ownership.

(28) Lev. VII, 37.

(29) Deut. XXIII, 24.

(30) V. supra. Since it counts as a freewill-offering, it is obviously valid.

(31) One might argue that the text, 'that which . . . lips' etc., itself proves that a sacrifice must in the first place at least be offered for its own sake. Hence the Talmud proceeds to shew that that is not so.

## Talmud - Mas. Zevachim 5a

I do not know to what this refers,<sup>1</sup> therefore the Divine Law wrote 'this is the law' etc. While if the Divine Law wrote 'this is the law' [only], I would say that they become invalid;<sup>2</sup> therefore the Divine Law wrote, 'that which is gone out of thy lips' etc.

Resh Lakish lay face downward<sup>3</sup> in the Beth Hamidrash, and raised a difficulty: If they are valid, let them be accepted;<sup>4</sup> while if they are not accepted,<sup>5</sup> for what purpose do they come?<sup>6</sup> — Said R. Eleazar to him: We find that those [sacrifices] which come after the death [of their owners] are valid, yet they are not accepted.<sup>7</sup> For we learnt: If a woman brought her sin-offering [after childbirth] and then died, her heirs must bring her burnt-offering; [if she brought] her burnt-offering, her heirs do not bring her sin-offering.<sup>8</sup> I agree in the case of a burnt-offering,<sup>9</sup> he replied, since it comes after death;<sup>10</sup> but in the case of a guilt-offering which does not come after death,<sup>11</sup> whence do we know [that it is valid]?<sup>12</sup> — He replied, Lo, [support to] your contention is [available] close at hand: R. ELIEZER SAYS, ALSO THE GUILT-OFFERING [IS INVALID].<sup>13</sup> Thereupon he exclaimed: Is this he who is spoken of as a great man? I speak to you of an explicit Mishnah, and you answer me with R. Eliezer's view!<sup>14</sup> Rather, said Resh Lakish: I will find a solution myself: 'That which is gone out of thy lips etc.' is this a freewill-offering — surely it is a vow,<sup>15</sup> etc. as above.<sup>16</sup>

R. Zera and R. Isaac b. Abba were sitting, and Abaye sat with them. They sat and debated: Resh Lakish had a difficulty about the guilt-offering, which does not come after death, and he adduced an exegesis on 'that which goeth out of thy lips'. Yet say, That which may come as a vow or as a freewill-offering must be brought<sup>17</sup> but do not propitiate,<sup>18</sup> but a guilt-offering is not to be brought at all?<sup>19</sup> Said Abaye to them: Resh Lakish solved [the difficulty] from the following text: And he shall kill it for a sin-offering:<sup>20</sup> only it [when slaughtered] in its own name is valid and [when slaughtered] not in its own name is invalid;<sup>21</sup> but other sacrifices [slaughtered] not in their own name are valid.

You might think then that they are ‘accepted’. Therefore it states, ‘that which goeth out of thy lips’.<sup>22</sup> Then say, That which comes as a vow or a freewill-offering must be brought but is not ‘accepted’, whereas a guilt-offering is even ‘accepted’ too?<sup>23</sup> — Said Abaye: You cannot maintain that a guilt-offering is [in such circumstances] accepted, [as the reverse follows] from a burnt-offering, a fortiori: if a burnt-offering, whose purpose is not to make atonement, is not ‘accepted’,<sup>24</sup> then how much more is a guilt-offering, whose purpose is to make atonement, not ‘accepted’. As for a burnt-offering [you might argue] ‘the reason [that it is not ‘accepted’] is because it is altogether burnt! Then let peace-offerings prove it.’<sup>25</sup> As for peace-offerings, [you might argue] [they are not ‘accepted’] because they require libations and the waving of the breast and shoulder, Then let a burnt-offering prove it.<sup>26</sup> And thus the argument revolves: the characteristic of the former is not that of the latter and the characteristic of the latter is not that of the former. The factor common to both is that they are holy [sacrifices] ‘and if slaughtered not in their own names they are valid, yet not ‘accepted’, so also do I adduce the guilt-offering which is holy, hence if one slaughters it not in its name it is valid and not accepted. [No: ] The factor common to both [it may be argued] is that they are [also] brought as public offerings!’<sup>27</sup> — Then let the thanksgiving-offering prove it,<sup>28</sup>

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- (1) I would not know that Scripture refers at all to the offering of a sacrifice for a purpose other than its own.
  - (2) If not offered for their own sake.
  - (3) Lit. ‘on his stomach.’ He was very stout, v. Git. 47a.
  - (4) I.e., let their owners be regarded as having fulfilled their obligations.
  - (5) If they do not acquit their owners.
  - (6) Why are they valid? At this stage he did not know that their validity is deduced from Scripture.
  - (7) I.e., they do not propitiate.
  - (8) Because in the latter case, it is a sin-offering whose owner died (the passage treats of the case where she dedicated both animals before her death) before it was offered, and it is a traditional law that such is not sacrificed but left to die. — Yet the burnt-offering is offered, though no propitiation is required on behalf of a dead woman. The present case is similar.
  - (9) That even if it is killed for a different purpose, it must still be offered (i.e., the remaining rites must be carried out).
  - (10) The same therefore applies to peace-offerings and other sacrifices which come after death.
  - (11) A guilt-offering is not brought after the death of the owner, but is left to pasture.
  - (12) Since the Tanna of the Mishnah mentions as exceptions only the paschal-offering and sin-offering.
  - (13) Sc. it is invalid presumably because it does not come after death.
  - (14) My difficulty concerns the law stated anonymously in the Mishnah, which presumably is authoritative, and it is not enough to answer me that according to R. Eliezer there is no difficulty.
  - (15) Resh Lakish had not known of this when he raised the difficulty, and arrived at this exegesis independently.
  - (16) Supra p. 2.
  - (17) I.e. if slaughtered not in its own name, the other sacrificial rites in connection with it must be performed.
  - (18) I.e., the vow is not thereby fulfilled, since it was not brought in its proper name.
  - (19) The sacrifice in such circumstances being considered invalid.
  - (20) Lev. IV, 33.
  - (21) Altogether, and therefore we cannot proceed with the remaining rites.
  - (22) Teaching that it does not propitiate as the offering for which it was originally intended.
  - (23) So that another sacrifice is not required.
  - (24) If slaughtered not under its own name.
  - (25) Which are not altogether burnt, yet are not ‘accepted’.
  - (26) Which does not require these,
  - (27) The daily burnt-offering and the lambs of peace-offerings offered on Pentecost were public offerings. But no guilt-offering was ever a public offering.
  - (28) Which was likewise never a public offering, yet conformed to the same law as the others,

## Talmud - Mas. Zevachim 5b

As for the thanksgiving-offering [it is not 'accepted'] because it requires loaves [as an accompaniment]!<sup>1</sup> Then let the burnt-offering and peace-offerings prove it. And thus the argument revolves: the characteristic of the one is not that of the other, and that of the other is not that of the first. The factor common to all is that they are holy [sacrifices], and if one slaughters them not in their own name, they are valid and are not accepted; so also do I adduce the guilt-offering which is holy, and hence if one slaughters it not in its name it is valid and is not accepted. [No] the factor common to them all [it may be asked] is that they come as a vow or as a freewill-offering! — Rather said Raba: [Scripture saith,] 'This is the law etc.,' thus Scripture assimilated it [the guilt-offering] to peace-offerings. As the peace-offerings are holy [sacrifices], and if slaughtered not in their own name are valid and are not accepted, so do I adduce the guilt-offering too which is holy etc. What reason do you see to assimilate it to peace-offerings: assimilate it to the sin-offering?<sup>2</sup> — Surely the Divine Law expressed a limitation [in the word] 'it'.<sup>3</sup>

[Mnemonic: Hagesh Basar]<sup>4</sup> R. Huna and R. Nahman were sitting, and R. Shesheth sat with them. They sat and said: Now Resh Lakish had experienced a difficulty, what about the guilt-offering which does not come after death?<sup>5</sup> But R. Eleazar could have answered him that the guilt-offering too comes after death?<sup>6</sup> — Said R. Shesheth to them: In what way is a guilt-offering brought? As a remainder!<sup>7</sup> Then the remainder of a sin-offering too is indeed offered.<sup>8</sup> [This, however, is no argument;] in the case of a sin-offering though the remainder thereof is offered, yet the Divine Law expressed a limitation in the word 'it' [hu]!<sup>9</sup> — But in connection with the guilt-offering too hu [it] is written?<sup>10</sup> — That is written after the burning of the emurim, as it was taught: But in the case of a guilt-offering, 'it is' [hu] is stated only after the burning of the emurim, and in fact if the emurim are not burnt at all it [the offering] is valid.<sup>11</sup> Then what is the purpose of 'it'? — For R. Huna's teaching in Rab's name. For R. Huna said in the name of Rab: If a guilt-offering was transferred to pasture and one then slaughtered it without a defined purpose, it is valid.<sup>12</sup> Thus, if it was transferred, it is so, but if it was not transferred, it is not so. What is the reason? Scripture says, 'it is', intimating, it must be in its essential form.<sup>13</sup>

R. Nahman and R. Shesheth sat, and R. Adda b. Mattenah sat with them. Now they sat and debated: Now as to what R. Eleazar said: 'We find in the case of sacrifices that come after the death [of their owners] that they are valid, yet are not accepted', let Resh Lakish say to him, Let these too come and be accepted?<sup>14</sup> — Said R. Adda b. Mattenah to them: As for [the offering of] a woman after confinement, if she gave birth, did her children give birth?<sup>15</sup> To this R. Assi demurred: Yet who is to say if she had been guilty of [the neglect of] many affirmative precepts she would not be atoned for?<sup>16</sup> And since she would be forgiven if she had been guilty of neglecting affirmative precepts, then her heirs too may thus be atoned for!<sup>17</sup> — Are we then to say that they [the heirs] acquire it?<sup>18</sup> But surely R. Johanan said: If one leaves a meal-offering to his two sons and dies, it is offered, and the law of partnership does not apply to it.<sup>19</sup> If however you think that they acquire a title to it, surely the Divine Law saith, And when a soul [bringeth a meal-offering]!<sup>20</sup> Will you then say that they do not acquire it? Surely R. Johanan said: If one leaves an animal [dedicated for a sacrifice] to his two sons, and dies, it is offered, but they cannot effect substitution with it.<sup>21</sup> Now it is well if you say that they acquire it; for that reason they cannot effect substitution with it, because they become partners,

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(1) V. Lev, VII, 12.

(2) Which is mentioned in the same verse.

(3) As supra a.

(4) The object of this mnemonic, which means 'bring near flesh' is not clear. D.S. emends into Hanesh Nashad, consisting of key letters of the names of the Amoraim in the two paragraphs that follow.

(5) Supra 5a.

(6) For when its owner dies, it is left to graze until it contracts a blemish, whereupon it is sold and the money spent on a sacrifice, viz., a burnt-offering.

(7) As explained in preceding note.

(8) E.g., if a man sets aside two animals for his sin-offering, in case one is lost the other should be available. When the first is subsequently offered, the second is treated as a guilt-offering whose owner died. Thus a sin-offering too may be brought after death, and yet if it is sacrificed for a different purpose it is invalid; then a guilt-offering too should be invalid, and this justifies Resh Lakish's difficulty.

(9) Lev. IV, 24 (referring to the sin-offering, brought 'when a ruler sinneth'): And he shall . . . kill it . . . before The Lord; it is a sin-offering. This emphatic hu ('it is') implies that it must be brought as such, and if offered as a different sacrifice, it is invalid.

(10) Lev. VII, 5: And the priest shall make them smoke on the altar for an offering made by fire unto the Lord: it is (hu) a guilt-offering.

(11) I.e. , we cannot say that it teaches that if the emurim are burnt in the name of a different sacrifice this offering is invalid, since the sacrifice is fit even if the emurim are not burnt at all.

(12) If it was slaughtered (in the Temple court) before it became blemished ' it is valid as a burnt-offering, since that would eventually have been brought from its proceeds (v. note 2). The flesh is then burnt on the altar, while the hide belongs to the priest.

(13) Hence unless it was formally transferred to grazing on the instructions of the Beth din, it is not valid as a burnt-offering if it was slaughtered without a defined purpose.

(14) For the heirs.

(15) They do not need the sacrifice.

(16) Through the burnt-offering necessitated by childbirth. Burnt-offerings make atonement for the violation of positive precepts and negative precepts which are technically regarded as having been transformed into positive precepts. I.e. where the violation of a negative precept necessitates the performance of a positive one: e.g., the violation of 'Thou shalt not rob' (Lev. XIX, 13) necessitates the performance of the positive precept, 'he shall restore that which he took by robbery' (ib. V, 23) — Thus this burnt-offering would serve another purpose too.

(17) If they were guilty of the same.

(18) And it becomes their own, so that it can make atonement for them.

(19) All sacrifices may be brought in partnership, except a meal-offering. Here this does not apply.

(20) Lev. II, 1. — So literally; E.V. and when any one. From this word 'a soul' the Talmud deduces that it can be brought by one person only. But if heirs acquire a title to their father's sacrifices, this meal-offering has now two owners.

(21) When a person dedicates an animal for a sacrifice, he must not propose another as a substitute; if he does, both are sacred (Lev. XXVII, 33). This is called effecting substitution. Here this does not apply, so that if they declare a substitute for it, it does not become sacred.

## Talmud - Mas. Zevachim 6a

and partners cannot effect substitution. But if you say that they do not acquire it, let them indeed even effect substitution? — There it is different, because Scripture saith, 'And if he change it at all,' which is to include the heir;<sup>1</sup> and [the same verse teaches,] one can change, but not two.<sup>2</sup> To this R. Jacob of Nehar Pekod demurred: If so, when it is written, And if a man will redeem ought<sup>3</sup> in connection with tithe, which is also to include the heir, will you say there too, One can redeem, but not two? — Tithe is different, because as far as their father too is concerned it [redemption] can be done in partnership.<sup>4</sup> R. Assi said to R. Ashi: Now from this itself [you may argue]: It is well if you agree that they acquire it, for that reason one [heir] at least can effect substitution.<sup>5</sup> But if you say that they do not acquire it, how can he effect substitution? Surely R. Abbahu said in R. Johanan's name: He who sanctifies [the animal] must add the fifth, whilst only he for whom atonement is made can effect substitution,<sup>6</sup> and he who gives terumah of his own for another man's produce, the goodwill is his!<sup>7</sup> — It does not effect a fixed [absolute] atonement, but it does make a floating atonement.<sup>8</sup>

The question was asked: Do they make atonement in respect of the purpose for which they came, or do they not make atonement?<sup>9</sup> Said R. Shisha the son of R. Idi: Reason asserts that it does not make atonement; for if you think that it does, what is the purpose of a second [sacrifice]? What then:

[do you maintain]; it does not make atonement? Why then is it offered?<sup>10</sup> — Said R. Ashi: This is the difficulty felt by R. Shisha the son of R. Idi: It is well if you say that it does not make atonement; [for though slaughtered] for a different purpose, yet it comes in virtue of [having been dedicated for] its true purpose,<sup>11</sup> while the second [sacrifice] comes to make atonement. But if you say that it has made atonement, what is the purpose of the second?

The question was asked: Does it [a burnt-offering] make atonement<sup>12</sup> for [the violation of] a positive precept [committed] after the separation [of the animal], or not? Do we say, it is analogous to a sin-offering: just as a sin-offering [makes atonement] only for [the sins committed] before separation, but not for [those committed] after separation, so here too [it makes atonement] only for [the sins committed] before separation, but not for [those committed] after separation. Or, perhaps, it is unlike a sin-offering, for a separate sin-offering is incurred for each sin, whereas here, since it makes atonement if he had been guilty of [violating] many positive precepts,<sup>13</sup> it may also make atonement for positive precepts [neglected] after separation? — Come and hear: And he shall lay [his hand upon the head of the burnt-offering]; and it shall be accepted [for him to make atonement for him];<sup>14</sup> does then the laying [of hands] make atonement? Surely atonement can be made only with the blood, as it says, For it is the blood that maketh atonement by reason of the life!<sup>15</sup> What then is taught by the verse, And he shall lay. . . and it shall be accepted. . . to make atonement? — [To teach] that if he treated [the laying of hands] as the residue of the precept,<sup>16</sup> Scripture regards him as though he did not make atonement, and yet he did make atonement. Now what is meant by 'he did not make atonement' and 'he did make atonement'? Surely, 'he did make atonement' [means] in respect of positive precepts [neglected] before the separation [of the animal], while 'he did not make atonement' in respect of the positive precept of laying [of hands], because it is a positive precept [neglected] after separation?<sup>17</sup> — Said Raba: You speak of the precept of laying [the hand]? There it is different, because as long as he has not yet slaughtered, he is subject to the injunction 'Arise and lay [hands]';<sup>18</sup> when then is it a [neglected] positive precept? After the slaughtering; and in respect of [a precept neglected] after the slaughtering no question arises.<sup>19</sup> R. Huna b. Judah said to Raba: Perhaps it means, 'It did make atonement' — for the person,

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(1) The emphatic 'at all' is expressed in Hebrew by the doubling of the verb, and this doubling is interpreted as an extension including the heir.

(2) Since it is couched in the singular.

(3) Lev. XXVII, 31.

(4) If the produce belonged to partners in the first place, they could tithe and redeem the tithe in partnership. Hence the same applies to a man's heirs.

(5) If he is the only heir.

(6) If A dedicates an animal for B's sacrifice, and it subsequently receives a blemish and must be redeemed, then if A, who sanctified it, redeems it himself, he must add a fifth to its value, but not if B redeems it (this is deduced from Lev. XXVII, 15). Again, only B effects substitution, but not A. Since then the heir does effect substitution, he is obviously regarded as in the place of B, hence its owner.

(7) I.e., he (so. the man who gives it) can give it to any priest he desires. If money is offered for the terumah to be given to a particular priest, that money belongs to him.

(8) I.e., it does not make an absolute atonement for the heir as though he were its absolute owner; therefore in the case of a meal-offering, though there are two heirs, they still offer it. But the heir has, as it were, a light floating right of atonement in it (i.e., he has some slight rights of ownership in it), and therefore he can effect substitution.

(9) When a sacrifice is killed for a purpose other than its own, its owner has not fulfilled his obligation. Nevertheless the question arises where this was brought in order to make atonement for a certain sin, whether the owner can regard it as having made that atonement, or not. It makes no practical difference, save that the owner may feel himself forgiven even before he offers the second sacrifice.

(10) Why do we proceed with the sacrificial rites e.g. sprinkling, if it does not make atonement in any case?

(11) Originally it was dedicated for its rightful purpose. This hallows it, and so even when it is killed for a different purpose it retains its sanctity, and therefore the other sacrificial rites must be proceeded with,

- (12) On the atoning effect of a burnt-offering V. supra p. 22, n. 3.  
 (13) One burnt-offering makes atonement for all.  
 (14) Lev. I, 4.  
 (15) Lev. XVII, 11.  
 (16) I.e., as something unimportant, and so neglected it altogether.  
 (17) Which solves the question propounded.  
 (18) Hence before he slaughtered he cannot be said to have violated it.  
 (19) It certainly does not make atonement for such (though further on R. Jeremiah asks even in respect of such too), and the question is only in respect of precepts neglected after the separation of the animal, but before it is slaughtered.

## Talmud - Mas. Zevachim 6b

‘and it did not make atonement’ before Heaven?<sup>1</sup> Did we not learn: And the rest of the oil that is in the priest's hand he shall put upon the head of him that is to be cleansed; and the priest shall make atonement for him before the Lord;<sup>2</sup> if he put [it], he made atonement; while if he did not put [it], he did not make atonement — this is the view of R. Akiba. R. Johanan b. Nuri said: It is but the residue of a precept,<sup>3</sup> therefore whether he did put [it on his head] or he did not, he made atonement, yet we regard him as though he did not make atonement. What is meant by ‘as though he did not make atonement’? Shall we say, that he must bring another sacrifice? But you say, ‘Whether he did put or he did not put, he made atonement’! Hence it must mean, ‘It made atonement’ — for the person, ‘yet it did not make atonement’ — before Heaven. Then here too [it may mean that] ‘it did make atonement etc’! — [No:] there too It means that ‘he made atonement’ — in respect of putting it on the thumbs,<sup>4</sup> but ‘he did not make atonement’ — in respect of the putting it on the head.<sup>5</sup> Come and hear: R. Simeon said: For what purpose are the [sacrificial] lambs of Pentecost brought?<sup>6</sup> [Surely] the lambs of Pentecost are peace-offerings!<sup>7</sup> Rather the question is: For what purpose are the two he-goats of Pentecost brought?<sup>8</sup> — [To make atonement] for the defilement of the Temple and its holy things.<sup>9</sup> Now once the blood of the first has been sprinkled, for what purpose is the second offered?<sup>10</sup> [To make atonement] for uncleanness which [may have] occurred in the interval between the two. From this it follows that Israel should have been perpetually<sup>11</sup> engaged in offering their sacrifices,<sup>12</sup> but that Scripture spared them.<sup>13</sup> Now in this case it is a positive command [violated] after the separation [of the animals],<sup>14</sup> yet it makes atonement! — [No:] If they were separated at the same time, that indeed would be so;<sup>15</sup> but the circumstances are that they were separated one after the other.<sup>16</sup> Are we then to arise and assert that the written law of Scripture [that two are brought] holds good only [when they are separated] one after the other?<sup>17</sup> — Said R. Papa: Do you speak of public sacrifices? Public sacrifices are different, because the Beth din tacitly stipulates concerning them,<sup>18</sup> in accordance with Rab Judah's diction in Samuel's name. For Rab Judah said in Samuel's name: The knife draws them to their legitimate purpose.<sup>19</sup> Said R. Joseph the son of R. Samuel to R. Papa: Does then R. Simeon accept the thesis that the Beth din makes a tacit stipulation? Surely R. Idi b. Abin said in the name of R. ‘Amram in the name of R. Isaac in the name of R. Johanan: Daily burnt-offerings which are not required for the community<sup>20</sup>

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(1) I.e., it has technically made atonement, the laying of the hands not being absolutely indispensable, yet not satisfactorily, in the proper way. On this interpretation it has nothing to do with the question when these precepts were violated.

(2) Lev. XIV, 18.

(3) Since Scripture refers to this oil as ‘the rest’; hence it is not indispensable.

(4) V. Lev. XIV, 14.

(5) Therefore more oil must be brought for that purpose. But whereas R. Johanan b. Nuri holds that it is sufficient now for the oil to be put on his head, R. Akiba rules that it must also be put again on his thumbs.

(6) Lev. XXIII, 18; Num. XXVIII, 27.

(7) Whose purpose is to permit the use of the new wheat for meal-offerings and first-fruits.

(8) V. Lev. XXIII, 19 and Num. XXVIII, 30.



- (9) I.e., for the sin of entering the Temple or eating the flesh of sacrifices whilst unclean.
- (10) Seeing that atonement has already been made with the first. The essence of atonement was the sprinkling of the blood.
- (11) Lit., 'at every time and every moment'.
- (12) For this possibility is always before us; thus, immediately the blood of the second has been sprinkled, a third ought to be brought, and so on.
- (13) For the strain and obligation would be too great.
- (14) They were separated the previous day. The injunction against entering the Sanctuary lies in the passage: Command the children of Israel, that they put out of the camp . . . whosoever is unclean by the dead (Num. V, 2). Since this is expressed affirmatively, it ranks as a positive command.
- (15) The second would not make atonement for anything not atoned for by the first, and so it would have no purpose.
- (16) And the second makes atonement for the defilement which occurred in the interval on the eve of the Festival between the separations.
- (17) That is hardly feasible!
- (18) That no matter when they are actually separated, the last is to be regarded as though separated immediately prior to its being offered, and therefore it makes atonement up to that very moment.
- (19) If an animal is slaughtered as a public sacrifice, yet for a purpose other than for which they had been originally intended the knife, as it were, automatically dedicates it to a legitimate purpose, and the sacrifice is valid. The reason is that Beth din is regarded as tacitly stipulating their purpose (v. Shebu. 12b), and so the same holds good here too.
- (20) 'Not required' means here not fit as such. There was an annual levy of one shekel for the public sacrifices, which was to be paid not later than the first of Nisan. From that date the statutory public sacrifices had to be purchased from the new funds, and not from the old. If animals however were purchased with the old funds, they were offered as extra public sacrifices (if it happened at any time that there was a paucity of private sacrifices), but not as the statutory public sacrifices, such as the daily burnt-offering.

## Talmud - Mas. Zevachim 7a

cannot be redeemed, according to R. Simeon's view, as long as they are unblemished, while on the view of the Sages they can be redeemed while unblemished.<sup>1</sup> Moreover,<sup>2</sup> surely R. Jeremiah asked R. Zera: If the blood of the Pentecostal he-goats was received in two basins,<sup>3</sup> and the blood of one was sprinkled, what is the purpose of the second?<sup>4</sup> [To which he replied:] On account of defilement that occurred between the sprinkling [of the blood] of the one and that of the other. Thus he is in doubt only in respect of [the violation of] a positive command after the slaughtering, but he does not ask in respect of [the violation of] a positive command after the separating [of the animal]!<sup>5</sup> — [No:] Perhaps his question is hypothetical.<sup>6</sup>

It was taught: If one slaughtered a thankoffering in the name of his fellow's thankoffering,<sup>7</sup> — Rabbah ruled: It is valid;<sup>8</sup> while R. Hisda said: It is invalid. Rabbah ruled, 'It is valid', [because] a thankoffering has been slaughtered as a thankoffering. R. Hisda said, 'It is invalid', because it must be slaughtered in the name of his peace-offering.<sup>9</sup> Rabbah said: Whence do I know it? Because it was taught: And the flesh of his peace-offerings for thanksgiving shall be eaten on the day of his offering:<sup>10</sup> Abba Hanin said on R. Eliezer's authority: This comes to teach that if a thankoffering is slaughtered in the name of a peace-offering, it is valid; if a peace-offering is slaughtered in the name of a thankoffering, it is invalid. What is the difference between these two cases? A thankoffering is designated a peace-offering, but a peace-offering is not designated a thankoffering.<sup>11</sup> Thus a peace-offering [slaughtered] as a thankoffering is invalid, whence it follows that a thankoffering [slaughtered] as a [different] thankoffering is valid. Surely that means, [even in the name] of his fellow's [thankoffering].<sup>12</sup> No: only [when brought in the name of] his own.<sup>13</sup> But what if it is [in the name of] his fellow's: it is invalid? Then instead of teaching, 'if a peace-offering is slaughtered in the name of a thankoffering, it is invalid', let him teach, 'if a thankoffering [is slaughtered in the name of] a thankoffering [of a different class, it is invalid], and how much more so a peace-offering in the name of a thankoffering? — He wishes to teach of a peace-offering [slaughtered] in the name

of his own thanksoffering.<sup>14</sup> You might argue, Since a thanksoffering is designated a peace-offering, a peace-offering too is designated a thanksoffering, and when he kills it [the former] in the name of the thanksoffering, it should be valid. Therefore he informs us [that it is not so].

Raba said: If one slaughters a sin-offering [for one offence] as a sin-offering [for another offence], it is valid; as a burnt-offering, it is invalid,<sup>15</sup> What is the reason? The Divine Law saith, And he shall kill it for a sin-offering,<sup>16</sup> and lo, a sin-offering has been slaughtered for a sin-offering; [while from the same verse we learn that if it is slaughtered] for a burnt-offering, it is invalid.<sup>17</sup>

Raba also said: If one slaughters a sin-offering on behalf of [another] person who is liable to a sin-offering, it is invalid; on behalf of one who is liable to a burnt-offering, it is valid. What is the reason? — [And the priest] shall make atonement for him,<sup>18</sup> but not for his fellow, and 'his fellow' implies one like himself, being in need of atonement as he is.<sup>19</sup>

Raba also said: If one slaughters a sin-offering on behalf of a person who is not liable in respect of anything at all,<sup>20</sup> it is invalid, because there is not a single Israelite who is not liable in respect of an affirmative precept; and Raba said: A sin-offering makes atonement for those who are liable in respect of an affirmative precept, a fortiori: seeing that it makes atonement for those who are liable to kareth, how much the more for those who are liable in respect of an affirmative precept!<sup>21</sup> Shall we then say that it belongs to the same category?<sup>22</sup> But surely Raba said: If one slaughters a sin-offering on behalf of [another] person who is liable to a sin-offering, it is invalid; on behalf of a person who is liable to a burnt-offering, it is valid?<sup>23</sup>

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(1) For we assume a tacit stipulation of the Beth din that it be permitted to redeem them even while unblemished (normally this is forbidden) and thus, becoming hullin, they can be purchased with the new shekels and then be offered as daily burnt-offerings. R. Simeon however rejects this assumption, and therefore holds that they cannot be redeemed but must be offered as extra public sacrifices.

(2) Even assuming that the Biblical text itself might be explained as referring to the case where the two goats were separated one after the other.

(3) They were both killed at the same time.

(4) According to R. Simeon, since no defilement could occur in the interval, as they were killed simultaneously.

(5) Presumably R. Jeremiah was certain that according to R. Simeon it does make atonement in that case.

(6) He may be in doubt about the latter too, but his question is this: on the hypothesis that R. Simeon holds that it does make atonement in the latter case, how is it in the former one?

(7) A and B each brought one, and A's offering was killed for the purpose for which B's was brought.

(8) He has done his duty, and does not bring another.

(9) Cf. Lev. VII, 15: And the flesh of his peace-offerings for thanksgiving.

(10) Ibid.

(11) Supra 4a

(12) Belonging to a different class.

(13) Even if he killed it for a different reason. E.g., he brought a thanksoffering for being freed from prison, but declared it to be on account of having made a sea-journey in safety. Here, though the reason is different, yet both belong to the same category, and therefore it is valid,

(14) Where he was to bring both,

(15) V. Supra 3b.

(16) Lev, IV, 33.

(17) V. infra 7b.

(18) Ibid 26,31,35.

(19) V. Supra 3b.

(20) Actually specifying thus.

(21) Hence it is the same as though he had slaughtered it on behalf of another person who is liable to a sin-offering.

(22) I.e., that sins of omission fall into the same category as offences entailing a sin-offering.

(23) Now a burnt-offering atones for sins of omission. But if these fall into the same category as offences entailing a sin-offering, then just as the latter is invalid when slaughtered on behalf of another who is liable to a sin-offering, so should it be invalid when slaughtered on behalf of another who is liable to a burnt-offering, for 'his fellow' is then like himself (V. supra).

## Talmud - Mas. Zevachim 7b

— It [a sin-offering] does not make a fixed atonement but it does make a floating atonement.<sup>1</sup>

Raba also said: If a burnt-offering was killed for a different purpose, its blood must not be sprinkled for a different purpose. This follows either from Scripture or by reason. If you will, it is [deduced from] a text: That which is gone out of thy lips thou shalt observe, etc.<sup>2</sup> Alternatively, it is logical: because he has made an alteration therein, etc. as stated at the beginning of this chapter.<sup>3</sup>

Raba also said: If a burnt-offering is brought after [the] death [of its owner], and is slaughtered under a changed sanctity,<sup>4</sup> it is invalid;<sup>5</sup> but [if it is slaughtered] with a change in respect of ownership,<sup>6</sup> it is valid, for there is no ownership after death. But R. Phinehas the son of R. Ammi maintained: There is ownership after death.<sup>7</sup> R. Ashi asked R. Phinehas the son of R. Ammi: Do you particularly maintain that there is ownership after death, and so he [the heir] must bring another burnt-offering;<sup>8</sup> or perhaps, if he [the heir] has violated many affirmative precepts, it makes atonement for him?<sup>9</sup> I maintain it particularly, he answered him.

Raba said further: A burnt-offering is a votive gift.<sup>10</sup> For how is it possible?<sup>11</sup> If there is no repentance, then the sacrifice of the wicked is an abomination!<sup>12</sup> While if there is repentance, surely it was taught: If one violated an affirmative precept and repented, he does not stir thence until he is forgiven.<sup>13</sup> Hence it follows that it is a votive gift.

(Mnemonic: For whom does a sin-offering atone? A burnt-offering after a votive gift.)<sup>14</sup> It was taught likewise. R. Simeon said: For what purpose does a sin-offering come? — [You ask,] 'for what purpose does a sin-offering come?' Surely in order to make atonement! — Rather, [the question is:] Why does it come before the burnt-offering?<sup>15</sup> [Because it is] like an intercessor who enters [to appease the King]: When the intercessor has appeased [him], the gift follows.<sup>16</sup>

WITH THE EXCEPTION OF THE PASSOVER-OFFERING AND THE SIN-OFFERING. How do we know it of the Passover-offering? — Because it is written, Observe the month of Abib, and prepare the Passover-offering;<sup>17</sup> [this intimates] that all its preparations must be in the name of the Passover-offering. We have thus found [that] change in respect of sanctity [disqualifies it]; how do we know [the same of] change in respect of owner? — Because it says, Then ye shall say: It is the slaughtering of the Lord's Passover,<sup>18</sup> [which teaches] that the 'slaughtering' must be done in the name of the Passover-offering. Now since this teaching is redundant in respect of change in respect of sanctity,<sup>19</sup> apply the teaching to change in respect of owner. We have thus found it as a regulation;<sup>20</sup> how do we know that it is indispensable?<sup>21</sup> — Scripture saith, And thou shalt sacrifice the Passover-offering unto the Lord thy God.<sup>22</sup> To this R. Safra demurred: Does this [passage], 'And thou shalt sacrifice etc.' come for this purpose: Surely it is required for R. Nahman's dictum? For R. Nahman said in Rabbah b. Abbuha's name: How do we know that the leftover of a Passover-offering is brought as a peace-offering?<sup>23</sup> Because it is said, 'And thou shalt sacrifice the Passover-offering unto the Lord thy God, of the flock and of the herd.' Now surely the Passover-offering comes only from lambs or from goats?<sup>24</sup> Hence we learn that the left-over of the Passover-offering is to be [utilised] for something which comes from the flock and from the herd; and what is it? A peace-offering. — Rather, said R. Safra: 'And thou shalt sacrifice the Passover-offering' [is required] for R. Nahman's dictum; 'Observe the month of Abib' [is required] for the regulation in respect of changed sanctity; 'Then ye shall say: [It is] the slaughtering of the Lord's Passover' [is

required] for the regulation relating to change in respect of owner; 'it is'<sup>25</sup> teaches that it is indispensable, both in the former and in the latter cases.<sup>26</sup>

Now we have thus found [it in the case of] slaughtering: how do we know [it of] the other services? — Since it was revealed [in the one], it was [also] revealed [in the others].<sup>27</sup> R. Ashi said: We do not argue, 'Since it was revealed, it was revealed'. How then do we know it of [the other] services? — Because it is written, This is the law of the burnt-offering, of the meal-offering, [and of the sin-offering, and of the guilt-offering, and of the consecration-offering, and of the sacrifice of peace-offerings].<sup>28</sup> Now it was taught: In the day that He commanded the children of Israel to present their offerings<sup>29</sup> refers to the firstling, tithe, and Passover-offering. Thus Scripture assimilates it [the Passover-offering] to the peace-offering: as [in the case of the] peace-offering we require as a regulation [that there shall not be] either change in respect of sanctity or change in respect of owner, so in the case of all [these] do we require as a regulation [that there shall not be] either change in respect of sanctity or change in respect of owner. Again, it is like the peace-offering [in this respect]: As you do not differentiate in the peace-offering between slaughtering and the other services in respect of the regulation, so must you not differentiate in the case of the Passover-sacrifice between slaughtering and the other services in respect of indispensability.<sup>30</sup> Then in that case, what is the purpose of 'it is'? — For what was taught: As for the Passover-offering, 'it is' is stated there to teach indispensability as far as slaughtering is concerned; whereas in the case of a guilt-offering 'it is' is stated only after the burning of the emurim, and in fact if the emurim are not burnt at all, it [the offering] is valid.<sup>31</sup>

How do we know it of the sin-offering?<sup>32</sup> — Because it is written, And he shall kill it for a sin-offering,<sup>33</sup> which intimates that it must be killed for the sake of a sin-offering. We have thus found [it of] slaughtering; how do we know [it of] receiving [the blood]? — Because it is written,

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(1) Cf. supra 6a. A sin-offering does not make atonement for the omission of positive precepts when it is directly dedicated for that purpose only, but only when it is dedicated for sins which entail a sin-offering, but whose owner has also been guilty of sins of omission. Since it does not atone for sins of omission standing by themselves, one who is in need of a burnt-offering (on account of sins of omission) is not 'his fellow' similar to 'himself', and therefore if a sin-offering is slaughtered on behalf of such, it is valid, provided that one had already vowed a burnt-offering, which covers all his sins of omission, so that a sin-offering is quite superfluous as far as he is concerned. But if he had not vowed a burnt-offering, a sin-offering has a certain relation to him in so far that if he was liable to a sin-offering too, this would make atonement for the sins of omission also. Hence he is sufficiently similar to his fellow to invalidate his fellow's sin-offering slaughtered on his behalf.

(2) Deut. XXIII, 24.

(3) Supra 2a.

(4) I.e. as a different sacrifice, e.g. a peace-offering.

(5) And another must be brought before the deceased is deemed to have fulfilled his vow.

(6) For a different person.

(7) V. Supra 4b.

(8) As in n. 6.

(9) For the heir is the owner,

(10) It does not actually atone for sins of omission, but after one has repented this comes as a gift of appeasement, as it were.

(11) For it to make atonement in actuality.

(12) Prov. XXI, 27.

(13) I.e., he is undoubtedly forgiven even without a sacrifice.

(14) A string of words so arranged as to facilitate the remembering of the subjects discussed hereunder.

(15) When one has to bring both, the sin-offering takes precedence; infra 89b.

(16) Thus the sin-offering is the intercessor and the burnt-offering follows as a gift.

(17) Deut. XVI, 1.

(18) Ex. XII, 27.

(19) As that has been derived from Deut. XVI, 1.

(20) I.e., these verses teach that the Passover-offering must be sacrificed specifically as such and for its registered owner.

(21) In the sense that it is otherwise disqualified.

(22) Deut. XVI, 2. This too has the same teaching as XVI, 1. Since however it is superfluous in that case, it must intimate that this regulation is indispensable.

(23) E.g., if an animal dedicated for a Passover-sacrifice was lost, whereupon its owners registered for another animal, and then the first was found after the second was sacrificed. Or again, if a sum of money was dedicated to buy a paschal lamb, but it was not all expended; then too the surplus must be used for a peace-offering.

(24) But not from the herd, which means the larger cattle.

(25) Heb. 'hu', This is regarded as superfluous and hence interpreted as emphasizing the regulation to the extent of making it indispensable.

(26) A change either in respect of sanctity or owner invalidates the paschal sacrifice.

(27) I.e., they follow automatically.

(28) Lev, VII. 37.

(29) Ibid. 38.

(30) What is indispensable for slaughtering is also indispensable for the other services. — Here follows a short passage in the original which the commentaries delete.

(31) V. Supra 5b.

(32) That if not slaughtered for its own sake it is invalid.

(33) Lev. IV, 33.

## **Talmud - Mas. Zevachim 8a**

And the priest shall take of the blood of the sin-offering,<sup>1</sup> which intimates that receiving must be for the sake of a sin-offering. We have thus found [it of] slaughtering and receiving: How do we know it of sprinkling? — Because Scripture saith, And the priest shall make atonement for him through his sin-offering,<sup>2</sup> [which teaches] that atonement must be [made] for the sake of the sin-offering.<sup>3</sup> We have thus found [the law relating to] change in respect of Sanctity; how do we know it of change in respect of owner?—Scripture saith: [And the priest shall make atonement]for him, implying for him, but not for his fellow. We have thus found it as a regulation: how do we know that it is indispensable? — As R. Huna the son of R. Joshua said [elsewhere; Scripture saith,] 'his sin-offering', [where] 'sin-offering' [alone would suffice]: so here too' [Scripture saith,] his sin-offering [where] sin-offering [alone would suffice].<sup>4</sup> We have thus found the regulation relating to change in respect of sanctity, and [a prohibition of] change in respect of owner at the sprinkling, this being both a regulation and indispensable. How do we know that it is indispensable [in the case of all services]<sup>5</sup> as far as change in respect of sanctity is concerned; and that [the prohibition of] change in respect of ownership at the other services is both a regulation and indispensable? — Said R. Jonah: It is inferred from a nazirite's sin-offering, for it is written, And the priest shall bring them before the Lord, and shall prepare his sin-offering, and his burnt-offering:<sup>6</sup> [this intimates] that all its preparations [sc. the services] must be for the sake of a sin-offering. We have thus found it regarding change in respect of sanctity; how do we know change In respect of owner?<sup>7</sup> — Said R. Huna son of R. Joshua: [Scripture saith,] 'his sin-offering', [where] 'sin-offering' [alone would suffice]. To this Rabina demurred: If so, how do you interpret [the superfluous] 'his burnt-offering' [where] 'burnt-offering' [alone would suffice]? (But according to Rabina, how does he interpret [the apparently superfluous] 'his meal-offering', 'his drink-offering', where 'meal-offering', 'drink-offering' [alone would suffice]?<sup>8</sup> — He requires those [for the following deduction]: Their meal-offering and their drink-offering [intimates] at night; their meal-offering and their drink-offering, even on the next day.)<sup>9</sup> But how do you interpret [the superfluous] his burnt-offering [where] burnt-offering [alone would suffice]? Furthermore, can they<sup>10</sup> be learnt from each other? The sin-offering of forbidden fat<sup>11</sup> cannot be learnt from a nazirite's sin-offering, since the latter is accompanied by another sacrifice.<sup>12</sup> [On the other hand] a nazirite's sin-offering cannot be learnt

from the sin-offering of forbidden fat, since the latter is a case of kareth!<sup>13</sup> — Rather, said Raba: We infer it from a leper's sin-offering, for it is written, And the priest shall prepare<sup>14</sup> the sin-offering,<sup>15</sup> which teaches that all its preparations [services] must be for the sake of a sin-offering. Thus we have found [the law relating to] change in respect of sanctity; how does he know it of change in respect of owner? — Scripture saith, And [he shall] make atonement for him that is to be cleansed:<sup>15</sup> [this intimates,] for this [man] who is to be cleansed, but not for his fellow who is to be cleansed.

Yet [the question] still [remains]: Can they be learnt from each other? The sin-offering of forbidden fat cannot be learnt from the leper's sin-offering, since the latter is accompanied by another sacrifice. [On the other hand] a leper's sin-offering cannot be learnt from the sin-offering of forbidden fat, since the latter is a case of kareth! — One cannot be learnt from one, but one can be learnt from two.<sup>16</sup> But in the case of which should it not be written? [Shall we say,] Let the Divine law not write it in the case of the sin-offering of forbidden fat, and let it be deduced from these others? [Then I can argue that] the reason in the case of these others is that another sacrifice accompanies them! [If we say,] Let the Divine law not write it in the case of the nazirite's sin-offering and let it be deduced from these others: [I can argue that] the reason in the case of these others is that no absolution [revocation] is possible!<sup>17</sup> [If I say,] Let the Divine law not write it in the case of the leper's sin-offering, and let it be deduced from these others: [then I can argue that] the reason in the case of these others is that they do not come in poverty!<sup>18</sup> — Rather, Scripture saith, This is the law of the burnt-offering, of the meal-offering, and of the sin-offering [and of the sacrifice of peace-offerings]:<sup>19</sup> thus the Writ assimilated it [the sin-offering] to the peace-offering. As in the case of peace-offerings both change in respect of sanctity and change in respect of name [are prohibited, for] we require [that the services be performed] for their own [sc. that of the peace-offerings'] sake, this being a regulation;<sup>20</sup> so in the case of the sin-offering both change in respect of sanctity and change in respect of name [are prohibited, for] we require [that the services be performed] for their own sake, this being a regulation. Therefore the regulation is deduced from a peace-offering, while these other verses<sup>21</sup> teach that it is indispensable. Again, we have found [this of] the sin-offering of forbidden fat, where 'for a sin-offering' is written;<sup>22</sup>

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(1) Ibid, 34.

(2) Ibid. 35. This is apparently the Talmudic rendering of the verse.

(3) Atonement consists in essence of the sprinkling. — Carrying the blood to the side of the Altar where it is sprinkled is included in receiving (Rashi).

(4) The emphasis implicit in 'his' intimates indispensability.

(5) Sh. M. deletes bracketed words.

(6) Num. VI, 16.

(7) A passage follows here in the original which the commentaries delete.

(8) 'His meal-offering' and 'his drink-offering' (or rather 'their') occur quite frequently; why does Rabina ask only about 'his burnt-offering' and not about these?

(9) V. infra 84a.

(10) Sc. different kinds of sin-offerings.

(11) This is the technical designation of all sin-offerings brought on account of actual sin, in contrast e.g., to a nazirite's sin-offering, which is not really brought through sin at all.

(12) Lit., 'other blood'.

(13) A sin-offering is brought for the unwitting transgression of an injunction which, if deliberately violated, entails kareth (v. Glos).

(14) E.V. 'offer'.

(15) Lev. XIV, 19.

(16) For Scripture need not have intimated the teaching in the case of all those. — This answer implies that one intimation at least is superfluous.

(17) A nazirite can be absolved of his vow altogether, and then his sacrificial obligations automatically expire. But in no circumstances can the other two be freed of their obligations.

(18) If a leper is too poor he can bring a bird instead of an animal for a sin-offering (V. Lev. XIV, 21-22). But this leniency is not permitted in the case of the other two.

(19) Lev. VII, 37.

(20) But not, however, indispensable to the extent that a peace-offering is invalid if offered as a different sacrifice,

(21) Quoted above, teaching that change of name and of sanctity are forbidden, which are now superfluous.

(22) In Lev. IV, 33. The passage deals with an offering brought for sins other than those which the Talmud proceeds to enumerate.

## Talmud - Mas. Zevachim 8b

how do we know [it of] the sin-offerings of idolatry, hearing a voice, swearing clearly with the lips and the defilement of the Sanctuary and its sacred objects, where ['for a sin-offering'] is not written?<sup>1</sup> — The sin-offering of idolatry is inferred from the sin-offering of forbidden fat, since it entails kareth, just as the latter does. While all the others are inferred [by analogy] through a common characteristic.<sup>2</sup> Our Rabbis taught: The Passover-offering, in its season,<sup>3</sup> [if slaughtered] in its own name, is valid; if not [slaughtered] in its own name, it is invalid. During the rest of the year, [if slaughtered] in its own name, it is invalid; if not [slaughtered] in its own name, it is valid.<sup>4</sup> (Mnemonic: Shalew Kab'AYZan, Memaher, Beza, BA.) Whence do we know it? — Said Samuel's father: Scripture saith, And if his offering for a sacrifice of peace-offerings unto the Lord be of the flock:<sup>5</sup> [this teaches that] whatever comes of the flock is to be for a sacrifice of peace-offerings.<sup>6</sup> Then say, [if sacrificed as] a peace-offering, it is [valid]; but [if sacrificed as] anything else, it is not valid?<sup>7</sup> Said R. Ela in R. Johanan's name: 'For a sacrifice' includes every sacrifice.<sup>8</sup> Then say, For whatever purpose it is slaughtered, let it be such?<sup>9</sup> — If it were written, 'for peace-offering and a sacrifice', [it would be] as you say; since however it is written, 'for a sacrifice of peace-offerings', [its implication is,] for whatever purpose it is slaughtered, let it be a peace-offering. Yet say, 'for a sacrifice' is a generalization, while 'of peace-offerings' is a particularization; how [in the case of] a generalization and a particularization, the generalization includes only what is contained in the particularization; [hence if it is sacrificed as] a peace-offering, it is [valid], but [if it is offered as] anything else, it is not [valid]? 'Unto the Lord' is again a generalization.<sup>10</sup> To this R. Jacob of Nehar Pekod demurred: But the last generalization is dissimilar from the first, [for] the first generalization includes sacrifices but nothing else, whereas the last generalization, 'unto the Lord', implies whatever is the Lord's, even [if he slaughtered it] for fowl — [offerings],<sup>11</sup> and even for meal-offerings? — This is in accordance with the Tanna of the School of R. Ishmael who applies the rule to a generalization and a particularization of this nature, [and maintains that even in such a case, where you have] a generalization, a particularization and a generalization [in this sequence,] you must be guided by the particularization: as the particularization is explicitly something that is not in its own name, and it is valid,<sup>12</sup> so whatever that is not in its own name is valid. Then [say:] as the particularization is explicitly something which can come as a vow or a freewill-offering,<sup>13</sup> so everything which can come as a vow or as a freewill-offering [is included]; [hence, if he slaughters the Passover-offering out of its season as] a burnt-offering or as a peace-offering it is [valid], [but if he slaughters it then as] a sin-offering or a guilt-offering, it is not [valid]! — Rather, 'For a sacrifice' is an extension.<sup>14</sup> Then say, for whatever it is slaughtered, let it be such!<sup>15</sup> — Said Rabin:

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(1) The sin-offering of idolatry: And when ye shall err, and not observe all these commandments etc.; and if one person sin through error etc. (Num. XV, 22, 27). The Talmud relates this to idolatry in ignorance. The text: And if any one sin, in that he heareth the voice of adjuration etc. . . . or if any one touch an unclean thing (and then, according to the Rabbinic interpretation, enters the Sanctuary or eats sacred food). . . or if any one swears clearly with his lips etc. (Lev. V, 1-4).

(2) They are inferred by analogy through the feature common to the sin-offering of forbidden fat, that of a nazirite, and that of a leper. The only feature they have in common is that they are sin-offerings, and both change in respect of sanctity and change in respect of owner disqualify them. Therefore the others here enumerated, which have the same feature, viz., that they are sin-offerings, are likewise disqualified by change of sanctity or change of owner.

- (3) The time for killing it is from midday on the fourteenth of Nisan until nightfall.
- (4) This refers to an animal dedicated for a Passover-offering which was lost when it was required and found later. It is then to be sacrificed as a peace-offering.
- (5) Lev. III, 6.
- (6) Since a Passover-offering comes of the flock it is included in this deduction. Further, that can only mean after its season, for it has already been deduced supra that if it is offered for anything but itself in its season it is invalid.
- (7) Whereas it is simply stated, 'if not slaughtered in its own name, it is valid', which implies that it is valid if sacrificed as any offering.
- (8) For these words (one word in the original) are superfluous, hence they are interpreted as an extension.
- (9) E.g., if it is slaughtered as a burnt-offering, it is a burnt-offering. — Actually it is a peace-offering under all circumstances.
- (10) In such cases the generalization includes everything that is similar to the particularization; hence, anything that comes of the flock.
- (11) I.e., if he slaughtered it as the sin-offering of a bird.
- (12) As explained above,
- (13) Both are votive offerings. A vow is technically where one vows to bring a sacrifice, without specifying the animal at the time; a freewill-offering is a vow to bring a particular animal for an offering.
- (14) Rashi: it is not interpreted under the rule of generalization etc., but as an extension, in which case even cases not similar to itself are included. The rule of generalization etc., is applied only where the natural sense of the passage yields a generalization and a particularization, without anything in the text being superfluous. Here, however, 'for a sacrifice of peace-offerings' is regarded as altogether superfluous, and therefore it is held to be an extension.
- (15) As above,

## Talmud - Mas. Zevachim 9a

We transfer sacrifices which are eaten to sacrifices which are eaten, but do not transfer sacrifices which are eaten to sacrifices which are not eaten.<sup>1</sup> Are then a sin-offering and a guilt-offering not eaten? — [Say] rather, we transfer sacrifices which are eaten by all to sacrifices which are eaten by all, but do not transfer sacrifices which are eaten by all to sacrifices which are not eaten by all.<sup>2</sup> R. Jose son of R. Abin said: We transfer sacrifices of lesser sanctity to sacrifices of lesser sanctity, but do not transfer sacrifices of lesser sanctity to sacrifices of higher sanctity.<sup>3</sup> To this R. Isaac son of R. Sabarin demurred: Then say that if one slaughtered it as tithe, let it be tithe;<sup>4</sup> and in respect of what law would that be? That it should not require a drink-offering; and that the penalty of flagellation should be incurred by one who violates the injunction, It shall not be redeemed?<sup>5</sup> — Scripture saith, The tenth shall be holy,<sup>6</sup> [which implies,] this one [the tenth] can be tithe, but no other can be tithe. [Again,] say that if one slaughtered it as a firstling, let it be as a firstling: in respect of which law? That it should not require a drink-offering; or that it should be given to the priests? — As for a firstling too, similarity of law with tithe is deduced from the fact that 'passing' is written in both cases.<sup>7</sup> Say that if one slaughtered it as a substitute,<sup>8</sup> let it be a substitute: in respect of which law? To be flagellated on its account;<sup>9</sup> or alternatively, that in respect thereof we should be guilty of, 'it shall not be redeemed'?<sup>10</sup> — Said Mar Zutra the son of R. Nahman: Scripture saith, Then both it and that for which it is changed shall be [holy], [which implies,] This is a substitute but no other is a substitute.<sup>11</sup> And say that if one slaughters it as a thankoffering, let it be a thankoffering: in respect of what law? That it may require [the addition of] loaves.<sup>12</sup> — Can there be a case where the Passover-offering itself does not require loaves, yet its remainder does require loaves! If so, then now too [you may argue:] Can there be a case where the Passover-offering itself does not require a drink-offering [to accompany it], yet its remainder requires a drink-offering? — This is our argument: Can there be a case where the remainder of the thankoffering itself requires no loaves, yet the remainder of that which was converted into a thankoffering<sup>13</sup> shall require loaves!

To this<sup>14</sup> R. Yemar the son of R. Hillel demurred: And whence [does it follow] that it is written in reference to the remainder of a Passover-offering: perhaps it is written of the remainder of a



guilt-offering?<sup>15</sup> — Said Raba, Scripture saith: ‘And if his offering for a sacrifice of peace-offerings be of the flock’,<sup>16</sup> [which implies that it refers to] that for which the whole flock is equally fit.<sup>17</sup> To this R. Abin b. Hiyya-others say, R. Abin b. Kahana-demurred: Everywhere else you say that ‘of’ is a limitation, yet here ‘of’ is an extension?<sup>18</sup> — Said R. Mani: Here too ‘of’ is a limitation, [teaching] that it cannot be two years old nor a female.<sup>19</sup> R. Hana of Baghdad demurred: Can you say that this text is written in reference to the Passover-remainder; surely since it states, If [he bring] a lamb [for his offering] . . . And if [his offering be] a goat,<sup>20</sup> it follows that it does not refer to a Passover remainder?<sup>21</sup> — That is required for what was taught: ‘[If he bring] a lamb’: this is to include the Passover-offering, in respect of its fat tail.<sup>22</sup> When it is stated, ‘If [he bring] a lamb’, it is to include a Passover-offering more than a year old,<sup>23</sup> and a peace-offering which comes in virtue of a Passover-offering<sup>24</sup> in respect of all the regulations of peace-offerings, [viz.,] that they require laying on [of the hands],<sup>25</sup> drink-offerings, and the waving of the breast and shoulder. [Again,] when it states, ‘and if [his offering be] a goat’,<sup>26</sup> it breaks across the subject [and] teaches that a goat does not require [the burning of the] fat tail [on the altar].<sup>27</sup> But is that<sup>28</sup> deduced from this? Surely it is deduced from [the verse quoted by] Samuel's father? For Samuel's father said: And if his offering for a sacrifice of peace-offerings unto the Lord be of the flock<sup>29</sup> [teaches that] whatever comes of the flock must be for a sacrifice of peace-offerings.<sup>30</sup> — But still, this is deduced from [the verse quoted by] R. Nahman in the name of Rabbah b. Abuhah. For R. Nahman said in Rabbah b. Abuha's name: How do we know that a Passover remainder is brought as a peace-offering? Because it says, And thou shalt sacrifice the Passover-offering unto the Lord thy God, of the flock and of the herd.<sup>31</sup> Yet surely the Passover-offering comes only from lambs or from goats? From this [we learn] that the Passover-remainder must be [utilised] for something which comes from the flock and from the herd; and what is it? A peace-offering.<sup>32</sup>

In fact, however, three texts are written:

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- (1) The animal dedicated for a Passover-offering was in the first place consecrated as a sacrifice which is eaten. Now that it cannot be offered for what it was originally intended, it is transferred to a peace-offering, which is eaten, and not to a burnt-offering, which cannot be eaten.
  - (2) The Passover-offering and peace-offering are eaten by all, whereas the sin-offering and the guilt-offering are eaten by male priests only.
  - (3) These are fully discussed in Ch. V.
  - (4) For that too is a sacrifice of lesser sanctity.
  - (5) Lev. XXVII, 33 . The Talmud (Bek. 32b) interprets this to mean that it may not be sold; hence if one does sell it, he is liable to flagellation, which is the penalty for the violation of a negative command.
  - (6) Ibid. 32.
  - (7) Tithe: Whatsoever passeth under the rod (ibid); Firstling: All that openeth the womb thou shalt cause to pass (E.V. Set apart—the same root is used in both texts) to the Lord (Ex. XIII, 12). The employment of the same word in both cases teaches that they are similar in law. Therefore since this Passover-offering cannot be transferred to tithe, it cannot be transferred to a firstling either.
  - (8) Lev. XXVII, 33: Neither shall he change it; and if he change it at all, then both it and that for which it is changed shall be holy; it shall not be redeemed. From this it is learnt that if one consecrates an animal to substitute another consecrated animal, both are holy, the second having the same sanctity as the first,
  - (9) For having violated the injunction, Neither shall he change it.
  - (10) Sh. M. deletes.
  - (11) I.e., only if one consecrates a non-sacred animal (hullin, v. Glos) as a substitute does the law apply, but not when one consecrates as a substitute an animal which had already been consecrated earlier, as is the case of this lost Passover-offering.
  - (12) V. Lev. VII, 12 seq.
  - (13) Lit., ‘the remainder of that which comes thereto (sc. the thanksoffering) from the world.’ — Thus here we are treating of the remainder of a Passover-offering which it is proposed shall rank as a thanksoffering if slaughtered as such.

- (14) Sc. the interpretation of the verse Lev. III, 6 quoted supra 8b, q.v.
- (15) Since a guilt-offering too was a ram without blemish from the flock, and might not come from the herd.
- (16) Lev. III, 6.
- (17) I.e., sheep and goats too, whereas the guilt-offering must be a ram.
- (18) If you interpret of the flock as intimating that all animals included in the term 'flock' are meant,
- (19) By relating the verse to a Passover-offering remainder you exclude a two years old animal and a female. (V. Ex. XII, 5).
- (20) Lev. III, 7, 12.
- (21) This verse must simply refer to an ordinary peace-offering; for if it referred to a Passover remainder, it is obviously a lamb or a goat (V. Ex. XII, 5), and it need not be stated.
- (22) The fat tail of all other sacrifices is explicitly counted in the emurim (q.v. Glos) which are burnt on the altar (V. Lev. III, 9, VII, 3). The burning of the emurim is not mentioned at all in connection with the Passover, however, but deduced from elsewhere; consequently a verse is required to teach that the fat tail too is included.
- (23) I.e., dedicated as a Passover-offering, and consequently unfit for its purpose (V. Ex. XII, 5).
- (24) E.g., the substitute of a Passover-offering; or where the owner of a Passover-offering registered for a different animal, so that the first is a Passover remainder: both are sacrificed as peace-offerings.
- (25) V. Lev. III, 2.
- (26) Ibid, 12.
- (27) 'And if' is regarded as a disjunctive, teaching that the provisions that apply to a lamb do not apply to a goat, unless expressly stated. The fat tail is mentioned in connection with the former (V. 9) but not the latter,
- (28) Sc. that a Passover-offering more than a year old, which is therefore a Passover remainder, is sacrificed as a peace-offering.
- (29) Lev. III, 6.
- (30) Supra 8b, q.v.
- (31) Deut. XVI, 2.
- (32) Supra 7b. Hence if you object that the law under discussion is deduced in accordance with the teaching of Samuel's father, it can be counter-objected that it follows from the verse last quoted.

## **Talmud - Mas. Zevachim 9b**

One refers to [an animal] whose time [for slaughtering] is overpassed and whose year has passed;<sup>1</sup> another [is required] for [an animal] whose time [for slaughtering] is overpassed but whose year is not passed; and the third is required for an animal neither whose time [for slaughtering] nor whose year is passed.<sup>2</sup> Now [all three texts] are necessary. For if the Divine Law wrote one text [only], I would say that it applies only [to an animal] whose year is passed and also its time [for slaughtering], since it is completely disqualified from a Passover-offering. But if its time [for slaughtering] is passed but not its year, I would say that it is not [valid, if slaughtered as a peace-offering], since it is eligible for the second Passover.<sup>3</sup> While if the Divine Law stated these two, [I would argue that they are valid if slaughtered as a peace-offering] because they have been disqualified from their own purpose.<sup>4</sup> But if neither its time [for slaughtering] nor its year has passed, so that it is eligible for the [first] Passover, I would say that it is not so. Hence [all three texts] are necessary. Rab said in Mabog's name: If one slaughtered a sin-offering as the sin-offering of Nahshon<sup>5</sup> it is valid, for Scripture saith, This is the law of the sin-offering,<sup>6</sup> [which teaches that] there is one law for all sin-offerings,<sup>7</sup> Raba sat and reported this discussion, whereupon R. Mesharshia raised an objection to Raba: R. Simeon said: All meal-offerings whose fistfuls were taken under a different designation<sup>8</sup> are valid and acquit their owners of their obligation, because meal-offerings are dissimilar from [blood] sacrifices. For when one takes a fistful of a griddle [meal-offering] in the name of a stewing-pan [meal-offering], its preparation proves that it is a griddle [meal-offering].<sup>9</sup> [If one takes a fistful of] a dry meal-offering<sup>10</sup> in the name of [a meal-offering] mingled [with oil],<sup>11</sup> its preparation proves that it is a dry [meal-offering]. But in the case of [animal] sacrifices it is not so, for there is the same slaughtering for all, the same receiving for all, [and] the same sprinkling for all.<sup>12</sup> Thus it is only because its preparation proves its nature; hence if its preparation did not prove

its nature, this would not be so. Yet why? let us say [that] This is the law of the meal-offering<sup>13</sup> [intimates that] there is one law for all meal-offerings? — Rather if stated, it was thus stated: Rab said in Mabog's name: If one slaughtered a sin-offering in order that Nahshon might be forgiven through it, it is valid, [for] no atonement [is required] for the dead.<sup>14</sup> Then, let him speak of any dead person? — He informs us this: The reason [that it is valid] is that he [Nahshon] is dead. Hence [if one slaughtered it] for a living person similar to Nahshon, it is invalid. And who are meant? [Those who are liable to] a nazirite's sin-offering or a leper's sin-offering.<sup>15</sup> But these are [as] burnt-offerings?<sup>16</sup> — Rather if stated, it was thus stated: Rab said in Mabog's name: If one slaughters a sin-offering for a [wrong] person who is liable to a sin-offering such as Nahshon's, it is valid, [for] Nahshon's sin-offering was [as] a burnt-offering.

Others state that Rab said in Mabog's name: If one slaughters a sin-offering in the name of Nahshon's sin-offering, it is invalid, for Nahshon's sin-offering is [as] a burnt-offering. Now let him state a nazirite's sin-offering or a leper's sin-offering?<sup>17</sup> — He mentions the original sin-offering [of that nature].<sup>18</sup>

Raba<sup>19</sup> said: If one slaughters a sin-offering of forbidden fat in the name of a sin-offering of blood [or] in the name of a sin-offering for idolatry, it is valid. [If one slaughters it] in the name of a nazirite's sin-offering or a leper's sin-offering, it is invalid, [for] these are [in fact] burnt-offerings.<sup>20</sup> Raba asked: If one slaughters a sin-offering of forbidden fat in the name of a sin-offering on account of the defilement of the Sanctuary and its sacred flesh, what is the law? Do we say, [the latter entails] kareth,<sup>21</sup> just as the former;<sup>22</sup> or perhaps the latter is not fixed like itself?<sup>23</sup> R. Aha son of Raba recited all these cases as invalid. What is the reason? — And he shall kill it for a sin-offering<sup>24</sup> [intimates that it must be killed] for the sake of that sin-offering.<sup>25</sup> Said R. Ashi to R. Aha the son of Raba: How then do you recite Raba's question?<sup>26</sup> — We recite it in reference to change in respect of owner, he answered him, and we recite it thus: Raba said: If one slaughters a sin-offering of forbidden fat on behalf of a [wrong] person who is liable to a sin-offering for blood or a sin-offering for idolatry, it is invalid; [but if he slaughters it] on behalf of a person who is liable to a nazirite's sin-offering or a leper's sin-offering, it is valid. And as for the question, this is what Raba asked: If one slaughters a sin-offering of forbidden fat on behalf of a person who is liable to a sin-offering on account of the defilement of the sanctuary and its sacred flesh, what is the law? Do we say, [the latter entails] kareth like itself;<sup>27</sup> or perhaps the latter is not fixed like itself?<sup>28</sup> The question stands over. It was stated: If one slaughtered it for its own sake with the intention of sprinkling its blood for the sake of something else,<sup>29</sup> R. Johanan said: It is invalid; while Resh Lakish said: It is valid. R. Johanan said [that] it is invalid [because] an [effective] intention can be expressed at one service in respect to another service,<sup>30</sup> and we learn [by analogy] from the intention of piggul.<sup>31</sup> While Resh Lakish said [that] it is valid, [because] an [effective] intention cannot be expressed at one service in respect to another, and we do not learn from the intention of piggul. Now they are consistent with their views. For it was stated:

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(1) I.e., it was lost until it was too late for slaughtering as a Passover-offering, and is also more than a year old.

(2) I.e., if it is slaughtered before Passover as a peace-offering it is valid, though it was eligible for a Passover-offering.

(3) V. Num. IX, 9 seq.

(4) Which was to be slaughtered at the first Passover.

(5) Which Nahshon, the prince of the tribe of Judah, brought at the dedication of the altar; V. Num. VII, 12 seq.

(6) Lev. VI, 18.

(7) They all stand in the same category. Hence although Nahshon's sin-offering was not on account of sin at all, yet by slaughtering an ordinary sin-offering as such one is not deemed to have changed its purpose, and therefore it is valid.

(8) V. Lev. II, 2. The priest, in taking the fistful, declared that he took it for the sake of a different type of meal-offering.

(9) His declaration is manifestly untrue and of no account, since one can see what meal-offering it is. — For the various types of meal-offerings mentioned here V. Lev. II, 4 seq.

(10) Which is brought on account of sin, v. Lev. V, 11f.

- (11) Which was not brought on account of sin, v. Lev. II, 1 seq.
- (12) In these acts there is nothing to indicate the nature of the sacrifice. Consequently a false declaration is effective to invalidate them.
- (13) Lev. VI, 7.
- (14) A sin-offering slaughtered for a wrong person is invalid, provided that he is likewise liable to a sin-offering. This condition is obviously unfulfilled here: hence the sacrifice is valid.
- (15) Which are not brought on account of sin at all, just as Nahshon's sin-offering was not on account of sin.
- (16) Rashi: A nazirite's sin-offering is the same as a burnt-offering, since it is not brought on account of sin, and it is stated supra 7a that if one slaughters a sin-offering in the name of a different person who is liable to a burnt-offering, it is valid. Sh. M. cites a reverse interpretation: These are as burnt-offerings; hence his action is tantamount to slaughtering a sin-offering as a burnt-offering, which is obviously invalid. What then does Rab inform us?
- (17) Since that is in fact what he means to imply by 'Nahshon's sin-offering'.
- (18) Nahshon was the first to bring a sin-offering which was not for sin. Hence his is mentioned as an example of all sin-offerings of that nature (Sh. M.).
- (19) So amended in margin and Sh. M.; cur, edd. Rab.
- (20) As above. But in the first clause the others too are on account of sin.
- (21) V. Glos.
- (22) Hence it is valid.
- (23) For if the transgressor is too poor he can bring two birds instead of an animal, which is not permitted in the case of the former.
- (24) Lev. IV, 33.
- (25) Not in the name of any other.
- (26) When is Raba in doubt?
- (27) Hence it is invalid.
- (28) Hence it is valid,
- (29) Declaring this intention at the time of slaughtering.
- (30) It is effective to render the animal unfit.
- (31) V. Glos. There this is certainly the case; v. infra 27b.

## Talmud - Mas. Zevachim 10a

If one slaughters an animal with the express intention of sprinkling its blood or burning its fat to an idol, — R. Johanan said: It is forbidden [for any use],<sup>1</sup> [for] an [effective] intention can be expressed at one service in respect to another service, and we learn 'without' from 'within'.<sup>2</sup> Resh Lakish rules that it is permitted,<sup>3</sup> for an [effective] intention cannot be expressed at one service in respect of another service, and we do not learn 'without' from 'within'. [Now these are both necessary.] For if we were informed [of their views] in the latter case, I might argue that Resh Lakish rules [thus only] in this instance, yet he agrees with R. Johanan [that] 'within' [is learnt] from 'within'.<sup>4</sup> While if we were informed [of their views] in the former instance, I might argue that R. Johanan rules [thus only] there, yet he agrees with Resh Lakish in the present case.<sup>5</sup> Thus both are required. When R. Dimi came,<sup>6</sup> he said: R. Jeremiah raised an objection in support of R. Johanan, while R. Ela [did so] in support of Resh Lakish. R. Jeremiah in support of R. Johanan: If it is valid where one says, 'Behold, I slaughter after its time [for slaughtering],'<sup>7</sup> yet it is invalid if one slaughters it with the intention of sprinkling the blood after time; then seeing that it is invalid if he declares, 'Behold, I slaughter for the sake of something else,' is it not logical that it is invalid if one slaughters it with the intention of sprinkling the blood for the sake of something else? To this Raba b. Ahilai demurred: As for [intending to sprinkle its blood] after time, the reason [that this invalidates it even at the slaughtering] is that it entails kareth!<sup>8</sup> Rather said Raba b. Ahilai, This is his argument: If it is valid where one says, 'Behold, I slaughter [this sacrifice] without its precincts,'<sup>9</sup> yet it is invalid when one slaughters it with the intention of sprinkling its blood without its precincts; then seeing that it is invalid when he declares, 'Behold, I slaughter for the sake of something else,' is it not logical that it is invalid if one slaughters it with the intention of sprinkling the blood for the

sake of something else? To this R. Ashi demurred: As for [its unfitness when one intends sprinkling the blood] without its precincts, the reason is because it operates [as a disqualification] in the case of all sacrifices. Will you say that the same applies in the case of an intention for the sake of a different sacrifice, which does not operate [thus] save in the case of a Passover-offering and a sin-offering? Rather said R. Ashi, This is how he argues: If it is valid where one says, 'Behold, I slaughter [this sacrifice] in the name of so-and-so,'<sup>10</sup> yet it is invalid [if one declares his intention] to sprinkle its blood for the sake of so-and-so; then seeing that when he declares, 'Behold, I slaughter [it] for the sake of something else,' it is invalid,<sup>11</sup> is it not logical that it is invalid if he slaughters it with the intention of sprinkling the blood for the sake of something else?

R. Ela [raised an objection] in support of Resh Lakish: Let it not be stated in the case of sprinkling<sup>12</sup> and it could be inferred a *minori* from slaughtering and receiving;<sup>13</sup> then for what purpose did the Divine Law state [it]? To teach that you cannot [effectively] express an intention in respect of one service at a [previous] service.<sup>14</sup> To this R. Papa demurred: Yet perhaps [its purpose is on the contrary to intimate] that you can express an intention in respect of one service at a [previous] service? — If so, let Scripture be silent about it, and infer it by R. Ashi's a *minori* argument. And the other?<sup>15</sup> — Refute [the argument] thus: as for those [slaughtering and receiving], the reason may be that they require the north<sup>16</sup> and are present at the inner sin-offerings. And the other?<sup>17</sup> — Now, at all events, we are discussing peace-offerings.<sup>18</sup>

It was stated: If one slaughters it in its own name with the intention of sprinkling its blood for the sake of something else, — R. Nahman says: It is invalid; Rabbah says: It is valid. But Rabbah retracted on account of R. Ashi's a *minori* argument.

R, ELIEZER SAID: THE GUILT-OFFERING TOO. It was taught: R. Eliezer said: A sin-offering comes on account of sin, and a guilt-offering comes on account of sin: just as a sin-offering [slaughtered] under a different designation is invalid, so is a guilt-offering invalid [if slaughtered] under a different designation. Said R. Joshua to him: That is not so. If you say [thus] of the sin-offering, [the reason is] because its blood is [sprinkled] above [the scarlet line].<sup>19</sup> Said R. Eliezer to him: Let the Passover-offering prove it: though its blood is [sprinkled] below, yet if one slaughters it for the sake of something else it is invalid. As for the Passover-offering, replied R. Joshua, the reason is that it has a fixed time. Said R. Eliezer to him: Then let the sin-offering prove it. R. Joshua replied:

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- (1) Even if he did not eventually sprinkle it thus,
  - (2) Idolatrous sprinkling of the blood etc. is naturally done without the Temple, while the illegitimate action of *piggul* is done within the Temple.
  - (3) If he did not eventually sprinkle it idolatrously.
  - (4) Sc. if one slaughters a sacrifice with the intention of sprinkling its blood in the name of a different sacrifice, his illegitimate intention is in respect of something that is done within, and therefore we learn by analogy from *piggul* that his intention is effective.
  - (5) By reversing the argument.
  - (6) From Palestine to Babylon. R. Dimi and Rabin were two Palestinian amoraim who travelled between the Palestinian and the Babylonian academics to transmit the teachings of one to the other.
  - (7) Since whenever he slaughters it, that is the time,
  - (8) This illegitimate intention renders the flesh *piggul* immediately, so that if one eats it even within the permitted time he is liable to *kareth*. Since it is so strict, it is natural that an illegitimate intention in respect of one service expressed at an earlier service is effective.
  - (9) For his declaration cannot negative the fact that he is slaughtering it within its precincts.
  - (10) For change of name is a disqualification at the sprinkling, but not at the slaughtering.
  - (11) Viz., in the case of a Passover-offering and a sin-offering.
  - (12) That an intention for a different sacrifice disqualifies it.

(13) It slaughtering for the sake of a different sacrifice disqualifies, though it is valid when done by a zar (lay-Israelite), how much the more sprinkling, which may not be performed by a zar. And if you answer that slaughtering may be more stringent because a Passover-offering slaughtered for others than those enrolled for it is invalid; then let receiving prove it, where this disqualification does not operate.

(14) I.e., the illegitimate intention in respect of sprinkling must be expressed at the sprinkling.

(15) R. Johanan: How does he rebut this argument?

(16) They are performed at the north side of the altar.

(17) Resh Lakish: how does he rebut this argument?

(18) Which are not slaughtered at the north nor on the inner altar. Hence the argument does not apply.

(19) The blood of some sacrifices was sprinkled on the upper half of the altar, and the blood of other sacrifices was sprinkled on the lower half; a scarlet line on the altar demarcated them. — The fact that the blood of the sin-offering was sprinkled above that line may be the reason for greater stringency.

## Talmud - Mas. Zevachim 10b

I am moving in a circle.<sup>1</sup> R. Eliezer then drew another analogy. In the case of a sin-offering it says, It is [a sin-offering],<sup>2</sup> [which intimates that if it is slaughtered] for its own sake it is valid, and if it [is] not [slaughtered] for its own sake it is invalid;<sup>3</sup> [Again] in the case of a Passover-offering it says, It is [the sacrifice of the Lord's Passover],<sup>4</sup> [which likewise intimates,] for its own sake it is valid, and if not for its own sake, it is invalid; [then] in the case of a guilt-offering too it says, It is [a guilt-offering],<sup>5</sup> [hence this too intimates,] for its own sake it is valid, while if not for its own sake, it is invalid. Said R. Joshua to him: 'It is' is stated of the sin-offering in connection with the slaughtering, [and so] 'it is' [intimates], for its own sake it is valid, and if not for its own sake, it is invalid. [Again] 'it is' is stated of the Passover-offering in connection with the sacrificing,<sup>6</sup> [and here too] 'it is' [intimates,] for its own sake it is valid, while if it is not for its own sake, it is invalid. But as for the guilt-offering, 'it is' is stated of it only after the burning of the emurim [is prescribed], and yet if the emurim were not burnt at all it is valid.<sup>7</sup> Said R. Eliezer to him: Lo, it says. As is the sin-offering, so is the guilt-offering.<sup>8</sup> [hence] as the sin-offering is invalid if not [slaughtered] for its own sake, so is the guilt-offering invalid if not [slaughtered] for its own sake.

The Master said: 'R. Joshua said to him: I am moving in a circle.' Yet let the argument revolve and the inference be made from the feature common to both.<sup>9</sup> — [That argument is not employed] because it can be refuted: the feature common to both is that there is an aspect of kareth in them.<sup>10</sup>

The Master said:<sup>11</sup> 'R. Joshua said to him: That is not so. If you say [thus] of the sin-offering, [the reason is] because its blood [is sprinkled] above [the scarlet line].' Yet let him [rather] say to him: That is not so. If you say [thus] of the sin-offering, [the reason is] because its blood enters the innermost shrine?<sup>12</sup> — We are discussing the outer sin-offerings.<sup>13</sup> [Yet let him say: The reason is] because if its blood enters the innermost shrine it is invalid? — R. Eliezer holds that the guilt-offering too [is invalid in that case]. [Let him say to him: The reason is] because it makes atonement for those who are liable to kareth? — [R. Eliezer draws his analogy] from the sin-offering incurred through hearing a voice.<sup>14</sup> [Let him say to him: The reason is] because it [the blood] requires four applications? — [R. Eliezer holds] as R. Ishmael, who maintains: All blood<sup>15</sup> requires four applications. [Yet let him say: The reason is because the blood requires four applications] on the four horns [of the altar]?<sup>16</sup> — Now according to your reasoning, surely there are [the distinctions of] the finger, the horn, and the point?<sup>17</sup> Rather [the fact is that] he [R. Joshua] mentions [but] one of two or three reasons [distinctions].

The Master said: 'Said R. Joshua to him: That is not so. If you say' etc. Let R. Eliezer answer him: The blood of a guilt-offering too is [sprinkled] above [the scarlet line]?<sup>18</sup> — Said Abaye: You cannot say that the blood of a guilt-offering is [sprinkled] above, [as the reverse may be inferred] from a burnt-offering, a fortiori: if the blood of a burnt-offering, which is completely burnt, is [sprinkled]

below, how much the more [is this true of] a guilt-offering, which is not completely burnt. As for a burnt-offering, the reason is because it does not make atonement! Let the bird sin-offering prove it.<sup>19</sup> As for a bird sin-offering, the reason is because it is not a species that is slaughtered!<sup>20</sup> Then let a burnt-offering prove it. Thus the peculiarity of the one is not the peculiarity of the other, and that of the other is not the same as the peculiarity of the first: the feature common to both is that they are sacrifices of the higher sanctity,<sup>21</sup> and their blood is [sprinkled] below: so will I adduce a guilt-offering too, that [since] it is of the higher sanctity, its blood is [sprinkled] below. Raba of Parzakia<sup>22</sup> said to R. Ashi: But let him refute [it thus]: The feature common to both is that [their value] is unfixed; will you then say [the same of] a guilt-offering, which has a fixed [value]?<sup>23</sup> Rather this is R. Eliezer's reason,<sup>24</sup> viz., because Scripture saith, The priest that offereth it for a sin-offering:<sup>25</sup> ['it' requires] its blood [to be sprinkled] above, but the blood of no other [sacrifice] is [sprinkled] above. If so, let us say with respect to [the slaughtering of] the sin-offering too, [only] it is valid [when slaughtered] in its own name but invalid when not [slaughtered] in its own name, whereas other sacrifices are valid whether in their own name or not in their own name?<sup>26</sup> — That 'it' is not meant particularly, since it disregards the Passover-offering.<sup>27</sup> Then here too it is not meant particularly, since it disregards the bird burnt-offering?<sup>28</sup> — At all events nothing which is slaughtered is omitted.<sup>29</sup> Alternatively, this agrees with R. Eleazar son of R. Simeon, who maintained: [The blood of] the one is [sprinkled] in a separate place, and [that of] the other is [sprinkled] in a separate place.<sup>30</sup> For it was taught: The lower blood is applied below the scarlet line, while the upper [blood is applied] above the scarlet line,<sup>31</sup> Said R. Simeon b. Eleazar: This holds good only of the bird burnt-offering; but in the case of the animal sin-offering its [blood] is applied essentially on the very horn [of the altar].<sup>32</sup> We learnt elsewhere:<sup>33</sup> For R. Akiba maintained: All blood which entered the Hekal<sup>34</sup> to make atonement is unfit; but the Sages rule: The sin-offering alone [is unfit].<sup>35</sup> R. Eliezer said: The guilt-offering too [is thus], for it says, As is the sin-offering, so is the guilt-offering.<sup>36</sup> As for R. Eliezer, it is well, his reason being as stated. But what is the reason of the Rabbis? — Said Raba: [They argue that] you cannot say that if the blood of the guilt-offering enters within it is unfit, [for the reverse follows] from the burnt-offering, afortiori. If

(1) This way of arguing leads nowhere.

(2) Lev. IV, 24.

(3) It implies emphasis: it must be slaughtered as a sin-offering and nothing else.

(4) Ex. XII, 27.

(5) Lev. VII, 5.

(6) Likewise the slaughtering.

(7) Obviously then 'it is' cannot have the same implication here. V. supra 5b.

(8) Lev. VII, 7.

(9) Lit. from 'what is the side' (which they have in common)? V. Supra a bottom; the feature common to both the sin-offering and the Passover-offering is that they may be eaten one night only. The guilt-offering shares this feature, and therefore it also, like the other two, should be invalid if slaughtered for a different purpose.

(10) The sin-offering is brought on account of an unwitting offence which if wilful is punishable by kareth, The neglect to bring the Passover-offering by one who is not unclean or on a distant journey is likewise punishable by kareth (Num. IX, 13).

(11) Emended text (Sh. M.).

(12) In the case of the sin-offering of the Day of Atonement,

(13) Those which do not enter the innermost shrine — i.e., all save that of the Day of Atonement,

(14) V. Lev, V, 1ff. This does not involve kareth,

(15) The blood of all sacrifices,

(16) Whereas even R. Ishmael admits that the blood of the guilt-offering is not sprinkled on the four horns, but only on two.

(17) The blood of the sin-offering must be applied with the finger on the point (i.e. the top) of the horn, whereas the blood of other sacrifices is not applied actually on the top. — The point is: If one is seeking distinctions, there are many other than that drawn by R. Joshua.

- (18) For R. Eliezer likens the guilt-offering to the sin-offering.
- (19) Its blood is sprinkled below, though it does make atonement.
- (20) The bird-offering was not slaughtered, its neck being wrung (Lev. I, 15).
- (21) V. Supra 2a p. 1, n. 7.
- (22) Farasag, in the vicinity of Be Dura, one of the four districts in the middle of which Baghdad was built; v. Obermeyer, Landschaft, pp. 268-9.
- (23) V. Lev. V, 15 seq.
- (24) For holding that the blood of a guilt-offering is sprinkled below.
- (25) Lev. VI, 19. The Heb. **הַמִּזְבֵּחַ** is understood to mean he who sprinkles its blood in accordance with its law as a sin-offering, viz., above the scarlet line.
- (26) Since the unfitness of a sin-offering when not killed for its own sake is deduced from, And he shall kill it for a sin-offering (Lev. IV, 33). Then R. Eliezer should regard the 'it' here too as a limitation and not apply the same law to the guilt-offering.
- (27) To which the same law applies, as was shewn supra 7b.
- (28) Whose blood too is sprinkled above; infra 65a.
- (29) The limitation of 'it' applies to all slaughtered sacrifices,
- (30) Though the blood of both the sin-offering and the bird burnt-offering is sprinkled above the scarlet line, yet each has a different place. Therefore the limitation of 'it' in respect to the sprinkling of the blood has no exception at all.
- (31) At any point above it. — 'Lower' and 'upper' mean that which is applied below and that which is applied above respectively.
- (32) And not merely anywhere above the line.
- (33) Infra 81b.
- (34) The hall containing the golden altar etc., contrad. to the Holy of Holies (Jast.).
- (35) When Moses rebuked Aaron for not eating the flesh of the sin-offering on the day of his consecration, he said to him: Behold, the blood of it was not brought into the sanctuary within; ye should certainly have eaten it (Lev. X, 18; v. also ib. VI, 23). This proves that if it had been brought 'within' Aaron would have been right, for the sacrifice would have thereby become unfit. Now the passage actually refers to a sin-offering: R. Akiba holds that its implication extends to all other sacrifices too, while the Rabbis confine it to the sin-offering.
- (36) Lev. VII, 7.

## Talmud - Mas. Zevachim 11a

the burnt-offering is fit when its blood enters within, though it is entirely burnt, how much the more is the guilt-offering [fit], seeing that it is not entirely burnt. [But it may be asked:] As for the burnt-offering, [the reason is] because it does not make atonement? — Let a sinner's meal-offering prove it.<sup>1</sup> (Yet he should rather say: Let the sin-offering of a bird prove it?<sup>2</sup> The sin-offering of a bird is the subject of a question by R. Abin.)<sup>3</sup> As for a sinner's meal-offering<sup>4</sup> [the reason is] because it is not of the species that is slaughtered?<sup>5</sup> Let the burnt-offering prove it. And thus the argument revolves, the peculiarity of the one not being that of the other, while the peculiarity of the latter is not that of the former: the feature common to both is that they are sacrifices of the higher sanctity, and when their blood enters within they are fit; so too will I adduce the guilt-offering which is a sacrifice of the higher sanctity, and if its blood enters within it is fit. Raba of Barnesh<sup>6</sup> said to R. Ashi: Yet let him refute [it thus]: The feature common to both is that they have no fixed [value]; will you say [the same of] the guilt-offering, which has a fixed [value]? Rather this is the Rabbis' reason, viz., because Scripture saith, [And no sin-offering whereof any of] its blood [is brought into the tent of meeting . . . shall be eaten; it shall be burnt with fire]:<sup>7</sup> [this intimates] the blood of this [sacrifice], but not the blood of another [sacrifice]. And the other?<sup>8</sup> — 'Its blood' [implies,] but not its flesh.<sup>9</sup> And the other?<sup>10</sup> — [Scripture writes,] 'its blood' [where] 'blood' [would suffice].<sup>11</sup> And the other? — He does not interpret 'blood', 'its blood' [as having a particular significance].

It is well according to the Rabbis who maintain that if one slaughters a guilt-offering under a different designation it is valid: for that reason a meal-offering is likened to a sin-offering and to a



guilt-offering. For it was taught, R. Simeon said: [It is written,] It is most holy, as the sin-offering, and as the guilt-offering:<sup>12</sup> a sinner's meal-offering is like a sin-offering, therefore if its fistful [of flour] is taken under a different designation, it is invalid;<sup>13</sup> a votive meal-offering is like a guilt-offering, therefore if he [the priest] takes its fistful under a different designation, it is valid. But according to R. Eliezer, in respect of which law is a meal-offering likened to a sin-offering and a guilt-offering? — In respect of the other [ruling] of R. Simeon. For it was taught: [If the fistful was carried to the altar] not in a service-vessel,<sup>14</sup> it is invalid; but R. Simeon declares it valid.<sup>15</sup> Now Rab Judah son of R. Hiyya said, What is R. Simeon's reason? — Scripture saith, 'It is most holy, as the sin-offering, and as the guilt-offering': [this teaches:] If he [the priest] comes to perform its service with his hand, he does so with his right hand, as in the case of the sin-offering; [if he comes] to perform the service with a vessel, he may do so with his left hand, as in the case of the guilt-offering.<sup>16</sup> Now R. Simeon utilises this verse for both purposes?<sup>17</sup> — The essential purpose of the text is to teach the dictum of Rab Judah the son of R. Hiyya, while that a sinner's meal-offering is invalid when [the priest does] not [take its fistful] for its own sake is [based] on a different reason. [Thus:] what is the reason of a sin-offering?<sup>18</sup> Because 'it is' is written in connection therewith; then in connection with a sinner's meal-offering too 'it is' is written. Now according to the Rabbis, in respect of which law is a guilt-offering likened to a sin-offering? — To teach you: as a sin-offering requires laying on [of hands], so does a guilt-offering require laying on [of hands].

JOSEPH b. HONI SAID: SACRIFICES SLAUGHTERED [IN THE NAME OF A PASSOVER-OFFERING OR A SIN-OFFERING ARE INVALID]. R. Johanan said: Joseph b. Honi and R. Eliezer said the same thing.<sup>19</sup> Rabbah said: They disagree in respect of others slaughtered in the name of a sin-offering. For it was taught: A paschal lamb which has passed its year,<sup>20</sup> and he [its owner] slaughtered it in its season,<sup>21</sup> for its own purpose,<sup>22</sup> and similarly, when a man slaughters other [sacrifices] as a Passover-offering in its season, — R. Eliezer disqualifies them,<sup>23</sup> while R. Joshua declares them valid. Said R. Joshua: If during the rest of the year, when it is not valid [if slaughtered] in its own name, yet others [slaughtered] in its name are valid;<sup>24</sup> then is it not logical that in its season, when it is valid [if slaughtered] in its own name, others [slaughtered] in its name are valid? Said R. Eliezer to him: Yet perhaps the argument is to be reversed? If it is valid [when slaughtered] during the rest of the year in the name of another sacrifice,<sup>25</sup> though it is not valid [if slaughtered then] in its own name; is it not logical that it should be valid [when slaughtered] in its season in the name of another sacrifice, seeing that it is valid [if slaughtered, then] in its own name; and thus a Passover-offering [slaughtered] on the fourteenth [of Nisan] under a different designation should be valid.<sup>26</sup> Now, would you say thus? [But in point of fact your a minori argument can be refuted thus:] As for others being valid during the rest of the year [when slaughtered] in its [sc. the Passover-offering's] name, that is because it is valid [when slaughtered then] in the name of other [sacrifices]; should then others [slaughtered] in its season<sup>27</sup> in its name be valid, seeing that it [the Passover-offering] is invalid [if slaughtered then] in the name of others?<sup>28</sup> Said R. Joshua to him: If so, you lessen the strength of the Passover-offering and increase the strength of the peace-offering?<sup>29</sup> Subsequently R. Eliezer proposed a different argument: We find that a Passover remainder<sup>30</sup> comes as a peace-offering, whereas a peace-offering remainder does not come as a Passover-offering. Now if the Passover-offering, whose remainder comes as a peace-offering, is [nevertheless] unfit if one slaughters it in its season as a peace-offering; is it not logical that the peace-offering is unfit if slaughtered in the name of a Passover-offering in its season, seeing that its remainder does not come as a Passover-offering?

(1) This makes atonement, yet if it enters within it remains fit, for the disqualification is stated in reference to the entering of blood only.

(2) This would provide a better analogy, as it is a blood-sacrifice just as the other sacrifices under consideration.

(3) Whether it is unfit when its blood enters within (infra 92b). The objection and answer are parenthetical, and now the Talmud returns to its discussion.

(4) Emended text (Bah); omitting, 'and let him refute', of cur. edd.

- (5) It is not a blood-sacrifice.
- (6) A town in the vicinity of Matha Mehasia, a suburb of Sura (Obermeyer, op. cit. pp. 296-7).
- (7) Lev. VI, 23.
- (8) R. Eliezer: how does he explain 'its blood'?
- (9) If its flesh is taken 'into the tent of meeting', into the inner sanctuary, it is not disqualified.
- (10) The Rabbis: how do they know this?
- (11) Hence 'its' excludes that of other sacrifices, while 'blood' excludes the flesh of the same sacrifice.
- (12) Lev, VI, 10. This refers to the meal-offering, and since it is likened to two other sacrifices, R. Simeon deduces that one kind of meal-offering is like a sin-offering, while another is like a guilt-offering, as explained in the text,
- (13) The taking of the fistful of the meal-offering and its burning on the altar are the equivalent of the sprinkling of the blood of an animal sacrifice.
- (14) A service-vessel is one that has been sanctified for use in the Temple in connection with the sacrificial service.
- (15) If the priest carried it in his hand to the altar,
- (16) This being R. Simeon's view, others hold that the service of all sacrifices must be done with the right hand (infra 24b).
- (17) He had made two distinct deductions from the same verse,
- (18) That it is invalid when not slaughtered for its own sake.
- (19) R. Eliezer too holds that other sacrifices slaughtered as a Passover-offering in its time or as a sin-offering at any time are invalid. R. Johanan deduces this anon.
- (20) It became a year old on the first of Nisan, and was then set aside for the Passover sacrifice. Since a year is the extreme limit for such (V. Ex. XII, 5: a male of the first year), it automatically stands to be a peace-offering, being unfit for its original purpose.
- (21) I.e. , on the eve of Passover.
- (22) Sc. as a Passover-offering. Thus he slaughtered a peace-offering as a Passover sacrifice.
- (23) He infers this a minori: If an animal set aside for the Passover-offering is disqualified when slaughtered in its season (on the eve of Passover) as a peace-offering, though if left until after Passover it must be offered as such; then how much the more is a peace-offering disqualified if slaughtered on the eve of Passover as a Passover-offering, seeing that if left over and not brought as a peace-offering at the time appointed for same it cannot be brought as a Passover-offering on Passover eve.
- (24) For all sacrifices except the Passover-offering and the sin-offering are valid when slaughtered for a different purpose (supra 2a).
- (25) Sc. a peace-offering.
- (26) Which however is obviously wrong. Hence by a reductio ad absurdum the deduction a minori is shewn to be inadmissible.
- (27) On the eve of Passover,
- (28) Surely not. From this R. Johanan deduces that just as R. Eliezer declares others unfit when slaughtered in the name of the Passover-offering, so are they unfit when slaughtered in the name of a sin-offering. For R. Eliezer's reason, as seen here, is because it (the Passover-offering) is unfit when slaughtered in the name of a different sacrifice, and this same holds good of the sin-offering too.
- (29) For at the proper season for peace-offerings (i.e., during the rest of the year) the Passover-offering if slaughtered as a peace-offering is fit; whereas at the season of the Passover-offering (on Passover eve) a peace-offering slaughtered in the name of a Passover-offering is unfit! Yet in fact while Scripture insists that the Passover-offering must be killed in its own name (V. supra 7b), there is no such insistence with respect to the peace-offering. — 'Weaken' and 'strengthen' mean to weaken and strengthen the necessity for (or, the insistence on) slaughtering these sacrifices for nought but their own sake.
- (30) If an animal was dedicated for a Passover-offering, lost and refound after Passover.

## **Talmud - Mas. Zevachim 11b**

Said R. Joshua to him: We find that a sin-offering remainder comes as a burnt-offering,<sup>1</sup> but a burnt-offering remainder does not come as a sin-offering. Now if the sin-offering is unfit when slaughtered as a burnt-offering, though its remainder comes as a burnt-offering; is it not logical that a

burnt-offering slaughtered as a sin-offering is unfit, seeing that its remainder does not come as a sin-offering?<sup>2</sup> Not so, replied R. Eliezer to him. If you speak of a sin-offering, the reason [that a burnt-offering slaughtered in its name is fit] is because it [the sin-offering] is fit [when slaughtered] in its own name throughout the year. Will you say the same of a Passover-offering which is fit [when slaughtered] in its own name only in its season? Since then that itself is unfit [when slaughtered] in its own name [during the rest of the year], it is logical that others slaughtered in its name [during the rest of the year] are unfit.

SIMEON THE BROTHER OF AZARIAH SAID etc. R. Ashi recited the following in R. Johanan's name, and R. Aha son of Raba recited it in R. Jannai's name: What is the reason of Simeon the brother of Azariah? Because Scripture saith, And they shall not profane the holy things of the children of Israel, which they shall exalt unto the Lord:<sup>3</sup> [this teaches that] they are not profaned [rendered unfit] through what is superior [higher] than themselves, but they are profaned through what is inferior to themselves.<sup>4</sup> But does this text come for this purpose? Surely it is required for Samuel's dictum! For Samuel said: Whence do we know that he who eats tebel<sup>5</sup> is liable to death? From the verse, And they shall not profane the holy things of the children of Israel, which they shall exalt unto the Lord: the Writ refers to that which is yet to be exalted.<sup>6</sup> — If so,<sup>7</sup> Scripture should write, 'which were exalted [offered]': why state, 'which they shall exalt'? Hence infer both from this.<sup>8</sup>

R. Zera asked: Are they valid yet do not propitiate, and so he disagrees in one only; or are they valid and propitiate, and he disagrees in both?<sup>9</sup> — Said Abaye — others maintain, R. Zerika, -Come and hear: IF ONE SLAUGHTERED A FIRSTLING OR TITHE IN THE NAME OF A PEACE-OFFERING, IT IS VALID; IF ONE SLAUGHTERED A PEACE-OFFERING AS A FIRSTLING OR TITHE, IT IS INVALID. Now if you think that [he means that] they are valid and propitiate, is propitiation applicable to a firstling?<sup>10</sup> Hence they are valid and do not propitiate, and since the second clause [means that] they are valid and do not propitiate, [in] the first clause too they are valid and do not propitiate. But what argument is this? The one is according to its nature, and the other is according to its nature.<sup>11</sup> Then what does he inform us?<sup>12</sup> [The principle governing] a higher and lower sanctity!<sup>13</sup> Surely we learnt it: HOW SO? IF ONE SLAUGHTERED MOST SACRED SACRIFICES UNDER THE DESIGNATION OF LESSER SACRIFICES etc. — You might say, Only in the most sacred sacrifices and the lesser sacrifices is there higher and lower, but not where both are lesser sacrifices. [Hence we are informed that it is not so.] But we learnt this too: The peace-offering takes precedence over the firstling, because the former requires four [blood-] sprinklings, laying on [of hands], drink-offerings, and the waving of the breast and the shoulder?<sup>14</sup> — The present passage<sup>15</sup> is the main source, while in the other it is taught incidentally.<sup>16</sup>

MISHNAH. IF ONE SLAUGHTERS THE PASSOVER-OFFERING ON THE MORNING OF THE FOURTEENTH [OF NISAN] UNDER A DIFFERENT DESIGNATION, R. JOSHUA DECLARES IT VALID, JUST AS IF IT HAD BEEN SLAUGHTERED ON THE THIRTEENTH; BEN BATHYRA DECLARES IT INVALID, AS IF IT HAD BEEN SLAUGHTERED IN THE AFTERNOON.<sup>17</sup> SAID SIMEON B. AZZAI: I HAVE A TRADITION FROM THE MOUTH OF SEVENTY-TWO ELDER[S]<sup>18</sup> ON THE DAY THAT R. ELEAZAR [SON OF AZARIAH]<sup>19</sup> WAS APPOINTED TO THE ACADEMY,<sup>20</sup> THAT ALL SACRIFICES WHICH ARE EATEN,<sup>21</sup> THOUGH SLAUGHTERED UNDER A DIFFERENT DESIGNATION ARE VALID, SAVE THAT THEIR OWNERS HAVE NOT DISCHARGED THEIR OBLIGATION, EXCEPT THE PASSOVER-OFFERING AND THE SIN-OFFERING. THUS THE SON OF 'AZZAI ADDED<sup>22</sup> ONLY THE BURNT-OFFERING, BUT THE SAGES DID NOT AGREE WITH HIM.

GEMARA. R. Eleazar said in R. Oshaia's name: Ben Bathyra declared fit a Passover-offering which one slaughtered in its own name on the morning of the fourteenth, because [he holds that] the whole day is its season.<sup>23</sup> Then what does AS IF [etc.] mean?<sup>24</sup> Because R. Joshua states AS IF,<sup>25</sup> he

too says, AS IF. If so, instead of disputing where it is [slaughtered] under a different designation, let them dispute where it is [slaughtered] in its own name?<sup>26</sup> — If they differed where it is [slaughtered] in its own name, I would say that R. Joshua agrees with Ben Bathyra [that it is invalid] when [slaughtered] under a different designation, since part of it [the day] is fit [eligible]. Hence he informs us [that it is not so]. But surely it is written, At dusk?<sup>27</sup> — Said ‘Ulla the son of R. Ila’i: [That means,] Between two evenings.<sup>28</sup> Then [will you say] that the whole day is fit for the daily offering too, seeing that at dusk<sup>29</sup> is written in connection therewith? — There, since it is written, ‘The one lamb thou shalt offer in the morning’, it follows that ‘at dusk’ is meant literally. Yet say, One [must be offered] in the morning, while the other [may be offered] the whole day? — [Scripture prescribes] one for the morning and not two for the morning. Again, will you say that the whole day is fit for [the lighting of] the lamps, since ‘at dusk’ is written in connection therewith?<sup>30</sup> — There it is different, because it is written, [to burn] from evening to morning,<sup>31</sup> and it was taught: ‘From evening to morning’: Furnish it with its [requisite] measure, so that it may burn from evening to morning. Another interpretation: You have no other [service] valid from evening to morning save this alone.

Now [will you say] in the case of incense too, where ‘at dusk’ is written,<sup>32</sup> that the whole day is fit [for the burning thereof]?-incense is different,

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(1) Tem. 23b.

(2) Yet in fact it is not unfit, which shews that an ad majus argument from the law of a remainder is inadmissible. As R. Eliezer does not answer that in his view it is indeed unfit, Rabbah deduces that he admits that other sacrifices slaughtered as sin-offerings are fit.

(3) Lev. XXII, 15.

(4) Rendering: they shall not profane the holy things (sc. the sacrifices) when they exalt them, i.e. when they offer them as a sacrifice whose sanctity is higher than their own.

(5) V. Glos,

(6) I.e., offered. The verb ‘ירימן’ is imperfect (which they shall exalt) and hence refers to ‘holy things’, which includes terumah (q.v. Glos.), which are yet to be separated from the produce, so that it is all tebel. — For the liability to death (at the hands of Heaven) v. Sanh. 83a.

(7) That the text teaches the former dictum of Simeon the brother of Azariah only.

(8) The root word ‘exalt’ teaches the former, and the future tense teaches the latter.

(9) Does Simeon the brother of Azariah mean that when slaughtered in the name of a higher sacrifice they are fit, yet do not propitiate, i.e., they do not acquit their owner of their obligation; but if slaughtered in the name of a lower sacrifice they are completely unfit? In that case he agrees with the first Tanna as far as the former instance is concerned, and disagrees only in respect of the latter. Or does he mean in the former instance that they also propitiate? If so, he disagrees with the first Tanna in respect of the former too, the first Tanna holding that they do not propitiate.

(10) Surely not!

(11) Where there is no question of propitiation it means that they are valid but do not propitiate. But where propitiation does apply (sc. in the first clause) they may propitiate too.

(12) By the second clause,

(13) Is that the only purpose of this second clause dealing with the firstling etc.?

(14) V. Infra 89a. It takes precedence because its sanctity is higher.

(15) Sc. our Mishnah.

(16) As part of the order of precedence observed in all sacrifices. Yet the main source of the ruling that the peace-offering enjoys a higher sanctity than the firstling is our own Mishnah.

(17) V. Mishnah 2a.

(18) The Gemara discusses infra why the text uses the singular.

(19) Emended text.

(20) As its head. V. Ber. 27b.

(21) This excludes the burnt-offering.

(22) As being unfit.

- (23) And not the afternoon only. For that very reason he declares it invalid when not slaughtered for its own sake.
- (24) Seeing that if the whole day is the season, there is no point in saying AS IF IT HAD BEEN SLAUGHTERED IN THE AFTERNOON.
- (25) On his view it is pertinent, since he holds that only the afternoon is its season.
- (26) According to Ben Bathyra it is valid, while in R. Joshua's view it is invalid.
- (27) Ex. XII, 6. How then can R. Oshaia maintain that the whole day is the proper time?
- (28) This being the literal meaning of the Hebrew **בֵּין הָעֶרְבִים**. I.e., between the evening of the fourteenth (which he counts as until dawn) and the evening of the fifteenth, hence the whole day of the fourteenth.
- (29) Ibid. XXIX, 39.
- (30) Ibid, XXX, 8.
- (31) Ibid, XXVII, 21.
- (32) Ibid. XXX, 8, — the same text as that quoted for the lamps.

## Talmud - Mas. Zevachim 12a

because it is likened to lamps.<sup>1</sup> But there too it is written, There thou shalt sacrifice the Passover-offering at even [ba-'ereb]?<sup>2</sup> — That comes to teach deferment. For it was taught: Let that in connection with which ba-'ereb [at even] and ben ha-'arbayim [between the evenings]<sup>3</sup> are said be deferred after that in connection with which ben ha-'arbayim alone is said.<sup>4</sup> Now can there be a case where if he slaughtered it in the morning you say that it is its proper time, yet when afternoon arrives you say that it should be deferred?<sup>5</sup> — Yes, for surely R. Johanan said: The halachah is that one must recite the minhah [afternoon] service and then recite the additional service.<sup>6</sup>

Now, what is the purpose of 'ben ha-'arbayim' [at dusk] written in connection with incense and lamps?<sup>7</sup> Furthermore, [it was taught:]<sup>8</sup> Rabbi rebutted the words of R. Joshua on Ben Bathyra's view: That is not so,<sup>9</sup> If you speak of the thirteenth, where no part of it is fit, will you speak [thus] of the fourteenth, where part of it is fit? Now if this is correct,<sup>10</sup> then the whole of it is fit!<sup>11</sup> — Rather said R. Johanan: Ben Bathyra declared unfit a Passover-offering which one slaughtered in the morning of the fourteenth, whether in its own or in a different name, since part of it is fit [for the slaughtering].<sup>12</sup> R. Abbahu sneered at this view: If so, how is it possible on Ben Bathyra's ruling for a Passover-offering to be fit?<sup>13</sup> If one separates it now, it is rejected ab initio; while if one separated it yesterday, it was eligible and rejected!<sup>14</sup> — Rather said R. Abbahu: It must be [that he separated it] after midday.<sup>15</sup> Abaye said: You may even say [that one separates it] in the morning, [because the disqualification of] prematureness does not apply to the same day.<sup>16</sup> R. Papa said: You may even say [that one separates it] the [previous] evening:<sup>17</sup> prematureness does not apply to the night. For R. Ishmael taught: On the night of the eighth day it enters the fold to be tithed.<sup>18</sup> And [this is] in accordance with R. Afortiki. For R. Afortiki pointed out a contradiction, It is written, Then it shall be seven days under its dam;<sup>19</sup> hence on the [following] night it is eligible. Yet it is written, But from the eighth day and thenceforth it may be accepted [for an offering],<sup>19</sup> whence it follows that it was not eligible the [previous] evening. How is this [to be reconciled]? The night for sanctification and the day for acceptance.<sup>20</sup>

R. Zera asked R. Abbahu: Must we say that R. Johanan holds that live animals can be [permanently] rejected?<sup>21</sup> — Even so, replied he. For R. Johanan said: [With regard to] an animal belonging to two partners; if one [of them] dedicates half, and then purchases [the other] half and dedicates it, it is holy, yet cannot be offered up;<sup>22</sup> and it establishes [the sanctity of] a substitute,<sup>23</sup> and the substitute is as itself.<sup>24</sup> This proves three things: that live animals may be rendered [permanently] rejected;<sup>25</sup> that which is rejected ab initio is rejected;<sup>26</sup> and

(1) Since 'at dusk' refers to both, as stated in the preceding note.

(2) Deut. XVI, 6.

(3) E.V. at dusk,

- (4) In connection with the Passover-offering both expressions are used (Ex. XII, 6; Deut. XVI, 6), while in connection with the daily-offering one only is stated (Num. XXVIII, 4). Hence the former is sacrificed after the latter.
- (5) Until after the afternoon daily offering.
- (6) On the Sabbath, festivals and New Moon there are three services, the morning service, the additional service and the afternoon service in that order (beside the evening service, which is recited the previous evening). The additional service must commence before the time of the afternoon service, which is from half an hour after noon until dusk. If one had not recited it by then, he must give precedence to the afternoon service. This is exactly analogous to our own case.
- (7) Since its meaning must be elucidated through another text (supra 11b).
- (8) In objection to R. Oshaia.
- (9) Sc. that it is as though it was slaughtered on the thirteenth.
- (10) That Ben Bathyra holds that the whole of the fourteenth is the proper time.
- (11) And not only part!
- (12) If slaughtered in its own name, it is invalid because the proper time is the afternoon. If not in its own name, it is invalid because part of that day is the proper time for it, and hence the law on 2a applies.
- (13) Even if it is slaughtered at the proper time (in the afternoon of the fourteenth) and in its own name,
- (14) If one separates the animal for a Passover-offering on the morning of the fourteenth, it is fit for nothing at all then, neither for a Passover-offering nor for a peace-offering. Thus from the very beginning it is ineligible (technically 'rejected'), and R. Johanan holds infra that in such circumstances it can never be eligible again, even if conditions subsequently alter. Again, if one separated it the previous day, it was then eligible for a peace-offering, but on the following morning it was 'rejected' (became ineligible), and in the view of all Rabbis it then remains permanently rejected.
- (15) When it is actually eligible. — The answer is obvious, and R. Abbahu's objection is probably only rhetorical, as a means of expressing the opinion that according to Ben Bathyra as interpreted by R. Johanan the animal cannot be separated for the Passover-offering until the afternoon,
- (16) Where an animal becomes eligible for a particular purpose during the day, the earlier part of the same day is not regarded as premature, in the sense discussed here.
- (17) Which is also the fourteenth of Nisan.
- (18) An animal cannot be sacrificed before it is eight days old, and for the same reason when animals are to be tithed it does not enter the fold for the purpose. Yet if the tithing is taking place on the night of the eight day (it will be eight days old the next day) it does enter. This proves that prematureness does not apply to the night.
- (19) Lev. XXII, 27.
- (20) It can be sanctified on the night of the eighth but not 'accepted'. i.e., sacrificed, until the following day.
- (21) V. following notes. For otherwise you need not answer that one separates it after midday.
- (22) Since it was not fit for offering originally, as the half belonging to the other partner was as yet secular. Hence it must now be sold, and an animal purchased with the money and sacrificed,
- (23) The reference is to Lev. XXVII, 33: neither shall he change it (a consecrated animal): and if he change it, then both it and the change thereof shall be holy. Thus here, if one substitutes another animal for this one, the substitute too is holy.
- (24) It may not be sacrificed, but must be sold.
- (25) As here: the animal having been tendered ineligible when dedicated, since half remained secular, it remains so even when the other half too is dedicated. There is an opposing view that only a dead animal can become permanently ineligible, V. Yoma 64a.
- (26) This animal was not eligible for dedication by a single partner from the very outset.

## Talmud - Mas. Zevachim 12b

that rejection applies to monetary sanctity.<sup>1</sup>

'Ulla said in R. Johanan's name: If one ate heleb<sup>2</sup> and set aside a sacrifice,<sup>3</sup> then apostatized, yet subsequently retracted, since it was [once] rejected,<sup>4</sup> it remains rejected. It was stated likewise: R. Jeremiah said in R. Abbahu's name in R. Johanan's name: If a man ate heleb, set aside an offering, became insane and then regained his sanity, since it [the offering] was [once] rejected, it remains so.<sup>5</sup>

Now both rulings are necessary. For had he informed us of the first only, [you might have said that] the reason is that he made himself ineligible [to offer a sacrifice] with his own hands; but in the latter case where he was involuntarily disqualified, he is [merely] as one who fell asleep.<sup>6</sup> Again, had he informed us the latter case only, you might argue that the reason is because his recovery is not dependent on himself; but in the former case [apostasy] it is not so, since it lies with him to retract — Thus both are required.

R. Jeremiah asked: If one ate heleb, set aside a sacrifice, then the Beth din<sup>7</sup> ruled that heleb is permitted, yet subsequently they retracted, what is the law? Does this constitute [permanent] rejection<sup>8</sup> or does it not constitute [permanent] rejection? Said a certain old man to him: When R. Johanan commenced [his rulings] on rejected [sacrifices], he commenced with this very case.<sup>9</sup> What is the reason? There<sup>10</sup> the person was disqualified, but the sacrifice was not rejected<sup>11</sup>; whereas here the sacrifice too became rejected.<sup>12</sup> SAID SIMEON THE SON OF AZZAI: I HAVE A TRADITION FROM THE MOUTH OF SEVENTY-TWO ELDER[S], etc. Why does he state, SEVENTY-TWO ELDER[S]?<sup>13</sup> — Because they all held this view unanimously.<sup>14</sup>

BEN AZZAI ADDED ONLY THE BURNT-OFFERING. R. Huna said: What is Ben 'Azzai's reason? — It is a burnt-offering, an offering made by fire, of a sweet savour unto the Lord:<sup>15</sup> 'it is' implies that [when it is slaughtered] in its own name it is valid; when not in its own name, it is invalid. But 'it is' is written in the case of the guilt-offering too? — That is written after the burning of the emurim.<sup>16</sup> But in this case too it is written after the burning of the emurim? — 'It is' is written twice [in connection with the burnt-offering].<sup>17</sup> Yet 'it is' is written twice in the case of the guilt-offering too?<sup>18</sup> — Rather, Ben 'Azzai infers it a fortiori: If a sin-offering is invalid when one slaughters it under a different designation, though it is not entirely burnt, how much the more is a burnt-offering [invalid in such circumstances], seeing that it is entirely burnt — As for the sin-offering, [it may be argued] the reason is that it makes atonement! Then let the Passover-offering prove it. As for the Passover-offering, the reason is because its time [for slaughtering] is fixed! Then let the sin-offering prove it. And thus the argument revolves: the feature peculiar to the one is not that peculiar to the other, and the feature peculiar to the other is not that peculiar to the first. Their common characteristic is that they are sacred sacrifices, and if one slaughters them under a different designation they are invalid; so will I adduce the burnt-offering too, which is a sacred sacrifice, and if one slaughters it for a different purpose, it is invalid. [No:] their common feature is that an aspect of kareth is involved in them!<sup>19</sup> — Ben 'Azzai

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(1) This animal was sanctified from the very outset only for its value. i.e., that the money for which it would be sold should be expended for a sacrifice; nevertheless it becomes permanently ineligible for the altar. This excludes the possible view that only an animal that was fit in the first place to be dedicated to the altar can be rendered permanently ineligible.

(2) Forbidden fat. V. Glos.

(3) For atonement, v. Lev. IV, 27-28.

(4) For sacrifices are not accepted from apostates, cf. Hul. 5b.

(5) An insane person cannot offer.

(6) When he had to sacrifice. This gap in his intelligent consciousness does not of course permanently disqualify him.

(7) V. Glos.

(8) For when they ruled that heleb is permitted, the sacrifice became rejected, since a sin-offering can be brought only when one is liable.

(9) Teaching that it is permanently rejected.

(10) In the cases of apostasy and insanity.

(11) The animal separated still belonged to the category of sin-offerings, save that its owner was not fit to bring it.

(12) Hence it follows a minori that it remains rejected.

(13) In the singular.

(14) Sh. M. emends: they were all present at the same sitting (when they stated this). This apparently is Rashi's reading

too.

(15) Lev. I, 17.

(16) V. supra, 5b for notes.

(17) The one already quoted, and the other in Ex. XXIX, 18. Though there too it is after the burning of the emurim, yet since its teaching is unnecessary in that respect, as one text is sufficient for that, you must apply its teaching as intimating that when not slaughtered in its own name it is unfit,

(18) Lev. V, 19 and VII, 5.

(19) V. supra 10b p 49. n. 2.

## **Talmud - Mas. Zevachim 13a**

does not admit the refutation of kareth.<sup>1</sup> Then let him adduce the guilt-offering too?<sup>2</sup> — The feature common to both is that they apply to the whole community as to an individual,<sup>3</sup> Alternatively he does admit the refutation of kareth, but Ben 'Azzai had a tradition.<sup>4</sup> And when R. Huna said [that he inferred it] afortiori, he said this only in order to sharpen his disciples.<sup>5</sup>

MISHNAH. IF ONE SLAUGHTERED THE PASSOVER-OFFERING OR THE SIN-OFFERING NOT IN THEIR OWN NAME, [AND] HE RECEIVED [THE BLOOD], WENT [WITH IT], AND SPRINKLED [IT] NOT IN THEIR OWN NAME, OR IN THEIR OWN NAME AND NOT IN THEIR OWN NAME, OR NOT IN THEIR OWN NAME AND IN THEIR OWN NAME,<sup>6</sup> THEY ARE DISQUALIFIED. HOW IS 'IN THEIR OWN NAME AND NOT IN THEIR OWN NAME' MEANT? — IN THE NAME OF THE PASSOVER-SACRIFICE [FIRST] AND [THEN] IN THE NAME OF A PEACE-OFFERING. 'NOT IN THEIR OWN NAME AND IN THEIR OWN NAME' [MEANS] IN THE NAME OF A PEACE-OFFERING [FIRST] AND [THEN] IN THE NAME OF THE PASSOVER-OFFERING. FOR A SACRIFICE CAN BE DISQUALIFIED AT [ANY ONE OF] THE FOUR SERVICES: SLAUGHTERING, RECEIVING, CARRYING AND SPRINKLING. R. SIMEON DECLARES IT VALID IN THE CARRYING, BECAUSE HE ARGUED: [THE SACRIFICE] IS IMPOSSIBLE WITHOUT SLAUGHTERING, WITHOUT RECEIVING AND WITHOUT SPRINKLING, BUT IT IS POSSIBLE WITHOUT CARRYING. [HOW SO]? ONE SLAUGHTERS IT AT THE SIDE OF THE ALTAR AND SPRINKLES [ FORTHWITH].<sup>7</sup> R. ELIEZER SAID: IF ONE GOES WHERE HE NEEDS TO GO, AN [ILLEGITIMATE] INTENTION DISQUALIFIES [IT]; WHERE HE NEED NOT GO, AN [ILLEGITIMATE] INTENTION DOES NOT DISQUALIFY [IT].<sup>8</sup>

GEMARA. Does then receiving disqualify? Surely it was taught: And they shall present:<sup>9</sup> this refers to the receiving of the blood. You say, This refers to the receiving of the blood: yet perhaps it is not so, but rather it means the sprinkling? When it says, And they shall dash [the blood],<sup>10</sup> lo, sprinkling is stated, hence to what can I apply, 'And they shall present'? It must refer to the receiving of the blood. Aaron's sons, the priests<sup>10</sup> [teaches] that [these services] must be performed by a legitimate priest<sup>11</sup> [robed] in priestly vestments.<sup>12</sup> Said R. Akiba: How do we know that receiving must be performed by none but a legitimate priest [robed] in priestly vestments? 'Aaron's sons' is stated here, while elsewhere it says, These are the names of the sons of Aaron, the priests that were anointed:<sup>13</sup> as there it refers to legitimate priest[s] [robed] in priestly vestments,<sup>14</sup> so here too it means by a legitimate priest [robed] in priestly vestments. R. Tarfon observed: May I lose my sons if I have not heard a distinction made between receiving and sprinkling, yet I cannot explain [what it is]! Said R. Akiba: I will explain it. In the case of receiving intention was not made tantamount to action, whereas in the case of sprinkling intention was made tantamount to action.<sup>15</sup> [Again] if one received [the blood] without [its proper precincts], he is not liable to kareth, whereas if one sprinkles [it] without, he is punished with kareth. If unfit men received it,<sup>16</sup> they are not liable on its account, if unfit men sprinkled it, they are liable on its account. Said R. Tarfon to him, By the [Temple] service! You have[not] deviated to the right or the left!<sup>17</sup> I heard [it] yet could not explain it, whereas you investigate it and agree with [my] tradition. In these words he addressed him:



‘Akiba! whoever departs from thee is as though he departed from life!’ — Said Raba: There is no difficulty: the one refers to an intention of piggul,<sup>18</sup> while the other [our Mishnah] refers to an intention for the sake of something else. This too may be proved, because it teaches, FOR A SACRIFICE CAN BE DISQUALIFIED, but it does not teach, ‘For a sacrifice becomes piggul’. This proves it.

Now, does not an intention of piggul disqualify it [the sacrifice] at the receiving? Surely it was taught: You might think that an intention [of piggul] is effective only at the sprinkling; whence do we know to include slaughtering and receiving? From the text, And if any of the flesh of the sacrifice of his peace-offerings be at all eaten on the third day, it shall not be accepted. . . it shall be an abhorred thing [piggul];<sup>19</sup> Scripture treats of the services which lead to eating.<sup>20</sup> You might think that I also include the pouring out of the residue [of the blood] and the burning of the emurim; therefore it states, . . . on the third day, it shall not be accepted, neither shall it be imputed unto him that offereth it.<sup>21</sup> Now sprinkling was included in the general statement,<sup>22</sup> and why was it singled out? That an analogy therewith might be drawn, intimating: as sprinkling is a service and is indispensable for atonement, so every [act which is a] service and is indispensable for atonement [is included]; thus the pouring out of the residue and the burning of the emurim are excluded, since these are not indispensable for atonement!<sup>23</sup>

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(1) Because it does not feature in the same way in both of them. For the sin-offering is brought for a sin of commission which involves kareth, whereas it is the omission to bring the Passover-offering that entails kareth.

(2) That it is invalid when slaughtered under a different designation, by the same analogy. V. supra 10b, where the analogy is proposed but rejected because kareth is not involved in the guilt-offering. Since, however, Ben Azzai does not admit that this is a refutation, the analogy stands.

(3) A sin-offering may be incurred by the whole community, just as by an individual, v. Lev. IV. The Passover-offering too, though brought by individuals, is a communal (public) sacrifice, since the whole community must bring one (Yoma 51a). But a guilt-offering is never brought by the whole community.

(4) In respect of the burnt-offering, as stated in the Mishnah. Hence he does not infer it a fortiori at all.

(5) Challenging them, as it were, to find the fallacy in his statement.

(6) I.e., one of the services was for its own sake and another was for a different purpose, in the order stated.

(7) Where it is straightway sprinkled. Since then the blood may not be carried at all, the sacrifice cannot be disqualified if it is carried for a different purpose.

(8) The Gemara discusses this.

(9) Lev. I, 5.

(10) Ibid.

(11) Which excludes one of profaned birth, e.g., the issue of a divorced woman, and one suffering from a physical blemish or defect; v. Lev. XXI, 7, 17.

(12) Lit., ‘service vessels’ (here, robes). ‘The priests’ implies that they must be vested as priests.

(13) Num. 111,3.

(14) Legitimate, since Nadab and Abihu, Eleazar and Ithamar, Aaron's sons, are enumerated (v. 2). ‘Robed in priestly vestments’ is deduced from the end of the verse: whom he consecrated to minister in the priest's office; cf. Lev. XXI, 10: and that is consecrated to put on the garments.

(15) The reference is to illegitimate intention and action. An illegitimate intention is now assumed to mean an intention to receive the blood in the name of a different sacrifice or to eat of its flesh after the permitted time, which would render it piggul (q.v. Glos.). Thus an illegitimate intention at the receiving of the blood does not disqualify, which contradicts the view in the Mishnah. — The difficulty is answered at the end of the discussion.

(16) E.g., lay Israelites or intoxicated priests.

(17) You have stated exactly what I heard, but had forgotten.

(18) Such an intention does not disqualify at the receiving.

(19) Lev. VII, 18.

(20) I.e. which permit the consumption of the flesh; these include receiving.

(21) ‘Accepted’ is understood to refer to the sprinkling, which makes the sacrifice acceptable.

(22) I.e., as one of the services which 'lead to eating'.

(23) Hence the intention of piggul at the reception of the blood does disqualify it,

## Talmud - Mas. Zevachim 13b

— There is no difficulty:<sup>1</sup> In the one case it means that he declared, 'Lo, I slaughter [this sacrifice] with the intention of receiving its blood to-morrow while in the other case it means that he declared, 'Lo, I receive the blood with the intention of pouring out its residue to-morrow'.<sup>2</sup>

One of the Rabbis said to Raba: Now does not intention disqualify at the pouring out of the residue and the burning of the emurim? Yet surely it was taught: You might think that intention is effective only in connection with the eating of the flesh. Whence do we know to include the pouring out of the residue and the burning of the emurim? From the text, And if [any of the flesh. . .] be at all eaten [on the third day . . . it shall be an abhorred thing]:<sup>3</sup> Scripture refers to two eatings, viz., eating by man and eating by the altar.<sup>4</sup> There is no difficulty:<sup>5</sup> In the one case he declares, 'Lo, I sprinkle [the blood] with the intention of pouring out the residue to-morrow';<sup>5</sup> in the other he declares, 'Lo, I pour out the residue with the intention of burning the emurim to-morrow'.<sup>6</sup>

R. Judah the son of R. Hiyya said: I have heard that the dipping of the finger [in the blood]<sup>7</sup> renders [a sacrifice] piggul in the case of an inner sin-offering.<sup>8</sup> Ilfa heard this and reported it before Bar Padda. Said he: Do we learn piggul from ought else but from a peace-offering?<sup>9</sup> Then as the dipping of the finger does not render a peace-offering piggul,<sup>10</sup> so in the case of a sin-offering too, the dipping of the finger does not render piggul. But do we really learn everything from a peace-offering? If so, [then reason thus:] as [a service] in the name of a different sacrifice does not free a peace-offering from piggul, so [a service] in the name of a different sacrifice does not free a sin-offering from piggul.<sup>11</sup> What then can you say? That it is deduced from the extension implied in Scriptural texts;<sup>12</sup> and so here too it is deduced from the extension implied in the Scriptural texts.<sup>13</sup>

R. Joshua b. Levi said: In this upper chamber I heard that the dipping of the finger renders piggul. Thereat R. Simeon b. Lakish wondered: Do we learn piggul from ought else but from the peace-offering? Then as the dipping of the finger does not render the peace-offering piggul, so in the case of the sin-offering too, the dipping of the finger does not render it piggul. But do we then really learn everything from the peace-offering? If so, [then reason thus:] as [a service] in the name of a different sacrifice does not free a peace-offering from piggul, so [a service] in the name of a different sacrifice does not free a sin-offering from piggul? — Said R. Jose b. Hanina: Yes, indeed, we really learn everything from the peace-offering: since [the intention to consume it] without its precincts disqualifies a peace-offering, while [performing a service] for the sake of something else disqualifies a sin-offering, then as [the intention to consume it] without its precincts, which disqualifies the peace-offering, frees it from piggul, so [performing a service] for the sake of something else, which disqualifies the sin-offering, frees it from piggul. R. Jeremiah observed: The refutation [of this analogy] is at its side.<sup>14</sup> As for [the intention of consuming it] without its precincts, which disqualifies a peace-offering, [it frees it from piggul] because it operates [as a disqualification] in all sacrifices; will you say [the same of performing a service] for the sake of something else, which operates in the case of the Passover-offering and the sin-offering only? Rather, what must you say?<sup>15</sup> That that which disqualifies it [a peace-offering] frees it from piggul, while that which is indispensable for it renders it piggul;<sup>16</sup> so here too that which disqualifies it [the sin-offering] frees it from piggul, while that which is indispensable to it<sup>17</sup> renders it piggul.<sup>18</sup>

R. Mari said, We too have learned likewise: This is the general principle: Whoever takes the fistful [of the meal-offering], places it in the utensil, carries it [to the altar] or burns it [thereon] [renders it piggul].<sup>19</sup> Now as for taking the fistful, it is well [that this effects piggul, as] it corresponds to slaughtering; carrying [the fistful] corresponds to carrying [the blood]; burning [it]

corresponds to sprinkling. But to what does putting [the fistful] into a utensil correspond? Shall we say that it is similar to receiving: is it then similar? There it is automatic,<sup>20</sup> whereas here he takes it himself and places it [in the utensil]. But since you cannot dispense with placing it [in the utensil],<sup>21</sup> you must say that it is an important service;<sup>22</sup> so here too, since one cannot dispense with it<sup>23</sup> you must say that it is [part of] carrying [the blood to the altar]! — No: in truth it is similar to receiving, and as to your objection: There it is automatic whereas here he takes it himself and places it [in the utensil, the answer is:] since both are [instances of] placing in a utensil, what does it matter whether it is automatic or whether he personally takes and places it [there]?

Shall we say that it is a controversy of Tannaim?<sup>24</sup> For one [Baraita] taught: The dipping of the finger renders a sin-offering piggul; while another taught: It does not effect piggul, nor does it become piggul.<sup>25</sup> Surely then it is a controversy of Tannaim! — No: one agrees with our Rabbis and the other agrees with R. Simeon.<sup>26</sup> If R. Simeon, why particularly the dipping of the finger? Surely he said,

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(1) So Rashi. Cur. edd.: ‘Rather (answer thus)’.

(2) Both may be styled intentions of piggul at the receiving of the blood, yet they are obviously different intentions; the former does not disqualify the sacrifice, whereas the latter does,

(3) The emphatic ‘be at all eaten’ is expressed in the original by doubling the verb, which in Talmudic exegesis denotes extension.

(4) Sprinkling the blood and pouring out its residue at the foot of the altar are regarded as the eating of the altar. Thus in connection with these too, an illegitimate intention renders the sacrifice piggul, which contradicts the previous statement.

(5) Then the sacrifice becomes piggul, since it was his intention to give the altar its food on the morrow, which is after its appointed time.

(6) This does not render it piggul, since the wrongful intention was not at one of the four services.

(7) V. Lev, IV, 6: And the priest shall dip his finger in the blood, and sprinkle of the blood etc.

(8) One sacrificed at the inner altar. If he dipped his finger in the blood with the intention of burning the emurim the next day, the sacrifice becomes piggul.

(9) The law of piggul is expressly written only in connection with the peace-offering, whence we extend the law to other sacrifices.

(10) Since there is no dipping of the finger in the case of a peace-offering, the blood being dashed on the altar direct from the utensil. Since it is not a statutory service, it cannot render the sacrifice piggul even if it is done.

(11) It is stated infra 28b that if a sacrifice is slaughtered with the intention of consuming it after its prescribed period, which renders it piggul, it remains piggul only if the subsequent services (receiving, carrying and sprinkling), which are technically designated the *mattirin* (q.v. Glos) are performed without any other intention which would disqualify it in any case. Now if one slaughtered a peace-offering with the intention of consuming it after its prescribed period, thus rendering it piggul, and then performed the subsequent services in the name of a different sacrifice, it remains piggul, since this change of name does not disqualify a peace-offering. A sin-offering in like circumstances ceases to be piggul, since change of name does disqualify it, (Though the flesh of course remains forbidden, it is not forbidden as piggul, so that eating it does not render one liable to *kareth*.) But if piggul of other sacrifices were completely analogous to piggul of a peaceoffering, as Bar Padda's objection implies, then the sin-offering too should not be free from piggul.

(12) The extension of piggul to other sacrifices is effected not by analogy with the peace-offering, but from extending particles in the text; hence the conditions of freeing it from piggul need not be the same. By the same reasoning the conditions for making it piggul need not be the same.

(13) Hence though there is no piggul at the dipping of the finger in the case of the peace-offering, there is in the case of the sin-offering.

(14) Obvious and inherent.

(15) If you insist on retaining a complete analogy with the sin-offering.

(16) If performed with a piggul intention.

(17) Which excludes the dipping of the finger.

(18) Thus the analogy is complete in its principles, though the detailed application of these principles varies according to the individual laws of the various sacrifices.

- (19) If he performs one of these services with the intention of consuming the rest or burning the fistful on the morrow. — The burning of the fistful corresponds to the sprinkling of the blood of an animal sacrifice.
- (20) It naturally drops into the basin.
- (21) I.e., it is a necessary part of the service.
- (22) It is a definite service in that an illegitimate intention thereat effects piggul.
- (23) Sc. the dipping of the finger.
- (24) Whether it is analogous to receiving the blood or to carrying the blood.
- (25) It does not effect piggul, if the priest dipped his finger with the intention of burning the emurim the next day; and it does not become piggul, if he slaughtered or received the blood with the intention of dipping the finger on the morrow.
- (26) All agree that it is part of carrying, but the ruling that it does not render it piggul is in accordance with R. Simeon in our Mishnah that there can be no piggul at the carrying.

## Talmud - Mas. Zevachim 14a

Whatever is not [offered] on the outer altar, like the peace-offering, is not subject to piggul?<sup>1</sup> — Rather, both agree with the Rabbis,<sup>2</sup> yet there is no difficulty: the one refers to outer sin-offerings, while the other refers to the inner sin-offerings.<sup>3</sup> As for the outer sin-offerings, it is obvious, since ‘and he shall dip’ is not written in connection therewith? — It is necessary [to teach it]: One might argue, since ‘and he shall take’ is written,<sup>4</sup> and if an ape came and placed [the blood] thereon [his finger], he [the priest] must take it again, it is as though ‘and he shall dip’ were written.<sup>5</sup> Therefore he informs us that for that very reason ‘and he shall dip’ is not written, so that it may imply the one and imply the other.<sup>6</sup>

R. SIMEON DECLARES IT FIT IN THE CARRYING. R. Simeon b. Lakish said: R. Simeon agrees that an [illegitimate] intention disqualifies at the carrying [of the blood of] the inner sin-offerings, because it is a service which cannot be omitted,<sup>7</sup> But R. Simeon said: Whatever is not [offered] on the outer altar, like the peace-offering, does not entail liability on account of piggul?<sup>8</sup> — Said R. Joseph son of R. Hanina: He agrees that it disqualifies it,<sup>9</sup> a minori: If [offering] for the sake of something else disqualifies a sin-offering, though it is valid in the case of a peace-offering; is it not logical that [the intention of consuming it] after time disqualifies a sin-offering, Seeing that it disqualifies in the case of a peace-offering?<sup>10</sup>

We have thus found [that the intention of consuming it] after time [disqualifies it]. How do we know that [the intention to eat it] without its precincts [disqualifies]?<sup>11</sup> If [you would learn it] from after time [by analogy], [you may refute it:] as for after time, that is because [it involves] kareth.<sup>12</sup> If from [sacrificing] for the sake of something else, that is because it operates at the bamah?<sup>13</sup> — Where does [sacrificing] for the sake of something else operate [as a disqualification]? [You must say] in the case of the Passover-offering and the sin-offering; and the Passover-offering and the sin-offering were not sacrificed at the bamah!<sup>14</sup> Alternatively, It is a Scriptural analogy, [for And if any of the flesh of the sacrifice of his peace-offerings be at all eaten] on the third [day]<sup>15</sup> refers to [the disqualification of] after time, while it shall be an abhorred thing [piggul]<sup>16</sup> [refers to the intention of eating it] without its precincts.<sup>17</sup>

Raba said: If you will say that R. Simeon agrees with his son, who maintained, Between the ulam<sup>18</sup> and the altar is north, [R. Simeon will then hold that] an [illegitimate] intention is effective in the case of the carrying [of the blood] of inner sin-offerings only from within the entrance of the ulam.<sup>19</sup> And if you will say that [R. Simeon] agrees with R. Judah who maintained: The [whole of the] inner part of the Temple court is sanctified; [he will then hold that] an [illegitimate] intention is effective during the passage of the removal of the incense dishes only from the entrance of the hekal and without.<sup>20</sup> Again, if you will say that he holds that the sanctity of the hekal and that of the ulam is one, [then] an [illegitimate] intention is effective only from the entrance of the ulam and without.<sup>21</sup> And if you will say that within the entrance is as within [the hekal]; then an [illegitimate] intention is

not effective even for one step save within the stretching out of his [one's] hand.<sup>22</sup> But if you will say that he holds that carrying without [using] the foot is not called carrying, then an [illegitimate] intention is not effective at all.

Abaye said to R. Hisda's amora:<sup>23</sup> Ask R. Hisda, what of carrying by a lay-Israelite [zar]? — It is valid, he replied, and a Scriptural text supports me: And they killed the Passover lamb, and the priests dashed [the blood, which they received] of their hand, and the Levites flayed them.<sup>24</sup> R. Shesheth objected: A zar, an onen,<sup>25</sup>

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(1) While we are now discussing the inner sin-offerings.

(2) Who maintain that there is piggul at the carrying of the blood.

(3) In the former case the dipping of the finger does not effect piggul, because Scripture does not say that the priest must dip his finger in the blood, but merely that he must take of the blood with his finger, which taking means the receiving of the blood (cf. infra 48a).

(4) Lev. IV, 30.

(5) Since we interpret 'he shall take' in the sense that he must personally take the blood from the utensil, which is impossible without dipping his finger into it,

(6) By not saying 'and he shall dip' Scripture intimates that the dipping is not a service on a par with the other services, and so it is not subject to piggul. At the same time 'and he shall take' definitely implies that the priest personally must do this, which is in fact dipping.

(7) Because it is unusual to slaughter it in the hekal (the inner sanctuary). Hence it is slaughtered in the Temple court and the blood carried to the horns of the inner altar in the hekal. Consequently R. Simeon's argument in the Mishnah does not apply here.

(8) For eating its flesh,

(9) Though one does not incur kareth, which is the penalty for eating piggul.

(10) It will disqualify both the outer and the inner sin-offerings.

(11) In the case of the inner sin-offerings.

(12) V. p. 71, n. 9.

(13) V. Glos. Slaughtering for a different purpose is a disqualification of a sacrifice offered on a private bamah, when such was permitted. But slaughtering it without its precincts did not disqualify.

(14) For only votive sacrifices were offered at the bamah, which excludes these two. Hence the refutation falls to the ground.

(15) Lev. VII, 18.

(16) Ibid.

(17) Scripture, by including them both in the same verse, assimilates them to each other and makes the same law apply to both. In such a case the analogy cannot be rebutted even when there is a point of dissimilarity.

(18) Lit., 'porch', 'entrance', 'hall'. The hall leading to the interior of the Temple.

(19) A sin-offering must be slaughtered in the north (infra Ch. V.). Now it is possible for R. Simeon to agree with his son (infra 20a) that the northern part of the Temple court ('azarah) between the ulam and the altar, though actually to the west of the altar, and therefore one cannot apply to it the Scriptural injunction, And he shall kill it on the side of the altar northward before the Lord (Lev. 1, 11), is nevertheless 'north' in respect of sacrifices of the higher sanctity. The reason for his view in the Mishnah on 13a is that he holds an illegitimate intention expressed during the passage of the blood from the place of slaughtering to the ulam is disregarded, since this passage could altogether have been avoided by slaughtering at the entrance of the ulam. But if he agreed with R. Jose that the sacrifice must be slaughtered actually between the northern side of the altar and the northern wall of the Temple court, the passage of the blood would be an indispensable service, and therefore an illegitimate intention during that passage would disqualify it.

(20) The hekal is the 'Holy', the hall containing the golden altar etc., contrad. to the Holy of Holies (Jast.). The reference is to the burning of the shew-bread incense, in virtue of which the shewbread was permitted to be eaten, in the same way as the sprinkling of the blood permits the flesh of the sacrifice; consequently it is on a par therewith and the same law applies to both, Now, if R. Simeon holds that the whole of the inner part of the Temple court is sanctified, so that the incense can be burnt there and not necessarily at the altar only, it follows that its carriage to the altar is not an essential act, and therefore an illegitimate intention does not render the shewbread piggul.

(21) I.e., only at the five cubits of the thickness of the wall of the ulam. For the intention is not effective within the ulam itself, since that is as the inner part, nor is it effective without the entrance, since the shewbread incense can be burnt there.

(22) He stands at the entrance of the ulam and stretches out his hand to the pavement; an illegitimate intention during that action is effective,

(23) V. Glos.

(24) II Chron. XXXV, 11. Thus the priests were only required for the sprinkling, but the blood was brought to them (which is the carrying) by those who slaughtered the sacrifice, these being zarim.

(25) V. Glos.

## Talmud - Mas. Zevachim 14b

one who is intoxicated and one who is [physically] blemished are unfit to receive [the blood], carry [it] and sprinkle [it], and the same applies to one who is sitting and to [the performance of these by] 'the left hand. This is indeed a refutation! But R. Hisda quotes a text? — It means that he [the zar] served as a [mere] post.<sup>1</sup>

Rabbah and R. Joseph both maintained: Carriage by a zar is a [subject of] controversy between R. Simeon and the Rabbis. [According to] R. Simeon who says that a [Temple] service which can be dispensed with is not a service, [carriage] by a zar is valid. But according to the Rabbis it is invalid. Said Abaye to them: But slaughtering is a service which cannot be dispensed with, and yet it is valid [when done] by a zar? — Slaughtering is not a service, he replied.<sup>2</sup> Is it not? Surely R. Zera said in Rab's name: The slaughtering of the [red] heifer by a zar is invalid; and R. Papa<sup>3</sup> observed thereon: [The reason is because] 'Eleazar' and 'Statute' are written in connection with it.<sup>4</sup> — The [red] heifer is different, because it is of the holy things of the Temple repair.<sup>5</sup> But does it not follow a fortiori: it is a service in the case of the holy objects of the Temple repair, yet it is not a service in the case of holy objects dedicated to the altar!<sup>6</sup> — Said R. Shisha the son of R. Idi: Let it be analogous to the inspection of [leprous] plagues, which is not a service, and yet requires the priesthood.<sup>7</sup>

Yet the carrying of the limbs to the ascent<sup>8</sup> is a service which can be dispensed with,<sup>9</sup> and yet it is invalid [when done] by a zar, for it is written, And the priest shall offer [bring near] the whole, and make it smoke [burn it] upon the altar,<sup>10</sup> and a Master said: This refers to the carrying of the limbs to the ascent? — Where [Scripture] has revealed [that a priest is required], it has revealed [it], but where [Scripture] has not revealed [it], it has not.<sup>11</sup> But does not [the reverse] follow a fortiori: if the carrying of the limbs to the ascent requires the priesthood, though it is not indispensable to atonement,<sup>12</sup> how much the more [does] the carrying of the blood [require a priest], seeing that it is indispensable to atonement!<sup>13</sup>

It was stated likewise: 'Ulla said in R. Eleazar's name: Carriage by a zar is invalid even according to R. Simeon.

It was asked: Is carriage without [moving] the foot<sup>14</sup> called carriage<sup>15</sup> or not? — Come and hear: And the same applies to one who is sitting and to [the performance of these by] the left hand, [which renders it] invalid. Hence standing similar to sitting<sup>16</sup> is valid! — [No:] perhaps sitting means that he drags himself along, [and then] standing similar to sitting means that he moves slightly.

Come and hear: A [lay-] Israelite slaughtered [the Passover-offering] and a priest received [the blood]; he handed it to his colleague, and his colleague to his colleague!<sup>17</sup> — There too it means that they [the priests] moved slightly. Then what does he [the Tanna] inform us?<sup>18</sup> — That in the multitude of people is the king's glory.<sup>19</sup>

Come and hear: If a fit person received [the blood] and handed it to an unfit one, the latter must

return it to the fit one!<sup>20</sup> — Say, the fit person must go round and take it.<sup>21</sup>

It was stated: ‘Ulla said in R. Johanan's name: Carriage without [moving] the foot is not called carriage.

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- (1) On which the blood was placed. A priest received the blood and gave it to the zar, who held it until another priest took it from him and carried it to the altar. Thus the zar did not carry it himself but was completely passive.
  - (2) Rashi: Since it may be done by all who are otherwise unfit to perform the sacrificial service.
  - (3) Emended text (Bah).
  - (4) Num. XIX, 2 seq.: This is the statute of the law which the Lord hath commanded, saying: Speak unto the children of Israel, that they bring thee a red heifer . . . and ye shall give her unto Eleazar the priest . . . and he shall slaughter her (this is the literal translation, not as E.V.) before his face. Thus the text specifies that Eleazar, viz., a priest, must slaughter, and by referring to it as a ‘statute’ intimates that this is indispensable. This proves that slaughtering is a service.
  - (5) This is the technical term for all objects dedicated to the Temple which cannot be sacrificed.
  - (6) Surely if it is a service in the former case it is all the more so in the latter.
  - (7) And likewise with the red heifer, being of the holy things of the Temple repair, the slaughtering thereof is not deemed in the category of Temple services, and the requirement of a priest is a special feature of the ritual connected therewith,
  - (8) The inclined ascent leading to the altar. — These limbs were carried there for burning.
  - (9) By slaughtering the sacrifice near the altar, and burning the limbs on the spot.
  - (10) Lev. I, 13.
  - (11) Hence according to R. Simeon the carrying of the blood to the altar may not require a priest, notwithstanding that the carrying of the limbs does,
  - (12) Even if the limbs are not burnt at all the purpose of the sacrifice is achieved.
  - (13) Var. lec. add: this is indeed a difficulty.
  - (14) When the blood is merely transferred by hand.
  - (15) So that an illegitimate intention will disqualify the sacrifice, on the view of the Rabbis; and likewise if it is performed by a zar.
  - (16) Viz., standing without moving.
  - (17) This is a description of the sacrifice of the Passover. The priests stood in rows, passing the blood from one to another, until it reached the altar for sprinkling. Thus the blood was carried without the priests moving their feet.
  - (18) In stating that the priests were drawn up in rows.
  - (19) Prov. XIV, 28.
  - (20) Hence carrying without using the feet does not count at all. For otherwise the unfit might simply be regarded as a post on which the fit person had placed the blood, and it would not be necessary for the former to return it to the latter, but simply for another fit person to come and take it.
  - (21) He must go to the other side of the unfit and take it from him. In that case his first carriage definitely counts.

## **Talmud - Mas. Zevachim 15a**

[Now the question arises:] Can this be repaired or can it not be repaired?<sup>1</sup> — Come and hear: If a fit person received [the blood] and handed it to an unfit one, the latter must return it to the fit one. Now, granted that the fit person receives it back, yet if you think that it cannot be repaired, it has [already] been made invalid. [This does not prove anything:] do you think that the lay-Israelite<sup>2</sup> stood within? No: it means that the lay-Israelite stood without.<sup>3</sup> It was stated: ‘Ulla said in R. Johanan's name: Carriage without [moving] the foot is invalid. This proves that it cannot be repaired.

R. Nahman raised an objection to ‘Ulla: If [the blood] was spilled from the vessel on to the pavement, and one [a priest] collected it, it is valid?<sup>4</sup> — The circumstances here are that [the blood] had run outward.<sup>5</sup> Would it run without [only] and not enter within?<sup>6</sup> — [It fell] on sloping ground.<sup>7</sup> Alternatively, [it fell] into a depression.<sup>8</sup> Another alternative is that it [the blood] was thick.<sup>9</sup> But does the Tanna trouble to teach us all these!<sup>10</sup> Moreover, instead of teaching in another chapter, ‘If it

was spilt on to the ground<sup>11</sup> and [the priest] collected it, it is unfit<sup>12</sup>; let him [the Tanna] draw a distinction in that very case,<sup>13</sup> thus: When does this hold good? [Only] if [the blood] ran without; but if it entered within, it is unfit? This is indeed a refutation.

It was stated: Carriage without moving the foot is [the subject of] a controversy between R. Simeon and the Rabbis.<sup>14</sup> In the case of a long carriage all agree that it is unfit; they disagree only in respect of a short carriage.<sup>15</sup> This was ridiculed in the West [Eretz Israel]<sup>16</sup>: if so, as for [the law that] an [illegitimate] intention<sup>17</sup> disqualifies a sin-offering of a bird, how is this possible according to R. Simeon? if [the priest] expressed this intention before the blood issued, it is nothing;<sup>18</sup> if after the blood has issued, then surely the precept has already been performed?<sup>19</sup> — What difficulty is this? perhaps [the priest expressed his intention] between the issuing [of the blood] and its reaching the altar? For surely R. Jeremiah asked R. Zera: What if one was sprinkling, and the sprinkler's hand was cut off before the blood reached the altar air-space? And he answered him, It is invalid. What is the reason? Because it is essential that 'he shall sprinkle' and 'he shall put' [of the blood upon the horns of the altar].<sup>20</sup>

When R. Papa and R. Huna the son of R. Joshua came from [the academy] they stated: This was the [point of their] derision: Do they not differ about a long passage? Surely they differ precisely in respect of a long passage?<sup>21</sup> Rather, all agree that it is not invalid in the case of a short passage;<sup>22</sup> they differ in the case of a long passage.

If a zar carried [the blood],<sup>23</sup> whereupon a priest returned it and then carried it [himself], — the sons of R. Hiyya and R. Jannai disagree. One maintains that it is valid, while the other holds that it is invalid; the former holding that it can be repaired,<sup>24</sup> while the latter holds that it cannot be repaired. If a priest carried [the blood] but returned it and then a zar carried it [to the altar] again, said R. Simi b. Ashi: He who declares it valid [in the previous case], holds [here] that it is invalid; while he who declares it invalid [there], holds [here] that it is valid.<sup>25</sup> Raba said: Even he who declares it invalid [in the previous case], holds that it is invalid [here too]. What is the reason?—Because he is bound

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(1) Do we regard the carriage as simply having been omitted, in which case the blood can be taken back and the carriage performed; or do we regard the carriage as having been performed improperly, thus disqualifying the blood permanently, so that it cannot be repaired, and the sacrifice is consequently invalid?

(2) The unfit person.

(3) Further away from the altar, not nearer to it. Hence the blood had been handed backward, and that certainly does not constitute carriage at all, and it can be repaired. The question under discussion, however, is whether a wrongly performed service can be repaired.

(4) Since it had been originally received in a vessel. Now, he assumed that the blood had run down toward the altar, so that we have a form of carriage without the foot, yet this can be repaired by collecting it.

(5) Away from the altar.

(6) Nearer the altar. Surely the blood would run in all directions!

(7) Sloping away from the altar,

(8) Where it could not run at all in any direction.

(9) Semi-solid, and so could not run.

(10) Would he state a law that holds good in such exceptional circumstances only?

(11) Directly from the animal's throat.

(12) *Infra* 25a.

(13) I.e., where it was spilt from the vessel,

(14) R. Simeon does not regard carriage as a service at all (*v. Mishnah* 13a); hence however it is done it cannot disqualify the sacrifice. The Rabbis, however, do regard it as a service, and therefore if done improperly the sacrifice is disqualified.

(15) I.e., when the animal is slaughtered so near the altar that the priest merely stretches out his' hand and sprinkles the blood without walking at all.



(16) V. Sanh. 17b.

(17) At the sprinkling.

(18) For the bird is killed near the altar and its blood made to spurt against the altar direct from the bird. This act of making it spurt constitutes a short carriage, during which, on the present hypothesis, there can be no disqualification, according to R. Simeon,

(19) This assumes that immediately the blood spurts from the neck, even before it reaches the altar, the precept has been performed.

(20) Cf. Lev. IV, 6-7. The priest must both 'sprinkle' the blood and 'put' it on the altar, i.e., see that it actually reaches the altar; consequently, until it actually reaches the altar the service is still being performed, and therefore if the priest's hand is cut off just then, we have a service performed by a priest with a physical blemish, which is invalid (v. Lev. XXI, 17 seq.). By the same reasoning, an illegitimate intention during the passage of the blood to the altar may disqualify it. — This argument is unrefuted, and therefore the view that the controversy refers to a short passage may be correct.

(21) Since R. Simeon states that it is possible without walking (12a), he obviously refers to a case where walking is, in fact, done.

(22) Var. lec., that it is invalid (Bah).

(23) Actually walking in doing so.

(24) Sc. the invalidity of the star's action.

(25) For the former makes the status of the last person who carries it the determining factor, while the latter reverses it.

## Talmud - Mas. Zevachim 15b

to bring it up.<sup>1</sup>

R. Jeremiah<sup>2</sup> said to R. Ashi, This is what R. Jeremiah of Difti<sup>3</sup> said: [The validity of the argument,] 'Surely he is bound to bring it up', is disputed by R. Eliezer and the Rabbis. For we learned: R. ELIEZER SAID: IF ONE GOES WHERE HE NEEDS TO GO, AN [ILLEGITIMATE] INTENTION DISQUALIFIES IT; [IF HE GOES] WHERE HE NEED NOT GO, AN [ILLEGITIMATE] INTENTION DOES NOT DISQUALIFY IT. Whereon Raba commented: All agree that if [the priest] received [the blood] without and carried it within,<sup>4</sup> that is a necessary walk. If he received [it] within and carried it without, it is an unnecessary walk.<sup>5</sup> They disagree only where he brought it within and then carried it without again: One Master holds, But he must surely bring it up [to the altar;]<sup>6</sup> while the other Master holds: This is not the same as a carriage required for the service.<sup>7</sup> Abaye refuted him: R. Eliezer said: If one goes where he must go, an [illegitimate] intention disqualifies it. How so? If he received it without and brought it within, it is a necessary walk. If he received it within and carried it without ' it is an unnecessary walk. Whence,<sup>8</sup> if he carried it within again, it is a necessary walk? — Said he [Raba] to him: If it was taught, it was taught.<sup>9</sup>

## CHAPTER II

MISHNAH. ALL SACRIFICES WHOSE BLOOD WAS CAUGHT BY A ZAR, AN ONEN, A TEBUL YOM,<sup>10</sup> ONE LACKING SACRIFICIAL ATONEMENT,<sup>11</sup> ONE LACKING [PRIESTLY] VESTMENTS, ONE WHO HAD NOT WASHED HIS HANDS AND FEET,<sup>12</sup> AN UNCIRCUMCISED [PRIEST]. AN UNCLEAN [PRIEST]. ONE WHO WAS SITTING, ONE STANDING ON UTENSILS<sup>13</sup> OR ON AN ANIMAL OR ON HIS FELLOW'S FEET, ARE DISQUALIFIED. IF [THE PRIEST] CAUGHT [THE BLOOD] WITH HIS LEFT HAND, IT IS DISQUALIFIED. R. SIMEON DECLARES IT VALID.<sup>14</sup>

GEMARA. How do we know [that] a zar [disqualifies the sacrifice if he receives the blood]? — Because Levi taught: [Scripture says,] Speak unto Aaron and to his sons, that they separate themselves from the holy things of the children of Israel etc.<sup>15</sup> What does 'the children [sons] of Israel' exclude? Shall we say that it excludes [the sacrifice of] women? Can women's sacrifice be

offered in uncleanness?<sup>16</sup> Again, is it to exclude [the sacrifices of] heathens? seeing that [even] the headplate does not propitiate, for a Master said: But in the case of [the sacrifices of] heathens, whether [done]<sup>17</sup> in ignorance or deliberately, propitiation is not effected,<sup>18</sup> can these [actually] be offered in uncleanness! Hence this is what [Scripture] means: that they separate themselves from the holy things of the children of Israel, and that they [the children of Israel] profane not [My holy name].<sup>19</sup>

The School of R. Ishmael taught: [That a zar disqualifies the sacrifice] is inferred a minori from [a priest] with a blemish: if [a priest] with a blemish, who may eat [of the sacrifice], profanes [it] when he officiates,<sup>20</sup>

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- (1) Since in fact the blood was taken away from the altar, it must be brought back. This becomes a service, and is therefore disqualified by a zar.
  - (2) Sh. M. reads: Rabina.
  - (3) Obermeyer, op. cit. p. 197 conjectures that this is identical with Dibtha, in the neighbourhood of Wasit, north of Harpania.
  - (4) I.e., he received it at some distance from the altar and brought it up to the altar.
  - (5) During the course of which an illegitimate intention does not disqualify the sacrifice, on all views.
  - (6) Hence an illegitimate intention even during this second passage to the altar disqualifies it.
  - (7) Since there was no need in the first place to take it away from the altar. Hence an illegitimate intention during that passage does not disqualify it.
  - (8) Sh. M. deletes.
  - (9) I must accept it.
  - (10) V. Glos. for these terms.
  - (11) A priest who became unclean through the dead was sprinkled with the ashes of the red heifer mixed with water; then he took a ritual bath; and on the eighth day of his uncleanness he offered a sacrifice, which made atonement for him. Similarly, a leper and a zab (q.v. Glos.) took a ritual bath on becoming clean, and offered a sacrifice the following day. in all these cases they are regarded as 'lacking atonement' after their ritual bath and before they offer their sacrifice.
  - (12) At the laver; v. Ex. XXX, 18 seq.
  - (13) I.e., not directly on the pavement.
  - (14) In the law concerning the last case.
  - (15) Lev. XXII, 2. This prohibits the priest from officiating whilst unclean (see following verses). Hence the phrase 'the children' (or, 'sons', which may be the meaning of the Heb. בניו) apparently implies a limitation: only from the sacrifices of 'the children of Israel' must they hold aloof when they are unclean, but not from other sacrifices.
  - (16) Surely not.
  - (17) I.e., offered in an unclean state.
  - (18) V. infra 45b.
  - (19) Since 'the children of Israel' cannot be a limitation, it is interpreted as an additional subject of 'separate': the children of Israel (i.e., zarim) too must separate themselves from the sacrifices, as otherwise they profane God's name, by disqualifying the sacrifice.
  - (20) V. Lev. XXI, 22f.

## Talmud - Mas. Zevachim 16a

is it not logical that a zar, who may not eat,<sup>1</sup> profanes [the sacrifice] by officiating? [No:] as for [a priest] with a blemish, the reason may be because in his case the man who offers [officiates] is treated on a par with what is offered!<sup>2</sup> Then let an unclean [priest] prove it.<sup>3</sup> As for an unclean [priest], the reason is that he defiles [the flesh of the sacrifice]! Then let one with a blemish prove it. And thus the argument revolves, the distinguishing feature of one not being that of the other, and the distinguishing feature of the other not being that of the first. The feature common to both is that they are admonished [not to officiate], and if they do officiate, they profane [the sacrifice]; so will I also adduce a zar, who is [likewise] admonished, that if he officiates, he profanes.

How do we know that he is admonished? If from, ‘that they separate themselves’<sup>4</sup>; surely profanation is written in its very context!<sup>5</sup> — Rather, from [the text] But a common man [zar] shall not draw nigh unto you.<sup>6</sup> But the [argument] can be refuted: the feature common to both is that they were not permitted at the high places!<sup>7</sup> Do not say. ‘Let an unclean [priest] prove it’, but say. ‘Let an onen prove it’<sup>8</sup> As for an onen, [the reason is] because he is forbidden [to partake of] the Second tithe!<sup>9</sup> Then let a [priest] with a blemish prove it.<sup>10</sup> And thus the argument revolves, the distinguishing feature of one is not that of the other [and vice versa]; the feature common to both is that they are forbidden etc. But here too let us refute [the argument]: the feature common to both is that they were not permitted at the high places? To this R. Sama the son of Raba demurred: And who is to tell us that an onen was forbidden at the high places; perhaps he was permitted at the high places?<sup>11</sup>

R. Mesharshia said: It is inferred a minori from [a priest who] sits. If one who is sitting profanes [the sacrifice] if he officiates, though he may eat [thereof when sitting]; is it not logical that a zar, who may not eat, profanes [it] if he officiates? As for one who is sitting, the reason may be because he is unfit to testify!<sup>12</sup> — [The inference is] from a scholar who is sitting.<sup>13</sup> [Then refute it thus:] As for the general interdict<sup>14</sup> of one who sits the reason may be because such is unfit to testify!<sup>15</sup> — One does not refute by a general interdict.<sup>16</sup> And should you say that you can refute [thus], [then say that] it is inferred from one who sits and one of these others.<sup>17</sup> And how do we know that one who is sitting is fit at the high place?<sup>18</sup> — Scripture saith, To stand before the Lord, to minister to Him:<sup>19</sup> before the Lord [one must stand], but not at the high place.<sup>20</sup>

ONEN. How do we know it? — Because it is written, Neither shall he go out of the Sanctuary, and he shall not profane [the Sanctuary of his God]:<sup>21</sup> hence if another [priest, when an onen,] does not go out, he does profane [it]. R. Eleazar said, [it is inferred] from this verse: Behold, have they offered [their sin-offering and burnt-offering this day before the Lord]?<sup>22</sup> It was I who offered. Hence it follows that had ‘they’ offered, it would rightly have been burnt.<sup>23</sup> Now, why does not R. Eleazar draw [the inference] from [the text] ‘Neither shall he go out of the Sanctuary’? — He can answer you: Is it then written, but if another goes out, he does profane it?<sup>24</sup> And the other; why does he not draw [the inference] from [the text] ‘Behold, have they offered’? — He holds that it was burnt on account of uncleanness.<sup>25</sup>

The school of R. Ishmael taught: It is inferred a minori from a [priest] with a blemish. If

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- (1) The flesh of the most sacred sacrifices, such as a sin-offering.
  - (2) A blemish disqualifies a priest from offering the sacrifice, just as it disqualifies an animal from being sacrificed.
  - (3) He may not officiate; but an animal cannot become unclean while alive, to render it unfit for a sacrifice. He too disqualifies a sacrifice by officiating.
  - (4) As on 15b.
  - (5) Why infer it a minori?
  - (6) Num. XVIII, 4.
  - (7) Before the Temple was built sacrifices were offered at the bamoth or high places (v. infra 112a). A priest with a blemish and an unclean priest might not officiate, as in the Temple. but a zar could do so.
  - (8) He could officiate at the high places, yet if he officiated in the Temple he disqualified the sacrifice.
  - (9) V. Deut. XXVI, 14.
  - (10) Who is not so forbidden.
  - (11) This objection is left unanswered. Hence the argument by inference from a priest with a blemish cannot be sustained.
  - (12) A witness may not sit when giving his testimony. Of course, this has nothing to do with sacrifices, but in order to refute an argument based on an inference a minori it is sufficient to shew that the premise is subject to a particular restriction from which the other is free.

(13) He was permitted to testify sitting.

(14) Lit. 'name'.

(15) I.e., we find that sitting disqualifies one (though not all) from testifying, but we never find a zar disqualified from testifying.

(16) In the abstract, but rather from the actual person. Since then the argument is based on a scholar who sits, it remains unrefuted.

(17) An onen, an unclean priest, or a priest with a blemish.

(18) For otherwise this inference too can be refuted as above.

(19) Deut. X, 8.

(20) 'Before the Lord' is understood to mean in the Temple.

(21) Lev. XXI, 12. This refers to a High Priest when an onen: he must remain in the sanctuary (for sacrificing). and is assured that he will not profane, i.e., disqualify the sacrifices at which he officiates.

(22) Ibid. X, 19.

(23) A he-goat was sacrificed as a sin-offering on the eighth day of Aaron's consecration (v. Lev. VIII, 33-IX, 3) On that same day Aaron's sons, Nadab and Abihu, died (Ibid. X, 1-2). and the he-goat, instead of being eaten, was burnt. Moses was angry, and enquired whether the reason was that Aaron's other sons, Eleazar and Ithamar, had officiated in their bereavement, to which Aaron replied as in the text. R. Eleazar's interpretation of the text as a rhetorical question does not agree with E.V., which makes it a positive statement. His reason is because if it were a positive statement it is superfluous, as Aaron should simply have answered, 'Behold, there have befallen one such things as these this day,' as he goes on to say, and which was the real cause of the burning of the sacrifice.

(24) Surely not. Possibly an ordinary priest too does not disqualify the sacrifice, yet Scripture specifically states that a High Priest does not disqualify it, lest it be thought that precisely because his sanctity is greater he does disqualify it.

(25) V. infra 101a. Hence the passage has nothing to do with bereavement.

## **Talmud - Mas. Zevachim 16b**

a [priest] with a blemish, who does eat [thereof], profanes [it] if he officiates, it is surely logical that an onen, who may not eat thereof, profanes it by his officiating. In the case of a [priest] with a blemish, the reason may be because they who sacrifice are regarded the same as those which are sacrificed!<sup>1</sup> Then let a zar prove it. As for a zar, the reason may be because there is no remedy for him!<sup>2</sup> Then let a [priest] with a blemish prove it.<sup>3</sup> And thus the argument revolves: the feature peculiar to one is not that of the other, and the feature which characterises the other is not that of the first. The feature common to both is that they are admonished [not to officiate], and if they do officiate, they profane it. So do I adduce an onen too who is admonished, and if he officiates, he profanes it. Now, where is he admonished? Shall we say, in the text, 'Neither shall he go out of the Sanctuary'? Surely profanation is written in that very context!<sup>4</sup> — Rather, [it is inferred] from [the text]. 'Behold, have they offered', and he [the school of R. Ishmael] holds that it was burnt on account of bereavement.<sup>5</sup> This argument may be refuted: As for the feature common to both, it is that there is no exception to the general interdict!<sup>6</sup> Then let an unclean [priest] prove it.<sup>7</sup> As for an unclean [priest], the reason is that he defiles [the flesh]! Then let the others prove it. And thus the argument revolves etc. The feature common to both is that they are admonished etc. Yet let us refute it [thus]: As for their common feature, it is that there is no exception to the general [interdict] in favour of a High Priest in the case of a private sacrifice?<sup>8</sup> — The interdict<sup>9</sup> of uncleanness is nevertheless raised.<sup>10</sup> R. Mesharshia said: It is inferred a minori from [a priest] who sits: if a priest, who eats sitting, profanes [the sacrifice] if he officiates whilst sitting, it is surely logical that an onen, who may not eat [thereof], profanes [the sacrifice] by his officiating. As for one who sits, the reason may be because he is unfit to testify? — [The argument is] from a scholar who sits. [Then refute it thus:] As for the interdict of sitting, that may be because such is unfit to testify? — One does not refute from the [general] interdict of sitting. And should you say that you can refute thus, [say that] it is inferred from one who sits and one of these others.<sup>11</sup> [All SACRIFICES WHOSE BLOOD WAS CAUGHT BY...] AN ONEN... ARE DISQUALIFIED. Rabbah<sup>12</sup> said: They learned this only of a private sacrifice, but in the case of a public sacrifice<sup>13</sup> it is accepted.<sup>14</sup> [this being inferred] from

uncleanness, a minori: if the general interdict of uncleanness was not raised in favour of a High Priest in the case of a private sacrifice, yet it was permitted to an ordinary priest in the case of a public sacrifice; then bereavement, whose general interdict was raised in favour of a High Priest in the case of a private sacrifice, is surely permitted to an ordinary priest in the case of a public sacrifice. To this Raba b. Ahilai demurred: Let [the interdict of] bereavement not be raised in favour of a High Priest in the case of a private sacrifice, a minori: if [the interdict of] uncleanness was not raised in favour of a High Priest in the case of a private sacrifice, though it was raised for an ordinary priest in the case of a public sacrifice; is it not logical that [the interdict of] bereavement, which was not raised for an ordinary priest in the case of a public sacrifice, shall not be raised for a High Priest in the case of a private sacrifice? [Or. argue thus: ] Let uncleanness be permitted to a High Priest in the case of a private sacrifice, a minori: if bereavement, which is not permitted to an ordinary priest in the case of a public sacrifice, is permitted to a High Priest in the case of a private sacrifice; is it not logical that uncleanness, which is permitted to an ordinary priest in the case of a public sacrifice, is permitted to a High Priest in the case of a private sacrifice? Again. [argue thus:] let uncleanness not be permitted to an ordinary priest in the case of a public sacrifice, a minori: If bereavement is not permitted to an ordinary priest in the case of a public sacrifice, though it is permitted to a High Priest in the case of a private sacrifice; then uncleanness which is not permitted to a High Priest in the case of a private sacrifice, is surely not permitted to an ordinary priest in the case of a public sacrifice? [Mnemonic:<sup>15</sup> Let it not be permitted; let it not be permitted; bereavement and uncleanness, private sacrifice; private sacrifice; public sacrifice.]<sup>16</sup>

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(1) V. supra a, p. 81 ‘ n.6.

(2) Under no circumstances can he become fit to officiate. An onen however, will be fit on the next day.

(3) He may become whole again.

(4) If it is so interpreted as to make it bear upon an ordinary priest. there is no need for the inference a minori.

(5) Nevertheless the text itself does not prove that if an onen officiates the sacrifice is disqualified. as Moses may have meant: Perhaps you transgressed the law by sacrificing it in bereavement, and having done so, you mistakenly thought that it is now disqualified (Rashi, as elaborated by Tosaf.).

(6) Lit., ‘it was not permitted out of its general rule’. There is no exception to the general law that a zar and a blemished priest may not officiate; but a High Priest is excepted from the law interdicting an onen to officiate.

(7) There is an exception in his case, for if the majority of the people are unclean on the eve of Passover, they offer the Paschal lamb in their unclean state.

(8) As opposed to a communal sacrifice. The Passover-offering is accounted as the latter, since the whole nation had to offer one.

(9) Lit., ‘name’.

(10) There is an exception to the general interdict of uncleanness, viz. ‘ in the case of the Paschal offering.

(11) Cf. supra a for notes.

(12) Text as emended by Sh. M. Cur. edd. Raba.

(13) One offered on behalf of the whole community.

(14) This is the technical term to denote that it is made valid (generally, in virtue of the headplate worn by the High Priest).

(15) For the various arguments just adduced.

(16) The point of all these objections is this: if the Scriptural law can be qualified by logical arguments, these can easily be reversed and precisely the opposite conclusions drawn.

## Talmud - Mas. Zevachim 17a

But you can refute it thus, and you can refute it thus;<sup>1</sup> [therefore] let each one remain in its place.<sup>2</sup> TEBUL YOM. Whence do we know it? — For it was taught, R. Simai said: Where is the allusion that if a tebul yom officiates he profanes [the sacrifice]? In the text, They [the priests] shall be holy . . . and not profane:<sup>3</sup> since this cannot refer to an unclean [priest], for [his prohibition] is deduced from, That they separate themselves,<sup>4</sup> apply it to a tebul yom.<sup>5</sup> Say, apply it to the making of a baldness and the shaving off of the corners of the beard?<sup>6</sup> — Since a tebul yom is liable to death for officiating (and how do we know that? because we deduce [similarity of law] from the use of ‘profanation’ here and in the case of terumah.)<sup>7</sup> [it follows that] he who is unfit [to partake of] terumah profanes the service [of sacrifice], whereas he who is not unfit [to partake of] terumah does not profane the service. Rabbah said: Why must the Divine Law enumerate an unclean priest, a tebul yom, and one who lacks atonement?<sup>8</sup> — They are all necessary. For had the Divine Law written [the law for] an unclean priest [only, I would say that he disqualifies the sacrifice] because he defiles.<sup>9</sup> [If the law were written] with reference to a tebul yom, one who lacks atonement could not be derived from it, seeing that [the former] is disqualified [to partake] of terumah.<sup>10</sup> [If it were written] with reference to one who lacks atonement, a tebul yom could not be learnt from it, seeing that [the former] lacks a [positive] act.<sup>11</sup> Now [one] cannot be derived from one [other], [but] let one be derived from two?<sup>12</sup> — In which should the Divine Law not write [this ruling]? Should it not write [it] with respect to one who lacks atonement, so that it might be inferred from the others, [it might be argued]: as for the others, [their peculiar feature is] that they are disqualified [to partake of] terumah. Rather, let not the Divine Law write it of a tebul yom, which could be inferred from the others. For how will you refute [the analogy]: as for these others, [the reason is that] they are wanting in a [positive] act?<sup>13</sup> [This would be no refutation] for after all, its<sup>14</sup> uncleanness is but slight!<sup>15</sup>

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(1) You can argue either way.

(2) Assume each law to be without exceptions. Thus, when Scripture permits bereavement to a High Priest, it applies to both private and public sacrifices, while it is forbidden to an ordinary priest likewise in the case of both. Again, when uncleanness is forbidden in the case of a private sacrifice, the interdict applies to the High Priest also; on the other hand, when it is permitted in the case of public sacrifices, that applies to an ordinary priest too.

(3) Lev. XXI, 6. The passage treats of defilement, among other things.

(4) Ibid. XXII, 2; that verse forbids an unclean priest to officiate.

(5) As intimating that he too must not officiate, and if he does, he ‘profanes’, i.e., disqualifies the sacrifice.

(6) Which is mentioned in the preceding verse, ibid. XXI, 5. Perhaps Scripture teaches that a priest who transgresses these interdicts ‘profanes’ (disqualifies) a sacrifice if he officiates.

(7) V. Glos. The allusion is to Lev. XXII,9: They shall therefore keep My charge. (this refers to terumah, as the whole passage shews) lest they bear sin for it, and die therein, if they profane it. Since ‘profanation’ (i.e., defilement) is punishable by death there, the same holds good here. It also follows conversely that the present passage can apply only to such as ‘profane’ terumah. — By ‘death’ is meant death at the hands of heaven, not actually capital punishment by man.

(8) These are similar to one another, and therefore only one need be mentioned, and the others would follow by analogy.

(9) Either the flesh of the sacrifice, or another person by contact.

(10) Which the latter is not.

(11) Viz., the offering of a sacrifice. But a tebul yom merely has to wait for sunset.

(12) Let Scripture write the law with reference to two of these, and the third could be derived by analogy.

(13) The unclean priest must take a ritual bath.

(14) Reading as Rashi, which is preferable to cur. edd. ‘their’.

(15) The uncleanness of one who lacks atonement is slighter than that of a tebul yom, since the latter must still wait for sunset, but not the former. Hence the question remains, why must Scripture indicate the law for all three?

## Talmud - Mas. Zevachim 17b

— He holds that a zab lacking atonement is as a zab.<sup>1</sup> Now, whether a zab lacking atonement is as a zab, is dependent on Tannaim. For it was taught: If an onen or one lacking atonement burns it,<sup>2</sup> it is fit.<sup>3</sup> Joseph the Babylonian said: If an onen [burns it], it is fit, [but] if one who lacks atonement burns it, it is unfit. Now surely they disagree in this: one Master holds that a zab lacking atonement is as a zab,<sup>4</sup> while the other Master holds that he is not as a zab!<sup>5</sup> — No. All agree that he is as a zab, but here they disagree in the following: For it is written, And the clean person shall sprinkle upon the unclean,<sup>6</sup> whence it follows that he is unclean, thus teaching that a tebul yom is fit [to officiate] at the [red] heifer.<sup>7</sup> Now, one Master holds: This applies to every form of uncleanness mentioned in the Torah,<sup>8</sup> while the other Master holds that it applies to the uncleanness dealt with in this chapter only.<sup>9</sup> Therefore an onen and a tebul yom rendered [originally] unclean through a [dead] reptile,<sup>10</sup> who are less stringent, are derived a minori from a tebul yom rendered [originally] unclean through a dead body. But a zab who lacks atonement is not [thus derived], since he is more stringent, as his uncleanness proceeds from his own body.

ONE LACKING THE [PRIESTLY] VESTMENTS. Whence do we know it? — Said R. Abbahu in R. Johanan's name, and some derive ultimately [the teaching] from R. Eleazar the son of R. Simeon: Because Scripture saith, And thou shalt gird them with girdles, Aaron and his sons, and bind head-tires on them; and they shall have the priesthood by a perpetual statute:<sup>11</sup> When wearing their [appointed] garments, they are invested with their priesthood; when not wearing their garments, they are not invested with their priesthood. Now, is this derived from the verse quoted? Surely it is derived from elsewhere? For it was taught: How do we know that if one who had drunk wine officiates, he profanes [the sacrifices]? Because it is written, Drink no wine nor strong wine....that ye may put difference between the holy and the profane.<sup>12</sup> How do we know [the same of] one who lacks [priestly] vestments and [of] one who had not washed his hands and feet?

(1) Until he brings his sacrifice, not only must he not partake of the flesh of sacrifices, but he even incurs kareth for doing so just as a zab who has not had his ritual bath at all. Similarly, he defiles the flesh just as a zab does. (Rashi. Tosaf explains it differently.) Hence his uncleanness is not less at all. — Though a zab is mentioned, the same applies to a leper too.

(2) Sc. the red heifer, v. Num. XIX.

(3) Because the red heifer does not possess the sanctity of a sacrifice, but only of anything which is dedicated for general Temple use, technically called 'the sacred objects of the Temple repair'. An onen and one lacking atonement are disqualified to officiate at real sacrifices only.

(4) Hence his service is unfit, because Scripture specifies 'a man that is clean' (v. 9).

(5) Hence he is clean.

(6) Ibid. 19.

(7) 'The clean person' is superfluous, as the preceding verse states 'and a clean person shall take hyssop' etc. The repetition is understood to indicate that even if his cleanness is not absolute, but relative only, he is fit, and we do find in Lev. XIV, 8 that a tebul yom is designated 'clean': And he shall bath himself in water and be clean.

(8) Including a tebul yom who had been a zab. He still lacks atonement, and thus Scripture teaches that although such is unfit elsewhere, an exception is made in the case of the red heifer.

(9) Viz., that caused by contact with a dead body.

(10) Bah. emends omitting onen: therefore a tebul yom rendered (originally) unclean through a sherez or through carrion.

(11) Ex. XXIX, 9.

(12) Lev. X, 9f. This is interpreted as meaning that the officiating of such profanes, i.e., invalidates the sacrifice.

## Talmud - Mas. Zevachim 18a

Because 'statute' is written in connection with each, to serve as a gezerah shawah!<sup>1</sup> — If [it were derived] from that verse, I would argue that it applies [only] to a service for which a zar is liable to death; but as for a service for which a zar is not liable to death, I would say that it is not so,<sup>2</sup> hence

we are informed [that it is not so].

We have thus found [it in the case of] one who lacks [priestly] vestments; how do we know it of one who has drunk wine?<sup>3</sup> -We deduce it from the word 'statute' [written here and] in the case of one who lacks vestments. But the Tanna deduces it from the text, That ye may put a difference etc.? — That is before he has established the gezerah shawah. But the Tanna learns [the law for] one who lacks vestments from that of one who drank wine?'<sup>4</sup> — This is what he means: How do we know that no distinction is drawn between one who lacks vestments and one who drank wine or who did not wash his hands and feet? Because 'statute' is written in respect of each, to serve as a gezerah shawah.<sup>5</sup> Then what is the need of 'that ye may put difference' etc.?<sup>6</sup> — To teach the practice of Rab. For Rab would not appoint an interpreter from one Festival day to the next, on account of drinking.<sup>7</sup>

But still, is it deduced from this text? Surely it is deduced from elsewhere. viz., And the sons of Aaron the priest shall put [fire upon the altar].<sup>8</sup> [which implies,] in his priestly state;<sup>9</sup> this teaches that if a High Priest donned the vestments of an ordinary priest and officiated, his service is unfit? — If [we made the deduction] from the earlier text, I would argue that it applies only to a service which is essential for atonement, but not to a service which is not essential for atonement.<sup>10</sup> But still, is it deduced from this text? Surely it is deduced from elsewhere, viz., And Aaron's sons, the priests, shall lay the pieces etc.<sup>11</sup> [which intimates,] 'the priests' in their priestly state, whence we learn that if an ordinary priest donned the vestments of a High Priest and officiated, his service is unfit? — If [we made the deduction] from the earlier text, I would argue that it applies only to an insufficiency [of vestments],<sup>12</sup> but not to an excess. Therefore it [the present text] informs us [that it is not so].

Our Rabbis taught: If [the priestly vestments] trailed [on the floor], or did not reach [the floor] or were threadbare, and [the priest] officiated [in them], his service is valid. But if he put on two pairs of breeches, two girdles, or if one [garment] was wanting, or if there was one too many, or if he had a plaster on a wound in his flesh, or if [his garments] were

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(1) V. Glos. — In the present context: it shall be a statute for ever; the verse for one lacking atonement has been quoted in the text; the washing of the hands and feet: And it shall be a statute for ever to them (Ex. XXX, 21). — The use of the same word in connection with all three teaches that the same law applies to all.

(2) Scripture says, Drink no wine . . . when ye go into the tent of meetings, that ye die not. The Talmud interprets this as referring to a service which if performed by those unfit to do so involves death, viz., sprinkling the blood, burning the fats, and making the libations of water or wine. Now, the conditions of the various disqualifications, such as officiating without priestly vestments or without having washed the hands and feet, are deduced from those of a zar: where a zar incurs a penalty, officiating without vestments, etc. incurs a penalty. Hence as far as the present verse is concerned, since death is mentioned, I would think that the sacrifice is disqualified only where the death penalty is incurred.

(3) That he disqualifies the sacrifice even by officiating in a service for which he does not incur the death penalty.

(4) Not vice versa, as here.

(5) But in fact the law of one who has drunk wine is learned from that of one who lacks vestments.

(6) Since we learn by a gezerah shawah that one who drank wine 'profanes' (disqualifies) the sacrifice, this text adds nothing.

(7) The Rabbis gave their public addresses, in the course of which they taught the law, through the medium of an interpreter. Now, once Rab had ushered in the festival and had partaken of the meal, eating and drinking, he would not appoint an interpreter, i.e., he would not give such an address, until the following day, when the effect of the wine would have worn off. He learnt this from the present verse, 'that ye may put a difference between the holy and the profane', which he interpreted to mean that one must not drink before he comes to teach the law, whereby the difference between the holy and the profane is taught.

(8) Lev. I,7

(9) Wearing the priestly vestments.

(10) Such as putting the fire upon the altar. Hence 'the priest' teaches that even for this service he must be in his priestly



state. — Though the difficulty was apparently why the former verse was required, the answer shows that the real difficulty was why Scripture added ‘the priest’ in the verse now quoted.

(11) Lev. I, 8.

(12) E.g. if a High Priest wears the vestments of an ordinary priest.

## Talmud - Mas. Zevachim 18b

besmeared or torn, and he officiated, his service is invalid. Rab Judah said in Samuel's name: Trailing [garments] are fit; [garments which] do not reach [the pavement] are unfit. But it was taught, If they do not reach [the ground] they are fit? — Said Rami b. Hama, There is no difficulty: The latter means where he hitches them up by the girdle;<sup>1</sup> the former, where from the very outset they are not long enough.<sup>2</sup> Rab said: Either [garments] are invalid.

R. Huna visited Argiza.<sup>3</sup> His host's son put a difficulty to him: Did then Samuel say, Trailing [garments] are fit, while those which do not reach [the ground] are unfit? but it was taught, If they do not reach [the ground] they are fit? — Said he to him, Disregard that, for Rami b. Hama has answered it. But the difficulty is according to Rab. And should you answer, What is meant by ‘trailing’? Those which are hitched up by the girdle, for the girdle cuts off [the length].<sup>4</sup> but then there is a difficulty about garments which do not reach? — Said R. Zera, Rab learns [both clauses as one]: Trailing [garments] which are hitched up by a girdle are fit.

R. Jeremiah of Difti said: As to trailing [garments] which he did not lift up, there is a controversy of Tannaim. For it was taught: [Thou shalt make thee twisted cords] upon the four corners of thy covering:<sup>5</sup> ‘four’ [intimates,] but not three.<sup>6</sup> Yet perhaps that is not so, but rather, ‘four’ [intimates,] but not five?<sup>7</sup> When it says, Wherewith thou coverest thyself<sup>8</sup> a five-cornered [garment] is alluded to.<sup>9</sup> Hence, how can I interpret ‘four’? as intimating four but not three. Now, why do you include a five-cornered garment and exclude a three cornered one? I include a five-cornered one, because five includes four, and I exclude a three-cornered one, because three does not include four. Now, another [Baraita] taught: ‘Upon the four corners of thy covering’: four but not three, four but not five. Surely, they disagree in this: one Master holds: The additional [corner] is counted as existent;<sup>10</sup> while the other Master holds: It is as non-existent?<sup>11</sup> — No: all agree that it is as existent, but here it is different, because Scripture includes [a five-cornered garment in the phrase.] ‘Wherewith thou coverest thyself’.

And the other? how does he utilise this phrase. ‘Wherewith thou coverest thyself’? — He requires it for what was taught: ‘That ye may look upon it’:<sup>12</sup> this excludes night attire.<sup>13</sup> Yet perhaps that is not so, but rather it excludes a blind man's garment? When it says, ‘wherewith thou coverest thyself’, lo, a blind man's garment is alluded to. Hence, how can I interpret, ‘that ye may look upon it’? As excluding night attire. Now, why do you include a blind man's garment and exclude a night garment? I include a blind man's garment because it can be seen by others, while I exclude night attire, because it is not seen by others. And the other?<sup>14</sup> — He deduces it from ‘wherewith’.<sup>15</sup> And the other?-He does not interpret ‘wherewith’ [as having a separate significance].

Our Rabbis taught: [And the priest shall put on his garment of] bad:<sup>16</sup> this teaches that they [his garments] must be of linen; ‘bad’ implies that they must be new; ‘bad’ implies that they must be of twisted thread; ‘bad’ implies that the thread must be sixfold; ‘bad’ implies that secular garments must not be worn with them. Abaye said to R. Joseph: As for saying, “bad” implies that they must be of linen,’ it is well, for he informs us this: only of linen, but not of anything else. But when he says, “bad” implies that they must be new,’ [does it mean] only new but not threadbare? Surely it was taught : Threadbare [garments] are fit! — Said he to him: And according to your reasoning, [when he says] “bad” implies that the thread must be sixfold,’ [yet surely] ‘bad’ implies each [thread] separately?<sup>17</sup> Rather, this is what he means: the garments which it is stated are to be ‘bad’, must be

of linen, new, of twisted thread, and of six-fold thread: Some of these [provisions] are recommendations [only], while others are indispensable.

How do you know that 'bad' means flax [linen]? — Said R. Joseph son of R. Hanina: [It connotes] that which comes up from the ground in separate stalks.<sup>18</sup> Say that it means wool?<sup>19</sup> — Wool splits.<sup>20</sup> But flax too splits?<sup>21</sup> — It splits through beating.<sup>22</sup> Rabina said, [It is deduced] from the following: They shall have linen tires upon their heads, and shall have linen breeches upon their loins; they shall not gird themselves with [anything that causes] sweat [bayaza'].<sup>23</sup> Said R. Ashi to Rabina: Then how did we know this before Ezekiel came? — Then according to your reasoning, when R. Hisda said: We did not learn this<sup>24</sup> from the Torah of Moses our Teacher, but we learnt it from Ezekiel the son of Buzi: No alien, uncircumcised in heart and uncircumcised in flesh [shall enter into My sanctuary]:<sup>25</sup> whence did we know it until Ezekiel came? But indeed it was a tradition, and Ezekiel came and gave it a support in Scripture; so this too was a tradition etc.

What does 'they shall not gird themselves with [anything that causes] sweat' mean?<sup>26</sup> — Said Abaye: They shall not gird themselves in the place where they sweat.<sup>27</sup> As it was taught: When they gird themselves, they must do so neither below their loins nor above their elbows,<sup>28</sup> but

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- (1) But they are long enough to reach the ground.
  - (2) Lit., 'they are not present at all'.
  - (3) Obermeyer op. cit. p. 144 conjectures that this was a place in the district of Be Ketil by the 'Jewish Canal' which branched out of the left bank of the Tigris and ran parallel to it. He suggests however in note 1 a.l. that ארגיזא is an error here for ארתא דארגיזא, Hira in the south of Babylon, which fell within R. Huna's jurisdiction, whereas Argiza was in the distant north, and he had no connection with same.
  - (4) Only then does the Tanna of the Baraitha rule that they are fit, but not if they are actually trailing on the ground.
  - (5) Deut. XXII, 12.
  - (6) A garment of three corners only, the fourth being rounded, so that it is not a corner, is exempt.
  - (7) E.g., if one corner is cut away, leaving two in its stead.
  - (8) Ibid.
  - (9) For this is really superfluous and therefore interpreted as an extension, to include garments with more than four corners.
  - (10) Hence it is not four-cornered, and therefore exempt.
  - (11) And the same principle would apply to priestly garments that trail: one holds that the superfluous length is as non-existent, and so they are fit; while the other maintains that they are as existent, and therefore unfit.
  - (12) Num. XV, 39. This refers to a fringed garment.
  - (13) Which is not looked upon.
  - (14) Who utilises 'wherewith thou coverest thyself' to include a five-cornered garment: whence does he learn the present law?
  - (15) Which he regards as an extension.
  - (16) E.V. 'linen. Lev. VI,3 et passim.
  - (17) Bad is derived from badad, to be alone, separate.
  - (18) Where two stalks do not come out of one root.
  - (19) For each thread grows separately on the sheep's back.
  - (20) On the animal the threads split up.
  - (21) Before it is woven into linen.
  - (22) But not naturally of its own accord.
  - (23) Ezek. XLIV. 18.
  - (24) That an uncircumcised priest disqualifies the service, infra 22b.
  - (25) Ibid.9
  - (26) The Heb. bayaza is connected with ze'ah, (sweat), but its exact meaning in this verse is not clear.
  - (27) Where flesh folds over flesh and causes perspiration.
  - (28) As these hung naturally down.

## Talmud - Mas. Zevachim 19a

[in the place] corresponding to their elbows.<sup>1</sup>

R. Ashi said: Hanna b. Nathana told me, I was once standing before King Izgedar;<sup>2</sup> my girdle lay high up, whereupon he pulled it down, observing to me, It is written of you. [And ye shall be unto Me] a kingdom of priests and a holy nation.<sup>3</sup> When I came before Amemar he said to me: The text, 'And kings shall be thy fosterfathers'<sup>4</sup> has been fulfilled in you.

We learnt elsewhere: If a priest has a wound on his finger, he may wind a reed about it in the Temple, but not in the Country.<sup>5</sup> But if his purpose is to squeeze out blood, it is forbidden in both places.<sup>6</sup> R. Judah the son of R. Hiyya said: They learnt this only of a reed, but a small belt<sup>7</sup> constitutes an excess garment.<sup>8</sup> But R. Johanan said: They ruled [that] excess garments [disqualify] only [when they are worn] where garments are worn; but if not where garments are worn, they are not an excess. Yet deduce [that it disqualifies] on account of an interposition?<sup>9</sup> — It is on his left hand,<sup>10</sup> or even on the right, but not in the place of service.<sup>11</sup> Now this disagrees with Raba, for Raba said in R. Hisda's name: In the place of garments even a single thread interposes; but [what is] not in the place of garments, if three [fingerbreadths] square, it interposes; if less than this, it does not interpose. Now he certainly disagrees with R. Johanan;<sup>12</sup> but are we to say that he disagrees with R. Judah the son of R. Hiyya?<sup>13</sup> — [No:] a small belt is different, because it is of [some] account.<sup>14</sup>

Another version states it thus: R. Judah the son of R. Hiyya said: They learnt this only of a reed, but a small belt interposes. While R. Johanan maintained: They said [that] interposition [disqualifies even] when less than three square only in the place of garments; but if not where garments are worn, then if it is three square it interposes; if less, it does not interpose: and that is identical with Raba[’s ruling] in R. Hisda's name. Shall we say that he [Raba] disagrees with R. Judah the son of R. Hiyya? — [No, for] a small belt is different, since it is of [some] account. Now according to R. Johanan, why particularly [specify] a reed? let him mention a small belt? — He informs us en passant that a reed heals.

Raba asked: What if a wind entered through his garment?<sup>15</sup> Do we require [the garment to be] on his flesh, which [condition] is now absent; or perhaps, this is the normal mode of wearing? Further, is vermin an interposition? There is no question where it is dead, for it certainly interposes. But what if it is alive? Do we say. Since it moves to and fro, it is natural, and does not interpose; or perhaps it does interpose, since he objects to it? Does earth interpose? — Earth certainly interposes!<sup>16</sup> — Rather [the question is] what about dust of earth? Does [the space between the sleeves and] the armpit interpose?<sup>17</sup> do we require [it to be] on his flesh, which [condition] is absent; or perhaps this is the normal mode of wearing? What if he thrust his hand into his bosom? does his body<sup>18</sup> interpose or not? Does a thread interpose? — A thread certainly interposes — Rather [the question is] what about a hanging thread.<sup>19</sup> Mar the son of R. Ashi asked: What if one's hair entered beneath his garment?<sup>20</sup> is his hair as [part of] his body, or is it not as his body? R. Zera asked: Do the tefillin<sup>21</sup> interpose? There is no question on the view that night is not the time for tefillin,<sup>22</sup> for since they interpose at night,<sup>23</sup> they interpose by day too. The question is raised only on the view that night is the time for tefillin. What then? Does a precept which is incumbent upon the body interpose or not? Now this question travelled about until it reached R. Ammi. Said he to him [the questioner]: We have an explicit teaching that tefillin interpose. An objection is raised: Priests engaged in their [sacrificial] service, Levites on their dais<sup>24</sup> and Israelites during their ma'amad<sup>25</sup> are exempt from prayer<sup>26</sup> and tefillin. Surely that means that if they do put them on, they do not interpose? — No: [it means that] if they do put them on, they do interpose. If so, [can you say,] they are exempt? Surely he should state, they are forbidden [to don them]? — Since there are the Levites and the Israelites, of whom he cannot teach, 'they are forbidden,'<sup>27</sup> he therefore teaches, They are exempt. But it was

taught: If he put them on, they do not interpose? — There is no difficulty; one refers to [the tefillin of] the hand,<sup>28</sup> the other to that of the head. Wherein does that of the hand differ? because it is written, [And the priest shall put on his linen garment, and his linen breeches] shall he put upon his flesh,<sup>29</sup> which implies that nothing may interpose between it and his flesh; then with respect to that of the head too it is written, And thou shalt set the mitre upon his head?<sup>30</sup> — It was taught: His hair was visible between the headplate and the mitre.

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- (1) Where these naturally touch the body.
  - (2) Or, Yezdyird, a Persian king.
  - (3) Ex. XIX, 6. Hence you must wear your girdle like priests, and not so high.
  - (4) Isa. XLIX, 23.
  - (5) This is a technical designation for all places outside the Temple. — The reference is to the Sabbath, when the Rabbis forbade healing. Nevertheless they permitted this in the Temple when the priest is officiating at the sacrifice, as it is indecorous for his wound to be exposed then.
  - (6) The act constitutes making a wound, which is forbidden.
  - (7) Used as a bandage.
  - (8) Which is forbidden, supra 18a.
  - (9) Nothing may interpose between the priest's hand and the sacrifice, when he has to handle it.
  - (10) Which he does not use for the purpose.
  - (11) Not on the part of the hand which he needs for service.
  - (12) For R. Johanan holds that it never interposes save in the place of garments.
  - (13) For he rules that a small belt is an interposition, and this is less than three fingerbreadths square.
  - (14) A rag less than that size is of no account, whereas a belt, being made up into an article, is of some account.
  - (15) And blew it away from immediate contact with his body.
  - (16) Surely there cannot be a question about this.
  - (17) If the garment is loosely cut with broad sleeves.
  - (18) I.e., the hand, which now comes between the body and the garment.
  - (19) Hanging from the garment itself.
  - (20) If the hair of the head grew so long that it fell within the garment.
  - (21) V. Glos.
  - (22) I.e., that there is no obligation to wear these at night. The reference is to Deut. VI, 8 and it is disputed in 'Erub. 96a whether this applies to night as well as to daytime.
  - (23) As there is no need to wear them then, they are definitely superfluous. and so constitute an interposition.
  - (24) Engaged in singing the Temple hymns.
  - (25) A body of Israelites, representing the people. stood (ma'amad — 'amad standing) in the Temple court during the sacrificing of the daily burnt-offering (v. Ta'an. 26a).
  - (26) The 'Eighteen Benedictions' which were recited daily, and which constituted the Prayer par excellence.
  - (27) For they are certainly permitted to put them on, since they do not officiate at the actual sacrificing.
  - (28) That interposes.
  - (29) Lev. VI, 3.
  - (30) Ex. XXIX, 6.

## **Talmud - Mas. Zevachim 19b**

and there he laid the tefillin.<sup>1</sup>

ONE LACKING IN SACRIFICIAL ATONEMENT. Whence do we know it? — Said R. Huna, Scripture saith, And the priest shall make atonement for her, and she shall be clean:<sup>2</sup> 'She shall be clean' proves that she is unclean [before atonement is made for her].<sup>3</sup>

AND ONE WHO HAD NOT WASHED HIS HANDS OR HIS FEET. [The implication of] 'statute' is derived from 'statute' written in connection with one who lacked his priestly vestments.<sup>4</sup>

Our Rabbis taught: If a High Priest did not perform immersion or did not sanctify [himself]<sup>5</sup> between the changing of robes and between the services,<sup>6</sup> and he officiated, his service is valid. But the service of both a High Priest or an ordinary priest who officiated without the matutinal sanctification of their hands and feet is invalid. Said R. Assi to R. Johanan: Consider: The five immersions and the ten sanctifications<sup>7</sup> are scriptural, and 'statute' is written in connection with them; then let them be indispensable?<sup>8</sup> — Said he to him: Scripture saith, And put them on:<sup>9</sup> the putting on [of the priestly vestments] is indispensable, but nothing else is indispensable.<sup>10</sup> [At that] his face lit up.<sup>11</sup> Said he to him: I have written you a waw on a tree-trunk:<sup>12</sup> [for] if that is so, [the sanctifications] of the morning<sup>13</sup> too [should not be indispensable]! — Said Hezekiah, Scripture saith, And it shall be a statute for ever to them, even to him and to his seed throughout their generations:<sup>14</sup> that which is indispensable for 'his seed' is indispensable for himself, and that which is not indispensable for 'his seed' is not indispensable for himself.<sup>15</sup> R. Jonathan said, He deduced it from this: That Moses and Aaron and his sons might wash their hands and their feet thereat:<sup>16</sup> that which is indispensable in the case of his sons is indispensable in his own case; while that which is not indispensable in the case of his sons is not indispensable in his own case. Why does R. Jonathan not deduce it from the text quoted by Hezekiah? — He can answer you: That is written [to shew that the law holds good] for all generations.<sup>17</sup> And the other? why did he not deduce it from this text? — He requires it for R. Jose son of R. Hanina's [ruling]. For R. Jose son of R. Hanina said: You may not wash in a laver which does not contain sufficient [water] for the sanctifications of four priests, for it says. That Moses and Aaron and his sons might wash their hands and their feet thereat.<sup>18</sup>

Our Rabbis taught: How is the precept of 'sanctification' [fulfilled]? [The priest] places his right hand on his right foot and his left hand on his left foot, and sanctifies them.<sup>19</sup> R. Jose son of Judah said: He places his both hands on each other and on his two feet lying on each other, and sanctifies them. Said they to him: You have made it too hard, for it is impossible to do it thus. Surely they speak rightly to him? — Said R. Joseph: His colleague assists him.<sup>20</sup> Wherein do they differ? — Said Abaye: They disagree in respect of standing by being supported.<sup>21</sup> Said R. Sima the son of R. Ashi to Rabina: And let him indeed sit and perform his sanctifications? — Scripture saith, [And thou shalt anoint Aaron and his sons, and sanctify them,] that they my minister,<sup>22</sup> and the ministration must be done standing.<sup>23</sup>

Our Rabbis taught: if [the priest] sanctified his hands and feet by day, he need not sanctify [them] at night; [if he sanctified them] at night, he must sanctify [them] by day. This is Rabbi's view, for Rabbi maintained: The passing of the night is effective in respect of the sanctification of hands and feet.<sup>24</sup> R. Eleazar son of R. Simeon said: The passing of the night is not effective in respect of the sanctification of hands and feet. Another [Baraitha] taught: If [a priest] was standing and offering [the fats] on the altar throughout the night, at dawn he needs sanctification of hands and feet: this is Rabbi's view. R. Eleazar son of R. Simeon said: Since he sanctified his hands and feet at the beginning of the service, he need not sanctify [them again] even for ten days.<sup>25</sup> Now, both are necessary. For if we were informed of the first [Baraitha], [I would argue that] Rabbi ruled thus only there, [the circumstances being] that there had been an interval between one service and another;<sup>26</sup> but here that there was no interval, I would say that Rabbi agrees with R. Eleazar son of R. Simeon. While if we were informed of the latter [Baraitha]. I would argue that here only does R. Eleazar son of R. Simeon rule thus, but in the former he agrees with Rabbi. Hence they are both necessary.

What is Rabbi's reason? — Because it is written, When they approach [the altar to minister].<sup>27</sup> What is R. Eleazar son of R. Simeon's reason? — Because it is written, When they enter [into the tent of meeting, they shall wash with water].<sup>28</sup> And the other too? surely it is written, When they enter! — If 'when they approach' were written and not 'when they enter' I would say that for every single approach [sanctification is necessary];<sup>29</sup> therefore the Divine Law wrote, 'when they enter.' And the other too? surely it is written, 'when they approach'! — If 'when they enter' were written

and not 'when they approach'. I would say that [they must wash] even for a mere entrance.<sup>30</sup> 'For a mere entrance'! surely it is written, 'to minister'? — Rather, 'when they approach' is required for R. Aha son of Jacob's [ruling]. For R. Aha son of Jacob said: All agree with respect to the second 'sanctification,' that [the priest] performs this sanctification when he is clothed,<sup>31</sup> for Scripture saith, 'or when they approach': he who lacks nothing but the approach [washes his hands and feet]; hence he who has yet to clothe himself and then approach is excluded. What is the purpose of, to cause an offering made by fire to smoke?<sup>32</sup>

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(1) Thus the tefillin did not actually interpose.

(2) Lev. XII, 8.

(3) Although she had already performed her ritual ablutions. Thus Scripture designates even such as unclean, and he is disqualified in the same way as an unclean priest is disqualified.

(4) V. supra 17b, 18a.

(5) This is the technical designation for washing the hands and feet at the laver.

(6) On the Day of Atonement the High Priest performed five services, in the course of which he changed his robes several times. Each change was to be preceded by tebillah (immersion) and sanctification; v. Yoma 32a.

(7) Five for the hand and five for the feet.

(8) So that the service should be invalid.

(9) Lev. XVI, 4.

(10) The verse reads: He shall pull on the holy linen tunic, and he shall have the linen breeches . . . and shall be girded with the linen girdle, and with the linen mitre shall he be attired . . . and he shall bathe his flesh in water, and put them on. Thus 'put them on' is emphasized by being repeated in the verse, to teach that that only is indispensable, but the other thing mentioned, viz bathing, is not indispensable.

(11) R. Assi was very pleased with the answer.

(12) On which, owing to its rough lined surface the letter is not visible. This is an idiom for idle talk.

(13) On the Day of Atonement.

(14) Ex. XXX, 21.

(15) 'His seed' denotes an ordinary priest, while 'statute' implies indispensability, as stated above. Hence the sanctification of the morning which is normally indispensable for an ordinary priest is indispensable for a High Priest on the Day of Atonement.

(16) Ex. XL, 31.

(17) But not to provide an analogy.

(18) 'His sons' implies at least two; hence it must be big enough for four.

(19) So that he washes his hands and feet simultaneously, by pouring water on each pair with his fore hand.

(20) So that he does not fall.

(21) Lit., 'a standing from the side'. The priest must stand when performing these ablutions, and if R. Jose b. R. Judah's method is adopted, he can stand only by being supported. He holds that that is sufficient, while the first Tanna holds that that is not called standing.

(22) Ex. XXX, 30.

(23) 'Sanctify them' is interpreted as in the present discussion. Thus the ablutions are made analogous to ministrations, and as the latter must be done standing, the former too must be done standing.

(24) As soon as one night passes, the previous sanctification ceases to count.

(25) As long as he is continuously engaged thus.

(26) For in the first Baraitha it is not stated that the priest was actually engaged in officiating all night.

(27) Ex. XXX, 20. Each time the priest 'approaches' the altar he must wash his hands. At daybreak there is a new approach since the altar has to be freshly arranged with new wood; therefore he must wash his hands again.

(28) Ibid. As long as he is engaged on the sacrifices there is no new entry.

(29) Even in the same day.

(30) Without officiating.

(31) The changing of the garments by the High Priest on the Day of Atonement was preceded by immersion, and the immersion was preceded and followed by 'sanctification'. All agree that the second 'sanctification' is done after the priest has donned the robes into which he was to change. v. Yoma 32b.

(32) Ibid. That too is enumerated as one of the purposes for which the priest must wash. But it is surely obvious, as it is included in the clause, 'when they approach the altar to minister'.

## Talmud - Mas. Zevachim 20a

— You might say: This [sanctification] is required only for a service which is indispensable to atonement, but not for a service which is not indispensable to atonement; hence [this clause] informs us otherwise.<sup>1</sup>

When R. Dimi came,<sup>2</sup> he said in R. Johanan's name: Ilfa asked: On the view that the passing of the night is of no effect in respect of the sanctification of hands and feet, does the water of the laver become unfit?<sup>3</sup> Do we say: For what purpose is this [water]? for the sanctification of hands and feet; but the sanctification of hands and feet itself is not nullified by the passing of the night. Or perhaps, since [the water] is sanctified in a service vessel, it becomes unfit? When Rabin came, he said in R. Jeremiah's name, who reported R. Ammi's statement in R. Johanan's name: Ilfa subsequently resolved [this problem]: there is the same controversy about the one as about the other. Said R. Isaac b. Bisna to him:<sup>4</sup> Rabbi, do you say thus? Thus did R. Ammi<sup>5</sup> say, reporting R. Johanan in Ilfa's name: If the laver was not lowered [into the well] in the evening,<sup>6</sup> [the priest] performs his sanctifications in it for the service of the night.<sup>7</sup> but on the morrow he does not perform his ablutions. Now we questioned this: 'on the morrow he does not perform his ablutions' because he does not need [further] sanctification; or perhaps [the water] has become unfit through the passing of the night?<sup>8</sup> Now, we could not resolve this, and yet to the Master it is clear? — Come and hear: Ben Kattin made twelve spouts for the laver; he also made wheels [pulleys] for the laver, so that its water should not become unfit through the passing of the night.<sup>9</sup> Surely this is [even] according to R. Eleazar son of R. Simeon?<sup>10</sup> — No: it represents Rabbi's view. Yet surely, since the first clause is according to R. Eleazar son of R. Simeon, the second clause too is according to R. Eleazar son of R. Simeon. For the first clause teaches: [The High Priest then] came to his bullock,<sup>11</sup> which bullock stood between the ulam [porch]<sup>12</sup> and the altar, its head toward the south and its face toward the west,<sup>13</sup> while the priest stood in the east and faced west. Now, whom do you know to maintain that between the ulam and the altar was north?<sup>14</sup> R. Eleazar son of R. Simeon. For it was taught: What is the north? From the northern wall of the altar to the northern wall of the Temple court and the whole of the space opposite the altar is north: that is R. Jose son of R. Judah's view. R. Eleazar son of R. Simeon added the space between the ulam and the altar.<sup>15</sup> Rabbi adds the place where the priests and lay-Israelites tread. But all agree that the place on the inside of the knives chamber<sup>16</sup> is unfit!<sup>17</sup> — Now, is it reasonable that [the first Baraita] represents R. Eleazar son of R. Simeon's view and not Rabbi's? Seeing that Rabbi goes further than R. Jose son of R. Judah, does he not go further than R. Eleazar son of R. Simeon's [definition]?<sup>18</sup> — This is what we mean: If you think that it agrees with Rabbi, let him station it in the place where the feet of the priests and the lay-Israelites tread! — What then? it is according to R. Eleazar son of R. Simeon? Then let him station it [in the space] from the northern wall of the altar to the northern wall of the Temple court? What then must you answer? [that it was placed in the position indicated] on account of the High Priest's fatigue;<sup>19</sup> so on this view too,<sup>20</sup> it was on account of the High Priest's weakness. R. Johanan said: If [the priest] sanctified his hands and feet for the removal of the ashes,<sup>21</sup> he need not sanctify [them again] on the morrow,<sup>22</sup> because he has already done so at the beginning of the service. According to whom? if according to Rabbi, surely he said that the passing of the night renders it null! if according to R. Eleazar son of R. Simeon, surely he said, He need not sanctify himself [again] even for ten days! — Said Abaye: In truth it is according to Rabbi, and [the nullifying effect of] the passing of the night is [merely] Rabbinical, and he admits that the passing of the night does not nullify from cock-crow until morning. Raba said: in truth it agrees with R. Eleazar son of R. Simeon, but R. Johanan accepted his view [only] in respect of the beginning of the service, but not in respect of the end of the service.<sup>23</sup>

An objection is raised: When his brother priests saw him descend,<sup>24</sup> they quickly ran and

sanctified their hands and feet at the laver.<sup>25</sup>

(1) For 'to cause an offering made by fire to smoke' refers to the burning of the limbs on the altar, and that is not really essential to the efficacy or validity of the sacrifice.

(2) V. p. 46, n. 1.

(3) After the passing of the night.

(4) To R. Jeremiah.

(5) Var. lec. R. Assi.

(6) Thereby leaving its water unchanged.

(7) Such as the burning of the fats and the other parts of animals sacrificed during the day.

(8) So that he may not perform his ablutions thereat.

(9) He attached it to pulleys whereby it was lowered into the well in the evening and drawn up in the morning, which made the water fresh, being now accounted as part of the well water.

(10) Which shews that the water is unfit even though the priest would not require further 'sanctification'.

(11) To make confession of sins over it. — This was on the Day of Atonement.

(12) The hall leading to the interior of the Temple.

(13) It stood between north and south, and the face was made to turn toward the west.

(14) Of the Temple. For immediately after making confession he sacrificed the animal on the spot, and that had to be done in the north.

(15) This agrees with the first clause of the Baraitha now being discussed, whence it is deduced that the Baraitha is according to R. Eleazar b. R. Simeon.

(16) Where the knives were kept.

(17) V. Yoma (Sonc. ed.) 35b, and notes.

(18) Surely he does; hence the first Baraitha describing the bullock's position may well be according to him.

(19) Owing to his heavy duties on this day we spare him as much labour as possible. Therefore the bullock was stationed near the Hekal (the inner court), to save him carrying the blood a long way.

(20) That it agrees with Rabbi.

(21) The day's service commenced at cockcrow (before dawn) with the removal of a shovelful of ashes from the altar, which was placed at the east side of the slope leading to the altar.

(22) I.e., at daybreak. the earlier period still belonging to night.

(23) Here the sanctification was performed at the beginning of the day's service, in such a case R. Johanan rules as R. Eleazar b. R. Simeon. But if it is performed in the evening for the burning of the fats, which is the end of the previous day's service, he needs fresh 'sanctification' on the morrow.

(24) With the shovelful of ash.

(25) In order to remove the ash and make room for the fresh pile of wood (the first priest removed only one shovelful).

## **Talmud - Mas. Zevachim 20b**

Now it is well according to Abaye who interprets it [R. Johanan's ruling] as agreeing with Rabbi, for Rabbi admits that the passing of the night does not nullify [in the interval between] cockcrow and morning; for this will then be according to Rabbi. But according to Raba, who interprets it as agreeing with R. Eleazar son of R. Simeon [only], but in Rabbi's opinion the passing of the night nullifies [even] from cockcrow until morning, with whom does this agree? If with Rabbi, then the passing of the night nullifies it; if with R. Eleazar son of R. Simeon, surely he said that he does not need sanctification even for ten days? — In truth, it agrees with R. Eleazar son of R. Simeon, the reference being to fresh priests.<sup>1</sup>

It was asked: Is going out [of the Temple court] effective [to invalidate] sanctification of hands and feet?<sup>2</sup> If you say that the passing of the night does not invalidate [it], that is because [the priest] did not cease [officiating], but since he ceases when he goes out, he turns his mind away from it;<sup>3</sup> or perhaps since it rests with him to go back, he does not turn his mind away from it? — Come and hear: If he sanctified his hands and feet and they were defiled,<sup>4</sup> he immerses them,<sup>5</sup> but he need not



sanctify [them],<sup>6</sup> If they [his hands and feet] went out [from the Temple court],<sup>7</sup> they retain their sanctity! — If [only] his hands went out we are not in doubt; our doubt is where his whole body went out; what [is the law then]? — Come and hear: He whose hands or feet are unwashed must sanctify them at a service vessel within.<sup>8</sup> If he sanctified [them] in a service vessel without, or in an unconsecrated vessel within; or if he immersed in the water of a pit,<sup>9</sup> and officiated, his service is invalid.<sup>10</sup> Thus it is only because he sanctified [his hands] from a service vessel without; but if he sanctified [them] within and then went out, his [subsequent] service is valid!<sup>11</sup> — [No:] Perhaps what is meant by ‘he sanctified [them] in a service vessel without’? That e.g. he stretched his hands without and sanctified them;<sup>12</sup> but if his whole body went out, you may [certainly] be in doubt. Said R. Zebid to R. Papa. Come and hear: If [the priest] went without the barrier of the wall of the Temple court, if [it was his intention] to tarry there, he needs immersion; if for a short while, he needs sanctification of hands and feet! — Said he to him: That means where he went out to ease himself at nature's call. But that is explicitly taught: He who eases himself needs immersion, and he who answers nature's call requires sanctification of hands and feet? — He [first] teaches [the general law] and then defines it.<sup>13</sup>

Come and hear: [For the services in connection with the red] heifer, R. Hiyya b. Joseph said: [The priest] must sanctify [himself] from a service vessel within and then go out;<sup>14</sup> whereas R. Johanan maintained: [He can sanctify himself] even without [the Temple], even in a profane vessel, even in a fire pot! — Said R. Papa. The [red] heifer is different; since all its services are without, going out does not disqualify it. If so, why must he sanctify [himself at all]? — We want it to be done like the services within.

It was asked: Is uncleanness effective in respect of sanctification of hands and feet?<sup>15</sup> If you say that going out does not invalidate [sanctification], that may be because the person remains fit; but here that the person is no longer fit [for service] he turns his mind from it.<sup>16</sup> Or perhaps, since he will be fit again, he is careful and does not turn his mind away from it? — Come and hear: If [the priest] sanctified his hands and his feet and they became unclean, he must immerse them, but need not [re-]sanctify them! — Where his hands [only] became unclean, we do not ask; our question is where his whole body was defiled. ‘His whole body’! surely I may deduce that he will turn his mind away from it, since he must wait for the setting of the sun?<sup>17</sup> — [The question arises where] e.g. he became unclean just before sunset! Come and hear: [For the service in connection with the red] heifer, R. Hiyya b. Joseph said: [The Priest] must sanctify [himself] from a service vessel within and then go out; whereas R. Johanan maintained: [He can sanctify himself] even without the Temple, even in a profane vessel, even in a firepot.

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- (1) Who had not been ministering earlier in the night.
  - (2) To make it necessary to repeat it.
  - (3) Therefore he must repeat his lustrations when he returns.
  - (4) With an uncleanness which defiles them only, but not the whole body.
  - (5) Immersion in a ritual bath (מִקְוָה).
  - (6) In the laver.
  - (7) The priest stood at the entrance and thrust his hands and feet without.
  - (8) Sanctification might be done either at the laver or from any service vessel v. infra; ‘within’ means within the Temple court.
  - (9) Though normally this cleanses.
  - (10) Immersion, even of the whole body, does not count as sanctification.
  - (11) For if that too were invalid, this law is superfluous, since he is standing without at the very moment of lustrations.
  - (12) Whilst standing within. Only then is it necessary to state this law.
  - (13) The Tanna first states the law about going out, and then defines the cases to which this law applies.
  - (14) The burning of the red heifer and the gathering of its ashes and mixing it with water, which are the services here referred to, were done outside Jerusalem.

(15) It is now assumed that the question is: if the priest's hands became unclean, without the rest of his body, must he resanctify them?

(16) Which nullifies sanctification.

(17) He does not become clean even after immersion until sunset.

## Talmud - Mas. Zevachim 21a

Now in the case of the [red] heifer we defile him, for we learnt: They used to defile the priest who was to burn the heifer and then make him immerse, in order to combat the opinion of the Sadducees,<sup>1</sup> who maintained: It[s service] was performed [only] by [priests] who had experienced sunset!<sup>2</sup> This proves that uncleanness does not invalidate it.<sup>3</sup> — The [red] heifer is different, since a tebul yom is not unfit for it. If so, why must he sanctify himself [at all]? — Because we want it similar to the [usual sacrificial] service.

It was asked: Can [the priest] sanctify his hands and feet in the laver?<sup>4</sup> [Do we argue,] the Divine Law states, [And Aaron and his sons shall wash . . .] thereat,<sup>5</sup> but not in it; or perhaps it means even in it? — Said R. Nahman son of Isaac, Come and hear: Or if he immersed in the water of a pit and officiates, his service is invalid. Hence [if he used] the water of the laver in a similar way to the water of a pit<sup>6</sup> and officiated, his service is valid? — No: it is particularly necessary for him [the Tanna] to teach about the water of a pit. lest you say: If he can bathe his whole body therein,<sup>7</sup> how much the more his hands and feet.<sup>8</sup>

R. Hiyya son of Joseph said: The water of the laver becomes unfit for the mattirin, as the mattirin [themselves], and for the [burning of the] limbs, as the limbs [themselves]. R. Hisda maintained: Even for the mattirin they become unfit only at dawn, as the limbs.<sup>9</sup> While R. Johanan maintained: Once the laver is sunk,<sup>10</sup> it may not be drawn up again.<sup>11</sup> Does this mean that it is not even fit for a night service?<sup>12</sup> Surely R. Assi said, reporting R. Johanan in Ilfa's name: If the laver was not sunk [into the pit] before evening, [the priest] may sanctify [himself] thereat for a night service, but he may not sanctify [himself] thereat on the morrow? — What is meant by 'it may not be drawn up'? for a day service; but it is indeed fit for a night service. If so, this is identical with R. Hiyya b. Joseph [‘s view]?

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(1) V. Sanh. (Sonc.ed.) p. 353. n. 2.

(2) I.e., by priests upon whom the sun had set after their immersion, as in the case of the sacrificial service in general. The Rabbis however held that immediately after immersion (when he is called a tebul yom v. Glos) a priest was fit for the burning of the red heifer. V. Parah III, 7.

(3) Sc. the sanctification.

(4) By actually putting his hands and feet into it.

(5) Ex. XXX, 19. The Heb. means literally, from it.

(6) I.e., putting his hands and feet in the laver.

(7) If unclean, and such bathing constitutes valid immersion and makes him clean.

(8) But it is still possible that if he used the water of the laver in the same way. putting his hands and feet into it, his sanctification is invalid.

(9) The mattirin (q.v. Glos) are the sprinkling of the blood of animal sacrifices, and the burning of the fistful of meal of the meal-offerings; they are so called because they enable the sacrifices to be eaten or make them fit for the altar, and they must be done before sunset of the day on which the sacrifices are brought. Now the laver was sunk every day in a pit (v. supra 20a); if this laver was not sunk into it before sunset, its water is unfit on the morrow for 'sanctification' where the priest wishes to perform a mattir, just as the blood and the fistful of meal themselves become unfit for their purpose at sunset. Again, the limbs of the sacrifice must be burned before dawn of the day following its offering; if the laver is not sunk into the pit before dawn, its water is unfit for 'sanctification' on the following day for the service of burning the limbs. That is R. Hiyya b. Joseph's view. R. Hisda maintains that for the sprinkling of the blood too the water is unfit only if the laver was not sunk in the pit by dawn.

(10) Into the pit at sunset.

(11) Until dawn. It is now assumed that he means that even if a priest wishes to burn limbs during the night the laver cannot be drawn up, as this would render its water unfit.

(12) Viz., burning the limbs.

## Talmud - Mas. Zevachim 21b

— They disagree as to a preventive measure in respect of sinking [the laver].<sup>1</sup> But surely R. Johanan said: If [the priest] sanctified his hands for the removal of the ashes, he need not sanctify [them again] on the morrow, because he has already sanctified [them] at the beginning of the service.<sup>2</sup> According to Raba who explains that this agrees with R. Eleazar son of R. Simeon, it is well: this [the present ruling] agrees with Rabbi.<sup>3</sup> But according to Abaye who explains that it agrees with Rabbi, Rabbi is self-contradictory, [for] why must he lower it there,<sup>4</sup> whereas here he must not lower it? — It means that he raises it<sup>5</sup> and then lowers it again.<sup>6</sup> If so, 'on the morrow he does not sanctify' — why so?<sup>7</sup> [The meaning is] that he need not sanctify,<sup>8</sup> which is to say that [the previous sanctification] is indeed fit for the mattirin. Then it is the same as R. Hisda[’s ruling]:<sup>9</sup> — They disagree in respect of the regulation of lowering.<sup>10</sup>

An objection is raised: They neither saw him nor heard him until they heard the sound of the wood of the machine which Ben Kattin made for the laver, and then they exclaimed. 'It is time to sanctify hands and feet at the laver'.<sup>11</sup> Surely it means that he raised it,<sup>12</sup> and which proves that it was sunk [earlier]? — No: it means that he lowered it [now].<sup>13</sup> If he lowered it, would the sound be heard?<sup>14</sup> — He lowered it by the wheel.<sup>15</sup> Another version: He lowered it by means of its stone,<sup>16</sup> in order that the sound of it should be heard, so that they [the priests] might hear it and come. But there was Gebini the crier?<sup>17</sup> — They made two alarms; some heard the one and came, whilst others heard the other and came.

The [above] text [stated]: 'R. Jose son of R. Hanina said: You may not wash in a laver which does not contain sufficient [water] for the sanctification of four priests. for it says. That Moses and Aaron and his sons wash their hands and their feet thereat'.<sup>18</sup> An objection is raised: All vessels sanctify.<sup>19</sup> whether they contain a rebi'ith<sup>20</sup>

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(1) When R. Johanan rules that the laver must not be brought up for a service the following day, it is not because its water is unfit if it is not in the pit during any part of the night, but as a preventive measure, lest it is not lowered again before dawn, which would disqualify it. Hence R. Johanan does not say that the water is unfit, but merely that the laver must not be brought up.

(2) V. supra 20a. Thus the laver is drawn up before dawn, and R. Johanan does not add that it must be lowered again immediately before dawn.

(3) Who maintains that the passing of the night nullifies the previous sanctification, and all the more will it disqualify the water of the laver itself.

(4) I.e., why does he fear there that if he brings it up he will not lower it again.

(5) In the morning for the removal of the ashes.

(6) Although R. Johanan does not mention it, that is merely because he is discussing the sanctification of hands and not the regulations of the laver.

(7) Now that you explain that according to R. Johanan the night does not disqualify, why cannot he sanctify his hands on the morrow?

(8) Because he has already sanctified his hands for the night service. Thus he informs us that the passing of the night does not nullify the sanctification, this being in agreement with R. Eleazar.

(9) Now that you say that he does not bring it up because dawn is a disqualification, but that the night itself does not disqualify. R. Johanan's view is identical with R. Hisda's.

(10) In R. Johanan's opinion it must be done in the evening, so that when the priest comes to clean the ashes in the morning he will find it so, and thus remember to lower it again immediately before dawn. But R. Hisda holds that this is

unnecessary, and it is sufficient to lower it just before dawn.

(11) When the priest who was to remove the ashes entered the Temple court to sanctify his hands and feet, he did not carry a light with him, but walked by the light of the altar fire. His fellow-priests in the adjoining chamber therefore neither saw nor heard him, until they heard the sound of the machine drawing up the laver from the pit, and then they knew that they themselves must prepare for the next service.

(12) From the pit. Hence until then it was in the pit, which contradicts R. Hisda's view that it was not lowered until dawn.

(13) They heard the sound of it being lowered.

(14) The wheel was unnecessary for this, as one could simply unfasten the rope by which it was held up, whereupon it would fall automatically.

(15) Though it was unnecessary, precisely in order that he might be heard.

(16) A stone used as a wheel or pulley.

(17) Who apprised the priests and others every morning when it was time for them to get up; v. Yoma 19b.

(18) V. supra 19b.

(19) The water placed in them, so that this water can be used by the priests for sanctifying their hands and feet.

(20) V. Glos.

## Talmud - Mas. Zevachim 22a

or they do not contain a rebi'ith,<sup>1</sup> provided they are service vessels? — Said R. Adda b. Aha:<sup>2</sup> This means where one bales out from it.<sup>3</sup> But the Divine Law saith, 'Thereat'<sup>4</sup> — They should wash<sup>5</sup> is to include any service vessel.<sup>6</sup> If so, then a profane vessel too [should be fit]? — Said Abaye: You cannot say [that] a profane vessel [is fit], this being deduced from its base, a fortiori: If its base, which was anointed together with it [the laver], does not sanctify [the water poured into it].<sup>7</sup> is it not logical that a profane vessel, which was not anointed with it, does not sanctify?

And how do we know [that] its base [does not sanctify]? Because it was taught: R. Judah said: You might think that the base sanctifies, just as the laver sanctifies; therefore it says. Thou shalt also make a laver of brass, and the base thereof of brass.<sup>8</sup> I have made it alike in respect of brass, but not in respect of anything else. Mar Zutra the son of R. Mari said to Rabina: As for its base, [it does not sanctify] because it is not made for its inside [to be used]; will you say [the same of] a profane vessel, which is made for its inside?<sup>9</sup> Rather, 'thereat' excludes a profane vessel. If so, [it excludes] a service vessel too? — Surely the Divine Law included [it by writing] 'they should wash'. And what [reason] do you see [for this choice]?<sup>10</sup> — The one [a service vessel] needs anointing like itself [the laver], while the other does not need anointing like itself.

Resh Lakish said: Whatever can make up [the prescribed quantity of] the water of a mikweh,<sup>11</sup> makes up the water of the laver;<sup>12</sup> but it does not make up to a rebi'ith.<sup>13</sup> What does this exclude? Shall we say, it excludes miry [liquid] clay?<sup>14</sup> then how is it meant? If a cow would bend and drink thereof,<sup>15</sup> it is [fit] even for a rebi'ith too;<sup>16</sup> while if a cow would not bend and drink thereof, it cannot make up even [the quantity of] a mikweh too! Again, if it is to exclude red insects,<sup>17</sup> [these are permitted] even in the mass,<sup>18</sup> for surely it was taught: R. Simeon b. Gamaliel said: You may perform immersion in whatever originates in the water; while R. Isaac b. Abdimi said: You may perform immersion in the eye of a fish!<sup>19</sup> — Said R. Papa: It excludes the case where one added a se'ah and took out a se'ah. For we learnt: If a mikweh had exactly forty se'ah and one added a se'ah and took out a se'ah, it is fit. And Rab Judah b. Shila said in R. Assi's name in R. Johanan's name: Up to the greater part thereof.<sup>20</sup> R. Papa said: If one cut out a rebi'ith therein, one may bathe needles and hooks,<sup>21</sup> since it is derived from a valid mikweh.<sup>22</sup>

R. Jeremiah said in the name of Resh Lakish: The water of a mikweh is fit for the water of the laver.<sup>23</sup> Are we to say that it [the water of the laver] need not be 'living' water? Surely it was taught: [But its inwards and its legs shall he wash] with water,<sup>24</sup> but not with wine; 'with water,' but not

with a mixture;<sup>25</sup> 'with water' includes any water,<sup>26</sup> and all the more [does it include] the water of the laver. Now what does 'and all the more the water of the laver' imply? Surely that it is 'living' water?<sup>27</sup> — No: it means, which is holy.<sup>28</sup> Is then its holiness an advantage? Surely the school of Samuel taught: [Only] water which has no special name [is fit],<sup>29</sup>

- (1) In that case it is certainly insufficient for four priests.
- (2) Sh. M. emends: Ahabah.
- (3) Tosaf. : the priest takes up water from the laver with a small vessel. This need not contain a rebi'ith, but the laver must contain the larger quantity. Rashi translates and explains differently.
- (4) Rashi: which implies that one must wash from the laver only. Tosaf. : which implies that any other vessel used must be of the same size as the laver.
- (5) Ex. XL, 32.
- (6) 'They should wash' is superfluous, and is therefore regarded as an extension.
- (7) To be used for this purpose. — This implies that the base itself could hold water.
- (8) Ibid. XXX, 18.
- (9) Surely not.
- (10) For excluding the one and including the other; why not reverse it?
- (11) V. Glos. A mikweh must contain not less than forty se'ahs water. Yet if it is short of this quantity, it can be made up with other liquids, as enumerated in Mik. VII, 1 q.v.
- (12) If it contains insufficient for the lustrations of four priests.
- (13) Which is required for the ordinary washing of the hands before eating food.
- (14) Reading narok, as in Suk. 19b et passim. Edd. have here nadok, which Rashi translates, thin clay, such that can be poured from one vessel into another.
- (15) If it is so loose that its presence in water would not deter a cow from drinking it.
- (16) If the rebi'ith is partly made up of such miry clay, it is sufficient and valid for the ritual washing of the hands.
- (17) Which originate in the water.
- (18) Even if the whole mikweh consists of these, it is fit, whereas Resh Lakish permits them only to make up the prescribed quantity.
- (19) A huge fish whose eye had dissolved in its socket.
- (20) Any liquid other than water can sometimes make up the quantity and sometimes not. Thus: if the mikweh contains thirty nine se'ahs and another is added of a different liquid, it is not valid. But if it contains forty, and then a different liquid is added and a se'ah of water is removed, it remains fit. For it was fit without the added se'ah, and this se'ah becomes null (loses its identity) in the rest, and so the mikweh remains fit. Rab Judah says that it remains fit even if in this way one removes up to (but not including) the greater part of the water. But if one has a rebi'ith of water, adds a little of another liquid, and then removes the same quantity, it is not fit, because a rebi'ith is too little for the other liquid to lose its identity in it.
- (21) If one cuts out a little hollow in the side of a full-sized mikweh and the water flows into it, you may purify these small objects in it, even though it is not freely joined to the larger mikweh.
- (22) Lit., 'Since it comes from the fitness of a mikweh'.
- (23) Though the former is not 'living' (i.e. running) water, it may be drawn into the laver.
- (24) Lev. I, 9.
- (25) Two parts water and one part wine.
- (26) Even non-running.
- (27) For that is apparently its only superiority, and so the passage does not refer to the actual water of the laver, but means any living water.
- (28) I.e. all the more is the water of the laver (actual) fit, seeing that it is holy.
- (29) For the washing of the sacrificial parts.

## Talmud - Mas. Zevachim 22b

which excludes the water of the laver, which has a special name.<sup>1</sup> Hence it surely means such as is fit for the water of the laver,<sup>2</sup> which proves that it must be 'living' water? — It is a controversy of

Tannaim. For R. Johanan said: As for the laver, — R. Ishmael said: It is the water of a spring;<sup>3</sup> While the Sages maintain: It may be ordinary water.

AN UNCIRCUMCISED [PRIEST]. Whence do we know it? — Said R. Hisda: We did not learn this from the Torah of Moses our Teacher, but from the words of Ezekiel the son of Buzi: No alien, uncircumcised in heart and uncircumcised in flesh, shall enter into My sanctuary.<sup>4</sup> And how do we know that they profane the service?<sup>5</sup> — Because it is written, In that ye have brought in aliens, uncircumcised in heart and uncircumcised in flesh, to be in My sanctuary, to profane it, even My house, [when ye offer My bread, the fat and the blood].<sup>6</sup>

Our Rabbis taught: [It says.] Alien: you might think that this means literally an alien; therefore Scripture teaches, uncircumcised in heart. If so, why does Scripture call him 'alien'? Because his actions are alien to his Father in Heaven.<sup>7</sup> Now, I know only [that] the 'uncircumcised in heart'<sup>8</sup> [invalidates the sacrifice]; how do I know that the uncircumcised in flesh [does likewise]? Because the text states, 'and uncircumcised in flesh.' And they are both necessary. For if the Divine Law wrote [that] one uncircumcised in flesh [is disqualified]. I would say that the reason is because he is repulsive; but an uncircumcised in heart' is not repulsive, and so he is not disqualified. And if we were informed about an 'uncircumcised in heart', I would say that the reason is that his heart is not toward Heaven, but [as for] an 'uncircumcised in flesh', whose heart is toward Heaven,<sup>9</sup> he is not [disqualified]. Thus both are necessary.

AN UNCLEAN [PRIEST] . . . IS DISQUALIFIED. The Elders of the South said: They learnt this only of [a priest] unclean through a reptile, but [as for] one unclean through a corpse, since [the headplate] propitiates in the case of a public sacrifice, it propitiates in the case of a private sacrifice.<sup>10</sup> If so, let it be deduced from one unclean through a corpse, a fortiori. [that] one unclean through a reptile too [does not invalidate the sacrifice]: if [the headplate] propitiates [in the case of] one unclean through a corpse, who must be besprinkled on the third and on the seventh [days of his defilement],<sup>11</sup> surely [it] propitiates [in the case of] one unclean through a reptile, who need not be besprinkled on the third and on the seventh [days]? — The Elders of the South hold that those who make atonement [the priests] are like those for whom atonement is made [the people]: as in the case of those for whom atonement is made, if they are unclean through a corpse [the headplate] does [propitiate], but if they are unclean through a reptile [it does] not,<sup>12</sup> so are those who make atonement: one unclean through a corpse is [included in the propitiatory effect of the headplate]. whereas one unclean through a reptile is not [included]. What do they [these Elders] hold? If they hold, you may not slaughter [the Passover] and sprinkle [its blood] on behalf of one who is unclean through a reptile,<sup>13</sup> why may the community not sacrifice in uncleanness: surely [it is a principle that] wherever an individual is relegated [to the second Passover], the community celebrates it in uncleanness? Rather, they hold that you do slaughter and sprinkle on behalf of him who is unclean through a reptile.

'Ulla said: Resh Lakish<sup>14</sup> criticised the southern scholars: Now, whose power is greater, the power of those who make atonement, or the power of those for whom atonement is made? Surely the power of those for whom atonement is made.<sup>15</sup> Then if a priest who was unclean through a reptile cannot propitiate [officiate], though where the owners were defiled by a reptile they can send their sacrifices [to the Temple]; is it not logical that a priest who was defiled by a corpse should not be able to propitiate, seeing that if the owners were defiled by a corpse they cannot send their sacrifices?<sup>16</sup> — The Elders of the south hold: One who is unclean through a corpse can also send his sacrifices.<sup>17</sup> But it is written, If any man of you . . . shall be unclean [by reason of a dead body] . . . yet he shall keep the Passover [unto the Lord] in the second month [on the fourteenth day at dusk they shall keep it]?<sup>18</sup> — That is a recommendation.<sup>19</sup> But it is written, According to every man's

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(1) It is not called simply water, but the water of the laver.

- (2) But not the actual water of the laver.
- (3) I.e., running water.
- (4) Ezek. XLIV, 9.
- (5) I.e., make the sacrifice unfit.
- (6) Ibid. 6.
- (7) They estrange him from God.
- (8) An apostate.
- (9) For this is understood to refer to one whose brothers died through circumcision, so that he fears the operation, but would otherwise have it performed.
- (10) V. Ex. XXVIII, 36-38: And thou shalt make a plate of pure gold . . . and it shall be upon Aaron's forehead, and Aaron shall bear the iniquity committed in the holy things . . . and it shall always be upon his forehead, that they may be accepted before the Lord. According to the Rabbis, this means that in virtue of the headplate a public sacrifice is 'accepted', i.e., valid, even if the whole congregation or all the officiating priests are unclean, and indeed must be offered at the very outset in such conditions, as the public sacrifice may not be postponed. This is technically called propitiating (making acceptable). The matter is further explained in the text.
- (11) V. Num. XIX, 19.
- (12) I.e., only when the whole or the majority of the nation is unclean through a corpse must the public sacrifice be brought.
- (13) If an individual is unclean through a reptile and has not performed tebillah (q.v. Glos.), though he can do so and be clean in the evening, nevertheless the Passover may not be slaughtered on his behalf, and he must postpone his sacrifice for the second Passover. There is an opposing view in Pes. 90b.
- (14) The original is  $\text{ש"ך}$  and it is not clear what it stands for. Bah. suggests. Resh Galutha, the Head of the Exile.
- (15) As the text proceeds to shew: the owner of a sacrifice can send it to the Temple even when he is unclean through a reptile, whereas a priest cannot officiate in like circumstances.
- (16) Because they will be unfit to partake of it in the evening. — Though sacrifices in general are mentioned, much of the present discussion refers more particularly to the Passover.
- (17) E.g., he was registered for a particular Passover-offering (this could be sacrificed only on behalf of people specially registered for it) and became unclean through a corpse: if he sent the sacrifice and had it slaughtered, he does not celebrate the second Passover a month later, though he cannot partake of the first.
- (18) Num. IX, 10f. Thus he is relegated to the second month.
- (19) Scripture orders him to be relegated. Yet if he does have it slaughtered at the first, he has fulfilled his obligation.

## Talmud - Mas. Zevachim 23a

eating?<sup>1</sup> — That [too] is [only] a recommendation. Yet is it not indispensable?<sup>2</sup> Surely it was taught: [Then shall he and his neighbor next unto him take one] according to the number of [be-miksath] the souls:<sup>3</sup> this teaches that the Paschal lamb is not slaughtered save for those who are registered [numbered] for it. You might think that if he slaughtered it for those who were not registered for it, he should be as one who violates the precept, yet it is fit. Therefore it is stated, Ye shall make your count [takosu]:<sup>3</sup> it is reiterated 'to teach that it is indispensable; and eaters are assimilated to registered [persons]!<sup>4</sup> — The Elders of the south do not assimilate [them].<sup>5</sup> Yet even if they do not assimilate [them], there is still the same refutation: If a priest who was defiled by a reptile cannot propitiate, though if the owners were defiled by a reptile they can send their sacrifices at the very outset; is it not logical that a priest who was defiled through a corpse should not be able to propitiate, seeing that if the owners were defiled through a corpse they cannot send their sacrifices at the very outset?<sup>6</sup>

An objection is raised: [If the blood of a Passover-offering is sprinkled, and then it became known that it was unclean, the headplate propitiates; if the person became unclean, the headplate does not propitiate;] because they [the Sages] ruled: [In the case of] a nazirite one who sacrifices the Passover-offering, the headplate propitiates for the uncleanness of the blood, but the headplate does not propitiate for the uncleanness of the person. With what [was the person defiled]? Shall we say,

With the uncleanness of a reptile? surely you maintain [that] you may slaughter [the Passover-offering] and sprinkle [its blood] on behalf of one who is unclean through a reptile! Hence it must refer to defilement by a corpse, yet it teaches, 'The headplate does not propitiate', which proves that if the owners were defiled, they cannot send their sacrifices!<sup>7</sup> — No: if the owners were defiled through a corpse, that would indeed be so.<sup>8</sup> But the meaning here is that the priest was defiled by a reptile. If so, consider the last clause: If he was defiled with the 'uncleanness of the deep',<sup>9</sup> the headplate propitiates.<sup>10</sup> But surely R. Hiyya taught: They [the Sages] spoke of the 'uncleanness of the deep' in respect of a corpse alone. What does this exclude? Surely it excludes the 'uncleanness of the deep' caused by a reptile? — No: it excludes the 'uncleanness of the deep' of gonorrhoea.<sup>11</sup>

Again, as to what Rami b. Hama asked: As to the priest who propitiates with their sacrifices, is the 'uncleanness of the deep' permitted to him, or is the 'uncleanness of the deep' not permitted to him?<sup>12</sup> You may solve that the 'uncleanness of the deep' is permitted to him, for here we are treating of the priest?<sup>13</sup> — Rami b. Hama certainly disagrees [with the Elders of the south].<sup>14</sup>

Come and hear:<sup>15</sup> And Aaron shall bear the iniquity of the holy things:<sup>16</sup> now, what iniquity does he bear?

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(1) Ex. XII, 4. This implies that he must be fit to partake thereof.

(2) In the sense that the sacrifice offered in contravention of this law does not count at all, and the man must bring the second Passover.

(3) Ibid. 4.

(4) Just as the sacrifice is unfit if slaughtered for those who are not registered for it, so is it unfit if slaughtered on behalf of men who cannot partake of it, for the eaters are coupled with the registered persons in the same verse.

(5) Since only 'number' is repeated, but not 'eating'.

(6) For the Elders of the south merely maintain that if they sent their sacrifices and had them slaughtered, they do not bring a second Passover. But they must of course admit that they must not send them in the first place. — The objection remains unanswered.

(7) In the sense that even if they do, they must still bring the second Passover.

(8) The headplate would propitiate.

(9) This is a technical term denoting the hidden uncleanness of a corpse which is now discovered for the first time. E.g., if he was in a house and it is subsequently learned that a corpse had been there; v. Pesahim 80b.

(10) And he is not liable to a second offering. This is a traditional law.

(11) A zab (gonorrhoeist) is unclean seven days, and the Passover-offering may not be offered on his behalf. Now, if the eve of Passover marks the seventh day of his uncleanness, he is in a state of doubt: if he does not discharge on that day, he will be clean in the evening; if he does discharge, he becomes unclean for a further seven days. Thus he too is unclean with the 'uncleanness of the deep', and R. Hiyya teaches that the headplate does not propitiate in his case.

(12) If the priest who offers the Passover sacrifice or the sacrifices of a nazirite on behalf of their owners was defiled with the 'uncleanness of the deep', does the headplate propitiate, so that the sacrifices are valid, or not?

(13) On the interpretation of the Elders of the south.

(14) He must interpret the Mishnah as referring to the uncleanness of the owners.

(15) This is a refutation of Rami b. Hama.

(16) Ex. XXVIII, 38. 'Shall bear' means shall make atonement for, i.e., shall make a sacrifice valid in spite of certain irregularities.

## Talmud - Mas. Zevachim 23b

If the iniquity of piggul,<sup>1</sup> surely it is already said, it shall not be accepted?<sup>2</sup> If the iniquity of nothar,<sup>3</sup> surely it is already said, neither shall it be imputed [unto him that offereth it]?<sup>4</sup> Hence he bears nought but the iniquity of defilement, which is inoperative,<sup>5</sup> in opposition to its general rule, in the case of a community.<sup>6</sup> Now which uncleanness [is meant]? if we say, the uncleanness of a reptile,



where has that been waived?<sup>7</sup> Hence it must mean uncleanness through a corpse, which proves that if the owners become unclean through a corpse they send their sacrifices. And of whom [is this said]? If of a nazirite, the Divine Law saith, And if any man die very suddenly beside him, etc!<sup>8</sup> Hence it can only refer to one who is offering the Paschal lamb! — In truth it refers to [the uncleanness of] a reptile, yet uncleanness elsewhere [was waived].<sup>9</sup> Others make this deduction:<sup>10</sup> [The headplate makes atonement] only for the iniquity of the holy things, but not for the iniquity of those who hallow them.<sup>11</sup> Which uncleanness [is meant]? If we say, the uncleanness of a reptile? is then that inoperative in the case of a community? Hence it must surely be the uncleanness of a corpse, and yet only the iniquity of the holy things [is atoned for], but not the iniquity of those who hallow them? — No: in truth it means uncleanness through a reptile, yet uncleanness elsewhere [is waived].

[A PRIEST] SITTING. Whence do we know it? — Said Raba in R. Nahman's name: Scripture saith, [For the Lord thy God hath chosen him — the priest — out of all thy tribes,] to stand to minister [in the name of the Lord]:<sup>12</sup> I have chosen him to stand, but not to sit. Our Rabbis taught: 'To stand to minister' is a recommendation;<sup>13</sup> when it says [further], who stand [there before the Lord].<sup>14</sup> the Writ has repeated it, to make [standing] indispensable. Raba said to R. Nahman: Consider: one sitting is as a zar,<sup>15</sup> and profanes the service; then let us say: just as a zar is liable to death,<sup>16</sup> so is one who sits liable to death. Why then was it taught: But an uncircumcised [priest], an onen, and one sitting are not liable to death but are merely under an injunction [not to officiate]? — Because [a priest] lacking the [priestly] vestments and one whose hands and feet are not washed are two laws which come as one,<sup>17</sup>

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(1) V. Glos.

(2) Lev. XIX, 7.

(3) V. Glos.

(4) Ib. VII, 18. Text as emended by Rashi on the basis of Torath Kohanim. The edd. reverse the proof-texts, and Tosaf. defends their reading.

(5) Lit., 'permitted'.

(6) If the whole community or the majority thereof is unclean, they sacrifice the Passover-offering in the first month, as usual, and are not relegated to the second month as an individual would be.

(7) In favour of a community — Scripture speaks only of uncleanness through a corpse.

(8) Num. VI, 9. Scripture proceeds to say that he must then bring certain sacrifices and re-commence his period of naziriteship, at the conclusion of which he brings the prescribed sacrifices on the shaving of his head. Thus whilst unclean he cannot bring the latter.

(9) Though the Scriptural permission to a community applies only to uncleanness through a corpse, yet since we find that same form of uncleanness is inoperative, it is logical to say that the propitiating powers of the headplate hold good in the case of uncleanness through a reptile.

(10) Which supports Rami b. Hama and refutes the Elders of the south.

(11) I.e., only when the sacrifice itself is defiled, but not when its owners or the priests — 'those who hallow them' — are unclean. This is deduced direct from Scripture, which speaks only of the 'holy things'.

(12) Deut. XVIII, 5.

(13) I.e., this text alone would merely indicate that it is preferable that the priest shall stand.

(14) Ibid. XVIII, 7.

(15) For since he has not been chosen 'to sit', he is then like a zar (a lay-Israelite) who has not been chosen.

(16) For officiating.

(17) I.e., to teach the same thing. They too profane the service, and it is stated in Sanh. 83a that they are liable to death, and the same analogy might be drawn from each, viz., that those who profane the service are liable to death.

## Talmud - Mas. Zevachim 24a

and two laws that come as one do not illumine [other cases].<sup>1</sup> And on the view that they do illumine

[other cases], one who has drunk wine is a third case, and [when] three [laws come as one] all agree that they do not illumine [other cases].

ONE STANDING ON UTENSILS OR ON AN ANIMAL OR ON HIS FELLOW'S FEET, [THE SACRIFICES] ARE INVALID. Whence do we know it? — For the school of R. Ishmael taught: Since the pavement sanctifies<sup>2</sup> and the service vessels sanctify;<sup>3</sup> just as with the service vessels nothing may interpose between him [the priest] and the service vessels;<sup>4</sup> so with the pavement nothing must interpose between him and the pavement.

Now they are all necessary.<sup>5</sup> For if we were informed about vessels, I would argue that [standing on them disqualifies] because they are not flesh, but in the case of an animal, which is flesh, [standing on it does] not [disqualify]. And if we were informed about an animal, [the reason is] because it is not human, but as for his fellow, who is human, I would say [that standing on his feet does] not [disqualify]. Hence [they are all] necessary.

It was taught: R. Eliezer said: If one foot is on the utensil and the other on the pavement, one foot on the stone and the other on the pavement, we consider: wherever if the stone or the utensil be removed, he can stand on the other foot, his service is valid; if not, his service is invalid. R. Ammi asked: What if a [paving] stone become loosened and he stood on it?<sup>6</sup> If it is not his intention to fit it [in the pavement] there is no question, for it certainly interposes;<sup>7</sup> the question arises where it is his intention to fit it in: what then? Since it is his intention to fit it in, it is as though [already] fitted; or perhaps [we say], Now at all events it is separate? Rabbah Zuti<sup>8</sup> stated the question thus: R. Ammi asked: What if the stone became uprooted,<sup>9</sup> and he stood in its place? What is the question? [This:] When David sanctified [it], did he sanctify the upper pavement [only], or perhaps he sanctified [it] right to the nethermost soil?<sup>10</sup> Then let him ask about the whole of the Temple court?<sup>11</sup> — In truth, he is certain that he sanctified it to the nethermost soil, but this is his question: Is this a natural way of service,<sup>12</sup> or is it not a natural way of service? The question stands.

IF [THE PRIEST] RECEIVED [THE BLOOD] IN HIS LEFT HAND, IT IS DISQUALIFIED; R. SIMEON DECLARES IT FIT. Our Rabbis taught: [And the priest shall take of the blood of the sin-offering with his finger, and put it upon the horns of the altar]:<sup>13</sup> ‘with his finger he shall take’: this teaches that receiving must be done with the right hand; ‘with his finger he shall put’: this teaches that applying [the blood on the altar] must be done with the right hand.<sup>14</sup> Said R. Simeon: is then ‘hand’ stated in connection with receiving? Rather, [interpret it thus:] ‘with his finger he shall put’ teaches that the application must be with the right; [and] since ‘hand’ is not stated in connection with receiving, if he received [it] with his left [hand], it is fit.<sup>15</sup> Now as for R. Simeon, what will you? if he admits the gezerah shawah,<sup>16</sup> what does it matter if ‘hand’ is not written in connection with receiving?<sup>17</sup> While if he does not admit the gezerah shawah, what if ‘hand’ were written in connection with receiving? — Said Rab Judah: in truth, he does not admit the gezerah shawah, and this is what he means: Is then ‘right hand’ stated in connection with receiving? Since then ‘right hand’ is not stated in connection with receiving, if he received [it] with the left hand, [the service] is fit. Said Rabbah to him: If so, [the same applies] even to the application [of the blood on the altar] too?<sup>18</sup> Moreover, does not R. Simeon accept the gezerah shawah? Surely it was taught. R. Simeon said: Wherever ‘hand’ is stated, it refers to the right only; [wherever] ‘finger’ [is stated], it refers to the right only? — Rather said Raba: In truth he admits the gezerah shawah, and this is what he says: is then ‘hand’ stated in connection with receiving? Since not ‘hand’ but ‘finger’ is written, and [the blood] cannot be received with the finger,<sup>19</sup> therefore if he received it with the left [hand], it is fit. Said R. Sama the son of R. Ashi to Rabina: But it is possible to make a handle at the edge of the bowl<sup>20</sup> and receive [the blood]?<sup>21</sup> — Rather said Abaye:

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(1) For otherwise only one should be mentioned, and by analogy the other as well as all analogous cases, would be included.

- (2) The priest, in that he may sacrifice there only, and not elsewhere. But v. next note.
- (3) The blood that is caught in them. This is the reading of cur. edd. Sh. M. offers an alternative reading, which is preferable: since the pavement is sanctified, and the service vessels are sanctified.
- (4) When he takes one for receiving the blood, nothing must be on his hands, e.g., gloves.
- (5) The enumeration of vessels, an animal, and his fellow's feet.
- (6) So that it moves about.
- (7) It is not accounted part of the pavement.
- (8) Lit., 'the small.'
- (9) Entirely leaving the earth beneath it exposed.
- (10) Lit., 'the soil of the deep'.
- (11) What if the pavement is removed and the priests stand on the earth beneath?
- (12) To stand on the earth beneath the paving stone.
- (13) Lev. IV, 25.
- (14) 'Finger' stands between 'take' and 'put' in the text, and so the Rabbis apply it to both; and it is stated below that 'finger' always means that of the right hand.
- (15) It is now assumed that R. Simeon agrees that 'hand' means the right, but not 'finger'.
- (16) Whereby it is deduced that 'hand' in connection with sacrifices means the right. The *gezerah shawah* is from a leper, where both 'hand' and 'finger' are written.
- (17) 'Finger' is however written both here and in connection with a leper; and there it is definitely the right.
- (18) Since right hand is not stated there either.
- (19) The receiving vessel cannot be held by a finger only. Hence 'finger', which denotes the right one, must refer to the applying of the blood, but not to the receiving.
- (20) In which the blood is caught.
- (21) Holding it with the finger only.

## Talmud - Mas. Zevachim 24b

They disagree [on the question] whether a text is to be interpreted with what precedes and with what follows it.<sup>1</sup>

Abaye said: The following [teaching] of R. Eleazar son of R. Simeon disagrees with his father's and with the Rabbis'. For it was taught, R. Eleazar son of R. Simeon said: Wherever 'finger' is stated in connection with receiving,<sup>2</sup> if [the priest] varied the reception [of the blood],<sup>3</sup> it is unfit; if the application, it is fit. And wherever 'finger' is stated in connection with the application, if he varied the application, it is unfit; if the reception, it is fit. And where is 'finger' stated in connection with the application? — For it is written, And thou shalt take of the blood of the bullock, and put it upon the horns of the altar with thy finger;<sup>4</sup> and he holds: A text is interpreted with its precedent, but not with its ante-precedent, nor with what follows it. Rabbah b. Bar Hanah said in R. Johanan's name:<sup>5</sup> Wherever 'finger' and 'priesthood' are stated. they refer to the right only. It was assumed that we require both, as it is written. And the priest shall take of the blood of the sin-offering with his finger;<sup>6</sup> and it is learnt from a leper, where it is written, And the priest shall dip his right finger.<sup>7</sup> But surely 'priesthood' alone is written in connection with the taking of the fistful [of flour] yet we learnt: If [the priest] took the handful with his left [hand], is it unfit? — Said Raba: [He meant] either 'finger' or 'priesthood'. Said Abaye to him: Yet 'priesthood' is written in connection with the carrying of the limbs to the [altar] ascent, as it is written, And the priest shall offer the whole, and make it smoke on the altar,<sup>8</sup> and a master said: This refers to the carrying of the limbs to the ascent; yet we learnt: [The priest carries] the right foot [of the sacrifice] in his left hand with the inside of the skin outward? — When do we say [that] either 'finger' or 'priesthood' [implies the right], only in respect of [a service] which is indispensable to atonement, as in the case of a leper.<sup>9</sup> But 'priesthood' is written in connection with receiving, which is indispensable to atonement, yet we learnt: IF HE RECEIVED [THE BLOOD] WITH HIS LEFT HAND, IT IS UNFIT; BUT R. SIMEON DECLARES IT FIT? — R. Simeon requires both.<sup>10</sup> Does then R. Simeon require both? Surely it was

taught. R. Simeon said: Wherever 'hand' is stated, it refers to the right only; [wherever] 'finger' [is stated], it refers to the right only? — [Where] 'finger' [is stated] he does not require 'priesthood', [but] where 'priesthood' [is stated], he does require 'finger'. Then what is the purpose of 'priesthood'?<sup>11</sup> [To teach that they must be] in their priestly state.<sup>12</sup>

But 'priesthood' alone is written in connection with sprinkling, yet we learnt: IF HE SPRINKLED WITH HIS LEFT HAND, IT IS UNFIT, and R. Simeon does not disagree? — Said Abaye: He does disagree in a Baraitha, for it was taught: If [the priest] received with his left hand, it is unfit; but R. Simeon declares it fit. If he sprinkled with his left hand, it is unfit; but R. Simeon declares it fit.

Then as to what Raba said.[We draw an analogy of] hand' 'hand' in respect of taking the fistful; 'foot', 'foot', in respect of halizah; ear' 'ear' in respect of boring [the ear].<sup>13</sup> — Why is this necessary [in respect of the fistful], seeing that it can be deduced from Rabbah b. Bar Hanah's [exegesis]? — One [is required] for the taking of the fistful, and the other for the sanctification of the fistful.<sup>14</sup>

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(1) Simultaneously. R. Simeon holds that a text can be interpreted only with what follows; hence 'finger' refers to 'and he shall put', but not to 'and he shall take', which precedes. While the Rabbis hold that it goes with both.

(2) As in the present case. He holds that 'finger' here refers to the preceding 'and he shall take', as its literal meaning does imply.

(3) Receiving it with the left hand.

(4) Ex. XXIX, 12.

(5) Sh. M. reads: in the name of Resh Lakish.

(6) Lev. IV, 25.

(7) Ibid. XIV, 16.

(8) Ibid. I, 13.

(9) Whereas even if the limbs are not burnt at all, the efficacy of the sacrifice is unaffected.

(10) 'Finger' and 'priesthood'.

(11) In connection with receiving, seeing that it is already written that this must be done by the sons of Aaron.

(12) In their priestly vestments.

(13) V. Men. 9b and 10a. Raba refers to Lev. XIV, 14, which deals with a leper's purification: And the priest shall take of the blood of the guilt-offering, and the priest shall put it upon the tip of the right ear of him that is to be cleansed, and upon the thumb of his right hand, and upon the great toe of his right foot. Raba teaches that the 'right' is mentioned in these cases in order to teach that when 'hand', 'foot' and 'ear' are written in connection with the taking of the fistful, the ceremony of halizah (q.v. Glos; v. also Deut. XXV, 9) and the boring of the ear of a slave who refuses to accept his freedom (v. Ex XXI, 5f) respectively, the right is meant in each case.

(14) The fistful was sanctified by being placed in a service vessel. We now learn that while this is done the vessel must be held in the right hand.

## Talmud - Mas. Zevachim 25a

But according to R. Simeon, who does not require the sanctification of the fistful [at all], or on the view that R. Simeon does indeed require the sanctification of the fistful, yet he certainly holds that it is fit if done with the left,<sup>1</sup> what is the purpose of Raba's [analogy of] 'hand', 'hand'? If in respect of the actual taking of the fistful, that is deduced from Rab Judah the son of R. Hiyya's [teaching]. For Rab Judah the son of R. Hiyya said, What is R. Simeon's reason? Scripture saith. It is most holy, as the sin-offering, and as the guilt-offering:<sup>2</sup> [this teaches:] If [the priest] comes to perform its service with his hand, he does so with the right hand, as in the case of a sin-offering; [if he comes] to perform the service with a vessel, he may do so with the left hand, as in the case of the guilt-offering?<sup>3</sup> — It is necessary only in respect of [a priest] who takes the fistful of a sinner's meal-offering: You might think, since R. Simeon said, [The reason is] that his sacrifice should not be adorned,<sup>4</sup> let it be fit too even if [the priest] takes the fistful with his left hand. Therefore [the text]

informs us [that it is not so].

**MISHNAH. IF THE BLOOD WAS POURED OUT ON TO THE PAVEMENT<sup>5</sup> AND [THE PRIEST] COLLECTED IT, IT IS FIT.**

**GEMARA.** Our Rabbis taught: And the anointed priest shall take of the blood of the bullock.<sup>6</sup> [this means,] of the life blood, but not of the blood of the skin or of the draining blood;<sup>7</sup> ‘of the blood of the bullock’ [implies,] he is to receive the blood [direct] from the bullock.<sup>8</sup> For if you think that ‘of the blood of the bullock’ [is meant literally] as it is written, [viz.,] of the blood [indicating] even a portion of the blood [only], Surely Rab said: He who slaughters [the sacrifice] must receive all the blood of the bullock, for it says, And all the remaining blood of the bullock shall he pour out.<sup>9</sup> Hence ‘from the blood of the bullock’ means, he is to receive the blood [direct] from the bullock; for [the author of this exegesis] holds: You subtract, add, and interpret.<sup>10</sup>

The [above] text [stated]: Rab said: He who slaughters [the sacrifice] must receive all the blood of the bullock, for it says, ‘And all the remaining blood of the bullock shall he pour out’. But surely this is written of the remainder [of the blood]?<sup>11</sup> — Since it is inapplicable to the remainder, for all the blood is not available [at the time],<sup>12</sup> apply it to receiving.

Rab Judah said in Samuel's name: He who slaughters must raise the knife upwards.<sup>13</sup> for it is said, ‘And he shall take of the blood of the bullock,’ but not of the blood of the bullock plus something else. And with what does he wipe the knife? — Said Abaye: With the edge of the bowl,<sup>14</sup> as it is written, Wipers [cleaners] of gold.<sup>15</sup>

R. Hisda said in the name of R. Jeremiah b. Abba: He who slaughters must let

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(1) For it is no worse than sprinkling, and in fact corresponds to it.

(2) Lev. VI, 10.

(3) V. supra 11a.

(4) A sinner's meal-offering has no oil or incense, and R. Simeon states the reason because it is unfitting that a sinner's offering should be given the same adornment as another sacrifice.

(5) Straight from the animal's neck.

(6) Lev. IV, 5.

(7) The life blood is the first blood that gushes out; the draining blood is that which follows.

(8) And not permit it to pour on to the pavement first; if he does, it is unfit.

(9) Ibid. 7.

(10) You may subtract a letter from one word and add it to another, where the context warrants it, and then interpret the text in accordance with this alteration. Thus here the partitive ׀ (‘of’ or ‘from’) is removed from מִדָּם blood, and added to הַפָּר the bullock, so that it reads: and he shall take the (not, of the) blood from the bullock.

(11) It refers to the pouring out of the remainder, and not to receiving at all.

(12) As some of it has already been sprinkled on the horns of the altar.

(13) So that none of the blood on the knife runs into the bowl.

(14) Taking care that the blood does not flow into it.

(15) Ezra 1, 10; E.V. bowls of gold. Abaye connects the Heb. kefore with kapper, to wipe away (whence its general meaning of to atone or forgive).

## **Talmud - Mas. Zevachim 25b**

[the blood of] the jugular veins<sup>1</sup> run [straight] into the vessel. It was stated likewise: R. Assi said in R. Johanan's name: The jugular veins must see the air-space of the vessel.<sup>2</sup> R. Assi asked R. Johanan: What if one was receiving, and the bottom of the bowl split before the blood reached the air-space? is [an object in] the air, where it will not eventually come to rest, regarded as at rest, or

not?<sup>3</sup> — Said he to him, We have learnt it: If a barrel lies beneath a spout, the water inside it and outside it is unfit; if one joined its mouth to the spout, the water inside it is fit, and the water outside it is unfit.<sup>4</sup> How now! He asked him about [an object in] the air, where it will not eventually come to rest, and he answered him about [an object in] the air where it will eventually come to rest?<sup>5</sup> — He asked him two [questions]: should you say that [an object in] the air where it will not eventually come to rest is not regarded as at rest, how about [an object in] the air where it will eventually come to rest?<sup>6</sup> That is how R. Joseph recited it. R. Kahana recited it that he asked him about a barrel,<sup>7</sup> and he answered him about a barrel. Rabbah recited it that he asked him about a barrel, and he solved [it] for him [from the case of] a bowl; [arguing thus,] do you not agree that in the case of the bowl, sprinkling [of blood] is unavoidable?<sup>8</sup>

We learnt elsewhere: If one places [there] one's hand or foot or vegetables leaves, in order that the water should flow into the barrel, it [the water] is unfit.<sup>9</sup> [If one placed there] leaves of canes or leaves of nuts, it is fit. This is the general rule: [If the water is conducted into the barrel by means of] anything which can become unclean, it is unfit; [by means of] anything which cannot become unclean, it is fit.<sup>10</sup> How do we know it? — Because R. Johanan said on the authority of R. Jose b. Abba: Scripture saith, Nevertheless a fountain or a cistern wherein is a gathering of water shall be clean:<sup>11</sup> its existence must be [effected] through purity.<sup>12</sup> R. Hiyya said in R. Johanan's name: This proves that the air-space of a vessel is as the vessel [itself].<sup>13</sup> Said R. Zera to R. Hiyya b. Abba: But perhaps It refers to a direct run [into the barrel]? — Fool! replied he: we learnt, 'So that the water shall flow into the barrel.'<sup>14</sup> R. Hiyya b. Abba also said in R. Johanan's name: This Mishnah was taught on the testimony of R. Zadok. For we learnt: R. Zadok testified<sup>15</sup> that running water which is assembled by means of nut leaves is fit. There was such a case in Ahaliyya,<sup>16</sup> which was referred to the Sages in the Chamber of Hewn Stone,<sup>17</sup> and they declared it fit.

R. Zera said in the name of Rab.<sup>18</sup> If [the priest] slits the [sacrificial] bullock's ear and then receives its blood,<sup>19</sup> it is unfit, for it is said: And [the anointed priest] shall take of the blood of the bullock:<sup>20</sup> [this implies:] the bullock as it was before.<sup>21</sup> We have thus found [this law true of] sacrifices of higher sanctity;<sup>22</sup> how do we know [it of] sacrifices of lower sanctity? — Said Raba, it was taught: Your lamb shall be without blemish, a male of the first year:<sup>23</sup> [this teaches] that it must be without a blemish and a year old when it is slaughtered. How do we know [that it must be likewise] at the receiving [of the blood], the carrying, and the sprinkling? Because it says, 'it shall be', [teaching that] at all its stages [as a sacrifice] it must be without blemish and a year old.

Abaye raised an objection to him: R. Joshua said: [In the case of] all sacrifices prescribed in the Torah whereof as much as an olive of flesh or fat remained,<sup>24</sup> [the priest] sprinkles the blood? — Relate this to [the provision that it must be] a year old.<sup>25</sup> Yet is it possible for it to be a year old at the slaughtering, yet two years old<sup>26</sup> at the carrying and sprinkling? — Said Raba: This proves that [even] hours disqualify in the case of sacrifices.<sup>27</sup>

R. Ammi said in R. Eleazar's name: [In the case of the animal] being within [the Temple court] while its legs were without, if he cut off its legs and then slaughtered it, it is fit;<sup>28</sup>

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(1) Lit. 'must place the jugular veins'.

(2) I.e., they must be directly over the receiving vessel, so that the blood pours straight into it.

(3) Here the blood is over the air-space of the receiving vessel. Yet it will not remain in the vessel when it falls into it. Do we nevertheless regard that blood as though it had actually been caught in the vessel and then spilled, in which case it can be collected and is fit, or as though it had poured from the animal's throat on to the ground, so that it is unfit?

(4) This treats of the water which was mixed with the ashes of the red heifer for lustration: this had to be 'living' (i.e., running) water, v. Num. XIX, 17: And for the unclean they shall take of the ashes of the burning of the purification from sin, and running (lit., 'living') water shall be put thereto in a vessel. In the present case water is running down a spout or channel, and below that spout, and at some distance from it, lies a barrel, which was not placed there in order to receive

the water. If one now takes a vessel and holds it within the air-space of the barrel, or above the mouth of the barrel ('outside') and catches that water, it is unfit. Because had it been permitted to come to rest in the barrel it would have ceased to be running water; and so now too it lacks that status. Again, if the mouth of the barrel is flush with the spout, and one holds the vessel inside its air-space, the water thus gathered is unfit. If however one holds the vessel immediately beneath the spout, the water thus collected is fit, because it never entered the air-space within the barrel. (In general, in order for the water to be fit it must be collected directly as it runs in a service vessel specially placed there for that purpose.) — From this passage we see that once an object enters the air-space it is regarded as at rest.

(5) The water would normally enter the barrel and remain there.

(6) And he solved for him the latter question.

(7) Viz., this very law that has just been stated, of which he was ignorant.

(8) Some of the blood must spout through the air into the bowl. Now if an object in the air is not regarded as already at rest, then the blood has entered the bowl and not directly from the animal's throat but from the air, and should be unfit.

(9) Water was running down from a hillside, and one placed his hand etc. in order to direct it into a barrel, which had been placed there for the purpose of collecting the water. The water so collected is unfit for lustration; v. Parah VI, 4.

(10) A person's hand can become unclean; similarly vegetable leaves, if they are edible.

(11) Lev. XI, 36.

(12) Water must be collected for ritual cleansing purposes through an object which is itself clean, i.e., which cannot become unclean.

(13) When the water flows over the hand, it does not fall directly into the barrel but first spreads out over the air-space above it. If that airspace were not as the barrel itself, the water would be regarded as falling from the air into the barrel, not from the hand, and so would be fit.

(14) The Hebrew ' does not imply to fall directly into it.

(15) V. 'Ed. Sonc. ed. pp. IX and XI.

(16) Horowitz, Palestine, p. 22, identifies it with Bait Ilu, near Jerusalem.

(17) In the inner court of the Temple, where the great Sanhedrim sat. V. also J.E. XII, 576.

(18) So Bek. 39b. Cur. edd. Rabbi.

(19) From the throat, in the usual way. He slit the ear immediately after slaughtering it, so that between the slaughtering and the reception of the blood it was a blemished animal.

(20) Lev. IV, 5.

(21) It must be in the same state when the priest receives the blood as it was before, viz unblemished.

(22) Such as the sin-offering, to which this text refers.

(23) Ex. XII, 5. This refers to the Passover-offering, which was a sacrifice of lower sanctity.

(24) By the time of sprinkling, the rest having been lost or defiled. There can be no greater blemish than this.

(25) At all its stages as a sacrifice it must be a year old, but it need not be without a blemish at all its stages.

(26) I.e., more than a year old.

(27) The age of a sacrifice is calculated exactly from the moment of birth, and even the least excess ('hours' means any short period, even minutes) disqualifies the animal. Thus it may reach the age limit at the moment of slaughtering and exceed it a moment afterwards.

(28) If the blood of a sacrifice passes without the Temple court before it is sprinkled, it is unfit. In this case, if one cut off the legs first, the blood that passed out (sc. that contained in the legs) did not mingle with that which remained within.

## **Talmud - Mas. Zevachim 26a**

if he slaughtered and then cut off [the legs], it is unfit.<sup>1</sup> 'If he cut off [the legs] and then slaughtered [it], it is fit'? Surely he offers a blemished animal! — Say rather: if he cut off [the legs] and then received [the blood], it is fit; if he received [the blood] and then cut off [the legs] it is unfit. 'If he cut off [the legs] and then received [the blood] it is fit'? Surely R. Zera said: if one slits the ear of a firstling<sup>2</sup> and then receives its blood, it is unfit, because it says. 'And he shall take of the blood of the bullock', [implying,] the bullock as it was originally! — Said R. Hisda in Abimi's name: He cuts the limb as far as the bone.<sup>3</sup> 'If he received [the blood] and then cut, it is unfit': from this you may infer that the blood which is absorbed in the limbs is blood?<sup>4</sup> — [No:] perhaps [the unfitness is] on account of the fattiness.<sup>5</sup> Then you may infer from this that if the flesh of sacrifices of lower sanctity

passes out [from the Temple court] before the sprinkling of the blood, it is unfit?<sup>6</sup> — [No:] perhaps [R. Ammi in R. Eleazar's name] referred to sacrifices of higher sanctity.

Our Rabbis taught: Sacrifices of higher sanctity are slaughtered on the north [side of the Temple court], and their blood is received on the north in service vessels. If he stood in the south, stretched out his hand to the north and slaughtered, his slaughtering is valid; if he [thus] received [the blood], his reception is invalid. If he projected his head and the greater part of his body [into the north side].<sup>7</sup> it is as though he had entered [the north] entirely. If [the animal] struggled and passed over into the south<sup>8</sup> and then returned, it is fit.<sup>9</sup> Sacrifices of lower sanctity are slaughtered [anywhere] within [the Temple court], and their blood is received in a service vessel within. If he stood without and stretched his hand within and slaughtered, his slaughtering is valid; if he received [the blood thus], his reception is invalid. If he projected his head and the greater part of his body within, he is not regarded as having entered. If it struggled<sup>8</sup> and went without and returned, it is unfit. This proves that sacrifices of lower sanctity whose flesh went without before the sprinkling of the blood are unfit! — [No:] perhaps this refers to the fat-tail, the lobe above the liver, and the two kidneys.<sup>10</sup>

Samuel's father asked Samuel: What if it [the animal] is within, while its feet are without?<sup>11</sup> — It is written, Even that they may bring them unto the Lord,<sup>12</sup> he replied, [which intimates] that the whole of it must be within. What if one suspended<sup>13</sup> [the animal] and slaughtered it? It is valid, he replied. You have erred, he observed, for the slaughtering must be 'on the side' [of the altar],<sup>14</sup> which provision is unfulfilled.<sup>15</sup> What if [the slaughterer] was suspended and slaughtered [thus]?<sup>16</sup> — It is invalid, he replied.<sup>17</sup> You have erred, said he; the slaughtering must be 'on the side' but the slaughterer need not be 'on the side'. What if he suspended himself and received [the blood]? It is valid, he replied.<sup>18</sup> You have erred, observed he, for such is not the way of service.<sup>19</sup> What if he suspended [the sacrifice]<sup>20</sup> and received [the blood]? — It is invalid, he answered. You have erred, he retorted: slaughtering must be 'on the side', but receiving need not be 'on the side'.

Abaye said: In the case of sacrifices of higher sanctity<sup>21</sup> they are all invalid, except where he suspended himself and slaughtered.<sup>22</sup> In the case of sacrifices of lower sanctity, they are all valid, except where he suspended himself and received [the blood].<sup>23</sup> Said Raba: Why do you say that if he suspended [the animal] and received the blood it is valid in the case of sacrifices of lower sanctity? [Presumably] because the air-space of within is as within! Then in the case of sacrifices of higher sanctity too, the air-space of the north is as the north? — Rather said Raba: In the case of sacrifices of both higher and lower sanctity they are [all] valid, except in the case of sacrifices of higher sanctity, where he suspended [the animal] and slaughtered it,<sup>24</sup> and in the cases of sacrifices of both higher and lower sanctity, where he suspended himself and received [the blood].

R. Jeremiah asked R. Zera: What if he [the priest] is within and his locks [of hair] are without? — Said he to him, Have you not said that 'even that they may bring them unto the Lord' intimates that the whole of it [the animal] must come within? So here too, when they go in unto the tent of meeting<sup>25</sup> intimates, that the whole of him must enter the tent of meeting.

**MISHNAH. IF [THE PRIEST] APPLIED IT [THE BLOOD] ON THE ASCENT,<sup>26</sup> [OR ON THE ALTAR, BUT] NOT OVER AGAINST ITS BASE;<sup>27</sup> IF HE APPLIED [THE BLOOD] WHICH SHOULD BE APPLIED BELOW [THE SCARLET LINE] ABOVE [IT]. OR THAT WHICH SHOULD BE APPLIED ABOVE, BELOW;<sup>28</sup> OR THAT WHICH SHOULD BE APPLIED WITHIN [HE APPLIED] WITHOUT, OR WHAT SHOULD BE APPLIED WITHOUT [HE APPLIED] WITHIN,<sup>29</sup> IT IS UNFIT, BUT DOES NOT INVOLVE KARETH.<sup>30</sup>**

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(1) Because immediately it is slaughtered the blood of the legs is unfit (v. preceding note). and this is naturally mingled with the rest of the blood.

(2) Which was offered as a sacrifice. On 25b the text has 'bullock' instead of 'firstling'.



- (3) This does not constitute a blemish, and at the same time the cut prevents the blood below it, which is without the Temple court, from ascending and mingling with the blood above, which is within.
- (4) So that kareth (q.v. Glos.) is incurred for its consumption. For if it did not rank as blood whilst absorbed in the limb (cf. Hul. 113a), it could not disqualify the other blood which is received and sprinkled.
- (5) Which is absorbed in the blood. This fattiness counts as flesh, and it ascends and mingles with the blood which pours out from the neck and thus disqualifies it.
- (6) Though it would certainly be carried out after the sprinkling, since it may be eaten anywhere in Jerusalem.
- (7) He was standing almost in the middle of the court, on its south side, but so near to the line dividing north and south that he could easily stretch over to the other side.
- (8) After being slaughtered.
- (9) Because the disqualification of going out applies only to going out of the Temple.
- (10) These were burnt on the altar, and therefore although part of sacrifices of lower sanctity they ranked as sacrifices of higher sanctity.
- (11) May it be slaughtered thus at the outset?
- (12) Lev. XVII, 5.
- (13) In the air-space of the Temple court.
- (14) Ibid. I, 11.
- (15) 'On the side' implies on the ground.
- (16) The animal being on the ground.
- (17) Thinking that the two were analogous.
- (18) Again thinking it analogous to the former.
- (19) But slaughtering is not really part of the (priestly) service, since it may be performed by a zar.
- (20) After having slaughtered it.
- (21) In connection with which 'on the side' is stated.
- (22) Because 'on the side' is written of the animal, but not of the slaughterer. Again, the blood must be received in the north, and he holds that the air-space of the north is not the north itself. Hence if he suspended himself and received the blood it is invalid.
- (23) Here neither 'north' nor 'on the side' is mentioned. Therefore only the exception is invalid, because that is not the way of service.
- (24) For the reason stated above.
- (25) Ex. XXVIII, 43.
- (26) Leading to the altar, instead of on the altar.
- (27) The blood was to be sprinkled over against the base of the altar, which means on a side provided with a foundation. This excludes the south-east corner, which had no base (infra 53a).
- (28) A scarlet line ran round the sides of the altar: some blood was to be applied above, and some below.
- (29) 'Within' means on the inner altar; 'without', on the outer altar.
- (30) For the eating of its flesh.

## **Talmud - Mas. Zevachim 26b**

GEMARA. Samuel said: It is the flesh that is unfit, but its owners are forgiven.<sup>1</sup> What is the reason? — Because Scripture saith, And I have given it to you upon the altar to make atonement:<sup>2</sup> once the blood has reached the altar, the owners are forgiven. If so, the flesh too [should be fit]? — Scripture saith, 'to make atonement': I have given it for atonement, but not for any other purpose.<sup>3</sup>

Now this proves that he holds that [when blood is] not [applied] In its [proper] place, it is as [though applied] in its [proper] place.<sup>4</sup> Now we learned in another chapter: If [the priest] applied it [the blood] on the ascent, [or on the altar, but] not over against its base; if he applied [the blood] which should be applied below [the scarlet line] above [it], or that which should be applied above, below; or that which should be applied within [he applied] without, or what should be applied without [he applied] within: then if lifeblood<sup>5</sup> is still available, a fit [priest] must receive [it] a second time.<sup>6</sup> Now if you maintain that [when blood is] not [applied] in its [proper place], it is as though

[applied] in its [proper] place, why must a fit [priest] receive [it] again? And should you answer, In order to permit the flesh for consumption; is there a sprinkling which makes no atonement yet permits the consumption of the flesh?<sup>7</sup> — Had a fit [priest] applied it [in the first place], that would indeed be so;<sup>8</sup> the circumstances here are that an unfit [priest] applied it [in the first place].<sup>9</sup> But let it constitute [complete] rejection.<sup>10</sup> For we learnt: But if any of these<sup>11</sup> received [the blood, intending to consume the flesh] after time or without bounds, and the life blood is [still] available, a fit [priest] must receive [it] a second time.<sup>12</sup> Thus, only if they received [the blood with that intention], but not if they sprinkled [it thus];<sup>13</sup> what is the reason? is it not because this effects [complete] rejection? — No: the reason is because it became unfit through an [illegitimate] intention. If so [the same should apply to] receiving? Moreover, does an [illegitimate] intention<sup>14</sup> disqualify it? Surely Raba said: An [illegitimate] intention is without effect save [when purposed] by one who is fit for the service and in connection with that which is fit for the service,<sup>15</sup> and in a place fit for the service!<sup>16</sup> — Do not say, but not if they sprinkled it [thus]; ‘say rather, but not if they slaughtered it [thus]?’<sup>17</sup> What does he inform us? that an [illegitimate] intention disqualifies? But we have learnt it: Therefore they<sup>18</sup> invalidate [the sacrifice] by an [illegitimate] intention [purposed at slaughtering]?<sup>19</sup> — This is what we are informed,<sup>20</sup> viz., that from receiving and onwards intention [on the part of an unfit priest] does not invalidate. What is the reason? As [that stated] by Raba.

An objection is raised: If [the priest] intends applying [the blood] which should be applied above [the line] below [it], [or what should be applied] below, above, immediately.<sup>21</sup> it is valid.<sup>22</sup> If he subsequently intended

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- (1) They have fulfilled their obligation, and do not bring another offering.
  - (2) Lev. XVII, 11.
  - (3) Only in respect of atonement does Scripture intimate that the application of the blood on any part of the altar (since ‘altar’ is not further localised) is efficacious. But the fitness of the flesh is governed by its own peculiar laws.
  - (4) As far as the fitness of the flesh for consumption is concerned.
  - (5) The first blood which gushes out as the animal is slaughtered.
  - (6) For re-sprinkling. v. infra 32a.
  - (7) For this second sprinkling does not make atonement, since that was already effected by the first.
  - (8) No further application would be necessary.
  - (9) Hence the second application is needed even for making atonement.
  - (10) Since blood not applied in its proper place is as though applied in its proper place, then if an unfit priest does this it is as though he applied it in the proper place, which it is now assumed definitely invalidates the sacrifice, and it cannot be repaired.
  - (11) Sc. all who are unfit for any reason.
  - (12) Infra 32a.
  - (13) In which case there would be no remedy.
  - (14) On the part of an unfit priest.
  - (15) E.g., a meal-offering of wheat. This excludes the meal-offering of barley brought in connection with the ‘omer (q.v. Glos.), since barley was unfit for other meal-offerings.
  - (16) This excludes the case where the altar itself was mutilated.
  - (17) Because since even unfit priests are fit to slaughter (as are lay-Israelites too), their illegitimate intention disqualifies.
  - (18) Persons unfit to slaughter.
  - (19) Infra 31b.
  - (20) By stating ‘if any of these received the blood etc.’
  - (21) He intended applying it thus in the wrong place on the day of slaughtering, which is the proper time.
  - (22) If he eventually sprinkled the blood in the right place, for this illegitimate intention does not disqualify, v. Mishnah infra 36a.

[to consume it] without bounds, it is invalid, but does not involve kareth;<sup>1</sup> [if he intended consuming it] after time, it is invalid, and entails kareth. [If he intended sprinkling the blood in the wrong place] on the morrow, it is invalid; if he subsequently intended [to consume it] without bounds or after time, it is invalid, and does not involve kareth.<sup>2</sup> Now if you say that [blood] not [applied] in its [proper] place [on the altar] is as [though applied] in its [proper] place, is this [merely] invalid? Surely it is piggul!<sup>3</sup> — Said Mar Zutra: Sprinkling which permits the consumption of the flesh can render [it] piggul; sprinkling which does not permit the consumption of the flesh<sup>4</sup> does not render [it] piggul.<sup>5</sup> R. Ashi said to Mar Zutra: Whence do you know this? [Assuredly] because it is written, And if any of the flesh of his peace-offerings be at all eaten on the third day . . . it shall be piggul [an abhorred thing, and the soul that eateth of it shall bear his iniquity:]<sup>6</sup> [thus kareth is incurred] only where piggul causes [the prohibition of the flesh], which excludes this case,<sup>7</sup> where not piggul causes it but a different interdict is the cause. If so,<sup>8</sup> it should not be disqualified either? — Said R. Nahman b. Isaac: It is analogous to the intention of leaving [the blood] until the morrow, this being in accordance with R. Judah.<sup>9</sup>

Resh Lakish said: In truth, [the Mishnah means] UNFIT literally.<sup>10</sup> and [blood] not [applied] in its [proper] place is as [though applied in] its [proper] place,<sup>11</sup> yet there is no difficulty:<sup>12</sup> in one case he applied it in silence; in the other he applied it with an expressed intention.<sup>13</sup> We learnt: If he intended applying above [the line] what should be applied below [it], or below what should be applied above [etc.] as far as 'It is analogous to the intention of leaving [the blood] until the morrow, this being in accordance with R. Judah.'<sup>14</sup>

R. Johanan said: Both cases<sup>15</sup> are where he sprinkles it in silence, and the wrong place is not as the right place; but the one is where life-blood is [still] available, while the other is where life-blood is not available.

We learnt: IT IS UNFIT, BUT DOES NOT INVOLVE KARETH. As for Resh Lakish, it is well: he rightly teaches. IT IS UNFIT, BUT DOES NOT INVOLVE KARETH.<sup>16</sup> But according to R. Johanan, why teach that it DOES NOT INVOLVE KARETH?<sup>17</sup> This is a difficulty. And according to Samuel, what is meant by IT DOES NOT INVOLVE KARETH?<sup>18</sup> — This is what [the Tanna] means: If he sprinkled [it thus] with an [illegitimate] intention, IT IS UNFIT, BUT DOES NOT INVOLVE KARETH.

Now as for R. Johanan, if the wrong place [on the altar] is not as the right place,<sup>19</sup> let it be as though [the blood] had been spilt from the [service] vessel on to the pavement, and so let him collect it?<sup>20</sup> — He agrees with the view that it must not be gathered. For R. Isaac b. Joseph said in R. Johanan's name: All agree, if [the priest] sprinkled the blood above which should be sprinkled above, or below which should be sprinkled below, but not in accordance with the regulations.<sup>21</sup> that he must not re-gather it.<sup>22</sup> They disagree only where he sprinkled below what should be sprinkled above, or above what should be sprinkled below: there R. Jose holds, He must not re-gather it; while R. Simeon maintains, He must re-gather it;

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(1) For eating it.

(2) Since it was already invalid through the first, a second illegitimate intention does not render it piggul.

(3) How can you say that if he intended applying it in the wrong place on the morrow it is only invalid? On the present hypothesis it is the same as though he had intended applying it in the right place on the morrow, and that should render it piggul. For the sprinkling of the blood on the altar constitutes, as it were, the altar's consumption, and just as an intention to consume the flesh after time makes it piggul, so should a similar intention to sprinkle the blood make it piggul!

(4) Where the blood is not sprinkled in its proper place.

(5) And, as Samuel stated, if the blood is not sprinkled on the proper place on the altar the flesh may not be eaten, though the sacrifice has made atonement.

(6) Lev. VII, 18; 'shall bear his iniquity' implies kareth.

- (7) Sc. where the blood is not sprinkled in the proper place.
- (8) That it does not constitute sprinkling in respect of an illegitimate intention.
- (9) Who holds that the sacrifice then becomes invalid (infra 36a). In intending to sprinkle the blood in the wrong place on the morrow, he has also tacitly expressed his intention of leaving the blood until the morrow.
- (10) Not only is the flesh unfit, but the whole sacrifice is invalid. He thus disagrees with Samuel.
- (11) In this he agrees with Samuel.
- (12) Caused by the text quoted by Samuel.
- (13) The text adduced by Samuel, which intimates that the owners are forgiven, holds good where the priest sprinkled the blood in the wrong place, with no unlawful intention attending the sprinkling. While the Mishnah which states UNFIT, implying that the owners are not forgiven either, holds good where in addition to sprinkling it in the wrong place he intended consuming the flesh after time; and the Mishnah thus teaches that in such a case the sacrifice is unfit, but not piggul, since the sprinkling which was not in its proper place did not permit the consumption of the flesh.
- (14) All the objections raised against Samuel are raised against Resh Lakish, since he too holds that the wrong place is as the right place.
- (15) Our Mishnah which simply states that it is unfit, and the Mishnah in the next chapter, quoted supra 26b, which teaches that the blood must be re-sprinkled.
- (16) He explains the Mishnah as referring to one who expressed an illegitimate intention. Therefore the Tanna must teach that kareth is not incurred in spite of this illegitimate intention.
- (17) It is obvious that he does not incur kareth simply for sprinkling the blood in a wrong place.
- (18) For he too explains the Mishnah as referring to where the priest is silent.
- (19) So that it does not count as sprinkling at all.
- (20) And re-sprinkle.
- (21) E.g., with his left hand or with an illegitimate intention.
- (22) For re-sprinkling. For since it was sprinkled in the proper place, there can be no further sprinkling

## **Talmud - Mas. Zevachim 27b**

and our Mishnah agrees with the view that he must not re-gather it: But R. Hisda said in Abimi's name: All agree, if he sprinkled below what should be sprinkled above, that he does not re-gather it, and all the more if he sprinkled above what should be sprinkled below, since the blood above runs down below.<sup>1</sup> They disagree only where he sprinkled without what should be sprinkled within, or within what should be sprinkled without.<sup>2</sup> R. Jose holds, He must not re-gather it, and R. Simeon rules: He must re-gather it.

R. Nahman b. Isaac said: We have also learnt to the same effect. R. Judah said: [This is the law of the burnt-offering:] it is that which goeth up [on its firewood upon the altar all night unto the morning]:<sup>3</sup> here you have three limitations: It excludes [an animal] slaughtered at night; it excludes [an animal] whose blood was spilt; and it excludes [an animal] whose blood was carried out beyond the hangings: if any one [of these] ascended [the altar], it descends.<sup>4</sup> R. Simeon said: 'Burnt-offering': I only know [this] of a fit burnt-offering;<sup>5</sup> whence do I know to include one which was slaughtered at night, or whose blood was spilt, or whose blood passed without the hangings, or who[se flesh] spent the night [away from the altar], or who[se flesh] went out, or the unclean, or which was slaughtered [with the intention of burning its flesh] after time or without bounds, or whose blood was received and sprinkled by unfit [priests]; or whose blood was applied below [the scarlet line] when it should have been applied above, or above when it should have been applied below, or without when it should have been applied within, or within when it should have been applied without; or a Passover-offering or a sin-offering which one slaughtered for a different purpose,<sup>6</sup> — whence do we know [to include all these]? From the phrase, 'the law of the burnt-offering,' which intimates one law for all burnt-offerings, [viz.,:] that if they ascended, they do not descend. You might think that I include also a roba' and a nirba',<sup>7</sup> one set aside [for an idolatrous sacrifice] or worshipped; a [harlot's] hire or the price [of a dog].<sup>8</sup> or a hybrid, or a trefah, or an animal calved through the cesarean section? The text however states 'it is that'.<sup>9</sup> And why do

you include the former and exclude the latter? I include the former, because their disqualification arose in the sanctuary, while I exclude the latter whose disqualification did not arise in the sanctuary. At all events, he teaches [the cases where] one sprinkled below what should be sprinkled above, or above what should be sprinkled below, and R. Judah does not disagree. What is the reason? Is it not because the altar has received it?<sup>10</sup> which proves that one cannot re-gather it.

R. Eleazar said: The inner altar sanctifies the unfit.<sup>11</sup> What does he inform us: We have learnt it: 'that which should be applied within' etc.? — If [I drew my information] from there [only], I would say that it applies only to blood, which is eligible for it;<sup>12</sup> but [if one threw] the fistful [of flour on the inner altar], which is not eligible for it at all,<sup>13</sup> I would say that it is not so. Hence he informs us [otherwise].<sup>14</sup>

An objection is raised: If strange incense<sup>15</sup> ascended the altar, it must descend, because only the outer altar sanctifies the unfit, in the case of such as are [otherwise] eligible for it.<sup>16</sup> Thus, only the outer one, but not the inner one? — Answer it thus: If strange incense ascended the altar, it must descend, for the outer altar does not sanctify the unfit save in the case of what is [otherwise] eligible for it; but the inner [altar sanctifies] both what is eligible and what is not eligible for it. What is the reason? One [the outer altar] is [but as the] pavement,<sup>17</sup> while the other [the inner altar] is a service vessel.<sup>18</sup> MISHNAH. IF ONE SLAUGHTERS THE SACRIFICE [INTENDING] TO SPRINKLE ITS BLOOD WITHOUT. OR PART OF ITS BLOOD WITHOUT; TO BURN ITS EMURIM<sup>19</sup> OR PART OF ITS EMURIM WITHOUT; TO EAT ITS FLESH OR AS MUCH AS AN OLIVE OF ITS FLESH WITHOUT, OR TO EAT AS MUCH AS AN OLIVE OF THE SKIN OF THE FAT-TAIL<sup>20</sup> WITHOUT. IT IS UNFIT, AND DOES NOT INVOLVE KARETH.<sup>21</sup> [IF HE SLAUGHTERS IT, INTENDING] TO SPRINKLE ITS BLOOD OR PART OF ITS BLOOD ON THE MORROW, TO BURN ITS EMURIM OR PART OF ITS EMURIM ON THE MORROW, TO EAT ITS FLESH OR AS MUCH AS AN OLIVE OF ITS FLESH ON THE MORROW, OR TO EAT AS MUCH AS AN OLIVE OF THE SKIN OF ITS FAT-TAIL ON THE MORROW, IT IS PIGGUL, AND INVOLVES KARETH.<sup>22</sup>

GEMARA. Now it was thought that the skin of the fat-tail

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(1) In any case; hence it is almost as though he sprinkled it below.

(2) 'Within' and 'without' means on the inner and the outer altars respectively.

(3) Lev. VI, 2.

(4) From the passage, 'which goeth up on its firewood upon the altar all night' the Rabbis deduce that once it ascends the altar it must not be taken down all night. But the three words in Hebrew which are rendered 'it is that which goeth up' are really superfluous, and therefore are interpreted as excluding three cases, as enumerated in the text, from the operation of this law.

(5) That if it goes up, it does not descend.

(6) Sc. as burnt-offerings.

(7) A male animal and a female animal respectively used for bestiality.

(8) Referring to Deut. XXIII, 19: Thou shalt not bring the hire of a harlot, or the price of a dog, into the house of the Lord thy God for any vow.

(9) Heb. zoth, a limitation excluding these.

(10) And thus sanctified it, in the sense that it cannot be collected for re-sprinkling.

(11) That if they ascend, they do not descend, though the Scriptural text refers only to the outer altar.

(12) For some blood, though that particular blood should not have been applied there.

(13) Flour is never burnt on the inner altar.

(14) That flour is not removed.

(15) The incense of a private and votive meal-offering. Scripture permits incense only at public sacrifices.

(16) V. infra 83b.

(17) It is an immovable unanointed erection of stone.

(18) It was moveable, and consecrated by anointing, like all other service vessels. Therefore its sanctity and sanctifying powers are greater.

(19) V. Glos.

(20) V. Gemara.

(21) Even if one actually eats it without.

(22) Even if one eats it in the proper time.

## Talmud - Mas. Zevachim 28a

is as the fat-tail:<sup>1</sup> [then the difficulty arises:] surely he intends for man what is for the altar's consumption?<sup>2</sup> — Said Samuel, The author of this is R. Eliezer, who maintains that you can intend [with effect] for human consumption what is meant for the altar's consumption, and for the altar's consumption what is meant for human consumption.<sup>3</sup> For we learnt: If one slaughters a sacrifice [intending] to eat what is not normally eaten,<sup>4</sup> or to burn [on the altar] what is not normally burnt, it is fit;<sup>5</sup> but R. Eliezer invalidates [the sacrifice].<sup>6</sup> How have you explained it? as agreeing with R. Eliezer? Then consider the sequel:<sup>7</sup> This is the general rule: Whoever slaughters, receives, carries, and sprinkles [intending] to eat what is normally eaten or to burn [on the altar] what is normally burnt [after time etc.] . . . thus, only what is normally eaten, but not what is not normally eaten, which agrees with the Rabbis. Thus the first clause agrees with R. Eliezer and the final clause with the Rabbis? — Even so, he answered him.

R. Huna said: The skin of the fat-tail is not as the fat-tail.<sup>8</sup> Rabbah observed. What is R. Huna's reason? — The fat thereof [is] the fat-tail [entire],<sup>9</sup> but not the skin of the fat-tail.

R. Hisda said: In truth, the skin of the fat-tail is as the fat-tail, but we treat here [in the Mishnah] of the fat-tail of a goat.<sup>10</sup>

Now, all these [scholars] did not say as Samuel, [because] they would not make the first clause agree with R. Eliezer and the second clause with the Rabbis. They did not say as R. Huna, because they hold that the skin of the fat-tail is as the fat-tail. [But] why do they not say as R. Hisda? — Because what does [the Tanna of the Mishnah] inform us [on this view]? [Presumably] that the skin of the fat-tail is as the fat-tail!<sup>11</sup> Surely we have learnt it: The skin of the following is as their flesh: the skin under the fat-tail?<sup>12</sup> And R. Hisda?<sup>13</sup> — It is necessary: You might think that only in respect of uncleanness does it combine, because it is soft;<sup>14</sup> but as for here, I would say [Scripture writes] [Even all the hallowed things of the children of Israel unto thee have I given them] for a consecrated portion,<sup>15</sup> which means, as a symbol of greatness, [so that they must be eaten] just as kings eat; and kings do not eat thus.<sup>16</sup> [Hence] I would say [that it is] not [as the flesh]; therefore he informs us [that it is].

An objection is raised: if one slaughters a burnt-offering [intending] to burn<sup>17</sup> as much as an olive of the skin under the fat-tail out of bounds, it is invalid, but does not involve kareth; after time, it is piggul, and involves kareth. Eleazar b. Judah of Avlas said on the authority of R. Jacob, and thus also did R. Simeon b. Judah of Kefar 'Iccum say on the authority of R. Simeon: The skin of the legs of small cattle, the skin of the head of a young calf, and the skin under the fat-tail, and all cases which the Sages enumerated of the skin being the same as the flesh, which includes the skin of the Pudenda: [if he intended eating or burning these] out of bounds [the sacrifice] is invalid, and does not involve kareth; after time, it is piggul, and involves kareth.<sup>18</sup> Thus [this is taught] only [of] the burnt-offering.<sup>19</sup> but not [of] a sacrifice.<sup>20</sup> As for R. Huna, it is well; it is right that he specifies a burnt-offering.<sup>21</sup> But according to R. Hisda,<sup>22</sup> why does he particularly teach 'burnt-offering': let him teach 'sacrifice'? — R. Hisda can answer you: I can explain this as referring to the fat-tail of a goat;<sup>23</sup> alternatively I can answer: Read 'sacrifice'.<sup>24</sup>

IT IS UNFIT, AND DOES NOT INVOLVE KARETH etc. Whence do we know it? — Said Samuel: Two texts are written. What are they? — Said Rabbah: [And if any of the flesh of the sacrifice of his peace-offerings be at all eaten] on the third day: this refers to [an intention of eating the flesh] after time; it shall be piggul [an abhorred thing] refers to [an intention of eating the flesh] out of bounds; and the soul that eateth of it [shall bear his iniquity:]<sup>25</sup> [only] one [involves kareth], but not two,<sup>26</sup> viz., after time, and excluding out of bounds. Yet say that ‘and the soul that eateth of it’ refers to out of bounds, and excludes after time? — It is logical that after time is graver, since [Scripture] commences with it. On the contrary, out of bounds is more likely [to be meant] since it is near it?<sup>27</sup> — Rather said Abaye: When R. Isaac b. Abdimi came,<sup>28</sup> he said: Rabbah<sup>29</sup> relies on what a Tanna taught. [Viz.:] When Scripture mentions the ‘third [day]’ in the pericope ‘Ye shall be holy’,<sup>30</sup> which need not be stated, since it has already been said, And if any of the flesh of his sacrifices be at all eaten on the third day etc.;

(1) Even in respect of burning on the altar, so that in the case of lamb peace-offerings, the skin of the fat-tail, just as the fat-tail itself, is burnt on the altar ‘entire’ (v. Lev. III, 9).

(2) Which intention should not count at all.

(3) I.e., the intention counts.

(4) E.g., the emurim, which are burnt on the altar. He intended eating these after time or out of bounds.

(5) Because such an illegitimate intention concerning time or place does not count, seeing that the things could not be eaten or burnt at all.

(6) Infra 35a.

(7) The end of the present Mishnah, infra 29b.

(8) It is eaten, and not burnt on the altar. The difficulty therefore does not arise.

(9) Lev. III, 9.

(10) Which was not burnt on the altar; v. supra 9a.

(11) If the Mishnah treats of the fat-tail of a lamb, then on Samuel's interpretation we are informed that you can intend for human consumption what is meant for the altar's consumption; while on R. Huna's interpretation the Tanna informs us that the skin of the fat-tail is not as the fat-tail. But if it treats of the fat-tail of a goat, then the only thing that the Tanna can inform us is that its skin is regarded as itself in the sense that it is edible, because it is soft, and therefore counts as ordinary flesh.

(12) There must be at least as much as an olive of flesh before it can be defiled, and at least as much as the size of an egg before it can defile as nebelah (carrion. v. Lev. XI, 39f). If there is less than these standards, it can be made up by the skin under the fat-tail (Hul. 122a). Thus this teaches that this skin is as the fat-tail itself, and so the present teaching on R. Hisda's interpretation is superfluous.

(13) How does he answer this?

(14) And edible.

(15) Num. XVIII, 8.

(16) Though the skin is edible, yet kings would not eat it.

(17) Heb. לֶהֱקַטִּיר which generally refers to the burning of these parts (the emurim) which are always burnt on the altar, even in the case of peace-offerings.

(18) V. Hul. (Sonc. ed.) 132a, q.v. notes.

(19) Only there does an illegitimate intention in respect of the skin of the fat-tail disqualify the sacrifice, since the whole sacrifice is burnt.

(20) Unspecified, which would include peace-offerings.

(21) According to R. Huna, Scripture definitely teaches that the skin of the fat-tail is not counted as emurim. But there is no such teaching in respect of a burnt-offering: hence the present ruling can apply to a burnt-offering but not to other sacrifices.

(22) Who maintains that the skin of the fat-tail of all sacrifices is burnt along with it as emurim.

(23) In which case the reference is to an intention of eating it out of bounds or after time, not to burning it on the altar.

(24) Instead of burnt-offering.

(25) Lev. VII, 18; ‘shall bear his iniquity’ means that he incurs kareth.

(26) This follows from the sing. ‘it’.

(27) The word *mimennu*, ('of it'), is in immediate proximity to the word *piggul*, which on the present exegesis extends the law to eating out of bounds.

(28) From Palestine to Babylon.

(29) Emended text. Printed edd: Rab.

(30) This is the name of the pericope or weekly reading commencing with Lev. XIX, 1. The verse alluded to is: And if it (the flesh of a sacrifice) be eaten at all on the third day, it is *piggul* (a vile thing); it shall not be accepted.

## Talmud - Mas. Zevachim 28b

— if it is superfluous in respect of after time, apply it to out of bounds.<sup>1</sup> and the Divine Law expresses a limitation in connection with *nothar*:<sup>2</sup> But every one that eateth it shall bear his iniquity, which excludes [eating or intending to eat] out of bounds. Yet say that 'but every one that eateth it shall bear his iniquity' refers to out of bounds, and thus excludes *nothar* from *kareth*? — It is logical that *nothar* must be made to involve *kareth*, so that the meaning of 'iniquity', where it refers to [the intention of] eating after time, may be learned by analogy, since it is similar thereto in respect of *Zab*.<sup>3</sup> On the contrary, [eating] without bounds should be made to involve *kareth*, so that the meaning of 'iniquity', where it refers to [the intention of] eating after time, may be learned by analogy, since it is similar thereto in respect of *Mikdash*?<sup>4</sup> Rather said R. Johanan, *Zabdi b. Levi* taught: *Kodesh* is learned from *kodesh*. Here is written, Because he hath profaned the *kodesh* [holy thing] of the Lord; and that soul shall be cut off from the people;<sup>5</sup> and it is written elsewhere, [And if ought of the flesh of the consecration, or of the bread, remain unto the morning,] then thou shalt burn the *nothar* [remainder] with fire,' it shall not be eaten, because it is *kodesh* [holy]:<sup>6</sup> just as there, [*kodesh* is connected with] *nothar*, so here too [it is connected with] *nothar*, and the Divine Law expresses a limitation in connection with *nothar*: But every one that eateth it shall bear his iniquity, which excludes without bounds from *kareth*. And why do you interpret the long text<sup>7</sup> as referring to after time, and 'third' in the pericope 'Ye shall be holy' as referring to without bounds; perhaps I may reverse it?<sup>8</sup> — It is logical that the long text refers to after time, since the meaning of 'iniquity' is learned by analogy from *nothar*, and [after time] is similar thereto in respect of *Zab*. On the contrary, [say that ] the long text refers to without bounds, and 'third' in 'Ye shall be holy' refers to after time: because it is similar thereto [Scripture] places it close by and excludes it?<sup>9</sup> — Rather said *Raba*: The whole is deduced from the long text. For it is written, '[But if any of the flesh be] at all eaten':<sup>10</sup> Scripture refers to two eatings, viz., eating by man and eating by the altar.<sup>11</sup> 'Of the sacrifice of his peace-offerings': as [parts of] the peace-offerings render *piggul*, and parts are rendered *piggul*, so [in sacrifices where there are parts which] render *piggul* and [parts which] are made *piggul* [the law of *piggul* applies].<sup>12</sup> 'Third' means after time. 'It shall not be accepted': as the acceptance of the valid [sacrifice], so is the acceptance of the invalid. And as the acceptance of the valid necessitates that all its *mattirin* be offered, so does the acceptance of the invalid necessitate that all its *mattirin* be offered.<sup>13</sup> 'Him that offereth': it becomes unfit in offering, but does not become unfit through [being eaten on] the third [day].<sup>14</sup> 'It': Scripture speaks of the sacrifice, and not of the priest.<sup>15</sup> 'It shall not be imputed':

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(1) While *piggul* mentioned in Lev. VII, 18 will definitely refer to the intention of eating after time, to which the whole verse is now understood to refer.

(2) V. *Glos*.

(3) *Zab* is a mnemonic, standing for *zeman*, (time) and *bamah*, (high place). — In both texts, viz., Lev. VII, 18 and Lev. XIX, 8 Scripture states that he who eats it 'shall bear his iniquity'; the meaning of 'iniquity' is further clarified in the latter text by the addition, 'and that soul shall be cut off from his people', i.e., *kareth*. Now, on the present exegesis this latter verse may refer either to *nothar* or to eating without bounds, while the former text (Lev. VII, 18) definitely refers to the eating of the flesh before it is actually *nothar* and within bounds, after the illegitimate intention of eating it after time. Now, if the punishment of *kareth* in Lev. XIX, 8 is made to refer to *nothar* (owing to the word 'it' it can only refer to one), then we can argue that 'iniquity' in VII, 18 too means *kareth*, by analogy with 'iniquity' in Lev. XIX, 8. And the reason for drawing this analogy is that the two are alike in two respects: (i) Both are defects arising through time, *nothar*



being the case where he actually eats the flesh after time, and Lev. VII, 18 refers to the illegitimate intention of eating after time. (ii) Both were forbidden not only in the Temple, but also in the High Places used before the Temple was built. For but for this similarity, the meaning of 'iniquity' in VII, 18 might be deduced from Ex. XXVIII, 38: And Aaron shall bear the iniquity committed in the holy things. There 'iniquity' refers to sacrificing in a state of uncleanness, which is forbidden by a negative injunction, but does not involve kareth, and so if an analogy were drawn with this verse, one would say that in Lev. VII, 18 too there is no kareth. But if Lev. XIX, 8 is made to refer to eating without bounds, this second analogy might indeed be drawn, since it lacks the two points of similarity, (a private sacrifice offered at a high place might be eaten anywhere) and accordingly nothing will indicate that 'iniquity' means kareth. So Rashi. Tosaf. explains that there was already a tradition that the meaning of 'iniquity' must be deduced by drawing an analogy between Lev. VII, 18 and XIX, 8. and not with Ex. XXVIII, 38. But for that very reason it is logical to make Lev. XIX, 8 refer to nothar, so as to justify the analogy through the two points of similarity.

(4) M = Mahshabah (intention); K = Kezath (a part or portion); D = Dam (blood). and SH = SHelishi (third). (i) Both after time and without bounds invalidate the sacrifice by mere intention. (ii) In both cases the illegitimate intention even in respect of a portion of the flesh only disqualifies. (iii) Both disqualify only if expressed during the service in connection with the blood (sprinkling) but not after. And finally (iv) the 'third' day is mentioned in connection with both. Uncleanness is dissimilar in respect of all these: (i) The flesh does not become unclean merely through the intention of defiling it. (ii) If a portion of the flesh is defiled, the rest remains clean. (iii) The flesh can be defiled after the sprinkling of the blood. And finally (iv) 'third' is not stated in connection with it as a superfluous word. But it is mentioned redundantly in connection with the others, as shewn above, so that an analogy (gezerah shawah) might be drawn.

(5) Lev. XIX, 8.

(6) Ex. XXIX, 34.

(7) Sc. Lev. VII, 18.

(8) And 'third' in Lev. XIX, 7 refers to after time, and it is that which is excluded from kareth.

(9) Because the intention to eat after time is similar to eating nothar, Scripture couples them, and expresses a limitation to shew that no kareth is involved, as otherwise we would think that kareth is involved in the former because it is similar to nothar.

(10) Lev. VII, 18.

(11) V. supra 13b. — The exegesis of the whole verse is irrelevant here, but as Raba quotes it he interprets the whole (Sh. M.).

(12) The blood of the peace-offerings is the vehicle through which piggul is effected, viz., if an illegitimate intention is expressed during one of the services connected with the blood, the flesh and the emurim are thereby rendered piggul. Just as this is so in the case of the peace-offerings, so does the law of piggul operate in the case of all sacrifices of which the same can be said. This excludes the meal-offerings of priests and of the anointed priest and of the drink-offerings. He treats the word 'sacrifice' in the text as alluding to other sacrifices too, which are thus assimilated to peace-offerings, since they are coupled with them.

(13) He understands 'it shall not be accepted', to refer to the sprinkling of the blood, which is the last of the mattirin, i.e., the services which make the sacrifice 'accepted', — valid. Thus he renders: this sprinkling shall not be accepted (valid), which implies that the sacrifice does not become piggul until the sprinkling, and if e.g., the blood is spilt and not sprinkled, the sacrifice is not piggul. The acceptance of the invalid means the stamping of the sacrifice as piggul, and this does not take place unless the mattirin are offered, as explained.

(14) Here he deduces that the sacrifice becomes piggul through an illegitimate intention, thus: the sacrifice becomes unfit only when he is actually offering it, viz., by then intending to eat thereof on the third day. But if he had no illegitimate intention at the actual offering, yet ate thereof on the third day, it does not become piggul retrospectively.

(15) Var. lec. the sacrificer. — Scripture does not mean that the priest is henceforth unfit to officiate, but that the sacrifice is unfit. Without this 'it' the text might mean: he that offereth (viz., the priest) shall not be accepted, i.e., shall henceforth be disqualified to officiate.

## **Talmud - Mas. Zevachim 29a**

other intentions must not be mingled therein.<sup>1</sup> 'An abhorred thing [piggul]': this refers to [the intention of eating it] without bounds.<sup>2</sup> 'It shall be': this teaches that they combine with each other.<sup>3</sup>

‘And the soul that eateth of it’: one, but not two; and which is it? [the intention of eating it] after time, for the meaning of ‘iniquity’ is learnt from nothar, since it is similar to it in Zab.<sup>4</sup>

R. Papa said to Raba: According to you. how do you interpret ‘third’ in the pericope. ‘Ye shall be holy’?<sup>5</sup> — That is needed to teach [that the illegitimate intention must concern] a place which has a threefold function, viz., in respect of the blood, the flesh, and the emurim.<sup>6</sup> But I may deduce that from the earlier text, viz., ‘And if [it] be at all eaten’, since the Divine Law expresses it by the word ‘third’?<sup>7</sup> — Said R. Ashi: I reported this discussion before R. Mattenah, whereupon he answered me: If [I deduced it] from there, I would say: ‘Third’ is a particularization, and ‘piggul’ is a generalisation,<sup>8</sup> and so the generalisation becomes an addition to the particularization, and therefore other places are included too. Hence [the text in ‘Ye shall be holy’] informs us [that it is not so].

Our Rabbis taught: ‘And if any of the flesh of the sacrifice of his peace-offerings be at all eaten [on the third day]’: R. Eliezer said: Incline your ear to hear: Scripture speaks of one who intends eating of his sacrifice on the third day. Yet perhaps that is not so, but rather [Scripture speaks] of one who eats of his sacrifice on the third day? You can answer: After it has become fit, shall it then become unfit?<sup>9</sup> Said R. Akiba to him: Behold, we find that a zab and a zabah and a woman ‘who watches from day to day’ are presumed to be clean, yet since they have a discharge they undo [their cleanness];<sup>10</sup> hence you too need not wonder at this, that after [the sacrifice] has become fit it then becomes unfit. Said he to him: Lo, it says, ‘[unto him] that offereth’, [intimating that] it becomes unfit at the offering, but it does not become unfit on the third [day]. Yet perhaps that is not so, but it says, ‘him that offereth’, meaning the priest who offers it?<sup>11</sup> When it says ‘it’, [Scripture] speaks of the sacrifice, and does not speak of the priest. Ben ‘Azzai said: Why is ‘it’ stated? Because it is said, [When thou shalt vow a vow unto the Lord thy God,] thou shalt not delay to pay it:<sup>12</sup> You might think that also he who delays [the fulfilment of] his vow incurs [the sentence] ‘it shall not be accepted’: therefore it says, ‘it’: ‘it’ [piggul] is subject to ‘it shall not be accepted’, but he who delays his vow is not subject to ‘it shall not be accepted’. Others<sup>13</sup> say: ‘it shall not be imputed’ [teaches that] it becomes unfit through imputation [illegal intention], but does not become unfit through [being eaten on] the third [day]. Now, how does Ben ‘Azzai know that Scripture speaks of the sacrifice and not of the priest?<sup>14</sup> — I can say that he deduces it from [the exegesis of] the ‘Others’.<sup>15</sup> Alternatively, I can say [that he knows this] because it is written, [it] shall not be accepted, and ‘[it] shall not be accepted’ can only apply to the sacrifice.<sup>16</sup>

Now Ben ‘Azzai [deduces]: ‘it’ is subject to ‘it shall not be accepted’. but he who delays [the payment of] his vow is not subject to ‘it shall not be accepted’: [but] is this deduced from the present text? Surely it is deduced from [the text cited by] ‘Others’? For it was taught: Others say: You might think that a firstling which passed its [first] year<sup>17</sup> is

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(1) The animal is piggul only if this, sc. to eat it after time, was his only intention. But if he also expressed another which would disqualify the sacrifice without rendering it piggul, this intention negatives the other; cf. Mishnah on 27b and infra b.

(2) Since the intention of eating it after time has already been dealt with.

(3) He understands ‘it shall be’ to intimate that both these illegitimate intentions rank as one and combine. Thus, if he intended eating half as much as an olive after time and half as much as an olive without bounds (the standard of disqualification is an olive) the intentions combine to invalidate the sacrifice.

(4) V. notes supra 28b.

(5) For it is unnecessary in respect of after time, as stated supra 28a and b, while on Raba's present exegesis it is also irrelevant in respect of without bounds.

(6) It is disqualified only if he intends to eat it in a place where the blood is sprinkled, the flesh is eaten, and the emurim (q.v. Glos.) are burnt, e.g., without the Temple court. This excludes an intention to partake thereof in the hekal, since the flesh is not eaten, nor are the emurim burnt there. So Rashi. Tosaf. gives several other explanations.

(7) ‘Third’ intimates after time, and in the same verse without bounds is hinted at too, as already explained. Hence

'third' here can have that same significance as is now attributed to it in the pericope 'Ye shall be holy'.

(8) I.e., 'third' indicates a place with that threefold function, while piggul is a general term denoting all places.

(9) Surely not. If it was sacrificed with the proper intention, and so was fit, surely it cannot become retrospectively unfit because he eats it on the third day.

(10) When a zab or a zabah (q.v. Glos.) cease to discharge, they must count seven consecutive clean days without any discharge. During this period they are presumed to be clean, yet a discharge within the seven days undoes the days which have already passed and they become retrospectively unclean for that time too, and they must count seven days anew. Similarly, according to Biblical law a niddah (q.v. Glos.) can cleanse herself seven days after her menstrual flow commenced. During the following eleven days, which are called the eleven days between the menses, she cannot become a niddah again, it being axiomatic that a discharge of blood in that period is not a sign of niddah, but may be symptomatic of gonorrhoea. A discharge on one or two days within the eleven renders her unclean for that period only, and if she has a ritual bath (tebillah) the following morning she is clean. Yet if she has another discharge on the same day after the ritual bath, she is retrospectively unclean for the whole day, and retrospectively defiles any human beings or utensils with which she came into contact. Should she experience three discharges on three consecutive days within that period she becomes unclean as a zabah; hence on the first and the second days she is called 'one who watches from day to day', to see whether she will be unclean for those days only, or as a zabah.

(11) He is henceforth unfit to officiate.

(12) Deut. XXIII, 22.

(13) 'Others' often refers to R. Meir, Hor. 13b.

(14) Seeing that he utilises 'it' for a different purpose.

(15) Since according to them 'it shall not be imputed' is necessary to teach that there is no unfitness through the sacrifice being eaten on the third day. Scripture obviously does not refer to the unfitness of the priest, for if it did, how could I think that he is unfit? Not he has done wrong but the eater.

(16) The Hebrew is not applicable to a priest.

(17) The firstling must be sacrificed within its first year. If it is not, its owner transgresses the injunction, Thou shalt not delay.

## Talmud - Mas. Zevachim 29b

as dedicated animals rendered unfit,<sup>1</sup> and so unfit; therefore it says. And thou shalt eat before the Lord thy God . . . the tithe of thy corn . . . and the firstlings of thy herd and of thy flock;<sup>2</sup> the firstling is assimilated to tithe: as tithe does not become unfit through [being kept] from one year until the following, so the firstling does not become unfit through [being kept] from one year until the next? — It is necessary: You might think that this holds good only of a firstling, which is not subject to acceptance.<sup>3</sup> but [other] sacrifices which are subject to acceptance, I would say that they are not 'accepted'.<sup>4</sup> Hence ['it'] informs us [that it is not so].

Yet still it is deduced from elsewhere [viz.,] [Thou shalt not delay to pay it . . .] and it will be sin in thee, [which teaches,] but it will not be sin in thy offering?<sup>5</sup> — But we have interpreted this according to Ben 'Azzai<sup>6</sup> [as teaching 'and it will be sin in thee', but it will not be sin in thy wife. For you might think that I can argue. Since R. Eleazar — others state, R. Johanan — said: A man's wife does not die save when money is demanded from him and he lacks it,<sup>7</sup> for it says. If thou hast not wherewith to pay, why should he take away thy bed from under thee?<sup>8</sup> she also dies on account of this sin of [violating the injunction] 'Thou shalt not delay'; [hence Scripture] informs us [that it is not so].

'Others say, "It shall not be imputed" [teaches that] it becomes invalid through imputation [intention], but it does not become invalid through [being eaten on] the third day.' Now, how does R. Eliezer utilise this [text], 'it shall not be imputed'? — He needs it for the teaching of R. Jannai. For R. Jannai said: How do we know that [illegal] intentions negative each other? Because it says, 'it shall not be imputed', [which means,] other [illegal] intentions shall not be mingled therewith.<sup>9</sup> R. Mari recited it [thus]: R. Jannai said: How do we know that he who purposes an [illegitimate]

intention in respect of sacrifices is flagellated?<sup>10</sup> Because it says. Lo yehasheb.<sup>11</sup> Said R. Ashi to R. Mari: But it is a negative injunction not involving an action,<sup>12</sup> and one is not flagellated on account of a negative injunction which does not involve action? — This is according to R. Judah, he replied, who maintained: One is flagellated on account of a negative injunction which does not involve action.

MISHNAH. THIS IS THE GENERAL RULE: HE WHO SLAUGHTERS OR RECEIVES [THE BLOOD], OR CARRIES [IT] OR SPRINKLES [IT]. [INTENDING] TO EAT AS MUCH AS AN OLIVE OF THAT WHICH IS NORMALLY EATEN OR TO BURN [ON THE ALTAR] AS MUCH AS AN OLIVE OF THAT WHICH IS NORMALLY BURNT WITHOUT BOUNDS, [THE SACRIFICE] IS INVALID, BUT IT DOES NOT INVOLVE KARETH; [INTENDING TO EAT OR BURN] AFTER TIME, IT IS PIGGUL AND INVOLVES KARETH, PROVIDED THAT THE MATTIR<sup>13</sup> IS OFFERED IN ACCORDANCE WITH THE LAW.<sup>14</sup> HOW IS THE MATTIR OFFERED IN ACCORDANCE WITH THE LAW [APART FROM THAT]? IF ONE SLAUGHTERED IN SILENCE, AND RECEIVED, OR SPRINKLED, [INTENDING TO EAT THE FLESH] AFTER TIME; OR IF ONE SLAUGHTERED [INTENDING TO EAT] AFTER TIME, AND RECEIVED, WENT AND SPRINKLED IN SILENCE; OR IF ONE SLAUGHTERED, AND RECEIVED, WENT, AND SPRINKLED [INTENDING TO EAT] AFTER TIME; THAT IS OFFERING THE MATTIR IN ACCORDANCE WITH THE LAW. HOW IS THE MATTIR NOT OFFERED IN ACCORDANCE WITH THE LAW? IF ONE SLAUGHTERED [INTENDING TO EAT] WITHOUT BOUNDS, [AND] RECEIVED, WENT, AND SPRINKLED [WITH THE INTENTION OF EATING] AFTER TIME; OR IF ONE SLAUGHTERED [INTENDING TO EAT] AFTER TIME, [AND] RECEIVED, WENT, AND SPRINKLED [INTENDING TO EAT] WITHOUT BOUNDS; OR IF ONE SLAUGHTERED, RECEIVED, WENT, AND SPRINKLED [INTENDING TO EAT] WITHOUT BOUNDS; IF ONE SLAUGHTERED THE PASSOVER-OFFERING OR THE SIN-OFFERING FOR THE SAKE OF SOMETHING ELSE,<sup>15</sup> AND RECEIVED, WENT, AND SPRINKLED [INTENDING TO EAT THEM] AFTER TIME; OR IF ONE SLAUGHTERED [THEM, INTENDING TO EAT THEM] AFTER TIME, [AND] RECEIVED, WENT, AND SPRINKLED FOR THE SAKE OF SOMETHING ELSE; OR IF ONE SLAUGHTERED, RECEIVED, WENT, AND SPRINKLED FOR THE SAKE OF SOMETHING ELSE; IN THESE CASES THE MATTIR WAS NOT OFFERED IN ACCORDANCE WITH THE LAW.<sup>16</sup> [IF ONE INTENDED] TO EAT AS MUCH AS AN OLIVE WITHOUT BOUNDS [AND] AS MUCH AS AN OLIVE ON THE MORROW, [OR] AS MUCH AS AN OLIVE ON THE MORROW [AND] AS MUCH AS AN OLIVE WITHOUT BOUNDS;<sup>17</sup> HALF AS MUCH AS AN OLIVE WITHOUT BOUNDS [AND] HALF AS MUCH AS AN OLIVE ON THE MORROW; HALF AS MUCH AS AN OLIVE ON THE MORROW [AND] HALF AS MUCH AS AN OLIVE WITHOUT BOUNDS, [THE SACRIFICE] IS UNFIT, AND DOES NOT INVOLVE KARETH.<sup>18</sup> SAID R. JUDAH, THIS IS THE GENERAL RULE: WHERE THE INTENTION OF TIME PRECEDES THE INTENTION OF PLACE, [THE SACRIFICE] IS PIGGUL, AND INVOLVES KARETH; BUT IF THE INTENTION OF PLACE PRECEDES THE INTENTION OF TIME, IT IS UNFIT AND DOES NOT INVOLVE KARETH.<sup>19</sup> BUT THE SAGES MAINTAIN: IN BOTH CASES<sup>20</sup> [THE SACRIFICE] IS UNFIT AND DOES NOT INVOLVE KARETH. [IF ONE INTENDS] TO EAT HALF AS MUCH AS AN OLIVE [WITHOUT BOUNDS OR AFTER TIME] [AND] TO BURN HALF AS MUCH AS AN OLIVE [SIMILARLY]. IT IS FIT, FOR EATING AND BURNING DO NOT COMBINE.<sup>21</sup>

GEMARA. Ilfa said: The controversy is in respect of two services, but in the case of one service all agree that it constitutes a mingling of intentions.<sup>22</sup> But R. Johanan maintained: The controversy is in respect of a single service too. As for Ilfa, it is well: since the first clause treats of two services,<sup>23</sup> the second clause too<sup>24</sup> treats of two services. But according to R. Johanan, the first clause treats of two services and the second clause of one service?

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- (1) Through a blemish.
- (2) Deut. XIV, 23.
- (3) The firstling does not come to make atonement, and therefore is not subject to 'acceptance'.
- (4) If delayed. i.e., that the vower has not duly fulfilled his vow and must bring another sacrifice.
- (5) I.e., the offering does not become invalid.
- (6) Emended text.
- (7) The money which he robbed.
- (8) Prov. XXII, 27; 'thy bed' is understood to mean 'thy wife'.
- (9) V. supra a top.
- (10) As are all who violate a negative injunction.
- (11) It shall not be imputed. But with a different vowelling this reads lo yahshob, he (the priest) shall not intend (to eat it after time), and thus this becomes a negative injunction.
- (12) Talking is not considered an action.
- (13) The enabler, i.e., the blood, through the sprinkling of which the sacrifice may be eaten.
- (14) I.e., that no other illegitimate intention is expressed.
- (15) As different sacrifices, whereby they are invalid, supra 2a.
- (16) In all these cases there was an illegitimate intention which invalidated the sacrifice in addition to that which would render it piggul. Hence it is not piggul but only invalid, as already stated.
- (17) The intentions being in that order.
- (18) For the same reason as before.
- (19) R. Judah holds that an invalidating intention does not negate a piggul intention if the latter is expressed first.
- (20) Whatever the order.
- (21) In intention.
- (22) Even R. Judah agrees that where both intentions are expressed at the same service, the sacrifice is not piggul but merely unfit, even if the piggul intention preceded.
- (23) As it is explicitly taught: IF ONE SLAUGHTERED [INTENDING TO EAT] AFTER TIME AND RECEIVED THE BLOOD ETC. WITHOUT BOUNDS.
- (24) Sc. IF ONE SLAUGHTERED INTENDING TO EAT AS MUCH AS AN OLIVE ON THE MORROW AND AS MUCH AS AN OLIVE WITHOUT BOUNDS.

### **Talmud - Mas. Zevachim 30a**

— Even so: the first clause treats of two services, while the second clause can refer to either one service or two services.

We learnt: SAID R. JUDAH: THIS IS THE GENERAL RULE: IF THE INTENTION OF TIME PRECEDED THE INTENTION OF PLACE, IT IS PIGGUL, AND INVOLVES KARETH. As for R. Johanan. it is well: hence he teaches, THIS IS THE GENERAL RULE.<sup>1</sup> But according to Ilfa, what is the implication of THIS IS THE GENERAL RULE? — That is indeed a difficulty.

We learnt elsewhere: [If one declares.] 'This [animal] be a substitute for a burnt-offering, a substitute for a peace-offerings,' it is a substitute for a burnt-offering [only]: this is R. Meir's view. Said R. Jose: If such was his original intention,<sup>2</sup> since it is impossible to pronounce both designations simultaneously, his declarations are valid.<sup>3</sup> But if, having declared, 'This [animal] be a substitute for a burnt-offering,' he declared as an afterthought, 'This be a substitute for a peace-offerings,' it is a burnt-offering. It was asked: What if [one declares,] 'This [animal] be a substitute for a burnt-offering and a peace-offerings,' [or] '[This animal be a substitute for] half [a burnt-offering] and half [a peace-offering]'? Said Abaye: Here R. Meir certainly agrees [with R. Jose]. Raba said: There is still the controversy. Raba said to Abaye: According to you who maintain that here R. Meir certainly agrees, Yet lo! slaughtering is analogous to half and half, yet they disagree?<sup>4</sup> — Said he to him: Do you think that shechitah counts only at the end? [No:] Shechitah counts from the beginning until the end, and our Mishnah means that he declared [that he cut] one

organ [intending to eat the flesh] after time and the second organ [intending to eat it] without bounds.<sup>5</sup>

Yet surely kemizah<sup>6</sup> is analogous to halves, yet they disagree?<sup>7</sup> — There too it means that he burnt a fistful of the meal-offering [with the intention of eating] after time and a fistful of the frankincense [intending to eat] without bounds. Yet they disagree in respect of the fistful of a sinner's meal-offering, where there is no frankincense? — They do not disagree there. R. Ashi said: If you should say that they do disagree, they disagree in the steps.<sup>8</sup>

R. Shimi b. Ashi recited [the passage] as Abaye; R. Huna b. Nathan recited [it] as Raba. When R. Dimi came,<sup>9</sup> he said: R. Meir stated [his ruling] in accordance with the thesis of R. Judah, who maintained: Regard the first expression. For we learnt: R. JUDAH SAID, THIS IS THE GENERAL RULE: IF THE INTENTION OF TIME PRECEDED THE INTENTION OF PLACE, IT IS PIGGUL, AND INVOLVES KARETH.

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(1) This phrase is always regarded as including something not explicitly stated; according to R. Johanan then it includes the case of both intentions being expressed at one service.

(2) To declare it a substitute for both.

(3) V. Lev. XXVII, 33: He shall not inquire whether it be good or bad, neither shall he change it; and if he change it at all, then both it and that for which it is changed shall be holy. This is interpreted as meaning that if an animal is dedicated for a particular sacrifice, e.g., a peace-offerings, and then a second is substituted for it, both are holy, the second having exactly the same holiness as the first. Now R. Meir rules that if he declares it a substitute for two consecrated animals in succession, only the first declaration is valid, and the second is disregarded. But R. Jose maintains that if the second statement was not added as an afterthought but was part of the original intention, the whole is valid. Consequently, the animal is put out to graze until it receives a blemish, when it must be sold, and the money expended half for a burnt-offering and half for a peace-offering.

(4) When one slaughters the sacrifice with the intention of eating as much as an olive without bounds and as much as an olive after time, the second intention is not an afterthought cancelling the first, since both are possible; yet R. Judah regards the first statement only. This is analogous to making an animal a substitute for half a burnt-offering and half a peace-offerings, for here too both are possible. Now R. Meir who regards the first statement only in substitution agrees with R. Judah in our Mishnah, and therefore in the declaration in question too he should regard the first statement only.

(5) Shechitah consists of cutting across the two organs of the throat, viz., the windpipe and the gullet. Here R. Judah disagrees, because he regards them as two separate statements; but in a statement of 'halves' R. Judah (and R. Meir) would agree that the whole counts as one statement and that both parts are regarded. V. also Pes. (Sonc. ed.) p. 315, n. 3.

(6) V. Glos.

(7) If the priest takes the fistful of the meal-offering for burning on the altar while expressing the intention of eating as much as an olive after time and as much as an olive without bounds. There is the same controversy in Men. 12a between R. Judah and the Sages as here.

(8) As the priest took one step while carrying the fistful to the altar he declared his intention of partaking of the offering without bounds, and as he took another step, his intention of partaking thereof after time. Hence here also we have two separate statements.

(9) From Palestine to Babylon.

## **Talmud - Mas. Zevachim 30b**

Said Abaye to him: Yet surely Rabbah b. Bar Hanah said in R. Johanan's name: When you bring R. Meir and R. Jose together, [you find that] they do not disagree.<sup>1</sup> But do they not disagree? Surely they do disagree? — They disagree in what they disagree, he answered him, and they do not disagree in what they do not disagree.<sup>2</sup> For R. Isaac b. Joseph said in R. Johanan's name: All agree that if he declared 'Let this [sanctity] fall upon the animal and after that let that [sanctity] fall upon it,' [the latter] does not fall upon it.<sup>3</sup> 'Let this [sanctity] not fall upon it unless the other falls upon it [too],' all agree that [the latter] does not fall upon it.<sup>4</sup> They disagree only where he declares, '[Let this

animal be] a substitute for a burnt-offering, a substitute for a peace-offering.’ R. Meir holds: Since he should have said, ‘A substitute for a burnt-offering and a peace-offering.’<sup>5</sup> but said [instead], ‘A substitute for a burnt-offering, a substitute for a peace-offering,’ you may infer that he has indeed retracted.<sup>6</sup> And R. Jose?<sup>7</sup> — Had he declared, ‘A substitute for a burnt-offering and a peace-offering,’ I might have interpreted it, Half as a substitute for a burnt-offering and half as a substitute for a peace-offering;<sup>8</sup> therefore he declared, ‘A substitute for a burnt-offering, a substitute for a peace-offerings,’ to intimate that the whole should be a burnt-offering and the whole should be a peace-offerings!<sup>9</sup> — Said he [R. Dimi] to him [Abaye]: He [Rabbah b. Bar Hanah] said that they do not disagree, but I maintain that they do disagree.<sup>10</sup>

‘Ulla-others state, R. Oshaia — said: Perhaps our Babylonian colleagues know whether we learnt, ‘As much as an olive . . . as much as an olive’; or did we learn, ‘As much as an olive . . . and as much as an olive’?<sup>11</sup> [The point of the question is this:] Did we learn, ‘As much as an olive . . . as much as an olive,’<sup>12</sup> but [if he declared,] ‘. . . As much as an olive . . . and as much as an olive,’ all agree that it constitutes a mingling of intentions.<sup>13</sup> Or perhaps we learnt’. . . as much as an olive . . . and as much as an olive,’ and this, in R. Judah's opinion, constitutes a detailed enumeration,<sup>14</sup> and all the more [if he declared]’. . . as much as an olive . . . as much as an olive?’ — Come and hear, for Levi asked Rabbi: What if he intended eating as much as an olive on the morrow [after time] without bounds? Said he to him: That is indeed a question: it constitutes a mingling of intentions.<sup>15</sup> Thereupon R. Simeon b. Rabbi observed, is this not [taught in] our Mishnah: [IF HE INTENDED] TO EAT AS MUCH AS AN OLIVE WITHOUT, AS MUCH AS AN OLIVE ON THE MORROW; [OR] AS MUCH AS AN OLIVE ON THE MORROW, AS MUCH AS AN OLIVE WITHOUT; [OR] HALF AS MUCH AS AN OLIVE WITHOUT, HALF AS MUCH AS AN OLIVE ON THE MORROW; [OR] HALF AS MUCH AS AN OLIVE ON THE MORROW. HALF AS MUCH AS AN OLIVE WITHOUT: IT IS INVALID, AND DOES NOT INVOLVE KARETH. Hence it follows that the other case<sup>16</sup> constitutes a mingling of intentions.<sup>17</sup> Nevertheless he asked me a profound question, he replied, though you say that it is [implied in] our Mishnah. Since I taught you both [cases], you find no difficulty.<sup>18</sup> But him I taught only one,<sup>19</sup> while he heard that the Rabbis read both versions [in the Mishnah]. Hence his doubt: was my teaching exact,<sup>20</sup> whereas their [additional case] constitutes a mingling of intentions;<sup>21</sup> or perhaps their [version] is exact,<sup>22</sup> whilst I had simply omitted [one case when I taught him], and just as I had omitted this instance, so had they omitted the other instance.<sup>23</sup> Now, which [case] did he teach him? If we say [that] he taught him: ‘. . . as much as an olive . . . and as much as an olive,’ [surely] that is not an omission!<sup>24</sup> Hence he taught him, ‘As much as an olive . . . as much as an olive.’<sup>25</sup> Then let him ask about ‘as much as an olive . . . and as much as an olive’?<sup>26</sup> — He reasoned: I will ask him one case from which I may infer both. For if I ask about ‘as much as an olive . . . and as much as an olive,’ it is well if he answers me that it is a comprehensive statement,<sup>27</sup> then all the more is it so [in the case of] ‘as much as an olive on the morrow without’; but if he answers me that it is a detailed enumeration, then I will still have the question about ‘as much as an olive on the morrow without’. If so,[the same objection can be urged] now too: it is well if he answered him that ‘as much as an olive on the morrow without’ constitutes a detailed enumeration, then all the more is it so in the case of ‘as much as an olive and as much as an olive’. But if he answered him that it is a comprehensive statement, he would still have the question: [what about] ‘as much as an olive and as much as an olive’ ? — If so, he [Rabbi] would have shewn asperity:

(1) For, as shewn anon, both reject the view that only the first statement is regarded. That being so R. Meir's ruling on substitution does not agree with R. Judah in our Mishnah.

(2) They disagree only in the case cited, where their controversy is explicitly stated. But they do not disagree on the general question whether a man's first statement only is to be regarded, for they both hold that a man's complete intention must be taken into account, the point at issue being what is his intention.

(3) If he declared, ‘Let the sanctity of this animal, dedicated for a burnt-offering, fall upon this one as its substitute, and then let the sanctity of the other dedicated for a peace-offerings fall upon it’, it is not seized with the sanctity of the

second, for sanctity cannot fall upon an animal which already possesses it.

(4) Since he obviously intended the animal to assume both sanctities simultaneously.

(5) If he intended both.

(6) Having declared it a substitute for the one, he retracted and made it a substitute for the other. But retraction is not permitted, and therefore it retains the first sanctity only.

(7) Does he not allow this argument?

(8) In which case it could not be sacrificed at all.

(9) Erroneously thinking that then the animal itself could be offered (presumably, as whichever sacrifice he desired, when he actually came to sacrifice it). — Thus on the present interpretation R. Meir too does not disagree with R. Jose that you cannot regard only a man's first statement, which contradicts R. Dimi.

(10) Precisely on the point whether a man's first statement only is to be regarded.

(11) In the Mishnah, did the man state, 'I declare my intention to eat as much as an olive without bounds, as much as an olive after time', or, . . . and as much as an olive after time'?

(12) R. Judah regards this as two distinct (and to some extent self-contradictory) intentions, since they are not joined by 'and'.

(13) Hence it is not piggul.

(14) Each is a separate statement, and there is no mingling of intentions. Hence R. Judah regards the first only.

(15) Even in R. Judah's opinion.

(16) Viz., where he declares both intentions in respect of the same piece.

(17) Why praise it then as a question worthy of asking?

(18) I taught you both versions, viz., that he declares, 'as much as an olive . . . as much as an olive'; or 'as much . . . and as much', etc., and the controversy of R. Judah and the Rabbis applies to both. Hence, since the Mishnah teaches these, and not a twofold declaration in respect of the same piece, you rightly deduce that there obviously even R. Judah admits that we have a mingling of intentions.

(19) Which one is explained anon.

(20) Viz., that the controversy applies to one case only.

(21) In my opinion, so that they read this into the Mishnah incorrectly. If so, a twofold declaration in respect of the same piece certainly constitutes a mingling of intentions.

(22) The controversy applies to both.

(23) Viz., two declarations in respect of the same piece. Hence he was right to raise the question.

(24) For the case of 'as much as an olive . . . as much as an olive' follows a fortiori. If R. Judah holds that we have a detailed enumeration and no mingling of intentions even when the priest uses the copulative, how much more so when his statements are disjoined. Hence he would have understood that this too is included, but only this and no other, so that a twofold declaration in respect of the same piece would certainly be a mingling of intentions, and there would be no room for his question.

(25) Only on this assumption is there room for his question. This proves that the reading in the Mishnah is 'as much as an olive . . . as much' etc.

(26) According to the explanation above he was in doubt about that too.

(27) Sc. it is a mingling of intentions.

## **Talmud - Mas. Zevachim 31a**

seeing that 'as much as an olive and as much as an olive' is a comprehensive statement, is there a question about 'as much as an olive on the morrow without'?<sup>1</sup>

It was stated: [If one declares, 'I will eat] half [as much as] in olive after time, half an olive without bounds and half as much as an olive after time,' — Said Raba: 'Then the piggul awaked as one asleep'.<sup>2</sup> But R. Hamnuna maintained: This constitutes a mingling of intentions.<sup>3</sup> Raba said: Whence do I say it? Because we learnt: if one combines as much as an egg of an edible of first degree with as much as an egg of an edible of second degree, [the combination] ranks as first degree. If one separates them, each ranks as second degree.<sup>4</sup> But if one re-combined them, [the mixture] ranks as first degree. Whence [does this follow]? — Because the second clause teaches: If each falls



separately on a loaf of terumah, they render it unfit; if they both fall [on it] simultaneously, they render it second degree.<sup>5</sup> But R. Hamnuna argues: There you had the requisite standard;<sup>6</sup> but here the standard is absent.<sup>7</sup>

R. Hamnuna said: Whence do I say it? — Because we learnt: An edible which was defiled by a principal degree of uncleanness, and [one] which was defiled by a derivative of uncleanness<sup>8</sup> combine with each other to defile according to the lesser of the two.<sup>9</sup> Surely that means even if [the standard quantity] is subsequently made up?<sup>10</sup> — [No:] perhaps [this holds good only] when one does not make up [the standard].

When R. Dimi came, he said: [When one declares his intention of eating] half an olive without bounds and half an olive after time and [another] half an olive after time, — Bar Kappara taught: It is piggul, [because the declaration in respect of] half an olive is of no effect as against [that in respect of] an olive.<sup>11</sup> When Rabin came, he said: [If one declares his intention of eating] half as much as an olive after time and [another] half an olive after time and half an olive without bounds, — Bar Kappara taught: It is piggul, [because the declaration in respect of] half an olive is of no effect as against [that of] an olive.<sup>12</sup> R. Ashi recited it thus: [If one declares his intention to eat] half an olive after time, and an olive, half without bounds and half after time,<sup>13</sup> — Bar Kappara taught: It is piggul, [because the declaration in respect of] half an olive is of no effect as against [that of] an olive.<sup>14</sup>

R. Jannai said: If one intended dogs to eat it on the morrow, it is piggul, because it is written, And the dogs shall eat Jezebel in the portion of Jezreel.<sup>15</sup> To this R. Ammi demurred: If so, if he intended fire to eat it on the morrow, is that too piggul, since it is written, A fire not blown by man shall eat [consume] him?<sup>16</sup> And should you say, That indeed is so, — surely we learnt, [IF HE INTENDED] TO EAT HALF AS MUCH AS AN OLIVE [ILLEGITIMATELY] AND TO BURN HALF AS MUCH AS AN OLIVE [ILLEGITIMATELY], IT IS FIT, BECAUSE EATING AND BURNING DO NOT COMBINE? — If he expressed [his intention] in terms of eating, that indeed would be so;<sup>17</sup> here [in the Mishnah] however he expressed it in terms of burning: [hence they do not combine,] because the term eating is one thing and the term burning is another.

R. Assi<sup>18</sup> asked: What if he intended as much as an olive to be eaten [illegitimately] by two men? Do we go by his intention, and there is the standard [of disqualification]; or do we go by the eaters, and there is not the standard? — Said Abaye, Come and hear: [IF HE INTENDED] TO EAT HALF AS MUCH AS AN OLIVE AND TO BURN HALF AS MUCH AS AN OLIVE [ILLEGITIMATELY]. IT IS FIT, BECAUSE EATING AND BURNING DO NOT COMBINE.

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(1) I.e., Rabbi would have replied with asperity, ‘Why, even the former case is a mingling of intentions; how much more so that which you ask’.

(2) Cf. Ps. LXXVIII, 65. — The first half, on finding as it were the last half, awakes from its slumber and combines with it. Thus he intends to eat as much as an olive after time; this renders it piggul and cannot be undone by the intention of eating half as much as an olive without bounds.

(3) Hence it is not piggul.

(4) A man who becomes unclean through contact with a corpse, and a sherez (‘creeping thing’) rank as principal (ab, lit., ‘father’) degree of uncleanness, and if a foodstuff comes into contact with them, it becomes unclean in the first degree; if that in turn comes into contact with another foodstuff, the latter is unclean in the second degree. The minimum standard of foodstuffs to defile is as much as an egg. Now, the first combination contains the standard quantity for defilement, and that in the first degree; hence the whole ranks as such. But if one divides the whole, each part contains less than the standard in the first degree; hence each part is second degree.

(5) In hullin (non-sacred food) there is nothing below second degree, so that if second degree food touches hullin, the latter remains clean. In terumah (q.v. Glos.) there is a third degree, but it goes no further, and the terumah is then called unfit, but not unclean, since it cannot defile other terumah. Now, if each of these separated masses falls on terumah

consecutively, the terumah is disqualified only, since neither mass contains as much of first degree to render it second. But if they both fall on it together, as much as an egg of first degree has touched it at the same moment, and therefore the terumah becomes unclean in the second degree, so that it can render other terumah unfit. This proves that the firsts in each combine, and the same is true here.

(6) In the first place there was one mass of the requisite standard; therefore the two masses recombine.

(7) There was never the complete standard by itself to render it piggul.

(8) 'Derivative' is another name for first degree.

(9) If each contains only half the standard. Thus the combination disqualifies terumah (rendering it third), but does not defile it (i.e., it does not render it second).

(10) Even if one adds a first degree edible to make up to the size of an egg, yet since the combination is only a second, that portion thereof which is first does not re-awake to combine with the addition.

(11) Since the two piggul intentions (viz., to eat after time) were consecutive.

(12) But only in this case. In the former case, however, when he declares his intention to eat half an olive without bounds and half an olive after time, these two intentions immediately combine, and his subsequent declaration that he will eat half an olive after time cannot upset the previous combination; hence it is not piggul. Thus we have a controversy between R. Dimi and Rabin as to Bar Kappara's teaching.

(13) Thus combining the latter two in his declaration.

(14) This goes further than R. Dimi's view. For here he actually combined the latter two intentions, and yet they are separated and the two intentions concerning after time recombined.

(15) II Kings IX, 10. This proves that eating by dogs is designated eating.

(16) Job XX, 26.

(17) They would combine.

(18) Emended text. Cur. edd: Ashi.

## **Talmud - Mas. Zevachim 31b**

Hence if he intended to eat [half as much as an olive] and to eat [half as much as an olive] in a way similar to [the intention of] eating and burning, — and how is that possible? [that the two half olives] should be eaten by two men, — they would combine. This proves it.

Raba asked: What if he intended to eat as much as an olive within more than the time required for eating half [a loaf]?<sup>1</sup> Do we compare this to the eating of the All-High,<sup>2</sup> or do we liken it to human eating? — Said Abaye, Come and hear: [IF HE INTENDED] EATING HALF AS MUCH AS AN OLIVE AND BURNING HALF AS MUCH AS AN OLIVE, IT IS FIT, BECAUSE EATING AND BURNING DO NOT COMBINE. Thus only eating and burning; but eating and eating in a way similar to eating and burning combine, though burning requires more than the time for eating half [a loaf]<sup>3</sup> — [No:] perhaps it means in a big fire.<sup>4</sup>

[IF HE INTENDED] TO EAT HALF AS MUCH AS AN OLIVE AND TO BURN HALF AS MUCH AS AN OLIVE IT IS FIT. Thus only to eat and to burn; but [if he intended] to eat [what is fit for eating] and to eat what is not fit for eating<sup>5</sup> they combine. Yet surely the first clause teaches: [IF HE INTENDS] TO EAT WHAT IS NORMALLY EATEN [IT IS UNFIT]. Hence, only what is normally eaten, but not what is not normally eaten? — Said R. Jeremiah. This<sup>6</sup> is in accordance with R. Eliezer, who maintained [that] you can intend [with effect] for the altar's consumption what is meant for human consumption and for human consumption what is meant for the altar's consumption. For we learnt: If one slaughters the sacrifice [intending] to eat what is not normally eaten or to burn [on the altar] what is not normally burnt, it is fit; but R. Eliezer invalidates [it].<sup>7</sup> Abaye said: You may even say that it is according to the Rabbis; but do not deduce: But [if he intends] to eat [what is fit for eating] and to eat what is not normally eaten [it is fit]; deduce rather: But [if he intends] to eat [what is normally eaten] and to eat what is normally eaten<sup>8</sup> [it is invalid]. [Then] what does [the Tanna] inform us? if he informs us [the law concerning] what is normally eaten,<sup>9</sup> you can infer this from the first clause: [IF HE INTENDS TO EAT] HALF AS MUCH AS

AN Olive WITHOUT, HALF AS MUCH AS AN OLIVE ON THE MORROW, [HIS INTENTIONS] COMBINE. If [he informs us about intending] to eat and to burn,<sup>10</sup> you can infer this by deduction from the first clause, [viz.,] only [if he intends] to eat what is normally eaten, but not [if he intends to eat] what is not normally eaten. Then seeing that [intentions] to eat [what is normally eaten] and to eat what is not normally eaten do not combine, is it necessary [to teach about intentions] to eat and to burn [that they do not combine]?<sup>11</sup> — He needs [to teach about intending] to eat and to burn. For you might argue, Only there<sup>12</sup> [do they not combine], because his intention is not normal; but here, where [his intentions in respect of] each are normal,<sup>13</sup> I would say that they combine. Hence he informs us [otherwise].

### CHAPTER III

MISHNAH. ALL UNFIT PERSONS<sup>14</sup> WHO SLAUGHTERED, THEIR SLAUGHTERING IS VALID, FOR SLAUGHTERING IS VALID [EVEN WHEN PERFORMED] BY LAY-ISRAELITES [ZARIM], AND BY WOMEN, AND BY SLAVES, AND BY UNCLEAR, EVEN IN THE CASE OF SACRIFICES OF HIGHER SANCTITY, PROVIDED THAT UNCLEAR [PERSONS] DO NOT TOUCH THE FLESH; THEREFORE THEY<sup>15</sup> INVALIDATE [THE SACRIFICE] BY AN [ILLEGITIMATE] INTENTION.

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(1) A loaf is the size of eight (according to Maim. six) eggs, and half a loaf constitutes the average meal. The eating of forbidden food in general is punishable only if as much as an olive thereof, which is the standard for punishment, is eaten in the time of an average meal.

(2) Sc. the consumption of the emurim on the altar. Naturally, this sometimes requires more time than the human standard, and therefore if this comparison is made his intention counts.

(3) Emended text (Rashi). 'Eating and eating' means an intention to eat half as much as an olive and another intention to eat half as much as an olive.

(4) Where it will be quickly consumed.

(5) For what he would burn (the emurim) is not fit for eating.

(6) The final clause.

(7) V. supra 28a for notes. In view of R. Eliezer's opinion it is necessary to state here that intentions in respect of eating and burning (human consumption and the altar's consumption) do not combine.

(8) I.e., two intentions in respect of two half standards.

(9) Viz., that they combine.

(10) That they do not combine. I.e., if the law is taught for its own sake, and not for the sake of a deduction.

(11) Surely not.

(12) When he intends to eat what is normally eaten and to eat what is not normally eaten.

(13) He intends to eat what is eaten, and to burn what is burnt, though not in the right time or place.

(14) As enumerated in the Mishnah supra 15b.

(15) These unfit persons.

## Talmud - Mas. Zevachim 32a

BUT IF ANY OF THESE RECEIVED THE BLOOD [INTENDING TO EAT THE FLESH OR BURN THE EMURIM] AFTER TIME OR WITHOUT BOUNDS AND LIFE-BLOOD IS [STILL] AVAILABLE, A FIT [PRIEST] MUST RECEIVE [IT] A SECOND TIME. IF A FIT PERSON RECEIVED [THE BLOOD] AND GAVE [IT] TO AN UNFIT ONE, HE MUST RETURN IT TO THE FIT ONE. IF HE RECEIVED [THE BLOOD] IN HIS RIGHT HAND AND TRANSFERRED [IT] TO HIS LEFT, HE MUST RE-TRANSFER IT TO HIS RIGHT. IF HE RECEIVED [IT] IN A SACRED VESSEL AND Poured IT [THENCE] INTO A SECULAR [NON-SACRED] VESSEL, HE MUST RETURN IT TO THE SACRED VESSEL. IF IT SPILT FROM THE VESSEL ON TO THE PAVEMENT AND ONE COLLECTED IT, IT IS FIT. IF [THE PRIEST] APPLIED IT ON THE ASCENT [OR ON THE ALTAR], [BUT] NOT OVER AGAINST ITS BASE; [OR] IF HE APPLIED WHAT SHOULD BE APPLIED BELOW [THE SCARLET LINE] ABOVE [IT], OR WHAT SHOULD BE APPLIED ABOVE, BELOW; OR WHAT SHOULD BE APPLIED WITHIN [HE APPLIED] WITHOUT, OR WHAT SHOULD BE APPLIED WITHOUT, WITHIN<sup>1</sup> AND LIFE-BLOOD IS [STILL] AVAILABLE, A FIT [PRIEST] MUST RECEIVE [BLOOD] ANEW. GEMARA. 'WHO SLAUGHTERED' [implies] only if done, but not at the very outset.<sup>2</sup> But the following contradicts it: And he shall slaughter:<sup>3</sup> [this teaches that] slaughtering by a zar is valid,<sup>4</sup> for slaughtering by zarim, women, slaves, and unclean persons is valid, even in the case of most sacred sacrifices. Yet perhaps that is not so, but rather [it must be done] by priests? You can answer: Whence do you come [to propose this]? From the fact that it is said, And thou and thy sons with thee shall keep the priesthood in everything that pertaineth to the altar,<sup>5</sup> you might think that this applies to shechitah too. Therefore Scripture states, And he shall kill the bullock before the Lord; and Aaron's sons, the priests, shall present the blood:<sup>6</sup> from receiving onwards priesthood is prescribed, which teaches that shechitah by any person is valid!<sup>7</sup> — The truth is that it [may be performed] even at the very outset too, but because [the Tanna] wishes to include unclean, who may not [slaughter] in the first place lest they touch the flesh,<sup>8</sup> he states, WHO SLAUGHTERED.

Is then [the slaughtering by] an unclean person well if it was done? The following, however, contradicts it: And he shall lay [his hands upon the head of the burnt-offering . . . ] and he shall kill the bullock [before the Lord]:<sup>9</sup> as 'laying' must be [done] by clean [persons only], so must shechitah [be done] by clean [persons only]? — That is [only] a Rabbinical law.<sup>10</sup> Why does 'laying' differ? because it is written, before the Lord?<sup>11</sup> Yet surely 'before the Lord' is written of shechitah too? — It is possible to make a long knife and slaughter.<sup>12</sup> But in the case of 'laying' too, he can project his hands [into the Temple court] and lay?<sup>13</sup> — He holds that partial entry is designated entry.<sup>14</sup>

R. Hisda recited it reversely: And he shall lay . . . and he shall kill: as shechitah requires clean persons, so 'laying' requires clean persons. Why does shechitah differ? because it is written, 'before the Lord'?

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(1) V. supra 26a for notes.

(2) I.e., if they slaughtered, it is valid; but we do not permit them to slaughter in the first place.

(3) Lev. I, 5.

(4) Since Scripture does not specify a priest.

(5) Num. XVIII, 7.

(6) Lev. I, 5.

(7) This implies at the very outset.

(8) And defile it.

(9) Ibid. I, 4f.

(10) By Scriptural law, however, shechitah may be done in the first place by unclean persons; hence their shechitah is valid, if performed, even by Rabbinical law. The exegesis is therefore to be understood as a mere support to the law, and not as its source.

(11) In the text just quoted. Since shechitah must be 'before the Lord' i.e., in the Temple court, 'laying' too must be done there, as shechitah immediately follows it. Hence unclean are excluded, since they may not enter the Temple court.

(12) The sacrifice, which is within, while he stands without.

(13) While his body is without.

(14) Even if his hands only enter the Temple court, it is as though he entered it entirely.

## Talmud - Mas. Zevachim 32b

but 'before the Lord' is written in connection with 'laying' too? — He can project his hands within and lay [them on the bullock]. Then in the case of shechitah too, he can make a long knife and slaughter? — This agrees with Simeon the Temanite. For it was taught: And he shall kill the bullock before the Lord: the bullock [must be] before the Lord, but the slaughterer need not be before the Lord. Simeon the Temanite said: Whence do we know that the slaughterer's hands must be on the inner side of the slaughtered? From the text, And he shall slaughter the bullock before the Lord: he that slaughters the bullock [must be] before the Lord.<sup>1</sup>

'Ulla said in the name of Resh Lakish: If an unclean person projects his hands within, he is flagellated, because it says, She shall touch no hallowed things, nor come into the sanctuary:<sup>2</sup> entry is assimilated to contact. As partial contact ranks as contact,<sup>3</sup> so partial entry is designated entry. R. Hoshai raised an objection to 'Ulla: If a leper whose eighth day fell on the eve of Passover<sup>4</sup> and who had a nocturnal discharge on that day,<sup>5</sup> and performed immersion,<sup>6</sup> — the Sages said: Though any other tebul yom<sup>7</sup> may not enter [the Levitical camp], this one does enter:<sup>8</sup> it is preferable that an affirmative precept which involves kareth<sup>9</sup> should come and override an affirmative precept which does not involve kareth.<sup>10</sup> Now R. Johanan said: By the law of the Torah<sup>11</sup> there is not even an affirmative precept in connection therewith, for it is said, And Jehoshaphat stood in the congregation of Judah and Jerusalem, in the house of the Lord, before the new court.<sup>12</sup> What does 'the new court' mean? That they introduced a new law there and ruled: A tebul yom must not enter the Levitical camp.<sup>13</sup> Now if you say that partial entry is called entry, how can he insert his hands for [the sprinkling of his] thumbs; in both cases there is an affirmative precept involving kareth?<sup>14</sup> — from your very refutation<sup>15</sup> [I can answer you], he replied: A leper is different. Since he was permitted in respect of his leprosy,<sup>16</sup> he was permitted in respect of his nocturnal discharge. R. Joseph observed: 'Ulla holds [that] if the majority were zabin and they became unclean through the dead, since they are permitted in respect of their defilement, they are permitted in respect of their zibah.<sup>17</sup> Said Abaye to him, How can you compare? Uncleanness was permitted, but zibah was not permitted!<sup>18</sup> Perhaps this is what you meant: If the majority are unclean through the dead and they become zabin, since they are permitted in respect of their uncleanness they are permitted in respect of their zibah? — Yes, he replied. Said he to him: Yet they are still not alike. [In the case of] a leper it is permitted,<sup>19</sup> [and] since it is permitted [in respect of leprosy], it is permitted [in respect of his nocturnal discharge]. But defilement is [merely] superseded: in respect of one<sup>20</sup> it was superseded, [while] in respect of the other [zibah] it was not superseded? — Said Raba to him: On the contrary, the logic is the reverse: [In the case of] a leper it is permitted: then it is permitted in respect of the one and not permitted in respect of the other. But uncleanness is superseded: What does it matter then whether it is superseded in one instance or whether it is superseded in two instances?

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(1) Reading we-shohet, and the slaughterer, for we-shahat, and he shall slaughter. Thus he holds that the slaughterer must be inside too.

(2) Lev. XII, 4.

(3) Since normally a man does not touch a thing with his whole body.

(4) When a leper was healed from his leprosy he waited seven days, performing immersion on the seventh, and brought his sacrifices on the eighth (v. Lev. XIV, 9f). When he brought these he was still not permitted to enter the Temple court ('the camp of the Shechinah' — divine Presence) but stood at the east gate ('the gate of Nicanor'), whose sanctity was lower (it was regarded as 'the Levitical camp'), while the priest, standing inside the Temple court, applied the blood and

the oil to the thumb and the great toe of the leper (ibid. 14f).

(5) Before he had offered his sacrifices. One who suffered such a discharge might not enter even the Levitical camp.

(6) Again. Though he had performed immersion the previous day, that was on account of his leprosy, whereas now he performs it on account of his discharge.

(7) V. Glos.

(8) For his purification rites.

(9) Sc. the Passover-offering. He went through his purification rites so that he might eat of the Passover-offering in the evening, the eating of which is enjoined by an affirmative precept.

(10) Sc. that a tebul yom must not enter the Levitical camp. That is derived in Naz. 45a from, he shall be unclean; his uncleanness is yet upon him (Num. XIX, 13); since this is an affirmative statement, the injunction likewise counts as an affirmative precept. Its violation does not involve kareth.

(11) The Pentateuch.

(12) II Chron. XX, 5.

(13) Since this was an innovation, it is only Rabbinical, and as seen supra it was waived for the sake of the Passover-offering.

(14) An unclean person may not enter the Temple court on pain of kareth.

(15) Lit., 'burden'.

(16) This is obvious, as Scripture ordains it, and it cannot be done in any other way but by inserting his hands (or thumbs) into the Temple court.

(17) For zab (pl. zabim, zabin), zibah v. Glos. If the majority of the community are unclean on the eve of Passover through the dead, they are permitted to offer the Passover-offering, as this uncleanness is inoperative (or superseded) in such circumstances. But if they are unclean as zabin, they may not offer. Now, if they were thus unclean, and then became unclean through the dead too, since they are permitted in respect of the latter, they are also permitted in respect of the former. This follows from 'Ulla's answer.

(18) Though the uncleanness through the dead is permitted, yet since it came after zibah it cannot render that permitted too, for if it did it would create the absurd position that whereas zibah alone is not permitted, yet when defilement through the dead is added to it, it is permitted.

(19) To project his hands into the Temple court.

(20) Sc. defilement through the dead.

## **Talmud - Mas. Zevachim 33a**

This proves that both<sup>1</sup> hold that uncleanness is [merely] superseded in the case of a community.<sup>2</sup>

Shall we say that the following supports him:<sup>3</sup> In all cases of laying [hands] I apply [the norm], shechitah must immediately follow laying, except this one,<sup>4</sup> which took place at the Nicanor Gate, because the leper might not enter therein<sup>5</sup> until the blood of his sin-offering and his guilt-offering was sprinkled on his account.<sup>6</sup> Now, if you say that partial entry is not designated entry, let him project his hands [into the Temple court] and lay [them on the sacrifice]?<sup>7</sup> — Said R. Joseph: This is in accordance with R. Jose son of R. Judah, who maintained: The north is at a distance [from the entrance].<sup>8</sup> Then let a small gate be made?<sup>9</sup> — Abaye and Raba both quoted [in reply]: All this [do I give thee] in writing, as the Lord hath made me wise by His hand upon me, even all the works of this pattern.<sup>10</sup> Others state [that] R. Joseph said: When one lays [hands], he must project his head and the greater part [of his body into the Temple court].<sup>11</sup> What is the reason? — We require [him to lay hands with] all his strength; therefore it cannot be done [otherwise].

What does [the Tanna] hold?<sup>12</sup> If he holds that the laying [hands on] the guilt-offering of a leper is a Scriptural requirement, and that [the law that] shechitah must immediately follow laying is Scriptural, then let him [the leper] enter [the Temple court] and lay [hands], since the Divine Law ordained it? — Said R. Adda b. Mattenah: It is a preventive measure, lest he prolong his route.<sup>13</sup> Others state [that] R. Adda b. Mattenah said: Laying of [hands on] the guilt-offering of a leper is Scriptural, but [that] shechitah must immediately follow laying is not Scriptural.<sup>14</sup>

An objection is raised: And he shall lay [his hands . . . ] and he shall kill:<sup>15</sup> As ‘laying’ must be [done] by clean [persons only], so must shechitah be [done] by clean [persons only]. If, however, you say that it is not Scriptural, then it can be [done] by unclean persons too?<sup>16</sup> — Rather, reverse it: Laying of [hands on] the guilt-offering of a leper is not Scriptural, while [the law that] shechitah must immediately follow laying is Scriptural. [

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(1) Abaye and Raba.

(2) V. supra p. 163, n. 11, and Yoma 6b.

(3) ‘Ulla, that partial entry is designated entry.

(4) Laying of hands on the leper's guilt-offering.

(5) Into the Temple court.

(6) Hence the animal was brought to the Nicanor Gate, which had intentionally been left unsanctified to enable the leper to stand there, and he laid hands upon it; then it was led to the Temple court and slaughtered, and so these two actions had to be separated by a short interval.

(7) So here too shechitah could immediately follow laying.

(8) Sc. of the Temple court. V. supra 20a. The sacrifices of the leper had to be slaughtered at the north side of the altar, which was more than 22 cubits from the main entrance of the Temple court. Hence he could not possibly reach it from outside.

(9) On the north wall of the Temple court facing the altar, whereby the animal could be slaughtered immediately after his laying on of hands.

(10) I Chron. XXVIII, 19. Thus the Temple was designed by divine guidance, and nothing might be added to it.

(11) So that it would not be partial entry but complete entry, which is forbidden to the leper.

(12) When he rules that shechitah must always immediately follow laying save in the case of a leper.

(13) Lit., ‘take many steps’ — into the Temple court — more than is necessary for laying hands. This would not be covered by the Scriptural dispensation.

(14) Hence we cannot permit him to enter the Temple court.

(15) Lev. I, 4.

(16) Viz., by laying hands outside the Temple court, and then the sacrifice is led in and slaughtered.

### **Talmud - Mas. Zevachim 33b**

Rabina said: It was stated<sup>1</sup> [only] in respect of flagellation.<sup>2</sup> When Rabin came, he said in the name of R. Abbahu: It was stated in respect of an unclean person who touched sacred flesh.<sup>3</sup> For it was stated: If an unclean person touches sacred flesh, Resh Lakish maintains: He is flagellated; R. Johanan said: He is not flagellated. Resh Lakish maintained [that] he is flagellated, [because it is written] She shall touch no hallowed thing.<sup>4</sup> But R. Johanan maintains that he is not flagellated, [for] that [text] is written in reference to terumah.<sup>5</sup> Now [does] Resh Lakish [maintain that] this text comes for this purpose? [surely] it is required as a forewarning against eating sacred flesh?<sup>6</sup> For it was stated: Whence do we derive a forewarning against eating sacred flesh? Resh Lakish says: [From the text,] ‘She shall touch no hallowed thing’. R. Johanan said, Bardela taught: It is derived from the expression ‘his uncleanness’ occurring here and in reference to [an unclean person's] entry into the sanctuary:<sup>7</sup> as there [Scripture] prescribes the penalty and gives a forewarning,<sup>8</sup> so here too [Scripture] prescribes the penalty and implies a forewarning!<sup>9</sup> — [That] an unclean person who touched sacred flesh [is flagellated follows] from the fact that the Divine Law expressed this in terms of touching;<sup>10</sup> while a forewarning to one who eats [sacred flesh while unclean follows] from the assimilation of sacred flesh to the sanctuary.<sup>11</sup>

It was taught in accordance with Resh Lakish: ‘She shall touch no hallowed thing’: [this is] a forewarning in respect of eating. You say [that it is] a forewarning in respect of eating; yet perhaps it is not so, but rather in respect of touching? Therefore the text states, ‘She shall touch no hallowed thing, nor come into the sanctuary’: the ‘hallowed thing’ [sacred flesh] is assimilated to the

sanctuary. As [the offence in connection with] the sanctuary is one which involves

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(1) That partial entry is designated entry.

(2) As 'Ulla explicitly states. But it was not stated in respect of kareth, and therefore you cannot raise an objection from the law of a leper, who had a nocturnal issue where the penalty involved is kareth.

(3) And not in respect of partial entry at all — contra 'Ulla.

(4) Lev. XII, 4. 'She' is a woman in childbirth, who is unclean, and she is forbidden to touch it by a negative command, which is punishable by flagellation.

(5) But not to sacrifices. And although sacrifices are more sacred than *terumah*, for contact with which flagellation is incurred, we do not deduce a fortiori that the same punishment is incurred for touching sacred flesh, as flagellation is not imposed as a result of an a fortiori deduction.

(6) In a state of bodily uncleanness.

(7) Eating sacred flesh whilst unclean (Lev. VII, 20): But the soul that eateth of the flesh of the sacrifice of peace-offerings, that pertain unto the Lord, having his uncleanness upon him, that soul shall be cut off from his people (i.e., kareth). Entering the sanctuary whilst unclean (Num. XIX, 13): Whosoever toucheth the dead, even the body of any man that is dead, and purifieth not himself — he hath defiled the tabernacle of the Lord — that soul shall be cut off from Israel; because the water of sprinkling was not dashed against him, he shall be unclean; his uncleanness is yet upon him.

(8) The forewarning is in Num. V, 3: That they (the unclean) defile not their camp.

(9) Thus Resh Lakish utilises the text for a different purpose.

(10) Since Scripture actually writes, She shall touch no hallowed thing.

(11) Scripture writes, She shall touch no hallowed thing, nor come into the sanctuary. Thus the two, being brought together in this way, are assimilated to each other. Hence this deduction is made: as the forewarning in respect of the sanctuary involves kareth, so the forewarning in respect of the 'hallowed thing' i.e., sacred flesh, is in respect of an action which involves kareth, viz., eating sacred flesh whilst unclean, for we do not find that an unclean person who touches sacred flesh incurs kareth. Nevertheless, since Scripture does use the expression 'touch', a forewarning in respect of touching too must be understood from this text.

### Talmud - Mas. Zevachim 34a

the death penalty,<sup>1</sup> so the offence in connection with the hallowed thing is one which involves the death penalty. Now, if this treats of touching, is then the death penalty involved?<sup>2</sup> Hence it must treat of eating.

Yet it is still required in respect of an unclean person who ate the sacred flesh before the sprinkling [of the blood]? For it was stated: If an unclean person ate the sacred flesh before the sprinkling of the blood, Resh Lakish maintained that he is flagellated; while R. Johanan ruled that he is not flagellated. Resh Lakish maintained [that] he is flagellated, [for it is written,] 'She shall touch no hallowed thing', no distinction being drawn whether it is before sprinkling or after sprinkling. While R. Johanan ruled [that] he is not flagellated, as Bardela taught: 'It is derived from the recurring expression, 'his uncleanness', and that is written after the sprinkling'<sup>3</sup> — If so,<sup>4</sup> let Scripture say, '[She shall not touch] a hallowed thing'; why state no hallowed thing?<sup>5</sup> Hence two things may be inferred from it.

The [above] text [stated]: 'If an unclean person ate sacred flesh before sprinkling, Resh Lakish maintained: He is flagellated: while R. Johanan ruled: He is not flagellated.' Abaye said: This controversy applies only to bodily uncleanness; but where the flesh is unclean, all rule that he is flagellated, because a Master said:<sup>6</sup> And the flesh [that toucheth any unclean thing shall not be eaten]<sup>7</sup> is to include wood and frankincense; though these are not edible, yet Scripture includes them.<sup>8</sup> Raba said: The controversy is in respect of bodily uncleanness, but where the flesh is unclean<sup>9</sup> all agree that he is not flagellated. What is the reason? — Since we cannot apply to him the text, Having his uncleanness upon him, that soul shall be cut off,<sup>10</sup> you cannot apply to him the text, And the flesh that toucheth any unclean thing shall not be eaten. But a Master said, And the flesh



includes the wood and the frankincense? — That is where they were sanctified in a vessel,<sup>11</sup> so that they become as though all their mattirin<sup>12</sup> had been performed. For we learnt: All which have mattirin [involve a penalty through defilement] once their mattirin have been offered;<sup>13</sup> whatever has no mattirin [involves a penalty through defilement] when it has been sanctified in a [service] vessel.<sup>14</sup>

It was stated: If one brings up the limbs of an unclean animal<sup>15</sup> on the altar, Resh Lakish maintained: He is flagellated; R. Johanan said: He is not flagellated. 'Resh Lakish maintained [that] he is flagellated', [for Scripture implies,] Only a clean animal [may be offered], but not an unclean one,<sup>16</sup> and one is flagellated on account of a negative injunction which is inferred from an affirmative precept. 'R. Johanan said, He is not flagellated', because one is not flagellated on account of a negative injunction which is inferred from an affirmative precept.

R. Jeremiah raised an objection: That may ye eat,<sup>17</sup> but not an unclean animal; and a negative injunction which is inferred from an affirmative precept ranks as an affirmative precept?<sup>18</sup> — Said R. Jacob to R. Jeremiah b. Tahlifa: I will explain it to you: There is no disagreement at all about the limbs of an unclean [domesticated] animal; they disagree about a beast [of chase],<sup>19</sup> and it was thus stated: 'R. Johanan said: He transgresses an affirmative precept. While Resh Lakish said: He does not transgress anything.' 'R. Johanan said, He transgresses an affirmative precept', [for Scripture says,] [Ye shall bring your offering] of the cattle [behemah]: [this implies] only of the cattle, but not of the beast [of chase]; while Resh Lakish said, He does not transgress anything, [for] that [text] intimates that it is meritorious.<sup>20</sup>

Raba raised an objection: If it were said, '[When any man of you bringeth] an offering to the Lord,' cattle [behemah], I would agree that hayyah [beast of chase] is included in behemah, as in the verse, These are the animals [behemah] which ye may eat: the ox, the sheep, and the goat, the hart and the gazelle and the roebuck etc.<sup>21</sup> Therefore the text states, 'even of the herd or of the flock': of the herd or of the flock have I prescribed unto thee, but not a beast of chase [hayyah]. You might think [that] one must not bring [a hayyah], yet if one did bring [it] it is valid: for to what is this like? To a disciple whom his master bade, 'Bring me wheat' and he brought him wheat and barley, where he is not regarded as having flouted his orders, but as having added thereto<sup>22</sup> — and it is valid; therefore the text states, 'even of the herd or of the flock': of the herd and of the flock have I prescribed unto thee, but not a beast. To what is this like? To a disciple whom his master bade, 'Bring me naught but wheat' and he brought him wheat and barley. He is not regarded as having added to his words, but as having flouted them,

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(1) I.e., kareth.

(2) Surely not!

(3) For the forewarning is learned from the penalty, and the penalty of kareth is only incurred after the sprinkling, v. Men. 25b. — Returning to our subject, we see that Resh Lakish utilises the text for a different purpose.

(4) That the text is required for this purpose only.

(5) Expressed in Heb. by the addition of be-kol, ('all' or 'every'); the emphasis implies an additional teaching.

(6) Emended text (Bah).

(7) Lev. VII, 19.

(8) The exegesis is to shew that these can become unclean like an edible (though usually only an edible or a utensil can be defiled), and then the same law applies to them as to food. Now, flesh before sprinkling cannot be worse than these; if these involve flagellation, surely flesh before sprinkling does likewise.

(9) Var. lec.: The controversy is in respect of the uncleanness of the flesh, but in the case of bodily uncleanness etc. (Sh. M.).

(10) Ibid. 20. The text refers to bodily uncleanness, which supports the var. lec. — Kareth is not incurred before the sprinkling of the blood (p. 167, n. 5).

(11) The wood was removed from the altar in a service vessel, and the frankincense was sanctified in a censer. These, as

the Talmud explains, are then in the same position as though all their ritual had been performed, and therefore are analogous to flesh after sprinkling.

(12) V. Glos.

(13) E.g., flesh, whose *mattirin* is the blood which by being sprinkled on the altar permits the flesh to be eaten.

(14) V. Me'il. 10a.

(15) E.g., of horses or camels.

(16) In the verse, Ye shall bring your offering of the cattle, even of the herd or of the flock (Lev. I, 2.). Thus Scripture specifies clean animals.

(17) Lev. XI, 3.

(18) And but for the special negative injunction which follows in the Scriptural text it would involve no flagellation.

(19) Animals are technically divided into *behemah* (domesticated animal) and *hayyah* (wild beast, lit., 'living thing'). The former includes dogs, horses and camels; the latter includes the hart, deer and roebuck.

(20) To offer sacrifices of the cattle, whereas offering a beast of chase is voluntary and permissive. Nevertheless, though we have no affirmative precept forbidding it, anything unclean of either species may certainly not be offered, v. Men. 6a.

(21) Deut. XIV, 4f. The last three belong to the class of *hayyah*.

(22) And here too, since one need not offer a sacrifice at all, when one offers a *hayyah* he is as though adding to God's words.

### Talmud - Mas. Zevachim 34b

— and it [the sacrifice] is invalid. This refutation of Resh Lakish is indeed a refutation.

AND IF ANY OF THESE RECEIVED etc. Resh Lakish asked R. Johanan: Does an unfit person render [the blood in the throat] a residue?<sup>1</sup> — Said he to him: There is no case of sprinkling rendering [the remaining blood] a residue,<sup>2</sup> save [where it is done with the illegal intention of] after time or without bounds, since it counts<sup>3</sup> in respect of *piggul*.<sup>4</sup> R. Zebid recited it thus: Resh Lakish asked R. Johanan: Does an unfit goblet [of blood] render [the remainder] a residue?<sup>5</sup> — Said he to him: What is your opinion about an unfit person himself? If an unfit person renders [the blood] a residue, then an unfit goblet too renders [the blood] a residue; if an unfit person does not render a residue, an unfit goblet too does not render a residue. R. Jeremiah of Difti recited it thus: Abaye asked Rabbah: Does one goblet render another rejected or a residue?<sup>6</sup> — Said he to him: It is the subject of a controversy between R. Eleazar son of R. Simeon and the Rabbis. For it was taught: Above it is stated, And the [remaining] blood thereof shall he pour out [at the base of the altar]; while below it is stated, And all the [remaining] blood thereof shall he pour out [at the base of the altar]:<sup>7</sup> How do we know that, if [the priest] received the blood of the sin-offering in four goblets and made one application [of blood] from each,<sup>8</sup> all [the rest] are poured out at the base [of the altar]? From the text, And all the [remaining] blood thereof shall he pour out [at the base of the altar]. You might think that, if he made the four applications from one goblet, all [the rest] are to be poured out at the base: therefore the text states, And the [remaining] blood thereof [etc].<sup>9</sup> How is this to be understood? [The remaining blood of] that [goblet] is poured out at the base,<sup>10</sup> but they [the other goblets] are poured out into the duct.<sup>11</sup> R. Eleazar son of R. Simeon said: Whence do we know that, if [the priest] received the blood of the sin-offering in four goblets and made the four applications from one goblet, all are poured out at the base? From the text, And all the [remaining] blood thereof shall he pour out [at the base of the altar]. Yet surely it is written, 'And the remaining blood thereof shall he pour out etc.'? — Said R. Ashi: That is to exclude the residue [of the blood left] in the throat of the animal.

IF THE FIT PERSON RECEIVED [THE BLOOD] AND GAVE [IT] TO AN UNFIT ONE etc. Now, all these are necessary:<sup>12</sup> For if we were informed about an unfit person, I would say, what is an unfit person? An unclean [priest] who is eligible for public service;<sup>13</sup> but the left [hand] is not so.<sup>14</sup> And if we were informed about the left hand, that is because it is fit on the Day of Atonement,<sup>15</sup> but a secular [non-sacred] vessel is not so. While if we were informed about secular vessels, that is

because they are eligible for sanctification; but as for the others, I would say that it is not so. Thus they are all necessary.

Now, let it be regarded as rejection?<sup>16</sup> — Said Rabina to R. Ashi: Thus said R. Jeremiah of Difti in Raba's name: This is in accordance with Hanan the Egyptian, who does not accept the law of rejection.<sup>17</sup> For it was taught: Hanan the Egyptian said: Even if the blood is in the cup he brings its companion and pairs it.<sup>18</sup> R. Ashi answered: When it lies in one's power [to rectify] the matter, it does not constitute rejection.<sup>19</sup> R. Shaya observed: Reason supports R. Ashi. [For] whom do you know to accept the law of rejection? R. Judah, as we learnt: Even more did R. Judah say: If the blood [of the he-goat to be sacrificed] was spilt, the [he-goat] which was to be sent away must perish;<sup>20</sup> if the [he-goat] which was to be sent away perished, the blood [of the other] must be poured out.<sup>21</sup> Yet we know him to rule that where it lies in one's power [to rectify the matter] there is no rejection. For it was taught, R. Judah said: He [the priest] used to fill a goblet with the mingled blood<sup>22</sup> and sprinkled it once against the base [of the altar].<sup>23</sup> This proves that where it lies in one's own hands, there is no rejection. This proves it.

[To turn to] the main text: 'It was taught, R. Judah said: He [the priest] used to fill a goblet with the mingled blood, so that should the blood of one of them be spilt, the result is that this renders it valid. Said they to R. Judah: But surely it [the mingled blood] had not been received in a vessel?' How do they know?<sup>24</sup> — Rather [they said to him]: perhaps it was not caught in a vessel?<sup>25</sup> I too, he answered them,

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(1) If he sprinkles the blood, can a fit person make the sacrifice valid by catching more blood from the animal's throat and sprinkling it? Or do we say, Once the unfit person has sprinkled the blood, what still remains in the throat is regarded as the residue of the blood, which cannot be used for sprinkling, and therefore the sacrifice is invalid? (The Mishnah speaks only of receiving the blood, not of sprinkling.)

(2) Emended text (Bah).

(3) Lit., 'propitiates'.

(4) Since such sprinkling counts as sprinkling to render the sacrifice *piggul*, it also counts to render the rest of the blood a residue. But no other illegal sprinkling renders the remainder of the blood a residue.

(5) If the goblet containing the blood to be sprinkled was taken outside the Temple court, whereby it becomes unfit, and it was then sprinkled, does it render the remainder in the throat a residue?

(6) E.g., if the blood of a sin-offering was received in two goblets, and all the sprinklings were performed out of one, is the blood in the other regarded as the residue, which must be poured out at the foot of the altar (cf. Lev. IV, 7: and all the remaining blood of the bullock shall he pour out at the base of the altar)? Or do we say that by not using it he intentionally, as it were, rejected it, and therefore it is simply poured out into the duct or sewer in the Temple court which discharged its contents into the stream of Kidron?

(7) Lev. IV, 25. 30.

(8) Four applications of blood were made on the horns of the altar.

(9) But not all, which apparently contradicts the other text.

(10) Since it is the residue of what was actually sprinkled.

(11) Because one goblet renders another rejected.

(12) V. Mishnah.

(13) When the whole community is unclean, including the priests, they sacrifice the Passover-offering in that state.

(14) Therefore, if the priest transferred the blood into his left hand, it should be permanently invalid.

(15) The High Priest took the censer in his right hand and the spoon in his left.

(16) The blood was fit in the first place, but by taking it in the wrong hand or in a secular vessel it was rejected, and therefore should no more be fit.

(17) Viz., that once rejected it remains permanently so.

(18) Two he-goats were taken on the day of Atonement, one of which was sacrificed as a sin-offering, and the other was sent away-into the wilderness (the 'scapegoat'), the function of each being decided by lot. The blood of the former was received in a cup or basin and sprinkled on the altar. Now, if the scapegoat died before the blood of the other was

sprinkled, Hanan rules that we do not say that the blood is thereby rejected, and two other goats must be brought, but only one more is brought and paired up with the one already slaughtered. For other views that the blood is thereby rejected permanently (the two goats being interdependent) v. Mishnah Yoma 62a.

(19) Here it lies in his power to rectify the matter by transferring the blood.

(20) But not sent to Azazel, because the two are interdependent, and since a new animal must be brought for the first, as its blood was spilt before sprinkling, a new pair must be brought.

(21) And likewise two fresh animals brought. Thus in each case one is rejected because of the other, and remains so permanently.

(22) Of many Passover-offerings. Lit., 'the blood of those which were mixed'.

(23) In case the blood of one of them would be spilt, this would make it valid.

(24) This is an interjection: how do the Rabbis, who raise this objection, know that it was not caught in a vessel?

(25) But poured straight from the animal's throat on to the ground. Rashi (in Pes. 65a): in that case sprinkling is of no avail. Tosaf.: sprinkling, if already performed, is efficacious, but such blood must not be taken up to the altar in the first place.

### **Talmud - Mas. Zevachim 35a**

spoke only of that which was received in a vessel. And how does he himself know that? — The priests are careful; but as they work quickly [the blood] may be spilt.

But the draining-blood<sup>1</sup> is mixed with it?<sup>2</sup> — R. Judah is consistent with his view, for he maintained: The draining-blood is called blood.<sup>3</sup> For it was taught: The draining-blood is subject to a 'warning';<sup>4</sup> R. Judah said: It is subject to kareth.<sup>5</sup> But surely R. Eleazar said: R. Judah agrees in respect to atonement, that it does not make atonement, because it is said, For it is the blood that maketh atonement by reason of the life:<sup>6</sup> blood wherewith life departs is called blood;<sup>7</sup> blood wherewith life does not depart is not called blood? — Rather [reply]:<sup>8</sup> R. Judah is consistent with his view, for he maintained: Blood cannot nullify [other] blood.<sup>9</sup>

R. Judah said to them [the Sages]: On your view,<sup>10</sup> why did they stop up [the holes in] the Temple court?<sup>11</sup> — Said they to him: It is praiseworthy for the sons of Aaron [the priests] to walk in blood up to their ankles. But blood constitutes an interposition?<sup>12</sup> — It was moist, and did not constitute an interposition. For it was taught: Blood, ink, honey, and milk, if dry, interpose; if moist, they do not interpose.<sup>13</sup> But their garments become [blood-] stained, whereas it was taught: If his garments were soiled and he performed the service, his service is unfit? And should you answer that they raised their garments,<sup>14</sup> surely it was taught: [And the priest shall put on] his linen measure:<sup>15</sup> [that means] that it must not be [too] short nor too long?<sup>16</sup> — [They raised them] at the carrying of the limbs to the [altar] ascent, which was not a service.<sup>17</sup> Was it not? Surely it was taught: And the priest shall offer the whole, and burn it on the altar:<sup>18</sup> this refers to the carrying of the limbs to the ascent? — Rather, [they raised them] at the carrying of the wood to the [altar] pile, which was not a service. Nevertheless, how could they walk at the service?<sup>19</sup> — They walked on balconies.<sup>20</sup>

MISHNAH. IF ONE SLAUGHTERS THE SACRIFICE [INTENDING] TO EAT WHAT IS NOT NORMALLY EATEN, OR TO BURN [ON THE ALTAR] WHAT IS NOT NORMALLY BURNT, IT IS VALID; BUT R. ELIEZER INVALIDATES [THE SACRIFICE].<sup>21</sup> [IF HE SLAUGHTERS IT INTENDING] TO EAT WHAT IS NORMALLY EATEN AND TO BURN WHAT IS NORMALLY BURNT, [BUT] LESS THAN THE SIZE OF AN OLIVE, IT IS VALID. TO EAT HALF AS MUCH AS AN OLIVE AND TO BURN HALF AS MUCH AS AN OLIVE, IT IS VALID, BECAUSE [INTENTIONS CONCERNING] EATING AND BURNING DO NOT COMBINE.<sup>22</sup> IF ONE SLAUGHTERS THE SACRIFICE [INTENDING] TO EAT AS MUCH AS AN OLIVE OF THE SKIN, OR OF THE JUICE, OR OF THE JELLY,<sup>23</sup> OR OF THE OFFAL, OR OF THE BONES, OR OF THE TENDONS, OR OF THE HORNS, OR OF THE HOOFS, EITHER AFTER TIME OR OUT OF BOUNDS, IT IS VALID, AND ONE IS NOT CULPABLE ON THEIR

ACCOUNT IN RESPECT OF PIGGUL, NOTHAR, OR UNCLEANNESS.<sup>24</sup> IF ONE SLAUGHTERS SACRED ANIMALS<sup>25</sup> [INTENDING] TO EAT THE FETUS OR THE AFTERBIRTH WITHOUT, HE DOES NOT RENDER PIGGUL. IF ONE WRINGS [THE NECKS OF] DOVES, [INTENDING] TO EAT THEIR EGGS WITHOUT, HE DOES NOT RENDER [THEM] PIGGUL. ONE IS NOT CULPABLE ON ACCOUNT OF THE MILK OF SACRED ANIMALS OR THE EGGS OF DOVES IN RESPECT OF PIGGUL, NOTHAR, OR UNCLEANNESS.

GEMARA. R. Eleazar said: If [the priest] expressed a piggul intention in respect of the sacrifice, the fetus [too] becomes piggul;<sup>26</sup> [if he expresses a piggul intention] in connection with the fetus, the sacrifice does not become piggul.<sup>27</sup> If he expresses a piggul intention in respect of the offal, the crop becomes piggul; in respect of the crop, the offal does not become piggul.<sup>28</sup> If he expresses a piggul intention in respect of emurim,<sup>29</sup> the bullocks become piggul; in respect of the bullocks,<sup>30</sup> the emurim do not become piggul.<sup>31</sup> Shall we say that the following supports him:<sup>32</sup> And both agree that if he expressed an intention [of piggul] in connection with the eating of the bullocks and their burning, he has done nothing?<sup>33</sup> Surely then, if however he expressed an intention concerning the emurim, the bullocks become piggul? — No:

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(1) Tamzith denotes the last blood which slowly drains off the animal, contrad. to the life-blood, which gushes forth in a stream.

(2) Whereas 'lifeblood' is required for sprinkling.

(3) For the purposes of sprinkling.

(4) This is a technical designation for a negative injunction whose violation is punished by lashes. But it involves no kareth, as does the consuming of the life-blood (v. Lev. XVII, 10f).

(5) Just like life-blood. Hence it is also the same in respect to sprinkling.

(6) Lev. XVII, 11.

(7) And makes atonement.

(8) To the objection, 'But the draining-blood is mixed with it'.

(9) And there is certainly at least a little of the life-blood in this goblet of mixed blood, and that is sufficient for atonement.

(10) That they did not fill a goblet of mixed blood.

(11) On the eve of Passover they stopped up the holes through which the blood of the sacrifices passed out to the stream of Kidron.

(12) Between the pavement and their feet, whereas they had to stand actually on the pavement itself, supra 15b.

(13) When a person takes a ritual bath (tebillah), nothing must interpose between the water and his skin; if something does interpose, it invalidates the bath.

(14) I.e., they were short and did not reach down to the blood.

(15) E. V. garment, Lev. VI, 3.

(16) But reach exactly to the ground.

(17) And only then was it praiseworthy for the priests to walk up to their ankles in blood.

(18) Lev. I, 13.

(19) Sc. of the sprinkling of the blood.

(20) Projecting boards alongside the walls.

(21) V. supra 28a.

(22) The whole Mishnah refers to intentions of eating and/or burning after time or out of bounds.

(23) The sediments of boiled meat coagulated.

(24) If the sacrifice became piggul, nothar, or unclean, and a priest ate of the skin etc., he is not liable, since we do not designate his action eating, as these are not eaten.

(25) I.e., sacrifices. The Heb. (mukdashin) always refers to females.

(26) And he who eats the fetus incurs kareth, as for eating piggul.

(27) He holds that the fetus is an integral part of the sacrifice, being regarded, as it were, as a limb of its mother. Nevertheless, this intention does not render the sacrifice piggul, because it is not usually eaten. The fetus itself too does

not become piggul, in accordance with the Mishnah.

(28) The offal is edible, but not the crop. Therefore an intention in respect of the latter is not efficacious; but an intention in respect of the former makes the whole piggul, including the crop.

(29) If he slaughtered the bullocks which are burnt intending to burn the emurim on the altar after time.

(30) Intending to eat of their flesh after time.

(31) Because it is the intention to eat what is not usually eaten. The bullocks themselves do certainly not become piggul.

(32) In his view that a thing can become piggul through something else, e.g., the fetus, the crop, and the flesh of the bullocks, though it cannot be the vehicle of rendering the sacrifice piggul.

(33) 'Both' refers to R. Simeon and the Rabbis, v. infra 43a. The present reference is to the bullocks which were to be burnt without, and they agree that if the priest expressed an intention during one of the blood services to eat of the bullocks on the morrow or to burn them as required in the ash-house on the morrow, his intention is of no effect, because his intention to eat does not count, since this is not normally eaten and his intention with regard to the burning does not count either, for only an intention that the altar should consume (expressing it so, but not 'burn') counts.

## Talmud - Mas. Zevachim 35b

[deduce thus:] but if he expressed an intention concerning the emurim, the emurim themselves become piggul.<sup>1</sup>

Come and hear: The bullocks which are to be burnt and the he-goats which are to be burnt are subject to [the law of] sacrilege from the time they are consecrated.<sup>2</sup> Having been slaughtered, they are ready to become unfit through [the touch of] a tebul yom and one who lacks atonement,<sup>3</sup> and through being kept overnight [linah]. Surely that means, through the flesh being kept overnight; and you may infer from this [that] since being kept overnight renders it unfit, an [illegitimate] intention renders it unfit!<sup>4</sup> — No: it refers to keeping the emurim overnight.<sup>5</sup> But since the second clause teaches: You trespass in the case of all when they are in the ash-house<sup>6</sup> until the flesh is dissolved, it follows that the first clause treats of keeping the flesh overnight? — What reason have you for supposing this: each refers to its particular case; the first clause treats of emurim, and the second of the flesh.

Rabbah objected: The following neither render nor are rendered piggul:<sup>7</sup> the wool on the head of lambs, and the hair of he-goats' beards, and the skin, the juice, the jelly, the offal, the crop, the bones, the tendons, the horns, the hoofs, the fetus, the after-birth, the milk of consecrated animals, and the eggs of doves; all of these neither render nor are rendered piggul, and one is not liable on their account in respect of piggul, nothar and uncleanness, and one who carries them up without is not liable. Does this not mean: They do not render the sacrifice piggul, and they are not rendered piggul through the sacrifice? — No: They do not render the sacrifice piggul, and they are not rendered piggul through themselves.<sup>8</sup> If so, when the sequel teaches, They neither render nor are rendered piggul, why this repetition?<sup>9</sup> — Yet [even] on your view, [when he teaches,] One is not liable on their account for piggul, why this repetition?<sup>10</sup> But [you must answer that] because he wishes to teach [about] nothar and defilement, he also teaches about piggul. So now too<sup>11</sup> [you can answer], Because he wishes to teach [about] one who carries them without, he also teaches: And all these neither render nor are rendered piggul.

Raba said: We too learnt thus:<sup>12</sup> IF ONE SLAUGHTERS SACRED ANIMALS [INTENDING] TO EAT THE FETUS OR THE AFTERBIRTH WITHOUT, HE DOES NOT RENDER PIGGUL. IF ONE WRINGS THE NECKS OF DOVES, [INTENDING] TO EAT THEIR EGGS WITHOUT, HE DOES NOT RENDER PIGGUL. Yet then he learns: ONE IS NOT CULPABLE ON ACCOUNT OF THE MILK OF SACRED ANIMALS OR THE EGGS OF DOVES IN RESPECT OF PIGGUL, NOTHAR, OR UNCLEANNESS. Hence [it follows that] one is culpable on account of the fetus and the after-birth?<sup>13</sup> Hence you must surely infer from this that in the one case it means through the sacrifice;<sup>14</sup> in the other, through themselves. This proves it.

We learnt elsewhere: And blemished animals;<sup>15</sup> R. Akiba declares blemished animals fit.<sup>16</sup> R. Hiyya b. Abba declared in R. Johanan's name: R. Akiba declares [them] fit only in the case of cataracts in the eye, since such are fit in the case of birds,<sup>17</sup> and provided that their consecration [for a sacrifice] preceded their blemish; and R. Akiba admits that a female burnt-offering must be [taken down], because that is tantamount to the blemish preceding its consecration.<sup>18</sup>

R. Zera objected: 'One who offers them up without is not liable;'<sup>19</sup> but [if one offers up the flesh] of the mother, one is liable; and how is that possible? In the case of a female burnt-offering.<sup>20</sup> Now, it is well if you say that R. Akiba holds that if a female burnt-offering goes up, it does not come down: then this is in accordance with R. Akiba.<sup>21</sup> But if you say that [even] if it went up, it goes down, in accordance with whom is this? — Say: He who offers up [the flesh] of them without is exempt, hence [he who offers up] of the emurim of the mother, is liable. But he teaches, 'of them', and the mother is analogous to them?<sup>22</sup> — Rather say: He who offers up of their emurim without is exempt; hence [he who offers up] of their mother's emurim is liable.

MISHNAH. IF HE SLAUGHTERED IT WITH THE INTENTION<sup>23</sup> OF LEAVING ITS BLOOD OR ITS EMURIM FOR THE MORROW, OR OF CARRYING THEM WITHOUT, R. JUDAH DISQUALIFIES [IT], BUT THE SAGES DECLARE IT FIT. [IF HE SLAUGHTERED IT] WITH THE INTENTION OF SPRINKLING [THE BLOOD] ON THE ASCENT, [OR ON THE ALTAR] BUT NOT OVER AGAINST ITS BASE; OR OF APPLYING BELOW [THE LINE<sup>24</sup> ] WHAT SHOULD BE APPLIED ABOVE, OR ABOVE WHAT SHOULD BE APPLIED BELOW, OR WITHOUT WHAT SHOULD BE APPLIED WITHIN,

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(1) But not the flesh.

(2) One must not misappropriate a consecrated animal (or anything set apart for sacred purposes, e.g., money consecrated to Temple use) for secular use, and if one does, he becomes liable to a trespass-offering (me'ilah).

(3) These defile its flesh, but do not make it unclean to enable it to communicate uncleanness to others, but only unfit. On lacking atonement v. p. 80, n. 2; on unfitness and uncleanness v. p. 155, nn. 3 and 4.

(4) Now, that cannot mean an illegitimate intention to eat the flesh on the morrow (which is tantamount to an intention to keep it overnight), for it has already been stated that this is of no account. Hence it must mean that an illegitimate intention to burn the emurim on the morrow renders the flesh piggul, which supports R. Eleazar.

(5) And you may infer that an intention to keep the emurim overnight renders the emurim piggul, but not the flesh.

(6) Where the flesh is burnt.

(7) An illegitimate intention in respect of them does not render the sacrifice piggul, nor do they become piggul themselves, as the Talmud proceeds to explain.

(8) A piggul intention in respect of themselves does not make them piggul.

(9) The same is taught at the beginning.

(10) Obviously, if they cannot become piggul, there can be no liability for same. Thus this is certainly a repetition, on any interpretation.

(11) On my interpretation.

(12) That the fetus and the placenta are rendered but do not render piggul.

(13) Which apparently contradicts the first clause.

(14) They can be rendered piggul through the rest of the sacrifice.

(15) If a blemished animal is taken up on to the altar, it must be taken down again; v. infra 84a.

(16) If taken up on to the altar, they are not taken down again.

(17) This blemish does not disqualify a bird at all, which is unfit only when it lacks a limb.

(18) An animal burnt-offering must be a male (Lev. I, 3). If a female is offered, it must be taken down, although a bird burnt-offering may be of any gender, because there can be no greater blemish than the forbidden sex.

(19) V. Baraitha supra; 'them' includes the fetus.

(20) For one who offers up the flesh of a peace-offering without is not liable (v. infra 112b). — A female must be meant since the fetus is discussed.

(21) Since it does not come down within, it involves liability without, the two being interdependent (v. infra 112a).

(22) 'Of them' means of course of their flesh, and so the deduction in respect of the mother must also refer to the mother's flesh.

(23) Lit., 'on condition'.

(24) Running along the middle of the altar.

## Talmud - Mas. Zevachim 36a

OR WITHIN WHAT SHOULD BE APPLIED WITHOUT; [OR WITH THE INTENTION] THAT UNCLEAN [PERSONS] SHOULD CONSUME IT, [OR] THAT UNCLEAN [PRIESTS] SHOULD OFFER IT;<sup>1</sup> [OR] THAT UNCIRCUMCISED [PERSONS] SHOULD EAT IT, [OR] THAT UNCIRCUMCISED PERSONS SHOULD OFFER IT; [OR WITH THE INTENTION] OF BREAKING THE BONES OF THE PASSOVER-OFFERING, OR EATING THEREOF HALF-ROAST;<sup>2</sup> OR OF MINGLING THE BLOOD WITH THE BLOOD OF INVALID [SACRIFICES] IT IS VALID, BECAUSE AN [ILLEGITIMATE] INTENTION DOES NOT DISQUALIFY [A SACRIFICE] SAVE WHERE IT REFERS TO AFTER TIME OR WITHOUT BOUNDS, AND [IN THE CASE OF] A PASSOVER-OFFERING AND A SIN-OFFERING, [THE INTENTION TO SLAUGHTER THEM] FOR A DIFFERENT PURPOSE.

GEMARA. What is R. Judah's reason? — Said R. Eleazar, Two texts are written in reference to nothar. One text says, And ye shall let nothing of it remain until the morning,<sup>3</sup> and another text says, He shall not leave any of it until the morning.<sup>4</sup> Since one is superfluous in respect of [actual] leaving, apply it to the intention of leaving it.<sup>5</sup>

Now [does] R. Judah [hold] that this text comes for this purpose? Surely it is required for what was taught: 'And the flesh of the sacrifice of his peace-offerings for thanksgiving [shall be eaten on the day of his offering: he shall not leave any of it until the morning]': we have thus learnt that the thanks-offering is eaten a day and a night. How do we know [the same of] an exchange, an offspring, or a substitute?<sup>6</sup> — From the text, 'And the flesh'.<sup>7</sup> How do we know [the same of] a sin-offering and a guilt-offering? — Because it says, '[And the flesh of] the sacrifice [etc]'.<sup>8</sup> And whence do we know to include a nazirite's peace-offering<sup>9</sup> and the peace-offerings of the Passover-offering?<sup>10</sup> From the text, 'his peace-offerings'. Whence do we know [the same of] the loaves of the thanks-offering and a nazirite's loaves and the wafers?<sup>11</sup> Because 'his offering' is written; [and] to all of these I apply [the injunction], 'he shall not leave any of it until the morning'!<sup>12</sup> — If so,<sup>13</sup> let Scripture write, 'lo tothiru';<sup>14</sup> why [write] 'lo yaniah'? [To teach that] since it is superfluous in respect of actual leaving, apply it to the intention of leaving.

Granted that this [reason] is satisfactory in respect of [the intention] to leave [the blood or the emurim], what can you say about [the intention] to carry [them] out? Moreover R. Judah's reason is based on logic.<sup>15</sup> For it was taught: R. Judah said to them [the Sages]: Do you not admit that if he left it [the blood or the emurim] for the morrow, [the sacrifice] is invalid? So also if he intended to leave it for the morrow, it is invalid! (And do you not admit that if he carried them without, it is invalid? So also if he intended to carry them without, it is invalid.)<sup>16</sup> — Rather, R. Judah's reason is based on logic.

Now, let R. Judah disagree in the other cases too?<sup>17</sup> — In which case should he disagree? In the case of [intending] to break the bones of a Passover-offering and eating thereof half-roast! does then the sacrifice itself become invalid?<sup>18</sup> [In the case of] the intention that unclean [persons] should eat it or that unclean [persons] should offer it! does then the sacrifice itself become invalid? [In the case of] the intention that uncircumcised persons should eat it or uncircumcised persons should offer it! is then the sacrifice itself invalidated?



Another version:<sup>19</sup> Does it entirely depend on him?<sup>20</sup> [As for the intention] to mingle its blood with the blood of invalid [sacrifices], R. Judah is consistent with his view, for he maintains that blood does not nullify [other] blood.<sup>21</sup> [As for the intention] to apply below what should be applied above, and above [what should be applied] below, — R. Judah is consistent with his view, for he maintains: Even what is not its place is also called its place.<sup>22</sup> Then let him disagree where he applied without what should be applied within, or within, what should be applied without? — R. Judah holds: We require a place which has a threefold function, [Viz.,] in respect of the blood, the flesh, and the emurim.<sup>23</sup>

Does then R. Judah accept that view? Surely it was taught: R. Judah said: [Scripture states, Thou shalt not sacrifice unto the Lord thy God an ox, or a sheep, wherein is a blemish, even any] evil thing:<sup>24</sup> here [Scripture] extends the law to a sin-offering which one slaughtered on the south [side of the Temple court], or a sin-offering whose blood entered within [the inner sanctum], [teaching that] it is invalid?<sup>25</sup> — But does then R. Judah not accept [this interpretation of] ‘third’?<sup>23</sup> Surely we learnt: R. Judah said: If one carried [the blood] within in ignorance, it is valid;<sup>26</sup> hence if [one did this] deliberately, it is invalid, and we have explained this as meaning where he made atonement.<sup>27</sup> Now if in that case, where he has actually carried it within, if he made atonement [therewith] it does [invalidate the sacrifice], but if he did not make atonement, it does not: how much the more so here, where he has merely intended?<sup>28</sup> — There is a controversy of two Tannaim as to R. Judah's view.

Now, does R. Judah hold that when one slaughters a sin-offering in the south

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- (1) I.e., the blood or the emurim.
  - (2) Both of which are forbidden, Ex. XII, 9, 46.
  - (3) Ex. XII, 10.
  - (4) Lev. VII, 15. The first refers to the Passover-offering, the second to the thanks-offering. Both were peace-offerings, and therefore it need be stated for one only, and the other would follow.
  - (5) Thus Scripture forbids the intention, and therefore the intention disqualifies.
  - (6) The text has the plural. — If the animal originally set aside for the offering is lost, and another consecrated in its stead, and then the first is found, the second is called the exchange. ‘Offspring’: if the consecrated animal lambled or calved before it was sacrificed. For ‘substitute’ v. p. 22, n. 8. All three are sacrificed as thanks-offerings.
  - (7) ‘And’ is an extension.
  - (8) ‘The sacrifice’ is superfluous, for Scripture could say, And the flesh of his peace-offerings. Hence it is understood to include these other sacrifices.
  - (9) V. Num. VI, 14f. This, like an ordinary thanks-offering, was accompanied by loaves of bread.
  - (10) Rashi: the festival sacrifices (hagigah) which accompanied the Passover-offering on the eve of Passover. Tosaf. (supra 9a): a Passover remainder, i.e., an animal consecrated as a Passover-offering but not sacrificed as such.
  - (11) The Heb. denotes two different kinds of loaves.
  - (12) Thus R. Judah utilises the verse for a different purpose!
  - (13) If this is the only purpose of the text.
  - (14) ‘Ye shall not let any remain’. Tothiru (fr. hothir) is the verb used in Ex. XII, 10, and we would expect the same here.
  - (15) Not a Scriptural exegesis.
  - (16) Bracketed addition a var. lec.
  - (17) Enumerated in the Mishnah.
  - (18) Even if he actually breaks the bones or eats of it half-roast. Surely not, and so the intention does not invalidate it either.
  - (19) Other reasons why R. Judah does not dispute the other cases of the Mishnah.
  - (20) When he intends that unclean or uncircumcised should partake thereof or offer it up, he may not find such to carry out his intention. Hence his intention does not count.
  - (21) Supra 35a. Hence even if he did it, it would not invalidate the sacrifice.
  - (22) V. supra 27a.

(23) V. supra 29a.

(24) Deut. XVII, 1.

(25) Though this carrying without bounds is not in respect of a place that has that threefold function.

(26) V. infra 82a.

(27) The mere carrying of the blood into the inner sanctum, even deliberately, does not invalidate the sacrifice, but only its actual sprinkling (called 'making atonement') on the inner altar.

(28) The intention alone certainly does not disqualify it, and the reason must be because R. Judah accepts the interpretation of 'third' given supra 29a.

## Talmud - Mas. Zevachim 36b

he is liable?<sup>1</sup> Surely it was taught, R. Judah said: You might think that if one slaughters a sin-offering in the south he is liable; therefore Scripture states, 'Thou shalt not sacrifice unto the Lord thy God an ox, or a sheep wherein is a blemish, even any evil thing': You can declare him liable for any evil thing,<sup>2</sup> but you cannot make him liable for slaughtering a sin-offering in the south? — There is a controversy of two Tannaim as to R. Judah's view.

R. Abba<sup>3</sup> said: Yet R. Judah admits that he [the priest] can subsequently render it piggul.<sup>4</sup> Said Raba: This is the proof, viz.: [a] piggul [intention made] before the sprinkling is nothing, yet the sprinkling comes and brands it as piggul.<sup>5</sup> Yet that is not so: there there was only one intention:<sup>6</sup> here there are two intentions.<sup>7</sup>

R. Huna raised an objection to R. Abba: [If the priest intended] applying [the blood] which should be applied above [the line] below [it], [or what should be applied] below, above, immediately, it is valid. If he subsequently intended [to consume it] without bounds, it is invalid, but does not involve kareth: [if he intended consuming it] after time, it is unfit, and one is liable to kareth on its account. [If he intended sprinkling the blood in the wrong place] on the morrow, it is unfit; if he subsequently intended [to consume it] without bounds or after time, it is unfit, and does not involve kareth.<sup>8</sup> This refutation of R. Abba is indeed a refutation.

R. Hisda said in the name of Rabina b. Sila: If he intended that unclean [persons] should eat it on the morrow,<sup>9</sup> he is liable.<sup>10</sup> Said Raba: This is the proof, viz., before sprinkling the flesh is not fit [for eating], and yet when he declares a [piggul] intention it becomes unfit.<sup>11</sup> Yet it is not so: there he will sprinkle [the blood] and [the flesh] will be fit; here [the unclean] are not fit at all.

R. Hisda said: R. Dimi b. Hinena was wont to say: One is liable for uncleanness in respect of unroast flesh of a Passover-offering and loaves of a thanks-offering of which no separation [for the priest] was made.<sup>12</sup> Raba said, This is the proof, viz.: It was taught, [But the soul that eateth of the flesh of the sacrifice of peace — offerings,] that pertain unto the Lord [having his uncleanness upon him, that soul shall be cut off from his people]:<sup>13</sup> this includes the emurim of lesser sacrifices in respect of uncleanness.<sup>14</sup> This proves that though they are not fit for eating at all, one is liable for uncleanness on their account. So here too, though they are not fit for eating, one is liable for uncleanness on their account. Yet it is not so: there the emurim of lesser sacrifices are fit for the Most-High;<sup>15</sup> which excludes unroasted flesh of the Passover-offering and the loaves of the thanks-offering of which no separation was made, which are fit neither for the Most-High nor for man. (Another version: Now the emurim are not fit! — Yet it is not so: these emurim are fit for their purpose, whereas these are not fit at all.)<sup>16</sup>

## CHAPTER IV

MISHNAH. BETH SHAMMAI MAINTAIN: WITH REGARD TO ANY [BLOOD] WHICH IS TO BE SPRINKLED ON THE OUTER ALTAR, IF [THE PRIEST] APPLIED [IT] WITH ONE

SPRINKLING, HE HAS MADE ATONEMENT.<sup>17</sup> BUT IN THE CASE OF A SIN-OFFERING TWO APPLICATIONS [ARE INDISPENSABLE]; BUT BETH HILLEL RULE: IN THE CASE OF THE SIN-OFFERING TOO, IF [THE PRIEST] APPLIED IT WITH A SINGLE APPLICATION, HE HAS MADE ATONEMENT. THEREFORE IF HE MADE THE FIRST APPLICATION IN THE PROPER MANNER AND THE SECOND [WITH THE INTENTION TO EAT THE FLESH] AFTER TIME, HE HAS ATONED.<sup>18</sup> AND IF HE MADE THE FIRST APPLICATION [WITH THE INTENTION TO EAT THE FLESH] AFTER TIME AND THE SECOND WITHOUT BOUNDS, IT IS PIGGUL AND INVOLVES KARETH.<sup>19</sup> WITH REGARD TO ANY [BLOOD] WHICH IS SPRINKLED ON THE INNER ALTAR, IF [THE PRIEST] OMITTED ONE OF THE APPLICATIONS, HE HAS NOT ATONED; THEREFORE IF HE APPLIED ALL IN THE PROPER MANNER BUT ONE IN AN IMPROPER MANNER,<sup>20</sup> IT [THE SACRIFICE] IS INVALID, BUT DOES NOT INVOLVE KARETH.<sup>21</sup>

GEMARA. Our Rabbis taught: How do we know that if [the priest] made one application in the case of those [bloods] which are to be sprinkled on the outer altar, he has made atonement? From the text, And the blood of thy sacrifices shall be poured out.<sup>22</sup> Now, is this text required for that purpose? Surely it is needed for what was taught:

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- (1) To flagellation, the usual punishment for violating a negative command. This follows since R. Judah includes slaughtering a sin-offering in the south in the Scriptural injunction quoted above.
  - (2) In Bek. 37a this is held to mean a patent blemish.
  - (3) Sh. M. emends: Raba.
  - (4) Where he intended leaving the blood for the morrow or carrying it without. Although R. Judah holds that he thereby disqualifies the sacrifice, yet if he intended at a subsequent service to eat the flesh after time, he renders it piggul. This is so in spite of the fact that generally speaking a piggul intention is operative only when there is no other disqualification, such as intending to eat it without bounds.
  - (5) Raba proves that the intention to leave the blood until the morrow is not the same as the intention to eat the flesh without bounds, which makes piggul impossible. For if, before sprinkling, the priest declares his intention of sprinkling the blood on the morrow, it does not render the sacrifice piggul, it being axiomatic that a sacrifice is not rendered piggul unless the mattirin (q.v.Glos.) have been properly offered. Nevertheless, if he subsequently sprinkles the blood properly, his previously declared intention is retrospectively valid and renders the sacrifice valid. Now, this intention was in effect an intention to leave the blood until the morrow, which in R. Judah's view disqualifies the sacrifice (though not rendering it piggul). This proves that we do not say, Since it did not become piggul at the outset it is disqualified through the intention of leaving the blood, and it cannot subsequently become piggul.
  - (6) Viz., to sprinkle the blood on the morrow, which is a piggul intention.
  - (7) Viz., first to leave the blood until the morrow, which disqualifies but does not render piggul, and then to eat the flesh after time.
  - (8) V. supra 26b for notes. The last clause definitely contradicts R. Abba.
  - (9) Which is after time.
  - (10) On account of piggul. We do not say that this is not an efficacious intention in respect of piggul since the unclean may not eat of it at any time.
  - (11) As piggul. This case is analogous.
  - (12) A thanks-offering was accompanied by forty loaves, four of which were taken off for the priest. Before that was done, the loaves might not be eaten; similarly, a Passover-offering might be eaten roast only. Nevertheless, an unclean person who partakes of them is liable on account of his defilement, though they could not be eaten even by a clean person.
  - (13) Lev. VII, 20.
  - (14) Though the lesser sacrifices were eaten by their owners, the emurim were burnt on the altar and thus 'pertained unto the Lord', and Scripture teaches that an unclean priest who eats these emurim incurs kareth.
  - (15) Viz., to be burnt on the altar.
  - (16) The bracketed addition is omitted in some MSS.
  - (17) The sacrifice is valid, though in the first place two applications are required.

- (18) Since the first alone sufficed. — According to Beth Shammai this holds good of all sacrifices except a sin-offering, and according to Beth Hillel that too is not excepted.
- (19) The second intention does not neutralise the first.
- (20) I.e., with wrongful intention.
- (21) Since one application is insufficient to make the sacrifice fit; — he holds that a sacrifice cannot be made *piggul* through a service which is incomplete in itself to make the sacrifice fit.
- (22) Deut. XII, 27. — This implies a single pouring out.

## Talmud - Mas. Zevachim 37a

Whence do we know that all blood must be poured out at the base [of the altar]?<sup>1</sup> From the text, And the blood of thy sacrifices shall be poured out against the altar! — He<sup>2</sup> deduces that from Rabbi's [inference]. For it was taught: Rabbi said: [Scripture writes,] And the rest of the blood shall be drained out [at the base of the altar].<sup>3</sup> Now, 'of the blood' need not be stated;<sup>4</sup> why then is it stated? Because we have learnt only that that blood which requires four applications must be poured out at the base;<sup>5</sup> whence do we know it of other blood? From the text, 'And the rest of the blood shall be drained out [at the base of the altar]'.<sup>6</sup>

Yet still, does it come for this purpose? It is required for what was taught: How do we know that if [the priest] poured out [the blood] which should be sprinkled,<sup>7</sup> he has fulfilled [his obligation]?<sup>8</sup> From the text, And the blood of thy sacrifices shall be poured out.<sup>9</sup> He holds as R. Akiba who maintained: pouring is not included in sprinkling, nor is sprinkling included in pouring.<sup>10</sup> For we learnt: If he recited the blessing for the Passover-offering, he thereby exempts the [festival] sacrifice; but if he recited the blessing for the sacrifice, he does not exempt the Passover-offering. This is the view of R. Ishmael. R. Akiba said: The former does not exempt the latter, nor does the latter exempt the former.<sup>11</sup>

Yet still, is it required for this purpose? [Surely] it is needed for what was taught, [viz.]: R. Ishmael said: From the text, But the firstling of an ox, or the firstling of a sheep, or the firstling of a goat [thou shalt not redeem; they are holy: thou shalt dash their blood against the altar, and shalt make their fat smoke for an offering made by fire],<sup>12</sup> we learn that a firstling must have its blood and its emurim presented at the altar. Whence do we know [it of] the tithe and the Passover-offering? Because it says, 'And the blood of thy sacrifices shall be poured out'? — He agrees with R. Jose the Galilean. For it was taught: R. Jose the Galilean said: [Thou shalt dash their blood against the altar, and shalt make their fat smoke]:<sup>13</sup> not 'its blood' is said, but 'their blood'; not 'its fat' is said, but 'their fat'.<sup>14</sup> This teaches concerning the firstling, the tithe [of animals], and the Passover-offering, that their blood and emurim must be presented at the altar.<sup>15</sup>

Now, does R. Ishmael utilise this text for both purposes?<sup>16</sup> — There is a controversy of two Tannaim as to R. Ishmael's view.<sup>17</sup>

As for R. Ishmael, who makes the whole verse refer to a firstling, it is well: hence it is written, And the flesh of them shall be thine.<sup>18</sup> But according to R. Jose the Galilean, who makes it refer to the tithe and the Passover-offering too, [surely] the tithe and the Passover-offering are eaten by their owners; what then is the meaning of 'And the flesh of them shall be thine'? — [The plural intimates,] whether it be whole or blemished,

(1) If any blood is left over after the regulation sprinkling. — This is stated explicitly of the sin-offering only (Lev. IV, 18), and the Talmud now wishes to extend it to other sacrifices too.

(2) The author of the first deduction.

(3) Lev. V, 9.

(4) It is understood from the general context.

- (5) Viz., the sin-offering.
- (6) The two lines that follow in the original are a mere repetition, and are deleted by Sh. M.
- (7) Some blood requires sprinkling (zerikah), i.e., from the distance: other requires pouring out (shefikah), i.e., the priest must stand at the side of the altar and pour the blood out.
- (8) The sacrifice is valid.
- (9) The plural indicates all sacrifices, even those for which zerikah is prescribed.
- (10) Therefore where Scripture prescribes sprinkling, the sacrifice is not valid if the blood is merely poured out at the base. Hence he rejects the above interpretation, and so utilises the text for the purpose originally stated.
- (11) In Pes. 121a it is explained that in R. Ishmael's opinion sprinkling (zerikah) is included in pouring (shefikah), but pouring is not included in sprinkling; whereas R. Akiba holds that neither is included in the other. Thus (as explained by Rashbam a.l.): Both R. Ishmael and R. Akiba hold that the blood of the Passover-offering must be poured out, i.e., the priest must stand quite close to the altar and gently pour the blood on to its base. But the blood of the festival-offering (hagigah) requires sprinkling, i.e., from a distance and with some force. Now R. Ishmael holds that if the latter is poured out instead of sprinkled, the obligation of sprinkling has nevertheless been discharged. Consequently, the blessing for the Passover-offering includes that of the festival-offering, since in both the blood may be poured on to the base of the altar. But if the blood of the Passover-offering is sprinkled, the obligation has not been discharged: consequently the blessing for the festival-offering, whose blood is normally sprinkled, does not exempt the Passover-offering. By the same reasoning we infer that in R. Akiba's view neither includes the other.
- (12) Num. XVIII, 17.
- (13) Ibid.
- (14) Though the passage treats of the firstling only. The plural possessive suffix indicates that other sacrifices too are included in this law.
- (15) These are the only sacrifices in connection with which it is not mentioned elsewhere, hence the plural is applied to them.
- (16) Lit., 'for this purpose and for that purpose'. Surely not! The reference is to 'and the blood of thy sacrifices thou shalt pour out', from which he learns that if the priest pours out blood which really should be sprinkled, he discharges his obligation. The author of that cannot be R. Akiba, for if it is, why does the blessing for the Passover-offering not exempt that of the festival sacrifice, since, as shewn supra, one is dependent on the other? Hence the author must be R. Ishmael; but he also interprets the same verse as intimating that the blood of the Passover-offering is to be poured, not sprinkled.
- (17) Rashi: He who learns from this text that the blood of the Passover-offering is poured out, rejects the ruling that the benediction for the Passover-offering exempts that for the festival-offering, and holds that R. Ishmael does not disagree with R. Akiba on this matter, for now we cannot learn from the text that what should be sprinkled is also valid if poured out. He however who maintains that they do disagree, holds that the blood of the Passover must be sprinkled, not poured out, like a peace-offering. Nevertheless, the Passover-offering is the principal one, while the festival-offering is only subsidiary to it; therefore the benediction for the former exempts that of the latter, but not vice versa. Tosaf. strongly criticises this explanation, and offers others, none of which, however, are quite free from objections.
- (18) Num. XVIII, 18. — 'Thine' means the priest's, to whom the firstling belongs. The Plural 'them' is then understood to mean the ox, sheep, and goat, enumerated in the preceding verse.

## **Talmud - Mas. Zevachim 37b**

thus intimating that a blemished firstling is given to a priest, for which [teaching] we do not find [any other text] in the whole Torah.<sup>1</sup> And R. Ishmael?<sup>2</sup> — He deduces it from 'it shall be thine', [written] at the end [of the verse].<sup>3</sup>

It is well according to R. Jose the Galilean, who makes it refer to the tithe and the Passover-offering too: hence it is written, Thou shalt not redeem; they are holy,<sup>4</sup> [which intimates] 'they' are offered, but their substitutes are not offered.<sup>5</sup> And we learnt [even so]. The substitutes of a firstling or tithe — they themselves, their young, and the young of their young ad infinitum are as the firstling or tithe [respectively], and are eaten, when blemished, by their owners.<sup>6</sup> And we [also] learnt: R. Joshua said: I have heard [from my teachers] that the substitute of a Passover-offering is

offered,<sup>7</sup> and that the substitute of a Passover-offering is not offered,<sup>8</sup> and I cannot explain it.<sup>9</sup> But according to R. Ishmael who makes the whole of it refer to a firstling, whence does he know that the substitute of tithe and the Passover-offering are not offered? — As for tithe, he learns similarity of law with a firstling from the fact that ‘passing’ is written in both cases.<sup>10</sup> As for the Passover-offering, [consider:] ‘lamb’ is explicitly written in connection with it; why then does Scripture write, If he bring a lamb for his offering?<sup>11</sup> To include the substitute of a Passover-offering after Passover, [intimating] that it is sacrificed as a peace-offering. You might think that it is likewise so before Passover, therefore Scripture writes, It [is the sacrifice of the Lord's Passover].<sup>12</sup>

Now, all these Tannaim who utilise this [text], ‘the blood of thy sacrifices shall be poured out’, for a different exegesis, how do they know this [law of the Mishnah that] WITH REGARD TO ANY [BLOOD] WHICH IS SPRINKLED ON THE OUTER ALTAR, IF [THE PRIEST] APPLIED [IT] WITH ONE SPRINKLING, HE HAS MADE ATONEMENT? — They hold as Beth Hillel who maintained: WITH REGARD TO THE SIN-OFFERING TOO, IF [THE PRIEST] APPLIED IT WITH A SINGLE APPLICATION, HE HAS MADE ATONEMENT; and we learn all the others from the sin-offering.<sup>13</sup>

BUT IN THE CASE OF A SIN-OFFERING TWO APPLICATIONS [ARE INDISPENSABLE]. R. Huna said, What is Beth Shammai's reason? — The plural form karnoth [horns] is written three times, denoting six [applications], [thus intimating that] four are prescribed while two [at least] are essential. But Beth Hillel [argue]: [The written forms are] karnath [singular] twice, and karnoth [plural] once,<sup>14</sup> which denotes four, implying that three [applications] are prescribed, while [only] one is essential. Yet say, that all are [only] prescribed?<sup>15</sup> We find no atonement without rite. Alternatively, this is Beth Hillel's reason: Both mikra [the version as read] and masoreth [the version as traditionally written] are effective: the mikra is effective in adding one [application], while the masoreth is effective in subtracting one.<sup>16</sup>

If so, [when Scripture writes] letotafath, letotafath, letotafot!<sup>17</sup> which denotes four [compartments], [you can likewise argue that] both the mikra and the masoreth are effective: then five compartments should be necessary? — He<sup>18</sup> holds as R. Akiba, who said: Tot means two in Katpi,<sup>19</sup> and foth means two in Afriki.<sup>20</sup>

[Again] if so [when Scripture writes], ba-sukkath, ba-sukkath, ba-sukkoth,<sup>21</sup> [you may argue that] both the mikra and the masoreth are effective: then one should have five walls [for the tabernacle booth]?

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(1) The point of the question and answer is this: ‘Them’ obviously cannot mean the tithe and the Passover-offering, as R. Jose explains the plural in v. 17, since these belong to the owner. Nor can the plural here refer, in his view, to the ox, sheep, and goat, for in that case he could explain ‘their blood’ and ‘their fat’ similarly. Hence the difficulty, why is the plural used? The answer is, to intimate two categories of firstlings, whole and blemished.

(2) Whence does he know this?

(3) This repetition is to include the blemished firstling.

(4) Ibid.

(5) If one declares another animal a substitute for them, they are not offered, contrary to the general rule that the substitute is offered (together with the original) in exactly the same way as the original.

(6) But not sacrificed while they are whole.

(7) As a peace-offering, after Passover. — This is where the original is available for Passover.

(8) As a peace-offering, but must graze until it is blemished, when it is redeemed.

(9) For the explanation v. Pes. 96b.

(10) V. supra 9a.

(11) Lev. III, 7. — Scripture prescribes a lamb for a Passover-offering (Ex. XII, 5) which was in the nature of a peace-offering. Why then must Scripture also inform us that a lamb might be brought for a peace-offering? (The Talmud

does not quote the exact wording, as keseb is not written in connection with the Passover-offering, but a lamb is prescribed, though a slightly different word (kebes) is used.)

(12) Ex. XII, 27. — 'It' (Heb. hu) is emphatic, and teaches that only the original animal dedicated for a Passover-offering is to be sacrificed, but not its substitute which is kept until after Passover. An animal would be proposed as a substitute if the first one was lost, and is subject to the laws stated here if the first one is refound in time to be sacrificed for its original purpose. If the first is not found until after the second has been offered, it becomes a Passover remainder', and is sacrificed as a peace-offering after the festival.

(13) The case of the sin-offering itself is learnt infra.

(14) The reference is to Lev. IV, 25, 30, 34 q. v. The traditional reading in all cases is karnoth horns, but it is actually written karnath (קרנות singular) twice. Beth Shammai make the reading decisive, while Beth Hillel follow the written forms.

(15) In the first place, but are not essential, since Scripture does not repeat any of them to intimate that they are indispensable.

(16) Since the mikra implies six while the masoreth implies four, the implication of both is five; but as there are only four horns on the altar, the fifth must be regarded as a reiteration of one application, and hence it (i.e., one application) becomes indispensable; v. Sanh. (Sonc. ed.) p. 4b. q.v. notes.

(17) Frontlets. V. Ex. XIII, 16; Deut. VI, 8, XI, 18: — and it shall be . . . for frontlets between thine eyes. This is the law of tefillin (v. Glos.); the word is written twice defectively and once plene (in our version it is written only once defectively), but read plene in every case. From the two defective and one plene forms the Rabbis learnt that the tefillin of the head must consist of four compartments.

(18) The author of this interpretation of karnoth.

(19) Perhaps the Coptic language.

(20) The language of N. Africa or Phrygia in Asia Minor. Hence the word totafoth itself implies four, without recourse to its repetition.

(21) 'In booths': Ye shall dwell in booths seven days etc. (Lev. XXIII, 42-43). Here too it is written twice defectively and once plene, and the Rabbis learn that the number of walls required by a booth is four, in the same way that they learn that the tefillin must have four compartments.

## Talmud - Mas. Zevachim 38a

— There, subtract one text<sup>1</sup> for the command itself,<sup>2</sup> and one for the covering,<sup>3</sup> so three are left. Then the [Mosaic] halachah<sup>4</sup> comes and diminishes the third [wall], fixing it at a hand-breadth.<sup>5</sup>

If so, [when Scripture states] Then she shall be unclean two weeks [shebu'ayim]<sup>6</sup> shib'im [seventy] [is actually written],<sup>7</sup> then [argue,] the mikra and the masoreth are both effective, and so she should have to spend forty-two days [in uncleanness]?<sup>8</sup> — There it is different, because it is written, as in her menstrual state.<sup>9</sup>

Now the Tanna [of the following Baraitha] adduces it [Beth Hillel's ruling] as follows: We-kipper [and he shall make atonement] is stated three times,<sup>10</sup> on account of the analogy [which might otherwise be drawn].<sup>11</sup> But surely we have an analogy to this effect:<sup>12</sup> blood is prescribed below [the red line],<sup>13</sup> and blood is prescribed above: as with the blood which is prescribed below, if one made a single application, he effects atonement;<sup>14</sup> so with the blood which is prescribed above, if one makes a single application, he makes atonement. Or you may reason in this direction: Blood is prescribed within,<sup>15</sup> and blood is prescribed without: as in the case of blood prescribed within, if [the priest] omits a single application his action is ineffective;<sup>16</sup> so in the case of the blood prescribed without, if he omits a single application his action is null. Then let us see to which it is comparable: You can draw an analogy between sacrifices offered on the outer altar,<sup>17</sup> but you cannot draw an analogy between [sacrifices offered on] the outer altar and [those offered on] the inner altar. Or, you might argue to the contrary: You may draw an analogy between sin-offerings whose blood is sprinkled on four horns [of the altar],<sup>18</sup> and let not the outer altar prove it,<sup>19</sup> which is not a sin-offering nor [is its blood sprinkled on the] four horns.<sup>20</sup> Therefore Scripture states 'we-kipper'

three times, on account of the analogy [which might otherwise be drawn], [teaching]: ‘and he shall make atonement’ even though he sprinkled [the blood] only three times; ‘and he shall make atonement’ even though he sprinkled [it] only twice; ‘and he shall make atonement’ even though he sprinkled it but once.

But this is required for its own purpose?<sup>21</sup> Said Raba b. Adda: Mari explained it to me: Scripture says, and he shall make atonement . . . and he shall be forgiven: atonement and forgiveness are identical.<sup>22</sup>

Yet say [that] ‘and he shall make atonement’ [intimates] even if he made only three applications above [the red line] and one below; and he shall make atonement’ even if he made only two applications above and two below; ‘and he shall make atonement even if he did not apply [the blood] above but only below?<sup>23</sup> — Said R. Adda b. Isaac: If so, you annul the law of horns.<sup>24</sup> But if the Divine Law has ordained [it so], let them be annulled? — Said Raba: What thing is it that requires three? Surely the horns.<sup>25</sup> Yet say, ‘and he shall make atonement’ [teaches] even if he made only one application above and three below? — We do not find blood [applied] half above and half below. Do we not? Surely we learnt: He sprinkled thereof<sup>26</sup> once above and seven below? — That was done as mazlif [one swinging a whip].<sup>27</sup> What is a mazlif? — Rab Judah showed it by imitating the movements of a whipper. [Again, we learnt:] He<sup>28</sup> besprinkled the surface<sup>29</sup> of the altar seven times.

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(1) I.e., one of the five implied by the text.

(2) There must be at least one to state the law of sitting in booths.

(3) The booth must have a covering, which is governed by laws of its own.

(4) A law traditionally imputed to Moses at Sinai, but not stated in the Pentateuch.

(5) There was a Mosaic tradition that however many walls the sukkah required, one of these need be no more than a handbreadth in width.

(6) Lev. XII, 5.

(7) Though vocalized shebu'ayim.

(8) This figure is arrived at by taking a point midway between fourteen (days) and seventy.

(9) Ibid. E.V. as in her impurity. The menstrual state lasts seven days, hence the word must be understood as read, two weeks, which is fairly close to the menstrual state. But forty-two days of uncleanness bear no similarity at all to the menstrual state.

(10) In connection with the sprinkling of the blood of sin-offerings. Lev. IV, 26, 31, 35.

(11) That the omission of a single application invalidates the offering.

(12) I.e. to prove that the omission of any application does not invalidate the offering. Wherefore then is there any need of a verse to intimate this law?

(13) Which encompassed the altar at the middle of its height. — The blood of burnt-, peace- and trespass-offerings was sprinkled below it, infra 53a.

(14) As deduced supra 36b, 37a.

(15) I.e., to be sprinkled on the inner altar. Viz.: the blood of sacrifices offered on the Day of Atonement, and the sacrifices brought by the High Priest and the community for having sinned through ignorance.

(16) He does not make atonement.

(17) Lit., ‘you judge without from without.’

(18) Lit., ‘you judge a sin-offering and four horns from a sin-offering and four horns.’

(19) I.e., the burnt-offering, whose blood was sprinkled on the outer altar.

(20) Consequently, by this analogy one might deduce that the omission of an application invalidates the sin-offering.

(21) Surely in each of the three cases referred to (supra p. 192, n. 14). Scripture must state ‘and he shall make atonement’ to teach that each sin is atoned for by its respective sin-offering.

(22) Hence ‘and he shall make atonement’ is superfluous.

(23) Whence then is it known that atonement is effected even if no application at all was made?

(24) Whereas Scripture states that the blood must be applied on the horns of the altar, which of course were above the red line.



(25) Each 'we-kipper' makes one horn less necessary. Hence the threefold repetition diminishes them by three, leaving sprinkling on one essential; for in order to render effective the application of all the four below the line four texts would be required.

(26) Of the blood of the bullock sacrificed on the Day of Atonement.

(27) He did not aim above or below, but made the movement of swinging a whip.

(28) The High Priest, during the Atonement Day Service.

(29) Lit., 'the pure' (golden front).

## Talmud - Mas. Zevachim 38b

Surely that means on the [upper] half of the altar, as people say, The noon-light shines, and so it is midday?<sup>1</sup> Said Raba b. Shila, No: [it means] on the [altar's] top surface [cleared] from ashes, for it is written, and the like of the very heaven for clearness.<sup>2</sup> But there is the remainder [of the blood]?<sup>3</sup> — The [pouring out of] the remainder [at the altar's base] is not essential.<sup>4</sup> But there is the remainder of inner sin-offerings,<sup>5</sup> which, according to one view is essential?<sup>6</sup> We mean in one and the same place.<sup>7</sup>

It was taught: R. Eliezer b. Jacob said: Beth Shammai maintain [that] two applications in the case of the sin-offering and one in the case of all [other] sacrifices permit [them for consumption] and may render them piggul;<sup>8</sup> Beth Hillel rule: One application [only] in the case of a sin-offering and one in the case of all [other] sacrifices permit [them for consumption] and may render them piggul. To this R. Oshaia demurred: If so, this [controversy] should be recited among the lenient rulings of Beth Shammai and the stricter rulings of Beth Hillel?<sup>9</sup> — Said Raba to him: When the question was [first] asked, it was whether [the sacrifice] was permitted,<sup>10</sup> so that Beth Shammai were stricter.

R. Johanan said: The three [final] applications of sin-offerings may not be made at night, and are made after [the owners'] death, while he who presents them without the Temple court is culpable.<sup>11</sup>

R. Papa said: In some respects [they are] as the first blood, while in others they are as the last:<sup>12</sup> [In respect of sprinkling them] without [the Temple court], at night, zaruth,<sup>13</sup> [the requirement of] a service-vessel, [sprinkling on] the horn, [with] the finger, washing,<sup>14</sup> and residue,<sup>15</sup> they are as the first blood. [In respect of] death, not permitting [the flesh], not rendering [it] piggul, and not entering within, they are as the last blood.<sup>16</sup>

R. Papa said: How do I know it?<sup>17</sup> — Because we learnt: If [the blood] spurted [direct] from the [animal's] throat on to the [priest's] garment, it does not need washing; from the horn or from the base [of the altar], it does not need washing. Hence, [if some] of [the blood] which was fit for the horn [spurted on the garment], it does need washing.<sup>18</sup> Then on your reasoning [you may argue, 'If it spurted] from the base, it does not need washing; hence if some [of the blood] which was fit for the base<sup>19</sup> [spurted on the garment], it does need washing? [Yet surely] it is written, And if aught of the blood which is to be sprinkled [spurt] upon any garment, thou shalt wash that whereon it was sprinkled in a holy place,<sup>20</sup> which excludes this [residue], as the [blood] has already been sprinkled? [Hence you must say that] this is in accordance with R. Nehemiah, for we learnt: R. Nehemiah said: If one presented the residue of the blood without [the Temple court], he is liable.<sup>21</sup> But granted that you know R. Nehemiah [to rule thus] in respect of presenting [the blood without the Temple court], by analogy with the limbs and the fat pieces,<sup>22</sup> do you [however] know him [to rule thus] in respect of washing? — Yes,

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(1) This is to shew that the root tahir (pure) denotes half, as it is used for midday (actually, because then the sun shines in all its clarity and purity). And in this case it was hardly possible to avoid some of the blood falling below the line.

(2) Ex. XXIV, 10 — Heb. lo-tohar. This gives the word its usual meaning, and here it is interpreted, the cleared surface (on top).

- (3) Which is poured out at the base of the altar. Thus part of the blood is applied above, and part is applied below.
- (4) But we find no case of the essential sprinkling being partly above and partly below.
- (5) I.e., the remainder which is poured out on the base of the outer altar, v. infra 47a.
- (6) V. infra 52a. Thus the blood itself is applied on the upper part of the inner altar, while another portion of it, the remainder, is poured out at the base of the outer altar.
- (7) There is no instance of the blood being poured partly above and partly below on the same altar.
- (8) Only if a piggul intention is expressed during both applications does the sin-offering become piggul. For since both are essential, each sprinkling is only half a mattir (q.v. Glos.), through which one cannot render a sacrifice piggul.
- (9) In the numerous controversies between these two schools Beth Shammai generally holds the stricter, Beth Hillel the more lenient view; the exceptions are enumerated in the Tractate 'Eduyyoth, and the present controversy is not included. But in fact here too Beth Hillel are more severe, in that they rule that a piggul intention expressed during one application only renders the sin-offering piggul.
- (10) If one application only was made.
- (11) Though the first application is sufficient, the other three are not essential, and so might not be regarded as real sprinklings at all; nevertheless, they must not be done at night, in accordance with the general law that the blood must not be kept until the night. Again, if the owner of the sacrifice dies before its blood is sprinkled, the blood cannot be sprinkled and the sacrifice is burnt. But if the owner dies after the first application, which in itself rendered the sacrifice valid, the other three applications are made. And similarly since the sprinkling of these is deemed a valid sacrificial service, to sprinkle them without is to incur guilt.
- (12) Lit., 'some of them are as the beginning, and some of them are as the end.' — The three final applications are governed in some respects by the laws appertaining to the first application; while in others they are regarded simply as the pouring out of the remainder of the blood.
- (13) The ineligibility of a lay-Israelite (a non-priest, Heb. zar) to perform the sprinkling.
- (14) If blood spurts on the priest's vestment after the first application, it must be washed in a holy place, just as if it had spurted before the first application. But if it spurts on to it after the four applications before the pouring out of the residue, it need not be so washed, as is shewn infra.
- (15) If the blood of the sin-offering was received in four cups, and one application is made from each, the remaining blood in each counts as the residue, which is to be poured out at the base.
- (16) (i) The three applications are made even after the owner's death, just as the residue would be poured out after all the applications. (ii) They do not permit the flesh, since this was permitted by the first application. (iii) If the first application was made in silence, and these with a piggul intention, they do not render the sacrifice piggul. Finally, (iv) if the first application was properly made, on the outer altar, and the blood for these applications was taken within, into the hekal (q.v. Glos.), the sacrifice does not become invalid, as it would be if the blood for the first application were so treated. For Scripture says, And no sin-offering, whereof any of the blood is brought into the tent of meeting (i.e. the inner sanctum, corresponding to the hekal) to make atonement in the holy place, shall be eaten; it shall be burnt with fire (Lev. VI, 23). With the first application, however, atonement is made, and so this blood is not brought 'to make atonement'. — In all these respects the blood for the three applications is regarded as the residue, just as that which remains after all the applications.
- (17) Referring to the requirement of washing in n. 3.
- (18) The blood which is fit for the horn is that which is to be sprinkled upon it, even in the last three applications.
- (19) I.e., the residue.
- (20) Lev., VI, 20. E.V. and when there is sprinkled of the blood thereof upon any garment etc.
- (21) Even in the case of the sin-offerings of the outer altar. Thus R. Nehemiah regards this as blood, and therefore it bears that status in respect to washing too. Hence this does not support R. Papa, as it is an individual view. The others, however, who rule that there is no liability, will also hold that no washing is required.
- (22) Liability is incurred for presenting these outside the Temple court; though they are not blood. Hence the same may hold good of the residue, even if it should not bear the status of blood.

### **Talmud - Mas. Zevachim 39a**

and [so] it was taught: The bloods which require the base<sup>1</sup> necessitate washing, and an [illegitimate] intention in connection with same is effective, and one who presents thereof without [the Temple

court] is liable. The blood, however, which is poured out into the duct<sup>2</sup> does not necessitate washing, and an [illegitimate] intention in connection with same is not effective, and one who presents thereof without is exempt [from punishment]. Now, whom do you know to rule that one who presents thereof without is liable? R. Nehemiah: and he [also] rules [that] it necessitates washing and [that] an [illegitimate] intention in connection with the same is effective. But it was taught: [The pouring out of] the residue and the burning of the limbs [on the altar], which are not indispensable for atonement, are excepted, in that an [illegitimate] intention in connection with same is of no effect?<sup>3</sup> — That<sup>4</sup> was taught in reference to the [last] three applications of a sin-offering. If so, [why does it say] ‘which requires the base?’ [Surely] it is sprinkled on the horn [of the altar]? — Say, which is required for the base.<sup>5</sup> But then, what of ‘And an [illegitimate] intention in connection with same is effective’? Surely you said, ‘It does not permit [the flesh], it does not render [it] piggul, and does not enter within, as the last blood’? — Rather that [Baraita] was taught in respect of the blood of the inner [sacrifices].<sup>6</sup> But in the case of the blood of outer [sacrifices] what [will you say]? he is exempt?<sup>7</sup> Then instead of teaching [about] the blood which is poured out into the duct, let [the Tanna] teach a distinction in that very case. [Thus:] This is said only of the blood of inner [sacrifices], but in the case of the outer sacrifices, he is exempt? — This is in accordance with R. Nehemiah, who maintained [that] one who presents the residue of the blood<sup>8</sup> without is liable, and so he [the Tanna] could not enumerate three instances of exemption corresponding to three instances of liability.<sup>9</sup>

Rabina said, ‘From the horn’ is meant literally, but ‘from the base’ means, from that which is fit for the base.<sup>10</sup> Said R. Tahlifa b. Gaza to Rabina: perhaps both mean [the blood] that is fit [etc.]?<sup>11</sup> — How is that possible: Seeing that you say that [even the blood] fit for the horn [does] not [necessitate washing], need one speak about the blood fit for the base? Hence ‘from the horn’ is meant literally, while ‘from the base’ means from that which is fit for the base.

ALL [BLOOD] WHICH IS SPRINKLED ON THE INNER ALTAR etc. Our Rabbis taught: Thus shall he do [with the bullock]; as he did [with the bullock of the sin-offering, so shall he do with this]:<sup>12</sup> Why is this stated? As a repetition of the [law of sprinkling], to teach that if [the priest] omitted one of the applications, he has done nothing.<sup>13</sup> I know this only of the seven applications,<sup>14</sup> which are indispensable in all cases; whence do we know [it] of the four applications? From the text, ‘So shall he do with this’.<sup>15</sup> ‘With the bullock’ means the bullock of the Day of Atonement<sup>16</sup>

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(1) I.e., the residue which must be poured out at the base.

(2) Blood which had become unfit was poured into a duct in the Temple court, whence it flowed out into the stream of Kidron.

(3) Cf. supra 13a bottom.

(4) Sc. the ruling that an illegitimate intention is effective.

(5) The ultimate residue is poured out at the base.

(6) It refers indeed, as hitherto assumed, to the residue, not to the three applications, but to the residue of sin-offerings presented at the inner altar, and in accordance with the view that that is indispensable (infra 52a); consequently it can render the sacrifice piggul.

(7) For presenting it without the Temple court.

(8) Even of the outer sin-offerings.

(9) The Baraita enumerates three instances of liability and three of exemption (i.e., three instances where the residue bears the full status of blood, and three where it does not). But if the Tanna drew a distinction between the residue of inner sacrifices and that of outer sacrifices respectively, he could not maintain that parallelism.

(10) He refers to the Mishnah quoted supra 38b. For if it is meant literally, it is superfluous: seeing that the blood which spurts from the horn does not necessitate washing, it is surely obvious that that which spurts from the base does not necessitate washing. — Thus he answers the objection ‘then on your reasoning’ etc., which was raised against R. Papa’s proof.

(11) Which interpretation, implying that there is blood fit for the horn, i.e., the three last applications, and yet it does not

necessitate washing, would refute R. Papa!

(12) Lev. IV, 20. This treats of the sin-offering brought when the whole congregation sins, which was offered on the inner altar. The verse itself is apparently superfluous, since all its rites are described in detail.

(13) The sacrifice is invalid.

(14) Before the veil of the ark.

(15) This is yet another repetition. Since its implication of indispensability is not required in respect of the seven applications, it is transferred to the four applications on the altar.

(16) Teaching that its laws are the same as those which govern that bullock brought for the whole congregation's sin.

### **Talmud - Mas. Zevachim 39b**

‘As he did with the bullock’ refers to the bullock of the anointed priest;<sup>1</sup> ‘the sin-offering’ refers to the goats of idolatry.<sup>2</sup> You might think that I include the festival goats and new-moon goats.<sup>3</sup> Therefore Scripture states, ‘[So shall he do] with this’.<sup>4</sup> And what [reason] do you see for including the former and excluding the latter? Since the Writ intimates extension and intimates limitation, I include the former, which make atonement for the known transgression of a precept: while I exclude the latter, which do not make atonement for the known transgression of a precept.<sup>5</sup> And [the priest] shall make atonement<sup>6</sup> — even though he had not laid hands [on the bullock]: and it shall be forgiven to them<sup>7</sup> — even though he had not poured out the residue.<sup>8</sup> And what [reason] do you see for invalidating [the sacrifice] in the case of sprinklings and validating [it] in the case of laying on [of hands] and the residue?<sup>9</sup> You can answer: I invalidate in the case of sprinklings, as they are indispensable elsewhere:<sup>10</sup> while I validate in the case of laying on [of hands] and the residue, which are not indispensable in all [other] cases.

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(1) Which is treated of in the previous section (Lev. IV, 3 seq.). This thus becomes a repetition, with the same implication that there too all the blood applications are essential.

(2) I.e., which were brought to atone for idolatry; v. Num. XV, 27 seq. which is applied to this case. The details of their rites are not explained there; by making the present text refer to them, we learn that their rites are the same as those prescribed here.

(3) To teach that their rites too are the same.

(4) But not with other sacrifices.

(5) The festival and new-moon sin-offerings made atonement for the inadvertent defiling of the Temple, of which the offender would not know at all (v. Shebu. 2a).

(6) Num. XV, 28.

(7) Ibid.

(8) Of the blood, on the outer altar.

(9) Why interpret the verse so that an omission of one of the sprinklings invalidates the sacrifice, while the omission of laying hands or pouring out the residue at the base of the outer altar, leaves it valid? Perhaps you should reverse it.

(10) Lit., ‘in all places.’ — The allusion is explained anon.

### **Talmud - Mas. Zevachim 40a**

The Master said: ‘I know [it] only of the seven applications which are indispensable elsewhere.’ Where? — Said R. Papa: In the case of the [red] heifer and leprosy.<sup>1</sup>

‘How do we know [it] of the four applications? Because it is written, so shall he do’. Why do the seven applications differ? [presumably] because they are prescribed and reiterated? Then the four applications too are prescribed and reiterated?<sup>2</sup> — Said R. Jeremiah: This is necessary only according to R. Simeon. For it was taught: In the upper section ‘horns’ is written, [where] horn [would suffice] [which implies] two, and in the lower section ‘horns’ is written [instead of] horn, which implies four: this is R. Simeon's view.<sup>3</sup> R. Judah said: It is unnecessary, [for] surely it says, [which] is in the tent of meeting,<sup>4</sup> [intimating,] upon all which is mentioned in the tent of meeting.<sup>5</sup>

Now, how does R. Judah employ [the text], so shall he do?<sup>6</sup> He requires it for what was taught: As we have not learnt about laying on [of hands] and the residue of the blood in the case of the bullock of the Day of Atonement,<sup>7</sup> whence [then] do we know it? From the text, So shall he do.<sup>8</sup> But have we not learnt [it] of the bullock of the Day of Atonement? Surely you said, "with the bullock" refers to the bullock of Atonement Day.<sup>9</sup> — It is necessary: You might think that it applies only to a service which is indispensable for atonement;<sup>10</sup> but as for a service which is not indispensable for atonement, I would agree that it is not so.<sup>11</sup> Hence he informs us [otherwise].

Now, how does R. Simeon employ this [phrase] 'in the tent of meeting'? — He utilises it [as teaching] that if the ceiling of the hekal was broken, [the priest] did not sprinkle.<sup>12</sup> And the other?<sup>13</sup> — [He deduces it] from 'which is'.<sup>14</sup> And the other?<sup>15</sup> — He does not interpret 'which is' [as having a particular significance].

Abaye said: According to R. Judah too [the text] is required. You might think that it is analogous to laying [hands] and [pouring out] the residue of the blood, which are not indispensable in spite of being prescribed and reiterated; so you might argue that the four applications too are indispensable. Hence [the text] informs us [that it is not so].

[The Master said:] "'With the bullock" refers to the bullock of the Day of Atonement.' In respect of which law? if [to intimate] that [the four applications] are essential, it is obvious, [since] 'statute' is written in connection with it?<sup>16</sup> — Said R. Nahman b. Isaac: This is necessary only on R. Judah's view, for he maintained: 'Statute' is written only in reference to the rites performed in the white vestments, within [the inner Sanctuary], [and it teaches] that if one rite was [wrongly] performed before another, [the High Priest] has done nothing;<sup>17</sup> but as for the rites performed in the white vestments without, if not performed in correct order,<sup>18</sup> what he has done is done.<sup>19</sup> Then I might argue, since their [prescribed] order is not indispensable, the sprinklings too are not indispensable. Hence [the text] informs us [otherwise].

To this R. Papa demurred: Can you say so?<sup>20</sup> Surely it was taught: And he shall make an end of atoning for the holy place, [and the tent of meeting, and the altar]:<sup>21</sup> if he atoned,<sup>22</sup> he made an end;<sup>23</sup> while if he did not atone, he did not make an end: this is R. Akiba's view. Said R. Judah to him: Why should we not interpret: If he made an end, he atoned, while if he did not make an end, he did not atone?<sup>24</sup> Rather said R. Papa: It<sup>25</sup> is required only in respect of [deductions from] the eth and [those relating to] the blood and the dipping.<sup>26</sup> 'Eth': R. Aha b. Jacob said: That is required only to teach that

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(1) The red heifer: This is the statute (hukkath) of the law . . . And Eleazar . . . shall . . . sprinkle of her blood toward the front of the tent of meeting seven times (Num. XIX, 2-4). Leprosy: This shall be the law of the leper in the day of his cleansing . . . And the priest . . . shall sprinkle of the oil with his finger seven times before the Lord (Lev. XIV. 2, 16). It is a general principle that where a law is designated 'statute' or introduced by 'shall be', denoting emphasis, it is indispensable.

(2) Why is an additional text required to shew that all the four applications are essential? The reiteration of the seven applications (according to the present exegesis) is *pari passu* a reiteration of the four.

(3) The upper and the lower sections are Lev. IV, 1-12, and Lev. IV, 13-21, dealing with the bullock of the anointed priest and the bullock of the whole congregation respectively. In the upper section: And the priest shall put of the blood upon the horns of the altar (v. 7). In the lower section: And he shall put of the blood upon the horns of the altar which is before the Lord (v. 18). The plural implies two in each case, and then by analogy the provisions of each are transferred to the other too, which gives the four horns for each. But this transference is made only because we have the repetition, which is thus necessary in R. Simeon's view.

(4) Lev. IV, 7, 18.

(5) I.e., upon all the horns which Scripture prescribed for the altar in the tent of meeting.

- (6) Why this repetition?
- (7) I.e., that laying hands and pouring out the residue at the altar's base are necessary. These are not prescribed in Lev. XVI, which treats of the Day of Atonement ritual.
- (8) An extension which intimates that the bullock of the Day of Atonement requires these, since 'with the bullock' has been interpreted as referring to it.
- (9) Which exegesis automatically teaches that the provisions of the passage, including the two under discussion, apply to it; what need then of the further words, 'so shall he do'?
- (10) Only those services are included, since Scripture adds, And the priest shall make atonement for them.
- (11) Such are not included in the extension implied in the text. Laying hands and pouring out the residue at the altar's base are not essential for atonement.
- (12) Because it is no longer the 'tent' (of meeting).
- (13) R. Judah; whence does he know this?
- (14) Which he regards as superfluous.
- (15) R. Simeon: how does he interpret 'which is'?
- (16) Lev. XVI, 29: And it shall be a statute for ever unto you — which implies that all the prescribed rites are essential!
- (17) His service is invalid.
- (18) Lit., 'one before the other.'
- (19) It is valid; v. Yoma 60a.
- (20) That R. Judah learns the indispensable character of the four sprinklings from the present text.
- (21) Lev. XVI, 20.
- (22) I.e., if he performed the rites which are essential for atonement in other cases, e.g., the four sprinklings on the altar and the seven sprinklings before the veil.
- (23) He could end his service there, even if he did not pour out the residue of the blood at the base of the outer altar.
- (24) I.e., the service is valid and atonement is made only if he made an end, having performed all the prescribed rites (v. Yoma 60b). Thus it is from this text that R. Judah deduces the indispensability of the prescribed rites, including the four applications.
- (25) The text 'with the bullock'.
- (26) In connection with the anointed priest's bullock it is written: And the priest shall dip (eth) his finger in the blood, and sprinkle of the blood seven times before the Lord (Lev. IV, 6). 'Eth', which is the sign of the accusative, which is treated as an extension, as well as the phrases 'he shall dip' and 'in the blood' teach the number of additional laws about the sprinkling and dipping as anon. Through the present exegesis, that 'with the bullock' applies to the Atonement Day bullock, Scripture assimilates it to the bullock of the anointed priest, and so teaches that what is deduced from the 'eth' applies to this too.

## **Talmud - Mas. Zevachim 40b**

if there is a wart on the finger it is fit.<sup>1</sup> 'In the blood' [teaches] that there must be sufficient blood for dipping at the outset.<sup>2</sup> 'And he shall dip' [teaches] but not sponge up.<sup>3</sup> Now it is necessary to write both 'and he shall dip' and 'in the blood'.<sup>4</sup> For if the Divine Law wrote, 'and he shall dip' [only], I would say, even where there is insufficient for dipping in the first place; therefore the Divine Law wrote, 'in the blood'. And if the Divine Law wrote 'in the blood' [only], I would say [that] he may even sponge it up; therefore the Divine Law wrote, 'and he shall dip'.

What is the purpose of the altar of sweet incense?<sup>5</sup> — [To teach] that if the altar had not been consecrated by sweet incense, [the priest] did not sprinkle.<sup>6</sup>

It was taught in accordance with R. Papa: 'Thus shall he do...as he did': why does Scripture say, 'with the bullock'? — To include the bullock of the Day of Atonement in respect of all that is prescribed in this passage: that is Rabbi's view.<sup>7</sup> Said R. Ishmael: It follows a fortiori:<sup>8</sup> if rites [of diverse sacrifices] were assimilated to each other even where the sacrifices are not the same,<sup>9</sup> Surely rites are assimilated to each other where the sacrifices are the same.<sup>10</sup> What then does Scripture intimate by [the phrase] 'with the bullock'? This refers to the bullock brought for the community's

unwitting transgression; while [the other] ‘with the bullock’<sup>11</sup> refers to the bullock of the anointed priest.<sup>12</sup>

The Master said: ‘If where the sacrifices are not assimilated to each other’. To what does ‘the sacrifices are not assimilated to each other’ allude? Shall we say, to the bullock of the Day of Atonement and the goat of the Day of Atonement?<sup>13</sup> Then [the argument] can be refuted: as for these, [their rites are similar] because their blood enters the innermost sanctum!<sup>14</sup> Rather, it alludes to the community's bullock for unwitting transgression and the goats [sacrificed] on account of idolatry.<sup>15</sup> But [here too the argument] can be refuted: As for these, [their rites are the same] because they make atonement for the violation of a known precept?<sup>16</sup> Rather, it alludes to the community's bullock for unwitting transgression and the he-goat of the Day of Atonement, and this is what he means: If where the sacrifices are not the same, since one is a bullock and the other is a goat, yet the rites are alike as far as what is prescribed in their case is concerned,<sup>17</sup> then where the sacrifices are the same, this one being a bullock and the other being a bullock, it is surely logical

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(1) That is learnt from the eth: though the blood is taken up by the wart, yet it is fit.

(2) Sufficient must be caught in one vessel at the outset; but the blood must not be received in two vessels and poured together to make enough for that purpose.

(3) By wiping round the sides of the utensil.

(4) Emended text (Sh. M.)

(5) Ibid. 7. Seeing that ‘in the tent of meeting’ has been interpreted as intimating everything which was in the tent of meeting, why specify ‘the altar of sweet incense’?

(6) If this bullock was offered at a new altar, upon which incense had never yet been burnt, the priest did not sprinkle.

(7) Yalkut reads: that is R. Akiba's view.

(8) No text is necessary for this.

(9) Even where the sacrifices differed in certain respects.

(10) E.g., the Day of Atonement bullock and that brought for the sin of the whole community. These are similar, since they both belong to the same category.

(11) The phrase is repeated in the verse, q.v.

(12) Teaching that the same law applies to this as to the former, viz., that if one of the sprinklings is omitted, the sacrifice is invalid.

(13) These are not the same, being different animals, yet their rites of sprinkling etc. are the same.

(14) But the blood of the community's bullock did not enter the innermost sanctum.

(15) Whose rites are the same, as stated supra.

(16) V. Shebu. 2a.

(17) In the matter of sprinkling, which Scripture prescribes for both, they are alike. Both are sprinkled with the finger, on the horns of the altar, and before the veil. Thus they are alike in essence, notwithstanding that the blood of one entered the inner sanctum while that of the other did not, and one requires eight sprinklings as against the other's seven.

## **Talmud - Mas. Zevachim 41a**

that their rites shall be alike.<sup>1</sup> Then the [rites of the] Day of Atonement bullock are learnt from [those of] the bullock of the anointed priest, [insofar as the latter are deduced] from ‘eth’, ‘in the blood’ and the mention of dipping.<sup>2</sup> And [the rites of] the goat of the Day of Atonement are also learnt from [those of] the goats brought on account of idolatry, a fortiori.<sup>3</sup> But can that which is learnt through a hekkesh then in turn teach a fortiori?<sup>4</sup> — Said R. Papa: The Tanna of the School of R. Ishmael holds [that] that which is learnt through a hekkesh can in turn teach a fortiori.

“‘With the bullock’ refers to the community's bullock for unwitting transgression.’ But that is written in the very text?<sup>5</sup> — Said R. Papa: Because he wishes that the community's bullock for unwitting transgression shall teach that the goats for idolatry require [the burning of] the lobe [above the liver] and the two kidneys [on the altar]; yet that is not prescribed in the actual passage on the

community's bullock for unwitting transgress, but is learnt through a hekkesh; therefore 'with the bullock' is needed, to make it as though it were prescribed in the actual text, and thus it should not be a case of what is learnt through a hekkesh in turn teaching through a hekkesh.<sup>6</sup>

It was taught in accordance with R. Papa: 'Thus shall he do [with the bullock] as he did': why does Scripture [further] state, with the bullock? Because it is said, And they have brought their offering, an offering made by fire unto the Lord, [and their sin-offering before the Lord, for their error].<sup>7</sup> Now, 'their sin-offering' refers to the he-goats for idolatry, while 'their error' alludes to the community's bullock for unwitting transgression. [Hence when the text says] 'their sin-offering . . . for their error', the Torah intimates: Behold, you must treat their sin-offering as their [offering for] error.<sup>8</sup> But whence have you learned [the law in the case of] their [offering for] error? Was it not through a hekkesh?<sup>9</sup> Can then that which is learnt through a hekkesh in turn teach through a hekkesh? Therefore the text states, '[As he did] with the bullock', which refers to the community's bullock for transgression; while [the other] 'with the bullock' alludes to the anointed priest's bullock.

The Master said: "'Their sin-offering" refers to the he-goats for idolatry.' Deduce this<sup>10</sup> from the earlier verse,<sup>11</sup> for a master said, "'The sin-offering" is to include the he-goats of idolatry'?'<sup>12</sup> — Said R. Papa, It is necessary. I might argue that [the force of this extension] applies only to the sprinklings,<sup>13</sup> which are prescribed in that very passage;

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(1) Such as the sprinklings before the veil and on the golden altar.

(2) V. supra 40a.

(3) If where the sacrifices are not the same, viz., the community's bullock for unwitting transgression and the goat of the Day of Atonement, the rites prescribed for both are alike, since Scripture does not explicitly say that those which they have in common, e.g., the sprinklings in the hekal, are different; then where the sacrifices are the same, e.g. the goat of the Day of Atonement and the goats of idolatry, their rites are surely alike.

(4) As here. For the rites of the anointed priest's bullock, insofar as these are deduced from 'eth', 'in the blood' and the mention of dipping, are transferred to the goats for idolatry only by a hekkesh (q.v. Glos.); then we make them in turn teach a fortiori that the same applies to the goats of the Day of Atonement.

(5) The whole passage deals with this.

(6) It is stated infra that the lobe above the liver and the two kidneys of the goats of idolatry are burnt on the altar, and that this is learnt through a hekkesh from the community's bullock of unwitting transgression. But there too Scripture does not explicitly state the law, which is learnt through a hekkesh from the anointed priest's bullock, where it is explicitly prescribed, and in the case of sacrifices it is stated infra 49b that what is learnt through a hekkesh cannot in turn teach through a hekkesh. Now, here we have in any case a hekkesh between the community's bullock and the anointed priest's bullock, since 'as he did with the bullock' has been interpreted as referring to the anointed priest's bullock, while the whole passage in which it occurs treats of the community's bullock. Hence when Scripture further reiterates this hekkesh by saying, 'thus shall he do with the bullock', which being superfluous is made to refer to the community's bullock, the effect of this repeated hekkesh is to make it as though the burning of the lobe and the kidneys were not derived through a hekkesh but explicitly prescribed. Hence one can no longer object that what is learnt through a hekkesh cannot teach through a hekkesh.

(7) Num. XV, 25.

(8) Viz., that the lobe and the kidneys of the former, as of the latter, must be burnt on the altar. This is a hekkesh deduction.

(9) V. p. 205, n. 5.

(10) That the lobe and kidneys of these must be burnt on the altar.

(11) Sc. Lev. VII, 19 which is now being discussed.

(12) Supra 39b. By this inclusion its rites are brought into line with those of the other sacrifices alluded to in that verse, and hence include the burning of the lobe and the kidneys on the altar.

(13) Teaching that the blood of the he-goats must be sprinkled in the same way as that of the community's bullock.



## Talmud - Mas. Zevachim 41b

but [as for the burning of] the lobe and the two kidneys, which are not prescribed in that passage, I would say [that it is] not [intimated]. Therefore the text informs us [that it is not so].

R. Huna the son of R. Nathan said to R. Papa: But surely the Tanna states, "with the bullock" includes the bullock of the Day of Atonement in respect of everything which is prescribed in the text?<sup>1</sup> — It is a controversy of Tannaim. The Tanna of the Academy<sup>2</sup> includes it in this way, while the Tanna of the School of R. Ishmael includes it in that way.

The School of R. Ishmael taught: Why are the lobe and the two kidneys mentioned in connection with the anointed priest's bullock, but not in connection with the community's bullock for unwitting transgression? It may be compared to a king of flesh and blood who was angry with his friend, but spoke little of his offence, out of his love for him.<sup>3</sup>

The School of R. Ishmael also taught: Why is the 'veil of the sanctuary' mentioned in connection with the anointed priest's bullock, but not in connection with the community's bullock of unwitting transgression?<sup>4</sup> It may be compared to a king of flesh and blood against whom a province sinned — If a minority offended, his retainers remain [with them], but if the majority offend, his retainers do not remain [with them].<sup>5</sup>

THEREFORE, IF HE APPLIED ALL CORRECTLY, AND ONE INCORRECTLY, IT [THE SACRIFICE] IS INVALID, BUT DOES NOT INVOLVE KARETH. We learnt elsewhere: If [the priest] made a piggul intention at the [burning of the] fistful [of flour] but not at [the burning of the] incense,<sup>6</sup> [or] at the frankincense but not at the fistful, R. Meir says that it is piggul, and one is liable to kareth on its account;<sup>7</sup> but the Sages maintain: It does not involve kareth unless [the priest] makes a piggul intention for the whole mattir. R. Simeon b. Lakish commented: Do not say that R. Meir's reason is because he holds that you can make a [sacrifice] piggul in half a mattir. Rather the circumstances here are that [the priest] presented the fistful [on the altar] with a [piggul] intention, and the frankincense in silence. He [R. Meir] holds [that] when one does [a thing], he does it with his first intention.<sup>8</sup> How do you know it? — Because [the Tanna] teaches: THEREFORE IF HE APPLIED ALL CORRECTLY, AND ONE INCORRECTLY, IT [THE SACRIFICE] IS INVALID, BUT DOES NOT INVOLVE KARETH. Hence [if he applies] one correctly and all [the others] incorrectly, it is piggul. With whom does this agree? If with the Rabbis? Surely the Rabbis say [that] you cannot make piggul at half a mattir? Hence it must be R. Meir; now if R. Meir's reason is that you can make piggul at half a mattir, then even in the conditions which he teaches it is still piggul.<sup>9</sup> Hence it must surely be because he holds that when one does [a thing], he does it with his first intention. Said R. Samuel b. Isaac: In truth it agrees with the Rabbis, and what is meant by CORRECTLY? In the proper manner for piggul.<sup>10</sup> But since [the Tanna] teaches: THEREFORE, IF HE APPLIED ALL CORRECTLY, AND ONE INCORRECTLY, IT [THE SACRIFICE] IS UNFIT, BUT DOES NOT INVOLVE KARETH, it follows that INCORRECTLY means [in a manner] to make it fit?<sup>11</sup> — Said Raba: What does INCORRECTLY mean? — [With an intention of eating it] without bounds. R. Ashi said: [It means] under a different designation. Hence it<sup>12</sup> follows that if [the priest] did not do it [with an intention of consuming it] without bounds or under a different designation, one is liable?<sup>13</sup> — Because the first clause teaches, IT IS PIGGUL, AND ONE IS LIABLE TO KARETH ON ITS ACCOUNT, the second clause too teaches, IT IS UNFIT, AND DOES NOT INVOLVE KARETH.<sup>14</sup>

An objection is raised: When is this said?<sup>15</sup> In the case of blood that is presented on the outer altar.

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(1) Which implies that even the sprinklings are indispensable, whereas you say (supra 40a bottom) that only those laws which are deduced from 'eth' etc. are learnt in this way.

(2) This is the meaning of Be Rab as used here, and it refers to the anonymous statement introduced by 'Our Rabbis

taught’.

(3) In the same way God treats the community's offence more shortly, and leaves a number of details to be deduced rather than state them explicitly.

(4) Lev. IV, 6, speaking of the former, states, And the priest . . . shall sprinkle of the blood . . . in front of the veil of the sanctuary. But in IV, 17, which treats of the latter, Scripture merely mentions ‘the veil’ not the veil of the sanctuary.

(5) To shew his resentment he withdraws them. Thus where the whole community sins God, as it were, withdraws His holiness, and there is no sanctuary left.

(6) The burning of these two permits the meal-offering to be eaten. The two rites together therefore constitute the mattir (q.v. Glos.), and each is only half a mattir.

(7) If one eats of the offering.

(8) Hence his silence here is the equivalent of a piggul intention.

(9) Even if the first application is made in silence and the others with a piggul intention, it should be piggul.

(10) In a manner which will render it piggul. Thus: the first application with a piggul intention, and the others in silence.

(11) For silence could not be called ‘INCORRECTLY’.

(12) And since it is a sin-offering, it becomes invalidated (v. supra 2a) and consequently is not rendered piggul.

(13) I.e., if the second application was made in silence, it is piggul, which shews that we regard the second action as done with the same intention as the first. But that is R. Meir's view, not the Rabbis.

(14) CORRECTLY does mean in a proper manner for piggul whilst INCORRECTLY means with the intention of consuming it without bounds. Actually then even if he made the second sprinkling in silence it would not be piggul, but INCORRECTLY is taught for the sake of parallelism. For in the first clause, dealing with the outer sacrifices, he teaches IF HE APPLIED THE FIRST WITH THE INTENTION OF CONSUMING IT AFTER TIME, AND THE SECOND WITH THE INTENTION OF CONSUMING IT WITHOUT BOUNDS, IT IS PIGGUL AND INVOLVES KARETH. There, this second intention is particularly stated in order to teach that it does not nullify the first and free it from piggul, because since a single application permits it, a single application makes it piggul. For that reason he teaches in the second clause, dealing with the inner sacrifices, that here the second intention does nullify the first and free it from piggul, though this in truth need not be taught, since in any case, even if he remained silent at the second application, it would not be piggul, as the Rabbis do not hold that he makes the second application with the same intention as the first.

(15) That the sacrifice becomes piggul through one application.

## **Talmud - Mas. Zevachim 42a**

But in the case of blood presented on the inner altar, e.g., the forty three [applications] of the Day of Atonement,<sup>1</sup> the eleven of the anointed priest's bullock, and the eleven of the community's bullock of unwitting transgression,<sup>2</sup> if he [the priest] declared a piggul intention whether at the first, the second, or the third,<sup>3</sup> R. Meir maintains [that] it is piggul and involves kareth; while the Sages say: It does not involve kareth unless [the priest] declares a piggul intention at the whole mattir. Incidentally he teaches, ‘if [the priest] declared a piggul intention whether at the first, at the second, or the third,’ and yet [R. Meir] disagrees?<sup>4</sup> — Said R. Isaac b. Abin: The circumstances here are e.g. that he declared a piggul intention at the shechitah, this being one mattir.<sup>5</sup> If so, what is the reason of the Rabbis? — Said Raba: Who are the Sages [in this passage]? R. Eleazar.<sup>6</sup> For we learnt: [With regard to] the fistful [of flour], the frankincense, the incense, the priest's meal-offering, the anointed priest's meal-offering, and the meal-offering of the libations, if [the priest] presented as much as an olive of one of these without [the Temple court], he is liable. But R. Eleazar<sup>6</sup> exempts [him] unless he offers the whole [without].<sup>7</sup> But surely Raba said: Yet R. Eleazar admits in the case of blood, for we learnt: R. Eleazar and R. Simeon maintain: From where he left off there he recommences!<sup>8</sup> — Rather said Raba: It [the Baraitha] means e.g. where he declared a piggul intention at the first [applications], was silent at the second, and again declared a piggul intention at the third.<sup>9</sup> Now we might argue, If you claim that he acts with his original intention, why should he repeat his piggul intention at the third [applications]? Therefore he informs us [that we do not argue so].

To this R. Ashi demurred: Does he then teach [that] he was silent? Rather said R. Ashi: The circumstances here are e.g., that he declared a piggul intention at the first, second, and third. You

might argue, If you think that whatever one does, one does with the first intention, why must he repeat his piggul declaration at each one? Therefore he informs us [that we do not argue so].

(1) One application of the blood of the bullock above the red line and seven below (v. supra 38a bottom), and similarly with the blood of the he-goat, which gives sixteen. There were similar applications on the veil of the sanctuary, making thirty two. Further, four applications of the blood of both mixed together, on the four horns of the altar, and seven applications on the top of the altar, giving a total of forty-three.

(2) Seven on the veil and four on the altar.

(3) The first, second and third are the applications in the innermost sanctuary, on the veil, and on the golden altar respectively.

(4) Thus, if he declared this intention at the second application only, though not at the first, it is still piggul, though here he was certainly not continuing his first intention. Hence he must hold that one can render a sacrifice piggul at a portion of the mattir, which contradicts R. Simeon b. Lakish.

(5) Rashi: After the first blood applications the blood was accidentally spilt. A second animal is slaughtered, and the sprinkling is continued, starting with the second applications on the veil. Only here does R. Meir rule that it is piggul, since shechitah is a service complete in itself. Rashbam: At the shechitah the priest declared his intention to make the second blood applications after time. This explanation saves the introduction of a second animal.

(6) Emended text (Sh. M.); cur. edd. R. Eliezer.

(7) Thus even when he actually presents it without the Temple court, R. Eleazar holds that he is not liable, since it was done with a portion of the mattir only, which proves that it does not count as a service unless he completes the whole service. So here too, although shechitah is a service complete in itself, yet since this particular shechitah was merely to make up another shechitah (rendered necessary through the spilling of the blood), it is incomplete, and cannot render the sacrifice piggul.

(8) V. infra 110a and b. — Since he recommences from where he left off (where the blood was spilt; v. n. 2), this shews that what he did do is a complete service; hence it can become piggul thereby. This refutes Raba's explanation that the Sages in the Baraitha quoted supra are R. Eleazar.

(9) Only then does R. Meir rule it to be piggul, as he holds that the second applications in silence were made with the same intention as the first. So that 'whether at the . . . second or third' means whether he was silent at the third and declared a piggul intention at the second, or vice versa. But in both cases he had declared a piggul intention at the first.

## Talmud - Mas. Zevachim 42b

But he teaches, 'whether . . . or'?<sup>1</sup> That is indeed a difficulty.

The Master said: 'R. Meir said, It is piggul, and involves kareth'.<sup>2</sup> But consider: one is not liable to kareth<sup>3</sup> until all the mattirin are offered, for a master said: As the acceptance of the valid, so is the acceptance of the invalid. As the acceptance of the valid necessitates that all its mattirin be presented, so does the acceptance of the invalid necessitate that all its mattirin be presented.<sup>4</sup> Now here he has [already] invalidated it [the sacrifice] by declaring an [illegitimate] intention within, so that it is as though he had not sprinkled [the blood] at all;<sup>5</sup> when therefore he sprinkles again in the hekal, he is merely sprinkling water?<sup>6</sup> — Said Rabbah: It is possible in the case of four bullocks and four he-goats.<sup>7</sup> Raba said: You may even say [that R. Meir rules thus] in the case of one bullock and one he-goat: it [the sprinkling] is efficacious in respect of its piggul status.<sup>8</sup>

[Do you say that there are] forty-three [sprinklings]?<sup>9</sup> Surely it was taught [that there are] forty-seven? The former agrees with the view that you mingle [the blood of the bullock and of the he-goat] for [sprinkling on] the horns; while the latter agrees with the view that you do not mingle [them] for [sprinkling on] the horns.<sup>10</sup> But it was taught [that] forty-eight [are required]? — One agrees with the view that [the pouring out of] the residue [at the base of the altar] is indispensable;<sup>11</sup> while the other agrees with the view that the residue is not indispensable.<sup>12</sup>

An objection is raised: When is this said?<sup>13</sup> In [the case of] the taking of the fistful, the placing in

the vessel, and the carriage.<sup>14</sup> But when he comes to the burning [of the fistful and the frankincense], if he presents the fistful with a [piggul] intention and the frankincense in silence; or if he presents the fistful in silence and the frankincense with a [piggul] intention, — R. Meir declares it piggul, and it involves kareth; while the Sages rule: It does not involve kareth unless he declares a piggul intention in respect of the whole mattir. Now he teaches incidentally, [If he presents] ‘the fistful in silence and the frankincense with a [piggul] intention’, and yet they disagree!<sup>15</sup> — Say ‘having already presented the frankincense with a [piggul] intention’. One [objection] is that that is the first clause. Moreover, it was indeed taught,<sup>16</sup> ‘and after that.’<sup>17</sup> That is indeed a difficulty.

**MISHNAH. THESE ARE THE THINGS FOR WHICH ONE IS NOT LIABLE ON ACCOUNT OF PIGGUL: THE FISTFUL, THE INCENSE, THE FRANKINCENSE,**

(1) Implying alternatives: either at one or at the other.

(2) V. supra 42a.

(3) For eating thereof.

(4) V. supra 28b.

(5) Var. lec. omits ‘then . . . at all’.

(6) This is a difficulty on the view that R. Meir's reason is that one can make a sacrifice piggul at half a mattir. Granted that this is possible in the case of the fistful and the frankincense of a meal-offering, it is surely impossible in the case of sprinkling, for the reason stated. — ‘He is merely sprinkling water’ means that his sprinkling of the blood is just as though he were sprinkling water, since the sacrifice is already invalid.

(7) He declared a piggul intention during all the applications of the blood between the staves; then the blood was spilt, so that another animal was slaughtered. He sprinkled its blood on the veil (he would start there, and not repeat the first sprinklings between the staves; V. supra a) and the blood was again spilt. The same happened with the applications on the horns of the altar, and the same with the sprinklings on the top. Here then all the mattirin have been presented, and each counts as a real sprinkling because it is the blood of a different animal; consequently the first is piggul, while the same would hold good if he declared his piggul intention in connection with any of the other animals.

(8) If the Priest declares a piggul intention at the slaughtering, though he thereby invalidates the sacrifice, yet the following sprinklings are counted as the presenting of its mattirin. Thus they are obviously efficacious to stamp the animal as piggul, for otherwise an animal could not become piggul at slaughtering, whereas it is deduced supra 13a that it does. In the same way then R. Meir holds that when some of the sprinklings are done with a piggul intention, the subsequent sprinklings count as the presenting of the mattirin, so as to make the sacrifice piggul.

(9) Supra a top.

(10) But each is sprinkled separately, which gives an additional four, bringing up the number to forty-seven.

(11) Hence it is regarded as another sprinkling.

(12) V. supra 40b.

(13) That a meal-offering becomes piggul at one service.

(14) Where each service consists of a single act.

(15) R. Meir maintains that it is piggul. Here his second act was not done with the same intention as the first, since he was silent at the first. Hence R. Meir's reason must be because he holds that one can make the sacrifice piggul during half a mattir.

(16) In another Baraitha.

(17) He presented the frankincense with a piggul intention.

**Talmud - Mas. Zevachim 43a**

THE PRIESTS' MEAL-OFFERING, THE ANOINTED PRIEST'S MEAL-OFFERING, THE BLOOD, AND THE DRINK-OFFERINGS THAT ARE BROUGHT SEPARATELY: THAT IS THE VIEW OF R. MEIR. THE SAGES MAINTAIN: ALSO THOSE THAT ARE BROUGHT WITH AN ANIMAL [SACRIFICE].<sup>1</sup> A LEPER'S LOG<sup>2</sup> OF OIL,<sup>3</sup> R. SIMEON MAINTAINED, DOES NOT INVOLVE LIABILITY ON ACCOUNT OF PIGGUL;<sup>4</sup> WHILE R. MEIR RULES: IT INVOLVES LIABILITY ON ACCOUNT OF PIGGUL, BECAUSE THE BLOOD OF THE

GUILT-OFFERING MAKES IT PERMITTED.<sup>5</sup> AND WHATEVER HAS AUGHT THAT MAKES IT PERMITTED,<sup>6</sup> WHETHER FOR MAN OR FOR THE ALTAR, INVOLVES LIABILITY ON ACCOUNT OF PIGGUL. [THE SPRINKLING OF] THE BLOOD OF THE BURNT-OFFERING PERMITS ITS FLESH FOR [BURNING ON] THE ALTAR, AND ITS SKIN TO THE PRIESTS. THE BLOOD OF THE BURNT-OFFERING OF A BIRD PERMITS ITS FLESH TO THE ALTAR. THE BLOOD OF THE SIN-OFFERING OF A BIRD PERMITS ITS FLESH TO THE PRIESTS. THE BLOOD OF THE BULLOCKS THAT ARE BURNT AND THE GOATS THAT ARE BURNT PERMITS THEIR EMURIM TO BE OFFERED [ON THE ALTAR]. R. SIMEON SAID: WHATEVER IS NOT [SPRINKLED] ON THE OUTER ALTAR, AS THE PEACE-OFFERING,<sup>7</sup> DOES NOT INVOLVE LIABILITY ON ACCOUNT OF PIGGUL.

GEMARA. ‘Ulla said: If the fistful [of the meal-offering], which is piggul, is presented on the altar, its piggul status leaves it:<sup>8</sup> seeing that it reduces others to [the state of] piggul, how much the more so itself. What does he mean?<sup>9</sup> — This is what he means: if it is unacceptable,<sup>10</sup> how can it reduce others to [the state of] piggul?<sup>11</sup>

What does he inform us?<sup>12</sup> If that it does not involve liability for piggul, Surely we have learnt it: THESE ARE THE THINGS FOR WHICH ONE IS NOT LIABLE ON ACCOUNT OF PIGGUL: THE FISTFUL, THE INCENSE, THE FRANKINCENSE, THE PRIESTS MEAL-OFFERING, THE ANOINTED PRIEST'S MEAL-OFFERING, AND THE BLOOD? — Rather, [he informs us] that if it ascended [the altar], it does not descend.<sup>13</sup> But we have learnt it: [Flesh] that is kept overnight, or that goes out [of its permitted boundaries], or which is unclean, or which was slaughtered [with the intention of being consumed] after time or without bounds, if it ascended [the altar], does not descend?<sup>14</sup> — Rather, [he informs us] that if it was taken down [from the altar],<sup>15</sup> it must be taken up [again]. But surely we have learnt:<sup>16</sup> Just as it does not descend once it had ascended, so it does not ascend after having descended!<sup>17</sup> — That [Ulla's teaching] is only when the fire [of the altar] has taken hold of it.<sup>18</sup> But this too ‘Ulla has already stated once? For ‘Ulla said: They learnt this only where the fire had not taken hold of it; but if the fire had taken hold of it, it must go up [again]! — You might think that this holds good only of

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(1) If the sacrifice is made piggul and one eats these things enumerated here, he is not liable to piggul. E.g., if the priest took off the fistful with the intention of eating the remainder on the morrow, he thereby renders the whole sacrifice piggul; nevertheless he incurs no liability for eating the fistful itself. For piggul applies only to that which is permitted through something else (e.g., the rest of the meal-offering is ordinarily permitted for consumption through the taking of the fistful), whereas the fistful is not permitted through anything else. The same applies to the incense, the frankincense, and the others enumerated in the Mishnah. — Votive meal-offerings brought by ordinary priests and the statutory bi-daily offerings of the anointed priest (v. Lev. VI, 13 seq.) were wholly burnt on the altar without the rite of taking the fistful; thus they were not permitted by anything else. Drink-offerings could be brought separately or as an accompaniment to animal sacrifices. R. Meir rules that whether they are brought entirely by themselves, nothing else having been vowed, or they are brought actually as an addition to an animal sacrifice, but on the following day, they do not involve liability for piggul, because in that case they are not permitted through something else (the sacrificing of the animal), but through themselves. If however they are brought at the same time as the animal, they are permitted through the sacrificing of same, and therefore involve kareth. The Sages however maintain that even then we do not regard them as permitted through the animal sacrifice, since they could have been presented separately on the morrow.

(2) A liquid measure = 549.391338 cu. centimeters (J.E. art. ‘Weight — Measures’, Vol. XII. pp. 483 2 and 490, Table).

(3) Lev. XIV, 10, 15-18. The residue of this was consumed.

(4) If the priest rendered the guilt-offering which it accompanied piggul, one is not liable to kareth for consuming the oil. Though the efficacy of the oil rite is dependent on the prior application of the blood of the guilt-offering on the leper, nor may it be consumed unless the blood of the offering was duly sprinkled; nevertheless since the oil can be brought ten days after the offering, it is not regarded as permitted for consumption through it, and therefore does not involve kareth on account of piggul even when the oil is brought on the same day.

(5) Where it is brought on the same day, to which case R. Meir refers.

- (6) As explained in n. 4, p. 213.
- (7) Where the law of piggul is stated.
- (8) The Talmud explains this anon.
- (9) This reason is apparently why it should retain its status as piggul.
- (10) If it is not fit for burning on the altar because it is piggul.
- (11) And so, if one burns the fistful with the intention of consuming the remainder on the morrow, how can the meal-offering become piggul if we do not regard the burning of the fistful as a valid act, seeing that a sacrifice cannot become piggul unless its mattirin are offered (supra 42b)? Hence we must say that the fistful loses its piggul status, so that by its burning on the altar the mattirin are duly offered, and for that reason the remainder becomes piggul. This is then what he means: seeing that it is acceptable (a valid service) in point of making the rest fit to be piggul, it is surely acceptable in respect of itself!
- (12) In respect of what law does it lose its piggul status?
- (13) It loses its piggul status insofar that once it is taken up on to the altar it remains there, and we do not remove it as piggul.
- (14) And this includes an instance of piggul.
- (15) After having been placed on it.
- (16) Emended text (Sh. M).
- (17) Though it should not have been taken down in the first place:
- (18) Then, even if it is taken down, it must be taken up again. Whereas the Baraitha refers to a case where the fire had not yet taken hold of it.

### **Talmud - Mas. Zevachim 43b**

a limb, which is all one; but as for the fistful, which is divisible, I would say [that it is] not [so].<sup>1</sup> Therefore he informs us [otherwise]. R. Ahai said: Therefore, when half of the fistful, which is piggul, is lying on the ground, and half has been taken up on the wood-pile [on the altar], and the fire has taken hold of it, we must take up the whole of it, even at the very outset.

R. Isaac said in R. Johanan's name: If piggul, nothar, or unclean [flesh] is taken up to the altar, their forbidden status leaves them. Said R. Hisda: O author of this [statement]! Is then the altar a ritual bath of purification! — Said R. Zera: [This law applies] where the fire has taken hold of it.<sup>2</sup>

R. Isaac b. Bisna objected: Others<sup>3</sup> say: [When Scripture writes, But the soul that eateth of the flesh of the sacrifice of peace-offerings . . . ] having his uncleanness upon him [that soul shall be cut off from his people],<sup>4</sup> [it implies] one whose uncleanness can leave him, thus excluding flesh, whose uncleanness cannot leave it.<sup>5</sup> But if this is correct,<sup>6</sup> surely the uncleanness does leave it, through the fire? — Said Raba: We mean, through a mikweh.<sup>7</sup> Is then a mikweh written [in the text]? — Rather said R. Papa: We are dealing with the flesh of peace-offerings, which is not eligible for presenting [on the altar].<sup>8</sup> Rabina said: 'Having his uncleanness upon him' implies, one whose uncleanness leaves him while he is yet whole; thus flesh is excluded, because uncleanness does not leave it while it is whole, but only when it is defective.<sup>9</sup>

[To turn to] the main text: 'Having his uncleanness upon him': Scripture speaks of uncleanness of the person. You say, Scripture speaks of uncleanness of the person: yet perhaps it is not so, but rather of uncleanness of the flesh? Here 'having his uncleanness [upon him]' is said; while elsewhere it says, his uncleanness is yet upon him:<sup>10</sup> as there Scripture speaks of uncleanness of the person, so here too Scripture speaks of uncleanness of the person. R. Jose said: Since the 'holy things' are mentioned, in the plural, whilst 'uncleanness' is stated in the singular, Scripture must refer to uncleanness of the person.<sup>11</sup> Rabbi said: 'And eat' [shews that] Scripture speaks of uncleanness of the person.<sup>12</sup> Others say: 'Having his uncleanness upon him' [implies] one whose uncleanness leaves him, thus excluding flesh, whose uncleanness cannot leave it.

A Master said: 'Rabbi said: "And eat" [shews that] Scripture speaks of uncleanness of the person.' How does this imply it?<sup>13</sup> — Said Raba, Every text which R. Isaac b. Abudimi, and every Mathnitha [Baraita] which Ze'iri did not explain, are not explained. Thus did R. Isaac b. Abudimi say: Since the Writ commences in the feminine form and ends in the feminine, while [it employs] the masculine form in the middle, the Writ must speak of uncleanness of the person.<sup>14</sup>

'A Mathnitha'?<sup>15</sup> — For it was taught: If the lighter ones were stated, why were the more stringent ones stated; and if the more stringent ones were stated, why were the lighter ones stated?<sup>16</sup> If the lighter ones were stated and not the more stringent ones, I would say: The lighter ones involve a negative injunction,<sup>17</sup> and the more stringent ones involve death;<sup>18</sup> therefore the more stringent ones are stated.<sup>19</sup> While if the more stringent were stated and not the lighter, I would say: The stringent ones involve culpability, but the lighter ones do not involve culpability at all; therefore the lighter ones are stated.

Now, what are the lighter ones and the more stringent ones? Shall we say [that] the lighter ones are the tithe, and the more stringent ones are terumah?<sup>20</sup> [Can you then say,] 'I would say: The more stringent ones involve death'? Surely now it too involves death!<sup>21</sup> Moreover, if it were not stated, would I say that it involves death? Surely it is sufficient for the conclusion to be as its premise?<sup>22</sup> Again if 'the lighter ones' mean uncleanness of a reptile, and 'the more stringent ones' uncleanness of a corpse,<sup>23</sup> to what then [does it refer]?<sup>24</sup> If to terumah? both involve death!<sup>25</sup> Moreover, [can you say,] 'Therefore the more stringent ones are stated, [to teach] that they involve a negative injunction [only]?' but surely it involves death? Whilst if it refers to the eating of tithe,

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(1) Only the flour which has actually been burnt through must be taken up again, but not the rest.

(2) Then it belongs, as it were, to the altar.

(3) This usually refers to R. Meir; Hor. 13b.

(4) Lev. VII, 20.

(5) The Heb. *we-tumatho* 'alaw might mean, having its uncleanness upon it, and thus imply that a clean person who partakes of the unclean flesh of a sacrifice incurs *kareth*. It is explained, however, that the phrase implies that the uncleanness is in force only now and that it can be raised; hence it must refer to the person, not to the flesh, which once unclean can never become clean again.

(6) That when unclean flesh is carried up to the altar and the fire takes hold of it, it loses its forbidden status.

(7) V. Glos.

(8) But is eaten; hence it can never become clean.

(9) I.e., when the fire has already partially destroyed it.

(10) Num. XIX, 13. Emended text.

(11) Sh. M.: Scripture writes, Whosoever . . . approacheth unto the holy things . . . having his uncleanness upon him, that soul shall be cut off from before Me (Lev. XXII, 3). Now there it cannot refer to the sacrifices, for in that case the plural, having their uncleanness upon them would be required. Hence it must refer to the person, and therefore the same is assumed here.

(12) Ibid. VII, 21. The verse reads: And when any one shall touch any unclean thing... and eat of the flesh of the sacrifice of peace-offerings. That verse obviously refers to uncleanness of the person, and thus it illumines the previous verse (v. 20), shewing that that too refers to the same.

(13) That the previous verse too refers to the same. Perhaps the previous verse treats of uncleanness of the flesh.

(14) The second verse (v. 21) writes: And when any one (Heb. *nefesh*, lit. 'soul', fem.) shall touch (Heb. *tiga*', fem.) any unclean thing . . . and eat (*we-akal*, masc. instead of *we-aklah*, fem.) of the flesh of the sacrifice of peace-offerings, that soul shall be cut off (*we-nikrethah*, fem.). The preceding verse (v. 20) runs: But the soul (fem.) that eateth (fem.) of the flesh (masc.) . . . having his (or its) uncleanness upon him (or it) masc.), that soul shall be cut off (fem.) Since the suffixes of 'uncleanness' and 'upon' are masc., it might be assumed that they refer to 'flesh' which is masc. But when we see the same change of gender in the following verse, though that obviously refers to the uncleanness of the person, it is reasonable to say the same here. For Scripture has already treated of uncleanness of the flesh earlier in the section: And the flesh that toucheth any unclean thing, shall not be eaten; it shall be burnt with fire (v. 19). It continues with, And

as for the flesh, any one that is clean may eat thereof, which indicates that unclean flesh is no longer being dealt with. Hence when it proceeds, But the soul that eateth . . . having his uncleanness upon him, it is logical to assume that uncleanness of the person is referred to, in suite of the change of gender.

(15) Which mathnitha required Ze'iri's explanation?

(16) This treats of the interdict of eating sacred food while personally unclean. By 'lighter' and 'more stringent' are meant food of lighter and of more stringent sanctities respectively. The Talmud explains anon which these are.

(17) Which is punishable by flagellation.

(18) At the hands of heaven.

(19) To shew that these too involve a negative injunction only.

(20) V. Lev. XXII, 6f: The soul that toucheth any such (unclean reptiles etc.) shall be unclean until the even, and shall not eat of the holy things, unless he bathe his flesh in water. And when the sun is down, he shall be clean; and afterwards he may eat of the holy things. These two verses are apparently contradictory, for the first implies that he may eat of the 'holy things' immediately after a ritual bath, even before sunset, while the second teaches that even after the ritual bath he must wait until sunset. Therefore the Rabbis (in Yeb. 74b) made the first refer to tithe, whose sanctity is lighter, and the second to terumah, whose sanctity is more stringent. Its greater stringency lies in the fact that a zar (a lay Israelite) may not partake of terumah, whereas he may partake of tithe. Scripture then goes on to say in v. 9: They (i.e. the priests) shall therefore keep My charge, lest they bear sin for it, and die therein, if they profane it. This is understood to mean that an unclean priest eating terumah is liable to death (v. n. 4.).

(21) Scripture does in fact teach that for partaking of terumah whilst unclean one is liable to death.

(22) This is a general principle: when one thing is learnt from another, a fortiori or a minori, it cannot go further than its premise. Now, if terumah were not stated, it could be learnt from tithe, a minori. But it could not involve a greater punishment than tithe, which is subject to a negative injunction only.

(23) I.e., 'lighter' and 'more stringent' apply not to the 'holy things' (the sacred food) but to the source of the priest's defilement. Both are enumerated in that passage, viz.: And whoso toucheth any one that is unclean by the dead . . . or whosoever toucheth any swarming thing (i.e. a reptile) Lev. XXII, 4-5.

(24) To the eating of which sacred food?

(25) Whether a priest is unclean in the one way or the other, he is liable to death for eating terumah.

## **Talmud - Mas. Zevachim 44a**

[can you say,] 'If the more stringent ones were not stated, I would say that the more stringent ones involve death'?<sup>1</sup> but Surely it would be derived from the uncleanness of a reptile, and it is sufficient for the conclusion to be as the premise!<sup>2</sup> — Said Ze'iri: The 'lighter ones are uncleanness of a reptile, while 'the more stringent ones are uncleanness through a corpse, and this is what [the Tanna] means: If uncleanness of a reptile were stated, and tithe and terumah were enumerated, but uncleanness of a corpse were not stated, I would say: The lighter [defilement] involves a negative injunction in respect of the lighter ['holy things'], and death in respect of the more stringent.<sup>3</sup> And since the lighter [defilement] involves death in respect of the more stringent ['holy things'], the more stringent [defilement] too involves death in respect of the lighter ['holy things']. Therefore the more stringent [defilement] is stated.

WHATEVER HAS AUGHT THAT MAKES IT PERMITTED, WHETHER FOR MAN OR FOR THE ALTAR, INVOLVES LIABILITY ON ACCOUNT OF PIGGUL. Our Rabbis taught: . . . Or perhaps it includes only that which is similar to a peace-offering: as a peace-offering is distinguished in that it is eaten two days and one night, so all that may be eaten two days and one night [are included] .<sup>4</sup> How do we know that that which is eaten a day and a night [only, is also included]? Because Scripture saith, [And if any] of the flesh [of the sacrifice of his peace-offerings etc.],<sup>5</sup> [which includes] all whose remainder is eaten.<sup>6</sup> How do we know [that] a burnt-offering, whose remainder is not eaten, [is included]? Because Scripture says 'the sacrifice'.<sup>7</sup> Whence do we know to include the bird-offerings and meal-offerings, until I can include a leper's log of oil? From the text, 'which they hallow unto Me': nothar is then learned from uncleanness, because 'profanation' is written in connection with both; and piggul is learned from nothar, because iniquity is written in



connection with both.<sup>8</sup> Now, since it [Scripture] ultimately includes all things, why then are peace-offerings specified? To teach you: as a peace-offering is distinguished in that it has something which permits it both for man and for the altar, so everything which has something which permits it both for man and for the altar involves liability on account of piggul. [The sprinkling of] the blood of a burnt-offering permits its flesh for [burning on] the altar, and its skin to the priests. The blood of a bird burnt-offering permits its flesh for the altar. The blood of a bird sin-offering permits its flesh to the priests. The blood of the bullocks that are burnt and the goats that are burnt permits their emurim to be offered [on the altar]. And I exclude the fistful, the frankincense, the incense, the priests' meal-offering, the anointed priest's meal-offering, and the blood. R. Simeon said: As a peace-offering is distinguished in that it comes on the outer altar [for sprinkling], and it involves liability; so all that come on the outer altar involve liability on account of piggul; thus the bullocks which are burnt and the goats which are burnt are excluded; since they do not come on the outer altar, like the peace-offering, they do not involve liability.

The Master said: 'That which is similar to a peace-offering'. What [sacrifice] is it? The firstling, which is eaten two days and one night! But how is this learnt? If by analogy? it can be refuted: as for a peace-offering, [it is subject to the law of piggul] because it requires laying [of hands], [the accompaniment of] drink-offerings [libations], and the waving of the breast and the shoulder?<sup>9</sup> Again if [it is learnt] from [the text], And if there be at all eaten [any of the flesh of the sacrifice of his peace-offerings on the third day . . . it shall be an abhorred thing] [piggul],<sup>10</sup> these are two generalisations which immediately follow each other?<sup>11</sup> — Said Raba: It is as they say in the West:<sup>12</sup> Wherever you find two generalisations close to each other, insert the specific proposition between them, and interpret them as a case of a generalisation followed by a specific proposition [and followed again by a generalisation].<sup>13</sup>

'Until I include a leper's log of oil'. With whom does that agree? With R. Meir. For it was taught: A leper's log of oil involves liability on account of piggul: that is the opinion of R. Meir. Then consider the next clause: And I exclude the meal-offering of libations and the blood. This agrees with the Rabbis. For it was taught: The drink-offering which accompanies an animal [sacrifice] involves liability on account of piggul, because the blood of the sacrifice permits it to be offered [on the altar]: that is R. Meir's view. Said they to him: But a man can bring his sacrifice to-day and the drink-offering even ten days later! I too, he answered them, ruled [thus] only when they come together with the sacrifice! — Said R. Joseph: The author of this is Rabbi, who maintained [that] the applications of the leper's log of oil permit it,<sup>14</sup> and since its sprinklings permit it, its sprinklings render it piggul. For it was taught: You commit trespass in respect of a leper's log of oil until the blood is sprinkled; once the blood is sprinkled, you may not use it, and you do not commit trespass. Rabbi said: You commit trespass until its sprinklings are made. And both agree that it may not be eaten until its seven sprinklings and the applications on the thumbs are made.<sup>15</sup>

This was reported before R. Jeremiah, [whereupon] he exclaimed, That a great man like R. Joseph should say such a thing!

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(1) I.e., for eating tithes while unclean through a corpse one is liable to death.

(2) Hence as a negative injunction only is involved in eating tithes whilst unclean through a reptile, so it is likewise in eating tithes while unclean through the dead.

(3) As Scripture states.

(4) The law of piggul is stated in Scripture in reference to a peace-offering only. The present quotation, which is fragmentary, commences thus: You might think that only a peace-offering involves liability for piggul; how do we know that other sacrifices too are included in this law? Because Scripture says in reference to uncleanness: Speak unto Aaron and to his sons, that they separate themselves from the holy things of the children of Israel, which they hallow unto Me, and that they profane not My holy name (Lev. XXII, 2). This applies to all sacrifices, since the peace-offering is not specified, and an analogy is drawn anon between defilement and piggul, and thus other sacrifices too are included in the

law of piggul. The passage then proceeds as in the text: perhaps only these sacrifices which are similar to a peace-offering are included etc., but not such sacrifices e.g., a sin-offering, or a thanks-offering, which are eaten only on the day they are sacrificed and the night following.

(5) Lev. VII, 18. This treats of piggul. 'Of the flesh' is superfluous, since Scripture could say, And if any of his peace-offerings, etc.; hence it is treated as an extension.

(6) The remainder after the fats etc. are burnt on the altar.

(7) In the text just quoted. That too is superfluous, and therefore extends the law to every sacrifice.

(8) Uncleaness, as quoted p. 219, n. 7; nothar: But every one that eateth it shall bear his iniquity, because he hath profaned the holy thing (same root as 'hallow') of the Lord (Lev. XIX, 8). As the interdict of defilement applies to all sacrifices, so does that of nothar. Then the scope of piggul is learnt from nothar, because 'iniquity' is written in connection with both: nothar, in the text just quoted; piggul: it shall be an abhorred thing (piggul), and the soul that eateth of it shall bear his iniquity (Lev. VII, 18): as the interdict of nothar applies to all sacrifices, so does that of piggul.

(9) Whereas a firstling does not require these.

(10) Lev. VII, 18. The E.V. has been slightly departed from so as to follow the exact order of the Hebrew, which comes under discussion. The Heb. for 'be at all eaten' is hekel yeakel, i.e., the infinitive of the verb followed by the finite form, which is the usual mode of expression. The Talmud now interprets the two forms as two generalisations (anything which is eaten), while 'peace-offerings' is a specific proposition. In that case it is a rule of exegesis that the generalisation includes everything which is similar in its general features (even if not in every detail) to the specific proposition. Hence the firstling is included, as generally speaking it is similar to the peace-offering, in spite of differing from it in several details.

(11) Whereas the exegetical rule applies to two generalisations which are separated by the specific proposition.

(12) Sc. Palestine, which lay to the west of Babylon.

(13) Hence the firstling would be included, but not sacrifices which are eaten one day only, since these differ even in the general features (the difference in length of time allowed for eating is an important one). Therefore recourse must be had to the other texts.

(14) V. Lev. XIV, 16 seq. Now, Rabbi agrees with the Rabbis that since the drink-offering can be brought after the animal sacrifice which it accompanies, the blood of the sacrifice cannot render it piggul. And when the Baraita teaches that the log of oil can be piggul, it does not mean that the blood of the guilt-offering which the leper brings renders it piggul, but the sprinklings of the oil itself do effect this: i.e., if he sprinkles the oil with the intention of consuming the remainder after time.

(15) On trespass v. p. 176, n. 10. Now, the log of oil may not be consumed until the blood is sprinkled; therefore until then it is sacred, and if one does consume it, he commits trespass. When the blood has been sprinkled, the oil is Scripturally permitted to the priests, and this Tanna holds that whatever is permitted to the priests does not involve trespass even for a zar (lay Israelite). Nevertheless, by Rabbinical law its consumption is forbidden until the seven sprinklings of the oil. Rabbi holds that it is even Scripturally forbidden until then, and therefore it still involves trespass. But they both agree that it is forbidden by Rabbinical law until all its sprinklings have been made. — From this passage we see that Rabbi holds that the oil is permitted for consumption not by the blood of the sacrifice, but by its own sprinklings.

## **Talmud - Mas. Zevachim 44b**

Lo, all agree that when the log comes separately,<sup>1</sup> its sprinklings permit it, and yet they do not render it piggul. For it was taught, A leper's log of oil involves liability on account of piggul, because the blood permits it for [sprinkling on] the thumbs: that is R. Meir's view. Said they to R. Meir: But a man can bring his guilt-offering now, and his log even ten days later! I too, he answered them, ruled [thus] only when it comes with the guilt-offering! — Rather said R. Jeremiah: In truth it agrees with R. Meir, but delete 'drink-offerings' from this passage. Abaye said: After all, you need not delete [it]. But he [first] teaches about the log which comes with the guilt-offering,<sup>2</sup> and the same applies to the drink-offering which comes with the sacrifice. And then he teaches about the drink-offering which comes separately,<sup>3</sup> and the same applies to the log which comes separately.

THE BLOOD OF THE BIRD SIN-OFFERING PERMITS ITS FLESH TO THE PRIESTS.

Whence do we know it?<sup>4</sup> — For Levi taught: [This shall be thine — the priest's . . . ] every offering of theirs:<sup>5</sup> that is to include a leper's log of oil. I might think that the Divine Law wrote, reserved from the fire,<sup>6</sup> whereas this is not reserved from the fire;<sup>7</sup> therefore it informs us [that it is not so]. Even every meal-offering of theirs<sup>8</sup> includes the meal-offering of the 'omer<sup>9</sup> and the meal-offering of jealousy.<sup>10</sup> I might think [that it is written,] And they shall eat these things wherewith atonement was made,<sup>11</sup> [whereas] the meal-offering of the 'omer comes to permit [the new corn], while the meal-offering of jealousy comes to establish guilt; therefore [the text] informs us [that it is not so]. And every sin-offering of theirs<sup>12</sup> includes the sin-offering of a bird. I might think that it is nebelah;<sup>13</sup> therefore [the text] informs us [that it is not so]. And every guilt-offering of theirs<sup>12</sup> includes a nazirite's guilt-offering and a leper's guilt-offering. I might think that these come to qualify [them];<sup>14</sup> therefore [the text] informs us [that it is not so]. But it is explicitly written that a leper's guilt-offering [is eaten]?<sup>15</sup> Rather it is to include a nazirite's guilt-offering [teaching that it is like] a leper's guilt-offering. Which they may render<sup>16</sup> includes what is taken by robbery from a proselyte.<sup>17</sup> Shall be for thee:<sup>16</sup> it shall be thine even for betrothing a woman.<sup>18</sup>

It was taught, R. Eleazar said on the authority of R. Jose the Galilean:<sup>19</sup> If [the priest] declared a piggul intention in respect of a rite which is performed without,<sup>20</sup> he renders it piggul; in respect of a rite which is performed within,<sup>21</sup> he does not render it piggul. How so? If he stood without and declared, 'Lo, I slaughter [this sacrifice intending] to sprinkle its blood to-morrow,' he does not render it piggul because it is an intention [expressed] without concerning a rite which is performed within.<sup>22</sup> If he stood within and declared, 'Lo, I sprinkle [the blood], intending to burn the emurim and pour out the residue<sup>23</sup> to-morrow,' he does not render it piggul, because it is an intention [expressed] within concerning a rite which is performed without. If he stood without and declared, 'Lo, I slaughter [this sacrifice intending] to pour out the residue to-morrow, or 'to burn the emurim to-morrow,' he renders it piggul, because it is an intention [expressed] without concerning a rite which is performed without. R. Joshua b. Levi said: Which text [teaches this]? As is taken from the ox of the sacrifice of peace-offerings.<sup>24</sup> What then do we learn from the ox of the sacrifice of peace-offerings?<sup>25</sup> [Scripture] however likens the anointed priest's bullock to the ox of the sacrifice of peace-offerings: as the ox of the sacrifice of peace-offerings [does not become piggul] unless its rites and its intentions are [done] on the outer altar,<sup>26</sup> so the anointed priest's bullock [does not become piggul] unless its intentions and its rites are [done] in connection with the outer altar. R. Nahman said in Rabbah b. Abbuha's name in Rab's name: The halachah is as R. Eleazar's ruling in the name of R. Jose. Said Raba:

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- (1) I.e., when the leper brings it some days after his guilt-offering.
  - (2) That the blood of the guilt-offering can render it piggul, though he could have brought the log later.
  - (3) That this cannot become piggul.
  - (4) That its flesh may be eaten.
  - (5) Num. XVIII, 9.
  - (6) Ibid.
  - (7) No portion of it was burnt at all.
  - (8) Ibid.
  - (9) V. Glos., and Lev. XXIII, 10-14.
  - (10) V. Num. V, 12-15.
  - (11) Ex. XXIX, 33.
  - (12) Num. XVIII, 9.
  - (13) V. Glos. The bird-offering was killed by wringing its neck (Lev. I, 14-15), whereas ordinary shechitah (ritual killing) consists of cutting the windpipe and the gullet. — Nebelah of course may not be eaten.
  - (14) A nazirite's guilt-offering qualifies him to recommence his naziriteship after becoming unclean, while a leper's guilt-offering qualifies him to partake of holy food (v. Num. VI, 9-12, Lev. XIV, where the whole ceremony of purification is described). Thus they do not come to make atonement.
  - (15) Lev. XIV, 13: for as the sin-offering is the priest's, so is the guilt-offering.

(16) Num. XVIII, 9.

(17) If a man robs a proselyte, commits perjury in denying it, and then confesses, he must return what he robbed to the proselyte, plus a fifth, and also bring a guilt-offering. But if the proselyte died in the meantime and left no heirs, the principal and the fifth belong to the Priest (v. B.K. 110a), and this is taught by the present exegesis.

(18) Which was done with money or its value. — This last refers only to the robbery of a proselyte.

(19) Sh. M. deletes 'the Galilean'.

(20) I.e., in the Temple court.

(21) In the hekal.

(22) This passage deals with the bullocks and he-goats which were burnt, about which there is a controversy in the Mishnah. Their blood was sprinkled on the inner altar in the hekal.

(23) Both were done at the outer altar.

(24) Lev. IV, 10. This refers to the anointed priest's bullock, which was burnt. After describing its rites, including the removal of the fat, Scripture proceeds, (This shall be) as (the fat which) is taken etc.

(25) The rites of removing the fat etc. are exactly described: what then does Scripture teach?

(26) I.e., unless the intention to perform its rites or to eat the flesh after time is expressed in connection with and during the performance of a rite on the outer altar—since all its rites were on the outer altar.

## Talmud - Mas. Zevachim 45a

[Do we need] a halachah [for the days of] the Messiah?<sup>1</sup> — Abaye answered: If so, we should not study the whole of 'The slaughtering of sacrifices'?<sup>2</sup> Yet we say, study and receive reward;<sup>3</sup> so in this case too, study and receive reward. [He replied] This is what I mean: Why [state] a halachah?<sup>4</sup> Another version: He replied, I mean, [Why state the] halachah?<sup>5</sup> MISHNAH. THE SACRIFICES OF HEATHENS<sup>6</sup> DO NOT INVOLVE LIABILITY ON ACCOUNT OF PIGGUL, NOTHAR, OR DEFILEMENT, AND IF [A PRIEST] SLAUGHTERS THEM WITHOUT [THE TEMPLE], HE IS NOT LIABLE: THAT IS R. SIMEON'S VIEW. BUT R. JOSE DECLARES HIM LIABLE.

GEMARA. Our Rabbis taught: You may neither benefit from the sacrifices of heathens,<sup>7</sup> nor do you commit trespass;<sup>8</sup> and they do not involve liability on account of piggul, nothar or defilement. And they [the heathens] cannot effect substitution;<sup>9</sup> and they cannot bring drink-offerings,<sup>10</sup> but their [animal] sacrifices require drink-offerings [to accompany them]: that is the view of R. Simeon.<sup>11</sup> Said R. Jose: I hold that a stringent view should be taken on all these matters,<sup>12</sup> because it is said of them, [Any man . . . that bringeth his offering . . .] unto the Lord.<sup>13</sup> This applies only to sacrifices of the altar;<sup>14</sup> but in the case of objects sacred to the Temple repair,<sup>15</sup> one does commit trespass. 'You may neither benefit nor do you commit trespass.' You may not benefit by Rabbinical law. 'Nor do you commit trespass,' because in respect of the trespass-offering identity of law is derived from the fact that 'sin' is written here and in the case of terumah.<sup>16</sup> while in respect to terumah 'the children of Israel' is written,<sup>17</sup> [which intimates,] but not [those of] heathens.

'And they do not involve liability on account of piggul, nothar or defilement.' What is the reason? — Because the scope of piggul is derived from nothar, since 'iniquity' is written in connection with both, and the scope of nothar is derived from defilement, because 'profanation' is written in connection with both; while in respect to defilement 'the children of Israel' is written,<sup>18</sup> [which intimates,] but not [those of] heathens.

'And they cannot effect substitution.' What is the reason? — Because substitution is assimilated to the tithe of cattle,<sup>19</sup> and cattle tithe is assimilated to corn tithe,<sup>20</sup> while 'the children of Israel' is written in connection with corn tithe,<sup>21</sup> [which intimates,] but not that of heathens. Can then that which is learnt through a hekkesh in turn teach through a hekkesh?<sup>22</sup> — Corn tithe is hullin.<sup>23</sup> That is well on the view that the teacher is the determining factor; but on the view that the taught is the determining factor, what can be said?<sup>24</sup> — Rather, cattle tithe is an obligation for which there is no fixed time, and as it is an obligation for which there is no fixed time, it is brought by Israelites, but

not by heathens.<sup>25</sup>

‘And they cannot bring drink-offerings.’ Our Rabbis taught: [Scripture saith,] [All that are] home-born [shall do these things after this manner:]<sup>26</sup> the home-born can bring drink-offerings but a heathen cannot bring drink-offerings. You might think then that his burnt-offering does not require a drink-offering;<sup>27</sup> therefore Scripture teaches, Thus [shall be done for each bullock etc.].<sup>28</sup>

‘Said R. Jose: I hold that a stringent view should be taken on all these matters. This applies only to sacrifices of the altar etc.’ What is the reason? — He holds that when [the scope of] trespass is derived from terumah, because ‘sin’ is written in connection with both, [it applies only to that which is] like terumah, whose holiness is intrinsic;<sup>29</sup> but not to the sanctity of the Temple repair, which is [but] monetary sanctity.<sup>30</sup>

Our Rabbis taught: If blood was defiled, and [the priest] sprinkled it unwittingly, it [the sacrifice] is accepted;

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(1) Since the Temple no longer stands there is no practical utility in this ruling, which can become effective only in the days of the Messiah, when the Temple is rebuilt.

(2) I.e., the present Tractate.

(3) Learning for its own sake is meritorious.

(4) While it is right to study the subject, the fixing of a halachah is unnecessary.

(5) Why state the accepted practice when sacrifices are obsolete? Apart from the slight verbal variants in the two versions as indicated by the square brackets, in the first version the Aramaic hilketha is used, in the second the Hebrew halachah is used.

(6) Their votive offerings to the Temple.

(7) Before the blood is sprinkled, just as is the case of all sacrifices.

(8) V. p. 176, n. 10.

(9) V. p. 22, n. 8. If the owner is a heathen, he cannot effect substitution in the sense of making the second animal holy.

(10) Unless they accompany an animal sacrifice. Whereas Israelites can do so (Men. 104b).

(11) Possibly ‘that . . . R. Simeon’ should be deleted.

(12) The sacrifices of heathens should be treated as stringently as those of Israelites.

(13) Lev. XXII, 18. In Hul. 13b this verse is made to include the sacrifices of heathens; thus these too are ‘unto the Lord’ just as those of Israelites, and therefore they must be treated with equal severity.

(14) I.e., unblemished animals, which will be sacrificed on the altar.

(15) This is the technical designation of anything which is dedicated to the Temple, whether it be a blemished animal which cannot be sacrificed or any other object; it is then used for some Temple purpose.

(16) Trespass: If a soul commit a trespass, and sin through ignorance in the holy things of the Lord (Lev. V, 15); terumah: Lest they bear sin for it (Ibid. XXII, 9).

(17) Ibid. 15: And they shall not profane the holy things of the children of Israel.

(18) Lev. XXII, 2: Speak unto Aaron and to his sons, that they separate themselves (when unclean) from the holy things of the children of Israel.

(19) Ibid. XXVII, 32f: And all the tithes of the herd or the flock . . . the tenth shall be holy unto the Lord. He shall not . . . change it etc. Thus substitution of sacrifices in general, to which the second verse refers, is made part of the law of substitution of tithes.

(20) Deut. XIV, 22: Thou shalt surely tithe all the increase of thy seed. The emphatic ‘thou shalt surely tithe’ is expressed in Heb. as usual by the repetition of the verb; this repetition is Talmudically interpreted as referring to two tithes, cattle-tithe and corn-tithe. Thus they are assimilated to each other by being included in the same text.

(21) Num. XVIII, 26: When ye take of the children of Israel the tithes which I have given you.

(22) It is only by analogy with corn-tithe that we learn that the law of cattle does not operate in respect of the cattle of heathens. Can that in turn teach that the law of substitution does not operate in respect of heathens’ sacrifices?

(23) And only in the case of holy things is this exegesis not permitted.

(24) The ‘teacher’ is corn-tithe, which throws light on ‘cattle-tithe’, which is the ‘taught’. Here the ‘teacher’ is hullin,

whereas the 'taught' is holy: if the 'teacher' is the determining factor, then the 'teacher' is indeed hullin and the exegesis is permitted; but if the 'taught' is the determining factor, then the 'taught' is holy, and so that exegesis is not allowable.

(25) As they can bring only votive offerings. — They do not bring obligatory offerings for which there is a fixed time either e.g., the festival peace-offerings. Nevertheless this is not mentioned, since they can bring peaceofferings in general; but the law of cattle-tithe does not apply to them at all.

(26) Num. XV, 13. 'These things' refers to the rites enumerated in the preceding passage, which includes the bringing of drink-offerings.

(27) To accompany it, as does the burnt-offering of an Israelite.

(28) Ibid. 11. Thus Scripture makes the sacrifice, not the donor, the determining factor.

(29) Terumah itself is holy and must be treated as such, similarly the sacrifices of the altar.

(30) When an object is dedicated to the Temple repair fund, that object itself is sacred only in so far that it must be redeemed and the redemption money expended on sacred purposes. But when it is redeemed it loses its sanctity.

## **Talmud - Mas. Zevachim 45b**

if deliberately, it is not accepted.<sup>1</sup> This was said only of a private sacrifice, but a public sacrifice, whether done unwittingly or deliberately, is accepted. But a heathen ['s sacrifice], whether it is done unwittingly or deliberately, is not accepted. Now, the Rabbis stated the following in R. Papa's presence: With whom does this agree? Not with R. Jose, for if [it agrees with] R. Jose, surely he said: I hold that a stringent view should be taken on all these matters?<sup>2</sup> Said R. Papa to them: You may even say [that it agrees with] R. Jose: there it is different, because Scripture says, [that it may be accepted] for them [before the Lord]:<sup>3</sup> for them, but not for heathens. Said R. Huna the son of R. Nathan to R. Papa: If so, [when Scripture says,] [Speak unto Aaron and to his sons, that they separate themselves from the holy things of the children of Israel] which they hallow unto Me,<sup>4</sup> does that also mean: They, but not heathens?<sup>5</sup> — Rather said R. Ashi: Scripture says, 'that it may be accepted for them', whilst heathens are not subject to 'acceptance'.

MISHNAH. THE THINGS WHICH DO NOT INVOLVE LIABILITY ON ACCOUNT OF PIGGUL,<sup>6</sup> INVOLVE LIABILITY ON ACCOUNT OF NOTHAR AND DEFILEMENT EXCEPT BLOOD. R. SIMEON DECLARES ONE LIABLE IN RESPECT OF ANYTHING WHICH IS NORMALLY EATEN, BUT THE WOOD, THE FRANKINCENSE AND THE INCENSE DO NOT INVOLVE LIABILITY ON ACCOUNT OF DEFILEMENT.

GEMARA. Our Rabbis taught: You might think that liability on account of defilement is incurred only in respect of that which has mattirin both for man and for the altar;<sup>7</sup> and that is logical: If liability on account of piggul is incurred only in respect of that which has mattirin both for man and for the altar, though it is fixed [invariable], and [is incurred] in one state of awareness, and was never permitted contrary to its general prohibition;<sup>8</sup> then surely it is logical that defilement involves liability only in respect of that which has mattirin both for man and for the altar, seeing that it requires a variable burnt-offering,<sup>9</sup> two states of awareness,<sup>10</sup> and is [sometimes] permitted in opposition to its general prohibition. Therefore Scripture wrote, [Speak unto Aaron and to his sons, that they separate themselves from the holy things of the children of Israel,] which they hallow unto Me.<sup>11</sup> You might think [that liability is involved] immediately;<sup>12</sup> therefore Scripture teaches, [Whoever he be . . .] that approacheth [unto the holy things . . . having his uncleanness upon him, that soul shall be cut off from before Me].<sup>13</sup> Now R. Eleazar said: Is then one who [merely] touches [the holy things] liable?<sup>14</sup> Why does it say 'that approacheth'?<sup>15</sup> [To teach that] the Writ speaks of flesh which was made fit to be offered.<sup>16</sup> How so? If it has mattirin, [culpability is incurred] only when the mattirin have been offered; if it has no mattirin, [culpability is incurred] as soon as it is sanctified in a [sacred] vessel.

We have thus found [it of] defilement. How do we know [it of] nothar?<sup>17</sup> Identity of law with defilement is learnt from the fact that 'profanation' is written in both. Yet let us learn identity of law

from piggul, because 'iniquity' is written in connection with both? — Reason asserts that we should learn it from uncleanness, because [they are alike in respect of] Gezel, [this being a] mnemonic.<sup>18</sup> On the contrary, one should learn it from piggul, because [it resembles it in the following points:] permissibility, the headplate, cleanness, time, that which is offered; and these are more numerous?<sup>19</sup> — Rather, it [is derived] from Levi's teaching. For Levi taught: How do we know that the Writ speaks of time disqualification too?<sup>20</sup> Because it says, That they profane not [My holy name]:<sup>21</sup>

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(1) Lit., 'made acceptable'. The language is Biblical, cf. Lev. I, 4: and it shall be accepted for him to make atonement for him — i.e., the sacrifice effects its purpose. By Biblical law it is accepted in both cases, but the Rabbis penalized the priests by not permitting the flesh to be eaten when it was done deliberately.

(2) Thus he regards the heathen's sacrifice the same as an Israelite's sacrifice; then here too the same law should apply to both.

(3) Ex. XXVIII, 38. The passage refers to the wearing of the headplate by the High Priest, and teaches (according to the Talmudic interpretation) that in virtue of this wearing sacrifices are accepted, i.e., valid, even when the blood is defiled.

(4) Lev. XXII, 2.

(5) I.e., that unclean priests need not separate themselves from the sacrifices of heathens. — Surely R. Jose said that he takes a stringent view in all these matters?

(6) As enumerated in the Mishnah 42b seq.

(7) V. notes on Mishnah 42b.

(8) The sin-offering for eating piggul is fixed, and is the same for rich and poor alike — a lamb or a she-goat. It is incurred in one state of awareness, i.e., to be liable it is not necessary that one should know at first that it is piggul, then forget and eat it, and then become aware of it again, as it is in the case of defilement (v. note 2, p. 230). If only one ate it unwittingly, not having known at all that it was unclean, and then become aware of it, there is culpability. Again, the prohibition of piggul is never raised, even if all the sacrifices of the whole community had been rendered piggul, whereas in the case of uncleanness, if the whole community was in a state of uncleanness, the Passover-offering is brought and is eaten in that same state too.

(9) A wealthy man offers an animal-sacrifice; a poor man two doves; and a very poor man offers the tenth of an ephah of meal.

(10) For one to be culpable he must have known at first that it was unclean, then forgotten and eaten it, and then learn of its uncleanness again (Shebu. 4a).

(11) Lev. XXII, 2. The passage refers to uncleanness, and 'which they hallow unto Me' is an extension (being superfluous in itself), and therefore includes all hallowed things.

(12) As soon as it is dedicated liability is incurred for eating it in an unclean state.

(13) Ibid. 3.

(14) Surely not, for culpability is incurred only for eating (as in v. 4.)!

(15) Which implies mere touch.

(16) 'Offered' is the same root as 'approacheth';

(17) That there is liability even where there are no mattirin.

(18) G = Guf (body); Z = Zerikah (sprinkling); and L = hillul. Nothar and defilement are both intrinsic (i.e., bodily) disqualifications in the flesh, whereas piggul is disqualification through intention. Nothar and defilement do not disqualify through the sprinkling of the blood, whereas piggul does. And finally, hillul (profanation) is written in connection with nothar and defilement, but not in connection with piggul.

(19) (i) Nothar and piggul are never permitted in opposition to the general interdict, whereas defilement is. (ii) The headplate does not propitiate for these, though it does in the case of defilement (v. supra a bottom and note a.1.). (Though we are now discussing the uncleanness of the person, whereas the headplate propitiates only if the blood of the sacrifice is unclean, nevertheless it is true to say that the headplate does propitiate in a case of uncleanness.) (iii) Nothar and piggul are both clean. (iv) Both are disqualified through the time element, nothar because it was left until after the proper time, piggul because of an illegitimate intention in respect of after time. Finally, (v) they are both disqualifications in respect of the sacrifice, which is offered; whereas defilement is a disqualification of the priest, who offers it.

(20) Such as nothar.

(21) Lev. XXII, 2.

## Talmud - Mas. Zevachim 46a

the Writ speaks of two modes of profanation, viz., the disqualification of nothar and the disqualification of defilement.<sup>1</sup>

EXCEPT BLOOD etc. Whence do we know it? — Said ‘Ulla, Scripture saith, [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]:<sup>2</sup> [this teaches,] it is yours.<sup>3</sup> The school of R. Ishmael taught: ‘To make atonement’ [implies] but not for trespass. R. Johanan said: Scripture saith, it is [which intimates,] it is before atonement as after atonement: as there is no trespass after atonement,<sup>4</sup> so there is no trespass before atonement. Say, it is after atonement as before atonement: as it involves trespass before atonement,<sup>5</sup> so it involves trespass after atonement? — Nothing involves trespass once its function is performed. Does it not? But lo, there are the separated ashes?<sup>6</sup> — That is because the separated ashes and the priestly vestments<sup>7</sup> are [taught in] two texts which come for the same purpose,<sup>8</sup> and wherever two texts come for the same purpose, they do not illumine [other cases].<sup>9</sup> That is well according to the Rabbis who maintain that, [And Aaron . . . shall put off the linen garments . . . ] and shall leave them there<sup>10</sup> teaches that they must be stored away.<sup>11</sup> But what can be said on the view of R. Dosa, who maintained [that] they are permitted to an ordinary priest, only that he [the High Priest] does not use them on another Day of Atonement? — Because the separated ashes and the beheaded heifer<sup>12</sup> are [taught in] two texts which come for the same purpose, and wherever two texts come for the same purpose, they do not illumine [other cases]. That is well on the view that they do not illumine; but what can be said on the view that they do illumine? — Two limitations are written:<sup>13</sup> here is written, [over the heifer] whose neck was broken;<sup>14</sup> while there it says, [And he shall take up the ashes . . . ] and he shall put them [beside the altar].<sup>15</sup> Now, why do I need three texts in connection with blood?<sup>16</sup> One excludes it from trespass, another from nothar, and a third from defilement.<sup>17</sup> But no text is required for piggul for we learnt: Whatever has mattirin, whether for man or for the altar, involves liability on account of piggul: whereas blood is itself a mattir.

R. Johanan said: For what purpose is kareth stated three times in connection with peace-offerings?<sup>18</sup>

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(1) The two profanations are deduced from the fact that Scripture employs a longer form, yehallelu (profane) instead of yehallu.

(2) For it is — hu — the blood that maketh atonement by reason of the life. (Lev. XVII, 11).

(3) ‘Ulla said this in reference to trespass: ‘it is yours’ means that in respect of trespass it is treated as secular, and so involves no offering for misappropriation. The deductions by the school of R. Ishmael and R. Johanan which follow, point to the same conclusion. Thus we have three texts shewing that blood does not involve trespass; since three are unnecessary for this purpose, they are ultimately employed to teach that blood does not involve liability in respect of nothar, trespass, and defilement.

(4) After the blood has been sprinkled and atonement thereby made, there is no trespass in putting it to secular use, since it is no longer required for a sacred purpose.

(5) This would have to be assumed in default of a text to the contrary. R. Johanan of course does not deduce the contrary from the other texts.

(6) A shovelful of ashes was removed every day from the altar and placed at the east side of the altar, where they might not be used, though their function had already been performed, but left to become absorbed in their place.

(7) The four additional vestments worn by the High Priest when he entered the Holy of Holies on the Day of Atonement. On leaving it he removed them, and they might not be put to secular use. Both these cases are deduced from Scriptural texts.

(8) In both trespass is involved after their function has been fulfilled.

(9) For if they were to serve as an illustration for others, one only need be stated, and the other, together with other cases, would follow.

(10) Lev. XVI, 23.



(11) And not used. Thus there are two such instances.

(12) V. Deut. XXI, 9. The Rabbis deduce from the superfluous 'there' in the passage, and shall break the heifer's neck there in the valley (v. 4), that the heifer must be buried there and not put to any use.

(13) Sh. M. deletes 'two'.

(14) Deut. XXI v. 6; lit. 'the broken-necked'. The deduction is from the article 'the': only this animal whose function has been performed may still not be used, but no other similar sacred animal, i.e., one whose function has been performed, may not be used.

(15) Lev. VI, 3. Here too 'them' implies, only these ashes may not be used in such a case, but other sacred things may be used after their function has been performed.

(16) To shew that blood does not involve trespass. This is the completion of the answer to the question, 'How do we know that blood does not create liability for nothar' etc., as explained p. 231. n. 7.

(17) I.e., that blood does not involve culpability on account of these.

(18) V. Lev. VII, 20, 21; XXII, 3.

## Talmud - Mas. Zevachim 46b

One to serve as a generalizations the second as a particularization,<sup>1</sup> and the third [is required] in respect of things which are not eaten.<sup>2</sup> And according to R. Simeon who maintained that the things which cannot be eaten do not involve liability on account of uncleanness, what does it include? — It includes the inner sin-offerings. You might think that since R. Simeon said, Whatever does not come on the outer altar, like peace-offerings, does not involve liability on account of piggul then it does not involve liability on account of uncleanness either. Hence [Scripture] informs us [that it is not so].

Said R. Simeon: That which is normally eaten etc.<sup>3</sup> It was stated, R. Johanan and Resh Lakish, R. Eleazar and R. Jose son of R. Hanina [are the pairs concerned in the following discussion], one of the former pair and one of the latter pair: One maintained: The controversy [in the Mishnah] refers to uncleanness of the flesh;<sup>4</sup> but in the case of personal uncleanness all agree that [the offender] is not flagellated. But the other maintained: As there is a controversy in the one case, so is there in the other. [Raba said, Logic supports the view that as there is a controversy in the one case, so is there in the other.]<sup>5</sup> What is the reason? — Since the text, And the flesh that toucheth any unclean thing<sup>6</sup> is applicable to it, then the text having his uncleanness upon him<sup>7</sup> is applicable to it too.<sup>8</sup> That is how R. Tabyomi recited [this discussion]. R. Kahana recited [the views of] one of the former pair and one of the latter pair as referring to the final clause:<sup>9</sup> One maintained: The controversy refers to personal uncleanness, but in the case of uncleanness of flesh all agree that he is flagellated. While the other maintained: As there is a controversy in the one case, so is there in the other. Raba said, Logic supports the view that as there is a controversy in the one case, so is there in the other. What is the reason? — Since the text, 'Having his uncleanness upon him', is not applicable to it,<sup>10</sup> the text, 'And the flesh that toucheth any unclean thing' is not applicable to it. But surely a master said: 'And the flesh' is to include the wood and the frankincense?<sup>11</sup> — That is a mere disqualification.<sup>12</sup>

MISHNAH. THE SACRIFICE IS SLAUGHTERED FOR THE SAKE OF SIX THINGS: FOR THE SAKE OF THE SACRIFICE, FOR THE SAKE OF THE SACRIFICER, FOR THE SAKE OF THE [DIVINE] NAME, FOR THE SAKE OF FIRE-OFFERINGS, FOR THE SAKE OF A SAVOUR, FOR THE SAKE OF PLEASING, AND A SIN-OFFERING AND A GUILT-OFFERING FOR THE SAKE OF SIN. R. JOSE SAID: EVEN IF ONE DID NOT HAVE ANY OF THESE PURPOSES IN HIS HEART, IT IS VALID, BECAUSE IT IS A REGULATION OF THE BETH DIN, SINCE THE INTENTION IS DETERMINED ONLY BY THE CELEBRANT.<sup>13</sup>

GEMARA. Rab Judah said in Rab's name: [Scripture says, It is a burnt-offering, an offering made by fire, of pleasing savour unto the Lord].<sup>14</sup> 'A burnt-offering' [intimates that it must be slaughtered] for the sake of a burnt-offering, excluding [where it is slaughtered] for the sake of a peace-offering,

in which case it does not [acquit the owner of his obligation]. 'An offering made by fire' [intimates that] it must be for the sake of an offering made by fire, excluding the charring of the meat,<sup>15</sup> which is not [valid]. 'Savour' [intimates that] it must be for the sake of a savour: this excludes the roasting of limbs [elsewhere] and bringing them up [on the altar], which is not [valid].<sup>16</sup> For Rab Judah said in Rab's name: If one roasted limbs and took them up on to the altar, they do not fulfil the requirements of 'savour'. 'Pleasing' [intimates that] it must be for the sake of pleasing the Lord, for the sake of Him who spoke and called the world into existence.

Rab Judah said in Rab's name: If one slaughtered a sin-offering under the designation of a burnt-offering, it is invalid; [if one slaughtered it] under the designation of hullin, it is valid. R. Eleazar<sup>17</sup> said: What is Rab's reason? — And they shall not profane the holy things of the children of Israel:<sup>18</sup> 'holy things' profane 'holy things', but hullin does not profane holy things.<sup>19</sup>

Rabbah raised an objection: R. JOSE SAID: EVEN IF ONE DID NOT HAVE ANY OF THESE PURPOSES IN HIS HEART, IT IS VALID, BECAUSE IT IS A REGULATION OF THE BETH DIN. Thus it is only because he had no [purpose] in his heart at all; hence, if he intended it<sup>20</sup> for the sake of hullin, it is invalid? — Said Abaye to him: Perhaps [this deduction is to be made]: if he had no intention at all, it is valid and propitiates while if he intended it for the sake of hullin it is valid but does not propitiate.<sup>21</sup>

R. Eleazar said: If one slaughters a sin-offering for the sake of hullin,<sup>22</sup> it is valid; [if one slaughtered it] as hullin,<sup>23</sup> it is invalid.<sup>24</sup> This is as the question which Samuel asked R. Huna:

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(1) When anything is included in a generalization, and is then made the subject of a particularization, it throws light not only upon itself but upon everything included in the generalisation. Now Lev. XXII,3 (q.v.) is a generalization, including all 'holy things' and thus the peace-offering too. The latter is therefore singled out in Lev. VII, 20 to teach that as peace-offerings are of the 'holy things' of the altar, so does the 'holy things' in XXII,3 also mean those belonging to the altar, sc. sacrifices.

(2) E.g., the wood used on the altar and the frankincense. If one nevertheless ate these whilst unclean, he incurs kareth.

(3) As in the Mishnah, 45b, with slight variation. V. Rashi on the Mishnah.

(4) Hence of the wood and incense.

(5) Bracketed passage added by Sh. M.

(6) Lev. VII, 19.

(7) Ibid. 20.

(8) I.e., if the first text applies to wood and frankincense, then the second does too.

(9) I.e., to R. Simeon's exemption from liability.

(10) In the Rabbis' view. — Before he said, 'is applicable to it', as he referred to R. Simeon's view.

(11) Supra 34a.

(12) The law disqualifying unclean wood and frankincense is only Rabbinical, this Biblical interpretation being a mere support.

(13) The priest who performs the service, and not the owner of the sacrifice. If the former intended it for a different purpose, it counts as a sacrifice so offered, notwithstanding that the owner intended it for its rightful purpose. — V. supra 2b for notes.

(14) Lev. I, 13.

(15) I.e., the intention to make roast pieces of flesh.

(16) Since the 'savour' is then not made on the altar.

(17) Sh. M.: Elai.

(18) Lev. XXII, 15.

(19) Cf. supra 3a, 5a.

(20) Lit. 'if he had in his heart.'

(21) The owner is not acquitted of his obligation; cf. supra 2a.

(22) I.e., he knew that it was a sin-offering, and yet slaughtered it for the sake of hullin.

(23) Thinking that it was hullin.

(24) Since in his mind he was not engaged with sacrifices at all.

## Talmud - Mas. Zevachim 47a

How do we know that when one is unaware engaged in sacrifices,<sup>1</sup> it [the sacrifice] is invalid? Because it says, And he shall kill the bullock before the Lord,<sup>2</sup> [which intimates] that the killing must be for the sake of the bullock.<sup>3</sup> We know this,<sup>4</sup> said he to him, [but] how do we know that [awareness] is indispensable?<sup>5</sup> Ye shall slaughter it with your will,<sup>6</sup> said he, [which teaches,] slaughter it with your knowledge.<sup>7</sup>

SINCE THE INTENTION IS DETERMINED ONLY BY THE CELEBRANT. Our Mishnah does not agree with the following Tanna. For it was taught, R. Eleazar son of R. Jose said: I have heard that the owner [of the sacrifice] renders [it] piggul!<sup>8</sup> Raba said: What is R. Eleazar son of R. Jose's reason? Because Scripture says, Then shall he that offereth [his offering] present [unto the Lord etc.]<sup>9</sup>

Abaye said: R. Eleazar son of R. Jose, R. Eliezer and R. Simeon b. Eleazar all hold that when one expresses an intention while another performs the act,<sup>10</sup> it is an [effective] intention. R. Eleazar son of R. Jose: this [view] that we have stated.<sup>11</sup> R. Eliezer: as we learnt: If one slaughters for a heathen, his shechitah is fit; but R. Eliezer declares it unfit.<sup>12</sup> R. Simeon b. Eleazar: as it was taught: R. Simeon b. Eleazar stated a general rule: That which is not fit to put away, and such is not [generally] put away, yet it did become fit to a certain person<sup>13</sup> and he did put it away, and then another came and carried it out, the latter is rendered liable through the former's intention.<sup>14</sup>

Now, both of them<sup>15</sup> agree with R. Eleazar son of R. Jose: if we say [thus] without, is there a question about within?<sup>16</sup> R. Eleazar son of R. Jose does not agree with the other two: perhaps he ruled thus only [in reference to] within, but not [in reference to] without.<sup>17</sup> R. Simeon b. Eleazar agrees with R. Eliezer: if we say [thus] in connection with the Sabbath, is there a question about idolatry?<sup>18</sup> R. Eleazar does not agree with R. Simeon b. Eleazar: perhaps you rule thus only in connection with idolatry, because it is similar to 'within';<sup>19</sup> but in the case of the Sabbath, the Torah interdicted only a considered labour.<sup>20</sup>

### CHAPTER V

MISHNAH. WHICH IS THE PLACE [FOR THE RITES] OF SACRIFICES? THE SLAUGHTERING OF SACRIFICES OF THE HIGHER SANCTITY IS AT THE NORTH [SIDE OF THE ALTAR]. THE SLAUGHTERING OF THE BULLOCK AND THE HE-GOAT OF THE DAY OF ATONEMENT IS [DONE] AT THE NORTH, AND THE RECEPTION OF THEIR BLOOD IS [PERFORMED] WITH SERVICE VESSELS AT THE NORTH, AND THEIR BLOOD REQUIRES SPRINKLING BETWEEN THE STAVES [OF THE ARK], ON THE VEIL, AND ON THE GOLDEN ALTAR; [THE OMISSION OF] A SINGLE APPLICATION OF THESE INVALIDATES [THE CEREMONY]. THE RESIDUE OF THE BLOOD HE [THE PRIEST] Poured out on the western base of the outer altar, BUT IF HE DID NOT POUR IT OUT, HE DID NOT INVALIDATE [THE SACRIFICE].

AS FOR THE BULLOCKS WHICH WERE BURNT<sup>21</sup> AND THE HE-GOATS WHICH WERE BURNT,<sup>22</sup> THEIR SLAUGHTERING IS [DONE] AT THE NORTH, AND THE RECEPTION OF THEIR BLOOD IS [DONE] AT THE NORTH, AND THEIR BLOOD REQUIRES SPRINKLING BETWEEN THE STAVES [OF THE ARK], ON THE VEIL, AND ON THE GOLDEN ALTAR;

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(1) He slaughters a sacrifice, but without such intention.

(2) Lev. I, 5.

(3) I.e., he must intend to kill a sacred animal as a sacrifice.

(4) Lit. 'this is in our hands'.

- (5) In the sense that the sacrifice is otherwise invalid. The text quoted may merely teach that intention is required, but not that the sacrifice is invalid in default thereof.
- (6) Lev. XIX, 5. This is the literal translation. E.V.: Ye shall offer it that ye may be accepted.
- (7) With the knowledge that it is a sacrifice. Thus this refutes the teaching of Lev. I, 5, and it shews that such awareness is indispensable.
- (8) While the priest was performing its rites.
- (9) Num. XV, 4. Lit. translation. Thus the owner is called 'he that offereth', and so is included in the text, neither shall it be imputed unto him that offereth it: it shall be an abhorred thing (piggul) — Lev. VII, 18: hence he can render the sacrifice piggul.
- (10) Concerning which the intention is expressed.
- (11) His ruling supra.
- (12) The animal belonged to a heathen, and it is assumed that a heathen tacitly intends his animal to be slaughtered in honour of his deity, which makes it unfit for food. R. Eleazar maintains that it is unfit even though the act of shechitah is performed by a Jew, while the intention is performed by the heathen.
- (13) He found a use for it.
- (14) The passage refers to the Sabbath. V. Shab. 75b, 76a.
- (15) R. Eliezer and R. Simeon b. Eleazar.
- (16) Surely not. 'Within' means in the Temple; 'without', outside the Temple. Now, R. Eliezer and R. Simeon b. Eleazar stated their views in reference to a heathen and the Sabbath respectively (cases 'without' the Temple), and though the law of intention is not written in connection with these at all, they hold that where one man performs an act, another man's intention in reference thereto is effective. Then they will certainly hold the same in reference to sacrifices, where the disqualification of an illegal intention is actually written.
- (17) By the same argument as in the preceding note.
- (18) Surely not. Idolatrous acts of sacrifice involve culpability only when they are of the same nature as the acts performed in true sacrifice (Sanh. 60b). Hence it is natural that in respect to intention too they are similar.
- (19) As in preceding note.
- (20) I.e., culpability is involved only when one performs a real labour, and which he (or people in general) consider as such. Here, however, his action would not normally be considered carrying, and another man's intention cannot make it so.
- (21) Sc. the bullocks brought as sin-offerings when either the whole community or the anointed priest sinned. These were not eaten by the priests but burnt without Jerusalem (Lev. IV, 12, 21; Yoma 68a).
- (22) Sc. the he-goats brought for the sin of idolatry.

## **Talmud - Mas. Zevachim 47b**

[THE OMISSION OF] A SINGLE ONE OF THESE APPLICATIONS INVALIDATES [THE SACRIFICE]. THE RESIDUE OF THE BLOOD HE [THE PRIEST] POURED OUT ON THE WESTERN BASE OF THE ALTAR; BUT IF HE DID NOT POUR IT OUT, HE DID NOT INVALIDATE [THE SACRIFICE]. BOTH OF THESE<sup>1</sup> WERE BURNT AT THE ASHPIT.<sup>2</sup> GEMARA. Yet let him [the Tanna] also teach [in the very first clause]. And the reception of their blood is [done] in a service vessel at the north? — Since there is the leper's guilt-offering,<sup>3</sup> whose blood is received in the hand, he omits it. Is it then not [received in a vessel]? Surely he teaches later on: As for a nazirite's guilt-offering and a leper's guilt-offering, their slaughtering is at the north, and the reception of their blood is [done] with a service vessel at the north?<sup>4</sup> — At first he thought that the blood was received in the hand, [and so] he omitted it.<sup>5</sup> But when he saw that it cannot be done adequately without a vessel [also being used], he re-included it. For it was taught: And the priest shall take [of the blood of the guilt-offering]:<sup>6</sup> You might think, with a vessel; but Scripture adds, and the priest shall put it [etc.]:<sup>7</sup> as the putting must be by the very priest himself, so the taking must be by the very priest himself. You might think that it is likewise for the altar.<sup>8</sup> Therefore Scripture states, For as the sin-offering so is the guilt-offering:<sup>9</sup> as the sin-offering requires a vessel [for the reception of the blood], so does the guilt-offering require a vessel. Thus you must conclude that two priests received the blood of a leper's guilt-offering, one in his hand and the other in a vessel. He

who received it in a vessel went to the altar, and he who received it in his hand went to the leper.

- (1) The sin-offerings of the Day of Atonement and the other sin-offerings which were burnt.
- (2) The place where the ashes of the outer altar were deposited.
- (3) A sacrifice of higher sanctity.
- (4) *Infra* 54b.
- (5) The mention of the reception of the blood in the introductory clause.
- (6) Lev. XIV, 14.
- (7) *Ibid.*
- (8) That the blood which is sprinkled on the altar too is not received in a vessel.
- (9) *Ibid.* 13. This rendering follows the exact order of the Hebrew.

## Talmud - Mas. Zevachim 48a

AS FOR THE BULLOCK AND THE HE-GOAT OF THE DAY OF ATONEMENT etc. Consider: the north [side of the altar] is written in connection with the burnt-offering, then let him teach [about] the burnt-offering first?<sup>1</sup> — Because this is deduced about the sin-offering by exegesis, he cherishes it more.<sup>2</sup> Then let him teach the outer sin-offerings [first]?<sup>3</sup> — Because the blood of these [which he does enumerate] enters the inner sanctuary, he cherishes it more.<sup>4</sup>

Now, where is the north written in connection with the burnt-offering? — And he shall kill it on the side of the altar northward.<sup>5</sup> We have thus found [it of] the flocks;<sup>6</sup> how do we know [it of] the herd? — Scripture saith, And [we] if his offering be of the flock:<sup>7</sup> the waw [and] continues<sup>8</sup> the preceding section, so that the [subject] above may be deduced from [that] below.<sup>9</sup> That is well on the view that you can learn<sup>10</sup> [the subject above from that below]; but on the view that you cannot learn [it thus], what can be said? For it was taught: And if any one sin etc.;<sup>11</sup> this teaches that one is liable to a guilt-offering of suspense on account of doubtful trespass:<sup>12</sup> that is R. Akiba's ruling. But the Sages exempt [him]. Surely then they disagree in this: one master holds that we learn [the subject above from that below],<sup>13</sup> while the other master holds that we do not learn it? — Said R. Papa: All agree that we do learn [thus], but this is the Rabbis' reason:<sup>14</sup> mizwoth<sup>15</sup> is employed here, and mizwoth is employed in connection with the sin-offering of forbidden fat:<sup>16</sup> as there it means a law whose deliberate infringement entails kareth and its unwitting infringement entails a sin-offering, so here too<sup>17</sup> [it is entailed only by] that whose deliberate infringement entails kareth, while its unwitting infringement involves a sin-offering.<sup>18</sup> And R. Akiba?<sup>19</sup> — As there it is fixed, so here it is fixed, thus excluding the sin-offering for the defilement of the sanctuary and its sacred objects [sacrifices], which is variable.<sup>20</sup> And the Rabbis?<sup>21</sup> — There is no semi gezerah shawah.<sup>22</sup> But R. Akiba too [surely admits that] there is no semi gezerah shawah? — That indeed is so; here, however, they differ in this: R. Akiba holds: 'And if a soul' is written, and the waw indicates conjunction with the preceding subject.<sup>23</sup> But [according to] the Rabbis too, surely it is written, And if a soul?<sup>24</sup> Shall we say that they differ in this: one master holds that a hekkesh is stronger; while the other master holds that a gezerah shawah is stronger?<sup>25</sup> — No: all agree that the gezerah shawah is stronger, but the Rabbis can answer you: the subject below is learnt from that above, that the guilt-offering must be [two] silver shekels in value,<sup>26</sup> so that you should not say: Surely the doubt cannot be more stringent than the certainty: as the certainty [of sin] requires a sin-offering [even] a sixth [of a zuz in value], so [for] the doubt a guilt-offering of a sixth [of a zuz] is sufficient.<sup>27</sup> Now, how does R. Akiba know this? — He deduces it from [the text,] And this is the law of the guilt-offering,<sup>28</sup> [which intimates that] there is one law for all guilt-offerings. That is well on the view that 'law' can be [so] interpreted; but on the view that 'law' cannot be so interpreted, whence does he derive [it]? — He derives [it] from the repetition of 'according to thy valuation.'<sup>29</sup> [But] what can be said of the guilt-offering of a maidservant promised in marriage,<sup>30</sup> where according to thy valuation' is not written? — He derives [it from] the repetition of 'with the ram.'<sup>31</sup>

How do we know that a sin-offering requires the north? — Because it is written, And he shall kill the sin-offering in the place of the burnt-offering.<sup>32</sup> We have found [it of] slaughtering: how do we know [it of] receiving? Because it is written, And the priest shall take of the blood of the sin-offering.<sup>33</sup> How do we know that the receiver himself [must stand in the north]?<sup>34</sup> The text says, ‘And he shall take’, [which intimates,] he shall [be]take himself [to the place where the blood is received].<sup>35</sup> We have thus found [it as] a regulation; how do we know that it is indispensable?<sup>36</sup> — Another text is written, And he shall kill it for a sin-offering in the place where they kill the burnt-offering;<sup>37</sup> and it was taught: Where is the burnt-offering slaughtered? in the north: so this too<sup>38</sup> is [slaughtered] in the north.

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(1) V. infra 53b.

(2) I.e., the Tanna is more desirous of teaching the results of exegesis than what Scripture states explicitly, and therefore he gives them preference.

(3) V. infra 52b.

(4) It is more important in his eyes, and hence he teaches it first.

(5) Lev. I, 11.

(6) To which the text refers.

(7) Ibid. 10; and is expressed by the letter waw in Heb., punctuated we.

(8) Lit., ‘adds to’.

(9) When a passage commences with ‘and’, this conjunction links it with the previous portion, and a law stated in one applies to the other too. Here the subject above is the burnt-offering of the herd, and the subject below is that of the flock.

(10) By means of a conjunction waw.

(11) Lev. V, 17.

(12) V. Mishnah infra 54b. Now, the subject immediately preceding deals with the guilt-offering for putting sacred things to secular use (vv. 14-16), when the offender learns that he has definitely sinned. If one is in doubt whether he has offended, this text teaches that he must bring a guilt-offering of suspense (i.e., doubt). The doubt arises thus: Two things lie before a man, one of which he puts to secular use. Subsequently he learns that one of these was sacred, and he does not know which.

(13) And if any one sin introduces the law of the guilt-offering of suspense for doubtful sin. By learning the subject above from it, it follows that this is entailed by doubtful trespass too.

(14) For not doing so here.

(15) Lit. ‘commandments’: and if any one sin, and do any of the mizwoth (E.V. things) which the Lord hath commanded not to be done etc.

(16) Lev. IV, 27. Forbidden fat is not mentioned there, but ‘a sin-offering of forbidden fat’ is the usual designation in the Talmud for an ordinary sin-offering. The reason is because Ye shall eat neither fat nor blood (Lev. III, 17) is followed by Ch. IV, which deals with sin-offerings (Rashi in Sot. 15a). Asheri (in Ned. 4a) explains the reason because the most usual form of sinning thus is eating forbidden fat through having it in the house.

(17) Sc. the guilt-offering of suspense.

(18) I.e., a guilt-offering of suspense is brought only when one is in doubt whether he has committed an offence, which, if certainly committed, entails kareth or a sin-offering. But the secular misuse of sacred property does not involve a sin-offering, consequently one is not liable to a guilt-offering for doubtful trespass.

(19) How does he interpret this gezerah shawah?

(20) Lit., ‘ascends (in value) and descends’. — The ordinary sin-offering is fixed and the same for rich and poor alike. This gezerah shawah then teaches that a guilt-offering of suspense is incurred only for the doubtful violation of a law which, if definitely violated, involves a fixed sin-offering. But if one is doubtful whether he entered the Temple whilst unclean, he does not bring a guilt-offering of suspense, because if he were certain he would only be liable to a variable sacrifice (v. Lev. V, 1-10).

(21) What is their view on this?

(22) A gezerah shawah shews similarity in all respects, not in some only.

(23) As above.

(24) And it was stated above that all agree that the subject above is learnt from that below.

(25) The hekkesh or analogy arises from the waw, which couples both subjects. Thus apparently the Rabbis give preference to the gezerah shawah, while R. Akiba gives preference to the hekkesh (only one can be employed here, since they yield apparently contradictory results).

(26) The earlier passage reads: then he shall bring . . . according to thy valuations in silver by shekels . . . a guilt-offering (v. 15), which the Rabbis interpret as meaning not less than two shekels. The analogy therefore teaches that the guilt-offering of suspense in v. 18 must also have that value.

(27) Hence the hekkesh teaches otherwise.

(28) Lev. VII, 1.

(29) Heb. בערוך. It is repeated in Lev. V, 15 and Lev. V, 18, and this furnishes a gezerah shawah, which teaches that they must be of equal value in both cases.

(30) Ibid. XIX, 20-22.

(31) Ibid. V, 16 and XIX, 22.

(32) Ibid. IV, 24.

(33) Ibid. 25. This is connected with the immediately preceding words, 'in the place where they kill the burnt-offering.' — 'Take' means to receive the blood.

(34) And not in the south and stretch out his hand to the north. (A line — imaginary — demarcated the north and the south, and so it would be possible to stand on one side of the line — south — and receive the blood on the other — the north.)

(35) I.e., the north.

(36) That the sacrifice is invalid otherwise.

(37) Ibid. 33. This treats of a lamb brought by a prince (ruler) as a sin-offering.

(38) Sc. the sin-offering.

## Talmud - Mas. Zevachim 48b

Do you then learn it from this verse? Is it not already stated, In the place where the burnt-offering is killed shall the sin-offering be killed?<sup>1</sup> why then has this<sup>2</sup> been singled out? To fix the place for it, so that if one did not slaughter it in the north, it is invalid.<sup>3</sup> You say it has been singled out for this purpose, yet perhaps it is not so, but rather [to teach] that this one [alone] requires the north,<sup>4</sup> but no other requires the north? Therefore it states, 'And he shall kill the sin-offering in the place of the burnt-offering,' thus constituting a general law in respect of all sin-offerings that they require the north. We have thus found [it true of] a prince's sin-offering, that it is both a recommendation and indispensable; we have also found it as a recommendation in the case of other sin-offerings; how do we know that it is indispensable [for other sin-offerings]? Because it is written in reference to both the lamb<sup>5</sup> and the she-goat.<sup>6</sup>

Then what is the purpose of 'it'?<sup>7</sup> — That is required for what was taught: 'It' [is slaughtered] on the north, but Nahshon's goat was not [slaughtered] in the north.<sup>8</sup> And it was taught: And he shall lay his hand upon the head of the goat<sup>9</sup> includes Nahshon's goat, in respect of laying [hands]: that is R. Judah's view. R. Simeon said: It includes the goats brought on account of idolatry, in respect of laying [hands]. You might argue, Since they are included in respect of laying [hands], they are included in respect of the north. Hence we are informed [otherwise].

To this Rabina demurred: That is well on R. Judah's view; but what can be said on R. Simeon's?<sup>10</sup> — Said Mar Zutra son of R. Mari to Rabina: And is it well on R. Judah's view? [surely], where it is included, it is included, and where it is not included, it is not included?<sup>11</sup> And should you say, Had Scripture not excluded it, [its inclusion] would be inferred by analogy: if so, let laying [hands] itself be inferred by analogy? But [you must answer that] a temporary [sacrifice] can not be inferred from a permanent one,<sup>12</sup> so here too,<sup>13</sup> a temporary [sacrifice] cannot be inferred from a permanent one?<sup>14</sup> — Rather [it teaches this]: 'It' [is slaughtered in the north], but the slaughterer need not be in the north.<sup>15</sup> But [the law concerning] the slaughterer is deduced by R. Ahia's [exegesis]? For it was taught, R. Ahia said: And he shall kill it on the side of the altar northward': why is this stated?



Because we find that the receiving priest must stand in the north and receive [the blood] in the north, while if he stood in the south and received [the blood] in the north it is invalid. You might think that this [slaughtering] is likewise. Therefore Scripture states, '[And he shall kill] it', [intimating that] 'it' must be in the north, but the slaughterer need not be in the north! — Rather [it teaches this]: 'It' [must be killed] in the north, but a bird does not need the north.<sup>16</sup> For it was taught: You might think that a bird-offering needs the north, and this is indeed logical: If [Scripture] prescribed north for a lamb, though it did not prescribe a priest for it,<sup>17</sup> is it not logical that it should prescribe north for a bird, seeing that it did prescribe a priest for it? Therefore 'it' is stated.<sup>18</sup> [No:] as for a lamb, the reason is because [Scripture] prescribed a utensil for it!<sup>19</sup> — Rather, [it teaches this]: 'It' [must be killed] in the north, but the Passover-offering [need] not [be slaughtered] in the north. For it was taught, R. Eliezer b. Jacob said: You might think that a Passover-offering needs the north, and this is indeed logical: if [Scripture] prescribed the north for a burnt-offering, though it did not prescribe a fixed season for its slaughtering; is it not logical that it should prescribe the north for a Passover-offering, seeing that it did prescribe a fixed season for its slaughtering? Therefore 'it' is stated. [No:] as for a burnt-offering, the reason is because it is altogether burnt. [Then learn it] from a sin-offering.<sup>20</sup> As for a sin-offering, the reason is because it makes atonement for those who are liable to kareth! [Then learn it] from a guilt-offering. [No:] as for a guilt-offering, the reason is because it is a most sacred sacrifice! [And you] cannot [learn it] from all these<sup>21</sup> likewise, because they are most sacred sacrifices! — After all, it is as we said originally: 'It' [must be] in the north, but the slaughterer need not be in the north, and as to your difficulty, 'That is deduced from R. Ahia's exegesis', [the answer is that] it does not [really] exclude the slaughterer from the north,<sup>22</sup> but [is meant thus]: The slaughterer need not be in the north, [whence it follows that] the receiver must be in the north, 'The receiver'? Surely that is deduced from 'and he shall take,' [which we interpret] let him [be]take himself [to the north]? — He does not interpret 'and he shall take' as meaning 'let him [be]take himself,'<sup>23</sup>

We have thus found a recommendation that slaughtering a burnt-offering must be in the north, and a [similar] recommendation about receiving; how do we know that [the north] is indispensable in the case of slaughtering and receiving?<sup>24</sup> — Said R. Adda b. Ahabah, — others state, Rabbah b. Shila: [It is deduced] afortiori: If it is indispensable in the case of a sin-offering, which is [only] learnt from a burnt-offering,<sup>25</sup> surely it is logical that it is indispensable in the case of a burnt-offering, from which a sin-offering is learnt. [No:] As for a sin-offering, the reason is because it makes atonement for those who are liable to kareth! Said Rabina: This is R. Adda's difficulty:<sup>26</sup> Do we ever find the secondary more stringent than the primary?<sup>27</sup> Said Mar Zutra son of R. Mari to Rabina: Do we not?

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(1) Lev. VI, 18. This applies to all sin-offerings.

(2) The sin-offering brought by a prince.

(3) The repetition teaches this.

(4) Sc. that mentioned in Lev. IV, 33.

(5) Ibid.

(6) Ibid. 29.

(7) In verse 33 quoted supra: 'it' implies limitation, whereas all sin-offerings have been included.

(8) I.e., the sin-offerings brought at the consecration of the altar, which were not on account of sin at all; v. Num. VII, 12 seq.

(9) Lev. IV, 24. This refers to the prince's goat: instead of 'head of the goat', Scripture could say, 'its head'; the longer form is regarded as an extension.

(10) He does not include it in respect of laying hands: then a text is not required to shew that north does not apply to it.

(11) No text is necessary for this.

(12) Lit, (text as emended by Sh. M.) 'you do not learn the hour from generations' — You could not learn that Nahshon's goat required laying hands, by analogy with an ordinary sin-offering, because the former was a special ad hoc offering, whereas the ordinary sin-offering was for all time.

(13) In respect of north.

- (14) So that in any case there is no reason for thinking that Nahshon's sin-offering required the north; why then is a text needed to exclude it?
- (15) He can stand in the south near the boundary line, stretch out his hand, and slaughter it in the north.
- (16) When its neck is wrung.
- (17) It may be slaughtered by a zar.
- (18) As a limitation.
- (19) It must be slaughtered with a knife, whereas a bird merely has its neck wrung. Hence again there is no reason for thinking that a bird requires north, and therefore no need for a limitation.
- (20) Which is not altogether burnt, yet requires the north.
- (21) Sc. the burnt-offering, guilt-offering and sin-offering.
- (22) For that is arrived at by R. Ahia's exegesis.
- (23) Text as emended by Sh. M.
- (24) In the sense that the sacrifice is otherwise invalid.
- (25) Lit., 'which comes from the strength of a burnt-offering'.
- (26) In spite of the refutation, he employs this afortiori argument on account of the following difficulty.
- (27) Although a sin-offering makes atonement for those liable to kareth, here it is only secondary to a burnt-offering, since 'north' is written primarily in connection with the latter.

### **Talmud - Mas. Zevachim 49a**

Yet there is the [second] tithe, which itself can be redeemed, and yet what is purchased with the [redemption] money of tithe cannot be redeemed. For we learnt: If that which was purchased with the [redemption] money of the [second] tithe became defiled, it must be redeemed. R. Judah said: It must be buried!<sup>1</sup> — There the sanctity is not strong enough to take hold of its redemption.<sup>2</sup>

Yet there is the case of a substitute: whereas [sacrificial] sanctity does not fall upon an animal with a permanent blemish, it [substitution] does fall upon an animal with a permanent blemish?<sup>3</sup> — [The sanctity of] a substitute is derived from a consecrated animal, while [that of] a consecrated animal comes from hullin.<sup>4</sup>

Yet there is a Passover-offering, which itself does not require laying [of hands], drink-offerings, and the waving of the breast and the shoulder; whereas its remainder<sup>5</sup> does require laying [of hands], drink-offerings, and the waving of the breast and the shoulder? — A Passover remainder<sup>6</sup> during the rest of the year is a peace-offering.<sup>7</sup>

Alternatively,<sup>8</sup> Scripture says, the burnt-offering, [which intimates,] it must be in its [appointed] place.<sup>9</sup>

How do we know that a guilt-offering requires the north? — Because it is written, in the place where they kill the burnt-offering shall they kill the guilt-offering.<sup>10</sup> We have thus found [it of] slaughtering; how do we know [it of] receiving? — [Because it is written,] And the blood thereof shall be dashed etc.<sup>11</sup> [which teaches that] the receiving of its blood too must be in the north.<sup>12</sup> How do we know [that] the receiver himself [must stand in the north]? — 'And its blood' [is written where] 'its blood' [alone] would suffice.<sup>13</sup> We have thus found it as a recommendation: how do we know that it is indispensable? — Another text is written, And he shall kill the he-lamb [in the place where they kill the sin-offering and the burnt-offering].<sup>14</sup>

Now, does that come for the present purpose? Surely it is required for what was taught: If anything was included in a general proposition, and was then singled out for a new law, you cannot restore it to [the terms of] its general proposition, unless the Writ explicitly restores it to [the terms of] its general proposition. How so? [Scripture saith,] And he shall kill the he-lamb in the place where they kill the sin-offering and the guilt-offering, in the place of the sanctuary; for as the

sin-offering so is the guilt-offering: it is the priest's; it is most holy. Now, 'as the sin-offering so is the guilt-offering' need not be said.<sup>15</sup> Why then is 'as the sin-offering so is the guilt-offering' said? Because a leper's guilt-offering was singled out and made subject to a new law, viz., that in respect of the thumb of the hand, the big toe of the foot, and the right ear,<sup>16</sup> you might think that it does not require the presentation of [its] blood and emurim at the altar; therefore Scripture says, 'as the sin-offering so is the guilt-offering': as the sin-offering requires the presentation of [its] blood and emurim at the altar, so does a leper's guilt-offering require the presentation of blood and emurim at the 'altar'.<sup>17</sup> — If so,<sup>18</sup> let it be written in the latter [passage]<sup>19</sup> and not in the former. Now, that is well if we hold that when anything is made the subject of a new law, it cannot be learnt from its general law,

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(1) Second tithe was a tithe of the produce which was to be taken to Jerusalem and eaten there by its owner. If it was too burdensome, he could redeem it, take the redemption money to Jerusalem, and expend it there (Deut. XIV, 22-27). — Thus according to R. Judah what was brought with the redemption money is stricter than the original tithe, for the original could be redeemed, whereas this cannot.

(2) An object must possess a certain degree of sanctity before it can be transferred to something else, whereas the sanctity of this is too light to permit such transfer. Hence R. Judah's ruling, though strict, arises out of the lesser, not the greater, sanctity of what is brought.

(3) If a man dedicates a blemished animal for a sacrifice, it merely receives monetary sanctity, and can be redeemed, whereupon it becomes hullin (q.v. Glos.) entirely, and may be put to any use, including shearing and labour. But if a man declares a blemished animal a substitute for a consecrated animal, it becomes holy, and must be redeemed, but when redeemed it may not be kept for shearing or service, but must be eaten (this is also the law where an animal without a blemish is dedicated for a sacrifice and then receives a blemish). Thus the sanctity of the substitute is greater than that of the original.

(4) A substitute receives sanctity because another animal has already been sanctified, whereas the originally consecrated animal receives it direct from hullin.

(5) V. supra 37b, p. 190, n. 7.

(6) Emended text (Sh. M.)

(7) And not a Passover-offering at all. Hence it is a different sacrifice and naturally governed by different laws.

(8) In reply to the question whence do we know that the north is indispensable in the case of a burnt-offering.

(9) The north is not only prescribed, but is also essential.

(10) Lev. VII, 1.

(11) Ibid. 2.

(12) Sh. M.: The waw ('and') joins the sentence to the preceding verse, and so the regulation concerning the place of killing applies to the receiving of the blood too. This second verse must be applied to receiving and not to sprinkling, since the blood was not sprinkled at the north.

(13) Rashi: the deduction is made from the eth (sign of the accusative) before 'its blood', which could be omitted. This is therefore regarded as extending the law to the receiver.

(14) Lev. XIV, 13. This treats of a leper's guilt-offering. The repetition of place shews that it is indispensable.

(15) For if it is to teach that it is slaughtered in the north, that follows from the first half of the verse. While if it teaches that the sprinkling of its blood and its consumption are the same as those of the sin-offering, that too is superfluous, since it is already covered by the general regulations prescribed for all guilt-offerings in Lev. VII, 1-10.

(16) V. Ibid. XIV, 14 seq. These rites are absent in the case of other guilt-offerings.

(17) This is the example: since a leper's guilt-offering was singled out for special treatment, the general laws of guilt-offerings could not apply to it without a text specifically intimating that they do. — Thus the text is utilised for this purpose, and not to teach that the north is indispensable.

(18) That that is its only purpose.

(19) In the passage on leprosy.

## **Talmud - Mas. Zevachim 49b**

but its general law can be learnt from it: then it is correct.<sup>1</sup> But if we hold that neither can it be learnt

from the general proposition, nor can the general proposition be learnt from it, then this [law]<sup>2</sup> is required for its own purpose?<sup>3</sup> — Since [Scripture] restored it, it restored it.<sup>4</sup>

Mar Zutra son of R. Mari said to Rabina: Yet say, When Scripture restored it [to the general proposition] [it was only] in respect of the presentation of the blood and emmurim, since this requires priesthood;<sup>5</sup> but slaughtering, which does not require priesthood, does not require the north [either]?<sup>6</sup> — If so, let Scripture say, ‘for it is as the sin-offering’: why [state], ‘for as the sin-offering so is the guilt-offering’?<sup>7</sup> [To teach:] Let it be like the other guilt-offerings.<sup>8</sup>

Why must it be likened to both a sin-offering and a guilt-offering? — Said Rabina, It is necessary: if it were likened to a sin-offering and were not likened to a guilt-offering I would say, Whence did we learn [that] a sin-offering [is slaughtered in the north]? from a burnt-offering: thus that which is learnt through a hekkesh in turn teaches through a hekkesh.<sup>9</sup> Mar Zutra the son of R. Mari said to Rabina: Then let it be likened to a burnt-offering and not likened to a sin-offering? — Then I would say, [that elsewhere] that which is learnt through a hekkesh in turn teaches through a hekkesh;<sup>10</sup> and if you object, Then let it be likened to a sin-offering,<sup>11</sup> [I could reply:] It [Scripture] prefers to liken it to the principal rather than to the secondary.<sup>12</sup> Therefore it likened it to a sin-offering and it likened it to a burnt-offering, thus intimating that that which is learnt through a hekkesh does not in turn teach through a hekkesh.

Raba said: [It<sup>13</sup> is learnt] from the following, for it is written, As is taken off from the ox of the sacrifice of peace-offerings.<sup>14</sup> For what purpose [is this written]? if for the lobe of the liver and the two kidneys,<sup>15</sup> [surely] that is written in the body of the text!<sup>16</sup> But because [Scripture] wishes to intimate that [the burning of] the lobe of the liver and the two kidneys of the he-goats [brought as sin-offerings] for idolatry shall be learnt by analogy from the community's bullock [for a sin-offering on account] of [sinning in] unawareness,<sup>17</sup> whereas this law is not explicitly stated in the passage on the bullock of unawareness, but is learnt from the anointed priest's bullock:<sup>18</sup> therefore ‘as is taken off’ is required, so that it might count as written in that very passage<sup>19</sup> and not as something which is learnt through a hekkesh and then in turn teaches through a hekkesh.<sup>20</sup> Said R. Papa to Raba: Then let [Scripture] write it in its own context,<sup>21</sup> and not assimilate [it to the anointed priest's bullock]?<sup>22</sup> — If [Scripture] wrote it in its own context, and did not teach it by assimilation, I would say, That which is learnt through a hekkesh can in turn teach through a hekkesh;<sup>23</sup> and if you object, Then let Scripture assimilate it?<sup>24</sup> [I could answer that Scripture] prefers to write it [explicitly] in its own context rather than to teach it through a hekkesh. Therefore [Scripture] wrote it<sup>25</sup> and assimilated it, in order to teach that that which is learnt through a hekkesh does not in turn teach through a hekkesh.

(Mnemonic: Hekkesh and gezerah shawah; kal wa-homer.)<sup>26</sup> [It is agreed that] that which is learnt through a hekkesh does not in turn teach through a hekkesh, [this being learnt] either by Raba's or by Rabina's [exegesis]. Can that which is learnt through a hekkesh teach through a gezerah shawah?<sup>27</sup> — Come and hear: R. Nathan b. Abtolemos said: Whence do we know that a spreading outbreak [of leprosy] in garments [covering the whole] is clean? Karahath [baldness of the back of the head] and gabbahath [baldness of the front] are mentioned in connection with garments, and also in connection with man:<sup>28</sup> just as in the latter, if [the plague] spread over the whole skin, he is clean;<sup>29</sup> so in the former too, if it spread over the whole [garment], it is clean. And how do we know it there?<sup>30</sup> Because it is written, [And if the leprosy . . . cover all the skin . . .] from his head even to his feet,<sup>31</sup> and [thereby] his head<sup>32</sup> is assimilated [through a hekkesh] to his feet:<sup>33</sup> as there, when it is all turned white, having broken out all over him, he is clean; so here too, when it breaks out all over him,<sup>34</sup> he is clean.<sup>35</sup> Said R. Johanan:<sup>36</sup> In the whole Torah we rule that whatever is learnt can teach, save in the case of sacrifices, where we do not rule that whatever is learnt can teach. For if it were so [that we did rule thus], let ‘northward’ not be said in connection with a guilt-offering, and it could be inferred from sin-offerings by the gezerah shawah of ‘it is most holy’.<sup>37</sup> Surely then its purpose is to teach that that which is learnt by a hekkesh does not in turn teach through a gezerah shawah.<sup>38</sup> But

perhaps [we do not learn it there] because one can refute it: as for a sin-offering, [it requires north] because it makes atonement for those who are liable to kareth? — A superfluous ‘most holy’ is written.<sup>39</sup>

That which is learnt through a hekkesh teaches in turn by a kal wa-homer.<sup>40</sup>

(1) The general law is that stated in VII, 1-10, while a leper's guilt-offering is singled out for a new law not in harmony with the general law, for whereas the blood of an ordinary guilt-offering is sprinkled on the altar, the blood of this is applied to the right thumb, right ear, and the great toe of the right foot. Now, if it were not stated in the general regulations on the guilt-offerings that it must be slaughtered in the north, but were stated here, this would come not under the preceding but under the following rule: if anything is included in a general proposition and is then singled out to teach a special regulation, this applies not only to the case where it is stated, but to the whole. Thus a leper's guilt-offering is included in the general guilt-offerings dealt with in VII, 1-10; when it is singled out here for slaughtering in the north, that applies to all guilt-offerings, and not only to itself. (The other rule with which we are now dealing holds good only when the new law is not in harmony with the general one, as explained at the beginning of the note.) Hence on this view it need not be stated in VII, 1-10 that it is killed in the north, as this would follow from XIV, 14 seq.; its repetition teaches that the north is indispensable.

(2) In VII, 1-10, that it is killed in the north.

(3) That it is killed in the north, for on the present view we could not learn all guilt-offerings from a leper's guilt-offering, even in respect of a law which is not in disharmony (sc. slaughtering in the north), since the latter is made the subject of one law which is in disharmony (sc. sprinkling on the right thumb etc.).

(4) Scripture restored a leper's guilt-offering to the general rule by saying, for as the sin-offering so is the guilt-offering, whence we know that it must be slaughtered in the north. ‘And he shall kill the he-lamb in the place where they kill the sin-offering and the burnt-offering’ (sc. in the north), written in the same verse, is thus mere repetition, and so teaches that the north is indispensable.

(5) It must be done by a priest. Hence the restoration to the general proposition shews that its emurim and some of the blood must be presented at the altar, in addition to its being applied to the right thumb etc.

(6) But for ‘and he shall kill’ etc. In that case it is not a repetition, and does not teach that it is indispensable.

(7) Why mention the guilt-offering, seeing that the whole passage deals with it?

(8) Sc. that it must be slaughtered in the north. Hence ‘and he shall kill’ etc. is a repetition.

(9) Therefore Scripture adds the burnt-offering, to shew that that is not so.

(10) I.e., there would be nothing in this text to shew the contrary.

(11) Which would positively prove it.

(12) The burnt-offering is the principal source of the law, since it is there that the north is specified, whereas the sin-offering is only a secondary source, since it is derived from the former.

(13) That a thing derived through a hekkesh cannot in turn teach through a hekkesh.

(14) Lev. IV, 10. This refers to the burning of the emurim of the anointed priest's bullock for a sin-offering.

(15) To intimate that these are burnt on the altar, as in the case of a peace-offering.

(16) It is explicitly stated in v. 9.

(17) As stated supra 41a.

(18) As stated supra 39b.

(19) Sc. dealing with the bullock of unawareness. It is so regarded because it is superfluous where it stands.

(20) Which therefore shews that such is inadmissible.

(21) Sc. in the section on the bullock of unawareness.

(22) Since an extra text is required in any case, let it be written explicitly in its own context.

(23) I.e., it would be possible to say so.

(24) Let Scripture teach it through a hekkesh, without writing it explicitly.

(25) In the passage dealing with the anointed priest.

(26) V. p. 31, n. 6.

(27) Thus: The law, which is stated in A, is applied to B by a hekkesh; can that then be applied to C, because there is a gezerah shawah between B and C? Similarly in the other cases that follow.

(28) Leprosy in man: Lev. XIII, 42f; in garments: ibid. 55. In connection with garments, karahath denotes leprosy on the

inside (right) of the cloth; gabbahath on the front or outside thereof.

(29) Ibid. 12-13.

(30) That a karahath or gabbahath which spreads and covers the whole head is clean? For Lev. XIII, 12-13 refers to leprosy of the skin, not of the head; moreover, they differ in their symptoms. For the symptom of leprosy of the skin is that the hair turns white (ibid. v, 3, 12), whereas that of a karahath or gabbahath is that the hair turns yellow or reddish-white (ibid. 30, 42).

(31) Ibid 12.

(32) I.e., the leprosy of his head, such as a scale, or karahath or gabbahath.

(33) I.e., to the rest of the body.

(34) I.e., over his whole head or beard. — Emended text (Sh. M).

(35) Thus we first learn by a hekkesh that a karahath or gabbahath in human beings covering the whole head is clean, and then that same law is applied to garments by a gezerah shawah.

(36) In rebutting this proof.

(37) Which is stated of both the sin-offering (Lev. VI, 18) and the guilt-offering (VII, 1).

(38) For in fact the rule that what is learnt by a hekkesh cannot in turn teach by a hekkesh applies to sacrifices only, and it is now shewn that it cannot teach in turn through a gezerah shawah either. Whereas the passage quoted referred to a different subject, viz., leprosy, and there what is learnt through a hekkesh can teach in turn even through a hekkesh.

(39) In Num. XVIII, 9. Since this is superfluous, a gezerah shawah could be learnt even through the guilt-offering is dissimilar from the sin-offering. The fact that we do not do so proves that what is learnt by a hekkesh does not, in the case of sacrifices, teach in turn by a gezerah shawah.

(40) V. Glos.

## Talmud - Mas. Zevachim 50a

[This follows] from what the school of R. Ishmael taught.<sup>1</sup>

That which is learnt through a hekkesh, can it teach through a binyan ab?<sup>2</sup> — Said R. Jeremiah: Let 'northward' not be written in connection with a guilt-offering, and it could be inferred from a sin-offering by a binyan ab.<sup>3</sup> For what purpose then is it written? Surely to intimate that that which is learnt through a hekkesh cannot in turn teach through a binyan ab. Yet according to your reasoning, let it be inferred from a burnt-offering by a binyan ab?<sup>4</sup> Why then is it not so inferred? Because you can refute it: as for a burnt-offering, [it requires the north] because it is altogether burnt. So in the case of a sin-offering too, you can refute it: as for a sin-offering, [it requires the north] because it makes atonement for those who are liable to kareth!

One cannot be learnt from one; [but] let one be learnt from [the other] two?<sup>5</sup> — From which could it be derived? [Will you say,] Let the Divine Law not write it in the case of a burnt-offering, and it could be derived from a sin-offering and a guilt-offering; [then you can argue,] as for these, [they require the north] because they make atonement. Let not the Divine Law write it in respect of a sin-offering, and let it be derived from the others; [then you can argue,] as for those, the reason is because they are males.<sup>6</sup> Let not the Divine Law write it in connection with a guilt-offering and let it be derived from the others; [then you can argue,] the reason is because they operate in the case of a community as in the case of an individual.<sup>7</sup>

That which is learnt by a gezerah shawah, can it in turn teach through a hekkesh? — Said R. Papa, It was taught: And this is the law of the sacrifice of peace-offerings . . . if he offers it for a thanksgiving:<sup>8</sup> [from this] we learn that a thanksgiving can be brought from tithe,<sup>9</sup> since we find that a peace-offering can be brought from tithe.<sup>10</sup> And how do we know [this of] a peace-offering itself? — Because 'there' is written in each case.<sup>11</sup> Said Mar Zutra the son of R. Mari to Rabina: But corn tithe is merely hullin?<sup>12</sup> — Said he to him: Who says<sup>13</sup> that which is learnt must be holy, and that which teaches must be holy?<sup>14</sup>

Can that which is learnt by a *gezerah shawah* teach by a *gezerah shawah*? — Said Rami b. Hama, It was taught: Of fine flour soaked [*murbeketh*]:<sup>15</sup> this teaches that the *rebukah* [soaked cake]<sup>16</sup> must be of fine flour [*soleth*].<sup>17</sup> How do we know [the same of] *halloth*?<sup>18</sup> Because *halloth* is stated in both places.<sup>19</sup> How do we know it of *rekikin* [thin wafers]? Because *mazzoth* [unleavened bread] is written in connection with each.<sup>20</sup> Said Rabina to him: How do you know that he learns [the *gezerah shawah* of] *mazzoth*, *mazzoth*, from *halloth*; perhaps he learns it from oven-baked [cakes]?<sup>21</sup> Rather said Raba: It was taught: And its inwards, and its dung, [even the whole bullock] shall he carry forth [without the camp]:<sup>22</sup> this teaches that he carries it forth whole.<sup>23</sup> You might think that he burns it whole; [but] ‘its head and its legs’ is stated here, and ‘its head and its legs’ is stated elsewhere:<sup>24</sup> as there it means after cutting up,<sup>25</sup> so here too it means after cutting up. If so, as there it is after the flaying [of the skin],<sup>26</sup> so here too it means after the flaying? Therefore it says, ‘and its inwards and its dung’. How does this teach [the reverse]? — Said R. Papa: Just as its dung is within it,<sup>27</sup> so must its flesh be within its skin. And it was [further] taught, Rabbi said: Skin and flesh and dung are mentioned here,

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(1) V. supra 41a.

(2) Analogy. This differs from a *hekkesh*, in that in a *hekkesh* Scripture intimates that there is a certain similarity between two subjects, whereas in a *binyan ab* (q.v. *Glos.*) the analogy is drawn from an inherent similarity between two subjects.

(3) For these are analogous, since both are brought on account of sin.

(4) For there it is explicitly stated, and the intermediate *hekkesh* is not required at all.

(5) Let Scripture intimate that the north is required for two of these, and the third could then be deduced from it.

(6) Whereas a sin-offering is a female.

(7) Burnt-offerings and sin-offerings might be brought on behalf of the whole community, as public sacrifices, just as by an individual. But a guilt-offering could only be brought by an individual. — This whole passage is a digression.

(8) Lev. VII, 11f.

(9) A man can vow a thanksgiving and stipulate that he will purchase it with the redemption money of second tithe (v. p. 246, n. 3).

(10) And the thanksgiving is included therein by a *hekkesh*.

(11) In connection with both a peace-offering and second tithe. Peace-offering: And thou shalt sacrifice peace-offerings, and shalt eat there (Deut. XXVII, 7); Tithe: And thou shalt eat before the Lord thy God, in the place which He shall choose to cause His name to dwell there, the tithe of thy corn — etc. Deut. XIV, 23. Thus the peace-offering is learnt by a *gezerah shawah*, and that is transferred to the thanksgiving by a *hekkesh*.

(12) V. *Glos.* Whereas the question is about cattle tithe, which is holy.

(13) The translation here is a paraphrase, and conveys the general sense.

(14) I.e., it is unnecessary for both to be holy, but only one. We wish to learn about a peace-offering, and that indeed is holy.

(15) Lev. VII, 12.

(16) I.e., a cake made of flour that is first boiled. This is the Talmudic interpretation of *murbeketh*.

(17) As opposed to *kemah*, a coarse meal.

(18) These are ordinary unleavened cakes.

(19) *Rebukah*: and *halloth* (E.V. cakes) mingled with oil, of fine flour soaked; *halloth* (one of the three kinds of unleavened bread brought with a thanksgiving): then he shall offer unleavened (*mazzoth*) cakes (*halloth*) mingled with oil (Ibid.) The word *halloth* in both places shews that both must be of fine meal.

(20) For *halloth* v. preceding note; *rekikin*: and unleavened wafers (*rekike* — construct form of *rekikin-mazzoth*). Thus we first learn by a *gezerah shawah* that *halloth* must be of fine flour, and then by a further *gezerah shawah* we learn from *halloth* that *rekikin* too must be of fine flour.

(21) Lev. II, 4: And when thou bringest a meal-offering baked in an oven, it shall be unleavened cakes (*halloth mazzoth*) of fine flour. Thus it can be learnt direct, without any intermediate *gezerah shawah*.

(22) Ibid. IV, 11f.

(23) For if it were cut up, how could he carry them out at once, which the text implies?

(24) Ibid. I, 8-9, 12-13.

(25) Since 'the pieces' are mentioned.

(26) This being explicitly ordered (I, 6).

(27) For it would be repulsive to take it out and burn it separately.

## Talmud - Mas. Zevachim 50b

and skin and flesh and dung are mentioned elsewhere:<sup>1</sup> as there [it was burnt after] being cut up, but without flaying, so here too [it is burnt after being] cut up, but without flaying.<sup>2</sup>

Can that which is learnt by a gezerah shawah teach in turn by a kal wa-homer? — [It can, and we learn this by a] kal wa-homer: If [that which is learnt by] a hekkesh, which cannot teach by a hekkesh, as follows from either Raba's or Rabina's [proof], can teach by a kal wa-homer, which follows from what the school of R. Ishmael taught; then [what is learnt through] a gezerah shawah, which can [in turn] teach by a hekkesh, as follows from R. Papa, can surely teach [in turn] by a kal wa-homer! That is well according to him who accepts R. Papa's teaching; but what can be said on the view that rejects R. Papa's teaching? — Rather [this is the] kal wa-homer: if [what is learnt by] a hekkesh, which cannot [in turn] teach by a hekkesh, as follows either from Raba or from Rabina, can teach [in turn] by a kal wa-homer, which follows from what the school of R. Ishmael taught; then a gezerah shawah, which does teach by a gezerah shawah like itself, which follows from Rami b. Hama, can surely teach through a kal wa-homer.

Can that which is learnt by a gezerah shawah subsequently teach by a binyan ab? — The question stands.

Can that which is learnt by a kal wa-homer teach in turn by a hekkesh? — [Yes, and we learn this by a] kal wa-homer: if a gezerah shawah, which cannot be learnt from a hekkesh, as follows from R. Johanan's [dictum], can nevertheless teach by a hekkesh, in accordance with R. Papa; then a kal wa-homer, which can be learnt from a hekkesh, in accordance with the school of R. Ishmael, can surely teach by a hekkesh! That is well on the view that accepts R. Papa's [dictum], but what can be said on the view that rejects R. Papa's [dictum]? Then the question stands.

Can that which is learnt by a kal wa-homer teach in turn by a gezerah shawah? — [Yes, for this follows by a] kal wa-homer: if a gezerah shawah, which cannot be learnt from a hekkesh, in accordance with R. Johanan, can teach by a gezerah shawah, in accordance with Rami b. Hama; then is it not logical that a kal wa-homer, which can be learnt by a hekkesh, in accordance with the school of R. Ishmael, can teach by a gezerah shawah?

Can that which is learnt by a kal wa-homer teach in turn by a kal wa-homer? [Yes, for this follows from a] kal wa-homer: if a gezerah shawah, which cannot be learnt by a hekkesh, in accordance with R. Johanan, can teach by a kal wa-homer, as we have [just] said; then a kal wa-homer which can be learnt from a hekkesh, in accordance with the school of R. Ishmael, is it not logical that it can teach by a kal wa-homer? And this is a kal wa-homer derived from a kal wa-homer.<sup>3</sup> Surely this is a secondary derivation from a kal wa-homer?<sup>4</sup> — Rather, [argue thus: Yes, and this follows from a] kal wa-homer: if a hekkesh which cannot be learnt through a hekkesh, in accordance with either Raba or Rabina, can teach by a kal wa-homer, in accordance with the school of R. Ishmael;<sup>5</sup> then a kal wa-homer, which is learnt through a hekkesh, in accordance with the school of R. Ishmael, can surely teach through a kal wa-homer! And this is a kal wa-homer derived from a kal wa-homer.

Can that which is learnt by a kal wa-homer teach in turn through a binyan ab? — Said R. Jeremiah, Come and hear: If one wrung the neck [of a bird sacrifice] and it was found to be a terefah, R. Meir said: It does not defile in the gullet; R. Judah said: It does defile in the gullet.<sup>6</sup> Said R. Meir: It is a kal wa-homer: if the shechitah of an animal cleanses it, even when terefah, from its



uncleanness,<sup>7</sup> yet when it is nebelah it defiles through contact or carriage; is it not logical that shechitah cleanses a bird, when terefah, from its uncleanness, seeing that when it is nebelah it does not defile through touch or carriage? Now, as we have found that shechitah which makes it [a bird of hullin] fit for eating,

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(1) In reference to the anointed priest's bullock. By 'here' he means in connection with the bullock and the he-goat of the Day of Atonement.

(2) Thus the result of one gezerah shawah is transferred by another gezerah shawah.

(3) Lit., 'a kal wa-homer the son of a kal wa-homer'. Thus a kal wa-homer is based on the fact that a gezerah shawah teaches through a kal wa-homer, and that itself is learnt only through a kal wa-homer.

(4) Lit., 'the grandson of a kal wa-homer'. Thus: A, which is learnt through a kal wa-homer, teaches B by means of a kal wa-homer; that it does so is learnt from the fact C. Now, even if C were directly stated, B would still be the derivative (lit., 'son') of the first kal wa-homer. Since however C itself is known only through a kal wa-homer, B becomes the secondary derivative (lit., 'grandson'). That is so in the present case. Possibly, however, this is straining the powers of a kal wa-homer too far, and is inadmissible, in which case the problem remains unanswered.

(5) This itself is not the result of a kal wa-homer, but a tradition.

(6) A bird sin-offering was not slaughtered by the usual ritual method (shechitah), but had its neck wrung. If an ordinary bird of hullin, or any animal, is killed by any method other than shechitah, it becomes nebelah (carrion). The term terefah is applied to a bird or an animal which was ritually slaughtered, but which was found to be suffering from a disease or other physical defect which renders it forbidden as food. Now when a clean animal, i.e., one permitted for food, becomes nebelah, it defiles any person who touches it or even carries it without actually touching it. A clean bird which becomes nebelah does not defile thus, but only the person who eats it, i.e., when it enters his gullet. In the present instance the bird's neck was wrung; had it been hullin, it would have become nebelah, and defiled accordingly. When it is found to be terefah the sacrifice cannot be proceeded with, as the bird is unfit. R. Judah holds that it is the same, therefore, as hullin, and defiles as such. R. Meir, however, holds that since it was intended for a sacrifice when its neck was wrung, this was its correct method of slaughter, and so it does not defile,

(7) As is shewn in Hul. 128b — Through the shechitah it is freed from the uncleanness of nebelah.

## Talmud - Mas. Zevachim 51a

cleanses it, when terefah, from its uncleanness; so wringing [the neck], which makes it [a bird sacrifice] fit for eating, cleanses it, when terefah, from its uncleanness.<sup>1</sup> R. Jose said: It is sufficient that it be like the nebelah of a clean [i.e., edible] animal, which is cleansed by shechitah, but not by wringing its neck.<sup>2</sup> Yet that is not so: even granted there that it is so, yet it is deduced from the shechitah of hullin.<sup>3</sup>

Can that which is learnt by a binyan ab teach by a hekkesh or by a gezerah shawah or by a kal wa-homer or by a binyan ab? — Solve one [of the questions] from the following: Why did they say that if the blood is kept overnight [on the altar] it is fit?<sup>4</sup> Because if the emurim are kept overnight they are fit.<sup>5</sup> Why are the emurim fit if kept overnight? Because the flesh is fit if kept overnight.<sup>6</sup> [Flesh that] goes out?<sup>7</sup> Because [flesh that] goes out is fit at the high place [bamah].<sup>8</sup> Unclean [flesh]? Because it was permitted in public service.<sup>9</sup> [The emurim of a burnt-offering intended to be burnt] after time? Because it propitiates in respect of its piggul status.<sup>10</sup> [The emurim of a burnt-offering intended to be burnt] out of bounds? Because it was likened to [the intention to burn it] after time. Where unfit [persons] received [the blood] and sprinkled it — in the case of those unfit persons who are eligible for public service.<sup>11</sup> Can you then argue from what is its proper way to that where the same is not the proper way?<sup>12</sup> — The Tanna relies on the extension indicated by This is the law of the burnt-offering.<sup>13</sup>

THE RESIDUE OF THE BLOOD etc. What is the reason? — Scripture saith, [And all the remaining blood of the bullock shall he pour out] at the base of the altar of burnt-offering [which is at the door of the tent of meeting];<sup>14</sup> [this intimates]: the one which you first meet.<sup>15</sup>

Our Rabbis taught: ‘At the base of the altar of burnt-offering’, but not at the base of the inner altar; ‘at the base of the altar of burnt-offering’: the inner altar itself has no base; ‘at the base of the altar of burnt-offering’: apply [the laws of] the base to the altar of burnt-offering.<sup>16</sup> Yet perhaps that is not so; rather [it intimates]: let there be a base to the altar of burnt-offering?<sup>17</sup> Said R. Ishmael [This would follow] a fortiori: if the residue [of the blood of the sin-offering], which does not make atonement, requires the base; then surely the sprinkling itself of the [blood of the] burnt-offering,<sup>18</sup> which makes atonement, requires the base!<sup>19</sup> Said R. Akiba [too: This would follow] a fortiori: if the residue, which does not make atonement and does not come for atonement, requires the base; is it not logical that the sprinkling itself of the [blood of the] burnt-offering, which makes atonement and comes for atonement, requires the base? If so, why does Scripture state, ‘at the base of the altar of burnt-offering’? To teach: apply [the laws of] the base to the altar of burnt-offering.

The Master said: ‘At the base of the altar of burnt-offering, but not at the base of the inner altar.’ Surely that is required for its own purpose?<sup>20</sup> — That is learnt from, which is at the door of the tent of meeting.<sup>21</sup>

‘At the base of the altar of burnt-offering:

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- (1) This argument is a binyan ab. Thus what was learnt by a kal wa-homer then teaches through a binyan ab.
  - (2) Since the argument is alternately based on an animal, the bird sacrifice cannot be clean where the animal would not be.
  - (3) The Talmud rejects R. Jeremiah's proof. Firstly, because R. Meir does not really learn it by a binyan ab, as might appear here, but from hekkesh, as stated infra 69b q.v. Yet even granted that he does learn it by a binyan ab, the premise (i.e., the teacher) is hullin, and if R. Papa's view is rejected even when what is to be learnt is sacred, nothing can be proved from the present instance (Rashi. Other commentaries explain differently).
  - (4) I.e., if it was taken up on the altar it is not taken down.
  - (5) Likewise in the same sense. Similarly the other cases mentioned.
  - (6) As two days were allowed for the eating of peace-offerings. Thus emurim are learnt by a binyan ab from the flesh, and these in turn teach by a binyan ab in respect of the blood.
  - (7) Why does such flesh not descend if this is taken up on the altar?
  - (8) Where sacrifices were offered before the building of the Temple (v. p. 82, n. 1.).
  - (9) V. p. 84, n. 7.
  - (10) The sprinkling of the blood is effective (technically ‘propitiates’) in making it piggul and involving kareth, just as though all its mattirin had been offered (v. supra 28b, p. 143, n. 1.). The emurim of piggul do not descend, once they ascended.
  - (11) E.g., an unclean priest, who is fit when the sacrifice is brought in uncleanness. — Only then does the blood not descend, once it ascended. This is apparently the meaning of the text, but in that case the question is left unanswered. Possibly, however, the second half is the answer; thus: Why does the blood not descend when unfit persons received or sprinkled it? Because it does not descend in the case of those unfit persons who are eligible for public service, i.e., unclean priests when the community is unclean.
  - (12) E.g., you argue that the emurim if kept overnight do not descend because the flesh if kept overnight is fit. But the flesh may be kept overnight, whereas the emurim may not. Similarly, when the Temple stood the flesh might not be taken out; whereas there were no boundaries at all in the case of the bamah.
  - (13) Lev. VI, 2. The verse teaches that all the burnt-offerings (i.e., even when they have the defects mentioned in the text) have one law, and do not descend once they have ascended. The arguments given are mere supports, though strictly speaking they cannot be sustained.
  - (14) Lev. IV, 7.
  - (15) As you enter from the door. This was the western base.
  - (16) The Bible contains five sections dealing with the sin-offering (Lev. IV), viz.: (i) The sin-offering of the anointed priest (vv. 1-12); (ii) that of the whole congregation (13-22); (iii) that of a ruler (22-26); (iv) the female goat of a common layman (27-32); and (v) the lamb of a common layman (32-35). The first two were offered on the inner altar;

the other three on the outer. Again, in reference to the first three Scripture states that the residue of the blood shall be poured out 'at the base of the altar of burnt-offering' (vv. 7, 18 and 25), whereas in connection with the remaining two the 'base of the altar' alone is mentioned. Here the Rabbis explain why Scripture specifies the altar of the burnt-offering in the first three. The first teaches that the residue is poured out at the base of the outer altar (i.e., the altar of burnt-offering), but not at the base of the inner altar, notwithstanding that the blood was sprinkled on the horns of the inner altar. The second is superfluous, since it is assimilated to the first (v. 20). Hence it teaches that only the outer altar was provided with a special base, but not the inner altar. The third too is superfluous, because firstly, if the residue of the blood of the inner sin-offerings is poured out at the base of the outer altar, obviously the blood of the outer sin-offerings will not be poured out at the base of the inner altar; and secondly, we have already learnt that the inner altar was not provided with a special base. Hence it intimates that the residue of the blood of all sacrifices whose blood is sprinkled on the altar of burnt-offering must be poured out at its base.

(17) Perhaps it does not teach anything concerning the residue of the blood, but that the two sprinklings of the blood of the burnt-offering must be made over against that part of the altar which had a special base; this would exclude the south-east horn, which had no base (v. infra 53b).

(18) Lit., 'the beginning of the burnt-offering'.

(19) I.e., it must be sprinkled on the horns provided with a base, as in the preceding note. The rendering is not quite literal. Thus a special text would not be required, if its teaching were only as suggested.

(20) Viz., that the residue is to be poured out at the base of the outer altar; nevertheless, if he wishes to pour it out at the base of the inner altar, he should certainly be permitted, since this is more sacred. Though it has been deduced that the inner altar had no special base at all, that is only on the assumption that all three are superfluous; but if the first is required for the purpose of stating the law, then the second is required for the present limitation, and the third as in the text, leaving nothing to shew that the inner altar was not provided with a base.

(21) Which shews that the outer altar is meant; hence 'of burnt-offering' is superfluous.

## **Talmud - Mas. Zevachim 51b**

apply [the laws of] the base to the altar of burnt-offering.' For if you think that it is [meant literally] as written, why do I need a text in respect of the residue, seeing that [the pouring out of] the residue was performed without?<sup>1</sup> And should you say [that but for the text, I would argue] that it is indeed reversed:

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(1) On the outer altar as is expressly prescribed in connection with the two inner sacrifices 'at the entrance of the tent of meeting', verses 7 and 8. Obviously then the residue of the blood too would be poured out at the base of the same.

## **Talmud - Mas. Zevachim 52a**

[the residue of] the inner [offerings] on the outer [altar], and [that of] the outer [offerings] on the inner [altar];<sup>1</sup> surely the inner altar had no base!<sup>2</sup>

'Yet perhaps that is not so; rather [it intimates]: let there be a base to the altar of burnt-offering! But is it written, 'at the base of the burnt-offering'? surely it is written, 'at the base of the altar of burnt-offering!'<sup>3</sup> — If 'at the base of the burnt-offering' were written, I would say [that it means] on the vertical [wall] of the base;<sup>4</sup> now that it is written, at the base of the altar of burnt-offering, it denotes on the roof [top] of the base.<sup>5</sup> [Thereupon] R. Ishmael said: For the roof of the base, why do I need a text? [this would follow] a fortiori: if the residue [of the blood of the sin-offering], which does not make atonement, requires the roof; then the sprinkling itself of [the blood of] the burnt-offering, which makes atonement, is it not logical that it requires the roof [of the base]? Said R. Akiba: If the residue [of the blood of the sin-offering], which does not make atonement and does not come for atonement, requires the roof of the base, is it not logical that the sprinkling itself of [the blood of] the burnt-offering, which makes atonement and comes for atonement, requires the roof of the altar? If so, why does Scripture state, 'at the base of the altar of burnt-offering'? To teach: apply [the laws of] the base to the altar of burnt-offering.

Wherein do they differ?<sup>6</sup> — Said R. Adda b. Ahabah: They disagree as to whether [the pouring out of] the residue is indispensable. One master holds: It is indispensable, while the other master holds: It is not indispensable.<sup>7</sup> R. Papa said: All agree that the residue is not indispensable, but here they disagree as to whether the draining out of [the blood of] the bird sin-offering is indispensable or not:<sup>8</sup> one master holds that it is indispensable, while the other master holds that it is not indispensable.

It was taught in accordance with R. Papa: And all the remaining blood of the bullock shall he pour out at the base of the altar:<sup>9</sup> Why is 'the bullock' stated?<sup>10</sup> It teaches that the Day of Atonement bullock must have its blood poured out at the base:<sup>11</sup> that is the view of R. Akiba.<sup>12</sup> Said R. Ishmael: [This is inferred] a fortiori: if that whose blood does not enter within as a statutory obligation<sup>13</sup> needs the base, that whose blood enters within as a statutory obligation,<sup>14</sup> is it not logical that it needs the base? Said R. Akiba: If that whose blood does not enter the innermost sanctuary<sup>15</sup> either as a statutory obligation or as a regulation needs the base, that whose blood enters the innermost sanctuary as a statutory obligation, is it not logical that it needs the base? You might think that it is indispensable for it:<sup>16</sup> therefore it states, And he shall make an end of atoning,<sup>17</sup> which teaches, All the atoning services are [now] complete:<sup>18</sup> these are the words of R. Ishmael. Now an a fortiori argument can be made in respect of the anointed priest's bullock: If that whose blood does not enter within either as a statutory obligation or, as a regulation,<sup>19</sup> needs the base; that whose blood enters within both as a statutory obligation and as a regulation,<sup>20</sup> is it not logical that it needs the base?<sup>21</sup> You might think that it is indispensable for it; therefore Scripture says, 'And all the remaining blood of the bullock shall he pour out': the Writ transmutes it into the remainder of a precept<sup>22</sup> to teach you that [the pouring out of] the residue is not indispensable.<sup>23</sup>

Now, does R. Ishmael hold that the draining of [the blood of] the bird sin-offering is indispensable? Surely the school of R. Ishmael taught: 'And the rest of the blood shall be drained out': that which is left must be drained out,

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- (1) I.e., the residue of the blood of the inner sin-offerings is to be poured out at the base of the outer altar, and vice versa.
  - (2) Hence it must be interpreted as stated.
  - (3) If it intimated that the sprinkling itself must be performed on that part of the altar which has a base (v. p. 259, n. 4). it could not refer to sin-offerings, whose blood was sprinkled on all the horns of the altar, including the south-east. Hence it would have to refer to the burnt-offering alone; but in that case Scripture should write, at the base of the burnt-offering, which would intimate that the blood of the burnt-offering must be sprinkled over against the base. The word 'altar' then becomes redundant.
  - (4) The base was a cubit high, the altar then being recessed one cubit; thus the base had a vertical wall of a cubit, and a top surface (roof) of a cubit.
  - (5) Which is hard by the altar itself.
  - (6) R. Ishmael and R. Akiba.
  - (7) R. Akiba holds the latter view; hence he emphasises that it does not come for atonement.
  - (8) V. Lev. V, 9: and the rest of the blood shall be drained out at the base of the altar.
  - (9) Lev. IV, 7. The text refers to the anointed priest's sin-offering.
  - (10) It is apparently superfluous, since the whole passage deals with it.
  - (11) 'The bullock', being superfluous, extends this law to another bullock.
  - (12) Emended text. Cur. edd. Rabbi.
  - (13) Sc. the anointed priest's bullock of sin-offering. Its blood is sprinkled on the inner altar, where it is sacrificed, but there is no statutory obligation for the offering at all, as he need not have sinned.
  - (14) The Day of Atonement bullock is a statutory offering, whether the High Priest had sinned or not.
  - (15) The Holy of Holies.
  - (16) Sc. the pouring out of the blood of the Day of Atonement bullock at the base.
  - (17) Lev. XVI, 20.

(18) I.e., all the services indispensable to atonement have by now been enumerated, and the pouring out of the blood at the base is not one of them.

(19) E.g., the blood of the ruler's he-goat or of a common layman's sin-offering: both were slaughtered at the outer altar, and their blood was poured out there.

(20) Viz., the blood of the anointed priest's bullock. Rashi proposes the deletion of 'a statutory obligation', since it has just been stated that it is not one. If it is retained, we must explain that it is called a statutory obligation only by comparison with the blood of other sin-offerings, which does not enter within at all.

(21) Since it can be inferred thus, the explicit Scriptural law to that effect is apparently superfluous and so might be interpreted as teaching that it is indispensable. Therefore he proceeds to shew that it is not indispensable.

(22) Scripture changed the form of expression here: for the other services (sc. the carrying and sprinkling) are ordered thus: and he shall take . . . and he shall sprinkle etc. The different grammatical form in this case shews that this pouring out is, as it were, not an integral part of the rite, but the remaining portion of it, which should be done, yet is not indispensable.

(23) And since this is given as R. Ishmael's view, it supports R. Papa's thesis supra.

## Talmud - Mas. Zevachim 52b

but what is not left is not drained out?<sup>1</sup> — There is a controversy of two Tannaim as to R. Ishmael's opinion.

Rami b. Hama said: The following Tanna holds that [the pouring out of] the residue is indispensable. For it was taught: [This is the law of the sin-offering . . .] the priest that offereth it for sin [shall eat it]:<sup>2</sup> [this teaches,] only that [sin-offering] whose blood was sprinkled above [the red line],<sup>3</sup> but not that whose blood was applied below.<sup>4</sup> Say: whence did you come [to this]?<sup>5</sup> From the implication of what is said, And the blood of thy sacrifices shall be poured out [. . . and thou shalt eat the flesh],<sup>6</sup> we learn that if [the blood of] those [sacrifices] which need four applications was presented with one application [only], it has made atonement;<sup>7</sup> you might therefore think that also if the blood which should be sprinkled above [the red line] was sprinkled below, it makes atonement. And it is [indeed] logical: Blood is prescribed above,<sup>8</sup> and blood is prescribed below:<sup>9</sup> as the blood which is prescribed below does not atone if it is sprinkled above,<sup>10</sup> so also the blood which is prescribed above does not atone if it is sprinkled below. No: if you say [thus] in the case of the blood which should be sprinkled below, that is because it will not eventually [be applied] above;<sup>11</sup> will you say the same of the blood which should be sprinkled above, seeing that it will eventually [find its way] below?<sup>12</sup> Let the inner blood<sup>13</sup> prove it, which will eventually come without,<sup>14</sup> and yet if he applied it in the first place without, he did not make atonement. No: if you speak of the inner blood, that is because the inner altar does not complete it.<sup>15</sup> Will you say thus of the upper [blood], where the horns complete it?<sup>16</sup> [and] since the horns complete it, if he sprinkled it below, it is fit.<sup>17</sup> Therefore it says, '[The priest that offereth] it [for a sin-offering]': that whose blood was sprinkled above, but not that whose blood was sprinkled below. Now, what is the meaning of 'because the inner altar does not complete it'? Surely it must refer to the residue [of the blood]!<sup>18</sup> Said Raba to him: If so, you could infer it a minori: if the blood of the inner sacrifices,<sup>19</sup> of which eventually the residue is obligatory without,<sup>20</sup> yet if presented without in the first place, he does not make atonement; then the blood which is to be sprinkled above, and is not eventually obligatory below,<sup>21</sup> is it not logical that if he applied it at the outset below he does not make atonement?<sup>22</sup> — Rather [the meaning is this]: Not the altar alone completes it, but also the veil<sup>23</sup>.

Our Rabbis taught: 'And he shall make an end of atoning': if he atoned, he made an end, while if he did not atone, he did not make an end: this is R. Akiba's view. Said R. Judah to him: why should we not interpret: If he made an end, he atoned, while if he did not make an end, he did not atone, which thus intimates that if he omitted one of the sprinklings his service is ineffective?<sup>24</sup> Wherein do they differ? — R. Johanan and R. Joshua b. Levi [disagree]. One maintains: They differ on the mode of interpretation.<sup>25</sup> The other maintains: They differ as to whether the [pouring out of the] residue is

indispensable.<sup>26</sup> It may be proved that it was R. Joshua b. Levi who maintained that [the pouring out of] the residue is indispensable. For R. Joshua b. Levi said: On the view that the residue is indispensable he brings another bullock and commences within.<sup>27</sup> But does R. Johanan not hold this view?<sup>28</sup> Surely R. Johanan said: R. Nehemiah taught in accordance with the view that the residue is indispensable?<sup>29</sup> But you must say 'In accordance with the view', but not that of these Tannaim.<sup>30</sup> Then here too,<sup>31</sup> 'on the view' does not refer to that of these Tannaim.

MISHNAH. PUBLIC AND PRIVATE SIN-OFFERINGS (THESE ARE THE PUBLIC SIN-OFFERINGS:<sup>32</sup> THE HE-GOATS OF NEW MOONS AND FESTIVALS) ARE SLAUGHTERED IN THE NORTH, AND THEIR BLOOD IS RECEIVED IN A SERVICE VESSEL IN THE NORTH, AND THEIR BLOOD REQUIRES FOUR APPLICATIONS ON THE FOUR HORNS. HOW WAS IT DONE?

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- (1) I.e., all the blood may be used in sprinkling so that nothing is left for draining. Hence draining cannot be essential and indispensable.
  - (2) Lev. VI, 18, 19. 'Offereth it for sin,' Heb. ha-mehatte, is understood to mean, who correctly performs all the rites (sprinkling) appertaining to a sin-offering; only then may he eat it.
  - (3) As is necessary for a sin-offering, V. p. 48, n. 1.
  - (4) The flesh may not be eaten.
  - (5) Why would you think that the flesh may be eaten even if the blood was not properly sprinkled, that you need a text to shew that it may not?
  - (6) Deut. XII, 27.
  - (7) Because 'shall be poured out' implies a single act.
  - (8) Viz., that of an animal sin-offering.
  - (9) That of a bird sin-offering; v. infra 64b.
  - (10) V. infra 66a.
  - (11) Hence when he sprinkles it above he is definitely performing it incorrectly.
  - (12) I.e. the residue. Hence when he sprinkles it below the line, he is only applying it where it would eventually come, and so he may make atonement. — Emended text (Sh. M).
  - (13) I.e., the blood of the inner sacrifices.
  - (14) The residue is poured out at the base of the outer altar. — Emended text.
  - (15) After the blood has been sprinkled on the inner altar there still remains an indispensable service to be performed.
  - (16) No indispensable rite remains to be performed after the blood was sprinkled on the horns of the altar.
  - (17) So we might argue.
  - (18) Viz., that its pouring out at the base of the altar is indispensable. This proves Rami b. Hama's assertion.
  - (19) I.e., the residue of the blood which is sprinkled on the inner altar.
  - (20) On the present hypothesis, and indispensable. The text is emended on the basis of Rashi.
  - (21) Though the blood will be poured out below, this is not essential for the efficacy of the sacrifice.
  - (22) The sacrifice is invalid, and the flesh may not be eaten. Why then is a Scriptural text necessary? Hence the premise of this argument, that the pouring out of the residue is essential, must be false!
  - (23) The blood must be sprinkled on the veil too.
  - (24) Lit., 'he has done nothing'. — For notes v. supra 40a.
  - (25) But not in law. Both hold that all the four applications are indispensable, and that the pouring out of the residue is not indispensable. R. Akiba holds that the conclusion (atoning) illumines the beginning (make an end), whence we learn that the completion depends on atonement, i.e., on the four applications. R. Judah however maintains that 'atoning' might merely mean a single application, therefore (to avoid this conclusion) the interpretation must be reversed, and the beginning made to illumine the end: only when he quite makes an end, having completed the four applications, does he atone.
  - (26) R. Akiba holds that it is not indispensable, and he interprets it thus: if he made atonement, i.e., performed all the rites for atonement as prescribed in that passage, he made an end. Thus the pouring out of the residue, which is not mentioned there, is not essential. R. Judah however interprets: Only when he made an end of all the rites, including those prescribed elsewhere (viz., the pouring out of the residue), did he make atonement.

(27) If the residue of the blood was spilt after the four applications, another bullock must be slaughtered, and its blood first sprinkled within, and then the residue poured out at the base of the outer altar. But he cannot simply pour out all the blood at the base, for then it is not a residue, whereas a residue is indispensable. — Thus R. Joshua b. Levi holds that there is a view that the pouring out of the residue is indispensable.

(28) That there is a teacher who maintains that it is indispensable.

(29) V. supra 42b.

(30) Viz., R. Akiba and R. Judah.

(31) In the case of R. Joshua b. Levi.

(32) Which need special mention here, for several have already been taught in the preceding Mishnah (supra 47a).

## **Talmud - Mas. Zevachim 53a**

HE WENT UP THE ASCENT, TURNED TO THE SURROUNDING BALCONY,<sup>1</sup> AND PASSED ON [SUCCESSIVELY] TO THE SOUTH-EAST, THE NORTH-EAST, THE NORTH-WEST, AND THE SOUTH-WEST CORNERS. THE RESIDUE OF THE BLOOD HE Poured OUT AT THE SOUTHERN BASE. THEY WERE EATEN WITHIN THE HANGINGS,<sup>2</sup> BY MALE PRIESTS, PREPARED IN ANY FASHION,<sup>3</sup> THE SAME DAY AND NIGHT, UNTIL MIDNIGHT.

GEMARA. How did he do it?<sup>4</sup> — R. Johanan and R. Eleazar [disagree]. One maintained: He applied it within a cubit in either direction.<sup>5</sup> The other maintained: He applied it<sup>6</sup> with a downward movement on the edge of the horn. On the view of R. Eleazar son of R. Simeon who said that its [blood] is applied essentially on the very horn [of the altar],<sup>7</sup> there is no dispute at all.<sup>8</sup> They differ on Rabbi's view:<sup>9</sup> One master holds that a cubit in either direction is also against the horn; while the other master holds: Only at the edge, and no further.

An objection is raised: How was the blood of the public and the private sin-offerings applied? He went up the ascent, turned to the surrounding balcony, and passed on to the south-east horn, where he dipped his right finger — i.e., the index finger of his right hand — into the blood in the bowl, and supported it with his thumb on this side and his little finger on the other,<sup>10</sup> and applied it with a downward movement against the edge of the horn until all the blood on his finger was gone, and thus [he did] at every horn? — This is what he means: Its regulation is [that it be applied] at the edge; yet if he applies it within a cubit in either direction, we have no objection.<sup>11</sup>

What was [this allusion to] Rabbi and R. Eleazar son of R. Simeon? — As it was taught: The upper blood is applied above the scarlet line, and the lower blood is applied below the scarlet line: that is Rabbi's view. R. Eleazar son of R. Simeon said: This holds good only of a burnt-offering of a bird; but in the case of an animal sin-offering, its [blood] is applied essentially on the very horn.<sup>12</sup> R. Abbahu said: What is Rabbi's reason? Because it is written, And the altar shall be four cubits; and from the altar and upward there shall be four horns.<sup>13</sup> Now, was the altar [only] four cubits?<sup>14</sup> — Said R. Adda b. Ahaba: [It means,] And the place of the horns was four [cubits].<sup>15</sup> Did the horns occupy four cubits?<sup>16</sup> — Say rather: The limits of the horns were four [cubits].<sup>17</sup>

We learnt elsewhere: A scarlet line encompassed it about the middle, to distinguish between the upper and the lower bloods. Whence do we know it? — Said R. Aha b. R. Kattina, Because it said: That the net may reach halfway up the altar:<sup>18</sup> thus the Torah prescribed a barrier to distinguish between the upper and the lower bloods.

THE RESIDUE OF THE BLOOD etc. Our Rabbis taught: At the base of the altar<sup>19</sup> means the southern base. You say, the southern base; yet perhaps it is not so, but rather the western base, and the undefined is learnt from the defined?<sup>20</sup> You can answer: We infer his coming down the ascent from his exit from the hekal: as his exit from the hekal was to the nearest side, so his coming down

the ascent was to the nearest side.<sup>21</sup>

It was taught, R. Ishmael said: In both cases<sup>22</sup> the western base [is meant]. R. Simeon b. Yohai said: In both cases the southern base [is meant]. As for him who maintains that both [were poured out] at the western base, it is well: he holds that the undefined is learnt from the defined.<sup>23</sup> But what is his reason who holds that the southern base [is meant] in both cases? — Said R. Assi: This Tanna maintains that the whole altar stood in the north.<sup>24</sup> Another version: The whole entrance stood to the south.<sup>25</sup>

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(1) Sobeb, a terrace or balcony which ran round the altar. He had to stand on the balcony because he applied the blood with his finger on the horns of the altar. For other sacrifices he stood on the pavement and dashed the blood from the vessel on to the altar.

(2) In the Tabernacle. These hangings corresponded to the walls of the Temple court.

(3) Roast or boiled.

(4) The application on the horn.

(5) He stood e.g. at the south-east corner and applied the blood either in the direction of south or east, but within a cubit from the actual corner; similarly with the other corners.

(6) Lit., performed the rites of the sin-offering; cf. supra 52b p. 263, n. 4. for this expression.

(7) Infra.

(8) The edge is certainly unnecessary, since anywhere within a cubit from the angle is the horn.

(9) Who holds that the blood may be applied above the line even not against the horn, v. infra.

(10) Like a balanced load. The reading adopted is that of Sh. M. Cur. edd. read: 'with his thumb above and his little finger below' — a rather difficult procedure.

(11) As this counts as an extension of the edge.

(12) V. supra 10a.

(13) Ezek. XLIII, 15.

(14) It was much larger.

(15) I.e., the horns occupied four cubits of the altar, since each was a cubit in length and breadth.

(16) Since each was a cubit in length, actually only two cubits of the length or the breadth of the altar were occupied by the horns.

(17) A distance of four cubits below the horns, i.e., as far down as the scarlet line, still ranked as the horns. Therefore Rabbi says that the upper blood, i.e., the blood which is sprinkled on the horn, can be sprinkled anywhere above the scarlet line.

(18) Ex. XXVII, 5.

(19) Lev. IV, 30.

(20) Of the blood of the inner sin-offering it is said, at the base of the altar of burnt-offering, which is at the door of the tent of meeting (ibid., 7). Now, as one entered from the door he came first to the western base: this is therefore regarded as defined, and the question is: Why not learn v. 30, where it is undefined, from v. 7, where it is defined?

(21) When he left the hekal with the residue of the inner blood, he poured it out at the western base, this being nearest to him. So also when he came down the ascent with the residue of the outer blood, after having applied the blood on the south-west corner he poured it out at the southern base, this being nearest to him.

(22) Sc. the inner and the outer sin-offerings.

(23) As in n. 3.

(24) I.e., to the north of the door of the hekal, and no part of the altar actually stood in front of the door; then the immediate side would be the southern. It may also mean that it stood in the north of the Temple court, five cubits of it facing the door, and one of these five cubits was the southern base, which one would face as he came out of the door.

(25) Of the altar. This is the same as the preceding.

## **Talmud - Mas. Zevachim 53b**

The school of R. Ishmael taught in R. Simeon b. Yohai's ruling: In both cases the western base is meant;<sup>1</sup> and your token is:<sup>2</sup> Men pulled a man.<sup>3</sup>



MISHNAH. THE BURNT-OFFERING IS A SACRIFICE OF HIGHER SANCTITY. IT IS SLAUGHTERED IN THE NORTH, AND ITS BLOOD IS RECEIVED IN A SERVICE VESSEL IN THE NORTH; AND ITS BLOOD REQUIRES TWO APPLICATIONS, WHICH ARE FOUR.<sup>4</sup> IT HAD TO BE FLAYED, DISMEMBERED, AND COMPLETELY CONSUMED BY THE FIRE.

GEMARA. Why does he teach that the burnt-offering is a sacrifice of higher sanctity?<sup>5</sup> — Because ‘it is most holy’ is not written in its case.<sup>6</sup>

AND ITS BLOOD REQUIRES TWO APPLICATIONS [WHICH ARE FOUR]. How did he do it? — Rab said: He applied [the blood] and applied [it] again.<sup>7</sup> Samuel said: He made a single application in the shape of a Greek Gamma.<sup>8</sup>

This is a controversy of Tannaim: [And the priests . . . shall dash the blood round about the altar]:<sup>9</sup> You might think that he sprinkles it with a single sprinkling; therefore Scripture states, ‘round about’. If ‘round about’, you might think that he must encompass it [with blood] like a thread; therefore Scripture states, ‘And they shall dash’.<sup>10</sup> How then [is it done]? Its blood requires two applications in the shape of a Greek Gamma, which constitute four. R. Ishmael said: ‘Round about’ is said here, and ‘round about’ is said elsewhere:<sup>11</sup> as there it means four separate applications,<sup>12</sup> so here too it means four separate applications. If so, just as there [it means] four applications on the four horns, so here too it means four applications on the four horns? — You can answer: The burnt-offering needs the base,<sup>13</sup> whereas the south-east horn had no base. What was the reason? — Said R. Eleazar: Because it was not in the portion of the ‘ravener’.<sup>14</sup> For R. Samuel son of R. Isaac said: The altar occupied a cubit in Judah's portion.<sup>15</sup> R. Levi b. Hama said in R. Hama son of R. Hanina's name: A strip issued from Judah's portion and entered Benjamin's portion,<sup>16</sup> whereat the righteous Benjamin grieved every day, wishing to possess it,<sup>17</sup> as it is said

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(1) Not southern, as above.

(2) To remember this.

(3) The school of R. Ishmael, representing many men, pulled the one man, R. Simeon b. Yohai, to the view of their master, R. Ishmael.

(4) The blood is sprinkled on the north-west and the southwest horns. The blood was not applied exactly on the edge, but spread further, so that all the four sides of the altar received some of it.

(5) Which he does not teach of sin-offerings and guilt-offerings, though they too are likewise.

(6) As it is of the others (v. Lev. VI, 18; VII, 1). Nevertheless the Tanna informs us that it is most holy, since it is altogether burnt. For those parts even of sacrifices of lesser sanctity which were burnt on the altar ranked as most holy.

(7) He applied it twice on each horn, one on each side of it.

(8) He dashed the blood against the edge and it spread on either side, forming an angle.

(9) Lev. I, 5.

(10) Which implies, from a distance, whereas to encompass it he would have to apply the blood directly with his finger round the sides of the altar.

(11) In reference to Aaron's sin-offering of consecration, Lev. VIII, 15.

(12) Lit., ‘a separation and four applications’. — The applications had to be separate, since they were made on the four horns.

(13) Its blood must be sprinkled on the horns over against the base.

(14) Sc. Benjamin; cf. Gen. XLIX, 27: Benjamin is a wolf that raveneth.

(15) I.e., the width of one cubit along the eastern and the southern sides of the altar, but not reaching right to the ends thereof. Hence the south-east horn was in Judah's portion and this was not provided with a base.

(16) And on this strip was situated part of the Temple, including a portion of the altar.

(17) To have the honour that the whole Temple and everything in it might be in his portion.

## Talmud - Mas. Zevachim 54a

Yearning for Him all day.<sup>1</sup> Therefore was Benjamin privileged to become a host to the Holy One, blessed be He, as it is said: And He dwelleth between his shoulders.<sup>2</sup>

An objection is raised: How was the burnt-offering of a bird sacrificed? He [the priest] pinched off its head close by its neck and divided it,<sup>3</sup> and drained out its blood on the wall of the altar.<sup>4</sup> Now if you say that it had no base, did he simply apply it in the air?<sup>5</sup> — Said R. Nahman b. Isaac: Perhaps they thus stipulated that the air-space should count as Benjamin's and the soil as Judah's.<sup>6</sup>

What does 'it had no base' mean? — Rab said: In the construction.<sup>7</sup> R. Levi said: In respect of blood.<sup>8</sup> Now Rab interpreted [the text just quoted]:<sup>9</sup> In his [Benjamin's] heritage shall the altar be built.<sup>10</sup> While Levi interpreted it: In his heritage shall the sanctuary be built, which means, a place sanctified for [the reception of] blood.<sup>11</sup>

Come and hear: The base ran along the whole of the north and the west sides, and extended one cubit into the south and one cubit into the east? — By 'extended' is meant in respect of blood.<sup>12</sup>

Come and hear: The altar was thirty-two [cubits] by thirty-two?<sup>13</sup> — This was the side length.<sup>14</sup>

Come and hear: Thus it was found that it overhung a cubit over the base and a cubit over the balcony?<sup>15</sup> — Say: a cubit corresponding to the base area and a cubit of the balcony.<sup>16</sup>

Come and hear: For Levi taught: How did they build the altar? They brought a frame thirty-two [cubits] square and one cubit deep; and they brought round smooth stones<sup>17</sup> of all sizes;<sup>18</sup> then they brought plaster, molten lead and pitch, melted them down and poured them in; and this was the place of the base. Then they brought a frame thirty cubits square and five cubits deep, and they brought smooth stones etc, [and this was the place of the balcony]. Then they brought a frame twenty-eight cubits square, and three cubits deep; and they brought smooth stones etc., and this was the place of the [wood] pile.<sup>19</sup> Then they brought a frame one cubit square, and they brought smooth round stones, of all sizes, and pitch and molten lead, melted them down, and poured them in, and this formed the horn; and similarly for each horn.<sup>20</sup> And should you answer

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(1) Deut. XXXIII, 12. E.V.: He (sc. God) covereth him (Benjamin) all day.

(2) Ibid. The significance of this is explained anon.

(3) By pinching through both organs, the windpipe and the gullet. In the case of a sin offering of a bird only one organ was pinched.

(4) And this was done on the south-east horn; v. infra 64a.

(5) I.e., the blood would simply fall to the earth. Surely that was not permitted!

(6) Possibly there was a little ledge on that side, more than three hand-breadths from the ground, where it would not count as belonging to Judah, and on this ledge the blood fell and was thus sacred. Nevertheless, this ledge could not count as a base, where blood actually had to be poured out on the base.

(7) The base, which was a separate structure, did not reach under the south-eastern horn.

(8) The base did run along the whole length of the eastern side of the altar, but blood was not poured out nor applied in Judah's portion.

(9) 'And he dwelleth between his shoulders.'

(10) Hence the base, which was the understructure and foundation of the altar, was omitted from that side which belonged to Judah.

(11) There was a base under the south-east horn, but it was not sanctified for the purpose, since it was not in Benjamin's portion.

(12) The blood could be poured out there, yet there was no actual construction.

(13) This implies that it was of equal length on all sides, whereas according to Rab it was a cubit short on the east and the south.

- (14) Only the north and west sides were of this length; the other two sides were each a cubit less.
- (15) V. infra 62b. This refers to the ascent, which joined the altar from the south, and thus implies that there was the base on the south.
- (16) I.e., the cubit which would have been occupied by the base, had there been one on the south side.
- (17) The original implies fresh from the ground.
- (18) Lit., ‘both large and small’.
- (19) I.e., the top of the altar, where the wood for the fire was placed.
- (20) Thus the base consisted of a complete square, which implies the inclusion of the south and the east sides too!

## Talmud - Mas. Zevachim 54b

that he [subsequently] cut it away,<sup>1</sup> [surely] ‘unhewn [whole] stones’ are prescribed!<sup>2</sup> — They placed a plank there, and then removed it.<sup>3</sup> For if you will not say thus, when R. Kahana said: The horns<sup>4</sup> were hollow, for it is written, And they shall be filled like the basins, like the horns of the altar,<sup>5</sup> here too [you may object that] the Divine Law prescribed ‘whole stones’?<sup>6</sup> But [you must answer] that something was [first] placed there<sup>7</sup> and then removed; so here too, planks were [first] placed there and then removed.

Raba lectured: What is meant by the verse, [And he asked and said: ‘Where are Samuel and David?’] And one said: ‘Behold, they are at Naioth in Ramah’:<sup>8</sup> What connection then has Naioth with Ramah? It means, however, that they sat at Ramah and were engaged with the glory [beauty] of the world.<sup>9</sup> Said they, It is written, Then shalt thou arise, and ascend unto the place [which the Lord thy God shall choose]:<sup>10</sup> this teaches that the Temple was higher than the whole of Eretz Israel,<sup>11</sup> while Eretz Israel is higher than all other countries. They did not know where that place was. Thereupon they brought the Book of Joshua.<sup>12</sup> In the case of all [tribal territories] it is written, ‘And the border went down’ ‘and the border went up’ ‘and the border passed along’,<sup>13</sup> whereas in reference to the tribe of Benjamin ‘and it went up’ is written, but not ‘and it went down’.<sup>14</sup> Said they: This proves that this is its site. They intended building it at the well of Etam, which is raised, but [then] they said: Let us build it slightly lower,<sup>15</sup> as it is written, And He dwelleth between his shoulders.<sup>16</sup> Alternatively,<sup>17</sup> there was a tradition that the Sanhedrin<sup>18</sup> should have its locale in Judah's portion, while the Divine Presence<sup>19</sup> was to be in Benjamin's portion. If then we build it in the highest spot,<sup>20</sup> [said they,] there will be a considerable distance between them. Better then that we build it slightly lower, as it is written: ‘And He dwelleth between his shoulders’. And for this Doeg the Edomite envied David,<sup>21</sup> as it is written, Because envy on account of Thy house hath eaten me up.<sup>22</sup> And it is written, Lord, remember unto David all his affliction; how he swore unto the Lord, and vowed unto the Mighty One of Jacob: ‘Surely I will not come into the tent of my house, nor go up into the bed that is spread for me; I will not give sleep to mine eyes, nor slumber to mine eyelids; until I find out a place for the Lord, a dwelling-place for the Mighty One of Jacob. Lo, we heard of it as being in Ephrath; we found it in the field of the forest.’<sup>23</sup> ‘In Ephrath’ means in the Book of Joshua,<sup>24</sup> who [Joshua] was descended from Ephraim. ‘In the field of the forest’ alludes to [the territory of] Benjamin, as it is written, Benjamin is a wolf that raveneth.<sup>25</sup>

MISHNAH. THE PEACE-OFFERINGS OF THE CONGREGATIO<sup>26</sup> AND THE GUILT-OFFERINGS (THESE ARE THE GUILT-OFFERINGS: THE GUILT-OFFERING FOR ROBBERY;<sup>27</sup> FOR TRESPASS;<sup>28</sup> FOR A BETROTHED BONDMAID;<sup>29</sup> A NAZIRITE'S GUILT-OFFERING;<sup>30</sup> A LEPER'S GUILT-OFFERING;<sup>31</sup> AND THE GUILT-OFFERING OF SUSPENSE)<sup>32</sup> ARE SLAUGHTERED IN THE NORTH, AND THEIR BLOOD IS RECEIVED IN A SERVICE VESSEL IN THE NORTH, AND THEIR BLOOD REQUIRES TWO SPRINKLINGS, WHICH CONSTITUTE FOUR. AND THEY ARE EATEN WITHIN THE HANGINGS,<sup>33</sup> BY MALE PRIESTS, PREPARED IN ANY MANNER, A DAY AND A NIGHT, UNTIL MIDNIGHT.

(1) After the base was built, a cubit was cut away on the south side.

- (2) Deut. XXVII, 6. Cutting away from the base would inevitably cut into the stones, so that they would not be whole.
- (3) In the first mould planks were placed on the south and the east sides, a cubit from the edge, so that when the stones etc. were poured in, these strips would be left empty; subsequently they were removed.
- (4) So emended by Sh. M.
- (5) Zech. IX, 15. — That implies that the horns were hollowed out to form a receptacle.
- (6) Whereas if the horns were hollowed or perforated after they were made, the stones would have to be cut into.
- (7) Thin laths formed the hollow or channels before the stones etc. were poured into it, and these were not filled in.
- (8) I Sam. XIX, 22.
- (9) Connecting Naioth with na'eh, beautiful, glorious. The reference is to the Temple—they sought to determine its exact site.
- (10) Deut. XVII, 8.
- (11) Since one had to 'ascend' to it from wherever he might be.
- (12) To study the topography of Eretz Israel.
- (13) Cf. Josh. XV-XVIII.
- (14) The border of other tribes ran in a southerly direction from the well of Etam, and the north as far as the well of Etam constituted Benjamin's boundary. Now, the boundaries of other tribes as they proceeded south from the well of Etam are described as going down, whereas the boundary of Benjamin as it proceeded to the well of Etam is described as going up. Hence the well of Etam must have been the highest spot of all. Rashi identifies the well of Etam with 'the waters of Nephtoah' (ibid. XVIII, 15.) V. also J.E. art. 'Etam'.
- (15) Sc. in Jerusalem.
- (16) Deut. XXXIII, 12. 'Shoulders' but not 'head' implies that it should not be at the very highest point.
- (17) An alternative reason why they did not build it at the well of Etam.
- (18) The Supreme Court of seventy-one; v. Sanh. 2a. Its seat was in a special chamber ('Chamber of Hewn Stone') in the Temple court.
- (19) The Temple.
- (20) Lit., 'if we raise it'.
- (21) I.e., because David had thus decided the site of the Temple.
- (22) Ps. LXIX, 10. E.V., 'zeal for Thy house etc.'
- (23) Ps. CXXXII, 2-6.
- (24) Emended text (Aruk).
- (25) Gen. XLIX, 27. Being a 'wolf', he would naturally be found in the forest
- (26) The lambs offered on Pentecost, Lev. XXIII, 19.
- (27) V. Lev. V, 20-25.
- (28) V. p. 176, n. 10.; ibid 15f.
- (29) V. ibid. XIX, 20 seq.
- (30) A nazirite who became defiled through a corpse, v. Num. VI, 9 seq.
- (31) At his purification, v. Lev. XIV, 12.
- (32) V. p. 240, n. 8.
- (33) V. supra 53a p. 266, n. 6.

## **Talmud - Mas. Zevachim 55a**

GEMARA. How do we know that it requires the north? — As Raba son of R. Hanan<sup>1</sup> recited before Raba: And ye shall offer one he-goat for a sin-offering, [and two he-lambs of the first year for a sacrifice of peace-offerings]:<sup>2</sup> as a sin-offering requires the north, so [must] the peace-offerings of the congregation [be slaughtered] in the north. Said Raba to him: Now, whence do we learn this about a sin-offering? From a burnt-offering. Can then that which is learnt through a hekkesh teach in turn through a hekkesh?<sup>3</sup> — Rather, [said Raba], It follows from what R. Mari the son of R. Kahana recited: [Ye shall blow with the trumpets] over your burnt-offerings, and over the sacrifices of your peace-offerings:<sup>4</sup> as a burnt-offering was a sacrifice of higher sanctity, so were the public peace-offerings sacrifices of higher sanctity; as a burnt-offering [was slaughtered] in the north, so were the public peace-offerings [slaughtered] in the north.

Now, what is the purpose of the first hekkesh?<sup>5</sup> — [To teach that it is] like a sin-offering: as a sin-offering is eaten by male priests only, so are public peace-offerings [eaten] by male priests [only]. Said Abaye to him [Raba]: If so, when it is written in connection with a nazirite's ram: And he shall present his offering unto the Lord, one he-lamb of the first year without blemish for a burnt-offering, and one ewe-lamb of the first year without blemish for a sin-offering, and one ram without blemish for a peace-offering:<sup>6</sup> will you say that here too the Divine Law assimilated it to a sin-offering: as a sin-offering may be eaten by male priests only, so the nazirite's ram may be eaten by male priests only? — How compare: There, since it is written, And the priest shall take the shoulder of the ram when it is sodden, [. . . this is holy, for the priest]<sup>7</sup> it follows that the whole of it is eaten by its owner. But at least the shoulder that is sodden should be eaten by male priests only? — That is a difficulty. Alternatively [you can answer]: It<sup>8</sup> is called 'holy', but not 'most holy'.<sup>9</sup> Then in respect of which law is it assimilated?<sup>10</sup> — Said Raba: [To teach] that if he shaves himself after one [sacrifice] of the three, he fulfils his duty.<sup>11</sup> MISHNAH. THE THANKS-OFFERING AND THE NAZIRITE'S RAM ARE SACRIFICES OF LESSER SANCTITY. THEY ARE SLAUGHTERED ANYWHERE IN THE TEMPLE COURT, AND THEIR BLOOD REQUIRES TWO SPRINKLINGS, WHICH CONSTITUTE FOUR; AND THEY ARE EATEN IN ANY PART OF THE CITY, BY ANY PERSON,<sup>12</sup> PREPARED IN ANY MANNER, THE SAME DAY AND THE NIGHT FOLLOWING, UNTIL MIDNIGHT. THE PARTS THEREOF WHICH ARE SEPARATED<sup>13</sup> ARE GOVERNED BY THE SAME LAW, SAVE THAT THESE ARE EATEN [ONLY] BY THE PRIESTS, THEIR WIVES, THEIR CHILDREN AND THEIR SLAVES.

GEMARA. Our Rabbis taught: And the breast of waving and the thigh of heaving shall ye eat in a clean place:<sup>14</sup> Said R. Nehemiah: Did they then eat the earlier [sacrifices]<sup>15</sup> in uncleanness? Rather, 'clean' implies that it is [partially] unclean:<sup>16</sup> [thus it means,] clean from the defilement of a leper, but unclean with the uncleanness of a zab, and which place is that? The camp of the Israelites.<sup>17</sup> Yet say [that it means] clean from the defilement of a zab, yet unclean with the defilement of the dead, and which [place] is that? The Levitical camp?<sup>18</sup> — Said Abaye, Scripture saith, And ye shall eat it [the mealoffering] in a holy place:<sup>19</sup> 'it' [must be eaten] in a holy place, but another [need] not [be eaten] in a holy place, thus withdrawing it from the Camp of the Divine Presence into the Levitical Camp.<sup>20</sup> Then 'in a clean place' is written, which withdraws it into the camp of the Israelites. Raba said: 'It' [must be eaten] in a holy place but another [need] not [be eaten] in a holy place, withdraws it altogether;<sup>21</sup> then the Divine Law wrote 'in a clean place', [thereby] bringing it into the Israelites' camp.<sup>22</sup> Yet say that it brought it into the Levitical camp?<sup>23</sup> — We bring it back into one [camp], not into two. If so, [you can] also [argue in respect of] withdrawing: we withdraw it from one, but not from two?<sup>24</sup> Moreover, it is written, Thou mayest not eat within they gates etc?<sup>25</sup> Rather, it clearly must be explained as Abaye.

MISHNAH. THE PEACE-OFFERING IS A SACRIFICE OF LESSER SANCTITY. IT MAY BE SLAIN IN ANY PART OF THE TEMPLE COURT, AND ITS BLOOD REQUIRES TWO SPRINKLINGS, WHICH CONSTITUTE FOUR; AND IT MAY BE EATEN IN ANY PART OF THE CITY, BY ANY PERSON, PREPARED IN ANY WAY, DURING TWO DAYS AND ONE NIGHT. THE PARTS THEREOF WHICH ARE SEPARATED ARE SIMILAR, SAVE THAT THESE ARE EATEN BY PRIESTS, THEIR WIVES, THEIR SONS, AND THEIR SLAVES.

GEMARA. Our Rabbis taught: And he shall kill it at the door of the tent of meeting . . . and he shall kill it before the tent of meeting . . . and he shall kill it before the tent of meeting:<sup>26</sup> this teaches that all sides [of the Temple court] are fit in the case of sacrifices of lesser sanctity,<sup>27</sup> and the north [side] a fortiori: if sacrifices of higher sanctity, which were not made fit [for slaughtering] on all sides, are fit on the north; is it not logical that sacrifices of lesser sanctity, which are fit on all sides, are fit in the north?<sup>28</sup> R. Eliezer said: The Writ comes specifically to declare the north fit.<sup>29</sup> For you might say, is not [the reverse] logical: If sacrifices of lesser sanctity, which are fit on all sides, yet

their place is not fit for sacrifices of higher sanctity,<sup>30</sup> then sacrifices of higher sanctity, which are permitted in the north only, is it not logical that their [particular] place is not permitted for sacrifices of lesser sanctity? Therefore 'the tent of meeting' is stated.<sup>31</sup>

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(1) Emended text (Sh. M.)

(2) Lev. XXIII, 19.

(3) Surely not. V. supra 48a, 49b.

(4) Num. X, 10. It must mean the peace-offerings of the congregation, since private peace-offerings did not require the blowing of trumpets.

(5) Where it is assimilated to a sin-offering.

(6) Num. VI, 14.

(7) Ibid. 19, 20.

(8) The shoulder that is sodden.

(9) Therefore it cannot be like the sin-offering, which is 'most holy'.

(10) Sc. the nazirite's ram to a sin-offering.

(11) At the termination of his vow a nazirite must bring three sacrifices, viz., a burnt-offering, a sin-offering, and a peace-offering. Yet if he brings only one and shaves, the prohibitions of a nazirite, such as drinking wine, are lifted, because it is written, And after that the nazirite may drink wine (v. 20), 'after that' meaning, according to the Rabbis, after he brings his peace-offering. Then the sin-offering is assimilated to the peace-offering to shew that the same applies to the former too.

(12) I.e., even by a zar.

(13) In the case of the thanks-offering, the thigh and breast, and four loaves out of the forty by which it is accompanied. In the case of the nazirite's ram, likewise the thigh and the breast, the boiled shoulder, one unleavened loaf and one unleavened wafer.

(14) Lev. X, 14.

(15) Those enumerated earlier in this passage, which treats of Aaron's consecration.

(16) Since Scripture writes 'in a clean place instead of in a holy place,' as in the preceding verse.

(17) Three 'camps' of lessening degrees of sanctity were recognised in the wilderness: (i) The camp of the Divine Presence, — the Tabernacle; (ii) the camp of the Levites — literally the Levitical camp which immediately surrounded the Tabernacle; and (iii) the camp of the Israelites, likewise literally, each tribe within the camp of his standard, v. Num. II. To these three corresponded the Temple, the Temple Mount, and the city of Jerusalem respectively. A leper was expelled from all three, a zab was not permitted in the first two, and permitted in the third. Hence this text teaches that it might be eaten anywhere in Jerusalem.

(18) Where a corpse might be taken. So that the flesh of this sacrifice may be eaten in the Temple Mount only, but not anywhere in Jerusalem.

(19) Lev. X, 13.

(20) Emended text (Sh. M.).

(21) This would imply that it need not even be eaten in the third camp, hence even outside Jerusalem.

(22) Hence it must be eaten within the walls of Jerusalem.

(23) Teaching that it must be eaten in the Temple Mount.

(24) When Scripture implies that it is not bound to be eaten in a particular place, say that one camp (that of the Divine Presence) is excluded, but not two.

(25) Deut. XII, 17. 'Within thy gates' means in the cities outside Jerusalem.

(26) Lev. III, 2, 8, 13. The three texts refer to the different animals brought as peace-offerings.

(27) As 'before' implies on any side.

(28) Thus in the view of this Tanna no text is necessary to shew that it can be slain in the north.

(29) Otherwise we would not know it.

(30) The latter cannot be slaughtered in any part of the Temple.

(31) Implying any part of same.

## **Talmud - Mas. Zevachim 55b**

Wherein do they differ? — The first Tanna holds, Three texts are written:<sup>1</sup> one is for its own purpose, to intimate that the door of the tent of meeting is required;<sup>2</sup> the second is to permit the sides;<sup>3</sup> and the third is to invalidate the sides of the sides;<sup>4</sup> while no text is necessary for the north. Whereas R. Eliezer holds: One is for its own purpose, to intimate that the door of the tent of meeting is required; the second is to permit the north; and the third is to permit the sides; but no text is required in respect of the sides of the sides.

Why is 'the door of the tent of meeting' written in one case, whereas 'before the tent of meeting' is written in the others? — We are thereby informed of Rab Judah's teaching in Samuel's name. For Rab Judah said in Samuel's name: If a peace-offering is slaughtered before the doors of the hekal are opened, it is invalid, for it is said, 'And he shall kill it at the entrance [opening] of the tent of meeting': when it is open, but not when it is shut. It was stated likewise: Mar 'Ukba b. Hama said in R. Jose son of R. Hanina's name: If one slaughtered a peace-offering before the doors of the hekal were opened, it is invalid, because it is said, 'And he shall kill it at the entrance [opening] of the tent of meeting': when it is open, and not when it is shut. In the West [Palestine] they recited it thus: R. Aha b. Jacob said in R. Ashi's name: If a peace-offering is slaughtered before the doors of the hekal are opened, it is invalid; in the Tabernacle,<sup>5</sup> [if it is slaughtered] before the Levites set up the Tabernacle or after the Levites take down the Tabernacle, it is invalid.

It is obvious that if it is shut, it is as though it were locked.<sup>6</sup> What if a curtain [shuts it off]? — Said R. Zera: That itself is made only for an open door.<sup>7</sup>

What of an elevation?<sup>8</sup> — Come and hear: For it was taught, R. Jose b. R. Judah said: There were two wickets in the knives' recess and their elevation was eight cubits, in order that the whole of the Temple court might be made fit for the consumption of sacrifices of higher sanctity and the slaughtering of sacrifices of lower sanctity.<sup>9</sup> Does this not mean that [an elevation] eight [cubits high] stood before them [these wickets]?<sup>10</sup> — No: it means that they [themselves]<sup>11</sup> were eight cubits high.

An objection is raised: All the gates there were twenty cubits high and ten cubits wide?<sup>12</sup> — The wickets were different.<sup>13</sup> But there were the sides?<sup>14</sup> — They were built at the corners.<sup>15</sup>

What about the space behind the place of the Mercy Seat [kapporeth]?<sup>16</sup> — Come and hear, for Rami son of Rab Judah said in Rab's name: There was a small passage way behind the place of the Mercy Seat, in order to make the whole Temple court fit for the consumption of most holy sacrifices and the slaughtering of minor sacrifices, and there were two such,<sup>17</sup> and thus it is written, And two le-par bar.<sup>18</sup> What does le-par bar mean? — Said Rabbah son of R. Shila: As one says, facing without [ke-lappe le-bar].

Rab Judah said in Samuel's name: Liability for uncleanness<sup>19</sup> is incurred

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(1) The 'tent of meeting' is repeated three times.

(2) I.e., as stated infra, the animal may be slain only when this door is open.

(3) One is not limited to the space directly in front of the door.

(4) I.e., chambers opening into the Temple court. These, even if sanctified, are unfit.

(5) When there was no door, but only an opening.

(6) The sacrifice then is certainly invalid.

(7) The curtain is hung there only because the door of the hekal is open and it is indecorous for the priests to look into the hekal while they are engaged on the sacrifice. Hence it counts as open, and the sacrifice is valid (Sh. Mek.).

(8) I.e., a raised construction, e.g., a beam or a board which shuts off the door while it is actually open.

(9) The ulam (v. Glos.) overlapped the hekal by 11 cubits on each side. Now, the sacrifices had to be slain in front of the hekal, corresponding to 'before the tent of meeting', and this would apparently not include the area directly in front of

the overlap, in which there was a special recess for the knives. By means of wickets set in the ulam on either side the whole of the area facing the ulam, including the overlap, was thus made fit.

(10) Which proves that such leaves it technically open.

(11) The entrances to the wickets.

(12) Consequently the reference must be to the construction before the wickets.

(13) Since their purpose was only symbolic.

(14) Of the ulam, on the north and the south beyond the wickets. The area in front of these would not be made fit by the wickets.

(15) Diagonally, so that the space opposite them, viz., up to the north and the south walls of the Temple court, would still be technically 'before the door'.

(16) A space of eleven cubits between it and the western wall of the court (v. Mid. V, I); was that fit too?

(17) Emended text.

(18) E.V. 'at the precinct'. I. Chron. XXVI, 18. The M.T. reads this as one word: parbar.

(19) I.e., for entering the precincts of the Temple court in an unclean state.

## Talmud - Mas. Zevachim 56a

only in respect of [an area] a hundred and eighty-seven cubits in length by a hundred and thirty-five in breadth. A Tanna recited before R. Nahman: The whole Temple court was a hundred and eighty-seven cubits in length by a hundred and thirty-five in breadth. Said he to him, Thus did my father say: Within such an area the priests entered, consumed the most holy and slaughtered the minor sacrifices there, and were liable for uncleanness. What does this exclude? Shall we say that it excludes the windows, doors and the thickness of the wall? Surely we learnt: The windows and the thickness of the wall are as within?<sup>1</sup> — Rather, it is to exclude the chambers.<sup>2</sup> But if they are built on nonsacred ground and open into sacred ground, surely we learnt: Their inside is holy? — That is by Rabbinical law [only] — And not by Scriptural law? Surely it was taught: How do we know that the priests may enter the chambers which are built on non-sacred ground and open into sacred ground, eat there the most holy sacrifices and the residue of the meal-offering?<sup>3</sup> Because it says, In the court of the tent of meeting they shall eat it:<sup>4</sup> Scripture permitted many courts for eating!<sup>5</sup> — Said Raba: Eating is different.<sup>6</sup> But are they not [holy] in respect of uncleanness? Surely it was taught: The chambers built on non-sacred ground: priests may enter therein and eat there the most holy sacrifices; you may not slaughter minor sacrifices there,<sup>7</sup> and they involve culpability on account of uncleanness? — Did you not say, you may not slaughter?<sup>8</sup> then learn too, and they do not involve culpability.<sup>9</sup> [No:] as for [saying] you may not slaughter, it is well, [the reason being that] it [slaughtering] must be opposite the door, which it is not [in these chambers]. But why [should you learn] 'and they do not involve culpability'? — Yet on your view, [consider: when you say,] you may not slaughter, are we not discussing a case where the shechitah is opposite the entrance,<sup>10</sup> for if it is not, why is it necessary [to teach it]? Hence [you must admit that] although he would slaughter opposite the entrance, yet he teaches, 'You may not slaughter', because they are not sanctified. Then learn also, They do not involve culpability.

Now, do we not require the consumption to be facing the entrance? Surely R. Jose son of R. Hanina taught: There were two wickets in the knives' recess, and their elevation was eight cubits, in order to make the Temple court fit for the eating of most sacred sacrifices and the slaughtering of minor sacrifices? — Said Rabina: Delete 'eating' from this passage. But it is written, Boil the flesh at the door of the tent of meeting, and there eat it?<sup>11</sup> Temporary sacrifices are different.<sup>12</sup>

R. Isaac b. Abudimi said: How do we know that the blood is invalidated by sunset?<sup>13</sup> Because it says, It shall be eaten on the day that he offereth his slaughtering:<sup>14</sup> on the day that you slaughter, you can offer; on the day that you do not slaughter, you cannot offer.<sup>15</sup> But this text is needed

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(1) Sacred; hence these cannot be excluded.



- (2) Flanking the Temple court.
- (3) What is left after the fistful is separated and burnt on the altar.
- (4) Lev. VI, 9.
- (5) These correspond to the chambers under discussion. Since the most holy sacrifices may be eaten there, they must be sacred by Biblical law too.
- (6) Eating is permitted because Scripture intimated it so.
- (7) As these are the 'sides of the sides' (v. supra 53b), and not 'before the tent of meeting'.
- (8) Which proves that they are not holy.
- (9) The text must be so amended.
- (10) I.e., that the door of this chamber faces that of the knives' recess, so that when both are open it is technically 'at the door of the tent of meeting', and yet you may not slaughter there.
- (11) Lev. VIII, 31.
- (12) These sacrifices were not statutory ones, but specially commanded for the consecration of Aaron. They are not subject to the ordinary laws.
- (13) It is unfit for sprinkling on the morrow.
- (14) Ibid. VII, 16. Lit., translation. E.V.: his sacrifice.
- (15) Sc. on the morrow. 'Offering' is essentially sprinkling.

### **Talmud - Mas. Zevachim 56b**

for its own purpose?<sup>1</sup> — If so, let Scripture say, 'It shall be eaten on the day of its slaughtering': what is the purpose of 'that he offereth'? Infer from it: on the day that you slaughter, you can offer; on the day that you do not slaughter, you cannot offer. Yet perhaps this is what the Divine Law means: If he [the priest] presents the blood on the same day, you may eat the flesh on the same day and on the next; while if he presents the blood on the morrow, you may eat the flesh on the morrow and on the day after? — If so, let Scripture write, 'It shall be eaten on the day that he offereth'; what is the purpose of 'his slaughtering'? Infer from it: On the day that you slaughter, you can offer: on the day that you do not slaughter, you cannot offer.

It was stated: If one intends [eating the flesh] on the evening of the third day,<sup>2</sup> Hezekiah said: It [the sacrifice] is fit; R. Johanan said: It is unfit. Hezekiah said: It is fit, seeing that it was not yet relegated to the fire.<sup>3</sup> R. Johanan said: It is unfit, seeing that it is rejected from eating.<sup>4</sup>

If one eats [the flesh] on the evening of the third day, Hezekiah maintained: He is exempt,<sup>5</sup> seeing that it was not yet relegated to the fire; R. Johanan maintained, He is culpable, seeing that it was rejected from eating. It was taught in accordance with R. Johanan: With regard to sacrifices which are eaten on the same day [only], an intention is effective in respect of their blood from sunset, and in respect of their flesh and their emurim, from dawn.<sup>6</sup> But as to sacrifices which are eaten two days and one night, an intention is effective in respect of their blood from sunset; in respect of their emurim, from dawn; and in respect of their flesh, from sunset on the second day.<sup>7</sup>

Our Rabbis taught: You might think that they [peace-offerings] may be eaten on the evening of the third day, and this is indeed logical. Some sacrifices are eaten on the same day, and others are eaten during two days; as those sacrifices which are eaten on the same day [only], the night follows them;<sup>8</sup> so also the sacrifices which are eaten during two days, the night follows them. Therefore it says, And if aught remain until the third day:<sup>9</sup> while it is yet day it may be eaten, but it may not be eaten on the evening of the third day. You might think that it is burnt immediately,<sup>10</sup> and this is logical: some sacrifices are eaten on the same day, and others are eaten during two days: as the sacrifices which are eaten on the same day, burning immediately follows eating;<sup>11</sup> so the sacrifices which are eaten during two days, burning immediately follows eating. Therefore it says, 'On the third day it shall be burnt with fire': you must burn it by day, but you must not burn it at night.

MISHNAH. THE FIRSTLING, TITHE<sup>12</sup> AND PASSOVER-OFFERING ARE SACRIFICES OF LESSER SANCTITY. THEY ARE SLAUGHTERED IN ANY PART OF THE TEMPLE COURT, AND THEIR BLOOD REQUIRES ONE SPRINKLING, PROVIDED THAT IT IS APPLIED OVER AGAINST THE BASE.<sup>13</sup> THEY DIFFERED IN THEIR CONSUMPTION [AS FOLLOWS]: THE FIRSTLING WAS EATEN BY PRIESTS [ONLY], WHILE THE TITHE MIGHT BE EATEN BY ANY MAN. AND THEY WERE EATEN IN ANY PART OF THE CITY, PREPARED IN ANY MANNER, DURING TWO DAYS AND ONE NIGHT. THE PASSOVER-OFFERING MIGHT BE EATEN ONLY AT NIGHT, ONLY UNTIL MIDNIGHT, AND IT MIGHT BE EATEN ONLY BY THOSE REGISTERED FOR IT,<sup>14</sup> AND IT MIGHT BE EATEN ONLY ROASTED. GEMARA. Which Tanna [rules thus]?<sup>15</sup> — Said R. Hisda, It is R. Jose the Galilean. For it was taught, R. Jose the Galilean said: Not ‘its blood’ is said, but ‘their blood’; not ‘its fat’ is said, but ‘their fat’: this teaches concerning the firstling, tithe, and the Passover-offering, that their blood and emurim must be presented at the altar.<sup>16</sup>

How do we know [that it must be sprinkled] over against the base? — Said R. Eleazar: The meaning of ‘sprinkling’<sup>17</sup> is learned from a burnt-offering.

- (1) To teach that a peace-offering is eaten on the day it is slaughtered and on the next day.
- (2) The evening preceding the third day, i.e., after the two days permitted for its eating.
- (3) If it remains until the evening of the third day it does not become nothar, to require burning, but only if it remains until the morning (v.v. 17). Hence the intention to eat it then, expressed at the sacrificing, does not invalidate it.
- (4) It may not be eaten after the two days.
- (5) From the penalty for eating nothar.
- (6) If he intended sprinkling their blood after sunset, or eating their flesh or burning their emurim after the dawn of the morrow, his intention makes the sacrifice unfit.
- (7) I.e., the evening of the third day.
- (8) I.e., they are eaten on the night following.
- (9) Lev. XIX, 6.
- (10) At the end of the second day, after sunset.
- (11) From the moment that it may no longer be eaten, it is to be burnt.
- (12) Sc. of cattle; v. Lev. XXVII, 32.
- (13) On a part of the altar which has a base under it. This excludes the east and south (v. supra 53b).
- (14) By people who had previously registered themselves for that particular animal.
- (15) The Mishnah enumerates the differences in their mode of consumption only. Whence it follows that they are alike in respect of sprinkling and presentation of emurim. Whose view is this?
- (16) V. supra 37a for notes.
- (17) Written in connection with the firstling and tithe.

## Talmud - Mas. Zevachim 57a

And how do we know it of a burnt-offering itself? — Because it is written, At the base of the altar of the burnt-offering:<sup>1</sup> this proves that the statutory burnt-offering requires [sprinkling at] the base.<sup>2</sup> If so, just as there two applications which constitute four [are required], so here too, two applications which constitute four [are required]?<sup>3</sup> — Said Abaye: Why must ‘round about’ be written in connection with both a burnt-offering and a sin-offering?<sup>4</sup> That there might be two verses with the same teaching, and two verses with the same teaching do not illumine [other cases].<sup>5</sup> That is well on the view that they do not illumine; but on the view that they do illumine, what can be said? — The guilt-offering is a third,<sup>6</sup> and three certainly do not illumine.

THE FIRSTLING IS EATEN BY PRIESTS. Our Rabbis taught, How do we know that a firstling is eaten during two days and one night? Because it is said, And the flesh of them shall be thine, as the wave-breast and as the right thigh:<sup>7</sup> the Writ assimilated it to the breast and the thigh of a

peace-offering:<sup>8</sup> as a peace-offering might be eaten during two days and one night, so may the firstling be eaten during two days and one night. And this question was asked of the Sages in the vineyard of Yabneh:<sup>9</sup> For how long may a firstling be eaten? Whereupon R. Tarfon replied: During two days and one night. Now a certain disciple was present, who had come to the Beth Hamidrash for the first time, by the name of R. Jose the Galilean. Master, said he to him, whence do you know this? My son, replied he, a peace-offering is a sacrifice of lesser sanctity, and a firstling is a sacrifice of lesser sanctity: as a peace-offering is eaten during two days and one night, so a firstling is eaten during two days and one night. Master, he objected, a firstling is the priest's due, and a sin-offering and a guilt-offering are the priest's dues;<sup>10</sup> [then let us argue,] as a sin-offering and a guilt-offering [may be eaten] during one day and one night, so a firstling [may be eaten] one day and one night? Said he to him: Let us compare the two objects, and then deduce one from the other:<sup>11</sup> as a peace-offering does not come on account of sin, so a firstling does not come on account of sin; [hence,] as a peace-offering is eaten two days and one night, so is a firstling eaten two days and one night. Master, he objected, Let us compare the two objects, and then deduce one from the other: a<sup>12</sup> sin-offering and a guilt-offering are priestly dues, and a firstling is a priestly due; as<sup>12</sup> a sin-offering and a guilt-offering cannot be brought as a vow or a freewill-offering,<sup>13</sup> so a firstling cannot be a vow or a freewill-offering:<sup>14</sup> [hence,] as a sin-offering and a guilt-offering are eaten one day and one night, so may a firstling be eaten one day and one night? R. Akiba then leaped [into the debate], and R. Tarfon withdrew. Said he [R. Akiba] to him, Behold, it says, 'And the flesh of them shall be thine [etc.]:' the Writ assimilated them to the breast and thigh of a peace-offering: as a peace-offering is eaten two days and one night, so a firstling is eaten two days and one night. Said he to him: You have likened it to the breast and thigh of a peace-offering, but I might liken it to the breast and thigh of a thanks-offering: as a thanks-offering is eaten one day and one night, so a firstling is eaten one day and one night. Lo, he replied, it says, it shall be thine.<sup>15</sup> Now, 'it shall be thine' need not be stated; why then is it said? The Writ thereby prolonged the existence of a firstling.<sup>16</sup> When this discussion was reported to R. Ishmael, he said to them [those who reported it]: Go forth and say to Akiba, You have erred.<sup>17</sup> Whence do we learn this of the thanksoffering?<sup>18</sup> From a peace-offering.<sup>19</sup> Can then that which is learnt through a hekkesh teach in turn by a hekkesh?<sup>20</sup> Hence you must determine it not by the second version but by the first version.<sup>21</sup> Now, how does R. Ishmael employ this phrase, 'it shall be thine'?<sup>22</sup> — It teaches that a blemished firstling is given to the priest, for which teaching we do not find [any other text] in the whole Torah. And R. Akiba?<sup>23</sup> — He learns it from 'their flesh', [which intimates,] whether it whole or blemished. And R. Ishmael?<sup>24</sup> — It means, the flesh of these firstlings.

Wherein do they differ?<sup>25</sup> — One master holds: [That which is inferred] from the subject itself and another does constitute a hekkesh; while the other master holds: It does not constitute a hekkesh.<sup>26</sup> On the view that it does not constitute a hekkesh, it is well: hence it is written, And so shall he do for the tent of meeting,<sup>27</sup> which [intimates]: As he sprinkles the blood of the bullock in the Holy of Holies once upward and seven times downward, so must he sprinkle in the hekal; and as he sprinkles the blood of the he-goat in the Holy of Holies once upward and seven times downward, so must he sprinkle in the Hekal. But on the view that it does constitute a hekkesh, what can be said?<sup>28</sup> — The localities only are deduced from one another.<sup>29</sup>

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(1) Lev. IV, 7.

(2) For in fact the altar was not used for the burnt-offering exclusively, the very sentence quoted treating of a sin-offering. Hence the verse must mean, at the base of the altar, as is done with a burnt-offering.

(3) Whereas the Mishnah says otherwise.

(4) Burnt-offering, Lev. I, 5: And he shall dash the blood round about against the altar; sin-offering, VIII, 15: And when it was slain, Moses took the blood, and put it upon the horns of the altar round about with his finger. 'Round about' implies on all four sides. Now, this could be said with reference to a burnt-offering only, and the other would be deduced from it.

(5) Hence the number of applications required by a firstling etc. cannot be deduced from a burnt-offering.

- (6) Where 'round about' is said, Lev. VII, 2.
- (7) Num. XVIII, 18. The text refers to firstlings.
- (8) Since it was the breast and the thigh of a peace-offering which belonged to the priest.
- (9) The famous town to the north-west of Jerusalem, seat of R. Johanan b. Zakkai's academy and Sanhedrin after the destruction of the Temple.
- (10) Whereas a peace-offering belongs to its owner.
- (11) I.e., let us first see to which the firstling is similar, and then learn from it.
- (12) The words: 'a sin-offering . . . as' are best omitted with Ms. M.
- (13) V. supra 2a, p. 2, n. 6. These sacrifices can be brought only when one has incurred them.
- (14) It must actually be a firstling.
- (15) Num. XVIII, 18. This reiterates the first half of the verse.
- (16) It is correct to liken it to a thanksoffering rather than to a peace-offering, since we cannot permit a longer time for its consumption than the minimum of which we are certain. But the reiteration, 'it is thine', implies that it is thine for a longer time than you might otherwise think, and so it is permitted for two days, like a peace-offering.
- (17) By likening it to the thanks-offering in the first place.
- (18) That its breast and thigh belong to the priest. This is not stated explicitly.
- (19) By means of a hekkesh.
- (20) Surely not (v. supra 49b). Hence the thanksoffering in this case cannot throw light on the firstling.
- (21) You must compare it in the first instance to a peace-offering, not to a thanksoffering.
- (22) Why is it repeated?
- (23) Whence does he know this?
- (24) How does he explain the plural 'their'? V. supra 37a, b for notes.
- (25) It is a definite rule that what is learnt through a hekkesh does not teach through a hekkesh. Why then does R. Akiba adopt this exegesis here?
- (26) Now, that a thanksoffering is eaten one day and one night is not inferred by a hekkesh but stated explicitly, Lev. VII, 15, while that its breast and thigh belong to the priest is inferred by a hekkesh. R. Ishmael holds that the fact that the priest may eat the breast and the thigh during one day and one night only must be regarded as an inference by a hekkesh, and therefore it cannot become the basis for another hekkesh (viz., as to the time permitted for the consumption of a firstling). R. Akiba however maintains that since the time permitted for the thanksoffering is explicitly stated, we do not regard the time allowed for the breast and thigh as the result of a hekkesh; hence it can become the basis for another hekkesh.
- (27) Lev. XVI, 16.
- (28) The passage treats of the ritual of the Day of Atonement. Scripture writes, And he shall take of the blood of the bullock, and sprinkle with his finger upon the ark-cover on the east; and before the ark-cover shall he sprinkle of the blood with his finger seven times (ibid. 14). 'Upon' and 'before' are understood to mean upward and downward respectively: thus, while it is explicitly stated that it is sprinkled seven times downwards, the number of upward sprinklings is not stated, and this is learnt by analogy (hekkesh) from the he-goat, where it says, And sprinkle it (otho) upon the ark-cover, and before the ark-cover (v. 15). There 'it' (otho) is held to indicate one sprinkling, while the number of downward sprinklings is not stated. The present text, and do with his (sc. the he-goat's) blood as he did with the blood of the bullock, teaches that both are sprinkled once upward and seven times downward, since an analogy is drawn between them. Now, each is written partly explicitly and partly inferred by a hekkesh, and then the same is applied to the hekal by means of a hekkesh. Now, if what is inferred partly from the subject itself and partly from another subject does not constitute a hekkesh, then the sprinklings in the hekal can rightly be inferred by a hekkesh from those in the Holy of Holies. But if it does, such inference is disallowed, since what is learnt by a hekkesh cannot teach by a hekkesh.
- (29) This is not a case of what is learnt by a hekkesh teaching through a hekkesh, since the first refers to the animals, whereas the second refers to the localities.

## **Talmud - Mas. Zevachim 57b**

Alternatively, [the sprinklings] without [in the Hekal] are directly inferred from [those ] within [the Holy of Holies].<sup>1</sup>

On the view that it does not<sup>2</sup> constitute a hekkesh, it is well: hence it is written, Ye shall bring out of your dwellings [two] wave-loaves [of two tenth parts of an ephah etc].<sup>3</sup> Now, ‘ye shall bring’ need not be said;<sup>4</sup> what then does ‘ye shall bring’ teach? Whatever you bring on another occasion<sup>5</sup> must be like this: as here a tenth [of an ephah] is used for hallah, so there<sup>6</sup> too a tenth is required for hallah. If so, as here two tenths are required, so there too two tenths are required? Therefore Scripture states, they shall be [of fine flour].<sup>7</sup> We have thus learnt ten [tenths] for leavened [loaves]. Whence do we know ten [tenths] for unleavened loaves? Because it says, With cakes of leavened bread [he shall present his offering with the sacrifice of his peace-offering for thanksgiving]<sup>8</sup> [which intimates,] Bring an equal quantity of unleavened as of leavened.<sup>9</sup> But on the view that it constitutes a hekkesh, what can be said?<sup>10</sup> — ‘Ye shall bring’ is superfluous.<sup>11</sup>

THE PASSOVER-OFFERING IS EATEN ONLY [etc]. Which Tanna [rules thus]? — Said R. Joseph, It is R. Eleazar b. ‘Azariah. For it was taught, R. Eleazar b. ‘Azariah said, [And they shall eat the flesh] in the night<sup>12</sup> is stated here, whilst elsewhere it is stated, For I will go through the land of Egypt in that night:<sup>13</sup> just as there it means by midnight, so here too it means by midnight. Said R. Akiba to him: Yet surely it is already stated, [and ye shall eat it] in haste,<sup>14</sup> [implying] until the time of haste?<sup>15</sup> If so, what is taught by ‘in that night’? You might think that it is like all [other] sacrifices, which are eaten by day: therefore it is stated ‘in [that] night’: it is eaten by night, but it may not be eaten by day. Said Abaye to him [R. Joseph]: How do you know that [the author of our Mishnah is] R. Eleazar b. ‘Azariah, while [the law is] Biblical. Perhaps the law is Rabbinical only, [the reason being] to prevent transgression?<sup>16</sup> — If so, why state, ONLY UNTIL MIDNIGHT?<sup>17</sup> But it means, It is as the other laws;<sup>18</sup> as those are Biblical, so is this Biblical.<sup>19</sup> [

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(1) And not via the animals at all.

(2) Emended text (Bah, Sh. M.).

(3) Lev. XXIII, 17.

(4) The text could read: And ye shall present a new offering unto the Lord (v. 16) out of your dwellings etc.

(5) Lit., ‘from another place’.

(6) Lit., ‘as there . . . so here.’ The hallah (unleavened loaf) brought on another occasion (v. n. 4) is referred to as ‘here’, as that is the actual subject being discussed.

(7) Ibid. For the interpretation of this v. Men. 78a top.

(8) Lev. VII, 13.

(9) The preceding verses read: Then he shall offer . . . unleavened cakes mingled with oil, and unleavened wafers spread with oil, and cakes mingled with oil. When this is followed by ‘With cakes of leavened bread’ etc., it yields a hekkesh, whence we learn that the weight of the former must be the same as that of the latter.

(10) The wave-loaves brought on Pentecost were made of a tenth of an ephah of flour, and they were leavened. Now, the thanksgiving was accompanied by four kinds of loaves; v. Lev. VII, 12-14. These included a set of leavened loaves (the other three kinds were unleavened), but neither the actual number of each kind nor their weight is stated. By means of a gezerah shawah the Talmud deduces that there were the loaves of each kind, and from the superfluous ‘ye shall bring’ it infers that the leavened loaves were each to be made of a tenth of an ephah (these are those brought ‘on another occasion’), just like the two wave-loaves, so that ten tenths were required for all. Thus the number is not deduced by a hekkesh but by a gezerah shawah, which is regarded as being explicitly stated in the subject itself, while the weight is learned by a hekkesh (the superfluous ‘ye shall bring’). Then the Talmud infers by another hekkesh that the weight of the unleavened loaves is the same (v. preceding note). The difficulty then is the same as the preceding on the number of sprinklings (v. p. 287, n. 3).

(11) Hence the fact that the loaves of the thanks-offering require a tenth of an ephah each is not regarded as an inference by a hekkesh, but as though it were explicitly stated.

(12) Ex. XII, 8.

(13) Ibid. 12.

(14) Ibid, 11.

(15) I.e., when they had to make haste to leave Egypt, which was in the morning.

(16) Possibly this Tanna holds that by Scriptural law it may be eaten until morning, yet he gives the limit of midnight so as to make sure that one will not transgress by eating it in the morning.

(17) He should state, And it is eaten until midnight.

(18) Lit., 'as there'. Sc. that it may only be eaten roast and by registered persons.

(19) Hence its author must be R. Eleazar b. 'Azariah.

## Talmud - Mas. Zevachim 58a

### CHAPTER VI

MISHNAH. IF SACRIFICES OF HIGHER SANCTITY ARE SLAUGHTERED ON THE TOP OF THE ALTAR, R. JOSE SAID: [THEY ARE] AS THOUGH THEY WERE SLAUGHTERED IN THE NORTH;<sup>1</sup> R. JOSE SON OF R. JUDAH SAID: FROM THE MIDDLE OF THE ALTAR SOUTHWARD IS AS SOUTH, FROM THE MIDDLE OF THE ALTAR NORTHWARD IS AS THE NORTH.

GEMARA. R. Assi said in R. Johanan's name: R. Jose maintained that the whole of the altar stood in the north.<sup>2</sup> What then does AS THOUGH [etc.] mean? You might think that we require [them to be slaughtered] on the side [of the altar].<sup>3</sup> which they were not. Hence he informs us [that it is not so]. Said R. Zera to R. Assi: If so, will you indeed say that R. Jose son of R. Judah holds that [the altar] is half in the north and half in the south?<sup>4</sup> And should you answer, That indeed is so; surely it was you who said in R. Johanan's name: R. Jose son of R. Judah admits that if he slaughtered them in a corresponding position on the ground,<sup>5</sup> they are unfit? — Said he to him, This is what R. Johanan said: Both of them inferred [their views] from the same text:<sup>6</sup> And thou shalt sacrifice thereon thy burnt-offerings, and thy peace-offerings:<sup>7</sup> R. Jose holds: The whole of it [the altar] is fit for [the slaughtering of] the burnt-offering,<sup>8</sup> and the whole of it is fit for peace-offerings. While R. Jose son of R. Judah holds: Divide it: half of it is for a burnt-offering, and half for a peace-offering. For if you think that the whole of it is fit for a burnt-offering, then seeing that the whole of it is fit for a burnt-offering, need it be said that the whole of it is fit for a peace-offering. And the other?<sup>9</sup> — It is necessary:<sup>10</sup> You might think that only a burnt-offering [is fit if slaughtered on the top of the altar]. since its room is cramped.<sup>11</sup> But as for peace-offerings, whose room is not cramped,<sup>12</sup> I would say that it is not so. Hence [the text] informs us [otherwise].

The [above] text [stated]: 'R. Assi said in R. Johanan's name: R. Jose son of R. Judah admits that if he slaughtered them in a corresponding position on the ground, they are unfit.' R. Aha of Difti asked Rabina: What does 'in a corresponding position on the ground' mean?<sup>13</sup> Shall we say, on the cubit of the base or the cubit of the terrace:<sup>14</sup> surely that is the altar itself? Moreover, what does 'on the ground' mean?<sup>15</sup> And if you say that he made a cavity in the ground<sup>16</sup> and slaughtered therein: would that be a [proper altar]? Surely it was taught: An altar of earth thou shalt make unto Me:<sup>17</sup> [this teaches] that it must be joined to the earth, that it must not be built over cavities or on rocks? — It means that he shortened it<sup>18</sup>

R. Zera said: Is it possible that this statement of R. Johanan<sup>19</sup> is correct, and yet we have not learnt it in the Mishnah?<sup>20</sup> So he went out, searched, and found it. For we learnt: They selected from there<sup>21</sup> sound fig-tree wood<sup>22</sup> to arrange the second pile for incense<sup>23</sup> by the south-west horn at a distance of four cubits from it northward; [sufficient wood was taken to make] about five se'ahs of coals,<sup>24</sup> and on the Sabbath, about eight se'ahs, because they placed there the two censers of frankincense for the shew-bread.<sup>25</sup> And what is the token?<sup>26</sup> — This agrees with R. Jose. For it was taught:

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(1) Hence valid.

(2) Supra 53a.

(3) Lev. I, 11.

(4) R. Zera assumed that R. Assi's statement was inferred from the Mishnah: since R. Jose rules that if it is slaughtered anywhere on the top of the altar, it is as though it is slaughtered in the north, it follows that the whole of the altar is in the north. But if this inference is correct, a similar deduction can be made with respect to R. Jose b. R. Judah.

(5) This will be explained anon.

(6) I.e., R. Johanan did not base his statement on the Mishnah, but on the Scriptural interpretation of these Rabbis.

(7) Ex. XX, 21.

(8) Hence the whole of the altar is in the north, since a burnt-offering must be slaughtered in the north (Lev. I, 11).

(9) How does he rebut this argument?

(10) To state that the whole of it is fit for a peace-offering.

(11) As it must be slaughtered in the north, there may not be enough room when there are many sacrifices; hence Scripture permitted the top of the altar too.

(12) They can be slaughtered anywhere in the Temple court.

(13) It cannot mean on the pavement at the side of the altar, for then there would be no difficulty on R. Assi's view. For even if the whole altar stood in the north, yet if one slaughtered on the west or east of it at some distance from the actual side, it would still be unfit, because it must be killed between the north side of the altar and the opposite wall of the Temple court; therefore this could not prove that R. Jose did not hold that half the altar was in the north and half in the south. Hence it must apparently mean, on the ground of the altar itself. Now, how is this possible?

(14) The altar' was recessed a cubit for the base and a cubit for the terrace (v. supra 54a).

(15) The top of the base or the terrace is not 'on the ground'.

(16) Under the altar.

(17) Ex. XX, 21.

(18) It was decided to shorten the altar, and the northern half of it was thus left clear. Although it is still the side, the offerings slaughtered there are unfit, which proves that he holds that the altar is in the south, as there is no other reason for its unfitness.

(19) That R. Jose holds that the whole altar stood in the north.

(20) There must be some hint of it in the Mishnah.

(21) The wood-shed, in which the wood for the altar was kept.

(22) Not worm-eaten.

(23) At the side of the large wood-pile, on which the offerings were burnt, a smaller pile was made, whence three kabs of burning coals were taken every morning and evening for the inner altar, on which the incense was burnt.

(24) So that it should be easy to take the necessary quantity of live coals from it for the inner altar.

(25) This frankincense was burnt on the Sabbath, and on the outer altar, on this special pile. Therefore more coals were required (as the other incense still had to be burnt on the inner altar). V. Tam. II, 5.

(26) By which sign did the Sages rule that this second pile was in that particular spot?

## **Talmud - Mas. Zevachim 58b**

R. Jose said: This is the token: whatever is taken [from] within to be placed without,<sup>1</sup> is placed as near as possible [to the inner altar]; and whatever is taken from without to be placed within, is taken from as near as possible [to the inner altar]. 'Whatever is taken [from] within to be placed without': What is it? If we say, the residue [of the blood], surely it is distinctly written thereof, [And all the remaining blood of the bullock shall he pour out] at the base of the altar of burnt-offering, which is at the door of the tent of meeting?<sup>2</sup> Further, as to whatever is taken without to be placed within', what is it? If we say, the coals of the Day of Atonement, surely it is explicitly written thereof, And he shall take a censer full of coals of fire from off the altar before the Lord?<sup>3</sup> Rather, 'whatever is taken within to be placed without' means the two censers of the frankincense for the shewbread,<sup>4</sup> which we infer from the residue [of the blood];<sup>5</sup> and 'Whatever is taken without to be placed within' is the coals of every day.<sup>6</sup> which are inferred from the coals of the Day of Atonement. Now, what does he hold?<sup>7</sup> If he holds [that] the whole altar is in the south, he would have to carry it twenty-seven [cubits from the horn]?<sup>8</sup> And even if he holds that the sanctity of the hekal and that of the ulam are one,<sup>9</sup> yet he would have to carry it down twenty-two cubits?<sup>10</sup> And if he holds that it

was half in the north and half in the south, he would have to bring it down eleven cubits?<sup>11</sup> And even if he holds that the sanctity of the hekal and that of the ulam are one, he would have to bring it down six cubits?<sup>12</sup> Hence it must surely be that he holds that the whole altar was in the north, and these four cubits are as follows: one cubit for the base, one for the terrace, one for the horns, and one for the feet of the priests; for should one go further than this, there would no more be the door.<sup>13</sup> Said R. Adda b. Ahabah:<sup>14</sup> This is in accordance with R. Judah. For it was taught. R. Judah said: The altar stood in the middle of the Temple court.<sup>15</sup> Now, it was thirty-two cubits [square], [of which] ten cubits faced the door of the hekal, and [it extended] eleven cubits on either side [thereof]. Thus the altar was exactly opposite the hekal. Yet even so, according to R. Judah he would have to bring it down eleven cubits? And even if he held that the sanctity of the hekal and that of the ulam are one, he would still have to bring it down six cubits? — Do you think that these four cubits include the cubit of the base and the cubit of the terrace? [No:] they are exclusive of the cubit of the base and the cubit of the terrace. Now, let us make this agree with R. Jose, and [assume] that [he too holds that] it stood in the centre?<sup>16</sup> — Because we know definitely that R. Judah holds that it stood in the middle.<sup>17</sup>

R. Sherabia said: This is in accordance with R. Jose the Galilean. For it was taught: R. Jose the Galilean said: Since it says. And thou shalt set the laver between the tent of meeting and the altar,<sup>18</sup> while another verse states, [And thou shalt set]

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(1) From the inner altar on to the outer altar.

(2) Lev. IV, 7. That is the nearest point to the inner altar. Why then must R. Jose give a general rule for this, when it is explicitly stated?

(3) Ibid. XVI, 12. 'Before the Lord' implies near the inner sanctum.

(4) They were taken on the Sabbath from the Table, which was within.

(5) They must be placed (presented) on the side facing the door, which is the nearest point.

(6) Which are taken from the second pile and placed on the inner altar. R. Jose thus teaches that they are taken from the side facing the door.

(7) When he states that this second pile is arranged four cubits from the horn northwards.

(8) The width of the door was ten cubits, five of which were in the north and five in the south, while the altar was thirty-two square. Now, deducting the five cubits which the door passed into the north, the nearest point to the door would thus be twenty-seven cubits from the opposite horn.

(9) Supra 14a.

(10) For then, as soon as he reaches a point opposite the door of the ulam he is 'before the Lord'. As the door of the ulam was five cubits wider than that of the hekal on both sides (i.e., ten wider in all), five cubits can be deducted from the preceding calculation.

(11) For then there will be sixteen cubits in the south. The figure eleven is arrived at by deducting the five of the door from these sixteen.

(12) Deducting a further five cubits (cf. n. 5.) from the eleven.

(13) I.e., it would carry it beyond the line of the door. Thus we have a Mishnah in support of R. Johanan's statement regarding R. Jose.

(14) To refute this proof.

(15) I.e., half in the north and half in the south.

(16) Why insist that the author is R. Judah?

(17) Whilst we do not know R. Jose's opinion.

(18) Ex. XL, 7.

## **Talmud - Mas. Zevachim 59a**

the altar of burnt-offering [before the door of the tabernacle of the tent of meeting].<sup>1</sup> [it follows that] the altar was at the door of the tent of meeting, while the laver was not at the door of the tent of meeting. Where then was it [the laver] placed? Between the ulam and the altar, slightly toward the



south. Now what does he hold? If he holds that the whole altar stood in the south, let it be placed southward from the wall of the hekal, [for that would be] between the ulam and the altar? And even if he holds that the sanctity of the ulam and that of the hekal are one, let it be placed southward from the wall of the ulam, [for that would still be as] between the ulam and the altar? Or if he holds that half was in the north and half in the south, let it be placed southward from the wall of the hekal, between the ulam and the altar? And even if he holds that the sanctity of the ulam and that of the hekal are one, let it be placed southward from the wall of the ulam, this being between the ulam and the altar? Hence it must surely be that he<sup>2</sup> holds that the whole altar stood in the north. Then let it be placed between the altar and the hekal northward? — He holds that the sanctity of the hekal and ulam is identical.<sup>3</sup> Then let it be placed northward from the wall of the ulam, when it would be between the ulam and the altar? — Scripture saith, northward, which means that the north must be free from vessels.<sup>4</sup>

Which Tanna disagrees with R. Jose the Galilean?<sup>5</sup> — R. Eleazar b. Jacob. For it was taught: R. Eleazar b. Jacob said: ‘Northward’ [intimates] that the north must be free from everything, even from the altar:

Rab said, If the altar was damaged, all sacrifices slaughtered there are unfit. We have a text to this effect, but have forgotten it. When R. Kahana went up,<sup>6</sup> he found R. Simeon b. Rabbi teaching in R. Ishmael b. R. Jose's name: How do we know that all the sacrifices slaughtered at a damaged altar are unfit? Because it is said, And thou shalt sacrifice thereon thy burnt-offerings and thy peace-offerings:<sup>7</sup> now, do you then sacrifice on it?<sup>8</sup> Rather, [it means:] when it is whole, and not when it is defective. Said he: That is the text which eluded Rab. But R. Johanan maintained: In both cases they are unfit.<sup>9</sup> Wherein do they disagree? — Rab holds: Live animals cannot be [permanently] rejected; while R. Johanan holds: Live animals can be [permanently] rejected.<sup>10</sup>

An objection is raised. All the sacred animals which were before the altar was built,<sup>11</sup> and then the altar was built, are unfit.<sup>12</sup> [Now before] it was built, they were rejected ab initio?<sup>13</sup> — [Say] rather: before it was razed.<sup>14</sup> ‘[Before] it was razed?’ But they [the animals] would be too old!<sup>15</sup> Rather [it means] [the animals which were consecrated] before the altar was damaged, and then the altar was damaged, are unfit!<sup>16</sup> — Now, did you not emend it? Then read, which were slaughtered.<sup>17</sup> But surely R. Giddal said in Rab's name: If the altar was removed [from its place], the incense was burnt on its [the altar's] site?<sup>18</sup> — Even as Raba said, R. Judah agrees in respect of the blood,<sup>19</sup> so here too. Rab agrees in respect of the blood.<sup>20</sup>

What [statement of] R. Judah [is referred to]? — It was taught: The same day did the king hallow the middle of the court that was before the house of the Lord . . . because the brazen altar that was before the Lord was too little to receive the burnt-offering, and the meal-offering and the fat of the peace-offerings:<sup>21</sup> this is meant literally:<sup>22</sup> these are the words of R. Judah. Said R. Jose to him:

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(1) Ibid. 6.

(2) R. Jose the Galilean.

(3) So Rashi. The reading varies in different texts, v. Sh. M.

(4) And the laver is a vessel.

(5) Maintaining that the whole of it was in the south.

(6) To Eretz Israel.

(7) Ex. XX, 21.

(8) Surely not. The sacrifice was slaughtered at the side of the altar.

(9) All animals in a state of consecration while the altar was damaged are unfit, whether slaughtered while it was actually damaged, or after it was repaired.

(10) V. supra 12a. When the altar became damaged these animals were rejected, since they could not be sacrificed then. The controversy is whether this rejection is permanent or not.

- (11) The altar in the second Temple.
- (12) I.e., if they were consecrated before the altar was actually built.
- (13) At the very moment that they were consecrated they were unfit, since there was as yet no altar, and in this case there is a view that the animals do not become permanently rejected, v. Kid. 7a.
- (14) I.e., the animals consecrated before the altar in the first Temple was destroyed might not be offered when that in the second was built.
- (15) By the time that that in the second was built.
- (16) Even if slaughtered after it is repaired. This contradicts Rab who declares fit sacrifices offered after the altar had been repaired.
- (17) Since you must emend the text in any case, emend it to: all the animals which were slaughtered while the altar was damaged.
- (18) This refers to the inner altar, and it is assumed that the same applies to the outer altar. When it is removed it is as damaged, and so Rab is self-contradictory.
- (19) The sprinkling of the blood requires an altar.
- (20) His ruling applies only to incense, but he agrees that the blood must be sprinkled on a whole altar.
- (21) I Kings VIII, 64.
- (22) Lit., 'the words are as written'. — I.e., Solomon sanctified the whole of the pavement to serve as an altar, to permit the burning of the limbs, etc., upon it.

### Talmud - Mas. Zevachim 59b

But surely it is said, A thousand burnt-offerings did Solomon offer upon that altar,<sup>1</sup> while of the Eternal House<sup>2</sup> it is said, And Solomon offered for the sacrifice of peace-offerings, which he offered unto the Lord, two and twenty thousand oxen,<sup>3</sup> and when you calculate the number of burnt-offerings and the number of cubits, the latter was larger than the former?<sup>4</sup> Rather, what does 'was too little to receive' mean? As one says to his neighbours. 'So-and-so is a dwarf', when he is unfit for [sacrificial] service.<sup>5</sup> But R. Jose says well to R. Judah?<sup>6</sup> — R. Judah is consistent with his view, for he maintained that the altar made by Moses was large. For it was taught: [And thou shalt make the altar of acacia wood.] five cubits long, and five cubits broad; [the altar shall be square]:<sup>7</sup> this is meant literally: these are the words of R. Jose. R. Judah said: 'Square' is stated here, and 'square' is stated elsewhere:<sup>8</sup> as there it was measured from the centre, so here it was measured from the centre. And how do we know [that it was so] there? — Because it is written, And the hearth<sup>9</sup> shall be twelve cubits long by twelve cubits broad, square. You might think that it was only twelve cubits square; when, however, it says, to<sup>10</sup> the four sides thereof, it teaches that the measurement was taken from the middle.<sup>11</sup> And R. Jose?<sup>12</sup> — The gezerah shawah refers to the height [of the altar]. For it was taught: And the height thereof shall be three cubits:<sup>13</sup> this is meant literally: these are the words of R. Judah. R. Jose said: 'Square' is stated here, and 'square' is stated elsewhere:<sup>14</sup> as there its height was twice its length, so here too [its height was] twice its length.<sup>15</sup> Said R. Judah to him: Is it possible that the priest stood on the altar, performing the service, whilst all the people saw him from without?<sup>16</sup> Said R. Jose to him: But surely it is stated, And the hangings of the court, and the screen for the door of the gate of the court, which is by the tabernacle and by the altar roundabout,<sup>17</sup> [which teaches that] as the tabernacle was ten cubits [high], so was the altar ten cubits [high]; and it says. The hangings for the one side were fifteen cubits.<sup>18</sup>

(1) Ibid. III, 4. The altar referred to is the brazen one made in the days of Moses (cf. II Chron. I, 6).

(2) The Temple.

(3) Ibid. VIII, 63.

(4) Moses' altar was five cubits square. From these a cubit must be deducted on all sides for the horns, and a further cubit on all sides for the terrace where the priests walked. This left only one cubit square for the actual burning. Whereas in Solomon's altar the actual place for burning was twenty cubits square, according to R. Jose, which means four hundred times as large. If then the smaller altar could cope with a thousand animals, this larger one was surely more than enough for the number offered that day. Hence 'was too little to receive' etc. cannot be meant literally.

- (5) I.e., instead of saying directly that for some reason he is unfit, he uses a euphemism and calls him a dwarf. Similarly here, the altar had become unfit for service, and that is delicately stated by saying that it was too small.
- (6) His argument is sound. How then does R. Judah rebut it?
- (7) Ex. XXVII. 1.
- (8) Ezek. XLIII, 16, q.v. It is quoted in the text.
- (9) I.e., the actual portion of the altar for burning.
- (10) Lit. translation, not in as E.V.
- (11) Interpreting 'to' as intimating that from one particular point there were twelve cubits in all directions, hence from the centre. Accordingly, Moses' altar was ten cubits square, not five, and when the two cubits on all sides are deducted (v. n. 11, p. 296) it was still six as against Solomon's twenty cubits square. The latter therefore would not be large enough for the extra work it had to do.
- (12) How does he rebut this reasoning?
- (13) Ex. *ibid.*
- (14) In reference to the golden altar, Ex. XXX, 2: a cubit shall be the length thereof, and a cubit the breadth thereof; square shall it be; and two cubits shall be the height thereof.
- (15) Hence, ten cubits.
- (16) As would be the case if the altar were ten cubits high; this would not be seemly. — The text is emended in accordance with the Yalkut.
- (17) Num. IV, 26.
- (18) Ex. XXXVIII, 14. Rashi: it is now understood that they were fifteen cubits in height. Tosaf. objects that the whole context refers to the width, and accordingly emends: 'and the hangings were fifteen cubits,' omitting 'and it says' and 'for one side', this being a statement by R. Jose on their height, not a Biblical quotation.

## Talmud - Mas. Zevachim 60a

What then is the meaning of 'And the height five cubits'?<sup>1</sup> From the [upper] edge of the altar to the top [of the hangings]. And what does 'and the height thereof shall be three cubits' mean? From the edge of the terrace to the top [of the altar]. And R. Judah?<sup>2</sup> — He relates the *gezerah shawah* to the breadth. Now according to R. Judah, surely the priest could be seen? — Granted that the priest could be seen, the service [sacrifice] in his hand could not be seen.

As for R. Judah. it is well: hence it is written, [did the king] hallow.<sup>3</sup> But according to R. Jose, what is the meaning of 'did hallow [the middle of the court]?'<sup>4</sup> — [He hallowed it] to set up the altar therein.<sup>5</sup>

As for R. Jose, it is well: hence it is written, '[was] little'.<sup>6</sup> But according to R. Judah, what is meant by 'little'?<sup>7</sup> — This is what it means: The altar of stones which Solomon made instead of the brazen altar was too small.

Wherein do they differ?<sup>8</sup> — One master holds: You learn without from without,<sup>9</sup> but you do not learn without from within.<sup>10</sup> While the other master holds: You learn a utensil from a utensil, but you do not learn a vessel from an edifice.<sup>11</sup>

Raba said: R. Judah admits in respect of the blood.<sup>12</sup> For it was taught. R. Judah said: He used to fill a goblet with the mingled blood, so that should the blood of one of them be spilt, it is found that this renders it fit.<sup>13</sup> But if you think that R. Judah holds that the whole of the Temple court was sanctified,<sup>14</sup> the precept has been already performed.<sup>15</sup> — [No:] perhaps that is because he holds that we require pouring out with man's force?<sup>16</sup> — If so, let us take it and pour it out in its place.<sup>17</sup> [No:] perhaps [that cannot be done] because he holds that the precept must be performed in the most fitting way.<sup>18</sup>

R. Eleazar said: If the altar was damaged, you cannot eat the remainder of the meal-offering on

account of it, because it is said, And eat it without leaven beside the altar.<sup>19</sup> Now did they eat it then beside the altar?<sup>20</sup> Rather [it means]: when it is whole, and not when it is damaged.

We have found [it true of] the residue of the meal-offering. How do we know [it of] sacrifices of higher sanctity? — The implication of ‘holy’ [kodesh] is learnt by a gezerah shawah.<sup>21</sup> Whence do we know [it of] sacrifices of lesser sanctity? — Said Abaye: It is derived by R. Jose's exegesis. For it was taught: R. Jose stated three laws on the authority of

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- (1) Ibid. XXVII, 18.
  - (2) How does he rebut this?
  - (3) He hallowed the pavement to serve as an altar.
  - (4) In which respect did he hallow it?
  - (5) For this purpose itself the pavement had to be hallowed.
  - (6) Not, ‘was too little’, as E.V. R. Jose understands the verse (I Kings VIII, 64) to mean that Solomon set up an altar of stones, because the brazen altar was unfit, and euphemistically called ‘small’.
  - (7) Since according to him even the stone altar was not large enough, why state that ‘the brazen altar . . . was too little’?
  - (8) Sc. R. Jose who learns the gezerah shawah of ‘square’ from the golden altar, and R. Judah who learns it from Ezekiel.
  - (9) The brazen altar and the Temple court were both ‘without’, i.e., not in the inner sanctum.
  - (10) Viz., from the golden altar, which was in the inner sanctum.
  - (11) Both the brazen altar and the golden altar were technically utensils, whereas Ezekiel's stone altar was a constructed edifice.
  - (12) That the blood could not be sprinkled on the pavement. He sanctified the pavement only in respect of the burning of the fats and the limbs.
  - (13) V. supra 34b.
  - (14) Even for the sprinkling of the blood.
  - (15) The very act of spilling constitutes sprinkling.
  - (16) I.e., intentionally done, and not accidentally spilt.
  - (17) As soon as the blood is received in a vessel, let it be poured out there and then.
  - (18) Which is to sprinkle the blood actually on the altar. Yet possibly, if he did intentionally pour it out on the ground, the rite would be valid.
  - (19) Lev. X, 12.
  - (20) It might be eaten anywhere in the Temple court.
  - (21) Lit., we learn ‘holy’, ‘holy’ (Emended text-Sh. M.). — The present text states, for it is most holy, and so the same law is applied to sacrifices of higher sanctity, which are likewise so designated. e.g.. Lev. VI. 18.

## **Talmud - Mas. Zevachim 60b**

three elders, and the following is one of them: R. Ishmael said: You might think that a man can take up second tithe<sup>1</sup> to Jerusalem and consume it<sup>2</sup> there now-a-days.<sup>3</sup> and that would be logical: a firstling must be brought to the ‘Place’,<sup>4</sup> and tithe must be brought to the ‘Place’: as [the law of] firstling operates only whilst the Temple stands, so [the law of] tithe is valid only whilst the Temple stands. [No:] as for a firstling, the reason is because its blood and emurim must be presented at the altar!<sup>5</sup> Let first-fruits prove it.<sup>6</sup> As for first-fruits, the reason is because they must be placed [before the altar]!<sup>7</sup> Therefore it states, And thither shall ye bring your burnt-offerings. and your tithes . . . and the firstlings of your herd and of your flock:<sup>8</sup> this assimilates tithe to firstling: as [the law of] firstling is valid only whilst the Temple stands, so is tithe valid only whilst the Temple stands. Yet let us revert to the argument and learn it from the common characteristic?<sup>9</sup> — Because that can be refuted: the feature common to both is that each is connected with the altar.<sup>10</sup>

What does he hold?<sup>11</sup> If he holds that the first sanctity hallowed it for the nonce and for the future.<sup>12</sup> then even a firstling too [is thus]?<sup>13</sup> While if he holds that it did not hallow it for the future,

there should be a question even about a firstling too? — Said Rabina: In truth he holds that it did not hallow it [for all time], but here we discuss a firstling whose blood was sprinkled before the Temple was destroyed, then the Temple was destroyed, and we still have its flesh.<sup>14</sup> Now its flesh is likened to its blood:<sup>15</sup> as its blood requires the altar, so does its flesh require the altar.<sup>16</sup> Then tithe comes and is learnt from a firstling.<sup>17</sup> But can then that which is derived by a hekkesh teach in turn by a hekkesh? — The tithe of corn is merely hullin. That is well on the view that the taught is the determining factor; but on the view that the teacher is the determining factor, what can be said?<sup>18</sup> — Blood and flesh are the same thing.<sup>19</sup>

When Rabin went up,<sup>20</sup> he reported this teaching<sup>21</sup> in R. Jeremiah's presence, whereupon he observed: The Babylonians are fools. Because they dwell in a land of darkness<sup>22</sup> they engage in dark discussions.<sup>23</sup> Have they not heard what was taught: During the dismantling [of the Tabernacle] on their travels,<sup>24</sup> sacrifices became unfit,<sup>25</sup> and zabin and lepers were sent out of their precincts.<sup>26</sup> Whereas another [Baraitha] taught: Sacrifices might be eaten in two places.<sup>27</sup> Surely then, the former refers to sacrifices of higher sanctity, and the latter to sacrifices of lesser sanctity?<sup>28</sup> — Said Rabina: Both refer to sacrifices of lesser sanctity, yet there is no difficulty:

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(1) V. p. 246, n. 3.

(2) Instead of redeeming it.

(3) I.e., after the destruction of the Temple. — He holds that the sanctity of Eretz Israel was not annulled thereby, and so one must still set aside tithes.

(4) The 'Place' par excellence — Jerusalem.

(5) Hence the law does not operate without a Temple and altar. But that would not apply to tithe.

(6) Which were brought only whilst the Temple stood, as it says, And he shall set it down before the altar of the Lord thy God (Deut. XXVI, 4) which implies that there must be an altar, though there was no blood or emurim to be presented thereat

(7) Hence at this stage there are no grounds for supposing that the law of tithe is valid only when the Temple is standing.

(8) Deut. XII, 6.

(9) Why is the foregoing hekkesh necessary? Though it cannot be learnt from either firstling or first-fruits, it could be learnt from their common feature, which is that both must be brought to Jerusalem and both are in force only as long as the Temple stands. Hence the same applies to second tithe, which shows this feature.

(10) The blood and emurim of a firstling must be presented at the altar, and first-fruits must be placed before the altar. But tithe is not connected with the altar in any way.

(11) When he assumes that the law is certain and obvious in respect of firstling, but not in respect of tithe.

(12) I.e., that the sanctity of the Temple was for all time, even after its destruction.

(13) Rashi: even a firstling should be brought to Jerusalem and eaten there, for on the view that its sanctity was for all time it was to be offered even after the Temple's destruction.

(14) Which no longer needs the altar; nevertheless it may not be eaten.

(15) Num. XVIII, 17f: Thou shalt dash their blood against the altar, and shalt make their fat smoke for an offering made by fire...and the flesh of them shall be thine. These, being written together, are assimilated to one another.

(16) In the sense that it may not be eaten when there is no longer an altar.

(17) That the same applies to it.

(18) For notes v. supra 45a.

(19) They are both parts of the same offering. Hence, when we say that the flesh requires the altar, just as the blood, this is not regarded as the result of a hekkesh, but as though the Biblical teaching concerning the blood naturally refers to the flesh too.

(20) To Palestine. Rabin and R. Dimi were two Rabbis who travelled backwards and forwards between Palestine and Babylon, acting as intellectual links between the academies of both.

(21) Viz., Abaye's statement that sacrifices become unfit through the altar being damaged, and its inference by R. Jose's exegesis.

(22) Babylonia is possibly so called on account of the Parsees (fireworshippers), who forbade the Jews to have any light in their dwellings on their (the Parsees') festivals.

(23) They discuss laws without knowing their true meaning or derive them incorrectly.

(24) When the Tabernacle was dismantled and taken apart, which was when the Israelites were actually travelling.

(25) The flesh of sacrifices of higher sanctity might not be eaten, even if their blood had been sprinkled before the dismantling.

(26) The precincts which were permitted to them whilst the Israelites were encamped. Thus zabin were sent out of the Levitical camp, and lepers out of the camp of the Israelites (v. p. 276. n. 6).

(27) (i) Within their normally permitted boundaries, when the Tabernacle was up; and (ii) in any place, when they were actually travelling. This contradicts the former teaching.

(28) The latter may be eaten even when the Tabernacle is dismantled. At that time there would be no altar either, and that is certainly no better than when the altar stands but is damaged. This proves that sacrifices of lesser sanctity may be eaten when the altar is damaged, and thus contradicts Abaye Therefore R. Jeremiah called Abaye's teaching 'dark', i.e., incorrect.

## Talmud - Mas. Zevachim 61a

The former agrees with R. Ishmael,<sup>1</sup> the latter with the Rabbis.<sup>2</sup> Alternatively, both treat of sacrifices of higher sanctity; but what does 'in two places' mean? Before the Levites set up the Tabernacle

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(1) Who assimilates the flesh to the blood; hence it may not be eaten.

(2) Who do not assimilate the flesh to the blood.

## Talmud - Mas. Zevachim 61b

and after the Levites dismantled the Tabernacle.<sup>1</sup> You might argue that [in the latter case the flesh] became unfit through having gone out [of bounds].<sup>2</sup> Therefore he informs us [otherwise]. Yet say that that is indeed so? — Scripture saith, Then the tent of meeting shall set forward:<sup>3</sup> even when it has set forward<sup>4</sup> it is 'the tent of meeting.'<sup>5</sup>

R. Hisda<sup>6</sup> said in Rab's name: The altar at Shiloh was of stones. For it was taught. R. Eleazar b. Jacob said: Why is 'stones' stated three times?<sup>7</sup> One refers to that of Shiloh, another to that of Nob and Gibeon, and the third to that of the Eternal House.<sup>8</sup> R. Aha b. Ammi raised an objection: The fire which descended from heaven in the days of Moses<sup>9</sup> did not depart from the brazen altar until the days of Solomon.<sup>10</sup> And the fire which descended in the days of Solomon<sup>11</sup> did not depart until Manasseh came and removed it. Now if this is correct,<sup>12</sup> it should have departed earlier?<sup>13</sup> — He [R. Hisda in Rab's name] made his statement in accordance with R. Nathan. For it was taught, R. Nathan said: The altar at Shiloh was of brass; it was hollow, and filled with stones.<sup>14</sup> R. Nahman b. Isaac said: What does 'it did not depart' mean? It did not depart [disappear] into nothingness.<sup>15</sup> How was it? — The Rabbis said: It sent forth sparks.<sup>16</sup> R. Papa said: It took up its abode now here, now there.

We learnt elsewhere: And when the Children of the Exile went up [to Eretz Israel],<sup>17</sup> they added thereto<sup>18</sup> four cubits on the south and four cubits on the west, like a [Greek] gamma.<sup>19</sup> What is the reason? — Said R. Joseph: Because it [the first] was not sufficient. Said Abaye to him: If it was sufficient for the first Temple, when it is written, Judah and Israel were many, as the sand which is by the sea [shore] in multitude;<sup>20</sup> would it be insufficient for the second Temple. whereof it is written, The whole congregation together was forty and two thousand [etc.]?<sup>21</sup> — There [in the first Temple] the heavenly fire assisted them;<sup>22</sup> here [in the second Temple] it did not assist them.

When Rabin came [from Palestine], he said in the name of R. Simeon b. Pazzi: They added the pits [to its structure].<sup>23</sup> At first they had thought that an 'altar of earth' meant that it was to be closed in with earth.<sup>24</sup> But subsequently they held that drinking must be like eating.<sup>25</sup> and what does 'an altar of earth' mean? that it should be attached to the earth, not built on rocks

- (1) 'Before the Levites set up the Tabernacle' cannot be understood literally, but means whilst the Tabernacle was standing, this phrase merely being used in contrast to the second half. Thus the two places are: (i) within the normal precincts of the Tabernacle (within the 'hangings' — v. p. 266, n. 6) whilst it stood; and (ii) likewise within the normal precincts, but after the Tabernacle had been dismantled. The altar, however, was still standing.
- (2) I.e. when the Tabernacle is dismantled, and the hangings are no longer there, the flesh should be regarded as having gone out of bounds, and so disqualified.
- (3) Num. II, 17.
- (4) Hence dismantled.
- (5) It still retains its sanctity, in the sense that the flesh is not regarded as having gone out of bounds.
- (6) Emended text (Sh. M). Cur. edd. Huna.
- (7) Ex. XX, 22: And if thou make Me an altar of stone, thou shalt not build it of hewn stones; Deut XXVII, 5-6: And there shalt thou build . . . an altar of stones . . . Thou shalt build the altar of the Lord thy God of unhewn stones.
- (8) The Temple at Jerusalem.
- (9) V. Lev. IX, 24.
- (10) Rashi: A pot was placed over it when they travelled, and the fire remained in its place. When Solomon built the Temple, this fire left the brazen altar and moved to the stone altar in the Temple.
- (11) This same fire.
- (12) That the altar at Shiloh was of stone.
- (13) As soon as the stone altar was built at Shiloh, the fire should have departed from Moses' brazen altar.
- (14) The answer is not clear. Presumably it means that it was Moses' brazen altar except that the hollow was filled with stones instead of earth.
- (15) Lit., 'in vain,' 'for no purpose.' Until Solomon built the Temple the fire did not completely depart from Moses' altar which was still in existence, for though it did move to the altar at Shiloh, some of it nevertheless remained on that of Moses.
- (16) When the fat, etc., was burnt on the stone altar, sparks and flames shot out from the heavenly fire on the brazen altar, which was there too, on to the stone altar.
- (17) I.e., when the Jews returned from Babylon.
- (18) To the altar.
- (19) The altar in the first Temple was twenty-eight cubits square overall, whilst that of the second Temple was thirty-two cubits. The addition would thus be a strip four cubits broad in triangular shape, like a Greek gamma thus:
- (20) I Kings IV, 20. The bracketed word 'shore', not in the M.T., is found in some old Hebrew MSS.
- (21) Ezra II, 64.
- (22) To burn the sacrifices quickly.
- (23) In Solomon's Temple there was a pit near the south-west of the altar, into which the altar libations were directly poured. But in the second Temple the altar was extended on the south and the west, so that the place of the pit was incorporated in it, and over against this extension on top of the altar they made holes for the libations to flow' into the pit below.
- (24) Not hollow or perforated in any way.
- (25) As 'eating' (the consumption of the flesh) was on top of the altar itself, so must 'drinking' (the libations) be on top of the altar itself.

## Talmud - Mas. Zevachim 62a

or over cellars.<sup>1</sup>

R. Joseph said: Is that not which was taught: And they set the altar upon its bases,<sup>2</sup> [which means] that they attained to its final measurements?<sup>3</sup> But surely it is written, And all this [do I give thee] in writing, as the Lord hath made me wise by His hand upon me, even all works of this pattern?<sup>4</sup> Rather said R. Joseph: They found a text and interpreted it:<sup>5</sup> Then David said: This is the house of the Lord God, and this is the altar of burnt-offering for Israel:<sup>6</sup> [this intimated that the altar was] like the house: as the house was sixty cubits [in length], so were there sixty cubits for the altar.<sup>7</sup>

As for the Temple, it is well, for its outline was distinguishable;<sup>8</sup> but how did they know [the site of] the altar? — Said R. Eleazar: They saw [in a vision] the altar built, and Michael the great prince standing and offering upon it. While R. Isaac Nappaha<sup>9</sup> said: They saw Isaac's ashes lying in that place.<sup>10</sup> R. Samuel b. Nahman said: From [the site of] the whole House they smelt the odour of incense, while from there [the site of the altar] they smelt the odour of limbs.

Rabbah b. Hanah said in R. Johanan's name: Three prophets<sup>11</sup> went up with them from the Exile: one testified to them about [the dimensions of] the altar; another testified to them about the site of the altar; and the third testified to them that they could sacrifice even though there was no Temple.<sup>12</sup> In a Baraitha it was taught, R. Eleazar b. Jacob said: Three prophets went up with them from the Exile: one who testified to them about [the dimensions of] the altar and the site of the altar; another who testified to them that they could sacrifice even though there was no Temple; and a third who testified to them that the Torah should be written in Assyrian characters.<sup>13</sup>

Our Rabbis taught: The horn, the ascent, the base and squareness are indispensable; the measurements of its length, breadth and height are not indispensable. How do we know it? — Said R. Huna, Scripture saith, 'The altar', and wherever 'the altar' is said it is indispensable.<sup>14</sup> If so, are the laver, according to Rabbi, and the terrace, according to R. Jose son of R. Judah, also indispensable, because it is written, And thou shalt put it under the karkob [ledge] round the altar beneath,<sup>15</sup> and it was taught: What was the karkob? Rabbi said: It was the laver; R. Jose son of R. Judah said: It was the terrace!<sup>16</sup> — Yes [it is indeed so], for it was taught: On that day<sup>17</sup> the horn of the altar was damaged, and they brought a lump of salt and stopped it up. Not because it was [now] fit for service, but that it should not appear damaged, for every altar which lacks<sup>18</sup> a horn, ascent, base and squareness is invalid. R. Jose son of R. Judah said: The same applies to the terrace.

Our Rabbis taught: What was the karkob? [A strip] between one horn and another horn a cubit [in breadth], where the priests walked. Did then the priests walk between one horn and another? — Rather say: and there was [a strip of] a cubit where the priests walked.<sup>19</sup> But it is written, Under the karkob round it beneath, reaching halfway up!<sup>20</sup> — Said R. Nahman b. Isaac: There were two, one for ornamental purposes, and the other for the priests, that they should not slip.<sup>21</sup>

'The measurements of its length, breadth, and height are not indispensable.' Said R. Mani: provided that it is not smaller than the altar made by Moses. And how much is that? — Said R. Joseph: One cubit [square]. They ridiculed him: [quoting the text, And thou shalt make the altar . . . ] five cubits long, and five cubits broad!<sup>22</sup> Said Abaye to him: perhaps the master meant the place of the pile?<sup>23</sup> — The master [sc. yourself], who is a great man, knows what I meant, he replied. Then he dubbed them<sup>24</sup>

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(1) But that did not exclude the possibility of its being hollow.

(2) Ezra III, 3.

(3) R. Joseph had once fallen sick, and on his recovery it was found that he had forgotten many of his earlier teachings



and traditions. Here he states that his assertion that because the heavenly fire helped them a larger altar was unnecessary was incorrect, the real reason being as he proceeds to explain. — ‘They attained its final measurements’ means that it was revealed to the builders of the second altar (the ‘Men of the Great Assembly’) exactly which site was sacred for the altar, this knowledge having been withheld from Solomon when he built the first altar.

(4) I Chron. XXVIII, 19. ‘All this’ refers to the plans of the first Temple with all its appurtenances. Thus it had all been divinely revealed to Solomon too, which contradicts the former statement.

(5) The Men of the Great Assembly were guided by a text in their decision to enlarge the altar.

(6) Ibid. XXII, 1.

(7) An area of sixty cubits square was sacred for the altar, and they might build it anywhere within that. Nevertheless, they did not need it so large, and therefore they enlarged it merely according to their requirements.

(8) They could easily ascertain, from a study of the ruins, what had been sanctified for each part of the Temple.

(9) Or, the smith.

(10) According to legend Isaac was bound, and the substitute ram sacrificed, on the very site of the altar, and the ashes were still there.

(11) Haggai, Zechariah, and Malachi.

(12) Because the sanctity of the Temple had hallowed the spot for all time.

(13) I.e., the square form of Hebrew now in use. V. Sanh. (Sonc. ed.) p. 119. notes.

(14) The def. art. implies that only when it is exactly as specified (in the place where the def. art. is used) is it an altar. The horns: the horns of the altar (Lev. IV, 18); the base: the base of the altar (ibid. 30); squareness: the altar shall be four square (Ex. XXVII, 1); the ascent: in front of the altar (Lev. VI, 7) ‘in front’ being the ascent to the altar.

(15) Ex. XXVII, 5.

(16) Thus ‘the altar’ is written in connection with these.

(17) When ‘a certain man’ poured out the water of libation over his feet; v. Suk. 48b.

(18) This includes the case where they are damaged.

(19) There was a kind of trench between the ma'arakah, i.e., the place on the altar where the sacrifices etc. were burnt, and the edge of the altar. This trench was two cubits wide, including one cubit between the horns and one cubit where the priests walked (Rashi, as emended by Sh. M.).

(20) Ibid. XXXVIII, 4. Scripture states that the network grating around the sides of the altar was under the karkob. This implies that the karkob was on the wall of the altar; for if it was on the top surface, a grating on the sides could not be described as under it.

(21) There was an ornamental ledge on the side of the altar, and a trench on the top, to provide a firm foothold for the priests.

(22) Ex. XXVII, 1.

(23) Where the sacrifice was burnt. For of the five cubits two cubits had to be deducted on all sides for the strip between the horns and the pathway for the priests, leaving an area of one cubit square for the place of the pile.

(24) Who had ridiculed him.

## **Talmud - Mas. Zevachim 62b**

‘the children of Keturah’.<sup>1</sup>

The sons of R. Tarfon's sister were sitting before R. Tarfon.<sup>2</sup> Thereupon he quoted: And Abraham took another wife, and her name was Johani.<sup>3</sup> Said they to him: ‘Keturah’ is written. Then he dubbed them ‘the children of Keturah’.<sup>4</sup>

R. Abin<sup>5</sup> b. Huna said in R. Hama b. Guria's name: The logs which Moses made<sup>6</sup> were a cubit long and a cubit broad, and their thickness was that of the instrument for levelling off the top of a se'ah.<sup>7</sup> R. Jeremiah observed: [It was measured] with a stumped cubit.<sup>8</sup> Said R. Joseph: Is not that which was taught: Upon the wood that is on the fire which is upon the altar:<sup>9</sup> [this intimates] that the wood must not project at all beyond the altar?<sup>10</sup>

We learnt elsewhere: There was an ascent at the south [side] of the altar, thirty-two [cubits] in

length by sixteen cubits in breadth. Whence do we know it?<sup>11</sup> — Said R. Huna: Scripture saith, And he shall kill it on the side of the altar northward;<sup>12</sup> [this intimates] that the side must be in the north and the front in the south.<sup>13</sup> Yet say: the side in the north and the face in the north?<sup>14</sup> — Said Raba: Throw a man on his face.<sup>15</sup> Said Abaye to him: On the contrary, let the man sit upright? — It is written, [The altar shall be] rabua'.<sup>16</sup> But surely that is required [to teach] that it must be square? — Is then meruba' written?<sup>17</sup> And on your reasoning, is then rabuz written?<sup>18</sup> Rather, rabua' is written, which implies both,<sup>19</sup>

Now, a Tanna infers it from the following. For it was taught. R. Judah said: And the steps thereof shall look toward the east:<sup>20</sup> every turning which you take must be rightward to the east.<sup>21</sup> Yet say: must be leftward to the east?<sup>22</sup> — You cannot think so. For Rami b. Ezekiel recited: The sea which Solomon made 'stood upon twelve oxen, three looking toward the north, and three looking toward the west, and three looking toward the south, and three looking toward the east.'<sup>23</sup> [this teaches that] every turning which you take must be to the right, eastward.<sup>24</sup> But that is required for its own purpose<sup>25</sup> — If so, why must 'looking toward' be repeated?<sup>26</sup>

R. Simeon b. Jose b. Lakunia asked R. Jose: Did R. Simeon b. Yohai maintain that there was a space between the ascent and the altar?<sup>27</sup> — And do you not maintain so? he replied. Surely it is said, And thou shalt offer thy burnt-offerings, the flesh and the blood:<sup>28</sup> [this intimates that] just as the blood requires throwing,<sup>29</sup> so does the flesh require throwing?<sup>30</sup> I assert that he stood at the side of the place of the pile and threw it, he answered.<sup>31</sup> Said he to him: When he threw, did he throw on to a burning pile or on to a pile that was not burning? Surely on to a burning pile, and there it would be impossible [to do otherwise].<sup>32</sup> R. Papa said: [It must be] like the blood. Just as [in the case of the] blood, the air-space above the pavement interposed, so [in the case of the] flesh, the air-space above the pavement interposed.<sup>33</sup>

Rab Judah said: Two small stairways branched off from the [major] ascent, by which one turned to the base and to the terrace. and these were separated from the altar by a hairsbreadth, because 'round about' is said.<sup>34</sup> Whilst R. Abbahu quoted rabua' [foursquare].<sup>35</sup> Now, both 'round about' and 'rabua'' must be written. For if the Divine Law wrote 'round about' [only], I would say that it can be circular; therefore the Divine Law wrote rabua'. Whilst if the Divine Law wrote rabua' [only], I would say that it could be long and narrow;<sup>36</sup> hence the Divine Law wrote 'round about'.<sup>37</sup>

We learnt elsewhere: The ascent and the altar were sixty-two [cubits]. But they were sixty four?<sup>38</sup> — Hence it is found that it overhung a cubit of the base and a cubit of the balcony.<sup>39</sup>

(1) Gen. XXV, 4. You are indeed Abraham's descendants, but not his true Jewish descendants through Isaac and Jacob.

(2) In silence. So he misquoted a verse in order to evoke a comment.

(3) Ibid. I. The last word of course is wrong.

(4) Rashi: ignoramuses, who could not discuss halachah.

(5) Emended text (Sh. M.). Cur, edd. Abaye.

(6) Two logs were placed on the altar fire pile for the morning tamid (q.v. Glos.) and the evening tamid; v. Yoma 26b.

(7) A se'ah was a measure. In buying and selling corn this measure was filled, and the top or pile was levelled down by a stick, called a 'strike'. — Sh. M. observes that as the place of the pile itself on Moses' altar was only one cubit square, these logs must have been stood endways upon it, with wood chips between to assist the fire to catch on.

(8) I.e., rather shorter than a cubit. 'Aruch reads gerumah instead of gedumah, which reverses the meaning: with a generous cubit, i.e., slightly more than a cubit. This makes the difficulty that follows more plausible.

(9) Lev. I, 8.

(10) I.e. beyond the place of the pile. Rashi: why then must it be a stumped cubit; it could be exactly a cubit? Tosaf. and Sh. M.: how then can it be a 'generous' cubit? — The objection remains unanswered.

(11) That it had to be on the south side.

(12) Ibid. 11.

- (13) Yerek, translated 'side' literally means 'thigh', hence the legs. Thus the altar must be like a man lying with his legs stretched northward and his face in the south. The side of the altar having this ascent would naturally be the front.
- (14) Like a man sitting upright.
- (15) It must be like a man lying face downward-hence the face in the opposite direction to the legs.
- (16) E.V. 'foursquare'. Ex. XXVII, 1. He connects rabua' with raba', to lie down, and interprets: the altar shall be like a man lying down.
- (17) Which definitely means square and nothing else.
- (18) Which equally means lying down and nothing else.
- (19) Square and lying down.
- (20) Ezek. XLIII, 17.
- (21) The text refers to the altar, and is interpreted to mean that the altar must be so constructed that when the priest, standing by the altar, has to turn round the side, he will turn right, and go eastward. That is possible only if the ascent is at the south.
- (22) Which would necessitate the ascent on the north.
- (23) II. Chron. IV, 4.
- (24) Since the order here is first north and then west, and when a man is facing the north, he must turn right in order to go to the west.
- (25) To describe the position of the oxen.
- (26) In each case. The word literally means 'turning toward', and the repetition is interpreted as in the text.
- (27) The ascent did not come right up to the altar, but left a gap between.
- (28) Deut. XII, 27.
- (29) I.e., dashing against the altar.
- (30) On to the altar. Consequently, a priest standing at the top of the ascent could not place the flesh on the altar, but had to throw it, which implies that there was a gap.
- (31) This would not necessitate a gap.
- (32) Since the wood was burning, the priest obviously could not go right up to it, but had to stand at a distance and throw it. But in that case, since it was impossible to do otherwise, no text would be required. Hence the text must teach that there was a gap between the ascent and the altar, not that there was one between the priest and the pile.
- (33) Which would not be the case if he stood at the side of the pile.
- (34) Which implies that it must be possible to encompass the altar itself, even if only by drawing a thread about it. But if the ascent actually joined the altar, this could not be done.
- (35) Which likewise implies that the altar stood, unattached, as a square edifice.
- (36) I.e., I could translate rabua' = rectangular, but not necessarily square.
- (37) Implying that all its sides must be equal.
- (38) Since each was thirty-two.
- (39) Cf. supra 54a.

## **Talmud - Mas. Zevachim 63a**

Rami b. Hama said: All the ascents had a gradient of one cubit in three,<sup>1</sup> except the ascent of the altar, which [rose one cubit] in three and a half cubits and a finger and a third, counting the little fingers.<sup>2</sup> MISHNAH. THE FISTFULS OF MEAL-OFFERINGS WERE TAKEN IN ANY PART OF THE TEMPLE COURT, AND THEY [THE MEAL-OFFERINGS] WERE EATEN WITHIN THE HANGINGS, BY MALE PRIESTS, PREPARED IN ANY MANNER, ON THE SAME DAY AND NIGHT, UNTIL MIDNIGHT.

GEMARA. R. Eleazar said: If the fistful of a meal-offering was taken in the hekal, it [the ceremony] is valid, for thus we find it in the removal of the censers.<sup>3</sup> R. Jeremiah raised an objection: And he shall take thence<sup>4</sup> [his fistful]:<sup>5</sup> [that means] from the place where the feet of the zar stand.<sup>6</sup> Ben Bathyra said: How do we know that if [the priest] took the fistful with his left [hand], he must return [the fistful] and take it with his right [hand]? Because it says, 'thence', [which means,] from the place whence he had already taken a fistful?<sup>7</sup> Some state that he [R. Jeremiah]

raised the objection, and answered it himself; others state. R. Jacob<sup>8</sup> answered R. Jeremiah: Bar Tahlifa has explained it: Its purpose is only to declare the whole of the Temple court fit.<sup>9</sup> I might argue: Since a burnt-offering is a most holy sacrifice, and a meal-offering is most holy: as a burnt-offering requires the north, so does a meal-offering require the north. [Therefore the text informs us otherwise.] As for a burnt-offering, the reason is because it is altogether burnt?<sup>10</sup> — [Then learn it] from a sin-offering.<sup>11</sup> As for a sin-offering, the reason is because it atones for those who are liable to kareth? — [Then learn it] from a guilt-offering. As for a guilt-offering, the reason is because it is a blood sacrifice. And as for all these too, the reason is because they are blood sacrifices?<sup>12</sup> — Rather, [the text] is necessary. I might think, since it is written, And he shall bring it unto the altar . . .<sup>13</sup> and he shall take up therefrom his fistful:<sup>14</sup> as it must be brought near to the south-west horn,<sup>15</sup> so must the fistful be taken by the south-west horn. Hence [the text] informs us [that it is not so].

R. Johanan said: If a peace-offering is slaughtered in the hekal, it is fit, because it is said, And he shall kill it at the door of the tent of meeting.<sup>16</sup> and the adjunct cannot be stricter than the principal.<sup>17</sup> An objection is raised: R. Johanan b. Bathyra said: How do we know that if heathens surrounded the whole of the Temple court,<sup>18</sup> the priests enter the hekal and eat there the most holy sacrifices and the remainder of the meal-offering?<sup>19</sup> Because it says, In a most holy place<sup>20</sup> shalt thou eat thereof.<sup>21</sup> Yet why [is this text necessary]? Let us quote, In the court of the tent of meeting shall they eat it,<sup>22</sup> and the adjunct cannot be stricter than the principal?<sup>23</sup> — How compare: there [that we are dealing with] service, we say, Let the adjunct not be stricter than the principal, since a man can perform a service in the presence of his master. [But as for] eating, since a man cannot eat in the presence of his master.<sup>24</sup> we do not say, Let the adjunct not be stricter than the principal.

**MISHNAH. THE SIN-OFFERING OF A BIRD WAS SACRIFICED<sup>25</sup> BY THE SOUTH-WEST HORN. NOW, IT WAS FIT [IF DONE] IN ANY PLACE, BUT THIS WAS ITS [PARTICULAR] PLACE.<sup>26</sup> THAT HORN SERVED FOR THREE THINGS BELOW, AND THREE THINGS ABOVE.<sup>27</sup> BELOW: FOR THE SIN-OFFERING OF THE BIRD, FOR THE PRESENTING [OF MEAL-OFFERINGS].<sup>28</sup> AND FOR THE RESIDUE OF THE BLOOD.<sup>29</sup> ABOVE: FOR THE POURING OUT OF WINE AND WATER, AND FOR THE BURNT-OFFERING OF A BIRD WHEN THE EAST WAS TOO MUCH OCCUPIED.<sup>30</sup> ALL WHO ASCENDED THE ALTAR ASCENDED BY THE RIGHT,**

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(1) They rose one cubit in every three.

(2) Of which six go to a tefah (handbreadth). — As heavy limbs of animals had to be carried up on it, it had an easier gradient, nine cubits in thirty-two, which works out as in the text. (The translation adopts the marginal reading.)

(3) Twelve loaves, called Shewbread, were placed on the Table in the hekal, accompanied by censers of frankincense (v. Lev. XXIV, 5 seq.). When the censers were removed (a week after they were placed there), the Shewbread might be eaten by the priests. Thus the removing of the censers corresponded to the taking of the fistful, which likewise rendered the rest permitted; hence, as the former was done in the hekal, so was the latter valid if done in the hekal.

(4) E.V. thereout, but the Talmud understands the word to bear a local meaning.

(5) Lev. II, 2.

(6) The verse commences: And he (sc. the zar) shall bring it to Aaron's sons the priests; and continues, And he (sc. the priest) shall take thence etc. Hence 'thence' is interpreted, from the place where the zar is standing. This is now assumed to exclude the ulam and the hekal, where a zar might not enter.

(7) Thus it intimates that it is sometimes necessary to take the fistful twice, which is only possible in this case.

(8) Marginal emendation.

(9) 'From the place where the feet of the zar stand' teaches that the whole of the Temple court is fit for the ceremony, and all the more the hekal and the court of the priests, seeing that this was a priestly ceremony.

(10) But a meal-offering is not, and so there is no reason for supposing that it requires the north. What then is the need for a text to teach that it does not?

(11) Which is not altogether burnt, and yet requires the north.

- (12) I.e., this reason would suffice apart from the others already stated.
- (13) Lev. II, 8.
- (14) Ibid. VI, 8.
- (15) As is deduced infra.
- (16) Ibid. III, 2.
- (17) Since it must be killed at the door of the tent of meeting, the tent of meeting (corresponding to the hekal) is obviously the principal place for it, while the Temple court is but an adjunct thereto.
- (18) Shooting arrows and hurling missiles into it.
- (19) Emended text (Sh. M.).
- (20) Implying the hekal.
- (21) Num. XVIII, 10.
- (22) Lev. VI, 9.
- (23) By the same argument as above: the 'court' is an adjunct to the 'tent of meeting' (the hekal); if it can be eaten in the former place, it can surely be eaten in the latter.
- (24) Eating is for one's own benefit, and it may therefore be disrespectful to do it in the master's (here, God's) presence. — The hekal, being more sacred than the Temple court, is referred to as 'in the Master's presence'.
- (25) Lit., 'made', The Mishnah does not say 'slaughtered', as it was not slaughtered but had its neck wrung.
- (26) The Gemara discusses what this means,
- (27) 'Below' and 'above' refer to the scarlet line which encompassed the altar.
- (28) Before their fistfuls were taken they were presented ('brought near') at this horn.
- (29) Of the outer sin-offerings. These were sprinkled there.
- (30) Its proper place was at the south-east horn, but if many animal burnt-offerings were being sacrificed there, this was offered at the south-west horn, above the line.

### **Talmud - Mas. Zevachim 63b**

THEN THEY WENT ROUND [THE ALTAR]<sup>1</sup> AND DESCENDED BY THE LEFT, EXCEPT FOR THESE THREE, WHO ASCENDED AND DESCENDED BY RETRACING THEIR STEPS.<sup>2</sup>

GEMARA. Whence do we know it? — Said R. Joshua, Scripture saith: He shall put no oil upon it, neither shall he put any frankincense thereon, for it is a sin-offering:<sup>3</sup> a sin-offering is designated a meal-offering.<sup>4</sup> and a meal-offering is designated a sin-offering: as a sin-offering requires the north, so does a meal-offering require the north;<sup>5</sup> and as a meal-offering [is presented] at the south-west horn, so is a [bird] sin-offering [offered] at the south-west horn.<sup>6</sup>

And how do we know this of the meal-offering itself? — Because it was taught: [The sons of Aaron shall offer it] before the Lord:<sup>7</sup> You might think, at the west [of the altar];<sup>8</sup> therefore it states, in front of the altar.<sup>9</sup> If [it is to be] 'in front of the altar', you might think, in the south; but Scripture says, 'before the Lord'. How then was it done? He presented it at the south-west horn, opposite the edge of the horn, and that is sufficient. R. Eleazar said: You might think that he presents it on the west of the horn or the south of the horn; but you can rebut [this], [for] wherever you find two texts, one confirming itself and the other, whereas the second confirms itself but annuls the other, you abandon the one which confirms itself and annuls the other, and accept that which confirms itself and the other too. Thus, if you say 'before the Lord' [means] in the west, how can you confirm 'in front of the altar'? But when you say, 'in front of the altar', means in the south, you confirm before the Lord as meaning the south<sup>10</sup> But how can you confirm this? — Said R. Ashi: This Tanna holds that the whole altar stood in the north.<sup>11</sup>

NOW. IT WAS FIT [IF DONE] IN ANY PLACE etc. What does this mean?<sup>12</sup> — Said R. Ashi, This is what it means: Any place is fit for its melikah, but this was the place for its sprinkling. We have thus learnt here what our Rabbis taught: If he nipped it by any part of the altar, it is valid; if he sprinkled its blood on any part [of the altar], it is valid. (If he sprinkled [the blood] but did not drain

it out, it is valid)<sup>13</sup> provided that he applies some of the life blood<sup>14</sup> below the scarlet line. What does this mean?<sup>15</sup> — This is what he means: If he nipped it by any part of the altar, it is valid; if he drained the blood at any part of the altar, it is valid,

(1) For whatever they had to do, e.g., sprinkle the blood or arrange the wood pile.

(2) By the left. V. Suk. 48b.

(3) I.e., they returned the same way as they came. (10) Lev. V, 11. This refers to a sinner's meal-offering brought in extreme poverty instead of a bird sin-offering.

(4) Since the latter can be a substitute for it.

(5) Rashi maintains that the text is faulty, because a bird sin-offering did not require the north, nor did a sinner's meal-offering. He conjectures as an emendation: as a (bird) sin-offering is invalid if offered under a different designation, so is a (sinner's) meal-offering invalid in similar circumstances. R. Hayyim in Tosaf. emends: as the blood of a bird sin-offering must be poured out at the base, so must a sinner's meal-offering be presented at the base.

(6) I.e., its blood is sprinkled there.

(7) Lev. VI, 7. This refers to a meal-offering, and 'before the Lord' means at the altar.

(8) Which faced the hekal, and so might appropriately be described as 'before the Lord'.

(9) Ibid. 'Front' is the south, where the ascent ran.

(10) For variant reading v. Men. 19b.

(11) Hence the south of the altar ended opposite the door leading to the hekal, and so that too would be called 'before the Lord'.

(12) It cannot be meant as it stands, for if it was fit in any place, why insist on a particular spot?

(13) Sh. M. deletes the bracketed passage.

(14) The first blood which gushes forth.

(15) This is apparently self-contradictory, as the first states that it is valid if sprinkled anywhere, and then states that it must be sprinkled below the scarlet line.

## **Talmud - Mas. Zevachim 64a**

for if he sprinkled but did not drain out, it is valid,<sup>1</sup> provided that he applies some of the life blood below the scarlet line.

[THAT HORN SERVED FOR] THREE THINGS etc. FOR THE SIN-OFFERING OF THE BIRD, as we have stated.<sup>2</sup> FOR THE PRESENTING: for it is written, And he shall bring it near [i.e., present it] unto the altar.<sup>3</sup> FOR THE RESIDUE OF THE BLOOD: for it is written, And all the remaining blood thereof shall he pour out at the base of the altar.<sup>4</sup>

ABOVE: FOR THE POURING OF THE WINE AND THE WATER, AND FOR THE BURNT-OFFERING OF A BIRD WHEN THE EAST WAS TOO MUCH OCCUPIED. What is the reason?<sup>5</sup> — R. Johanan said: Because it is nearest to the ash deposit.<sup>6</sup> R. Johanan said: Come and see how great was the strength of the priests, for no part of birds is lighter than the crop and the feathers, yet sometimes the priest threw them more than thirty cubits.<sup>7</sup> For we learnt: He<sup>8</sup> took a silver pan [brazier] and ascended to the top of the altar, where he parted the coals to either side, [and] shovelled out some of the inner burnt coals; then he descended and reached the pavement. He turned his face toward the north, proceeded to the east of the ascent, a distance of ten cubits. There he heaped up the coals on the pavement three handbreadths away from the slope, at the site where they placed the crop and the feathers and the ashes of the inner altar and the candlestick.<sup>9</sup> But this would be more than thirty-one [cubits]?<sup>10</sup> — He does not count the place of the person.<sup>11</sup>

ALL WHO ASCENDED THE ALTAR etc. What is the reason?<sup>12</sup> — Said R. Johanan: In the case of libations, lest they become smoke-laden; and as to the burnt-offering of a bird, lest it perish through the smoke.<sup>13</sup> An objection is raised: When he came to make a circuit of the altar,<sup>14</sup> whence did he commence? From the south-east horn, [whence he successively passed to] the north-east,

north-west, and south-west, and he was handed the wine to pour it out!<sup>15</sup> — Said R. Johanan:

(1) Thus it is valid even if he omits the draining altogether. Therefore it is certainly valid when he drains it anywhere by the altar.

(2) Supra 63b.

(3) Lev. II, 8. It was stated supra 63b that this means at the south-west of the altar.

(4) Ibid. IV, 30. It is stated supra 53a and 54a that this applies to the southern base.

(5) This implies that the proper place for the burnt-offering of a bird was the east; what then was the reason for this?

(6) The ashes which were placed every morning by the side of the altar, to the east of the ascent.

(7) When the bird was sacrificed by the south-west horn, he had to throw the crop and the feathers to the ash deposit, more than thirty cubits away. It requires great strength to throw anything that is very light a great distance,

(8) The priest who removed the ashes.

(9) V. Tam. I, 4.

(10) Rashi gives the exact calculation.

(11) That itself is responsible for one cubit.

(12) Why were these different?

(13) Of the burning wood and limbs. Hence the shortest route was taken.

(14) This refers to the High Priest, v. Tam. VII, 3.

(15) On to the altar. It is now assumed that he is given the wine when he commences the circuit, which shews that we are not afraid of the smoke.

## **Talmud - Mas. Zevachim 64b**

He made the circuit on foot.<sup>1</sup> Raba observed: That indeed may be inferred, for it teaches, 'and he was handed the wine to pour it out', but it does not teach, 'He was told to pour it out'.<sup>2</sup> This proves it.

Our Rabbis taught: All who went up the altar ascended by the right and descended by the left ; they ascended by the east and descended by the west,<sup>3</sup> except those who went up for these three things:<sup>4</sup> they ascended by the west and descended by the west, ascended by the right and descended by the right. [You say] 'by the right'; it is by the left?<sup>5</sup> — Said Rabina: Read 'left'. Raba said: 'Right'<sup>6</sup> means the right of the altar, while 'left'<sup>7</sup> means the left of the person.<sup>8</sup> Then let him teach either both with reference to the altar or both with reference to the person? That is indeed a difficulty.

**MISHNAH. HOW WAS THE SIN-OFFERING OF A BIRD SACRIFICED?<sup>9</sup> HE PINCHED OFF ITS HEAD CLOSE BY ITS NECK, BUT DID NOT SEVER IT, AND HE SPRINKLED ITS BLOOD ON THE WALL OF THE ALTAR; THE RESIDUE OF THE BLOOD WAS DRAINED OUT ON THE BASE. ONLY THE BLOOD BELONGED TO THE ALTAR, WHILE THE WHOLE OF IT BELONGED TO THE PRIESTS.**

**GEMARA.** Our Rabbis taught: And he shall sprinkle of the blood of the sin-offering:<sup>10</sup> [that means] with the body of the sin-offering.<sup>11</sup> How is it done? He [the priest] grasps the head and the body [of the bird] and sprinkles [its blood] on the wall of the altar, but not on the wall of the ascent, nor on the wall of the hekal, nor on the wall of the ulam; and which [wall] is meant? The lower wall.<sup>12</sup> Yet perhaps it is not so, but rather on the upper wall, and that is indeed logical: if [the blood of] an animal sin-offering is [sprinkled] above, though [that of] an animal burnt-offering is [sprinkled] below: surely [the blood of] a bird sin-offering is [sprinkled] above, seeing that [that of] a bird burnt-offering is [sprinkled] above? Therefore it states, And the rest of the blood shall be drained out at the base of the altar,<sup>13</sup> [which intimates that it must be sprinkled on] a wall where the residue will drain down to the base, and which is that? The lower wall.<sup>14</sup> Yet let us [first] perform it above, and then below?<sup>15</sup> — Said Raba: Is then yamzeh [he shall drain] written? Surely yimmazeh [shall be drained] is written, which implies of its own accord.<sup>16</sup>

R. Zutra b. Tobiah said in Rab's name: How is the bird sin-offering pinched off? He grasps its two wings in two fingers, and its two legs in two fingers, stretches its neck over the width of his thumb and pinches it off. In a Baraitha it was taught: The bird is without:<sup>17</sup> he holds its wings in two fingers and its two legs with two fingers, stretches its neck over the width of two fingers, and pinches it off; and this was a difficult rite in the Temple. This and no other? Surely there were kemizah and hafinah?<sup>18</sup> — Say rather, this was one of the difficult rites in the Temple.

MISHNAH. HOW WAS THE BURNT-OFFERING OF A BIRD SACRIFICED? — HE [THE PRIEST] ASCENDED THE ASCENT AND TURNED TO THE SURROUNDING BALCONY,<sup>19</sup> WHENCE HE MADE HIS WAY TO THE SOUTH-EAST HORN. HE NIPPED ITS HEAD CLOSE BY THE NECK, AND SEVERED IT,<sup>20</sup> SAND DRAINED OUT ITS BLOOD ON TO THE WALL OF THE ALTAR. HE TOOK THE HEAD, TURNED THE PART WHERE IT WAS NIPPED TO THE ALTAR,<sup>21</sup> DRIED IT WITH SALT,<sup>22</sup> AND THREW IT ON TO THE [ALTAR-]FIRE.<sup>23</sup> THEN HE CAME TO THE BODY. REMOVED THE CROP, THE FEATHERS,<sup>24</sup> AND THE ENTRAILS THAT CAME FORTH WITH IT,<sup>25</sup> AND THREW THEM ON TO THE ASH DEPOSITORY. HE RENT [THE BODY], BUT DID NOT SEVER IT, YET IF HE DID SEVER IT, IT IS FIT. THEN HE DRIED IT [THE BODY] WITH SALT, AND THREW IT ON TO THE [ALTAR-] FIRE. IF HE DID NOT REMOVE THE CROP OR THE FEATHERS OR THE ENTRAILS WHICH CAME FORTH WITH IT, AND DID NOT DRY IT WITH SALT, OR MADE ANY OTHER DEVIATION THEREIN AFTER HE HAD DRAINED THE BLOOD OUT, IT IS FIT. IF HE SEVERED THE SIN-OFFERING<sup>26</sup> OR DID NOT SEVER THE BURNT-OFFERING, IT IS UNFIT. IF HE DRAINED OUT THE BLOOD OF THE HEAD, BUT NOT THE BLOOD OF THE BODY, IT IS UNFIT; THE BLOOD OF THE BODY, BUT NOT THE BLOOD OF THE HEAD, IT IS FIT. IF HE NIPPED A SIN-OFFERING OF A BIRD FOR THE SAKE OF SOMETHING ELSE;<sup>27</sup> IF HE DRAINED OUT ITS BLOOD FOR THE SAKE OF SOMETHING ELSE, OR FOR ITS OWN SAKE AND FOR THE SAKE OF SOMETHING ELSE,<sup>28</sup> OR FOR THE SAKE OF SOMETHING ELSE AND FOR ITS OWN SAKE, IT IS UNFIT. A BURNT-OFFERING OF A BIRD IS FIT [IN SUCH CIRCUMSTANCES]. SAVE THAT IT DOES NOT FREE ITS OWNER OF HIS OBLIGATION.<sup>29</sup>

IF A SIN-OFFERING OF A BIRD OR A BURNT-OFFERING OF A BIRD WAS NIPPED OR IF ITS BLOOD WAS DRAINED OUT [WITH THE INTENTION] TO EAT WHAT WAS NORMALLY EATEN OR TO BURN WHAT WAS NORMALLY BURNT WITHOUT BOUNDS, IT IS INVALID, BUT DOES NOT INVOLVE KARETH; AFTER TIME, IT IS PIGGUL AND INVOLVES KARETH, PROVIDED THAT THE MATTIR WAS OFFERED IN ACCORDANCE WITH THE REGULATIONS. HOW DOES HE OFFER THE MATTIR ACCORDING TO REGULATIONS? IF HE NIPPED IT IN SILENCE AND DRAINED THE BLOOD [WITH AN INTENTION OF] AFTER TIME; OR IF HE NIPPED IT [WITH AN INTENTION OF] AFTER TIME AND DRAINED THE BLOOD IN SILENCE; OR IF HE NIPPED IT AND DRAINED THE BLOOD [WITH AN INTENTION OF] AFTER TIME: IN THESE CASES HE OFFERED THE MATTIR ACCORDING TO REGULATION. HOW DOES HE NOT OFFER THE MATTIR ACCORDING TO REGULATION? IF HE NIPPED IT [WITH AN INTENTION OF] WITHOUT BOUNDS AND DRAINED THE BLOOD [WITH AN INTENTION OF] WITHOUT BOUNDS, OR IF HE NIPPED IT [WITH AN INTENTION OF] AFTER TIME AND DRAINED THE BLOOD [WITH AN INTENTION OF] WITHOUT BOUNDS; OR IF HE NIPPED IT AND DRAINED THE BLOOD [WITH AN INTENTION OF] WITHOUT BOUNDS;

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(1) He was not given the wine until he completed the circuit, the circuit being made merely to add dignity to the ceremony and to shew that he enjoyed privileges which the other priests lacked (Rashi and Sh. M.).

(2) Which would be the case if he already had the wine when he started.

(3) They ascended the stairway at its east side, since they would have to turn right, and had they ascended it by the west,



they would have to cross the width of the ascent before they could do this. Similarly they descended by the west side of the stairway.

(4) Enumerated in the Mishnah.

(5) The west of the ascent was on the left side of a man facing the altar.

(6) In the second clause.

(7) In the first clause.

(8) Standing in front of the altar.

(9) Lit., 'made'. V. p. 312, n. 2.

(10) Lev. V, 9. — It refers to a bird sin-offering.

(11) Not from a vessel.

(12) Below the red line.

(13) Ibid.

(14) For if he sprinkled it on the upper wall, it might drain on to the terrace, not on to the base.

(15) I.e., sprinkle the blood on the upper wall, and then drain out the rest on the lower.

(16) The blood must be so sprinkled that it will then naturally drain down on to the base.

(17) It is grasped face-downward to the palm of the hand, so that its nape is uppermost.

(18) The taking of the fistful of meal-offerings and the taking of the two hands full of incense on the Day of Atonement.

These rites were done in a particular fashion, and both are described as difficult in Yoma 47b and 49b.

(19) V. supra 53a notes.

(20) By nipping both the windpipe and the gullet (Hul. 21b).

(21) He pressed it against the wall, to drain out the blood.

(22) By rubbing salt on the dripping head until it became dry.

(23) Of the burnt-offerings, which were being burnt on the altar.

(24) I.e., the skin opposite the crop, together with the feathers on it.

(25) Sc. with the crop, as he removed this.

(26) By nipping both organs of the throat.

(27) E.g., as a burnt-offering,

(28) He nipped it for its own sake and drained it for the sake of something else.

(29) V. supra 2a.

## **Talmud - Mas. Zevachim 65a**

IF HE NIPPED A SIN-OFFERING OF A BIRD UNDER A DIFFERENT DESIGNATION AND DRAINED THE BLOOD [WITH AN INTENTION OF] AFTER TIME; OR IF HE NIPPED IT [WITH AN INTENTION OF] AFTER TIME AND DRAINED THE BLOOD UNDER A DIFFERENT DESIGNATION; OR IF HE NIPPED IT AND DRAINED THE BLOOD UNDER A DIFFERENT DESIGNATION: IN THESE CASES HE DID NOT OFFER THE MATTIR ACCORDING TO REGULATION. [IF HE INTENDED] TO EAT AS MUCH AS AN OLIVE WITHOUT BOUNDS [AND] AS MUCH AS AN OLIVE ON THE MORROW, [OR] AS MUCH AS AN OLIVE ON THE MORROW [AND] AS MUCH AS AN OLIVE WITHOUT BOUNDS; HALF AS MUCH AS AN OLIVE WITHOUT BOUNDS [AND] HALF AS MUCH AS AN OLIVE ON THE MORROW; HALF AS MUCH AS AN OLIVE ON THE MORROW [AND] HALF AS MUCH AS AN OLIVE WITHOUT BOUNDS, [THE SACRIFICE] IS UNFIT, AND DOES NOT INVOLVE KARETH. SAID R. JUDAH: THIS IS THE GENERAL RULE: WHERE THE [WRONGFUL] INTENTION OF TIME PRECEDES THAT OF PLACE, [THE SACRIFICE] IS PIGGUL, AND INVOLVES KARETH; BUT IF THE [WRONGFUL] INTENTION OF PLACE PRECEDES THAT OF TIME, IT IS UNFIT AND DOES NOT INVOLVE KARETH. BUT THE SAGES MAINTAIN: IN BOTH CASES [THE SACRIFICE IS] UNFIT AND DOES NOT INVOLVE KARETH. [IF ONE INTENDS] TO EAT HALF AS MUCH AS AN OLIVE [WITHOUT BOUNDS OR AFTER TIME] [AND] TO BURN HALF AS MUCH AS AN OLIVE [SIMILARLY]. IT IS FIT, FOR EATING AND BURNING DO NOT COMBINE.<sup>1</sup>

GEMARA. Our Rabbis taught: And [the priest] shall bring it [unto the altar]:<sup>2</sup> Why is this stated? Because it is said, Then he shall bring his offering of turtle-doves, or of young pigeons,<sup>3</sup> you might think that when he vows a bird [as a burnt-offering], he must give not less than two birds; therefore it states, ‘And [the priest] shall bring it:’ he can bring even one bird to the altar, Why is ‘the priest’ stated? To prescribe a priest for it.<sup>4</sup> For you might argue, is not [the reverse] logical? If a priest was not prescribed for a sheep,<sup>5</sup> though north was prescribed for it;<sup>6</sup> is it not logical that a priest is not prescribed for a bird, seeing that [Scripture] did not prescribe north for it? Therefore ‘the priest’ is stated, in order to prescribe a priest for it. You might think that he must nip it with a knife, and that is indeed logical: If [Scripture] prescribed a utensil<sup>7</sup> for shechitah, though it did not prescribe a priest for it; is it not logical that it prescribed a utensil for nipping, seeing that it prescribed a priest for it? Therefore it states, [And] the priest . . . shall pinch off [its head].<sup>8</sup> Said R. Akiba: Would you then think that a zar might approach the altar?<sup>9</sup> Why then is ‘the priest’ stated? To teach that the pinching must be done by the very priest himself.<sup>10</sup> You might think that he can pinch it off either above [the red line] or below [it]; therefore it states, ‘and pinch off [its head], and make it smoke [on the altar]:’ as haktarah [making it smoke] is [done] on the top of the altar, so is pinching [done] on the top of the altar.<sup>11</sup> ‘And shall pinch off’: Close by the nape [of the neck]. You say, close by the nape; yet perhaps it is not so, but rather by the throat?<sup>12</sup> It follows by logic: ‘and shall pinch off’ is stated here, and ‘and shall pinch off’ is stated elsewhere:<sup>13</sup> as there it is close by its neck, so here it is close by its neck. If so, just as there he pinches but does not sever it, so here too he pinches but does not sever it? Therefore it states, ‘and shall pinch off [its head], and make it smoke’: as [in] haktarah, the head is by itself and the body is by itself, so [after] pinching, the head is by itself and the body is by itself. And how do we know that the haktarah of the head is separate and that of the body is separate? Because it is said, ‘And make it smoke’: thus the burning of the body is ordered. How then do I interpret, [and the priest] shall make it smoke upon the altar?<sup>14</sup> Scripture [here] treats of the burning of the head.<sup>15</sup>

And the blood thereof shall be drained out on the side of the altar,<sup>16</sup> but not on the wall of the ascent, nor on the wall of the hekal. And which is it? The upper wall. Yet perhaps it is not so, but rather the lower wall; and that is indeed logical: if [the blood of] an animal burnt-offering is [sprinkled] below, though [that of] an animal sin-offering is [sprinkled] above; surely [the blood of] a burnt-offering of a bird is [sprinkled] below, seeing that [that of] a sin-offering of a bird is [sprinkled] below? Therefore it states, ‘and shall pinch off... and shall burn . . . and the blood thereof shall be drained out’: now, can you really think that after he has burnt it he returns and drains it?<sup>17</sup> Rather it is to tell you: as haktarah is [done] on the top of the altar, so is the draining out on the top of the altar. How did he do this? He ascended the ascent and turned to the terrace, whence he proceeded to the south-east horn. Then he pinched off its head close by the neck, severed it, and drained [some] of its blood on the wall of the altar. If he did it below his feet<sup>18</sup> even a cubit, it is fit.<sup>19</sup> R. Nehemiah and R. Eliezer b. Jacob maintained: It must essentially be done nought elsewhere but on the top of the altar. Wherein do they differ? — Abaye and Raba both said: They differ in respect of building a pyre on the terrace.<sup>20</sup>

THEN HE TOOK THE BODY etc. Our Rabbis taught: And he shall take away its crop with the feathers thereof:<sup>21</sup> that is the crop.<sup>22</sup> You might think that he cuts through with a knife and takes it;<sup>23</sup> therefore it states, ‘with the feathers thereof’: [hence] he takes the plumage together with it. R. Abba Jose b. Hanan said: He takes it [the crop] together with the craw.<sup>24</sup> The school of R. Ishmael taught: ‘With the feathers thereof’ [means] with its [very] own feathers,<sup>25</sup> [hence] he cuts it [round] with a knife like a skylight.<sup>26</sup>

(1) V. supra 29b for the whole passage.

(2) Lev. I, 15. This refers to a bird burnt-offering, and is apparently superfluous, since the preceding verse states, Then he shall bring his offering etc. Hence Scripture should continue: ‘And the priest shall pinch off its head by the altar.’

(3) Ibid. 14.

- (4) Only a priest, and not a zar, must nip off its head.
- (5) A sheep can be slaughtered by a zar, and the slaughtering of a sheep corresponds to the nipping of a bird.
- (6) It must be slaughtered at the north side of the altar.
- (7) Viz., a knife.
- (8) The Priest himself, without the assistance of a utensil, as R. Akiba explains.
- (9) For the bird-offering one had actually to ascend the slope of the altar and walk round the terrace (supra 64b); that would obviously not be permitted to a zar. An animal-offering, however, which could be slaughtered by a zar, was killed on the ground, and even at some distance from the altar.
- (10) Not with a knife.
- (11) The 'top' here means the upper half, above the red line.
- (12) The front part of the neck.
- (13) Lev, V, 8: and shall pinch off its head close by its neck, but shall not divide it asunder.
- (14) Lev, I, 17. This apparently a repetition of v. 15.
- (15) Hence each was separate.
- (16) Ibid. 15.
- (17) That is obviously impossible!
- (18) Stooping down,
- (19) Because the red line, which demarcated the upper part of the altar from the lower, was a cubit below the terrace.
- (20) The first Tanna holds that this can be done, therefore the blood can be drained out even below the terrace. But R. Nehemiah and R. Eliezer b. Jacob hold that the haktarah must be done on the top of the altar itself; therefore the draining too must be done near there.
- (21) Lev. I, 16.
- (22) The Talmud translates the less familiar mur'ah by the more familiar zefek.
- (23) Sc. the crop alone, without the skin and the feathers.
- (24) The thick muscular stomach of birds.
- (25) Not more than the feathers opposite the crop.
- (26) He cuts the skin exactly opposite the crop, and then removes the crop, skin and feathers.

## **Talmud - Mas. Zevachim 65b**

HE RENT IT. BUT DID NOT SEVER IT. Our Rabbis taught: And he shall rend it:<sup>1</sup> rending is by hand only, and thus it says, and he rent him as one would have rent a kid.<sup>2</sup>

IF HE DID NOT REMOVE THE CROP etc. Our Mishnah does not agree with R. Eleazar b. R. Simeon. For it was taught. R. Eleazar son of R. Simeon said: I have heard that one severs the sin-offering of a bird.<sup>3</sup> Wherein do they differ? — Said R. Hisda: They disagree as to whether the draining [of the blood] of the bird sin-offering is indispensable. The first Tanna<sup>4</sup> holds that it is indispensable, and since then he must drain out the blood, when he [also] severs [it] he performs the rites of a burnt-offering with the bird sin-offering.<sup>5</sup> Whereas R. Eleazar son of R. Simeon holds that the draining out of the bird sin-offering is not indispensable,<sup>6</sup> therefore he is merely cutting flesh.<sup>7</sup> Raba said: They differ about a delay at [the nipping of] the second organ in the case of a bird burnt-offering. The first Tanna holds that it does not invalidate [it], and though he does delay, he performs the rites of a burnt-offering with a sin-offering; whereas R. Eleazar son of R. Simeon holds that it does invalidate [it], and since he delays, he is merely cutting flesh.<sup>8</sup> Abaye said: They differ as to whether [the cutting through of] the greater part of the flesh is indispensable. And they [Raba and Abaye] disagree in the same controversy as that of R. Zera and R. Samuel son of R. Isaac: One maintains that they [the first Tanna and R. Eleazar son of R. Simeon] disagree on whether delay at the second organ invalidates; and the other maintains that they disagree as to whether the [cutting of] the greater part of the flesh is indispensable.<sup>9</sup>

Now, this proves that in the first place we require [the cutting of] the greater part of the flesh?<sup>10</sup> — Yes, and it was taught likewise: How is the melikah of a bird sin-offering performed? He cuts

through the spinal column and the nape, without the greater part of the flesh, until he reaches the gullet or the windpipe. When he reaches the gullet or the windpipe he cuts one organ, or the greater part thereof, together with the greater part of the flesh; and in the case of a burnt-offering, two [organs] or the greater part thereof.<sup>11</sup>

This was stated before R. Jeremiah.<sup>12</sup> Said he: Have they not heard what R. Simeon b. Eliakim said on the authority of R. Eleazar b. Pedath on the authority of R. Eleazar b. Shammu'a: R. Eleazar son of R. Simeon affirmed: I have heard that a bird sin-offering is severed, and what does he shall not divide it asunder<sup>13</sup> mean?

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(1) Ibid., 17.

(2) Jud. XIV, 6. There, of course, it was done by hand.

(3) In the sense that if both organs of the throat are nipped, it is not unfit. Our Mishnah states that it is.

(4) The Tanna of our Mishnah.

(5) For now the rites do not differ in any way, and it is stated infra 66a that such is unfit. Though the blood of the sin-offering is sprinkled below and that of the burnt-offering is sprinkled above the red line, that is not regarded as a sufficient distinction (Tosaf.).

(6) Whereas it is in the case of a burnt-offering.

(7) When he nips the second organ. By refraining from draining out the blood after this he makes it clear that he is not performing the rites of a burnt-offering.

(8) The shechitah of an animal consists of cutting through both organs of the throat, viz., the windpipe and the gullet; should a delay occur between these two organs, it is invalid, and the animal is nebelah (q.v. Glos.). The shechitah of a bird (of hullin) consists of cutting through one organ only (the second is optional), since that is sufficient to kill it. Now, a bird burnt-offering must have both organs pinched (which is the equivalent of cut) through, and this can be done without delay between the organs; but when one nips both organs of a bird sin-offering, delay is inevitable, owing to the particular manner in which the rite must be performed, as stated infra. The first Tanna holds that delay between the two organs in the case of a burnt-offering does not invalidate the sacrifice, because the nipping of the second organ is not really part of the shechitah at all. Hence when he nips both organs of a sin-offering, he performs the same rite as would be valid in the case of a burnt-offering, and therefore it (the sin-offering) is unfit. R. Eleazar b. R. Simeon holds that delay in the case of a burnt-offering does invalidate the sacrifice, and since delay is inevitable in the case of a sin-offering, it is obvious that he is not treating it like a burnt-offering.

(9) After the priest nips the first organ, he must also cut through the greater part of the flesh that surrounds it (v. infra), and this naturally makes a delay before the second organ inevitable. Abaye explains that all hold that a delay at the second organ of a burnt-offering invalidates the sacrifice, but they disagree as to whether the cutting through of the flesh in the case of a sin-offering is indispensable. The first Tanna holds that it is not indispensable, hence it is possible to nip both organs without a delay, and so it becomes like the rites of a burnt-offering and is therefore invalid. But R. Eleazar b. R. Simeon holds that this cutting through is indispensable; hence there must be a delay between the organs, and thereby it differs from a burnt-offering.

(10) Since they disagree on whether it is indispensable, it follows that it is certainly necessary.

(11) V. Hul. 21a. — By 'cut' is meant with his nail, not with a knife.

(12) Sc. the controversies of the amoraim on the points of difference between the first Tanna and R. Eleazar b. R. Simeon.

(13) Lev. I, 17.

## **Talmud - Mas. Zevachim 66a**

He need not sever it.<sup>1</sup> Said R. Aha the son of Raba to R. Ashi: If so, when it is written in connection with a pit, [And if a man shall open a pit . . .] and not cover it,<sup>2</sup> does that too mean that he need not cover it? — How compare! There, since it is written, the owner of the pit shall make it good.<sup>3</sup> he is [obviously] bound to cover it. But here, consider: it is written, And [the priest] shall bring [offer] it [unto the altar],<sup>4</sup> [whereby] the Writ drew a distinction between a bird sin-offering and a bird burnt-offering. What then is the purpose of 'he shall not divide it asunder'?<sup>5</sup> Infer from this that he

need not sever it.<sup>6</sup>

IF HE DRAINED THE BLOOD OF THE BODY. Our Rabbis taught: A burnt-offering<sup>7</sup> [teaches that] even if he drained the blood of the body but did not drain the blood of the head [it is still a valid burnt-offering].<sup>8</sup> You might think that even if he drained the blood of the head, but not the blood of the body [it is valid]; therefore it states, 'it is'.<sup>9</sup> How does this imply it?<sup>10</sup> — Said Rabina: It is logical, for most of the blood is found in the body.<sup>11</sup>

## CHAPTER VII

MISHNAH. IF A SIN-OFFERING OF A BIRD IS OFFERED<sup>12</sup> BELOW [THE RED LINE] WITH THE RITES OF A SIN-OFFERING<sup>13</sup> [AND] FOR THE SAKE OF A SIN-OFFERING, IT IS FIT. [IF IT IS OFFERED] WITH THE RITES OF A SIN-OFFERING, [BUT] IN THE NAME OF A BURNT-OFFERING; [OR] WITH THE RITES OF A BURNT-OFFERING [AND] IN THE NAME OF A SIN-OFFERING; OR WITH THE RITES OF A BURNT-OFFERING [AND] IN THE NAME OF A BURNT-OFFERING, IT IS UNFIT. IF HE OFFERS IT ABOVE [THE RED LINE]. [EVEN] WITH THE RITES OF ANY OF THESE,<sup>14</sup> IT IS UNFIT. IF A BURNT-OFFERING OF A BIRD IS OFFERED ABOVE, WITH THE RITES OF A BURNT-OFFERING [AND] IN THE NAME OF A BURNT-OFFERING, IT IS FIT; WITH THE RITES OF A BURNT-OFFERING [BUT] IN THE NAME OF A SIN-OFFERING, IT IS FIT<sup>15</sup> BUT DOES NOT FREE ITS OWNER OF HIS OBLIGATION.<sup>15</sup> [IF HE OFFERS IT] WITH THE RITES OF A SIN-OFFERING [AND] IN THE NAME OF A BURNT-OFFERING; [OR] WITH THE RITES OF A SIN-OFFERING [AND] IN THE NAME OF A SIN-OFFERING, IT IS UNFIT. IF HE OFFERS IT BELOW, [EVEN] WITH THE RITES OF ANY OF THESE,<sup>16</sup> IT IS UNFIT.

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(1) The foregoing controversies of the amoraim assumed that R. Eleazar merely meant that the sacrifice is not unfit if he does sever it, but that nevertheless he may not sever it in the first place. But on the present interpretation he differs from the first Tanna on the very law itself.

(2) Ex. XXI, 33.

(3) Ibid. 34.

(4) Lev. I, 15. This refers to the burnt-offering.

(5) In Lev. V, 8, referring to the sin-offering.

(6) In Hul. 21a R. Eleazar b. R. Simeon deduces from this 'shall bring it' that the priest must sever the neck of a burnt-offering by nipping both organs; and further, that in this respect Scripture draws a distinction between a burnt-offering and a sin-offering. Now, if 'he shall not divide it asunder' means that he may not sever it, then the distinction would merely justify us in saying that in the case of a burnt-offering he may sever it, but not that he must. Hence it must mean, he need not sever it, and then the distinction shows that he must sever a burnt-offering.

(7) Lev. I, 17.

(8) 'A burnt-offering' here is superfluous, since the context makes it perfectly clear. Hence it is interpreted to mean that it still counts as such even if something of its rites is omitted.

(9) This is emphatic, intimating that it must be done with the proper rites.

(10) Perhaps it is the reverse?

(11) Hence that it at least must be drained out.

(12) Lit., 'made' — I.e., its blood is sprinkled.

(13) Viz., nipping one organ only, and sprinkling and draining the blood.

(14) Enumerated above, i.e., even with the rites and in the name of a sin-offering.

(15) V. supra 2a.

(16) Cf. n. 3.

### Talmud - Mas. Zevachim 66b

GEMARA. Wherein does he deviate?<sup>1</sup> If we say that he deviates in melikah?<sup>2</sup> Shall we then say that

it does not agree with R. Eleazar son of R. Simeon, who said: I have heard that one severs a bird sin-offering? — But have we not explained that it does not agree with R. Eleazar son of R. Simeon?<sup>3</sup> — No:<sup>4</sup> [it means] that he deviates in the sprinkling.<sup>5</sup> That too is logical, since the sequel teaches, IF HE OFFERS IT ABOVE, EVEN WITH THE RITES OF ANY OF THESE, IT IS UNFIT, [which means] even with the rites of a sin-offering [and] in the name of a sin-offering. Now, wherein does he deviate?<sup>6</sup> If you say that he deviates in melikah, surely a master said: If he performed its melikah on any part of the altar, it is fit? Hence it must surely mean that he deviates in sprinkling, and since the second clause means in sprinkling, the first clause too means in sprinkling! — Why interpret it thus? Each is governed by its own circumstances.<sup>7</sup>

IF A BURNT-OFFERING OF A BIRD etc. Wherein does he deviate?<sup>8</sup> If we say, that he deviates in melikah,<sup>9</sup> then when he [the Tanna] teaches in the sequel:<sup>10</sup> ‘All of these do not defile in the gullet,<sup>11</sup> and involve trespass’;<sup>12</sup> shall we say that this does not agree with R. Joshua; for if it agreed with R. Joshua, surely he ruled [that] they do not involve trespass?<sup>13</sup> — Rather, [he deviated] in draining [the blood].<sup>14</sup> Then consider the subsequent clause: If one offered a burnt-offering of a bird below [the red line] with the rites of a sin-offering [and] in the name of a sin-offering. R. Eliezer maintains: It involves trespass; R. Joshua said: It does not involve trespass. Now, wherein did he deviate? If we say, in draining; granted that R. Joshua ruled [thus] where he deviated in melikah, did he rule [thus] in reference to draining?<sup>15</sup> , Hence it must mean, in melikah: then the first and the last clauses refer to melikah, while the middle clause refers to draining? — Yes: the first and the last clauses refer to melikah, while the middle clause refers to draining. MISHNAH. AND ALL OF THESE<sup>15</sup> DO NOT DEFILE IN THE GULLET<sup>16</sup> AND INVOLVE TRESPASS,<sup>17</sup> EXCEPT THE SIN-OFFERING OF A BIRD WHICH WAS OFFERED BELOW [THE RED LINE] WITH THE RITES OF A SIN-OFFERING [AND] IN THE NAME OF A SIN-OFFERING.<sup>18</sup> IF ONE OFFERED THE BURNT-OFFERING OF A BIRD BELOW WITH THE RITES OF A SIN-OFFERING [AND] IN THE NAME OF A SIN-OFFERING, R. ELIEZER MAINTAINED: IT INVOLVES TRESPASS;<sup>19</sup> R. JOSHUA RULED: IT DOES NOT INVOLVE TRESPASS.<sup>20</sup> SAID R. ELIEZER: IF A SIN-OFFERING INVOLVES TRESPASS WHEN [THE PRIEST], DEVIATED IN ITS NAME,<sup>21</sup> THOUGH IT DOES NOT INVOLVE TRESPASS WHEN [IT IS OFFERED] IN ITS OWN NAME, IS IT NOT LOGICAL THAT A BURNT-OFFERING INVOLVES TRESPASS IF HE DEVIATED IN ITS NAME, SEEING THAT IT INVOLVES TRESPASS [WHEN HE OFFERED IT] IN ITS OWN NAME?<sup>22</sup> NO, ANSWERED R. JOSHUA: WHEN YOU SPEAK OF A SIN-OFFERING WHOSE NAME HE ALTERED TO THAT OF A BURNT-OFFERING, [IT INVOLVES TRESPASS] BECAUSE HE CHANGED ITS NAME TO SOMETHING THAT INVOLVES TRESPASS; WILL YOU SAY [THE SAME] OF A BURNT-OFFERING WHOSE NAME HE CHANGED TO THAT OF A SIN-OFFERING, SEEING THAT HE CHANGED ITS NAME TO SOMETHING WHICH DOES NOT INVOLVE TRESPASS?<sup>23</sup>

(1) When he offers a sin-offering with the rites of a burnt-offering.

(2) Nipping both organs, and thus severing it.

(3) Supra 65b. The same obviously applies here: What then is your difficulty?

(4) This Mishnah can be explained as agreeing even with him.

(5) Instead of first sprinkling some of the blood (v. Lev. V, 9), he drains out the whole of it, thus treating it like a burnt-offering (I, 15).

(6) Which rite does he perform above?

(7) The sequel, it is true, can only refer to a deviation in sprinkling, yet the first clause can still refer to a deviation in melikah.

(8) When he performs the rites of a sin-offering.

(9) He does not sever it.

(10) The next Mishnah, which is the sequel to this.

(11) V. p. 176. n. 10.

(12) V. p. 257. n. 1 and note on next Mishnah.

(13) If the melikah is not done properly.

(14) There R. Joshua agrees. For R. Joshua's reason, as stated infra, will not apply. (11) He did not, as already stated.

(15) Enumerated in the preceding Mishnah.

(16) V. p. 257. no. 1. Though they are unfit, the melikah frees them from the uncleanness of nebelah.

(17) v. p. 176, n. 10. If their rites were properly performed, they would no longer involve trespass, since they would be permitted to the priests, which is secular benefit. Since, however, they became unfit, and so were not permitted at any time, they retain the trespass, involving status which they possessed before they were offered. This applies even to a sin-offering, save for the exception which follows.

(18) Since that is fit, and there is a time when it is permitted to the priests; hence even a zar is not liable to trespass.

(19) For it is a burnt-offering, and at no time was it permitted to the priests.

(20) For it has become a sin-offering through all these deviations, and is permitted.

(21) For it is then unfit and not permitted to the priests.

(22) Since a burnt-offering must be altogether burnt, and is not permitted at any time.

(23) Surely not.

### **Talmud - Mas. Zevachim 67a**

SAID R. ELIEZER TO HIM: LET SACRED SACRIFICES WHICH ARE SLAUGHTERED IN THE SOUTH AND IN THE NAME OF LESSER SACRIFICES<sup>1</sup> PROVE IT: FOR HE CHANGED THEIR NAME TO SOMETHING WHICH DOES NOT INVOLVE TRESPASS, AND YET THEY INVOLVE TRESPASS.<sup>2</sup> SO ALSO, DO NOT WONDER THAT IN THE CASE OF THE BURNT-OFFERING, ALTHOUGH HE CHANGED ITS NAME TO SOMETHING THAT DOES NOT INVOLVE TRESPASS, IT INVOLVES TRESPASS. NOT SO, REPLIED R. JOSHUA: IF YOU SAY THUS OF MOST SACRED SACRIFICES WHICH ARE SLAUGHTERED IN THE SOUTH AND IN THE NAME OF LESSER SACRIFICES, [THEY INVOLVE TRESPASS] BECAUSE HE CHANGED THEIR NAME TO SOMETHING WHICH IS PARTLY FORBIDDEN AND PARTLY PERMITTED;<sup>3</sup> WILL YOU SAY THE SAME OF A BURNT-OFFERING, WHERE HE CHANGED ITS NAME TO SOMETHING THAT IS ALTOGETHER PERMITTED?<sup>4</sup>

GEMARA. It was taught: R. Eliezer said to R. Joshua: Let a guilt-offering slaughtered in the north as a peace-offering prove it; though he changed its name, it involves trespass.<sup>5</sup> So need you not wonder that a burnt-offering involves trespass even though he changed its name. Said R. Joshua to him: No. If you say thus of a guilt-offering, where he changed its name but not its place,<sup>6</sup> will you say [the same] of a burnt-offering, where he changed its name and its place? Said R. Eliezer to him: Let a guilt-offering slaughtered in the south as a peace-offering prove it, where he changed its name and its place, yet it involves trespass. So need you not wonder that a burnt-offering involves trespass even though he changed its name and changed its place. No, replied R. Joshua. If you say [thus] of a guilt-offering, where [though] he changed its name and its place, he did not deviate in its rites; will you say [the same] of a burnt-offering, where he changed its name and its place and its rites? Thereupon he was silent. Said Raba: Why was he silent?<sup>7</sup> He could answer him: Let a guilt-offering which one slaughtered in the south, in the name of a peace-offering and with change of owner,<sup>8</sup> prove it, where he changed its name and its place and its rites,<sup>9</sup> and yet it involves trespass. Now, since he did not answer him thus, you may infer that R. Eliezer discerned R. Joshua's reason.<sup>10</sup> For R. Adda b. Ahabah said: R. Joshua maintained: If a bird burnt-offering was offered below with the rites of a sin-offering and in the name of a sin-offering, immediately he nipped one organ thereof it is transmuted into a bird sin-offering.<sup>11</sup> If so, a bird sin-offering which was offered above [the red line] with the rites of a burnt-offering [and] in the name of a burnt-offering, as soon as he nips one organ of it, let it be transmuted through the other organ into a bird burnt-offering? And should you say, That indeed is so,<sup>12</sup> surely R. Johanan said in R. Banna'ah's name: That is the tenor of the Mishnah.<sup>13</sup> Does that not mean, That is the tenor of the Mishnah, but no more?<sup>14</sup> — No: [it means,] that is the tenor of the whole Mishnah.<sup>15</sup> R. Ashi said: As for a bird burnt-offering offered below with the rites of a sin-offering [and] in the name of a sin-offering, it is well:<sup>16</sup> since the fitness of the latter requires

one organ, whereas that of the former requires both organs, while a bird burnt-offering cannot be offered below, immediately he nips one organ, it is transmuted into a bird sin-offering. But when one offers a bird sin-offering above with the rites of a burnt-offering [and] in the name of a burnt-offering, since a master said, Melikah is valid wherever it is done, immediately he nips one organ, it becomes unfit;<sup>17</sup> when therefore he nips the second organ, how can it be transmuted into a bird burnt-offering?<sup>18</sup>

The [above] text [stated]: ‘R. Adda b. Ahabah said: R. Joshua maintained: If a bird burnt-offering was offered below with the rites of a sin-offering [and] in the name of a sin-offering, immediately he nipped one organ thereof, it is transmuted into a bird sin-offering.’

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- (1) Thus they were treated altogether like lesser sacrifices, both in name and in the place of slaughtering.
  - (2) For since they became unfit through being slaughtered in the south, the subsequent sprinkling does not permit them that they should no longer involve trespass.
  - (3) The flesh is permitted, but the emurim are forbidden and involve trespass.
  - (4) No part of a bird sin-offering is forbidden.
  - (5) Rashi: before the sprinkling of the blood, but not after, for then it is eaten by priests. Tosaf.: even after the sprinkling, as R. Eliezer holds that a guilt-offering slaughtered under a different designation is unfit and may not be eaten (supra 2a).
  - (6) He slaughtered it in the right place.
  - (7) Emended text (Sh. M.).
  - (8) I.e., in the name of a different person.
  - (9) Change of owner is equivalent to change of rites.
  - (10) Which applies only to a bird burnt-offering.
  - (11) For the latter requires one organ only. Hence immediately one organ is nipped, there is absolutely nothing to distinguish it from a sin-offering, and so it does turn into one before it can become unfit through having its rites incorrectly performed. This reason can only apply to a bird burnt-offering, for animal sacrifices require the cutting of both organs.
  - (12) And it is fit. On this hypothesis the Mishnah which states that it is unfit will not agree with R. Joshua.
  - (13) The Mishnah is to be understood as it is read.
  - (14) I.e., exactly as it reads, viz., that R. Joshua disagrees only where stated.
  - (15) That he disagrees in respect of both a burnt-offering and a sin-offering.
  - (16) That R. Joshua disagrees and holds that it is fit.
  - (17) For it was properly nipped (the wrong place not affecting it) as a sin-offering, but under a different designation, which renders it unfit (supra 2a).
  - (18) Hence here R. Joshua agrees with the Mishnah.

## **Talmud - Mas. Zevachim 67b**

Come and hear. In the case of a sin-offering for one and a burnt-offering for the other,<sup>1</sup> if he [the priest] offered both above [the red line].<sup>2</sup> half is fit and half is unfit;<sup>3</sup> [if he offered] both below, half is fit and half is unfit;<sup>3</sup> [if he offered] one above and one below, both are unfit, for I assume that he offered the sin-offering above and the burnt-offering below.<sup>4</sup> Yet even granted that he did offer the burnt-offering below, let it be transmuted into a bird sin-offering?<sup>5</sup> Granted that R. Joshua ruled thus in the case of one man, did he rule so in the case of two men?<sup>6</sup>

Come and hear: In the case of a sin-offering and a burnt-offering and an unspecified [sacrifice] and a specified [sacrifice].<sup>7</sup> if he [the priest] offered all of them above,<sup>8</sup> half are fit and half are unfit;<sup>9</sup> [if he offered] all of them below, half are fit and half are unfit.<sup>9</sup> [If he offered] half of them above and half of them below, only the undefined [pair] are fit,<sup>10</sup> and they share them.<sup>11</sup> Thus, the defined ones are not [fit]. Yet why so? even granted that he offered the burnt-offering below, let it be transmuted into a sin-offering?<sup>12</sup> And should you answer, This does not agree with R. Joshua — can



you say so? Surely we learnt:<sup>13</sup> If a woman declared, I vow a pair of birds if I give birth to a male child,<sup>14</sup> and she bore a male child, she must bring two pairs, one for her vow, and one for her statutory obligation. When she gives them to the priest, the priest must offer three above and one below.<sup>15</sup> If he did not do thus, but offered two above and two below, not having consulted her,<sup>16</sup> she must bring another bird and offer it above, [if both were] of the same species.<sup>17</sup> But if they were of two species,<sup>18</sup> she must bring two [birds].<sup>19</sup> If she defined her vow, she must bring another three birds [and offer them] above [the line], [if both were] of the same species; [if they were] of two species, she must bring four.<sup>20</sup> If she fixed [the time of] her vow,

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(1) After birth confinement a woman, if poor, brings two birds for a burnt-offering and a sin-offering (Lev. XII, 8). Now, two women had each brought one bird for a burnt-offering and a sin-offering respectively. Then they bought a brace together, appointed one bird for a sin-offering and one for a burnt-offering, as each required, and gave them to the priest.

(2) I.e., as burnt-offerings.

(3) What is offered in the right place is fit; the other is unfit.

(4) I.e., he may have done so.

(5) So that there should be no further liability to a sin-offering.

(6) Obviously not. For one woman's burnt-offering cannot acquit the other woman of her liability to a sin-offering.

(7) Rashi: Two women, A and B, each owed a bird burnt-offering and a bird sin-offering (e.g., on account of confinement). In addition A owed another bird burnt-offering and B another bird sin-offering (either on account of another confinement or on account of sin. Lev. V, 7-, each having brought so far one sacrifice only). Now, A and B accordingly bought three pairs of birds in conjunction. They took one of the pairs and appointed one bird a burnt-offering for A and one a sin-offering for B. The second pair they left unspecified, not stating which was a burnt-offering and which a sin-offering. The third they did specify, i.e., they appointed one for a burnt-offering and the other for a sin-offering, but did not state the owner of each. V. Kin. III, 3.

(8) As burnt-offerings.

(9) Cf. p. 331. n. 5. The women still owe the sacrifices which are now unfit.

(10) Since the owners did not define them, it depends on the priest.

(11) One sacrifice counting to each. V. *ibid.* 4.

(12) For since the owners were not specified, the answer given above obviously no longer applies.

(13) Emended text (Sh. M.); cur. edd. 'Come and hear'.

(14) In addition to her statutory obligation.

(15) A sin-offering cannot be vowed. Hence the additional pair are both burnt-offerings, which makes three in all. These naturally must be offered above the red line.

(16) Why she brought two pairs. Thus he thought that both pairs were statutory obligations.

(17) If both pairs were turtle-doves or young pigeons.

(18) One pair were turtle-doves, and the other pair were young pigeons.

(19) One bird of one pair has become unfit, and the pair must be completed with a bird of the same species. Since we do not know which bird actually became unfit, she must bring another two, viz., a turtle-dove and a pigeon.

(20) When she vowed, she declared which birds she would bring, but subsequently forgot which she had vowed. Hence when she came to fulfil her vow, she needed two pairs for the vow alone, viz., a pair of turtle-doves and a pair of pigeons, to cover both contingencies, and in addition one pair of either on account of her statutory obligation, i.e., three pairs in all. She, however, had brought only two pairs of which the first was offered for her statutory obligation, while the second was left for her vow, and of that one bird became unfit. Therefore she now owes one bird of the same species to replace the unfit one, and a pair of the other species, in case it was the other species that she had vowed. But if the two pairs which she had brought were of different species, she must now bring four birds, all for burnt-offerings, because we do not know which species was offered second for the vow, and it is that species which must be completed. She cannot simply bring a pair of one species, for she does not know whether she owes one turtle-dove and two pigeons, or vice versa. Therefore she must bring two turtle-doves and two pigeons and declare: 'Let one of these, of the species which I vowed, replace the one that became unfit, and let the second of that pair be another votive offering. And let the second pair cover the doubt of my definite declaration.'

## Talmud - Mas. Zevachim 68a

she must bring another five birds [to be sacrificed] above, [if she had vowed] of one species; if of two, she must bring six.<sup>1</sup> If she gave them to the priest, but does not know what she gave; and the priest went and offered them, but he does not know how he offered them, she now requires four birds on account of her vow and two on account of her statutory obligation, and one sin-offering. Ben 'Azzai said: Two sin-offerings. R. Joshua observed: This is the case where they [the Sages] said: When it is alive it has one voice, and when it is dead, it has seven voices!<sup>2</sup> — Granted that R. Joshua ruled thus in respect of liberating it from trespass, did he rule thus in respect of converting it into an obligatory offering?<sup>3</sup> MISHNAH. [IN REGARD TO] ALL UNFIT PERSONS WHO PERFORMED MELIKAH, THE MELIKAH IS INVALID, AND THEY [THE SACRIFICES] DO NOT DEFILE IN THE GULLET.<sup>4</sup> IF HE [THE PRIEST] NIPPED [THEM] WITH HIS LEFT [HAND] OR AT NIGHT; IF HE SLAUGHTERED HULLIN WITHIN<sup>5</sup> OR A SACRIFICE WITHOUT [THE TEMPLE COURT]. THEY DO NOT DEFILE IN THE GULLET.<sup>6</sup> IF HE NIPPED WITH A KNIFE; OR IF HE NIPPED HULLIN WITHIN [OR] SACRIFICES WITHOUT;

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(1) If she vowed to bring the additional offerings at the same time as her statutory obligation, and then brought two pairs of birds to the priest, who offered them as above, she owes another five or six, as stated. For her vow made her liable to three burnt-offerings together, had she remembered what she had vowed. As she did not remember, she required five burnt-offerings in the first place, one for her statutory obligation, and four consisting of a pair of pigeons and a pair of turtle-doves, since she did not know which she owed. Now, what she has already brought does not count, for she does not know these were the birds which she had vowed. Nor can she simply bring another four on account of the vow, since these must be sacrificed at the same time as the statutory offering. Hence she must now bring five, one for the statutory offering and four on account of the vow, whilst the first which was sacrificed as her statutory obligation will count as a votive offering. If, however, she had vowed them of two species, she does not know which species she owes. Therefore she must bring six: viz., two turtle-doves and two pigeons on account of the doubt of what she had specified, and one turtle-dove and one pigeon. because the former had to be offered at the same time as her statutory obligation.

(2) If she gave the birds to the priest but does not know whether they were turtle-doves or pigeons, or a pair of each, and she does not know how the priest sacrificed them, whether all above or all below or half above and half below, perhaps she did not even fulfil her statutory obligation. For he may have sacrificed all above, so that she lacks a sin-offering; or all below, and she lacks a burnt-offering. She must then bring four birds for her vow, since she does not remember which of the two species she specified, and two for her statutory burnt-offering, viz., a turtle-dove and a pigeon, as possibly the first were all offered below, as sin-offerings, and now she requires a burnt-offering of the same species. Or perhaps the first were offered half above and half below, and she has fulfilled her obligation with the first pair offered. But as she had vowed to bring a burnt-offering at the same time and of the same species as the statutory burnt-offering, she must now bring a turtle-dove and a pigeon to cover this doubt. In addition, she must bring one sin-offering of whichever species she wishes, for perhaps the first were all offered below, and this will combine with the bird she brought as her burnt-offering. Though she has already brought the latter, yet the sin-offering need not be of the same species as the first, according to the Rabbis who disagree with Ben 'Azzai, for they hold that it all depends on the sin-offering. Therefore, since she must bring two burnt-offerings, as explained, that of the same species as the sin-offering combines with it. But Ben 'Azzai holds that it all depends on the first, i.e., a sin-offering must be brought of the same species as the first burnt-offering which was correctly offered for her statutory obligation. Now, perhaps all the first were offered above, in which case she has fulfilled this obligation, and so she must bring a sin-offering of the same species. As, however, she does not know which species this was, she must bring two sin-offerings, one of each. R. Joshua observes that this is similar to what the Rabbis said about a ram, that when it is alive it has one voice only, but when it is dead it has seven: i.e., the two horns are used for two trumpets (bugle-horns); out of the two legs two reed-pipes (flutes) are made; the skin is used for tabrets; the entrails for a lyre, and the guts for harps. In a similar way here too, when she vowed and did not know what she had specified, she merely required four birds and two for her statutory obligation. Whereas now that she has already brought four, she still needs another eight, four on account of her vow and four on account of her obligation; v. Kin. III, 6. — Since R. Joshua makes this comment, you may infer that he accepts these laws; hence the difficulty of 67b.

(3) Surely not! This is the answer to the difficulty: The burnt-offering is transmuted only in so far that it no longer involves trespass, but the deviation in its rites cannot turn it into a sin-offering to acquit its owner of his obligation for

same.

(4) v. p. 257. n. 1. Although the melikah is invalid, it frees the birds from uncleanness. The reason is because they became unfit in the sanctuary, and the melikah is effective in that if they are taken up on to the altar, they are not removed. Therefore the birds are not regarded as nebelah.

(5) A bird of hullin, with ritual shechitah.

(6) Although there must be no shechitah (of birds of hullin) within, or of consecrated birds anywhere at all, yet these do not defile.

## **Talmud - Mas. Zevachim 68b**

OR [IF HE SACRIFICED] TURTLE-DOVES BEFORE THEIR TIME OR PIGEONS AFTER THEIR TIME;<sup>1</sup> [OR A BIRD] WHOSE WING WAS WITHERED, [OR] BLIND IN THE EYE. [OR] WHOSE FOOT WAS CUT OFF, — [ALL THESE] DEFILE IN THE GULLET. THIS IS THE GENERAL RULE: ALL WHOSE UNFITNESS [AROSE] IN THE SANCTUARY<sup>2</sup> DO NOT DEFILE IN THE GULLET; IF THEIR UNFITNESS DID NOT ARISE IN THE SANCTUARY, THEY DEFILE IN THE GULLET.

GEMARA. Rab said: [If they were nipped with] the left [hand] or at night, they do not defile in the gullet; [by] a zar or [with] a knife, they do defile in the gullet. Why is the left [hand] different; [presumably] because it is fit on the Day of Atonement; and likewise night is fit in respect of [the burning of] the limbs and the fats;<sup>3</sup> then surely a zar too is fit for shechitah?<sup>4</sup> — Shechitah is not a [sacrificial] rite.<sup>5</sup> Is it not? Surely R. Zera said: Shechitah of the [red] heifer by a zar is invalid, and Rab observed thereon: [The reason is because] ‘Eleazar’ and ‘statute’ [are written in connection with it]?<sup>6</sup> — The [red] heifer is different, because it is of the holy things of the Temple repair. Does it not then follow a fortiori; if the holy things of the Temple repair require priesthood, surely the holy objects dedicated to the altar require priesthood? — Said R. Shisha the son of R. Idi: Let it be analogous to the inspection of [leprous] plagues, which is not a rite, and yet requires priesthood.<sup>7</sup> But let us learn it from the high places?<sup>8</sup> — One cannot learn from the high places.<sup>9</sup> Can one not? Surely it was taught: How do we know that if [flesh] which went out ascended [the altar], it does not descend? Because [flesh that] goes out is fit at the high places! — The Tanna relies on the text, This is the law of the burnt-offering.<sup>10</sup>

But R. Johanan maintained: [If a] zar [performed melikah] it does not defile in the gullet; [if melikah was done with] a knife, it does defile in the gullet. We learnt: [IN REGARD TO] ALL UNFIT PERSONS WHO PERFORMED MELIKAH, THE MELIKAH IS INVALID. As for R. Johanan, it is well: ALL includes a zar;<sup>11</sup> but according to Rab, what does ALL include? — It is surely to include [melikah with] the left [hand] and [at] night. [But] the left [hand] and night are explicitly taught? — He [the Tanna] teaches and then explains.<sup>12</sup> Come and hear: THIS IS THE GENERAL RULE: ALL WHOSE UNFITNESS [AROSE] IN THE SANCTUARY DO NOT DEFILE GARMENTS [WHEN THE FLESH OF THE BIRD IS] IN THE GULLET.<sup>13</sup> As for R. Johanan, it is well: ALL includes a zar. But according to Rab, what does it include?

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(1) Only fully grown turtle-doves or young pigeons might be sacrificed. Otherwise they are not eligible, and therefore it is as though he nipped hullin.

(2) Birds which were brought to the Temple court fit, and there became unfit.

(3) On the Day of Atonement the spoon containing incense was taken with the left hand. The limbs and fats of sacrifices were burnt at night. Thus in two instances the left hand and night are fit for service, and presumably for that reason he rules that even in the present case, though they are not fit, they free them from uncleanness.

(4) An animal sacrifice might be slaughtered by a zar.

(5) Whereas the taking of the spoon and the burning of the limbs are sacrificial rites.

(6) Cf. Num. XIX, 2.

(7) For notes v. supra 14b.

- (8) Where a zar might perform melikah (v. infra 113a). By the same reasoning melikah by a zar even in the Temple should free the bird from defilement.
- (9) Because by comparison with the Temple they were non-sacred.
- (10) Lev. VI, 2. For notes v. supra 51a. He does not really learn it from the high places at all.
- (11) It is a general principle that 'all' is an extension.
- (12) First he states the law in general, and then he explains who are meant in the word ALL.
- (13) 'Garments' is absent in the Mishnah.

## Talmud - Mas. Zevachim 69a

— Yet even on your view, what does [the clause] IF THEIR UNFITNESS DID NOT ARISE IN THE SANCTUARY include?<sup>1</sup> Rather, the first clause includes shechitah of [bird] sacrifices within,<sup>2</sup> while the second clause includes melikah of hullin without.<sup>3</sup>

It was taught in accordance with R. Johanan: If a zar nipped it; or if an unfit person nipped it; or [if it was] piggul, nothar or [an] unclean [sacrifice].<sup>4</sup> it does not defile in the gullet.<sup>5</sup>

R. Isaac said: I have heard two [laws], one relating to kemizah<sup>6</sup> by a zar and the other to melikah by a zar: one descends and the other does not descend, but I do not know which is which.<sup>7</sup> Said Hezekiah: It is logical that [in the case of] kemizah it goes down, while [in the case of] melikah it does not go down. Why is melikah different? [presumably] because it was done at the high places?<sup>8</sup> [but] kemizah too was done at the high places? And should you say, There were no meal-offerings at the high places; then there were no bird[-offerings] at the high places [either].<sup>9</sup> For R. Shesheth said: On the view that there were meal-offerings at the high places, there were bird[-offerings] at the high places; on the view that there were no meal-offerings, there were no bird [-offerings]. What is the reason? [And sacrificed peace-offerings of oxen unto the Lord]:<sup>10</sup> offerings [implies,] but not birds; offerings [implies,] but not meal-offerings!<sup>11</sup> — Say rather: There was no sanctification of a meal-offering in service vessels at the high places.<sup>12</sup>

IF HE NIPPED [THEM] WITH HIS LEFT [HAND] OR AT NIGHT etc. Our Rabbis taught: You might think that melikah, which is [done] within, defiles garments [when the flesh is] in the gullet;<sup>13</sup> therefore it states, [And every soul that eateth] nebelah [that which dieth of itself] [ . . . he shall wash his clothes etc].<sup>14</sup> [But] this too is nebelah?<sup>15</sup> — Rather, it states 'terefah' [that which is torn of beasts]:<sup>16</sup> as terefah does not permit the forbidden, so everything which does not permit the forbidden [is included]: thus melikah, which is [performed] within, is excluded: since it permits the forbidden. it does not defile garments [when the flesh is] in the gullet.<sup>17</sup> Hence it includes melikah (Mnemonic: Kez Hefez)<sup>18</sup> of sacrifices without, and melikah of hullin both within and without: since they do not permit the forbidden, they defile garments [when the flesh is] in the gullet.

Another [Baraita] taught: You might think that the shechitah of hullin within and [that of] sacrifices both within and without defile in the gullet: therefore nebelah is stated. But this too is 'nebelah'?<sup>19</sup> — Rather, therefore it states 'terefah': as terefah is the same within and without,<sup>20</sup> so all which are the same within and without [are included in this law]: thus the shechitah of hullin within and [that of] sacrifices within and without is excluded: since these are not the same within as without, they do not defile garments [when the flesh is] in the gullet. As for hullin, it is well: that is not the same within as without;<sup>21</sup> but sacrifices are unfit in both cases? — Said Raba: If shechitah without is effective in that it involves kareth,<sup>22</sup> shall it not be effective in cleansing it from [the defilement of] nebelah?<sup>23</sup> We have thus found [it of shechitah] without; how do we know [it of shechitah] within? — Because it is not the same within as without.<sup>24</sup> If so, when one performs melikah on sacrifices without, they too [should] not [defile], since within is not the same as without?<sup>25</sup> — Said R. Shimi b. Ashi: You infer that which does not make it fit from that which does not make it fit.<sup>26</sup> but you do not infer that which does not make it fit from that which does make it

fit.<sup>27</sup> Do you not? Surely it was taught: How do we know that [if flesh] which went out ascended [the altar] it does not descend? Because [flesh] that goes out is fit at the high places? — The Tanna relies on the extension intimated in, ‘This is the law of the burnt-offering’<sup>28</sup>

**MISHNAH. IF ONE PERFORMED MELIKAH, AND IT [THE BIRD] WAS FOUND TO BE TEREFAH. R. MEIR SAID: IT DOES NOT DEFILE IN THE GULLET;**

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- (1) For the ALL of the first clause applies to that too.
  - (2) That such do not defile.
  - (3) That such do defile.
  - (4) I.e., if the flesh of a bird sacrifice became defiled after it was properly offered up.
  - (5) For only nebelah does this. — The ruling thus agrees with R. Johanan.
  - (6) V. Glos.
  - (7) Either a bird-offering nipped by a zar or a meal-offering whose kemizah was performed by a zar does not descend from the altar if it was taken up there.
  - (8) By a zar.
  - (9) Hence no melikah.
  - (10) Ex. XXIV. 5. This was before the erection of the Tabernacle, and so the equivalent of the high places.
  - (11) The Heb. is applicable to animals only.
  - (12) He holds that there were both bird- and meal-offerings at the high places. But whereas melikah by a zar in the Temple can be learnt from that of the high places (in so far, at least, that it does not descend), kemizah can not. For at the high places meal-offerings were not sanctified in service vessels, whereas in the Temple they were. That being so, when kemizah is performed by a zar it is unfit to that extent that even if taken up on to the altar, it must be taken down.
  - (13) I.e., after melikah done improperly the flesh defiles.
  - (14) Lev. XVII, 15.
  - (15) Since the melikah was not properly done and does not permit the eating of the sacrifice, the bird is like any other not killed by shechitah, hence nebelah.
  - (16) Ibid.
  - (17) The verse quoted is applied to the nebelah of a clean bird. Terefah is not interpreted literally, for reasons stated anon, but as a definition of nebelah, thus: only nebelah similar to terefah defiles. Now when a bird becomes terefah, that fact cannot possibly remove any prohibition to which it was subject. Similarly, only a nebelah which cannot remove a prohibition defiles. Now, melikah should render a bird of hullin nebelah, but a consecrated bird is thereby relieved of a prohibition, for whilst alive it could not be offered, whereas after melikah in the sanctuary it can be (i.e., its blood can be sprinkled on the altar, which is the essence of offering). Hence it does not cause the bird to defile garments even when it is improperly done, e.g., at night or with the left hand.
  - (18) A Mnemonic is a phrase consisting of a string of letters or words, as an aid to the memory. Here K = Kodashim (sacrifices); Z=behuz (without); H=Hullin; F=bifenim (within); Z = behuz.
  - (19) Since melikah is required for sacrifices, whilst hullin may not be slaughtered within at all, the birds so killed are nebelah!
  - (20) It is forbidden in both places.
  - (21) For hullin slaughtered without does not defile even when the shechitah does not permit it. e.g., if the bird is terefah.
  - (22) He who slaughters a sacrificial bird without the Temple incurs kareth. This proves that his act does count as shechitah.
  - (23) It certainly is. Hence the deduction from the word ‘terefah’ is necessary only in respect of hullin, but not in respect of sacrifices,
  - (24) Sh. M.: Since shechitah without involves kareth, whilst shechitah within does not, although it actually requires melikah.
  - (25) For melikah is proper within, but not without.
  - (26) I.e., you infer shechitah of sacrifices within from shechitah of sacrifices without; similarly, shechitah of hullin within from shechitah of hullin, when same is terefah, without. In all these cases shechitah does not make the bird permitted.
  - (27) Viz., from melikah of sacrifices within, which is the proper way.

## Talmud - Mas. Zevachim 69b

R. JUDAH SAID: IT DOES DEFILE IN THE GULLET. SAID R. MEIR: IT IS A KAL WA-HOMER: IF THE SHECHITAH OF AN ANIMAL CLEANSSES IT, EVEN WHEN TEREFAH, FROM ITS UNCLEANNESS, YET WHEN IT IS NEBELAH IT DEFILES THROUGH CONTACT OR CARRIAGE; IS IT NOT LOGICAL THAT SHECHITAH CLEANSSES A BIRD, WHEN TEREFAH FROM ITS UNCLEANNESS, SEEING THAT WHEN IT IS NEBELAH IT DOES NOT DEFILE THROUGH CONTACT OR CARRIAGE? NOW, AS WE HAVE FOUND THAT SHECHITAH, WHICH MAKES IT [A BIRD OF HULLIN] FIT FOR EATING, CLEANSSES IT WHEN TEREFAH FROM ITS UNCLEANNESS; SO MELIKAH, WHICH MAKES IT [A BIRD SACRIFICE] FIT FOR EATING, CLEANSSES IT WHEN TEREFAH FROM ITS UNCLEANNESS. R. JOSE SAID: IT IS SUFFICIENT FOR IT TO BE LIKE THE NEBELAH OF A CLEAN [PERMITTED] ANIMAL, WHICH IS CLEANSSED BY SHECHITAH, BUT NOT BY MELIKAH.<sup>1</sup>

GEMARA. Now, does not R. Meir accept the principle of dayyo [it is sufficient]; Surely the principle of dayyo is biblical? For it was taught: How is a kal wa-homer applied? And the Lord said unto Moses: If her father had but spit in her face, should she not hide in shame seven days?<sup>2</sup> How much more should a divine reproof necessitate [shame for] fourteen days; but it is sufficient for that which is inferred by an argument to be like the premise!<sup>3</sup> — Said R. Jose son of R. Abin: R. Meir found a text and interpreted it:<sup>4</sup> This is the low of the beast and of the bird.<sup>5</sup> Now, in which law is a beast similar to a bird and a bird to a beast? A beast defiles through contact and carriage, whereas a bird does not defile through contact or carriage; a bird defiles garments [when its flesh] is in the gullet, whereas a beast does not defile garments [when its flesh] is in the gullet. But it is to tell you: as in the case of a beast, that which makes it fit for eating makes it clean when terefah from its defilement; so in the case of a bird, that which makes it fit for eating<sup>6</sup> makes it clean when terefah from its defilement.

Then what is R. Judah's reason? — Said Rabbah, R. Judah found a text, and interpreted it:<sup>7</sup> [And every soul which eateth] nebelah or terefah<sup>8</sup> [ . . . , he shall wash his clothes etc.].<sup>9</sup> Said R. Judah: Why is 'terefah' stated? If 'terefah' can live, then surely 'nebelah' is already stated;<sup>10</sup> while if 'terefah' cannot live, it is included in nebelah?<sup>11</sup> Hence it is to include a terefah which one slaughtered, [and teaches] that it defiles.

If so, said R. Shisbi to him, when it is written, And the fat [heleb] of nebelah, and the fat of terefah [may be used for any other service, but ye shall in no wise eat it]:<sup>12</sup> there too let us argue: Why is terefah stated? If terefah can live, then surely nebelah is already stated; and if terefah cannot live, it is included in nebelah? Hence it is to include a terefah which one slaughtered, [and teaches] that its heleb is clean? Hence it follows that it defiles?<sup>13</sup> But surely Rab Judah said in Rab's name, whilst others say that it was taught in a Baraitha: And if there die of a beast:<sup>14</sup> some beasts defile, and some beasts do not. And which is it [that is excluded]? A terefah which was slaughtered! — Rather, [this is R. Shizbi's difficulty]: This terefah<sup>15</sup> is necessary in order to exclude an unclean animal,<sup>16</sup> [for it intimates:] only that in whose species there is terefah: hence this [an unclean animal] is excluded, since there is no terefah in its species.<sup>17</sup> Then here too<sup>18</sup> [say that] [the inclusion of terefah] excludes an unclean [forbidden] bird, since there is no terefah in its species?<sup>19</sup> [The exclusion of] an unclean bird is, in R. Judah's opinion, derived from nebelah. For it was taught. R. Judah said: You might think that the nebelah of an unclean bird defiles garments [when its flesh] is in the gullet. Therefore it states, Nebelah or terefah he shall not eat [to defile himself therewith]:<sup>20</sup> only that [defiles] whose interdict is on account of 'do not eat nebelah'; hence this [an unclean bird] is excluded, since its interdict is not on account of 'do not eat nebelah', but on account of 'do not eat unclean'.<sup>21</sup>

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(1) For notes v. supra 50b, 51a.

(2) Num. XII, 14.

(3) Since you argue from her father's reproof, even a Divine reproof does not necessitate a longer period of shame. As Scripture proceeds. 'Let her be shut up without the camp seven days', it is evident that this principle is Scriptural.

(4) He accepts the principle of dayyo, but his ruling is based on a text, which makes him disregard the principle in this instance.

(5) Lev. XI, 46.

(6) Sc. melikah, in the case of a bird sacrifice.

(7) Emended text (Sh. M.).

(8) E.V. that which dieth of itself or that which is torn of beasts. According to the Talmudic interpretation an animal which dies by any method other than the correct ritual one (shechitah) is called nebelah, even if it is ritually slaughtered, but there is a defect in the shechitah. Terefah denotes an animal which was properly slaughtered with shechitah, but was then found to have been suffering from certain diseases or organic disturbances. These are listed in Hul. 42a, where there is a controversy whether a terefah could have lived (for more than twelve months) or not. On the view that it could, it is regarded as having been alive until the shechitah; on the view that it could not, it is regarded as already dead (technically) even before the shechitah, in which case it is obviously the same as nebelah.

(9) Lev. XVII, 15.

(10) So that if the terefah dies of its disease before it is slaughtered, it is obviously included in nebelah.

(11) Even whilst alive. So Rashi. Tosaf. and Sh. M. explain differently.

(12) Ibid. VII, 24. The Talmud (Pes. 23a) interprets this to mean that the heleb of a nebelah is clean and does not defile.

(13) The Talmud interposes: since R. Shizbi objects thus, it follows that in truth such heleb is unclean and defiles.

(14) Ibid. XI, 39. Lit. translation. 'Of' is partitive, and is understood as a limitation. The verse continues: he that touches the carcass thereof shall be unclean until the evening.

(15) In the verse which he quotes.

(16) The heleb of an unclean (i.e., forbidden) animal does not defile.

(17) Only the heleb of an animal which can become terefah defiles. But an unclean animal, which cannot be eaten in any case, can never become terefah in a technical sense, and therefore its heleb does not defile.

(18) In the verse quoted by R. Judah (the Tanna), not Rab Judah, the amora.

(19) That is the conclusion of R. Shizbi's objection: Interpret the text thus, and the question returns. What is R. Judah's reason, after R. Meir proves the contrary?

(20) Lev. XXII, 8.

(21) Hence the former verse is left free for the interpretation stated above.

## Talmud - Mas. Zevachim 70a

Let this too be derived from, 'And the fat of nebelah', [which intimates:] that whose interdict is on account of 'do not eat the heleb of nebelah';<sup>1</sup> hence this [the heleb of a forbidden animal] is excluded, since its interdict is not on account of 'do not eat the heleb of nebelah', but on account of uncleanness?<sup>2</sup> — Rather, this terefah<sup>3</sup> is required in order to include hayyah.<sup>4</sup> I might argue: Only that whose heleb is forbidden whilst its flesh is permitted [is included in this law]; hence a hayyah is excluded, since its heleb and its flesh are permitted.<sup>5</sup> Therefore [the word terefah] informs us [that it is not so].<sup>6</sup> Wherein<sup>7</sup> does an unclean [forbidden] animal differ?<sup>8</sup> [presumably] because its heleb is not distinct from its flesh?<sup>9</sup> but then the heleb of a hayyah is not distinct from its flesh?<sup>10</sup> Moreover, surely it is written, but ye shall in no wise eat it?<sup>11</sup> — Rather, said Abaye. Terefah<sup>12</sup> is needed for its own purpose.<sup>13</sup> lest you argue: Since an unclean [animal] is forbidden whilst yet alive, and a terefah is forbidden whilst yet alive:<sup>14</sup> as the heleb of an unclean [animal] is unclean [defiles], so is the heleb of a terefah unclean.<sup>15</sup> If so, this too<sup>16</sup> is required, lest you say: Since an unclean bird may not be eaten, and a terefah may not be eaten; as an unclean bird does not defile [garments, when the flesh is in the gullet], so a terefah too does not defile? Moreover, can terefah really be derived from an unclean animal:<sup>17</sup> an unclean animal enjoyed no period of fitness,<sup>18</sup> whereas a terefah enjoyed a period of fitness?<sup>19</sup> And should you answer, what can be said of a terefah from birth; yet of its kind

this can be said.<sup>20</sup> — Rather said Raba: The Torah ordained, Let the interdict of nebelah come and fall upon the interdict of heleb; let the interdict of terefah come and fall upon the interdict of heleb.<sup>21</sup> And both are necessary. For if we were informed [this about] nebelah, [I would argue that the reason is] because it defiles;<sup>22</sup> but as for terefah, I would say that it does not [fall upon the interdict of heleb]. And if we were informed [this about] terefah. [I would say that the reason is] because its interdict dates from when it was alive; but as for nebelah, I would say that it is not so. Hence [they are both] necessary.

Now how does R. Meir employ this [word] terefah?<sup>23</sup> — He needs it to exclude shechitah which is within.<sup>24</sup> And R. Judah?<sup>25</sup> — Another ‘terefah’ is written.<sup>26</sup> And R. Meir?<sup>27</sup> — One excludes shechitah which is within, and the other excludes an unclean forbidden bird. And R. Judah?<sup>28</sup> — That is derived from nebelah.<sup>29</sup> And R. Meir: how does he employ this ‘nebelah’? — [To show that] the standard of eating [is required], viz., as much as an olive.<sup>30</sup> Yet let this be derived from the first text,<sup>31</sup> since the Divine Law expressed it in terms of eating? — One [text] is employed to shew that the standard of eating [is required for defilement], viz., as much as an olive; while the other intimates that this standard of eating must be within the time of eating half [a loaf].<sup>32</sup> I might argue, since this is anomalous,<sup>33</sup> let it defile even when it takes more than the time required for eating half [a loaf],<sup>34</sup> Hence [the text] informs us [otherwise].

Our Rabbis taught: And the heleb of nebelah, and the heleb of terefah. [may be used for any other service; but ye shall in no wise eat of it]: Scripture speaks of the heleb of a clean [permitted] animal.<sup>35</sup> You say, Scripture speaks of the heleb of a clean animal; yet perhaps it is not so, but rather of the heleb of an unclean animal? You can answer: [Scripture] declared [an animal] clean on account of its being slaughtered, and declared it clean on account of heleb:<sup>36</sup> as when it declared it clean on account of being slaughtered, it referred to a clean [permitted], but not an unclean [forbidden] animal;<sup>37</sup> so when it declared it clean on account of heleb, it referred to a clean, but not an unclean animal. Or argue in this wise: [Scripture] cleansed from nebelah,<sup>38</sup> and it cleansed from heleb:<sup>39</sup> as when it cleansed from nebelah, it was in the case of unclean, and not in the case of clean;<sup>40</sup> so when it cleansed from heleb, [it did so] in the case of unclean, not in the case of clean? Thus you must say,

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- (1) Only that heleb does not defile.
  - (2) I.e., the whole animal is forbidden.
  - (3) In the verse quoted by R. Shizbi.
  - (4) A non-domestic animal, e.g., a deer, which may be eaten. The heleb of a hayyah is permitted; that of a behemah (a domestic animal, e.g., a sheep) is forbidden. The discussion hitherto has been about the heleb of a behemah.
  - (5) Therefore if a hayyah becomes nebelah, I would think that its heleb defiles, just as its flesh.
  - (6) For it teaches that the heleb of whatever is liable to become terefah, which includes hayyah, does not defile when nebelah.
  - (7) ‘Said he to him’ is deleted (Sh. M.).
  - (8) That you do not learn from this text that its heleb is clean and does not defile.
  - (9) Both are forbidden, and therefore you do not apply this text to it, since that implies that there is a distinction between them.
  - (10) Both being permitted. Hence you should not apply it to hayyah either.
  - (11) Lev. VII, 24. From this we infer anon that the heleb of a hayyah which is nebelah does defile. Hence the text cannot apply to it.
  - (12) In the verse quoted by R. Shizbi.
  - (13) To shew that the heleb of a terefah which died is clean.
  - (14) In the sense that shechitah cannot permit it.
  - (15) Hence the text teaches otherwise.
  - (16) Terefah in the text quoted by R. Judah.
  - (17) That you need a text to shew that it does not defile.



- (18) Never at any time might it be eaten.
- (19) Before it became terefah.
- (20) Though that particular terefah was never fit, terefah in general was fit at one time.
- (21) The text teaches that when one eats heleb of nebelah or terefah, he is liable not only on account of heleb but also on account of nebelah or terefah. For otherwise one might argue: since the interdict of heleb comes first, the other interdicts cannot apply to it at all.
- (22) Which heleb does not. Hence it is logical that the interdict of nebelah, being greater in that respect, falls upon that of heleb.
- (23) In the verse quoted by R. Judah.
- (24) As stated supra 69a.
- (25) How does he know that?
- (26) Terefah is written in Lev. XVII, 15 and XXII, 8. Hence one is used for each.
- (27) How does he utilise this second 'terefah'?
- (28) Whence does he derive the latter?
- (29) As supra 69b bottom.
- (30) One is not liable for eating nebelah unless he eats at least as much as an olive (this is the general standard for all forbidden food). The text intimates that this too is the smallest quantity which defiles.
- (31) Lev. XVII, 15.
- (32) One is not liable for eating unless he eats as much as an olive within the normal time for eating half a loaf, which is half a meal (Rashi: half a loaf is the size of four average eggs; Maim.: three average eggs). The text teaches that when a man eats the flesh of nebelah (of a bird), he does not defile his garments unless he eats as much as an olive within that time.
- (33) There is no other case in Scripture where an article does not defile through contact, but only when it enters the gullet.
- (34) Being unique in one respect, it might be unique in another.
- (35) Teaching that its heleb does not defile as nebelah.
- (36) Scripture decreed that when an animal is slaughtered (with shechitah) it does not defile; and that the heleb of nebelah does not defile.
- (37) Even if an unclean animal is ritually slaughtered, it defiles.
- (38) There is a case where nebelah does not defile.
- (39) Heleb does not defile, as stated.
- (40) An unclean (forbidden) bird does not defile (as nebelah) when it is in the gullet, whereas a clean bird does.

## **Talmud - Mas. Zevachim 70b**

when you argue in the one way [the text] applies to clean, whilst when you argue in the other way it applies to unclean. Therefore it says, 'terefah'. [which intimates,] the kind where there is terefah: then I might exclude the unclean, since there is no terefah in its kind,<sup>1</sup> but I will not exclude hayyah, since there is terefah in its kind. Scripture, however, teaches: 'But ye shall in no wise eat of it', [intimating that it refers to] that whose heleb is forbidden whereas its flesh is permitted; thus hayyah is excluded, since its heleb and its flesh are permitted.

R. Jacob b. Abba said to Raba: If so,<sup>2</sup> is it only the nebelah of a clean animal that defiles, whereas the nebelah of an unclean animal does not defile? — Said he to him: How many elders [scholars] of you have erred therein!<sup>3</sup> the second clause<sup>4</sup> applies to the nebelah of an unclean bird.

R. Johanan said: Only unblemished [birds] did R. Meir declare clean,<sup>5</sup> but not blemished ones. While R. Eleazar maintained: [He ruled thus] even in the case of blemished ones. It was stated likewise: R. Bibi said in R. Eleazar's name: R. Meir declared blemished [birds] clean, even ducks and fowls.<sup>6</sup>

R. Jeremiah asked: What if one beheaded a goat?<sup>7</sup> What is the reason in the case of ducks and

fowls? [Is it] because they are species of birds; but a goat is not of the same species as a heifer.<sup>8</sup> Or perhaps, it is of the species of cattle?<sup>9</sup> R. Dimi sat and recited this discussion. Said Abaye to him: Hence it follows that the beheaded heifer<sup>10</sup> is clean? — Yes, he replied: the School of R. Jannai said: ‘Forgiveness’<sup>11</sup> is written in connection therewith, as in the case of sacrifices.<sup>12</sup>

R. Nathan the father of R. Huna objected: ‘But ye shall in no wise eat of it’: I know [this law only of] heleb which may not be eaten but may be [otherwise] used.<sup>13</sup> How do we know [it of] the heleb of the ox that is stoned<sup>14</sup> and the beheaded heifer? — Because it says, All heleb [ . . . ye shall not eat].<sup>15</sup> But if you think that the beheaded heifer is clean, could it be clean while its heleb is unclean?<sup>16</sup> Where one did indeed behead it, no text is required; it is required only where one slaughtered it.<sup>17</sup> Then let shechitah be efficacious in cleansing it from nebelah?<sup>18</sup> — The text is necessary only where it died.<sup>19</sup> Hence it follows that it was forbidden whilst yet alive?<sup>20</sup> — Yes.

R. Jannai observed: I have heard a time limit for it,<sup>21</sup> but have forgotten it; while our colleagues maintain: Its descent to the rugged valley, that renders it forbidden.

## CHAPTER VIII

MISHNAH. ALL SACRIFICES WHICH BECAME MIXED UP WITH SIN-OFFERINGS THAT MUST BE LEFT TO DIE,<sup>22</sup> OR WITH AN OX THAT IS TO BE STONED,<sup>23</sup> EVEN ONE IN TEN THOUSAND, ALL MUST BE LEFT TO DIE. IF THEY WERE MIXED UP WITH AN OX WITH WHICH TRANSGRESSION HAD BEEN COMMITTED, E.G.<sup>24</sup>,

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- (1) There is no particular interdict of terefah since it is forbidden in any case.
  - (2) If you argue, ‘as when it cleansed from nebelah it was in the case of unclean and not in the case of clean’, which implies that the nebelah of a forbidden animal is clean.
  - (3) I am astonished that you (and presumably, your colleagues in the Academy — perhaps R. Jacob spoke on their behalf) — should so err.
  - (4) That to which he referred.
  - (5) After melikah, if they are terefah. The reason is because melikah is applicable to them.
  - (6) Which are not eligible sacrifices at all. For terefah too is not fit and yet R. Meir declares it clean.
  - (7) V. Deut. XXI, 1-9. Beheading’ instead of shechitah normally renders an animal nebelah, so that it defiles, but since it was prescribed for the heifer, it presumably does not defile. What, however, if he beheaded a goat instead of a heifer, and for the same purpose: is the goat nebelah or not?
  - (8) Hence it will defile. — A heifer is counted amongst the large cattle, while a goat belongs to the small; therefore they are regarded as different species.
  - (9) Behemah; v. p. 342, n. 9.
  - (10) V. Deut. XXI, I ff.
  - (11) Ibid. 8.
  - (12) Hence it is treated as such, and does not defile.
  - (13) As Scripture states, may be used for any other service. Only such heleb does not defile.
  - (14) V. Ex. XXI, 28f. All benefit of the ox was forbidden.
  - (15) Lev. VII, 23. This ref. adopts Sh. M.’s emendation of Rashi, and is the preceding verse. The marginal ref. is Lev. III, 17, which seems out of place. — ‘All’ is an extension and includes the heleb of these.
  - (16) Obviously not, and no verse would be necessary to teach it.
  - (17) After becoming forbidden whilst alive through being set aside for this purpose, it was slaughtered (with shechitah) instead of beheaded. Then a text is required to shew that its heleb does not defile.
  - (18) Though shechitah will not permit it, at least it should free it from defilement, since we find no instance of a slaughtered and clean (permitted) animal defiling.
  - (19) This retracts the preceding answer. It had died of itself before it was beheaded. Here its flesh does defile as nebelah, and the text teaches that its heleb does not defile.
  - (20) Since the question is asked in respect of a heifer which died, it follows that even before it was beheaded, whilst yet

alive, all benefit thereof was forbidden, and that is why the question is asked concerning the heleb.

(21) When it becomes forbidden.

(22) I.e., which for some reason can neither be offered up nor revert to hullin, so that they must not be put to work, but must be kept until they die. They are as follows: (i) The young of a sin-offering which calved before it was slaughtered. (ii) One whose owner died. (iii) The substitute of a sin-offering (v. p. 22, n. 8). (iv) A sin-offering whose owner had already made atonement. E.g., it was lost, whereupon he dedicated another and sacrificed it, and then the original one was found. And (v) an animal consecrated before it was a year old, but which passed its first year before being sacrificed (Rashi, as marginally emended). In cur. edd. Rashi enumerates an animal found to be blemished after consecration as the fifth.

(23) V. Ex. XXI, 28.

(24) Lit., 'or'.

## **Talmud - Mas. Zevachim 71a**

THAT HAD KILLED A MAN ON THE TESTIMONY OF ONE WITNESS OR OF ITS OWNER;<sup>1</sup> A ROBA OR A NIRBA';<sup>2</sup> OR AN ANIMAL SET ASIDE [FOR AN IDOLATROUS SACRIFICE] OR THAT HAD BEEN WORSHIPPED [AS AN IDOL]; OR THAT WAS [A HARLOT'S] HIRE, OR [A DOG'S] EXCHANGE;

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(1) So that it cannot be stoned.

(2) Animals used bestially: roba', a male with a woman, nirba', a female with a man.

## **Talmud - Mas. Zevachim 71b**

OR THAT WAS KILAYIM;<sup>1</sup> OR TEREFAH; OR AN ANIMAL CALVED THROUGH THE CAESAREAN SECTION,<sup>2</sup> THEY MUST GRAZE UNTIL THEY BECOME UNFIT;<sup>3</sup> THEN THEY ARE SOLD, AND ONE BRINGS [A SACRIFICE] OF THE SAME KIND<sup>4</sup> AT THE PRICE OF THE BETTER OF THEM.<sup>5</sup> IF THEY WERE MIXED UP WITH UNBLEMISHED [ANIMALS] OF HULLIN,<sup>6</sup> THE HULLIN MUST BE SOLD FOR THE PURPOSE OF THAT KIND.<sup>7</sup> [IF] A SACRIFICE [WAS MIXED UP] WITH A SACRIFICE, BOTH BEING OF THE SAME KIND:<sup>8</sup> THIS ONE MUST BE OFFERED IN THE NAME OF WHOEVER IS ITS OWNER, AND THE OTHER MUST BE OFFERED IN THE NAME OF WHOEVER IS ITS OWNER.<sup>9</sup> [IF] A SACRIFICE [WAS MIXED UP] WITH A SACRIFICE, BOTH BEING OF DIFFERENT KINDS,<sup>10</sup> THEY MUST GRAZE UNTIL THEY BECOME UNFIT,<sup>11</sup> AND THEN ONE PURCHASES AT THE PRICE OF THE BETTER OF THEM [AN ANIMAL] OF EACH KIND,<sup>12</sup> AND BEARS THE LOSS OF THE EXCESS OUT OF HIS OWN POCKET.<sup>13</sup> IF THEY WERE MIXED UP WITH A FIRSTLING OR TITHE, THEY MUST GRAZE UNTIL THEY BECOME UNFIT, AND THEN ARE EATEN AS FIRSTLING OR TITHE.<sup>14</sup> ALL [SACRIFICES] CAN BE MIXED UP, EXCEPT THE SIN-OFFERING AND THE GUILT-OFFERING.<sup>15</sup>

GEMARA. What does EVEN mean?<sup>16</sup> — This is what he means: ALL SACRIFICES with which SIN-OFFERINGS THAT MUST BE LEFT TO DIE, E.G., AN OX THAT MUST BE STONED, BECAME MIXED UP, EVEN ONE IN TEN THOUSAND, MUST BE LEFT TO DIE.<sup>17</sup>

[But] we have already learnt it once: All which are forbidden to the altar, e.g., a roba' and a nirba', render [others] forbidden whatever their number?<sup>18</sup> — Said R. Kahana: I reported this discussion to R. Shimi b. Ashi, and he said to me: They are both necessary.<sup>19</sup> For if [we learnt] from there, I would say. That is only [where they are forbidden] to the altar;<sup>20</sup> but [where they are forbidden] to a layman, it is not [so].<sup>21</sup> While if [we learnt] from here, I would say that [this ruling applies] only to these, which are forbidden for any use; but as for the others, which are not forbidden for general use, it is not [so].<sup>22</sup> Thus they are both necessary.

But surely those which are not interdicted for all use are taught [in this Mishnah]?<sup>23</sup> — Does he teach by what number [they render all forbidden]?<sup>24</sup> Then let him teach the other, and we would not require this one? — He needs the remedy.<sup>25</sup>

But [those which are forbidden] to layman he also teaches; [there:] The following are themselves forbidden, and render [others] forbidden, whatever their number: Wine of neseq<sup>26</sup> and [animals of] idolatry?<sup>27</sup>

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- (1) A hybrid, offspring of two heterogeneous animals, e.g., a goat and a sheep.
  - (2) These last two are included, though not implicated in sin, because the same law applies to them.
  - (3) I.e., blemished.
  - (4) As that which had thus been mixed up.
  - (5) None of these are eligible for sacrifices, yet a layman may make use of (though not eat) them; therefore they are not left to perish. At present, however, these animals cannot be used, since one of them is sacred, nor can they be redeemed (i.e., sold, and the money devoted to a sacrifice), for an unblemished consecrated animal cannot be redeemed. Hence they must be allowed to graze until they receive a blemish, when they are sold etc.
  - (6) One consecrated animal with either one or many of hullin.
  - (7) E.g., an animal consecrated for a peace-offering was mixed up with five of hullin, five of the six must be sold to people who owe a peace-offering. Thus all the six are now sacred and stand for the same purpose.
  - (8) E.g., both are peace-offerings or burnt-offerings, but belong to different owners.
  - (9) Rashi: the priest who offers it must declare, 'Lo, this is for the sake of its owner', without specifying a name. Tosaf, and Sh. M.: the priest says nothing at all about its owner, and then it is tacitly understood to be for its owner, whoever he is.
  - (10) E.g., a burnt-offering with a peace-offering.
  - (11) They cannot be offered themselves, because their rites of sprinkling and presenting the emurim are dissimilar.
  - (12) One for each sacrifice.
  - (13) The two animals, each of the value of the better of the first two, naturally involve a loss.
  - (14) The animals are redeemed, and other sacrifices bought with the redemption money. All those which were mixed up are eaten as firstling or tithe, i.e., they are subject to the same laws as these when blemished, which is that they must not be slaughtered in the public abattoirs (market) nor sold by weight.
  - (15) Because they are distinct, as explained in the Gemara.
  - (16) EVEN ONE IN TEN THOUSAND implies that the unfit are in the majority. But in that case it is all the more obvious that they cannot be sacrificed.
  - (17) This reverses the numbers.
  - (18) I.e., the smallest number of forbidden animals disqualify even the largest number with which they are mixed up. v. Tem. 28a. That is the same as our Mishnah.
  - (19) Emended text (Sh. M.).
  - (20) Lit., 'to the All-high'.
  - (21) All those enumerated there are forbidden to the altar but not for general use, and so they can (and must) be redeemed. Here, however, they are completely forbidden, and cannot be redeemed. I would say therefore that we cannot be so strict as to rule that all must die, but that on the contrary the one (or few) is annulled by the many, and all are permitted. Hence the Mishnah informs us otherwise.
  - (22) This reverses the preceding argument. I would argue that we are stricter here, precisely because the interdict is greater.
  - (23) Sc. in the clause, IF THEY BECAME MIXED UP WITH AN OX etc. These are only forbidden as sacrifices, but not for general use.
  - (24) EVEN ONE IN TEN THOUSAND may apply only to what precedes, but not to what follows. Hence the other Mishnah is necessary.
  - (25) The other Mishnah only states that they cannot be sacrificed. Here he teaches what is to be done with them.
  - (26) V. Glos.
  - (27) If wine of neseq is mixed with other permitted wine, or animals which had been worshiped are mixed up with others, they are all forbidden for any use whatever.

## Talmud - Mas. Zevachim 72a

— They are both necessary: for if [I learnt] from there, I would say. That applies only to hullin; but as for sacrifices, Let us not cause the loss of all of them.<sup>1</sup> While if [I learnt] from here, I would say. This applies only to sacred animals, because it is repulsive;<sup>2</sup> but as for hullin, where it is not repulsive, I would say that though they are forbidden for any use, let them be annulled by the majority. Thus [both] are necessary.

Now, let them indeed be annulled by the majority? And should you answer, They are important and cannot be annulled; that is well on the view that we learnt ‘whatever one is wont to count’; but on the view that we learnt ‘that which one is wont to count what can be said?’<sup>3</sup> For we learnt: If a man has bundles of fenugreek of kil'ayim<sup>4</sup> of a vineyard,<sup>5</sup>

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(1) Since they are of greater (religious) value, let the forbidden animals be annulled by the larger number of consecrated ones.

(2) The slightest possibility of sacrificing a forbidden animal, though it be one in a thousand, is repulsive. Therefore they are all forbidden.

(3) This is explained anon.

(4) V. Glos.

(5) Cf. Lev. XIX, 19 and Deut. XXII, 9.

## Talmud - Mas. Zevachim 72b

they must be burnt.<sup>1</sup> If they were mixed up with others,<sup>2</sup> and those again with others,<sup>3</sup> they must all be burnt: that is the view of R. Meir. But the Sages maintain: They are neutralized in a mixture of two hundred to one. For R. Meir used to say: Whatever one is wont to count renders [others] forbidden;<sup>4</sup> while the Sages maintain: Only six things forbid [the whole] — R. Akiba says: Seven — and they are as follows: The nuts of Perek, the pomegranates of Badan,<sup>5</sup> sealed casks [of wine], beetroot tops, cabbage stalks,<sup>6</sup> and Grecian gourds. R. Akiba adds the loaves of a householder.<sup>7</sup> Those which are subject to the law of ‘orlah<sup>8</sup> [render the mixture] ‘orlah;<sup>9</sup> and those which are subject to the law of kil'ayim of the vineyard, [render the mixture] kil'ayim of the vineyard. Now it was stated thereon: R. Johanan said: We learnt,<sup>10</sup> That which one is wont to count;<sup>11</sup> while Resh Lakish said: We learnt, Whatever one is wont to count.<sup>12</sup> Now, it is well according to Resh Lakish;<sup>13</sup> but according to R. Johanan, what can be said?<sup>14</sup> — Said R. Papa: This Tanna<sup>15</sup> is the Tanna who taught [the Baraitha] concerning the litra of dried figs, who maintained:

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(1) For they must not be used in any way. Burning is deduced from the word tikdash (E.V. forfeited) in the latter text, which is read tukad esh, ‘shall be burnt in fire’.

(2) Permitted bundles of the same.

(3) This clause is omitted in ‘Orlah III, 6 and Yeb. 81b.

(4) Lit., consecrated.’

(5) Perek and Badan are towns in Samaria N.E. of Shechem. In Yeb. 81b s.v. פֶּרֶךְ Tosaf. renders the former by cracknuts.

(6) Beverages were made from these two.

(7) In connection with the neutralizing of leavened mixed up with unleavened bread before Passover, when the latter is required for the festival. All these were considered of particular importance, and could not be neutralized. In the last-mentioned a distinction is drawn between home-made loaves and the loaves of a baker, the latter being less important.

(8) V. Glos. They are the nuts, pomegranates and sealed casks of wine (made of grapes of ‘orlah).

(9) The whole comes under the law of ‘orlah.

(10) In R. Meir's ruling.

- (11) Only such objects which are always counted cannot be neutralized, but not objects which are sometimes counted and sometimes sold in bulk.
- (12) Even only occasionally. For further notes v. Yeb. (Sonc. ed.) 81b.
- (13) For animals are sometimes sold singly and sometimes in lots (uncounted save by a general estimate).
- (14) Let them indeed be neutralized.
- (15) Of our Mishnah, and the Mishnah cited in the text.

### Talmud - Mas. Zevachim 73a

Whatsoever is numbered [in selling], even [if its prohibition is] Rabbinical, cannot be neutralized, and how much the more when it is Biblical!<sup>1</sup> For it was taught: If a litra of dried figs<sup>2</sup> was pressed on the top of a round jar, and he does not know in which jar it was pressed; or on the top of a cask, and he does not know in which cask; or on top of a 'beehive',<sup>3</sup> and he does not know in which, R. Meir maintains that R. Eliezer said: We regard the upper [layers] as if they are separated, and the lower ones neutralize the upper ones;<sup>4</sup> while R. Joshua ruled: If there were a hundred tops, they neutralize; if not, [all] the tops are forbidden, and the bottom layers<sup>5</sup> are permitted.<sup>6</sup> R. Judah maintained: R. Eliezer said: If there were a hundred tops, they neutralize; if not, [all] the tops are forbidden etc.; while R. Joshua ruled: Even if you have three hundred tops, they do not neutralize.<sup>7</sup> If he pressed it<sup>8</sup> in a round jar, and he does not know in which part of the jar he pressed it, whether in the north or in the south, all agree that it is neutralized.<sup>9</sup> R. Ashi said: You may even say [that it agrees with] the Rabbis: Living creatures are important, and cannot be neutralized.

Now, let us detach [them] one by one and say, whatever is detached,<sup>10</sup> is detached from the majority?<sup>11</sup> [You say,] 'detach [them]!' but that is kabua'

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(1) As in the instances which we are discussing.

(2) Of terumah (q.v. Glos.), which may not be eaten by a zar. Normally it is neutralized by one hundred times its quantity. By Biblical law terumah must be given only of corn, wine, and oil (v. Num. XVIII, 8; Deut. XVIII, 4); the Rabbis added fruit.

(3) A receptacle of that shape.

(4) Though only the top layer of each cask etc. is in doubt, for the bottom ones are certainly not terumah, we regard the top layers as if they were taken away from their place and dispersed among all the layers of all the casks. Hence, if there are a hundred layers in all against the one in doubt, it is neutralized and all are permitted.

(5) I.e., all but the top one.

(6) But you cannot count all the layers for neutralizing purposes, since they are not in doubt.

(7) For layers of figs are sold by number.

(8) The litra of figs.

(9) Because it may not be a complete layer, and is therefore not sold by number. — Hence our Mishnah agrees with R. Joshua. For further notes v. Bez. (Sonc. ed.) 3bff.

(10) Lit., 'separates'.

(11) This is a general rule: when one thing is detached from many, we assume that it was detached from what constituted the majority. Here the majority of the animals are fit for sacrifice; as we detach each one, we may assume that it was of the majority, and therefore it can be sacrificed. Only the last two will then remain forbidden.

### Talmud - Mas. Zevachim 73b

and every [case of] kabua' is like half and half?<sup>1</sup> — Rather, [the difficulty is this]: Let us force them to scatter and then say, whatever is detached, is detached from the majority? — Said Raba: We fear lest [e.g.] ten priests come at the same time and offer them.<sup>2</sup> One of the Rabbis observed to Raba: If so, is the tray forbidden?<sup>3</sup> — [Rather the reason is] because [we fear] lest [e.g.] ten priests come and take them simultaneously.<sup>4</sup> Is that possible?<sup>5</sup> — Rather said Raba: The reason is because of kabua'.<sup>6</sup>

Raba said: Since the Rabbis ruled that we must not offer them, if one does offer, it [each animal] does not propitiate.<sup>7</sup> R. Huna b. Judah raised an objection to Raba: If a sin-offering was mixed up with a burnt-offering, or a burnt-offering with a sin-offering,<sup>8</sup> even one in ten thousand, all must die.<sup>9</sup> When is this? If the priest consulted [the authorities].<sup>10</sup> But if the priest did not consult [the authorities], and he sacrificed them [all] above,<sup>11</sup> half are fit and half are unfit;<sup>12</sup> below, half are fit and half are unfit. [If he sacrificed] one above and one below, both are unfit, for I assume [that] the sin-offering was offered above, and the burnt-offering below!<sup>13</sup> — Said he to him:<sup>14</sup> This [my ruling] is in accordance with the view that live animals can be [permanently] rejected; the other is in accordance with the view that live animals cannot be [permanently] rejected.<sup>15</sup> But what about slaughtered animals regarding which all agree that they are [permanently] rejected,

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(1) This is a general rule in the Talmud: although the majority is always followed, that is only when the minority is not *kabua'*, fixed, settled in a certain place; otherwise it is equal to the majority; v. Sanh. (Sonc. ed.) p. 531, n. 4. Here, the forbidden animal being *kabua'*, is therefore equal to the majority.

(2) This is now assumed to mean that after they are detached and slaughtered one after the other, ten priests will sprinkle the blood of ten animals or present their *emurim* (these are the essential acts of offering) simultaneously. Now, where e.g. the ten constitute the majority, they may therefore be assumed to include the forbidden one.

(3) After each animal has been slaughtered in the presumption that it is permitted, can they now become forbidden when their *emurim* are on the tray, waiting to be presented at the altar? That is absurd.

(4) From the confused herd.

(5) Surely not. Since they are scattered, it is impossible for the priests to take them at the identical moment.

(6) If we permit this when they are scattered, the priests may come and take them one by one even when they are not scattered, which, as stated above, is forbidden.

(7) This is a technical expression to denote that the sacrifice is invalid, and the owner still remains liable to his obligation.

(8) This refers to birds. These cannot be left until they are blemished, as bird-offerings cannot be redeemed.

(9) Since we do not know now how each is to be sacrificed.

(10) He asked what he was to do.

(11) As burnt-offerings.

(12) And if there was one bird of each, he must bring another for a sin-offering; similarly when it is reversed.

(13) I.e., this is possible; v. Kin. I, 2 and III, 1. — Thus although the priest is forbidden to offer them in the first place, yet if he does, those offered properly are fit. The same then should apply here.

(14) Marginal emendation.

(15) v. p. 295, n. 7, 10.

## Talmud - Mas. Zevachim 74a

yet we learnt, R. Eliezer said: If he offered the head of one of them, all the heads must be offered?<sup>1</sup> — He ruled in accordance with Hanan the Egyptian. For it was taught: Hanan the Egyptian said: Even if the blood is in the cup, he brings its companion and pairs it.<sup>2</sup>

R. Nahman said in the name of Rabbah b. Abbuha [in Rab's name]:<sup>3</sup> If a ring of idolatry<sup>4</sup> was mixed up with a hundred rings, and one of them fell into the Great Sea,<sup>5</sup> all are permitted, because we say: The one which fell was the one which was forbidden.<sup>6</sup> Raba raised an objection to R. Nahman: EVEN ONE IN TEN THOUSAND, ALL MUST BE LEFT TO DIE. Yet why so; let us say that the first which dies is the forbidden one? Said he to him: Rab ruled in accordance with R. Eliezer, for we learnt: R. Eliezer said: if he offered the head of one of them, all the heads may be offered.<sup>7</sup> But surely R. Eleazar<sup>8</sup> said: R. Eliezer permitted [them to be offered] only in twos,<sup>9</sup> but not singly? — I also meant in twos,<sup>10</sup> he replied.

Rab said:<sup>11</sup> If a ring of idolatry was mixed up with a hundred rings, and forty of them [were] detached to one place, and sixty to another: if one [was] detached from the forty, it does not forbid

[others];<sup>12</sup> if one [was detached] from the sixty, it renders [others] forbidden. Why is one from forty different? [presumably] because we say, The forbidden [article] is among the majority? Then [in the case of] one from sixty too we must say, The forbidden [article] is in the majority?<sup>13</sup> Rather [this is what he said]: If the forty were all separated to one place, they do not render [others] forbidden;<sup>14</sup> [if] sixty [were detached] to one place, they render [others] forbidden.<sup>15</sup> When I stated this before Samuel, he said to me: Leave idolatry alone, for a doubt therein and a double doubt are forbidden for all time.<sup>16</sup>

An objection is raised: The doubt of idolatry is forbidden, but a double doubt is permitted. How so? If a goblet of idolatry fell into a storeroom filled with goblets, all are forbidden. If one of these was detached and mixed up with ten thousand, and from the ten thousand [one was detached into] ten thousand, they are permitted?<sup>17</sup> — It is a controversy of Tannaim. For it was taught, R. Judah said: pomegranates of Badan, however small their proportion, render [others] forbidden. How so? If one of them fell into ten thousand, and [one] of the ten thousand into [another] ten thousand, all are forbidden. R. Simeon b. Judah said on R. Simeon's authority: [If it fell] into ten thousand, they are forbidden; but [if one] of the ten thousand [fell] into three, and [one] of the three [fell] among others,<sup>18</sup> they are permitted .<sup>19</sup>

In accordance with whom did Samuel rule? If in accordance with R. Judah, it is forbidden even in the case of other interdicts?<sup>20</sup> If in accordance with R. Simeon, then even in the case of idolatry too [a double doubt] is permitted? And should you say, R. Simeon allows a distinction between idolatry and other interdicts; then when it was taught, 'A doubt of idolatry is forbidden, but a double doubt is permitted,' who is its author? it is neither R. Judah nor R. Simeon? — In truth [the author of this is] R. Simeon, and he permits in the case of idolatry too,<sup>21</sup> while Samuel agrees with R. Judah in one matter, but disagrees in another.<sup>22</sup>

The master said: '[If one] of the ten thousand [fell] into three, and [one]' of the three [fell] among others, they are permitted.'

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(1) V. infra 77b. Though had the priest asked, we would have instructed him not to offer any.

(2) V. supra 34b.

(3) Sh. M. deletes 'in Rab's name'.

(4) One which adorned an idol; all benefit thereof is forbidden, and it is not neutralized when it is mixed up with any number of others, all of which become forbidden (supra 71b).

(5) Probably the Mediterranean. Of course, the same applies, to any place where it is lost.

(6) We make this lenient assumption.

(7) Thus the first is assumed to have been the forbidden one.

(8) The amora.

(9) Where one is definitely not forbidden, and so we assume the same about the other.

(10) The remaining rings must be sold in twos.

(11) Marginal emendation: Rab Judah said in Rab's name.

(12) If it became mixed up with others. 'Separated' in the whole passage means accidentally.

(13) I.e., the remaining fifty nine.

(14) If these forty were mixed up with others, because we assume that the forbidden one is in the sixty. If they were not mixed up with others, they would remain forbidden, for the forbidden ring cannot be nullified in the majority, and even R. Eliezer permits a lenient assumption only where an article is lost or destroyed, as where the head of one of them is offered. Nevertheless, when the forty are mixed up with others, all are permitted, because now there is a double doubt concerning each ring: Firstly, the forty may not have contained the forbidden one at all; and secondly, even if they did, each one of the present mixed group may not be of the forty. Hence they are all permitted.

(15) Because we assume that the forbidden one is in the majority, and so now there is only a single doubt concerning each ring: whether it is the forbidden one or not. Therefore we must adopt a rigorous ruling.

(16) No matter how slight the doubt, it is always forbidden. Thus even in the case of forty they render others forbidden.



(17) This contradicts Samuel. — It is not clear why this second clause, ‘and from the ten thousand into ten thousand’ is necessary, for since a double doubt is permitted, when one of the storeroom is mixed up with the first ten thousand, the latter should be permitted. Sh. M. suggests that the first ten thousand are permitted, but they may not be all used simultaneously, for then we have only a single doubt, whether the one from the storeroom was the goblet of idolatry or not. (He rejects the explanation, given by Tosaf. in the next passage, that the second ten thousand is mentioned to shew that he who forbids, forbids even then, as inapplicable here since no view forbidding these is expressed in this Baraitha at all. Nevertheless, it is possible that the Baraitha is a fragment, the other half being lost even in Talmudic times, and so the Talmud cites it as a refutation of Samuel.)

(18) Lit., ‘into another place’.

(19) Rashi: both the first three and the others, because there is a double doubt in connection with both. Tosaf.: the first three may not all be enjoyed simultaneously (v. n. 2.). The number three is discussed anon.

(20) Since R. Judah's ruling does not refer particularly to idolatry.

(21) Emended text (Sh. M.).

(22) He agrees that a double doubt of idolatry is forbidden, but does not apply it to other interdicts, as does R. Judah.

### **Talmud - Mas. Zevachim 74b**

Why are three different? [presumably] because there is a majority? Then [if it fell] among two, there is also a majority? — What does he mean by ‘three’? two together with itself. Alternatively, he agrees with R. Eliezer.<sup>1</sup>

Resh Lakish said: If a cask of terumah was mixed up with a hundred casks [of hullin], and one of them fell into the Salt Sea,<sup>2</sup> all of them become permitted, for we assume: The one which fell was the forbidden one.<sup>3</sup> Now, the rulings of both R. Nahman<sup>4</sup> and Resh Lakish are necessary. For if [we learnt] from R. Nahman's [ruling], I would say: It applies to idolatry only, because it has no remedy to permit it;<sup>5</sup> but in the case of terumah, which has a remedy,<sup>6</sup> I would say that it is not so.<sup>7</sup> While if [we learnt] from Resh Lakish, I would say: It applies only to a cask, whose fall is noticeable; but as for a ring, whose fall [loss] is not noticeable, I would say that it is not so.<sup>8</sup> Thus they are both necessary.

Rabbah said: Resh Lakish permitted only a cask, whose fall is noticeable, but not a fig.<sup>9</sup> But R. Joseph said: Even a fig: as its fall, so its removal [rise].<sup>10</sup>

R. Eleazar said: If a [closed] cask of terumah fell among a hundred casks, he opens one of them, removes therefrom the proportion of the mixture,<sup>11</sup> and drinks [the rest]. R. Dimi sat and reported this ruling. Said R. Nahman to him: We see here quaffing and drinking!<sup>12</sup> Say rather: If one of them was opened,<sup>13</sup> he removes thereof the proportion of the mixture, and drinks.

R. Oshaia said: If a [sealed] cask of terumah was mixed up with a hundred and fifty casks, and a hundred of them were opened [accidentally], he removes from them the proportion of the mixture and drinks, but the rest are forbidden until they are opened [accidentally], [for] we do not say, The forbidden article is in the majority.<sup>14</sup>

A ROBA' OR A NIRBA' etc. As for all the others, it is well; [for their disqualification] is not perceptible;<sup>15</sup> but how is this [case of] terefah possible? if it is perceptible, let [the priest] come and remove it?<sup>16</sup> whilst if he cannot distinguish it, how does he know that [a terefah] was mixed up?<sup>17</sup> The school of R. Jannai said: The circumstances here are e.g., that [an animal] perforated by a thorn was mixed up with one attacked by a wolf.<sup>18</sup> Resh Lakish said: It was mixed up e.g. with a fallen animal. [You say,] ‘A fallen animal’? that too can be examined?<sup>19</sup> He holds [that] if it, stood up, it needs [observation for] twenty-four hours; if it walked, it needs examination.<sup>20</sup> R. Jeremiah said: E.g., it was mixed up with the young of a terefah, this being in accordance with R. Eliezer, who maintained: The young of a terefah cannot be offered at the altar.

All these [Rabbis] did not explain it as the school of R. Jannai, [because they hold that] you can distinguish [an animal] perforated by a thorn from one attacked by a wolf, [as the perforation of] the former is elongated, whereas [that of] the latter is round. They did not explain it as Resh Lakish, [for] they hold: If it arose, it does not need twenty-four hours; if it walked, it does not need examination. They did not explain it as R. Jeremiah, because they would not make it agree with R. Eliezer.<sup>21</sup>

[IF] A SACRIFICE [WAS MIXED UP] WITH A SACRIFICE, BOTH BEING OF THE SAME KIND etc. But [the sacrifice] requires laying on [of hands]?<sup>22</sup> — Said R. Joseph: It refers to sacrifices of women.<sup>23</sup> But not to men's sacrifices?

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(1) V. supra a, where it is stated that R. Eliezer permits the heads to be offered only in twos. Similarly here, the pomegranates can be used only in twos, and for that reason it must have fallen into at least three, so that there are four in all; otherwise, two could be used, while the third would be forbidden. (Rashi gives two explanations: this is the second, which is adopted by Tosaf. too, though Rashi favours the first.)

(2) The Dead Sea.

(3) Sc. that of terumah.

(4) V. supra a: he gives a similar ruling on a ring of idolatry.

(5) In itself; hence it would be too rigorous to say that they remain forbidden.

(6) The lot can be sold to a priest, to whom it is permitted.

(7) There is no need for this lenient assumption.

(8) A cask is a large object, and its loss is noticeable. Hence when the rest are permitted, one can see that it is because one fell out. But a ring is small and its loss out of a large number is not noticeable. Therefore it might be thought that if the rest are permitted, one will not know the reason and believe that they are all permitted, even if none fell out.

(9) Which is small. — Sh. M.: This is only if the fig was mixed up with less than a hundred, as otherwise it is neutralized in any case. But a closed cask is not neutralized by any number (supra 72b.).

(10) Just as you consider it sufficiently important to render all forbidden when it falls among other figs, so must its removal be considered sufficiently noticeable to render them all permitted.

(11) One cask is forbidden, while a hundred are permitted; hence the proportion of the forbidden is 1/101st part; this he must remove, and the rest is permitted, for an open cask can be neutralized (Sh. M. reads in Rashi: he must remove 1/100th part, not 1/101st part).

(12) If he is permitted to open the cask, how is this law, that a sealed cask can never be neutralized, possible?

(13) Accidentally.

(14) As Rab supra a. If we did say thus, we would assume the cask of terumah to be in the hundred, so that the other fifty are immediately permitted.

(15) Lit., 'known'. Hence they can be mixed up with others.

(16) From the other animals. — It is perceptible when it is an outward form of terefah, e.g., if the skull was perforated. But then it is distinguishable from the other animals.

(17) If it is an internal form of terefah, so that it is not distinguishable from the others, how indeed does he know that it is terefah until it is slaughtered and examined?

(18) Both show marks of perforation, and so are indistinguishable; but the former is not terefah (unless the thorn penetrated right through the flesh into the interior of the animal, which it did not here), whereas the latter is (any animal attacked by a beast of prey is terefah).

(19) If it can get up and walk, it is entirely fit, as there is an opinion that in such a case one need not wait but can slaughter it immediately, and it need not even be examined after slaughter to see if there is a lesion of the vital organs, which would render it terefah. Hence it is merely necessary in the present instance to see which animals can walk.

(20) If the animal merely succeeded in rising, but could not walk, it must be kept to see if it can live twenty-four hours; if it is slaughtered before, it is terefah even if no internal lesion is discovered. But if it succeeded in walking, it can be slaughtered at any time, save that after slaughtering all the vital organs, e.g., the spinal cord, lungs, heart, etc., must be examined for injury (this is not required in the case of an ordinary animal); thus it is considered as a doubtful terefah and may not be offered. In this instance all the animals can walk, yet as there remains the doubt, none can be offered.

(21) His ruling is generally rejected, v. Shab. 130b, (Sonc. ed.) p. 653, n. 9.

(22) By its owner, whereas he is unknown.

(23) Which did not require it.

## Talmud - Mas. Zevachim 75a

Abaye raised an objection to him: If an individual's sacrifice was mixed up with an individual's sacrifice, or a congregational sacrifice with a congregational sacrifice, or if an individual's sacrifice and a congregational sacrifice were mixed up, [the priest] must make four applications [of the blood] of each [sacrifice];<sup>1</sup> Yet if he made an application of each, he has fulfilled his obligation;<sup>2</sup> and if he made four applications from all,<sup>3</sup> it suffices. When is this said?<sup>4</sup> If they were mixed up alive; but if they were mixed up after being slaughtered,<sup>5</sup> he makes four applications for all of them; yet if he made one application, he fulfilled his duty. Rabbi said: We examine the application: if it contains sufficient for each,<sup>6</sup> it is fit; if not, it is unfit. Now, he teaches about an individual who is similar to the congregation: as the congregation [consists of] men, so the individual [means] a man!<sup>7</sup> — Said Raba: And is it reasonable that this is correct [as it stands]? [Surely not,] for he teaches: When is this said? if they were mixed up alive; but not if they were mixed up when slaughtered. But what does it matter whether they are alive or slaughtered?<sup>8</sup> Rather, this is what he means: when is this said? If they were mixed up, when slaughtered, as if they were alive, [viz.,] the goblets [were mixed up]; but where one mingled [the blood in one goblet], [the priest] makes four applications for all of them; yet if he made one application on behalf of all, he has fulfilled his duty.<sup>9</sup>

‘Rabbi said: We examine the application: if it contains sufficient for each, it is fit; if not, it is unfit.’ Now does Rabbi hold this view? Surely it was taught: Rabbi said: According to R. Eliezer,

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(1) Cf. supra 52b.

(2) Cf. supra 36a: whatever is sprinkled on the outer altar, if the priest made one application thereof, he has atoned.

(3) Rashi: two for each sacrifice, i.e., four from one sacrifice, so that it can be regarded as two for each; similarly according to the explanations of Tosaf. and Sh. M.: this means where four sacrifices were mixed up, an individual's with an individual's and a congregational one with a congregational one, so that he makes one for each sacrifice. Sh. M. regards this as forced, and proposes an emendation: ‘and if he made two applications etc’.

(4) That in the first place four applications of each are necessary.

(5) So that their blood was mixed in one goblet.

(6) If he applied enough blood in this one application for two.

(7) Not only a woman.

(8) Even if they are slaughtered they may still require four applications from each, e.g., if the goblets were mixed up, but all the blood was not in one goblet.

(9) Hence the passage refers to slaughtered animals, laying of hands having already taken place before they were mixed up.

## Talmud - Mas. Zevachim 75b

sprinkling, no matter how little, cleanses; sprinkling does not require a definite standard; sprinkling [is valid even if the mixture is] half fit and half unfit?<sup>1</sup> — He states [the law] according to R. Eliezer.<sup>2</sup> Alternatively, sprinkling [upon a person] is one thing, while a [blood] application is another.<sup>3</sup>

IF THEY WERE MIXED UP WITH A FIRSTLING OR TITHE etc. Rami b. Hama said: According to Beth Shammai, a firstling may not be given as food to menstruant women;<sup>4</sup> what about its substitute?<sup>5</sup> A firstling cannot be redeemed;<sup>6</sup> what about its substitute? A firstling cannot be weighed by the pound;<sup>7</sup> what about its substitute? — Said Raba: It was taught: A firstling and tithe, [even] when they became blemished, effect substitution.<sup>8</sup> and their substitute is like themselves.<sup>9</sup>

Rami b. Hama asked: If one dedicated a [blemished] firstling for the Temple repair,<sup>10</sup> can it be weighed by the pound?<sup>11</sup> Is the profit of hekdes<sup>12</sup> of greater consideration, or is the degradation of the firstling<sup>13</sup> of greater consideration? — Said R. Jose b. Zebida, Come and hear: IF THEY WERE MIXED UP WITH A FIRSTLING OR TITHE, THEY MUST GRAZE UNTIL THEY BECOME UNFIT, AND THEN THEY ARE EATEN AS FIRSTLING OR TITHE. Surely that means that they are not weighed by the pound?<sup>14</sup> — R. Huna and R. Hezekiah, disciples of R. Jeremiah, said: How compare? There you have two sanctities and two bodies,<sup>15</sup> but here you have two sanctities<sup>16</sup> and one body.<sup>17</sup> To this R. Jose b. Abin demurred:<sup>18</sup> What if he said, ‘Redeem me a firstling’<sup>19</sup> which he had devoted to Temple repair: Would we heed him?<sup>20</sup> — [If he says,] ‘Redeem’ — [surely] the Divine Law said that it must not be redeemed!<sup>21</sup> — Rather said R. Ammi: Did he transmit ought save what he possessed?<sup>22</sup>

ALL [SACRIFICES] CAN BE MIXED UP etc. Why are a sin-offering and a guilt-offering different; [presumably] because one is a male and the other is a female? Then the same applies to a sin-offering and a burnt-offering? — There is the ruler's he-goat.<sup>23</sup> In the case of a guilt-offering too, there is the ruler's he-goat? — One has hair and the other has wool.<sup>24</sup> A Passover-offering and a guilt-offering too cannot be mixed up, for the former is a year old, while the latter is two years old? — There are the nazirite's guilt-offering and the leper's guilt-offering.<sup>25</sup> Alternatively, sometimes a year old looks like a two-year old, and sometimes a two-year old looks like a year old.

MISHNAH. IF A GUILT-OFFERING WAS MIXED UP WITH A PEACE-OFFERING, R. SIMEON SAID: THEY MUST BE SLAUGHTERED AT THE NORTH [SIDE OF THE ALTAR]<sup>26</sup> AND EATEN IN ACCORDANCE WITH [THE LAWS OF] THE MORE STRINGENT OF THEM.<sup>27</sup> SAID THEY TO HIM: ONE MUST NOT BRING SACRIFICES TO THE PLACE OF UNFITNESS.<sup>28</sup> IF PIECES [OF FLESH] WERE MIXED UP WITH PIECES [OF FLESH], MOST SACRED SACRIFICES WITH LESSER SACRIFICES, [PIECES] THAT ARE EATEN ONE DAY WITH [THOSE] THAT ARE EATEN TWO DAYS AND ONE NIGHT, THEY MUST BE EATEN IN ACCORDANCE WITH [THE LAWS OF] THE MORE STRINGENT OF THEM.<sup>29</sup>

GEMARA. A Tanna recited before Rab: You must not purchase terumah with the money of seventh-year produce, because you diminish the time allowed for its consumption.<sup>30</sup> The Rabbis stated in Rabbah's<sup>31</sup> presence: This does not agree with R. Simeon, for if it agreed with R. Simeon, surely he maintained: One may bring sacrifices<sup>32</sup> to the place of unfitness. Said he to them: You may say that it agrees even with R. Simeon: That<sup>33</sup> is only when it was done,<sup>34</sup> but not at the very outset.<sup>35</sup> ‘But not at the outset’? Abaye raised an objection to him:

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(1) V. infra 80a. This refers to the besprinkling of a man defiled through contact with the dead. It is assumed that the same applies to the sprinkling of the blood of a sacrifice, which proves that such does not require a definite quantity at all, and so contradicts Rabbi's present statement.

(2) But does not accept it himself.

(3) The same law does not apply to both.

(4) Bek. 33a.

(5) If another animal was proposed as its substitute, whereupon both receive the sanctity of a firstling: does the same law about menstruant women apply?

(6) So as to become hullin, while the redemption-money becomes sacred.

(7) When the priest sells it.

(8) In the sense that the substitute too is holy.

(9) Subject to the same laws.

(10) Lit., ‘if one caused a firstling to be seized (with sanctity).’ On ‘Temple repair’ v. p. 74. n. 7.

(11) Can it be sold by weight, or only by general computation? In the former case a higher price will be obtained, so that the Temple repair will benefit more.

(12) V. Glos.

(13) It is considered a degradation for a firstling to be treated exactly like hullin and sold by weight, for which reason it is normally forbidden. When other sacrifices become unfit and are redeemed, they are sold by weight in the public market, thereby fetching a higher price, because the money obtained, which is the redemption money, is used for hekdesch; this is not permitted in the case of a firstling, because the money goes to the priest. Here, however, that he dedicated it to hekdesch, it may be the same as other sacrifices. On the other hand, in the former instance the money is used for buying other animals for sacrifices, whereas here it is used for Temple repair only.

(14) When they are redeemed. Thus even the other sacrifices, which normally would be sold by the pound, are restricted on account of the firstling. This proves that the degradation of tithe is of greater consideration.

(15) The sacrifice and the firstling are two separate animals (bodies) and possess different sanctities; therefore you may not degrade the latter in order to obtain a higher price for the former.

(16) Viz., that of a firstling and that of Temple repair.

(17) Since the profit arises in the same body, it is possibly permitted, though the profit is utilised for a different purpose.

(18) What question is there at all: how can you think that we permit its degradation because it was dedicated?

(19) That it might become altogether hullin, to permit its shearing or being put to the plough etc.

(20) Surely not, though the Temple repair would profit thereby.

(21) That is forbidden by Biblical law, which obviously cannot be transgressed. But the prohibition of selling by weight is only Rabbinical and therefore it may possibly be waived (Rashi).

(22) A man can only give over what he possesses himself. Since the priest could not sell it by weight for his own use, he cannot empower the Temple repair fund to do so.

(23) V. Lev. IV, 22f.

(24) The guilt-offering is a male ram, which has wool. Hence it cannot be mixed up with a he-goat.

(25) Which are likewise a year old.

(26) The side prescribed for the slaughtering of a guilt-offering. Peace-offerings could be slaughtered on any side of the Temple court, supra 54b, 55a.

(27) I.e., as guilt-offerings, viz., during one day and one night only, within the Temple precincts, and by male priests. For a peace-offering v. supra 55a.

(28) For one of the sacrifices is a peace-offering, and is fit on the second day; we cannot therefore consign it to the place of unfitness, as is necessary in R. Simeon's ruling. Hence they must be left to graze until blemished.

(29) Here the Rabbis agree, as there is no alternative.

(30) In the seventh year, when nothing is left for the beasts in the field, this terumah will have to be destroyed, whereas if it had not been purchased with the money of seventh-year produce it could always be eaten. (The terumah itself was not of seventh-year produce, the latter being exempt from terumah or tithe.)

(31) Marginal emendation. Cur. edd. Raba's.

(32) Or, holy food in general which includes terumah.

(33) Sc. R. Simeon's ruling.

(34) As in the Mishnah: Since the animals were mixed up, there is no alternative.

(35) There is no need to purchase terumah at the outset, when it will have that effect.

## **Talmud - Mas. Zevachim 76a**

And in all these the priests may deviate in their mode of eating, and eat them roast, stewed, or boiled; and they may season them with condiments of hullin or terumah: that is R. Simeon's ruling!<sup>1</sup> — Leave the terumah of condiments, he replied, as it is [only] Rabbinical.<sup>2</sup>

He raised an objection: You may not purchase terumah with second-tithe money,<sup>3</sup> because you reduce its consumption;<sup>4</sup> but R. Simeon permits it? Thereupon he was silent.

When he [Abaye] came before R. Joseph, he said to him, Why did you not refute him from the following: You may not boil seventh-year vegetables in oil of terumah, in order not to bring sacred food<sup>5</sup> to the place of unfitness;<sup>6</sup> but R. Simeon permits it? — Said Abaye to him: Did I not refute him from this law of condiments, and he answered me, 'Leave the terumah of condiments, as it is

[only] Rabbinical'? So here too [he would answer me]: The terumah of vegetables is [only] Rabbinical. If so,<sup>7</sup> he [the Tanna] should teach the reverse, [viz.,] vegetables of terumah with seventh-year oil? — And did I not raise the objection to him, and he answered me, It means where they were mixed together?<sup>8</sup> so here too [he could answer me] that they were mixed together.<sup>9</sup> If they were mixed together, what is the reason of the Rabbis?<sup>10</sup> — It is analogous to a guilt-offering and a peace-offering.<sup>11</sup> How compare? there it has a remedy, viz., in grazing;<sup>12</sup> whereas here it has no remedy in grazing.<sup>13</sup> This can only be compared to a piece [mixed up] with other pieces, where, since there is no remedy, they are eaten in accordance with [the laws of] the more stringent of them.<sup>14</sup> To this Rabina demurred: How compare? [when] a piece [is mixed up] with [other] pieces, it has no remedy at all; whereas this has a remedy in squeezing out!<sup>15</sup> And R. Joseph?<sup>16</sup> — How shall we squeeze it out? If we squeeze it out well,<sup>16</sup> — seventh year produce is spoiled;<sup>17</sup> if we squeeze it a little, then after all it remains mixed up.<sup>18</sup>

He raised an objection to him: R. Simeon said: On the morrow he brings his guilt-offering together with the log [of oil] and declares: If this is a leper's [offering] this is his guilt-offerings and this is its log [of oil];

(1) V. infra 90b. When he seasons it with terumah, he reduces the time for its consumption, as it is now limited to the time in which the sacrifice may be eaten; and yet R. Simeon permits it even at the outset.

(2) By Biblical law no terumah need be separated at all on condiments. Since it is only Rabbinical, we are not so strict.

(3) V. Deut. XIV, 22-26.

(4) Before it could be eaten anywhere, whereas now in Jerusalem only.

(5) Sc. terumah.

(6) Cf. n. 4, p. 363.

(7) If that is why R. Simeon is lenient.

(8) The oil and the vegetables were accidentally mixed together.

(9) Apparently Abaye answered that he had cited this in refutation of some other ruling (not stated here), and that this had been his reply. Consequently he did not cite it now, as he could give the same reply.

(10) In forbidding it.

(11) Which must be left to graze until they receive a blemish. So here too, the mixture of oil and vegetables must be left, rather than that we should reduce the time during which the terumah may be eaten.

(12) The animals will still be eaten, save that we must wait until they are blemished.

(13) If they may not be boiled together, the terumah is simply wasted altogether.

(14) Hence here too let the Rabbis permit them to be boiled together.

(15) The oil can be squeezed out of the vegetables.

(16) How does he answer this?

(17) The action of strong squeezing damages it.

(18) You cannot extract all the oil.

## Talmud - Mas. Zevachim 76b

and if not, let this guilt-offering be a votive peace-offering.<sup>1</sup> That guilt-offering must be slaughtered in the north, and requires sprinkling on the thumbs,<sup>2</sup> laying [of hands], [the accompaniment of] drink-offerings, and the waving of the breast and the thigh; and it is eaten one day and one night.<sup>3</sup> — A man's repair is different.<sup>4</sup>

That is well of the guilt-offering; what can be said about the log [of oil]?<sup>5</sup> — He declares: [If I was not a leper,] let this log be a votive gift.<sup>6</sup> But perhaps he was not a leper, and he must take off a fistful?<sup>7</sup> — He does take off a fistful. But perhaps he was a leper, and he requires seven sprinklings?<sup>8</sup> — He makes them. But it is defective?<sup>9</sup> — He brings a little more and replenishes it. For we learnt: If the log became defective before he poured it,<sup>10</sup> he replenishes it. But it [the fistful] must be burnt? — He does burn it [on the altar].<sup>11</sup> When? if after the seven sprinklings, it becomes a residue which

was reduced between the taking of the fistful and the burning, and you may then not burn the fistful on its account;<sup>12</sup> while if before the seven sprinklings, [we have the exegetical rule:] Every offering whereof a portion has been consigned to the fire [of the altar] is subject to ‘Ye shall not make smoke [burn]’?<sup>13</sup> — Said R. Judah the son of R. Simeon b. Pazzi: He brings it up [on the altar] as mere fuel ‘<sup>14</sup> For it was taught, R. Eliezer said: ‘For a sweet savour’<sup>15</sup> you may not take it up [on the altar], but you may take it up

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(1) This refers to a case of doubtful leprosy. ‘On the morrow’ means on the eighth day, the morrow after the final seven days of purification; v. Lev. XIII-XIV. If the man had not actually been a leper he is not liable now to a guilt-offering and therefore he stipulates that in that event it shall be a votive peace-offering.

(2) V. Lev. XIV, 14.

(3) Like a guilt-offering. Thus he may reduce the time of its consumption (for it may be a peace-offering, which can be eaten two days) even at the outset!

(4) There is no other way by which he can become clean.

(5) This is not a refutation of Raba, but a difficulty in R. Simeon's statement. The guilt-offering can be a votive peace-offering, if the man was not a leper; but what about the log of oil, to which he is not liable in that case?

(6) For oil could be brought by itself, without an animal sacrifice.

(7) If oil is votively brought, a fistful must be taken off and burnt on the altar; v. infra 91b.

(8) V. Lev. XIV, 16.

(9) As a fistful was removed, there is now less than a log, and that invalidates the rites.

(10) On to his left hand, v. *ibid.* 15.

(11) Then the residue may be consumed in any event. For if he was a leper, it may be consumed, as stated supra 44b. While if this is a votive offering, it is the same as the residue of any meal-offering, which of course is eaten (v. Lev. II,3).

(12) It may be a votive offering, in which case the sprinklings are not a purification rite but simply a lessening of the oil. Now, the fistful had already been taken, and thus between that act and the burning the residue was reduced, in which case the fistful may not be burnt, v. Men. 9b.

(13) V. Lev. II, 11. Here too, perhaps it was a votive offering, and so the burning of the fistful is a valid rite, in accordance with Lev. II, 2 q.v. When this burning has once been done, none of the residue may be burnt again on the altar. Now in this instance the sprinklings of the oil are equivalent to the burning on the altar of part of a meal-offering; hence just as that would be forbidden, so are the sprinklings forbidden.

(14) Not as a fistful whose burning is a necessary rite. Thus when he sprinkles the oil the priest declares: ‘If he was a leper’ (so that the burning of the fistful was not a rite and does not count, since it was not a votive offering, for only such requires it), ‘this is not a residue, and I sprinkle of the whole, not of the residue. While if he was not a leper’ (so that the burning of the fistful was a necessary rite), ‘let this not be accounted as ritual sprinkling but as merely pouring water on the altar’ (the equivalent of burning the fistful not as a rite, but as though one added fuel to the altar). So Rashi. According to this explanation, the Talmud speaks figuratively: in the difficulty it raises, ‘Ye shall not make smoke’ means that you must not sprinkle, while ‘he brings it up as mere fuel’ in the answer means that he simply pours it out as water. This is perhaps forced, while it is questionable whether this sprinkling is the exact equivalent of the ritual burning of the fistful. Tosaf. therefore explains that the passage is meant literally, this agreeing with R. Akiba who maintained that it is forbidden to burn ritually a fistful of the leper's log of oil; hence the difficulty, How can he burn this fistful, in case he was a leper? The answer is that he does not burn it ritually, but merely as fuel.

(15) Lev. II, 12.

## Talmud - Mas. Zevachim 77a

for fuel.<sup>1</sup>

But there is the residue which is to be eaten, whereas we have this little more on whose account no fistful was taken?<sup>2</sup> — He redeems it.<sup>3</sup> Where does he redeem it? If within [the Temple court], then he brings hullin into the Temple court?<sup>4</sup> If without, it becomes unfit through having gone out?<sup>5</sup> — In truth, [he redeems it] within, but it is hullin automatically.<sup>6</sup>

Yet surely R. Simeon said: You cannot bring oil as a votive offering? — The repair of a man is different.<sup>7</sup>

R. Rehumai sat before Rabina, and stated in the name of R. Huna b. Tahlifa: Yet let him declare:<sup>8</sup> Let this guilt-offering be a suspensive guilt-offering?<sup>9</sup> You may infer from this<sup>10</sup> that the Tanna who disagrees with R. Eliezer and maintains that you cannot bring a suspensive guilt-offering votively is R. Simeon. Said he [Rabina] to him [R. Rehumai] Torah! Torah!<sup>11</sup> You have confused lambs with rams!<sup>12</sup>

MISHNAH. IF THE LIMBS OF A SIN-OFFERING WERE MIXED UP WITH THOSE OF A BURNT-OFFERING, R. ELIEZER SAID: HE MUST PLACE [THEM ALL] ON THE TOP [OF THE ALTAR], AND<sup>11</sup> REGARD THE FLESH OF THE SIN-OFFERING ON TOP AS THOUGH IT WERE WOOD.<sup>13</sup> BUT THE SAGES MAINTAIN: THEY MUST BECOME DISFIGURED, AND THEN GO OUT TO THE PLACE OF BURNING.<sup>14</sup>

GEMARA. What is R. Eliezer's reason? — Scripture saith, But they shall not come up for a sweet savour on the altar:<sup>15</sup> 'for a sweet savour' you may not take it up [on the altar], but you may take it up as wood. And the Rabbis?<sup>16</sup> — The Divine Law expressed a limitation [in the word] 'them': 'them' you may not bring up [for a sweet savour] but only as wood; but not anything else.<sup>17</sup> And R. Eliezer? — Only [in respect of] 'them' have I included the ascent, making it like the altar, but not [in respect of] anything else.<sup>18</sup> And the Rabbis?<sup>19</sup> — You may infer both things from it.<sup>20</sup>

Our Mishnah does not agree with the following Tanna. For it was taught: R. Judah said: R. Eliezer and the Sages had no controversy about the limbs of a sin-offering which were mixed up with the limbs of a burnt-offering, [both agreeing] that they must be offered up; [if mixed up] with the limbs of a roba' or a nirba',<sup>21</sup> [both agree] that they must not be offered. Wherein do they differ? About the limbs of an unblemished burnt-offering which were mixed up with the limbs of a blemished [one]: there R. Eliezer maintains [that] they must be offered up [on the altar], and I regard the flesh of the blemished animal on top as mere wood; while the Sages say: They must not be offered up.

Now [according to] R. Eliezer, why are roba' and nirba' different: [presumably] because they are not eligible? A blemished animal too is not eligible?

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(1) These things which may not be taken up on the altar for ritual burning may be taken up as fuel.

(2) It may be a votive offering, of which a fistful must be taken for the altar, and only in virtue thereof is the rest permitted. Here he added a little after the fistful was taken, and so it was not permitted thereby. As it is mixed up with the rest, all is forbidden.

(3) He declares: 'If he was not a leper, and this log is a votive offering, let the additional oil' (which was not necessary for a votive offering) 'be redeemed by this money.'

(4) As soon as he redeems it, it is hullin, and in the Temple court, whereas hullin may not be brought into the Temple court.

(5) The whole log, for it ranks as most holy, which becomes unfit when taken without.

(6) He does not actually bring hullin into the Temple court.



- (7) It is permitted here, as there is no other way out.
- (8) If he was not a leper.
- (9) To atone for a sin doubtfully committed. For R. Eliezer holds that such can be offered voluntarily, since every man stands in doubt whether he has sinned or not. This is preferable to declaring it a peace-offering, as the former too may only be eaten one day, and so we would not reduce the time permitted for consumption,
- (10) Since R. Simeon does not adopt this expedient.
- (11) Where is your learning?
- (12) A leper's guilt-offering must be a year old lamb, whereas a suspensive guilt-offering must be a two year old ram.
- (13) It cannot be ritually burnt, but it can be regarded merely as fuel.
- (14) They must be kept until they no longer look like flesh and then be taken out and burnt where all unfit flesh is burnt. But they cannot be regarded and treated simply as fuel.
- (15) Lev. II, 22. As stated supra 76b, this means that no sacrifice may be ritually burnt (haktarah) on the altar after a portion thereof has already been so burnt.
- (16) How do they rebut this?
- (17) The two verses (ibid. 11, 12) read: No meal-offering, which ye shall bring unto the Lord, shall be made with leaven; for all leaven and all honey, ye shall not make smoke of it as an offering made by fire unto the Lord (lit. translation). As an offering of first-fruits ye may bring them unto the Lord; but they shall not come up for a sweet savour on the altar. Now, as stated supra 76b, the first verse is interpreted to mean that the ritual burning on the altar of anything whose haktarah was already done is forbidden, This is learnt from the apparently superfluous 'of it', and is made to include sacrifices in general, and not particularly honey or leavened bread. The second verse nevertheless teaches that they can be burnt simply as fuel. The Rabbis hold that 'them' in the second verse is a limitation: only those things enumerated in the preceding verse, viz., honey and leavened bread may not come up 'for a sweet savour' yet may come up as fuel; other things, however, which may not come up (as deduced from 'of it'), may not come up at all.
- (18) From the words, but they may not come up . . . to (lit. translation, not on as E.V.) the altar it is inferred that they may not even be placed on the ascent. R. Eliezer holds that 'them' teaches that only leavened bread and honey are so forbidden, but nothing else.
- (19) Whence do they know this?
- (20) The limitation of 'them' applies to everything that is implied in that verse; hence, as it teaches that things other than honey or leavened bread may not be brought up even as fuel, so it also teaches that they are not included in the interdict of the ascent.
- (21) V. supra 71a.

## **Talmud - Mas. Zevachim 77b**

— Said R. Huna: It refers to cataracts in the eye, and is in accordance with R. Akiba who maintained that if they ascended [the altar], they do not descend.<sup>1</sup> Granted that R. Akiba ruled thus if it was done; did he rule thus at the very outset?<sup>2</sup> — Said R. Papa: The circumstances here are, e.g., that they went up the ascent. If so, even when they are by themselves [they must be offered]?<sup>3</sup> — Rather, [this is] R. Eliezer's reason: The Divine Law expressed a limitation in, 'There is a blemish in them; [they shall not be accepted:]'<sup>4</sup> only when there is a blemish in them shall they not be accepted, but when they are mixed up they are accepted. And the Rabbis?<sup>5</sup> — Only when the blemish is in them shall they not be accepted, but if their blemish has gone they are accepted. And R. Eliezer?<sup>6</sup> — [He derives it] from bam, bahem.<sup>7</sup> And the Rabbis? — They attribute no significance to<sup>8</sup> bam, bahem. If so, [how can R. Eliezer say,] 'I regard'. Surely the Divine Law declared it fit?<sup>9</sup> — He says this to them on their ruling: In my opinion, the Divine Law declared it fit; but [even] on your view, you should at least admit that the flesh of a blemished animal is like wood, by analogy with the flesh of a sin-offering. And the Rabbis? — Here<sup>10</sup> it is repulsive;<sup>11</sup> there<sup>12</sup> it is not repulsive.

MISHNAH. [IF THE] LIMBS OF BURNT-OFFERINGS [WERE MIXED UP] WITH THE LIMBS OF A BLEMISHED [BURNT-OFFERING], R. ELIEZER SAID: IF [THE PRIEST] OFFERED THE HEAD OF ONE OF THEM, ALL THE HEADS ARE TO BE OFFERED; THE LEGS OF ONE OF THEM, ALL THE LEGS ARE TO BE OFFERED.<sup>13</sup> BUT THE SAGES

MAINTAIN: EVEN IF THEY HAD OFFERED ALL EXCEPT ONE OF THEM, IT GOES FORTH TO THE PLACE OF BURNING.

GEMARA. R. Eleazar said: R. Eliezer declared them fit only in twos, but not singly.<sup>14</sup> R. Jacob raised an objection to R. Jeremiah:<sup>15</sup> BUT THE SAGES MAINTAIN: EVEN IF THEY HAD OFFERED ALL EXCEPT ONE OF THEM, IT GOES FORTH TO THE PLACE OF BURNING?<sup>16</sup> — Said R. Jeremia b. Tahlifa, I will explain it for you: What does ONE mean? One pair.

MISHNAH. IF THE BLOOD WAS MIXED WITH WATER, IF IT RETAINS THE APPEARANCE OF BLOOD, IT IS FIT,<sup>17</sup> IF IT WAS MIXED WITH WINE, WE REGARD IT AS THOUGH IT WERE WATER.<sup>18</sup> IF IT WAS MIXED WITH THE BLOOD OF A DOMESTIC ANIMAL OR BEAST OF CHASE, WE REGARD IT AS THOUGH IT WERE WATER;

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(1) V. Bekh. 16a.

(2) That they may be taken up-surely not!

(3) According to R. Akiba, not only when they are mixed up with unblemished animals.

(4) Lev. XXII, 25. 'Shall not be accepted' intimates that they must not be presented on the altar.

(5) How do they interpret this?

(6) How does he know this?

(7) Scripture writes bam (in them) instead of bahem, as it does in the preceding phrase: 'because their corruption is bahem (in them)'. The change in word suggests a double limitation, and so both are learnt from it. Var. lec.: Scripture writes bam, bahem, i.e., two limiting words.

(8) Lit., 'they do not interpret'.

(9) If the text teaches that the limbs are fit to be burnt on the altar, how can you regard them as mere wood?

(10) In the case of a blemished animal.

(11) To burn it on the altar.

(12) The flesh of a sin-offering.

(13) Burnt on the altar. For I assume that the head or the legs already offered belonged to the blemished animal, and so all the rest are of the unblemished ones; v. supra 74a.

(14) V. supra 74a.

(15) Emended text (Sh. M.).

(16) Hence R. Eliezer must hold that this last one would be offered, which shews that they can be offered singly.

(17) For sprinkling.

(18) And if the blood would lose its appearance in that quantity of water, it is unfit. Similarly the following clauses.

## Talmud - Mas. Zevachim 78a

R. JUDAH SAID: BLOOD CANNOT NULLIFY BLOOD.<sup>1</sup> IF IT WAS MIXED WITH THE BLOOD OF UNFIT [ANIMALS],<sup>2</sup> IT MUST BE Poured OUT INTO THE DUCT.<sup>3</sup> [IF IT WAS MIXED] WITH THE DRAINING BLOOD,<sup>4</sup> IT MUST BE Poured OUT INTO THE DUCT; R. ELIEZER DECLARED IT FIT. IF HE [THE PRIEST] DID NOT ASK BUT SPRINKLED IT, IT IS VALID.<sup>5</sup>

GEMARA. R. Hiyya b. Abba said in R. Johanan's name: We learnt this<sup>6</sup> only if the water fell into the blood; but if the blood fell into the water, each drop is nullified as it falls.<sup>7</sup> R. Papa observed: [But] it is not so in respect to covering, because there is no rejection in precepts.<sup>8</sup>

Resh Lakish said: If piggul, nothar and unclean [flesh] were mixed up together, and one ate them, he is not culpable, [for] it is impossible that one kind should not exceed the other and nullify it.<sup>9</sup> You may infer three things from this. You may infer [i]: Interdicts nullify each other. And you may infer [ii]: [The interdict of] taste in a greater quantity is not Scriptural.<sup>10</sup> And you may infer [iii]: A doubtful warning is not called a warning.

Raba raised an objection: If one made a dough of wheat and rice, if it tastes of corn, it is subject to hallah.<sup>11</sup> Now that is so even if the greater part is rice?<sup>12</sup> — [That is] by Rabbinical law [only]. If so, consider the sequel: A man can fulfil his duty thereby on Passover?<sup>13</sup>

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- (1) Even if the added blood would cause the original blood to lose its appearance if the former were water, the mixture is still fit for sprinkling.
- (2) E.g., with the blood of a roba' or a nirba' (v. supra 71a), or the blood of a sacrifice offered with the intention of eating the flesh after time or out of bounds.
- (3) The duct or sewer in the Temple court which carried off the blood.
- (4) V. p. 173, n. 6.
- (5) Even according to the first Tanna.
- (6) That if it retains the appearance of blood it is fit, which implies even where there is more water than blood.
- (7) Lit., 'the first is nullified'. As each drop of blood falls into the water it is instantaneously nullified, so that even if eventually the mixture looks like blood, it is unfit for sprinkling.
- (8) When one slaughters a bird or a beast of chase, he must cover its blood (Lev. XVII, 13). Now, even if this blood fell into water, if the whole looks like blood he must cover it, and we do not say that each consecutive drop was nullified. For though the first drop was indeed nullified, yet when so much has fallen in as to make the whole look like blood it regains its identity and combines with the rest, because where precepts are concerned a thing cannot be permanently rejected and made to lose its identity.
- (9) Rashi: if one mixed as much as an olive of two of these (both from Rashi and Tosaf., it appears that 'and unclean flesh' should be deleted), as one chews them together there must be in each piece that he chews rather more of the one kind and less of the other. This lesser part is nullified in the greater and is technically added thereto, whilst the kind which it is, is naturally diminished thereby. This will happen with each piece that he chews, and as it is impossible to equalise them, one of the kinds has less than the standard (as much as an olive is the minimum to involve liability). Now, liability in general is not incurred unless a formal warning, called hathra'ah, is first given to the offender; this warning must be couched in precise terms, e.g., 'We warn you that for eating so-and-so you will incur such and such penalty.' In this instance such a precise warning is impossible, for if it is given on account of piggul, perhaps liability may be incurred on account of nothar, piggul being short of the standard. Hence only a doubtful warning can be given, and such is not accounted a warning. Tosaf. explains differently.
- (10) If forbidden food is mixed even with a greater quantity of permitted food and communicates its taste to it, the whole is forbidden, (even if the former is subsequently removed). From Resh Lakish we learn that this interdict is not Scriptural and therefore does not involve flagellation. For if it were Scriptural, then even when one kind exceeds the other, yet since each imparts its taste to the other, there is the forbidden taste in the full standard, and the offender would be culpable.
- (11) V. Glos. and Num. XV, 20. Only a dough of corn (which includes wheat but not rice) is subject to hallah.
- (12) Hence the status conferred by taste is Scriptural, since hallah is a Scriptural law.
- (13) As much as an olive of unleavened bread must be eaten on the first evening of Passover. This must be made of one of the five species of grain (wheat, barley, rye, oats and spelt), but not of rice, But if this dough counts as a wheat dough only by Rabbinical law, how can one fulfil his Scriptural obligation with it?

## Talmud - Mas. Zevachim 78b

— Rather, [when] one kind [is mixed] with a different kind, [its status is determined] by taste; [when] one kind [is mixed] with the same kind, [its status is determined] by the greater part.<sup>1</sup>

Yet, [where] one kind [is mixed] with its own kind, let us determine [its status] as though it were one kind with a different kind.<sup>2</sup> For we learnt: IF IT WAS MIXED WITH WINE, WE REGARD IT AS THOUGH IT WERE WATER. Does that not mean [that] we regard the wine as though it were water?<sup>3</sup> — No: [it means that] we regard the blood as though it were water.<sup>4</sup> If so, he should state, [The blood] is nullified? Moreover, it was taught, R. Judah said: We regard it as though it were red wine if its appearance goes faint, it is valid; if not, it is invalid!<sup>5</sup> — It is a controversy of Tannaim.<sup>6</sup>

For it was taught: If one immerses a pail containing white wine or milk, we decide by the excess. R. Judah said: We regard it as though it were red wine: if its appearance goes faint, it is valid; if not, it is invalid.<sup>7</sup>

But the following contradicts this: If one immersed a pail full of saliva, it is as though he had not immersed it.<sup>8</sup> [If it was full of]<sup>9</sup> urine, we regard it as though it were water.<sup>10</sup> If it was filled with water of lustration,<sup>11</sup> the water [of the mikweh] must exceed the water of lustration.<sup>12</sup> Now, whom do you know to hold [that] we regard? R. Judah;<sup>13</sup> yet he teaches that an excess is sufficient?<sup>14</sup> — Said Abaye: There is no difficulty:

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- (1) Resh Lakish referred to the latter case. Hence inference [ii] is incorrect.
  - (2) Since an article cannot be nullified where its taste is distinguishable, even though it is the smaller part of the mixture, let us rule likewise even where its taste is not distinguishable because it is of the same kind.
  - (3) And if it would then still look like blood, it is fit. Now, in respect to appearance wine and blood may be regarded as of the same kind: this shews that the lesser is not nullified by the greater, but we regard the mixture as of two different kinds,
  - (4) And it is unfit, because it is nullified by the greater quantity of water.
  - (5) The passage is quoted in full anon. — This proves definitely that we consider it as a mixture of two different kinds.
  - (6) The Sages disagree with R. Judah, and Resh Lakish accepts their view,
  - (7) An unclean pail containing white wine or milk was immersed in a mikweh (ritual bath) for purification, and the water of the mikweh naturally filled it, The Sages maintain that if this exceeded the wine or milk (which is not readily distinguishable from the water), the latter is nullified, the whole is regarded as water, and the pail becomes clean. This is similar to the ruling of Resh Lakish. But R. Judah maintains that we regard it as though it were red wine: if there is so little of it that the water of the mikweh would make it go faint and lose the appearance of wine, the immersion is valid, and the pail becomes clean; otherwise it is invalid, and the pail remains unclean,
  - (8) The saliva is thick and interposes between the water of the mikweh and the pail. Hence the immersion is invalid, for there must not be any interposition.
  - (9) The bracketed words are absent from cur. edd., but were apparently contained in Rashi's edition.
  - (10) For it is in fact a kind of water, and immediately it makes contact with the water of the mikweh, it becomes part of the mikweh itself. For that reason it is not necessary for the water of the mikweh to exceed it.
  - (11) Running water mixed with the ashes of the red heifer, used for lustration (v. Num, XIX). Although it cleansed the unclean person upon whom it was sprinkled, it defiled a clean person with its touch.
  - (12) He must first pour out some of the water of lustration, so that when the pail is filled with the water of the mikweh, the latter exceeds what is left of the former. For although the latter too is water, owing to its sanctity and to its high degree of uncleanness it does not simply become part of the mikweh, but must be nullified by an excess.
  - (13) Only he rules that you regard a thing as though it were something else.
  - (14) If the mikweh water exceeds the water of lustration, the immersion is valid, and we do not regard the latter as though it were wine, as above.

## Talmud - Mas. Zevachim 79a

The latter is his own view; the former is his teacher's.<sup>1</sup> For it was taught, R. Judah said on R. Gamaliel's authority: Blood cannot nullify [other] blood;<sup>2</sup> saliva cannot nullify saliva; and urine cannot nullify urine.<sup>3</sup>

Raba said: We are discussing a pail which is clean on the inside and unclean on the outside:<sup>4</sup> by law even a small quantity is sufficient,<sup>5</sup> and it was only the Rabbis who enacted a preventive measure,<sup>6</sup> lest one begrudge [the water] and not immerse it.<sup>7</sup> Since then we have an excess [of mikweh water], nothing else is required.<sup>8</sup>

Raba said: The Rabbis have said that taste [is the determining factor]; and the Rabbis have said [that we decide] by the majority; and the Rabbis have said that [we go] by appearance. [When] one

kind [is mixed] with a different kind, taste [is the determining factor]. [When] one kind [is mixed] with the same kind, the greater part [determines its status]; and where there is appearance,<sup>9</sup> [we go] by looks.

Now, [Resh Lakish] disagrees with R. Eleazar. For R. Eleazar said: Just as precepts cannot nullify one another, so can interdicts not nullify one another.<sup>10</sup> Whom do you know to maintain that precepts cannot nullify one another? — It is Hillel. For it was taught: It was related of Hillel the Elder that he used to wrap them<sup>11</sup> together, for it is said, they shall eat it with unleavened bread and bitter herbs.<sup>12</sup>

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(1) His own view is the lenient one. — The interpretation of this whole passage follows Rashi, Tosaf. urges many objections to this, and gives a different interpretation based on an emended text.

(2) In respect to sprinkling; v. supra 35a.

(3) The saliva and the urine of a zab (q.v. Glos.), which are unclean, cannot be nullified by those of a clean person, which are clean, even though the latter exceed the former. This is a stringent view, and the similar stringent view above is likewise his teacher's ruling, not his own.

(4) E.g., the outside was defiled through unclean water. Such defilement is Rabbinical only, and leaves the inside clean.

(5) Even if a little water enters the pail, it becomes clean, since the inside is clean in any case. — A little must enter, so that we can be sure that it has run over the edge, which is unclean.

(6) I.e., they ruled that it must be properly immersed, with a considerable quantity of water inside.

(7) If he is permitted to immerse the outside only, he may wish to save the water of lustration for further use and not allow even a trickle of mikweh water to enter the pail.

(8) Raba explains that R. Judah generally agrees with his teacher's stricter ruling, but that here there is a particular reason for his more lenient ruling.

(9) Where taste is irrelevant, as e.g., in the case of a mikweh, as above.

(10) One forbidden thing cannot nullify another. Resh Lakish ruled supra 78a that forbidden things do annul one another.

(11) Sc. unleavened bread and bitter herbs and the paschal meat, the eating of which is obligatory on the first evening of Passover.

(12) Num. IX, 11, Thus he does not hold that the taste of one nullifies the other,

## **Talmud - Mas. Zevachim 79b**

Our Rabbis taught: As to the shard of a zab and a zabah, the first and second time it is unclean, the third time it is clean. When is that? if one poured water into it; but if one did not pour water into it, it is unclean even the tenth time. R. Eliezer b. Jacob said: At the third time it is clean even if one did not pour water into it.<sup>1</sup> Now, whom do you know to maintain that one kind is not nullified by its own kind? R. Judah.<sup>2</sup> But the following contradicts it: If flax was spun by a niddah,<sup>3</sup> he who moves it is clean; but if it is damp, he who moves it is unclean, on account of the fluid of her mouth.<sup>4</sup> R. Judah said: One also who moistens it in water is unclean, on account of the fluid of her mouth,<sup>5</sup> even [if he washes it] many times!<sup>6</sup> — Said R. Papa: Saliva is different, because it is incrustrated.<sup>7</sup>

IF IT WAS MIXED WITH THE BLOOD OF UNFIT [ANIMALS], IT MUST BE Poured OUT INTO THE DUCT [etc.] Wherein do they differ? — Said R. Zebid: They differ as to whether a preventive measure is enacted in the Temple: one master holds that we enact a preventive measure, while the other master holds that we do not enact a preventive measure.<sup>8</sup> R. Papa said: All agree that we do enact a preventive measure, but here they disagree as to whether it is usual for the draining blood to exceed the life blood: one master holds that it is common, while the other master holds that it is not common.<sup>9</sup> As for R. Papa, it is well: for that reason he teaches, IF IT WAS MIXED WITH THE BLOOD OF UNFIT [ANIMALS]. IT MUST BE Poured OUT INTO THE DUCT; WITH THE DRAINING BLOOD, IT MUST BE Poured OUT INTO THE DUCT.<sup>10</sup> But according to R. Zebid, let him [the Tanna] combine them and teach them together?<sup>11</sup> — That indeed is a difficulty.

MISHNAH. [IF] BLOOD OF WHOLE [UNBLEMISHED] ANIMALS [WAS MIXED] WITH BLOOD OF BLEMISHED ANIMALS, IT MUST BE Poured OUT INTO THE DUCT. [IF] A GOBLET [WAS MIXED UP] WITH OTHER GOBLETS,<sup>12</sup> R. ELIEZER SAID: IF HE [THE PRIEST] OFFERED [SPRINKLED] ONE GOBLET, ALL THE GOBLETS ARE OFFERED;<sup>13</sup> BUT THE SAGES MAINTAIN: EVEN IF THEY OFFERED ALL OF THEM SAVE ONE, IT MUST BE Poured OUT INTO THE DUCT. IF [BLOOD] THAT IS SPRINKLED BELOW WAS MIXED WITH BLOOD THAT IS SPRINKLED ABOVE, R. ELIEZER SAID: HE MUST SPRINKLE [IT] ABOVE, AND I REGARD THE LOWER [BLOOD] ABOVE<sup>14</sup> AS THOUGH IT WERE WATER, AND THEN HE SPRINKLES AGAIN BELOW. BUT THE SAGES MAINTAIN: IT MUST BE Poured OUT INTO THE DUCT.<sup>15</sup> YET IF [THE PRIEST] DID NOT ASK BUT SPRINKLED [IT]. IT IS FIT.

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(1) The reference is to an earthen bed-chamber used by a zab or zabah, which was broken. The shard thereof, having absorbed their urine, contaminates through carriage, i.e., it defiles anyone who carries it even without actually touching it. Now, if one washed it (the pot) once or twice, it still remains unclean, because that does not suffice to expel the urine; but when one washes it a third time, the urine is held to have been washed out, and so it is clean. That however is only when the pot was washed by pouring water into it each time; if, however, not water but the urine of a clean person (which is ritually clean) was poured into it, this does not render it clean, because they are both of the same kind, viz., urine, and one kind cannot nullify the same kind. R. Eliezer b. Jacob holds that it does nullify, and therefore if it was washed three times, even by pouring the urine of a clean person into it, it is clean.

(2) Hence he must be the author of the first ruling in opposition to R. Eliezer b. Jacob.

(3) V. Glos.

(4) When flax is spun it is moistened with the moisture or saliva of one's mouth. Now, the saliva of a niddah defiles any person who moves it, e.g., when it is on an article, even if he does not touch it; but only as long as it is moist. This explains the passage.

(5) As this re-moistens the saliva.

(6) For the water does not wash it out. This contradicts his statement supra that three washings suffice.

(7) It becomes hardened in the flax and is difficult to remove.

(8) The first Tanna holds that a preventive measure is enacted in the loss of sacred flesh. Therefore, when the blood of a fit sacrifice is mixed with that of an unfit sacrifice or with the draining blood, although the latter may be insufficient to nullify the former, it must be poured out (and hence the sacrifice to which it belonged is declared unfit), as a preventive measure, lest one declare it fit even where the latter is sufficient to nullify the former. (Nevertheless, a preventive measure is not enacted where it is mixed with the blood of an animal or beast that is hullin, because hullin in the Temple court is rare.) R. Eliezer holds that we do not enact a preventive measure, for such would cause the unnecessary loss of sacred flesh. Therefore the mixture is fit for sprinkling unless the unfit blood is so much that if it were water, the fit blood would lose its appearance of blood.

(9) When it is mixed with the blood of an unfit animal (which may happen quite frequently), all, even R. Eliezer, agree that we enact a preventive measure, and the rule of the first part of the Mishnah applies. They disagree only where it is mixed with the draining blood: here R. Eliezer holds that a preventive measure is not enacted, since it is rare for the draining blood to exceed the life blood.

(10) These are taught as separate clauses because R. Eliezer agrees with one and disagrees with the other.

(11) As one clause: if it was mixed up with the blood of unfit animals or with the draining blood, it must etc. Only one clause is necessary, since R. Eliezer disagrees with both.

(12) The former containing blood of blemished animals, the latter blood of whole animals.

(13) We assume that the first offered was that of the blemished animal, so that the rest are fit.

(14) I.e., the blood which should be sprinkled below but was sprinkled above.

(15) They reject the view that we can regard the lower blood as water, and hold that you cannot deviate in the rites of same (by sprinkling it above) in order to sprinkle the upper blood.

[IF BLOOD] WHICH REQUIRES ONE APPLICATION [WAS MIXED] WITH BLOOD [ALSO] REQUIRING ONE APPLICATION,<sup>1</sup> IT [THE MIXTURE] SHOULD BE PRESENTED WITH ONE APPLICATION. [IF BLOOD] WHICH REQUIRES FOUR APPLICATIONS [WAS MIXED] WITH BLOOD REQUIRING FOUR APPLICATIONS,<sup>2</sup> THEY MUST BE PRESENTED WITH FOUR APPLICATIONS. [BLOOD] WHICH REQUIRES FOUR APPLICATIONS WITH THAT WHICH REQUIRES ONE APPLICATION, R. ELIEZER SAID: IT [THE MIXTURE] MUST BE PRESENTED WITH FOUR APPLICATIONS.<sup>3</sup> R. JOSHUA MAINTAINED: IT MUST BE PRESENTED WITH ONE APPLICATION.<sup>4</sup> SAID R. ELIEZER TO HIM: BUT LO, HE TRANSGRESSES THE [INJUNCTION] NOT TO DIMINISH [FROM GOD'S COMMANDMENT]! LO, HE TRANSGRESSES THE INJUNCTION NOT TO ADD [THERETO], R. JOSHUA COUNTERED.<sup>5</sup> THE INJUNCTION NOT TO ADD APPLIES ONLY WHERE IT IS BY ITSELF, REPLIED R. ELIEZER. THE INJUNCTION NOT TO DIMINISH APPLIES ONLY WHERE IT IS BY ITSELF, R. JOSHUA ANSWERED. MOREOVER, SAID R. JOSHUA, WHEN YOU MAKE [FOUR] APPLICATIONS YOU TRANSGRESS THE INJUNCTION NOT TO ADD, AND COMMIT A POSITIVE ACTION WITH YOUR OWN HANDS; WHEREAS WHEN YOU DO NOT MAKE [FOUR] APPLICATIONS YOU TRANSGRESS THE INJUNCTION NOT TO DIMINISH, BUT DO NOT COMMIT A POSITIVE ACTION WITH YOUR OWN HANDS.

GEMARA. R. Eleazar said: R. Eliezer declared them fit only in twos, but not singly.<sup>6</sup> R. Dimi raised an objection: BUT THE SAGES MAINTAIN: EVEN IF THEY OFFERED ALL OF THEM SAVE ONE, IT MUST BE Poured OUT INTO THE DUCT.<sup>7</sup> SAID R. Jacob to R. Jeremiah b. Tahlifa: I will explain it to you: What does ONE mean? One pair.

Now, both are necessary.<sup>8</sup> For if it were stated in the former case, I would argue that only there does R. Eliezer rule thus, because his atonement was already made therewith,<sup>9</sup> but in the present instance he agrees with the Rabbis. While if it were stated in the present case, I would argue that only here do the Rabbis rule thus, but in the former instance they agree with R. Eliezer. Hence both are necessary.

We learnt elsewhere: In the case of a flask<sup>10</sup> into which a little water fell,<sup>11</sup> R. Eliezer said: He [the priest] makes two sprinklings;<sup>12</sup> but the Sages disqualify [it]. As for the Rabbis, it is well: They hold that we assume even distribution,<sup>13</sup> and sprinkling requires a [minimum] standard, and sprinklings do not combine.<sup>14</sup> But what does R. Eliezer hold? If he holds that there is no even distribution, what if he does sprinkle twice; perhaps he sprinkles [ordinary] water both times? — Rather, he holds that there is even distribution. Now, if he holds that sprinkling does not require a [minimum] standard, why must he sprinkle twice? — Rather, he holds that sprinkling does require a [minimum] standard. And if he holds that sprinklings do not combine, what if he does sprinkle twice? And even if sprinklings do combine, who can say that the standard is made up? — Said Resh Lakish: In truth he holds that there is even distribution, and sprinkling does require a [minimum] standard; but the case we discuss here is where one [standard quantity] was mixed up with another.<sup>15</sup> Raba said: In truth there is even distribution, and sprinkling does not require a standard; but the Rabbis penalised [him] so that he should not benefit thereby.<sup>16</sup> R. Ashi said: There is no even distribution, [therefore] he must sprinkle twice.<sup>17</sup>

An objection is raised: Rabbi said: According to R. Eliezer,<sup>18</sup> the sprinkling of any quantity purifies, sprinkling does not require a standard, sprinkling [is permissible if] half [the water] is fit and half is unfit.<sup>19</sup>

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(1) E.g., the blood of a firstling with that of tithes.

(2) E.g., the blood of a burnt-offering with that of a peace, or a guilt-offering.

(3) And I regard the superfluous three applications in respect of e.g. the firstling as though they were water.

(4) Because one must not make more applications than are necessary. On the other hand, even where four are required

one suffices (supra 36b).

(5) V. Deut. IV, 2.

(6) V. supra 74a. Here too, the blood of two goblets must be presented each time together.

(7) V. p. 371, n. 1.

(8) The controversy of R. Eliezer and the Rabbis is taught here and supra 77b, q.v. in reference to limbs.

(9) The limbs were mixed up after the blood was sprinkled. Thus atonement (sc. sprinkling) was already made, and therefore R. Eliezer is lenient.

(10) Containing water sanctified for lustration; v. Num. XIX, 17 seq.

(11) Ordinary, unsanctified water.

(12) On an unclean person, whereby he becomes clean.

(13) Lit., 'there is thorough mixture' — we assume that a mixture is evenly distributed.

(14) The unsanctified water is regarded as evenly distributed in the sanctified. Therefore when he sprinkles, it lacks the minimum standard, since part of it is unfit. He cannot remedy this by sprinkling again, for sprinklings do not combine. (It is assumed that one sprinkling could not contain more than the minimum quantity required.)

(15) Both the unfit and the fit water each contained the minimum standard. Hence when he sprinkles the whole in two applications, he must sprinkle the required amount; v. Parah IX, 1.

(16) The Rabbis ordered two sprinklings instead of one so that we should not benefit by the addition of unfit water to be able to use this for more unclean persons than would otherwise have been possible.

(17) Sprinkling does not require a minimum standard. Now, in one sprinkling only all the water may be the unfit, since there is no even distribution. But in two this is impossible, for only a small quantity fell into it in the first place.

(18) That two sprinklings purify.

(19) This contradicts Resh Lakish.

## **Talmud - Mas. Zevachim 80b**

Moreover, it was explicitly taught: If [blood] which is applied above was mixed with [blood] that is applied below, R. Eliezer said: He must sprinkle [it] above, and the lower [blood] acquits him.<sup>1</sup> But if you say that there is no even distribution, why does it acquit him? perhaps he sprinkled the upper [blood] below and the lower [blood] above? — The case we discuss here is where we have an excess of upper [blood], and he sprinkles above the quantity of the lower [blood] plus a little more.<sup>2</sup> But he teaches that the lower [blood] acquits him?<sup>3</sup> — [It counts] as the residue.<sup>4</sup>

Come and hear: If he [the priest] sprinkled [it]<sup>5</sup> without asking.<sup>6</sup> R. Eliezer said: He must re-sprinkle above, and the lower [blood] acquits him?<sup>7</sup> — Here too the excess was upper [blood], and he sprinkles above the quantity of the lower blood plus a little more. But he teaches that the lower [blood] acquits him? — [It counts] as the residue.

Come and hear: If he sprinkled it above without asking,<sup>8</sup> both<sup>9</sup> agree that he must re-sprinkle below, and both [sprinklings] are credited to him!<sup>10</sup> — Here too the excess was upper [blood], and he sprinkles above the quantity of the lower blood plus a little more. Yet surely he teaches: Both [sprinklings] are credited to him? — Does he then teach, 'Both agree [in this]'? Surely he teaches, 'Both are credited to him', this final clause thus agreeing with the Rabbis [only], who maintain that there is even distribution.

Come and hear: IF [BLOOD] WHICH REQUIRES ONE APPLICATION [WAS MIXED] WITH BLOOD [ALSO] REQUIRING ONE APPLICATION, IT [THE MIXTURE] SHOULD BE PRESENTED WITH ONE APPLICATION. Now, if you say that there is no even distribution, why should it be presented with one application? perhaps he sprinkles [the blood] of one [sacrifice] but not that of the other?<sup>11</sup> — It means, e.g., where one [minimum quantity] was mixed with another [minimum quantity].<sup>12</sup> [BLOOD] WHICH REQUIRES FOUR APPLICATIONS WITH [BLOOD] THAT REQUIRES FOUR APPLICATIONS?<sup>13</sup> There too it means that [the quantity for] four [applications] was mixed with [the quantity for] four [applications].<sup>14</sup> [BLOOD] WHICH



## REQUIRES FOUR APPLICATIONS WITH [BLOOD] REQUIRING ONE APPLICATION?<sup>13</sup>

- (1) When he pours out the residue at the base of the altar, it counts as sprinkling for the burnt-offering.
- (2) So that some of the upper blood must be properly sprinkled above.
- (3) Whereas all the lower blood was perhaps sprinkled above: how then can the burnt-offering be made fit thereby?
- (4) Of the sin-offering, which must be poured out at the base. The burnt-offering, however, does not become fit.
- (5) Sc. the mixed blood.
- (6) For had he asked, R. Eliezer holds that he would be bidden to sprinkle above first; v. infra 89a.
- (7) Here too it is assumed that both sacrifices are thereby made fit.
- (8) For had he asked, the Rabbis hold that he would be bidden to pour it out into the duct.
- (9) The Rabbis and R. Eliezer.
- (10) Thus both sacrifices are fit.
- (11) And this does agree with R. Eliezer, since the next clause contains a controversy of R. Eliezer and the Rabbis.
- (12) Sc. the minimum quantity for sprinkling (one application). When the Mishnah teaches that he must make one application it means one application on account of each separately.
- (13) The same difficulty arises there too.
- (14) Here too he must make four applications on behalf of each sacrifice.

### Talmud - Mas. Zevachim 81a

And should you answer: Here too it means that [the quantity for] four [applications] was mixed with [the quantity for] one [application],<sup>1</sup> — if so: LO HE TRANSGRESSES THE INJUNCTION NOT TO ADD THERETO, R. JOSHUA COUNTERED: Whence have you here the injunction not to add thereto?<sup>2</sup> — Rather said Raba:<sup>3</sup> Where [the blood is] mixed together, they do not disagree; they disagree in respect of the goblets. R. Eliezer holds [the view that] ‘we regard’ [etc.], while the Rabbis reject [the view that] ‘we regard’ [etc.].<sup>4</sup>

Now, do they not disagree where [the blood itself] is mingled? Surely it was taught: R. Judah said: R. Eliezer and the Sages did not dispute about the blood of a sin-offering which was mixed with the blood of a burnt-offering, [both agreeing] that it must be offered [sprinkled];<sup>5</sup> [if it was mixed] with the blood of a roba’ or a nirba’,<sup>6</sup> [they agree that] it must not be offered. About what do they disagree? About the blood of an unblemished [animal] which was mixed with the blood of a blemished [animal]; there R. Eliezer maintains that it must be offered, whether [the blood itself is] mingled or whether the goblets [are mixed]; while the Sages say that it must not be offered!<sup>7</sup> — R. Judah when teaching R. Eliezer's view relates it to both mixing [of the blood itself] and [to that of] the goblets; but the Rabbis<sup>8</sup> hold that they disagree about goblets [only].

Abaye said: They learnt this only of the beginning of the sin-offering and the burnt-offering;<sup>9</sup> but as to the end of the sin-offering and the beginning of the burnt-offering,<sup>10</sup> all agree that the place of the burnt-offering is the place of the residue.<sup>11</sup> Said R. Joseph to him: Thus did R. Judah say: The residue requires the projection.<sup>12</sup> And thus said Resh Lakish:<sup>13</sup> They learnt this only of the beginning of the sin-offering and the burnt-offering; but as to the end of the sin-offering and the beginning of the burnt-offering, all agree that the place of the burnt-offering is the place of the residue. Whereas R. Johanan-others say, R. Eleazar-said: There is still the controversy.<sup>14</sup>

R. Huna b. Judah raised an objection: They are holy!<sup>15</sup> [this teaches] that if it [the blood of a firstling] was mixed with the blood of other sacrifices, it must be offered [sprinkled]. Surely it speaks of the end of a burnt-offering and [the beginning of] a firstling;<sup>16</sup> and this proves that the place of the burnt-offering is the place of the residue? — No: it speaks of the beginning of the burnt-offering and that of the firstling. What then does it inform us?<sup>17</sup> that sacrifices do not nullify one another!<sup>18</sup> [Surely] that is deduced from [the text]. And he shall take of the blood of the bullock and of the blood of the goat?<sup>19</sup> — It is a controversy of Tannaim: one deduces it from this text, and another

deduces it from the other text.

Raba raised an objection: And Aaron's sons, the priests, shall present the blood, and dash the blood [round about against the altar]:<sup>20</sup>

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(1) Emended text (Sh. M.). Thus R. Eliezer means that four applications must be made in addition to the one, i.e., five in all.

(2) Since there is only sufficient for one application of the blood of the firstling, he certainly sprinkles the blood of the burnt-offering in the other applications, as is actually necessary; thus he does not add thereto.

(3) Sh. M. reads: Rabbah.

(4) The answers given above are now rejected. When it is taught that the lower blood acquits him, it means both as the residue of the upper blood and as the sprinklings of the lower, and the burnt-offering does become fit thereby. Again, when the Mishnah speaks of the mixture, it means even where a large quantity is mixed, and not the minimum quantity required. Nevertheless, this does not prove that R. Eliezer holds that there is even distribution, for all these cases refer not to the mixing of the blood (in one goblet) but to the mixing of the goblets. Here R. Eliezer rules that of each goblet sprinklings must be made above and below, the superfluous sprinklings being regarded as mere water; similarly, if a goblet containing the blood of a firstling is mixed up with another containing the blood of a burnt-offering, four applications must be made from each goblet. The Sages, however, refuse to regard such sprinklings, where they are superfluous, as mere water, and therefore all the blood must be poured out into the duct.

(5) For the Sages too accept the view that 'we regard' etc. (In this R. Judah disagrees with the Tanna of our Mishnah.)

(6) Cf. supra 71a.

(7) The interdict against sprinkling the blood of a blemished animal is contained in Lev. XXII, 25: there is a blemish in them; they shall not be accepted for you. R. Eliezer holds that this applies only where the blood is by itself, but not where it is mixed with that of a sound animal. Now, though R. Judah disagrees with the Tanna of the Mishnah in respect of the scope of the controversy, yet it may be assumed that they both agree that the controversy applies to the mingling of the blood as well as that of the goblets.

(8) Not the Sages who disagree with R. Eliezer, but the scholars who disagree with R. Judah's interpretation of the controversy; hence the anonymous Tanna of our Mishnah. (An anonymous teacher is often referred to as the Rabbis, because he generally represents the Rabbis in general where an opposing view is recorded in the name of an individual.)

(9) The controversy in the Mishnah holds good only at the beginning, i.e., if their blood was mingled before the sprinkling. Only then do the Sages disqualify it, as they reject the view that 'we regard' etc., and maintain that we may not sprinkle the blood of the burnt-offering above in order to make the sin-offering fit.

(10) Emended text Sh. M. — I.e., if the residue of the blood of the sin-offering, after it was sprinkled, was mixed with the blood of the burnt-offering before it was sprinkled.

(11) He sprinkles the blood on the wall of the altar below the scarlet line, and thence it drains down on to the base, whither the residue of the blood of the sin-offering should be poured. Thus this counts for both the initial sprinkling of the burnt-offering and the final pouring out of the residue of the sin-offering.

(12) Sc. the base, which projected from the altar. — It must not be poured on to the wall of the altar but directly on to the base. — Hence the Sages disagree even if the blood of the sin-offering had already been sprinkled.

(13) Emended text.

(14) Even in the latter instance.

(15) Num. XVIII, 17. The whole verse reads: But the firstling of an ox . . . thou shalt not redeem; they are holy. These last words are emphatic and imply that they retain their sanctity, and if their blood is mingled with other blood, it must still be offered. According to the Sages this must mean where it is mingled with lower blood, like itself, e.g., with that of a burnt-offering, but not that of a sin-offering.

(16) I.e., the blood of a burnt-offering after sprinkling was mixed with that of a firstling before sprinkling. (The residue of a firstling is not poured out on the base, and sprinkling completes its blood rites.)

(17) For in that case the text is apparently superfluous; since both bloods need sprinkling on the lower wall of the altar, it is obvious that they must be sprinkled even when they are mingled.

(18) If their blood mingles, even if the blood of one exceeds that of the other, the latter is not nullified.

(19) Lev. XVI, 18. Though the former exceeds the latter, it does not nullify it; v. Men. 22a, b.

(20) Lev. I, 5.

## Talmud - Mas. Zevachim 81b

why is 'blood' repeated?<sup>1</sup> For one might think: I only know about a burnt-offering which was mixed up with its substitute,<sup>2</sup> for even [if they were mixed up] whilst alive, they must be offered. Whence do I know to include the thanksgiving and the peace-offering?<sup>3</sup> I include the thanksgiving and the peace-offering, because they can be brought as a votive or a freewill-offering,<sup>4</sup> like itself. Whence do I know to include the guilt-offering? I include the guilt-offering which requires four applications, like itself, Whence do I know [to include] a firstling, tithe, and the Passover-offering? Because it says, blood, blood.<sup>5</sup> Now surely that speaks of the end of the burnt-offering and [the beginning of] the firstling; whence you may infer that the place of the burnt-offering is the place of the residue? — No: it speaks of the beginning of the burnt-offering and [that of] the firstling. What then does he inform us? that sacrifices do not nullify one another! [Surely] that is deduced from [the text]. And he shall take of the blood of the bullock and of the blood of the goat? — It is a controversy of Tannaim: one deduces it from this text, and another deduces it from the other text.

Now, these Tannaim do not learn it from 'and he shall take of the blood of the bullock and of the blood of the goat', because they hold, You do not mingle [the blood] for [sprinkling] on the horns.<sup>6</sup> They do not learn it from the repetition of 'blood', because they do not attribute any significance to this repetition. But why do they not deduce it from 'they are holy'?<sup>7</sup> — They hold [that] 'they are holy' [teaches:] 'they' are offered, but their substitute is not offered.<sup>8</sup> And the other?<sup>9</sup> — He deduces it from, Whether it be ox or sheep, it is the Lord's:<sup>10</sup> 'it' is offered, but its substitute is not offered.

Come and hear: If [the priest] sprinkled [it]<sup>11</sup> above without asking, both agree that he must re-sprinkle [it] below, and both are accounted to him. Now does that not mean that [the blood of] a sin-offering and [that of] a burnt-offering were mixed, in which case as soon as he sprinkles above, it becomes a residue, yet he teaches, 'both agree that he must re-sprinkle [it] below', which proves that the place of the burnt-offering is the place of the residue? — When R. Isaac b. Joseph came,<sup>12</sup> he said: In the West<sup>13</sup> they said: The case we are discussing here is where e.g. [the blood of] an outer sin-offering was mixed with the residue of an inner sin-offering.<sup>14</sup> Said Abaye to him: Yet let the master say, 'e.g., where it was mixed with a residue'?<sup>15</sup> perhaps this is what you would inform us: Even on the view that the residue<sup>16</sup> is indispensable,<sup>17</sup> yet if some of it is lacking it does not matter?<sup>18</sup> Said Raba Tosfa'ah<sup>19</sup> to Rabina: But we have explained that as meaning that the greater part was upper [blood], and he sprinkles above as much as there was of the lower [blood] plus a little more?<sup>20</sup> — That was only, he replied, on the hypothesis first stated that [the Mishnah treats of where the blood itself] was mingled, and in accordance with the thesis that there is no even distribution. But in our final conclusion [we hold that] they disagree where the goblets were mixed up.<sup>21</sup>

MISHNAH. IF [BLOOD] WHICH IS TO BE SPRINKLED WITHIN WAS MIXED WITH [BLOOD] THAT IS TO BE SPRINKLED WITHOUT, IT MUST BE Poured OUT INTO THE DUCT. IF [THE PRIEST] SPRINKLED WITHOUT AND THEN SPRINKLED WITHIN, IT IS VALID. [IF HE SPRINKLED] WITHIN AND THEN RESPRINKLED WITHOUT, R. AKIBA DECLARES IT UNFIT, WHILE THE SAGES DECLARE IT FIT. FOR R. AKIBA MAINTAINED: ALL BLOOD WHICH ENTERED THE HEKAL TO MAKE ATONEMENT IS UNFIT; BUT THE SAGES RULE: THE SIN-OFFERING ALONE [IS UNFIT]. R. ELIEZER SAID: THE GUILT-OFFERING TOO, FOR IT SAYS, AS IS THE SIN-OFFERING, SO IS THE GUILT-OFFERING.<sup>22</sup>

GEMARA. Now, let R. Eliezer disagree here too? — What should be done? Shall we [first] sprinkle without and then sprinkle within? [that cannot be done], [because] just as the upper [blood] must precede the lower, so must the inner precede the outer.

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- (1) Rashi reads: How do we know that if the blood of a burnt-offering was mixed with the blood of another burnt-offering, or with the blood of a substitute (v. p. 22, n. 8), or with the blood of hullin, it must be offered (i.e., sprinkled)? Because it says, blood, blood (i.e., this repetition is an extension). I know it only of these, for even if these were mixed up whilst alive they must be offered. How do I know it even when it is mixed with the blood of a guilt-offering? etc.
- (2) Sc. their blood was mixed. — From the verse I know that their blood must still be sprinkled.
- (3) That the blood of a burnt-offering must be sprinkled even if it is mixed with these; similarly the other cases posited.
- (4) V. supra 2b, p. 2, n. 6.
- (5) The repetition teaches the inclusion of all these.
- (6) Of the altar; supra 42b. Hence the blood of each must be stated, because they were taken separately, not mixed together, and so no inference can be made from the text about nullification.
- (7) As the first Tanna does.
- (8) A substitute of a firstling must be redeemed, but cannot be offered.
- (9) The first Tanna: how does he know this?
- (10) Lev. XXVII, 26. This refers to a firstling.
- (11) The mingled blood.
- (12) From Eretz Israel.
- (13) Sc. Palestine, which lies to the west of Babylon.
- (14) Emended text. After he sprinkles thereof above the red line, all the rest is the residue, which must be poured out at the base.
- (15) Not particularly 'the residue of an inner sin-offering'.
- (16) Sc. of the inner sin-offering.
- (17) It must be poured out at the base; otherwise the sacrifice is invalid.
- (18) It is unnecessary for the whole of the residue to be poured out on the base. For here some of the residue will have been sprinkled above the line, and yet the sacrifice is valid when the rest is poured out at the base.
- (19) Perhaps of Thospia. Neub. Geogr. p. 332: capital of the Armenian district Thospitis.
- (20) And he applies it below as the residue of the sin-offering, not as the blood of the burnt-offering, which does not become valid. Hence even if it were explained as the mingling of the sin-offering and the burnt-offering, it would not prove that the place of the burnt-offering is the place of the residue, since the burnt-offering does not become fit. Why then must you explain it as meaning that the blood of a sin-offering and the residue were mingled?
- (21) And unless it refers to a sin-offering and residue, this contradicts the opinion that the place of the burnt-offering is not the place of the residue.
- (22) Lev. VII, 7. V. supra 10b for notes.

## Talmud - Mas. Zevachim 82a

Then let us [first] sprinkle within and then sprinkle without? — Since the sin-offering and the guilt-offering become unfit if their blood enters within, he could not give a general ruling.<sup>1</sup>

FOR R. AKIBA MAINTAINED etc. Rab Judah said in Samuel's name: For example, to what may R. Akiba's ruling be compared? To a disciple who was mixing [wine] for his master with hot water,<sup>2</sup> when he [the master] said to him, Mix me [a drink]. With what?<sup>3</sup> he enquired. Are we not occupied with hot water? he replied; now then [I mean] with either hot or cold.<sup>4</sup> So here too: consider: we are discussing the sin-offering:<sup>5</sup> for what purpose then does the Divine Law write 'sin-offering'?<sup>6</sup> [To teach:] I do not mean a sin-offering [alone], but all sacrifices.<sup>7</sup> To this R. Huna the son of R. Joshua demurred: Consider: all sacrifices are included in respect of scouring and rinsing; why then does the Divine Law write 'sin-offering'?<sup>8</sup> Hence you may infer from this: only the sin-offering, but nothing else. This then can only be compared to a disciple who was mixing [a drink] for his master with either hot or cold water, when he said to him, Mix it for me with hot water only! — Rather, R. Akiba's reason is that 'and every sin-offering' is written where '[and] a sin-offering' [would suffice].<sup>9</sup> For it was taught: 'A sin-offering': I know [this] only [of] a sin-offering; how do we know [it of] most sacred sacrifices [in general]? Because it says, 'Every sin-offering'. How do we know [it

of] lesser sacrifices? Because it says, 'And every sin-offering': this is the view of R. Akiba. Said R. Jose the Galilean to him: Even if you go on including all day, I will pay no heed to you.<sup>10</sup> Rather: 'a sin-offering': I only know [this of] a private sin-offering:<sup>11</sup> whence do we know [it of] a public sin-offering? Because it says, 'Every sin-offering'. Again, I know it only of a male sin-offering: whence do I know [it of] a female sin-offering? Because it says. 'And every'. It is just the reverse!<sup>12</sup> — Rather, this is what he means: I only know [it of] a female sin-offering: whence do I know [it of] a male sin-offering? From the text, 'And every sin-offering'.

Now, does R. Jose the Galilean hold that this text comes for this purpose? Surely it was taught, R. Jose the Galilean said: The whole passage speaks only of the bullocks which were to be burnt and the he-goats which were to be burnt, and its purpose is [i] to teach that when they are disqualified they must be burnt before the Temple; and [ii] to impose a negative injunction against eating them.<sup>13</sup> Said they to him: As to an [outer] sin-offering whose blood entered the innermost [sanctuary], whence do we know [that it is disqualified]? Said he to them: [From the verse,] Behold, the blood of it was not brought into the sanctuary within?<sup>14</sup> — He argues on R. Akiba's contention.<sup>15</sup>

MISHNAH. IF THE BLOOD OF A SIN-OFFERING WAS RECEIVED IN TWO GOBLET'S AND ONE OF THEM WENT WITHOUT,<sup>16</sup> THE INSIDE ONE IS FIT.<sup>17</sup> IF ONE OF THEM ENTERED WITHIN,<sup>18</sup> R. JOSE THE GALILEAN DECLARES THE OUTER ONE<sup>19</sup> FIT;<sup>20</sup> BUT THE SAGES DISQUALIFY IT. SAID R. JOSE THE GALILEAN: IF THE PLACE WHERE AN INTENTION [DIRECTED TO IT] DISQUALIFIES, [VIZ.,] WITHOUT,<sup>21</sup> YOU DO NOT TREAT WHAT IS LEFT AS WHAT WENT OUT;<sup>21</sup> THEN THE PLACE WHERE AN INTENTION [DIRECTED TO IT] DOES NOT DISQUALIFY, [VIZ.,] WITHIN,<sup>22</sup> IS IT NOT LOGICAL THAT WE DO NOT TREAT WHAT IS LEFT<sup>23</sup> AS WHAT ENTERED WITHIN? IF IT ENTERED WITHIN TO MAKE ATONEMENT,<sup>24</sup> EVEN IF HE [THE PRIEST] DID NOT MAKE ATONEMENT,<sup>25</sup> IT IS UNFIT: THESE ARE THE WORDS OF R. ELIEZER. R. SIMEON SAID: [IT IS NOT UNFIT] UNLESS HE MAKES ATONEMENT. R. JUDAH SAID: IF HE TOOK IT IN UNWITTINGLY,<sup>26</sup> IT IS FIT. FOR ALL UNFIT BLOOD WHICH WAS PRESENTED AT THE ALTAR [I.E., SPRINKLED] THE HEADPLATE DOES NOT PROPITIATE,<sup>27</sup> SAVE FOR UNCLEAN [BLOOD]. FOR THE HEADPLATE PROPITIATES FOR THAT WHICH IS UNCLEAN, BUT DOES NOT PROPITIATE FOR WHAT GOES OUT.<sup>28</sup>

GEMARA. It was taught, R. Jose the Galilean said: It is a kal wa-homer: If the place where an intention [directed to it] disqualifies. [viz.,] without, the blood without does not disqualify that which is within;<sup>29</sup> then the place where an intention [directed to it] does not disqualify. [viz.,] within, is it not logical that the blood within does not disqualify that which is without? Said they to him, Lo, it says, [And every sin-offering] whereof any of the blood is brought [into the tent of meeting . . . shall be burnt with fire]:<sup>30</sup> [this implies,] even part of its blood. Said he to them: Then you now have a kal wa-homer in respect of [blood] that goes out; if the place where an intention [directed to it] does not disqualify [viz.,] within, yet the blood within disqualifies [the blood] without; where intention does disqualify, [viz.,] without, it is not logical that the blood without disqualifies [the blood] within? Said they to him: Lo, it says, whereof [any of the blood] is brought [into etc.]: that which enters within disqualifies, but that which goes out does not disqualify. Now, let intention [to sprinkle] within<sup>31</sup> disqualify, a fortiori: if though<sup>32</sup> blood without does not disqualify [the blood] within, yet intention without<sup>33</sup> disqualifies; then seeing that the blood within does disqualify the blood without, is it not logical that intention within disqualifies? Lo, it says: On the third day:<sup>34</sup>

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(1) That the blood should be sprinkled first within and then without, since this would not apply to these two. Therefore his view is not stated at all.

(2) Their wine was too strong to be drunk without dilution.

(3) Hot or cold water.

(4) As you were actually mixing wine with hot water, I had no need to say anything at all. Therefore when I told you to

mix me a drink, I meant that it could be with either hot or cold water (Tosaf.).

(5) The whole section in Lev. VI, 19-23 q.v. treats of the sin-offering.

(6) Ibid. 23: And every sin-offering whereof any of the blood is brought into the tent of meeting to make atonement in the holy place (i.e., an outer sin-offering whose blood is sprinkled on the inner altar) shall not be eaten; it shall be burnt with fire.

(7) Interpreting: And even every sin-offering, although some sin-offerings must be brought within, and how much the more other sacrifices!

(8) Lev. VI, 21 states: But the earthen vessel wherein it (sc. the sin-offering) is sodden shall be broken; and if it be sodden in a brazen vessel, it shall be scoured and rinsed in water. The following verse states 'it is most holy' from which it is inferred infra 96b that the law of scouring and rinsing applies to all sacrifices. Hence at this stage (v. 22) we are already treating of all sacrifices; if then v. 23 is to apply likewise to all, Scripture should simply write: And that whereof any of the blood etc.

(9) Lit., 'R. Akiba's reason is from sin-offering, and every sin-offering.'

(10) I reject your view that 'and' and 'every' are extensions which include other kinds of sacrifices, seeing that the passage speaks of sin-offerings only.

(11) For this section is followed by sections on the guilt-offering and the peace- and thanksofferings, which were private sacrifices.

(12) The usual sin-offering is a female, and no extension is needed to include it.

(13) This refers to the verse under discussion, which the Rabbis relate to an outer sin-offering whose blood was carried into the inner court, thereby disqualifying it. But R. Jose the Galilean relates it to an inner sin-offering, e.g., the bullock brought when the entire congregation sins in ignorance (v. Lev. IV, 13 f). Hence he interprets: And every sin-offering whereof any of the blood is (rightly) brought into the tent of meeting etc. shall not be eaten. Now this is superfluous in respect of a valid sacrifice, since it is explicitly stated in IV, 21: and he shall carry forth the bullock without the camp, and burn it. Consequently, the verse must mean that if it became unfit through going outside its legitimate boundary or through defilement, it must be burnt in front of the Birah (the Temple), and not carried 'without the camp' i.e., beyond the Temple Mount. Further, this prohibits the eating of its flesh by a negative injunction, violation of which involves flagellation (Lev. IV, 21 merely contains an affirmative precept, the disregard of which is not punished by flagellation). Thus R. Jose the Galilean does not relate this text to outer sin-offerings at all.

(14) Lev. X, 18; v. supra 10b.

(15) He personally holds that it refers to inner sin-offerings. But he argues that even on R. Akiba's view that it refers to outer sin-offerings, the extension of 'and' and 'every' must apply to sin-offerings likewise, not to other sacrifices.

(16) Sc. the Temple court.

(17) One can sprinkle the blood in it, and the sacrifice is valid.

(18) Into the hekal, the inner sanctum.

(19) I.e., the one that remained in the Temple court.

(20) For sprinkling.

(21) An intention at the shechitah to sprinkle the blood without the Temple court disqualifies the sacrifice. Yet if one actually carried one goblet without, we do not regard the other goblet as though it too had been carried without, for the first clause states, THE INSIDE ONE IS FIT.

(22) The intention to sprinkle the blood within, in the hekal, does not disqualify the sacrifice.

(23) V. p. 389, n. 7.

(24) If it was carried into the hekal for sprinkling.

(25) He did not actually sprinkle it.

(26) Not knowing that it was forbidden.

(27) Make it fit.

(28) v. supra 23b.

(29) As in the Mishnah.

(30) Lev. VI, 23.

(31) I.e., the intention to take the blood into the hekal.

(32) Lit., 'where'.

(33) Sc. the intention to sprinkle the blood without.

(34) Lev. VII, 17.

## Talmud - Mas. Zevachim 82b

[this teaches that the illegitimate intention must refer to] a place with a threefold function, [viz.,] in respect of blood, flesh, and emurim.<sup>1</sup>

Now, let an intention concerning without not disqualify [the sacrifice], a fortiori: if although the blood within disqualifies [the blood] without, an intention concerning within does not disqualify; then seeing that the blood without does not disqualify [the blood] within, is it not logical that an intention concerning without shall not disqualify? Therefore Scripture writes 'third', which means after time; while piggul means without bounds.<sup>2</sup>

Flesh which goes without becomes unfit; that which enters within, is fit. Now, logically it might be unfit. For if though the blood without does not disqualify [the blood] within, flesh which goes without becomes unfit; then since blood within does disqualify [blood] without, is it not logical that flesh which enters within shall be disqualified? Lo, it says, any of the blood: its blood [disqualifies],<sup>3</sup> but not its flesh. Then in that case you can argue a fortiori: if though the blood within disqualifies [the blood] without, flesh that enters within is fit; then since blood without does not disqualify [blood] within, is it not logical that flesh that goes without is fit? Lo, it says. Therefore ye shall not eat any flesh that is torn of beasts in the field:<sup>4</sup> once flesh passes without bounds, it is forbidden.<sup>5</sup>

Our Rabbis taught: [Behold the blood of it was not brought into the sanctuary] within.<sup>6</sup> I only know [it of] within;<sup>7</sup> how do we know [it of] the hekal? Because it says, into the sanctuary within.<sup>8</sup> Then let the 'sanctuary' be stated, but not 'within'? — Said Raba: One comes and illumines the other,<sup>9</sup> this being analogous to the case of toshab and sakir. For it was taught: Toshab means one [a Hebrew slave] acquired in perpetuity; sakir, one purchased for a period of [six] years.<sup>10</sup> Now, let toshab be stated, but not sakir, and I would reason: if one acquired in perpetuity may not eat, how much more so one acquired only for a period of [six] years?<sup>11</sup> Were it so, I would say: Toshab is one purchased for a limited period, but one acquired in perpetuity may eat. Therefore sakir comes and teaches the meaning of toshab, that the latter is one purchased in perpetuity, while the former is one purchased for a period of [six] years, and [neither] may eat. Said Abaye to him, As for there, it is well: They are two persons, and though Scripture could write, A [slave] whose ear was bored may not eat,<sup>12</sup> and the other would be inferred a minori, yet Scripture [often] takes the trouble to write a thing which is derived a minori. But here, since it becomes unfit in the hekal, what business has the inner sanctuary?<sup>13</sup> — Rather said Abaye: It is required only [where the priest takes] a circuitous route.<sup>14</sup> Said Raba to him: But 'entering' is written in connection therewith?<sup>15</sup> — Rather said Raba: Whatever [the priest] intends [to carry into] the innermost sanctuary does not become unfit in the hekal.<sup>16</sup>

Raba asked: What if [the priest] carried the blood of the congregational bullock for forgetfulness or the he-goat for idolatry into the innermost sanctuary?<sup>17</sup> Do we say, [Scripture writes] 'into the sanctuary within'; wherever we read 'into the sanctuary' we read 'within', and wherever we do not read 'into the sanctuary', we do not read 'within'?<sup>18</sup> Or perhaps, it is not in its place.<sup>19</sup> Now, should you answer that it is not in its place, what if [the priest] sprinkled the blood of the bullock and that of the he-goat of the Day of Atonement on the slaves, then carried it out into the hekal,<sup>20</sup> and then took it in again?<sup>21</sup> Do we say, It is their place; or perhaps, once it has gone out, it has gone out?<sup>22</sup> Should you answer, Once it has gone out, it has gone out: What if he sprinkled their blood on the veil,

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(1) V. supra 29a.

(2) V. supra 28a and whole discussion there.

(3) When it is brought into the hekal.

(4) Ex. XXII, 30.

- (5) 'In the field', is apparently superfluous. Hence it is interpreted as intimating that when flesh is found beyond its bounds (as a field, which has no barriers), it is a terefah (lit., torn of the beasts'), and forbidden.
- (6) Lev. X, 28.
- (7) I.e., only if the blood is taken into the innermost sanctuary is the sacrifice disqualified.
- (8) The sanctuary corresponds to the hekal, which contained the Table and the Candlestick (v. Ex. XXV, 23. 31), and led into the Holy of Holies; cf. infra 83a.
- (9) Only because 'within' is written do we know that 'sanctuary' means the hekal (for otherwise it is superfluous). But if 'sanctuary' alone were written, it might mean the innermost sanctuary.
- (10) The reference is to Lev. XXII, 10: A toshab of a priest, or a sakir, shall not eat of the holy thing (i.e., terumah).
- (11) For the former is more of the priest's chattel (v. ibid. 10) than the latter.
- (12) V. Ex. XXI, 5 f.
- (13) For, in order to get into the inner sanctuary it must pass through the hekal.
- (14) E.g. he enters the innermost sanctuary by way of the roof or through upper chambers, avoiding the hekal altogether.
- (15) Which implies that it becomes unfit only if he enters the innermost sanctuary in the usual way.
- (16) This is intimated when Scripture states both 'sanctuary' and 'within'. Hence if he changes his mind after carrying it into the hekal and takes it back, it remains fit.
- (17) If the whole congregation sins through having forgotten a law a bullock must be sacrificed; for unwitting idolatry a he-goat is brought. The blood of these must be taken into the hekal, but not into the innermost sanctuary.
- (18) Only where the sacrifice is disqualified when the blood is taken 'into the sanctuary' (i.e., the hekal), it is likewise disqualified when it is taken 'within' (the innermost shrine), but not otherwise.
- (19) The text implies that when the blood is taken without bounds the sacrifice is disqualified, and that applies here too.
- (20) To sprinkle the blood on the veil, as is necessary.
- (21) Into the innermost shrine: this was no longer necessary.
- (22) And must not be taken in again.

### **Talmud - Mas. Zevachim 83a**

carried it out to the altar, and then carried it within? Here it is certainly the same place; or perhaps, we designate this carrying [going] out?<sup>1</sup> The questions stand over.

IF IT ENTERED WITHIN TO MAKE ATONEMENT. It was taught, R. Eliezer said: It is stated here, to make atonement in the holy place;<sup>2</sup> and it is stated elsewhere, And there shall be no man in the tent of appointment when he goeth in to make atonement in the holy place:<sup>3</sup> as there it means when he has not yet made atonement,<sup>4</sup> so here too it means when he has not yet made atonement.<sup>5</sup> R. Simeon said: It is stated here, 'to make atonement'; and it is stated elsewhere, 'And the bullock of the sin-offering, and the goat of the sin-offering, whose blood was brought in to make atonement':<sup>6</sup> as there it means when he had [already] made atonement,<sup>7</sup> so here it means where he made atonement.<sup>8</sup> Wherein do they differ? — One master holds, You learn without from without,<sup>9</sup> but you do not learn without from within;<sup>10</sup> while the other master holds: You learn an animal from an animal, but you do not learn an animal from man.

R. JUDAH SAID etc. But if [the priest took it in] deliberately, it is disqualified; [when?] if he made atonement, or [even] if he did not make atonement? — Said R. Jeremiah, It was taught:<sup>11</sup> Since it is said, 'And the bullock of the sin-offering, and the goat of the sin-offering, whose blood was brought in to make atonement in the holy place'; why is it [further] said, And he that burneth them [shall wash his clothes]?<sup>12</sup> (You ask, why is it further said, 'And he that burneth them'? that is required for itself!)<sup>13</sup> — Rather [the question is] why is 'sin-offering, repeated? Because we have only learnt that when the bullock and the he-goat of the Day of Atonement are burnt they defile garments; how do we know [the same of] other [sacrifices] which are burnt? — Because 'sin-offering' is repeated:<sup>14</sup> these are the words of R. Judah. R. Meir said: That [exegesis] is unnecessary.<sup>15</sup> Lo, it says, 'And the bullock of the sin-offering and the he-goat of the sin-offering': now, 'to make atonement' need not be stated;<sup>16</sup> why then is 'to make atonement stated? It teaches



that with all atoning sacrifices,<sup>17</sup> he that burns them [the sacrifices] defiles his garments. Whereas R. Judah does not understand 'to make atonement' in that way. What is the reason? Surely because he utilises it for a gezerah shawah.<sup>18</sup> C H A P T E R I X

MISHNAH. THE ALTAR SANCTIFIES WHATEVER IS ELIGIBLE FOR IT.<sup>19</sup> R. JOSHUA SAID: WHATEVER IS ELIGIBLE FOR THE ALTAR FIRE DOES NOT DESCEND [THENCE] ONCE IT ASCENDED, BECAUSE IT IS SAID, THAT IS THE BURNT-OFFERING UPON ITS FIREWOOD:<sup>20</sup> AS THE BURNT-OFFERING, WHICH IS ELIGIBLE FOR THE ALTAR FIRE, DOES NOT DESCEND ONCE IT ASCENDED, SO WHATEVER IS ELIGIBLE FOR THE ALTAR FIRE DOES NOT DESCEND ONCE IT ASCENDED. R. GAMALIEL SAID: WHATEVER IS ELIGIBLE FOR THE ALTAR DOES NOT DESCEND ONCE IT ASCENDED, BECAUSE IT IS SAID: THAT IS THE BURNT-OFFERING UPON ITS FIREWOOD UPON THE ALTAR: AS THE BURNT-OFFERING, WHICH IS ELIGIBLE FOR THE ALTAR, DOES NOT DESCEND ONCE IT ASCENDED, SO WHATEVER IS ELIGIBLE FOR THE ALTAR DOES NOT DESCEND ONCE IT ASCENDED. R. GAMALIEL AND R. JOSHUA DIFFER ONLY IN RESPECT OF THE BLOOD AND LIBATIONS, R. GAMALIEL MAINTAINING THAT THEY MUST NOT DESCEND, WHILE R. JOSHUA MAINTAINS THAT THEY MUST DESCEND.<sup>21</sup> R. SIMEON SAID: IF THE SACRIFICE IS FIT WHILE THE LIBATIONS [WHICH ACCOMPANIED IT] ARE UNFIT; OR IF THE LIBATIONS ARE FIT WHILE THE SACRIFICE IS UNFIT; OR EVEN IF BOTH ARE UNFIT, — THE SACRIFICE MUST NOT DESCEND, WHILE THE LIBATIONS DO DESCEND.<sup>22</sup> [

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(1) V. Lev. XVI, 18 f: And he shall go out unto the altar that is before the Lord, and make atonement for it; and shall take of the blood of the bullock, and of the blood of the goat, and put it upon the horns of the altar round about. And he shall sprinkle of the blood upon it with his finger seven times. According to the Talmud this refers to the golden altar which was in the same portion as the veil. Hence 'and he shall go out' can only mean that he passes beyond the whole altar, i.e., he must not stand on the inner side of the altar, between it and the veil, but on the outer side, between it and the door. In the present instance he carried the blood back on the inner side of the altar; and the question is: as it is in the same portion as the veil, perhaps it does not disqualify it; or do we say that since Scripture designates going to the outer side of the altar 'going out' the inner side is ipso facto a separate place and disqualifies it?

(2) Lev. VI, 23.

(3) Ibid. XVI, 17.

(4) No man must be there when he is about to make atonement.

(5) The flesh is disqualified if the blood is taken into the hekal to make atonement, even if atonement was not made, i.e., the blood was not sprinkled there.

(6) Lev. XVI, 27.

(7) That is evident from the whole passage.

(8) Only then is the sacrifice disqualified.

(9) Viz., the law about the bullock whose blood must be sprinkled without from the man who is bidden to stay without.

(10) From the Day of Atonement sacrifice whose blood is rightly brought within.

(11) Emended text (Sh. M.).

(12) Ibid. 28.

(13) To teach that his garments are defiled.

(14) The second one being superfluous, it extends the law to all sin-offerings which are burnt.

(15) It is implied in the Biblical text itself.

(16) We already know from the context that that was its purpose.

(17) I.e., all those for whom atonement is made.

(18) Sc. as R. Simeon supra. Accordingly, the sacrifice is disqualified only if he did make atonement.

(19) I.e., anything which was appointed for the altar, even if it subsequently became unfit, is nevertheless sanctified by the altar in the sense that if laid upon it, it must not be removed.

(20) Lev. VI, 2.

(21) R. Joshua and R. Gamaliel disagree as to the meaning of 'WHATEVER IS ELIGIBLE FOR IT'. R. Joshua holds

that it means whatever is eligible for the altar fire, i.e., to be burnt on the altar, such as the limbs of a burnt-offering. Blood and libations, however, which are not meant for burning on the altar at all, must be taken down even laid on it. R. Gamaliel maintains that ELIGIBLE means in any capacity, and so if these ascended, they do not descend.

(22) R. Simeon agrees with R. Joshua where the libations accompany a sacrifice, and with R. Gamaliel where they come by themselves. His view is discussed below.

### **Talmud - Mas. Zevachim 83b**

GEMARA. Only what is ELIGIBLE FOR IT, but not what is not eligible for it; what does this exclude?<sup>1</sup> — Said R. Papa: It excludes ‘fistfuls’<sup>2</sup> which were not sanctified in a [service] vessel.<sup>3</sup> To this Rabina demurred: How does this differ from ‘Ulla’s [ruling]? For ‘Ulla said: If the emurim of lesser sacrifices were laid [on the altar] before the sprinkling of their blood, they are not removed, [because] they have become the food of the altar!<sup>4</sup> — The latter do not themselves lack a rite, while the former themselves lack a rite.<sup>5</sup>

R. JOSHUA SAID: WHATEVER IS ELIGIBLE FOR THE ALTAR FIRE etc. And R. Gamaliel too? Surely it is written, the burnt-offering upon its firewood? — That comes to teach that [limbs] which spring off [from the altar] must be replaced.<sup>6</sup> And the other;<sup>7</sup> how does he know that the [limbs] which spring off must be replaced? — He deduces it from whereto the fire hath consumed.<sup>8</sup> And the other?<sup>9</sup> — That is required [for teaching]: What was consumed as a burnt-offering you must replace, but you do not replace what was consumed as incense [ketoreth]. For R. Hanina b. Minyomi the son of R. Eliezer b. Jacob recited: [And he shall take up the ashes] whereto the fire hath consumed the burnt-offering on the altar: what was consumed as a burnt-offering you replace, but you do not replace what was consumed as incense. And the other?<sup>10</sup> — Do you then not learn automatically that we replace what was consumed as a burnt-offering?<sup>11</sup>

R. GAMALIEL SAID: WHAT IS ELIGIBLE etc. And R. Joshua too: surely upon the altar is written? — He requires that [as follows]: What does the Divine Law say? Whatever is eligible for its firewood, the altar sanctifies.<sup>12</sup> And the other?<sup>13</sup> — Another ‘altar’ is written.<sup>14</sup> And the other?<sup>15</sup> — One [is required] where it had a period of fitness,<sup>16</sup> while the other [text] is required where it had no period of fitness.<sup>17</sup> And the other?<sup>18</sup> — Since they are [now] unfit and the Divine Law included them,<sup>19</sup> there is no difference whether they had a period of fitness or did not have a period of fitness.

R. SIMEON SAID: IF THE SACRIFICE IS FIT etc. It was taught, R. Simeon said: [Scripture speaks of] a burnt-offering: as a burnt-offering comes on its own account, so all which come on their own account [are included]:<sup>20</sup> [hence] libations which come on account of a sacrifice are excluded. R. Jose the Galilean said: From the text, ‘Whatsoever toucheth the altar shall be holy’, I understand whether it is eligible [for the altar] or not eligible. Therefore Scripture states: [Now this is what thou shalt offer upon the altar: two] lambs:<sup>21</sup> as lambs are eligible [for the altar], so whatever is eligible [is included]. R. Akiba said: [Scripture states,] burnt-offering:<sup>22</sup> as a burnt-offering is eligible [for the altar], so whatever is eligible [is included]. Wherein do they differ? — Said R. Adda b. Ahabah: They differ about a disqualified burnt-offering of a bird: one master deduces [the law] from ‘burnt-offering’,<sup>23</sup> while the other master deduces it from ‘lambs’.<sup>24</sup> Now, as to the one who deduces it from ‘lambs’, surely ‘burnt-offering’ [too] is written? — If ‘lambs’ were written while ‘burnt-offering’ were not written, I would think [that the law applies] even [if they became disqualified] while yet alive:<sup>25</sup> therefore the Divine Law wrote ‘burnt-offering’.<sup>26</sup> And as to the one who deduces it from ‘burnt-offering’, surely ‘lambs’ is written? — If ‘burnt-offering’ were written while ‘lambs’ were not written, I would think [that the law applies] even [to] a meal-offering.<sup>27</sup> Therefore the Divine Law wrote ‘lambs’.

Wherein do these Tannaim and the Tannaim of our Mishnah differ? — Said R. Papa: They differ in respect of fistfuls which were sanctified in a [service] vessel.<sup>28</sup> According to our Tannaim, they do

not descend;<sup>29</sup> while according to the other Tannaim they descend.<sup>30</sup>

Resh Lakish said: With regard to a meal-offering which comes by itself,<sup>31</sup> all<sup>32</sup> of them hold that it does not descend; but according to R. Jose the Galilean and R. Akiba

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- (1) On which both R. Joshua and R. Gamaliel will agree.
  - (2) Taken from meal-offerings; v. Lev. II, 2.
  - (3) These are not considered eligible at all, and even if laid on the altar they must be removed.
  - (4) Now, the fistfuls of a meal-offering correspond to the emurim of animal sacrifices; and the former are sanctified for the altar by being placed in a service vessel, while the latter are likewise sanctified by the sprinkling of the blood. Hence the same law should apply to both.
  - (5) Nothing more was to be done to the emurim themselves, and only the blood still required sprinkling. Whereas the fistfuls themselves should first have been placed in a service vessel.
  - (6) Because 'upon its firewood' implies that whatever has already become as firewood and is feeding the flames of the altar must remain as a burnt-offering; so that if anything springs off it must be put back.
  - (7) R. Joshua.
  - (8) Lev. VI, 3. That is superfluous, as it is obvious that the ashes are the result of the fire. Hence it is interpreted as intimating that whatever once fed the fire belongs to the altar, even if it jumped off.
  - (9) R. Gamaliel; how does he utilise that text?
  - (10) R. Joshua; how does he know this?
  - (11) If the text teaches that you must replace whatever sprang off, that obviously includes what was consumed as a burnt-offering. And at the same time, since the whole passage treats of the burnt-offering only, you cannot make it refer to incense.
  - (12) I.e., 'upon the altar' does not extend the law, as R. Gamaliel maintains, but intimates why whatever is eligible for the altar-fire must be replaced, viz., because the altar sanctified it.
  - (13) Where does he find the reason?
  - (14) Ex. XXIX, 37: Whatsoever toucheth the altar shall be holy.
  - (15) R. Joshua: what need is there of two texts?
  - (16) Before it became unfit, e.g., if it was kept overnight, taken out of bounds, or defiled.
  - (17) E.g., if it was slaughtered with an illegitimate intention.
  - (18) R. Gamaliel: whence does he know this?
  - (19) In the law that they must remain on the altar if laid thereon.
  - (20) In the law that if laid on the altar they must remain there.
  - (21) Ex. XXIX, 38. This immediately follows the text quoted.
  - (22) Ibid. 42. Rashi says that it is written in the present verse (38). In fact, it is absent in the M.T. in this verse, but found in the Samaritan Text; v. Sanh. (Sonc. ed.) p. 34a
  - (23) Hence it includes a burnt-offering of a bird too.
  - (24) Hence only animal sacrifices are included, but not a burnt-offering of a bird.
  - (25) E.g., if it had a cataract on the eye.
  - (26) Intimating that this law applies only from the time that it was fit to ascend as a burnt-offering (in Heb. 'ascend' — the altar — and 'burnt-offering' are the same word viz., 'olah). Yet the law still applies to animal sacrifices only.
  - (27) By interpreting 'olah that which ascends (v. preceding note), and so including everything that ascends the altar.
  - (28) But were subsequently disqualified.
  - (29) For they infer the law from 'its firewood' and 'on the altar' and these fulfil the conditions implied in these words, as they feed the fire and are brought on the altar.
  - (30) As they cannot be included in 'lambs' or 'burnt-offering'.
  - (31) It does not accompany an animal sacrifice.
  - (32) I.e., all except those whom he specifies. Similarly the other cases.

## Talmud - Mas. Zevachim 84a

it does descend.<sup>1</sup> With regard to a meal-offering which accompanies a sacrifice, in the view of R.

Gamaliel and R. Joshua it does not descend,<sup>2</sup> while in the view of all [the others] it does descend. Libations which come by themselves,<sup>3</sup> in the view of all of them, descend, but in the view of R. Gamaliel and R. Simeon they do not descend. Libations which come together with a sacrifice, in the view of all of them, descend, and only in the view of R. Gamaliel do they not descend. That is obvious?<sup>4</sup> — He needs [to state this on account of] a meal-offering which comes by itself,<sup>5</sup> and in accordance with Raba. For Raba said: A man can vow a meal-offering of libations every day.<sup>6</sup> Then let [Resh Lakish] inform us [this law], as Raba?<sup>7</sup> — He needs [to state the law about] libations which come with a sacrifice, where he offers them [the libations] on the morrow or on some other day.<sup>8</sup> I might argue, Since a master said: And the meal-offerings thereof and their drink-offerings<sup>9</sup> [can be brought] at night; ‘the meal-offerings thereof and their drink-offerings’ [can be brought] on the morrow,<sup>10</sup> they are as drink-offerings [libations] which are brought by themselves, and R. Simeon admits that they do not descend. Hence he [Resh Lakish] informs us [that it is not so].

MISHNAH. THE FOLLOWING DO NOT DESCEND ONCE THEY ASCENDED: [FLESH] THAT IS KEPT OVERNIGHT, OR THAT GOES OUT [OF ITS PERMITTED BOUNDARIES], OR WHICH IS UNCLEAN, OR WHICH WAS SLAUGHTERED [WITH THE INTENTION OF CONSUMING SAME] AFTER TIME OR WITHOUT BOUNDS; OR IF UNFIT [PERSONS] RECEIVED AND SPRINKLED ITS BLOOD. R. JUDAH SAID: THAT WHICH WAS SLAUGHTERED AT NIGHT OR WHOSE BLOOD WAS SPILT OR WHOSE BLOOD PASSED WITHOUT THE HANGINGS,<sup>11</sup> IF IT ASCENDED, MUST DESCEND. R. SIMEON SAID: IT DOES NOT DESCEND; BECAUSE R. SIMEON MAINTAINED: IF ITS DISQUALIFICATION AROSE IN THE SANCTUARY, THE SANCTUARY<sup>12</sup> RECEIVES IT; IF ITS DISQUALIFICATION DID NOT ARISE IN THE SANCTUARY, THE SANCTUARY DOES NOT RECEIVE IT. THE DISQUALIFICATION OF THE FOLLOWING DID NOT ARISE IN THE SANCTUARY: A ROBA’ AND NIRBA’, ONE SET ASIDE [FOR AN IDOLATROUS SACRIFICE]; AN ANIMAL WORSHIPPED [IDOLATROUSLY]; [A HARLOT’S] HIRE; [A DOG’S] EXCHANGE; KIL’AYIM; TEREFAH; AN ANIMAL CALVED THROUGH THE CAESAREAN SECTION; AND BLEMISHED ANIMALS.<sup>13</sup> R. AKIBA DECLARED BLEMISHED ANIMALS FIT.<sup>14</sup> R. HANINA THE SEGAN<sup>15</sup> OF THE PRIESTS SAID: MY FATHER USED TO REPULSE BLEMISHED ANIMALS FROM OFF THE ALTAR. JUST AS THEY DO NOT DESCEND ONCE THEY ASCENDED, SO THEY DO NOT ASCEND IF THEY HAD DESCENDED. AND ALL OF THESE, IF THEY ASCENDED TO THE TOP OF THE ALTAR WHILST ALIVE, MUST DESCEND. IF A BURNT OFFERING WENT UP ALIVE TO THE TOP OF THE ALTAR, IT MUST DESCEND. IF ONE SLAUGHTERED IT ON THE TOP OF THE ALTAR, HE MUST FLAY IT AND DISMEMBER IT WHERE IT LIES.<sup>16</sup>

GEMARA. It was taught, R. Judah said: [This is the law of the burnt-offering:] it is that which goeth up [on its firewood upon the altar all night unto the morning]:<sup>17</sup> here you have three limitations. It excludes [an animal] slaughtered at night; [an animal] whose blood was spilt; and [an animal] whose blood passed out beyond the hangings: if any one of these ascended [the altar], it must descend. R. Simeon said: ‘Burnt-offering’: I only know this of a fit burnt-offering; whence do I know to include one which was slaughtered at night, or whose blood was spilt, or whose blood passed without the hangings, or [the flesh of] which spent the night [away from the altar], or went out, or the unclean, or which was slaughtered [with the intention of burning its flesh] after time or without bounds; or whose blood was received and sprinkled by unfit [persons]; or whose blood was applied below [the scarlet line] when it should be applied above, or above when it should be applied below; or without when it should be applied within, or within when it should be applied without; or a Passover-offering or a sin-offering which one slaughtered for a different purpose: whence do we know [to include all these]? From the phrase, ‘the law of the burnt-offering’, which intimates one law for all burnt-offerings [viz.,] that if they ascended, they do not descend. You might think that I also include a roba’ and a nirba’, one set aside [for an idolatrous sacrifice], or worshipped; a [harlot’s] hire or the price [of a dog], or a hybrid, or a terefah or an animal calved through the

caesarean section. Scripture, however, states: 'it is that.' And why do you include the former and exclude the latter? Since Scripture includes

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- (1) As stated above.
  - (2) Since 'upon its firewood' and 'on the altar' are applicable to it.
  - (3) E.g., if one vows wine without a sacrifice.
  - (4) All this directly follows from their views stated above.
  - (5) I.e., to teach that a meal-offering can be brought alone.
  - (6) I.e., even without a sacrifice, which naturally would not be vowed so frequently.
  - (7) Explicitly, and not overlay it with all the other rulings.
  - (8) Not at the same time as the animal sacrifice.
  - (9) Num. XXIX, 6 et passim. 'Their' refers to the animal sacrifices.
  - (10) V. supra 8a.
  - (11) I.e., outside the Temple court.
  - (12) Here the altar.
  - (13) Cf. supra 71a and b.
  - (14) If they ascend, they do not descend.
  - (15) Chief of the priests and deputy High Priest; v. Sanh. (Sonc. ed.) p. 97, n. 1.
  - (16) Lit., 'in its place'.
  - (17) Lev. VI, 2.

### **Talmud - Mas. Zevachim 84b**

and excludes, I include the former, because their disqualification arose in the sanctuary, while I exclude the latter whose disqualification did not arise in the sanctuary.<sup>1</sup>

But R. Judah infers [the law] from the following: Why did they say that if blood is kept overnight it is fit? Because if the emurim are kept overnight they are fit. Why are the emurim fit if they are kept overnight? Because flesh is fit if kept overnight. [Flesh that] goes out? Because [flesh that] goes out is fit at the high place [bamah]. Unclean [flesh]? Because it was permitted in public service. [The emurim of a sacrifice intended to be burnt] after time? Because it propitiates in respect of its piggul status. [The emurim of a sacrifice intended to be burnt] out of bounds? Because it was likened to [the intention to burn it] after time. Where unfit [persons] received [the blood] and sprinkled it — in the case of those unfit persons who are eligible for public service. Can you then argue from what is its proper way to that where the same is not the proper way? — The Tanna relies on the extension indicated by, This is the law of the burnt-offering.<sup>2</sup>

R. Johanan said: If one slaughters an animal at night withi<sup>3</sup> and offers it<sup>4</sup> without,<sup>5</sup> he is culpable:<sup>6</sup>

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- (1) For notes v. supra 27b.
  - (2) Lev. VI, 2. For notes v. supra 51a.
  - (3) The Temple court.
  - (4) Lit., 'carries up' (its limbs).
  - (5) The Temple court; he offers it up by laying it on a stone or on an altar-like pile (v. Sifra on Lev. XVII, 6).
  - (6) On account of laying limbs sacrificially without, even according to R. Judah who maintained that if it ascended the altar it must still descend. Those which if laid on the altar do not descend certainly render the priest culpable if he lays them without, since these can be received by the altar(v. infra 111b).

### **Talmud - Mas. Zevachim 85a**

let this not be less than slaughtering without and offering up [the limbs without<sup>1</sup>]. R. Hiyya b. Abin

raised an objection: One who slaughters a bird within and offers it up without is not culpable; if he slaughtered [it] without and offered it up without, he is culpable. Yet let us say: Let it not be less than slaughtering and offering up without? — That is a refutation. Alternatively, The slaughtering of a bird within is mere killing.<sup>2</sup>

‘Ulla said: If the emurim of lesser sacrifices are laid [on the altar] before their blood is sprinkled, they do not descend, [because] they have become the food of the altar. R. Zera observed, We too learnt [likewise]: THAT . . . WHOSE BLOOD WAS SPILT OR WHOSE BLOOD PASSED WITHOUT THE HANGINGS: If you say there that if [the limbs or emurim] ascended they do not descend, though if he [the priest] should come to sprinkle, he has nothing to sprinkle;<sup>3</sup> how much more so here, seeing that if he comes to sprinkle, he has what to sprinkle! — [No:] relate this to a most sacred sacrifice.<sup>4</sup> But there is the Passover-offering, which is a lesser sacrifice?<sup>5</sup> — Relate this to [where it is slaughtered] under a different designation.<sup>6</sup>

We learnt: AND ALL OF THESE, IF THEY ASCENDED THE ALTAR WHILST ALIVE, MUST DESCEND. Hence [if they ascended] when slaughtered, they do not descend: surely that is so whether they are most sacred sacrifices or lesser sacrifices? — No: [deduce thus:] but if they are slaughtered, some of these must descend,<sup>7</sup> and some do not descend. But he teaches, AND ALL OF THESE. — That refers to whilst alive. That is obvious?<sup>8</sup> — In truth it refers to living animals which have a cataract in the eye, this being in accordance with R. Akiba who maintained that if these ascend they do not descend.<sup>9</sup>

How have you explained it? As referring to unfit [animals]! Then consider the final clause: IF A BURNT-OFFERING WENT UP ALIVE TO THE TOP OF THE ALTAR, IT MUST DESCEND. IF ONE SLAUGHTERED IT ON THE TOP OF THE ALTAR, HE MUST FLAY IT AND DISMEMBER IT WHERE IT LIES. But if it is unfit, can it be flayed and dismembered? Surely the Divine Law said: And he shall cut it into pieces,<sup>10</sup> ‘it’ [implies] a fit; but not an unfit [animal]? — The final clause refers to a fit [sacrifice]; and what does he [the Tanna] inform us?<sup>11</sup> that flaying and dismembering can be done on top of the altar. Then on the view that flaying and dismembering cannot be done on top of the altar, what can be said? — The case we discuss here is, e.g., where it had a period of fitness and then became disqualified,<sup>12</sup> this agreeing with R. Eleazar son of R. Simeon who maintained: Since the blood was sprinkled and the flesh had become acceptable<sup>13</sup> even for a single hour, he must flay it, and its skin belongs to the priests.<sup>14</sup> If so, when it was taught: ‘What does he do?<sup>15</sup> He takes down the inwards and washes them’, why should he do so?<sup>16</sup> — What then should we do? Offer [i.e. burn] them with their dung? ‘Present it now unto thy governor; will he be pleased with thee? or will he accept thy person?’<sup>17</sup> This is our difficulty: why must he wash them?<sup>18</sup> — So that if another priest chances upon them and does not know,<sup>19</sup> he will take them up.

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(1) Where one is culpable for each act separately.

(2) Not ritual slaughtering (shechitah), since it requires melikah (v. Glos.). For that reason he is not culpable. But when he slaughters an animal sacrifice at night, it does count as shechitah (since hullin may be slaughtered at night).

(3) Since the blood is spilt.

(4) The Mishnah may refer to most sacred sacrifices only, whose emurim are intrinsically holy even before the blood is sprinkled. Possibly, however, the same does not apply to lesser sacrifices, whose emurim are sacred only in virtue of the sprinkling of the blood.

(5) The Mishnah enumerates this too, and it is now assumed that this law applies even where its blood is spilt.

(6) As the Mishnah actually states. It does not apply, however, to the present instance.

(7) Sc. lesser sacrifices.

(8) Obviously they cannot remain there but must be brought down and slaughtered, and then they will be taken up again. If then this is not taught for the sake of the inference (viz., that all of these, if slaughtered, do not descend), it is altogether superfluous.

(9) V. supra 77b. The Mishnah thus informs us that they must descend, and even if subsequently slaughtered they may

not re-ascend.

(10) Lev. I, 6.

(11) If it is fit, it obviously descends, since it will be taken up again.

(12) It refers indeed to a fit animal which ascended alive, but after it was slaughtered on top of the altar and its blood was sprinkled, it became disqualified; therefore it must be flayed and dismembered on top of the altar, for if it is taken down it may not be taken up again, since it was disqualified. And as to the objection that an unfit animal cannot be flayed, the answer is that it had a period when it was fit for flaying before it became disqualified.

(13) This is a technical term denoting that the flesh was now fit for its purpose.

(14) Even if it became unfit after the sprinkling of the blood. Though the flesh cannot be burnt on the altar but in the place of burning unfit sacrifices, the skin is not burnt with it but belongs to the priests. So here too, when it is on top of the altar it must likewise be flayed and dismembered.

(15) In this case where an animal ascended the altar whilst alive and it was slaughtered there.

(16) Seeing that they are unfit. For though these unfit animals must not be taken down, yet if they are, they may not be taken up again.

(17) Mal. I, 8. This is a protest against offering anything unseemly, and it is most unseemly to offer the inwards uncleaned.

(18) Since they must be taken down, after which they cannot go up again, let them be left as they are.

(19) That they are unfit.

### **Talmud - Mas. Zevachim 85b**

And shall we arise and do a thing to priests whereby they may come to a stumbling block?<sup>1</sup> — Even so it is better, that Divine sacrifices should not lie like carrion.<sup>2</sup>

R. Hiyya b. Abba said: R. Johanan asked: If the emurim of lesser sacrifices were taken up before their blood was sprinkled, must they go down or not? Said R. Ammi to him: Then inquire about a trespass-offering?<sup>3</sup> — I do not ask about a trespass-offering, he replied, because sprinkling alone makes it subject to a trespass-offering; I only ask about [their] going down. And he [eventually] ruled that they do not go down and do not involve trespass.

R. Nahman b. Isaac recited it thus. R. Hiyya b. Abba said, R. Johanan asked: If the emurim of lesser sacrifices were taken up before their blood was sprinkled, do they involve a trespass-offering or not? Said R. Ammi to him: Then ask about [their] going down? I do not ask about going down, he replied, because they have become the food of the altar;<sup>4</sup> I ask only about a trespass-offering. And [eventually] he ruled: They do not go down and do not involve trespass.

THE DISQUALIFICATION OF THE FOLLOWING DID NOT ARISE IN THE SANCTUARY etc. R. Johanan said: Only in the case of cataracts in the eye did R. Akiba declare them fit, since such are fit in the case of birds, and provided that their consecration [for a sacrifice] preceded their blemish. And R. Akiba admits in the case of a female burnt-offering [that it must be taken down], because that is tantamount to the blemish preceding its consecration.<sup>5</sup>

R. Jeremiah asked: Is nirba' [a disqualification] in birds or is nirba' no [disqualification] in birds?<sup>6</sup> Do we say: [Ye shall bring your offering] of the cattle<sup>7</sup> excludes roba' and nirba': [hence] whatever is subject to [the disqualification of] roba' is subject to [the disqualification of] nirba'; and whatever is not subject to roba' is not subject to nirba'.<sup>8</sup> Or perhaps, sin has been committed with it?<sup>9</sup> — Said Raba, Come and hear: R. AKIBA DECLARED BLEMISHED ANIMALS FIT. Now, if this is correct,<sup>10</sup> let him also declare a nirba' fit,<sup>11</sup> since it is fit in the case of birds.<sup>12</sup> Hence infer from this [that it is not fit]. R. Nahman b. Isaac said: We too have learnt thus: With regard to a nirba', a bird set apart [for an idolatrous sacrifice], a bird worshipped, a [harlot's] hire, the price [of a dog], a tumtum<sup>13</sup> and a hermaphrodite, all of these defile garments when they are in the gullet.<sup>14</sup> This proves it.

R. HANINA THE SEGAN OF THE PRIESTS. What does he inform us? — I can say that he informs us of the actual fact.<sup>15</sup> Alternatively, what does HE REPULSED mean? Indirectly.<sup>16</sup>

JUST AS THEY DO NOT DESCEND IF THEY ONCE ASCENDED etc. ‘Ulla said: They learnt this only where the fire had not taken hold of it; but if the fire had taken hold of it, it must re-ascend. R. Mari recited this in connection with the first clause.<sup>17</sup> R. Hanina of Sura recited it in connection with the final clause:<sup>18</sup> With regard to the bones, tendons, horns and hoofs, if they are attached [to the animal], they ascend [the altar]; if they are severed [from the animal] they do not ascend.<sup>19</sup> Said ‘Ulla: They learnt this only where the fire had not taken hold of them; but if the fire had taken hold of them, they ascend.<sup>20</sup> He who recites it in connection with the final clause [holds that it applies] all the more to the first clause.<sup>21</sup> He however who recites it in connection with the first clause [maintains]: but as for the final clause, those things are not normally burnt [on the altar].<sup>22</sup>

MISHNAH. THE FOLLOWING IF THEY ASCENDED GO DOWN:<sup>23</sup> THE FLESH OF MOST SACRED SACRIFICES AND THE FLESH OF LESSER SACRIFICES; THE RESIDUE OF THE ‘OMER;<sup>24</sup> THE TWO LOAVES;<sup>25</sup> THE SHEWBREAD;<sup>26</sup> THE RESIDUE OF MEAL-OFFERINGS;<sup>27</sup> AND INCENSE.<sup>28</sup> THE WOOL ON THE HEADS OF LAMBS, THE HAIR OF HE-GOATS BEARDS; THE BONES, TENDONS, HORNS AND HOOFS, IF THEY ARE ATTACHED, GO UP, BECAUSE IT IS SAID, AND THE PRIEST SHALL MAKE THE WHOLE SMOKE ON THE ALTAR;<sup>29</sup> IF THEY ARE SEVERED [FROM THE ANIMAL], THEY DO NOT GO UP, FOR IT IS SAID, AND THOU SHALT OFFER THY BURNT-OFFERINGS, THE FLESH AND THE BLOOD, [UPON THE ALTAR OF THE LORD THY GOD]].<sup>30</sup>

GEMARA. Our Rabbis taught : And the priest shall make the whole smoke on the altar: this includes the bones, tendons, horns and hoofs. You might think, even if they were severed; therefore it states, ‘And thou shalt offer thy burnt-offerings, the flesh and the blood’. If [we had only the text] flesh and blood [to go by],

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- (1) Surely we may not cause another priest to think that they are fit.
  - (2) Hence they must be washed.
  - (3) If one misappropriates sacred property to secular use he is liable to a trespass-offering. Normally when emurim are laid on the altar (after the sprinkling of the blood) they become the property of the altar, and anyone thus misappropriating them incurs a trespass-offering. Then let the question be asked: does the law of trespass apply if they were taken up before the sprinkling of the blood?
  - (4) V. supra a.
  - (5) For notes v. supra 35b.
  - (6) There is no question about roba’, as a male bird does not copulate with a woman.
  - (7) Lev. I, 2. ‘Of’ (Heb. ם) is partitive, and regarded as a limitation.
  - (8) So that it does not disqualify a bird.
  - (9) Hence it is disqualified.
  - (10) That nirba’ does not disqualify a bird.
  - (11) Sc. an animal, in the sense that it does not descend.
  - (12) Even to sacrifice such in the first place.
  - (13) An animal or bird whose genitals are covered up, so that its sex cannot be determined. — This passage refers to birds.
  - (14) V. p. 257, n. 1. This proves that nirba’ is a disqualification.
  - (15) What happened in such cases.
  - (16) Not openly, as this would seem to degrade sacrifices, but covertly. Lit., ‘as with the back of the hand’.
  - (17) The present Mishnah, referring to unfit animals.
  - (18) The next Mishnah.
  - (19) And if they did, they must be removed.



- (20) Even if taken down.  
 (21) Because the first clause deals with things that are normally burnt on the altar.  
 (22) Therefore even if the fire had taken hold of them, they are taken down, since they have no connection with the altar at all.  
 (23) Because they do not belong to the altar at all.  
 (24) The 'omer (q.v. Glos.) after it was waved; v. Lev. XXIII, 20 seq.  
 (25) V. Lev. XXIII, 15 seq.  
 (26) V. Ex. XXV, 30.  
 (27) V. Lev. II, 2 seq.  
 (28) Which must be burnt on the inner altar.  
 (29) Lev. I, 9.  
 (30) Deut. XII, 27.

## Talmud - Mas. Zevachim 86a

you might have thought that one must remove the tendons and bones and lay [only] flesh on the altar; therefore it says, 'And the priest shall make the whole smoke'. How are these text reconciled? If they are attached, they ascend; if they are severed, even if they are on the top of the altar, they must go down.

Which Tanna do you know to maintain that if they were severed, they must go down? It is Rabbi. For it was taught: 'And the priest shall make the whole smoke on the altar': this includes the bones, tendons, horns and hoofs, even if they were severed. How do then I interpret, 'And thou shalt offer thy burnt-offerings, the flesh and the blood'? It is to teach you: Burnt pieces [flesh] of the burnt-offering you must replace [on the altar],<sup>1</sup> but you do not replace burnt tendons and bones. Rabbi said: One text states, 'And the priest shall make the whole smoke on the altar', thus extending [the law], while another text states, 'And thou shalt offer thy burnt-offerings, the flesh and the blood', thus limiting [it]. How do you reconcile them? If they are attached, they ascend; if they are severed, even if they are on the top of the altar, they descend.

IF THEY ARE SEVERED [FROM THE ANIMAL], THEY DO NOT GO UP etc. R. Zera said: They learnt this only if they were severed downwards;<sup>2</sup> but [if they were severed] upwards,<sup>3</sup> they come nearer to being burnt.<sup>4</sup> Even if they were severed?<sup>5</sup> — Said Rabbah: This is what he means: They learnt this only if they were severed after sprinkling;<sup>6</sup> but if they were severed before sprinkling, the sprinkling comes and makes them permitted [for general use], even to make from them a knife handle.<sup>7</sup> He holds as R. Johanan said on R. Ishmael's authority: 'It shall be his' [the priest's] is said of the burnt-offering, and 'it shall be his' is said of the guilt-offering.<sup>8</sup> as the bones of a guilt-offering are permitted, for even its flesh is permitted to the priests, so are the bones of a burnt-offering permitted. This must be redundant,<sup>9</sup> for if it is not redundant, you can refute [the deduction]: as for a guilt-offering, the reason is because its flesh is permitted.<sup>10</sup> [It is redundant, for] a superfluous 'it shall be his' is written.<sup>11</sup>

R. Adda b. Ahaba raised an objection: The bones of sacrifices involve trespass<sup>12</sup> before sprinkling, but do not involve trespass after sprinkling; whereas the bones of a burnt-offering always involve trespass?<sup>13</sup> — Say: Whereas those of a burnt-offering, if they were severed before sprinkling, involve trespass until the sprinkling; [if they were severed] after sprinkling, they always involve trespass.<sup>14</sup>

Now he [Rabbah] disagrees with R. Eleazar. For R. Eleazar said: If they were severed before sprinkling, they involve trespass; after sprinkling, one must not use them,<sup>15</sup> but they do not involve trespass.<sup>16</sup> MISHNAH. AND IF ANY OF THESE<sup>17</sup> SPRANG OFF FROM THE ALTAR<sup>18</sup> THEY ARE NOT REPLACED. SIMILARLY, IF A COAL SPRANG OFF FROM THE ALTAR, IT IS

NOT REPLACED. LIMBS THAT SPRANG OFF FROM THE ALTAR: IF BEFORE MIDNIGHT, MUST BE REPLACED, AND INVOLVE TRESPASS; AFTER MIDNIGHT, THEY ARE NOT REPLACED AND DO NOT INVOLVE TRESPASS. JUST AS THE ALTAR SANCTIFIES WHATEVER IS ELIGIBLE FOR IT, SO DOES THE ASCENT SANCTIFY WHATEVER IS ELIGIBLE FOR IT;<sup>19</sup> AND JUST AS THE ALTAR AND THE ASCENT SANCTIFY WHATEVER IS ELIGIBLE FOR THEM, SO DO VESSELS SANCTIFY.<sup>20</sup>

GEMARA. How is it meant? If they have substance,<sup>21</sup> then even after midnight too [let them be returned]; while if they have no substance, even before midnight too [they need] not [be returned]? — This holds good only

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(1) If they sprang off.

(2) Away from the burning pile. Then they do not go up, and if they did, they are removed. — They were placed on the altar, of course, whilst attached to the flesh.

(3) Springing nearer to the centre of the pile.

(4) They are not removed. — This passage is thus apparently based on the Mishnah. Tosaf. however points out that the Mishnah discusses whether they are to be placed on the altar at all, whereas this assumes that it was already there. Accordingly Tosaf. explains that it refers to the Baraita just quoted, where the first Tanna maintains that the bones etc. are included even if they are severed.

(5) The meaning of this is doubtful, and Rashi assumes that there is a lacuna in the text. If the text is correct, the meaning would be: do you say that even if they were severed (upwards) they remain on the altar; surely the Mishnah teaches that only when attached do they ascend? Sh. M. quotes a variant reading: It was stated above: this includes the bones etc. even if they were severed. Said Rabbah: They learnt this only etc.

(6) Then they must descend, nevertheless they are still regarded as sacred, and must be so treated.

(7) I.e., they have no sanctity at all.

(8) Lev. VII, 7f.

(9) Lit., 'free', 'disengaged.' The form of exegesis just used, based on the fact that the same words are used of both, is called a *gezerah shawah*, and in such the word used as a basis of deduction must be entirely free for that purpose, being otherwise redundant.

(10) Hence its bones are too. Whereas the flesh of a burnt-offering must be burnt on the altar, and so its bones too may be forbidden.

(11) Scripture could write, the skin of the burnt-offering . . . shall be the priest's.

(12) V. p. 405, n. 8.

(13) This proves that they are always forbidden.

(14) Emended text (Sh.M.).

(15) By Rabbinical law.

(16) This agrees with R. Ishmael supra. When he quotes 'it shall be his' it must mean after sprinkling, for it is the sprinkling that permits the flesh (and so the bones too, on his view) to the priests.

(17) The unfit and bones etc. which if laid on the altar must not be removed.

(18) Through the heat.

(19) If laid on the ascent, it must not be removed.

(20) Sc. service-vessels — they sanctify what is placed in them.

(21) If these limbs are not burnt right through and the flesh is recognisable.

## Talmud - Mas. Zevachim 86b

of hardened [limbs].<sup>1</sup>

Whence do we know it?<sup>2</sup> — Said Raba: One text states, [This is the law of the burnt-offering: it is that which goeth up on its firewood upon the altar] all night . . . and he shall burn thereon etc.<sup>3</sup> Whereas another text states, all night . . . and he shall take up the ashes.<sup>4</sup> How are these texts reconciled?<sup>5</sup> Divide it [the night]: half is for burning, and half for taking up [the ashes].<sup>6</sup> R. Kahana

raised an objection: Every day he [the priest] takes up [the ashes]<sup>7</sup> at cockcrow, or slightly before or slightly after. On the Day of Atonement, [he does this] at midnight; on festivals, at the first watch.<sup>8</sup> If then you maintain that [the altar must be cleared] from midnight [onwards], how may we advance it? — Said R. Johanan: From the implication of ‘all night’, do I not know that it is until the morning? Why then is ‘unto the morning’ stated? Add another morning to the morning of the night.<sup>9</sup> Therefore every day it is sufficient from cockcrow. On the Day of Atonement [it is done] at midnight, on account of the fatigue<sup>10</sup> of the High Priest.<sup>11</sup> On festivals when there were many sacrifices and so the Israelites came very early, [it was done] at the first watch, as the sequel teaches: and before cockcrow the Temple court was full of Israelites.

It was stated: If they sprang off<sup>12</sup> before midnight and he replaced them after midnight: Rabbah said:

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(1) The fire had hardened them and completely dried up all their natural moisture, yet had not turned them into charred coals.

(2) That the matter depends on midnight.

(3) Lev. VI, 2-5. The combination of these texts implies that ‘all night’ is meant in respect of burning.

(4) Ibid. 3. He assumes that ‘and he shall take up the ashes’ also means during the night, (i.e., ‘all night’), since the whole verse reads: And the priest shall put on his linen garment . . . and he shall take up the ashes: as it does not say that he must don his linen garment in the morning, it is assumed that he did it at night and straightway took up the ashes. Thus this contradicts the implication of the first verse.

(5) Emended text (Sh.M.).

(6) The first half is for burning, and during this time the flesh is not considered completely consumed unless it has actually been turned into ashes. The second half is for clearing, in the sense that even before the flesh has actually become ashes but has merely reached the stage of hardness it is regarded as ashes. If, however, it still retains the softness of flesh, it is obviously not ashes, and must not be removed.

(7) A shovelful of ashes which were placed at the east side of the ascent.

(8) Yoma 20a. The night (roughly from 6 P.M. to 6 A.M.) was divided into three or four watches (the matter is debated in Ber. 3a). The end of the first watch would be about 9 or 10 P.M., two or three hours before midnight.

(9) The morning of the night is dawn, while the additional morning is any earlier hour when the priests might rise to commence the service, according to the exigencies of the day. Since this is not fixed, it can be put forward or deferred as may be necessary.

(10) Lit., ‘weakness’.

(11) To enable him to rest after it until the morning burnt-offering. This assumes that the High Priest removed the ashes himself. Tosaf. however suggests that it may mean that the ashes were removed (by another priest) earlier to enable the wood pile to be arranged and likewise the other rites to be performed as early as possible, so that the High Priest could sacrifice the daily burnt-offering at dawn, before he was hungry and fatigued.

(12) Lit., ‘separated’.

## Talmud - Mas. Zevachim 87a

The second midnight consumes them.<sup>1</sup> R. Hisda said: The dawn consumes them. The scholars of the Academy said: What is R. Hisda's reason? If midnight, which does not establish linah,<sup>2</sup> establishes ‘ikul;<sup>3</sup> then dawn, which establishes linah, surely establishes ‘ikul. If they sprang off before midnight and he replaced them after dawn, — Rabbah said: The second midnight consumes them; R. Hisda said: They never reach ‘ikul.<sup>4</sup> To this R. Joseph demurred: And who is to tell us that midnight establishes ‘ikul [only when they are] on the top of the altar; perhaps it establishes ‘ikul wherever they are? They sent from thence:<sup>5</sup> The law agrees with R. Joseph.<sup>6</sup> It was stated likewise: R. Hiyya b. Abba said: If they sprang off before midnight and were replaced after midnight, you may not use them, nor do you commit trespass on their account.<sup>7</sup> Bar Kappara taught likewise: If they sprang off before midnight and were replaced after midnight, they are not subject to trespass. R. Papa asked Abaye: Now, since they sent from there [that] the law agrees with R. Joseph, and R. Hiyya b. Abba

said [the same], and Bar Kappara taught likewise, wherein do Rabbah and R. Hisda disagree? — In the case of fat [limbs], he answered him.<sup>8</sup>

Raba asked Rabbah: Is linah effective [when the limbs are] on the top of the altar, or is it not effective on top of the altar? — What are the circumstances: if we say that they [the limbs] did not descend,<sup>9</sup> surely since you say that even if they were kept overnight in the Temple court they do not descend,<sup>10</sup> can there be a question [when they are kept on] the top of the altar?<sup>11</sup> Rather [the question is] where they descended. Do we liken it to the Table, for we learnt: Even if they<sup>12</sup> are on the Table many days, it does not matter? Or perhaps we liken it to the pavement of the Temple court?<sup>13</sup> — Said he to him: Linah is not [effective when the flesh is] on the top of the altar. Did he accept [this ruling] from him or did he not accept it from him? — Come and hear. For it was stated: Limbs which spent the night in the Temple court, [the priest] can go on burning them all night;<sup>14</sup> if they were kept overnight on the top of the altar, he can always go on burning them.<sup>15</sup> If they descended: Rabbah said: They re-ascend; Raba said: They do not re-ascend.<sup>16</sup> This proves that he did not accept [the ruling] from him. This proves it.

**JUST AS THE ALTAR SANCTIFIES** etc. Our Rabbis taught: Whatsoever touches the altar [shall be holy]:<sup>17</sup> I know it only of the altar; how do I know [it of] the ascent? Because it says, the [eth] altar.<sup>18</sup> How do we know [it of] service vessels? Because it says: Whatsoever toucheth them shall be holy.<sup>19</sup>

Resh Lakish asked R. Johanan: Do the service vessels sanctify the disqualified? — We have learnt it, he replied: **JUST AS THE ALTAR AND THE ASCENT SANCTIFY WHATEVER IS ELIGIBLE FOR THEM, SO DO VESSELS SANCTIFY!**<sup>20</sup> Said he, My question is whether they can be offered in the first place. But that too we have learnt:

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(1) They will not be assumed to reach the stage of hardness (v. supra 86b) until the following midnight; unless, of course, they are reduced to ashes before then.

(2) The status of flesh that is kept overnight. Midnight does not confer that status, and flesh that falls off after midnight is replaced on the altar.

(3) Lit. 'burning,' 'consumption'. If the flesh is hard by midnight (v. supra 86b top) it is regarded as consumed, and if it springs off after that it is not replaced.

(4) Whenever they spring off, until they are actually ashes, they must be replaced, and involve trespass.

(5) Sc. from Palestine — The reference is to R. Eleazar (v. Sanh. 17b).

(6) His argument is correct. — Actually they did not give a ruling (Tosaf).

(7) They need not have been replaced, as they no longer belong to the altar. Hence they do not involve trespass; nevertheless, benefit from them is interdicted by Rabbinical law.

(8) Even when they harden they are not regarded as consumed ('ikul), because their fat keeps them from becoming ashes. Only then do Rabbah and R. Hisda disagree as to their status. But in the case of ordinary flesh they agree that midnight establishes 'ikul.

(9) But remained on the altar, away from the fresh wood pile for the new sacrifices.

(10) If placed on the altar after the night passed.

(11) Surely they do not descend.

(12) The loaves of the Shewbread.

(13) Hence it becomes unfit.

(14) But not after, for linah disqualifies them.

(15) They are never disqualified as long as they are there.

(16) Because linah disqualifies them, and so like all disqualified limbs they do not re-ascend once they descended.

(17) Ex. XXIX, 37.

(18) The reference is probably either to XXIX, 44: And I will sanctify the tent of meeting, and the altar; or to XXX, 26-28: And thou shalt anoint therewith . . . the altar of burnt-offering. In either case the preceding eth (which denotes the acc.) is regarded as an extension, thus including the ascent.

(19) Ibid. XXX, 29. 'Them' refers (among other things) to service vessels, which are spoken of in the preceding verses.

(20) The reference being to disqualified sacrificial parts. V. Mishnah notes.

## Talmud - Mas. Zevachim 87b

[Or] where unfit [persons] received and sprinkled the blood.<sup>1</sup> Surely that means, where unfit [persons] received and sprinkled the blood.<sup>2</sup> — No: [it may mean] that unfit [persons] received it or unfit persons sprinkled the blood.<sup>3</sup>

The scholars asked:<sup>4</sup> Is the air-space above the altar as the altar, or not?<sup>5</sup> — Come and hear: JUST AS THE ALTAR SANCTIFIES SO DOES THE ASCENT SANCTIFY. Now, if you say that the airspace above the altar is not as the altar, then the air-space above the ascent too is not as the ascent; how then can one carry it up from the ascent to the altar, seeing that it is as having descended?<sup>6</sup> — He drags it.<sup>7</sup> But there was a gap between the ascent and the altar?<sup>8</sup> — When the greater part of it [the limb] is nearer the ascent, it is as though it were [on] the ascent, and when the greater part of it is nearer the altar, it is as though it were on the altar. Then from this you can solve Rami b. Hama's question, [viz.]: Is there a connective in [limbs which] ascend the altar or not?<sup>9</sup> Solve that there is a connective?<sup>10</sup> — That is no difficulty: Then solve it!

Raba son of R. Hanan demurred: If you say that the air-space above the altar is as the altar, how is it possible for a burnt-offering of a bird to be disqualified through an [illegitimate] intention; surely the altar has received it?<sup>11</sup> R. Shimi b. Ashi demurred: Why not? It is possible e.g., where he declared: Behold, I pinch it intending to take it off to-morrow [from the altar], then carry it up again and burn it.<sup>12</sup> (That is well according to Raba who maintained [that] linah is effective [when the sacrifice is] on top of the altar; but according to Rabbah who held that linah is not effective on top of the altar, his intention [certainly] does not count!<sup>13</sup> — According to Rabbah too it is possible e.g. if he declared: Behold, I pinch it with the intention of taking it down before dawn and taking it up again after dawn.)<sup>14</sup> At all events, you can solve [the question] in the other direction, viz., that the air-space of the altar is as the altar,<sup>15</sup> for should you think that the air-space of an altar is not as the altar,

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(1) V. supra 84a.

(2) The 'and' (Heb. 7) being conjunctive. This implies that only then do they not descend once they ascended, which further implies that they may not ascend in the first place. Hence, if unfit persons received the blood (naturally, in a service vessel) whilst fit persons sprinkled it, they may ascend (be offered) in the first place, and that must be because the vessels sanctified the blood to permit its sprinkling at the outset.

(3) And we are informed that even then the limbs do not descend once they ascended, notwithstanding that they were disqualified by the sprinkling.

(4) Emended text (Sh.M.).

(5) If one suspends disqualified limbs above the altar, is it as though they are on the altar itself and must not be removed, or not?

(6) For if it is not as the ascent, when he lifts it up to carry to the altar it is as though he had taken it down, and we learnt that if it descended it must not re-ascend.

(7) Up to the altar without lifting it up from the ascent.

(8) V. supra 62b. And when the limbs reach the gap, they are as though taken down.

(9) If the smaller part of a limb springs off, is it considered as still attached to the whole, and so must be replaced, or not?

(10) For otherwise each portion of the limb becomes disqualified as it enters the gap between the altar and the ascent.

(11) The neck of a burnt-offering of a bird was pinched (v. Lev. I, 15) on top of the altar, i.e., in the air-space above the altar. Now if the priest actually kept it suspended in the air-space above the altar until the next day it would be fit then for ritual burning, for disqualified sacrifices do not descend once they ascended (i.e., even if linah does disqualify when the sacrifice is on the altar). Since then it is fit for burning on the morrow, why should the intention to burn it on the

morrow disqualify it, seeing that at the very moment that it is killed it is as though laid on the altar?

(12) This would be forbidden, as if it descended it does not re-ascend. Hence the intention too can disqualify it.

(13) For even if he kept it until the morrow on the top of the altar it would not be disqualified, so that if he took it down then he would still have to replace it. The intention to do this would certainly not disqualify it.

(14) If the sacrifice were actually on the ground at dawn it would be disqualified, and so the intention too disqualifies it.

(15) This is the conclusion of R. Shimi b. Ashi's argument: though R. Hanan's reasoning is faulty, yet one can argue in the reverse direction.

## Talmud - Mas. Zevachim 88a

how may one sprinkle the blood of a disqualified sin-offering of a bird, as it has the status of having descended,<sup>1</sup> [and] how could one sprinkle the blood of other disqualified [sacrifices]?<sup>2</sup> — He contacts [the blood] [with the wall of the altar].<sup>3</sup> Is that haza'ah? it is draining; is that zerikah? it is pouring out;<sup>4</sup> moreover, is that the way of haza'ah and zerikah?<sup>5</sup> — Said R. Ashi: If he held it on top of the altar, that would indeed be so; the question arises where he [the priest] stands on the ground and suspends it [the blood] on a cane?<sup>6</sup> what then? The question stands over. MISHNAH. THE VESSELS FOR LIQUIDS SANCTIFY LIQUIDS,<sup>7</sup> AND THE MEASURES FOR DRY MATTER SANCTIFY DRY MATTER.<sup>8</sup> A LIQUID VESSEL DOES NOT SANCTIFY DRY MATTER, NOR DOES A DRY [MEASURE] SANCTIFY A LIQUID. IF HOLY VESSELS WERE PERFORATED AND THEY CAN BE USED FOR THE SAME PURPOSE AS WHEN WHOLE, THEY SANCTIFY [WHAT IS PLACED IN THEM]; IF NOT, THEY DO NOT SANCTIFY. AND ALL THESE SANCTIFY ONLY IN THE SANCTUARY.<sup>9</sup>

GEMARA. Samuel said: They learnt [this] only of the measures,<sup>10</sup> but the basins sanctified,<sup>11</sup> for it is said: Both of them filled with fine flour.<sup>12</sup> Said R. Aha of Difti to Rabina: But that was a moist meal-offering?<sup>13</sup> — He replied, The proof is from the dry parts thereof.<sup>14</sup> Alternatively, a meal-offering is dry in comparison with blood.<sup>15</sup>

Samuel said. The service vessels sanctified only when whole, full,<sup>16</sup> and through the inside.<sup>17</sup> Others state it: They sanctify only when whole, full, and within.<sup>18</sup> Wherein do they differ? — They differ in respect of the overflow of measures.<sup>19</sup> In a Baraitha it was taught: They sanctify only when full, whole, through the inside and within. R. Assi said in R. Johanan's name: They learnt this<sup>20</sup> only where he [the priest] does not intend to add thereto; but if he intends adding thereto, each portion becomes holy in turn.<sup>21</sup> It was taught likewise: [Both of them] filled [with fine flour]: 'filled' means complete.<sup>22</sup> Said R. Jose: When is that? When he does not intend to add [thereto]; but if he intends to add [thereto], each portion becomes holy in turn.

A LIQUID VESSEL DOES NOT SANCTIFY etc. Rab-others state R. Assi-said: They do not sanctify to be offered, but they sanctify [it] to be disqualified.<sup>23</sup> Others recite it in connection with the following: You may not bring meal-offerings, drink-offerings, and the meal-offering of an animal [sacrifice], or the first-fruits,<sup>24</sup> from a mixture;<sup>25</sup> and it goes without saying from 'orlah and kil'ayim of the vineyard.<sup>26</sup> If one did bring [such], it is not sanctified. Said Rab — others state, R. Assi — : It is not sanctified to be offered, but it is sanctified to be disqualified.<sup>27</sup>

Our Rabbis taught: When holy vessels are perforated, you may not melt them<sup>28</sup> nor melt lead into them.<sup>29</sup> If they were damaged,<sup>30</sup> you may not repair them. If a knife was damaged, you may not smooth out the damage;<sup>31</sup> if it slipped out [of its haft], you may not replace it. Abba Saul said: There was a knife which caused terefoth<sup>32</sup> in the Temple, whereupon the priests decided by vote to hide it.

Our Rabbis taught: The priestly garments were not sewn but woven,<sup>33</sup> as it is said, of woven work.<sup>34</sup> If soiled, they might not be washed with natron<sup>35</sup> or with ahal.<sup>36</sup> But you may wash them in water?<sup>37</sup> — Said Abaye, This is what he means: If they [merely] needed water,<sup>38</sup> you may wash

them [even] with natron or ahal.

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- (1) If one pinched the bird on the altar with an illegitimate intention, it is disqualified; as soon as he lifts it in order to sprinkle the blood, it is as though he had taken it down from the altar, and such may not be taken up again. Hence the blood could not be sprinkled.
  - (2) According to R. Gamaliel who maintains that if the blood of disqualified sacrifices ascended the altar, it must not descend. But sprinkling is done from a distance, so that the blood passes through the air-space of the altar.
  - (3) Not from the distance.
  - (4) Haza'ah and zerikah are two words for sprinkling, the latter denoting a sprinkling with greater force than the former. — If he does not sprinkle the blood from the distance, it is not sprinkling at all.
  - (5) Even if this could be called sprinkling, it is certainly not the manner in which sprinkling is done.
  - (6) The above argument proves nothing. For when the man stands on the altar and holds the blood or the bird in his hand, the air-space is certainly as the altar itself, for the fact that he is standing on it gives the blood etc. the same status as though it were on the altar.
  - (7) E.g. the plates and basins for blood, wine and oil.
  - (8) There were two dry measures, an 'issaron (tenth part of an ephah) and half an 'issaron: the first was used for measuring all meal-offerings, while the second was used for the High Priest's daily morning and evening meal-offerings (v. Lev. VI, 12 seq.).-Rashi and Tosaf. give different reasons why the Mishnah speaks of liquid vessels and dry measures.
  - (9) The Temple court.
  - (10) Only the liquid measures, of which there were seven, do not sanctify dry matter. The reason is because these were only fit for measuring, and had been anointed (whereby they were sanctified) for this purpose only.
  - (11) Though meant primarily for liquids, they could also be used for meal.
  - (12) Num. VII, 13. 'Both' included a basin, which was normally used for liquids.
  - (13) V. *ibid.*: with fine flour mingled with oil for a meal-offering.
  - (14) Lit., 'it is necessary only for the dry parts'. — Mingling could not be so thorough as to leave no dry parts at all, yet these too were sanctified by the basins.
  - (15) For which the basins were normally used.
  - (16) They must contain as much as is required, e.g., if flour for a meal-offering is placed in them, there must be at least an 'issaron.
  - (17) But if flour is heaped up on the outside of a service vessel, it is not sanctified.
  - (18) Rashi: in the Temple court.
  - (19) When a measure is overfilled, so that there is a brim, the Rabbis disagree as to whether the overflow is sanctified (Men. 90a). He who maintains that only the inside sanctifies, holds that the overflow is not sanctified.
  - (20) That it sanctifies only when full.
  - (21) Lit., 'the first, the first is holy'. Every little quantity is sanctified as it is poured into the vessel, and it remains sanctified even if it was not full eventually.
  - (22) Containing the necessary measure (v. n. 10, p. 416); only then is it sanctified.
  - (23) If meal is placed in a liquid vessel, it is sanctified in so far that if it is then carried out of the Temple court or touched by a tebul yom (q.v. Glos.), it is disqualified from being used henceforth for a meal-offering.
  - (24) I.e., which accompanied an animal sacrifice or the first-fruits.
  - (25) A mixture of terumah and hullin.
  - (26) V. Glos. and Deut. XXII, 9. A meal-offering or drink-offering can certainly not be brought from these, which are forbidden to all, including priests. But it may not be brought even from a mixture of terumah and hullin, which is permitted to priests, though priests consume the meal-offering, because what is brought must be permitted to all.
  - (27) It does not count simply as hullin but as sanctified meal which had become unfit, having been sanctified by the service-vessel in which it was placed, and therefore it must be burnt.
  - (28) I.e., melt the metal around the hole to close it up.
  - (29) For the same purpose.
  - (30) More extensively.
  - (31) I.e., if the edge is heavily notched it may not be re-ground.
  - (32) It frequently became slightly notched and was inadvertently used, thus making the sacrifices terefah. — Terefoth is

used loosely for nebeloth.

(33) They were woven directly into garments, not first into cloth and then sewn together.

(34) Ex. XXVIII, 32.

(35) V. Sanh. (Sonc. ed.) p. 330, n. 5.

(36) A substance used as soap. — The reason for all these is that it savours of poverty to repair or cleanse them for Temple use.

(37) Surely not; that too savours of poverty and is moreover inefficient.

(38) Lit , 'if they were brought to water.' — i.e., they were only slightly soiled.

## Talmud - Mas. Zevachim 88b

If they needed natron or ahal, you may not wash them even in water. Others maintain: You may not wash them at all,<sup>1</sup> because there is no poverty in the place of wealth.

Our Rabbis taught: The robe [me'il] was entirely of blue,<sup>2</sup> as it is said, And he made the robe of the ephod of woven work, all of blue.<sup>3</sup> How were its skirts [made]? Blue [wool], purple wool and crimson thread, twisted together, were brought, and manufactured into the shape of pomegranates whose mouths were not yet opened<sup>4</sup> and in the shape of the cones of the helmets on children's heads. Seventy two bells containing seventy two clappers were brought and hung thereon, thirty six on each side.<sup>5</sup> R. Dosa<sup>6</sup> said on the authority of Rabbi Judah: There were thirty six, eighteen on each side.

R. 'Inyani b. Sason said: As there is a controversy here, so is there a controversy in respect to leprous plagues.<sup>7</sup> For we learnt: The appearances of plagues, R. Dosa b. Harkinas said: They are thirty six; Akabia b. Mahalallel said: They are eighteen.<sup>8</sup>

R. 'Inyani b. Sason also said: Why are the sections on sacrifices and the priestly vestments close together?<sup>9</sup> To teach you: as sacrifices make atonement, so do the priestly vestments make atonement. The coat atones for bloodshed, for it is said, And they killed a he-goat, and dipped the coat in the blood.<sup>10</sup> The breeches atoned for lewdness, as it is said, And thou shalt make them linen breeches to cover the flesh of their nakedness.<sup>11</sup> The mitre made atonement for arrogance. How do we know it? — Said R. Hanina: Let an article placed high up<sup>12</sup> come and atone for an offence of hauteur. The girdle atoned for [impure] meditations of the heart, i.e., where it was placed.<sup>13</sup> The breastplate atoned for [neglect of] civil laws, as it is said, And thou shalt make a breastplate of judgment.<sup>14</sup> The ephod atoned for idolatry, as it is said, Without ephod there are teraphim.<sup>15</sup> The robe atoned for slander. How do we know it? — Said R. Hanina: Let an article of sound<sup>16</sup> come and atone for an offence of sound. The headplate atoned for brazenness: of the headplate it is written, And it shall be upon Aaron's forehead,<sup>17</sup> whilst of brazenness it is written, Yet thou hadst a harlot's forehead.<sup>18</sup>

But that is not so, for surely R. Joshua b. Levi said: For two things we find no atonement through sacrifices, but find atonement for them through something else,<sup>19</sup> and they are bloodshed and slander. Bloodshed [is atoned for] by the beheaded heifer,<sup>20</sup> while slander [is atoned for] by incense. For R. Hanania recited: How do we know that incense atones? Because it is said, And he put on the incense, and made atonement for the people.<sup>21</sup> And the school of R. Ishmael taught [likewise]: For what does incense atone? For slander: let that which is done in secret<sup>22</sup> come and atone for an offence committed in secret.<sup>23</sup> Thus slander contradicts slander, and bloodshed contradicts bloodshed? — There is no difficulty: bloodshed does not contradict bloodshed: In the one case the murderer is known,<sup>24</sup> in the other the murderer is unknown.<sup>25</sup> If the murderer is known, he is liable to death?<sup>26</sup> -It means [where he committed murder] deliberately, but was not warned.<sup>27</sup> Slander too does not contradict slander: Here it was done in secret;<sup>28</sup> there it was done in public.<sup>29</sup> [

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(1) Even if slightly soiled.

(2) Tekeleth, wool dyed with a peculiar blue, now no longer obtainable.



- (3) Ibid. XXXIX. 22.
- (4) Overripe pomegranates open up slightly.
- (5) I.e., in front and behind.
- (6) Sh.M. reads: Rabbi.
- (7) Lit., 'the appearances of plagues'.
- (8) They disagree as to how many colours render these plagues leprous and unclean.
- (9) Immediately after discussing the burnt-offering, meal-offering, sin-offering, and peace-offerings (Lev. VII), Scripture speaks of the priestly garments (VIII, 1 seq.)
- (10) Gen. XXXVII, 31. This was a sign that later the coat would make atonement, even as dipping (Heb. tebillah, in later Hebrew denoting ritual immersion for purification) symbolised atonement.
- (11) Ex. XXVIII, 42.
- (12) On top of the head.
- (13) It was placed at the level of the heart.
- (14) Ibid., 15.
- (15) Hos. III, 4. Where there is no ephod, there is the unatoned-for sin of teraphim (idols). — E.V.: without ephod or teraphim.
- (16) Sc. the robe, which was fringed with bells.
- (17) Ex. XXVIII, 38.
- (18) Jer. III, 3.
- (19) Lit., 'from another place.'
- (20) V. Deut. XXI, 1-9.
- (21) Num. XVII, 12.
- (22) None was present when the incense was offered.
- (23) Slander is first related in private and then it spreads.
- (24) Then the coat makes atonement, so that the whole community should not be divinely punished.
- (25) Then the beheaded heifer makes atonement.
- (26) And until he is executed the community is not forgiven.
- (27) On 'warning, (hathra'ah) v. p. 372, n. 1. He could not be executed in that case.
- (28) Then the incense atones.
- (29) Then the robe atones.

## **Talmud - Mas. Zevachim 89a**

### **CHAPTER X**

**MISHNAH.** WHATEVER IS MORE CONSTANT THAN ANOTHER TAKES PRECEDENCE OVER THE OTHER. THE DAILY OFFERINGS<sup>1</sup> PRECEDE THE ADDITIONAL OFFERINGS;<sup>2</sup> THE ADDITIONAL OFFERINGS OF THE SABBATH PRECEDE THE ADDITIONAL OFFERINGS OF NEW MOON;<sup>3</sup> THE ADDITIONAL OFFERINGS OF NEW MOON PRECEDE THE ADDITIONAL OFFERINGS OF NEW YEAR; FOR IT IS SAID, [YE SHALL OFFER THESE] BESIDE THE BURNT-OFFERING OF THE MORNING, WHICH IS FOR A CONTINUAL BURNT-OFFERING.<sup>4</sup>

**GEMARA.** Whence do we know it? [You ask] Whence do we know it: surely he [the Tanna] states the reason, viz., 'BESIDE THE BURNT-OFFERING OF THE MORNING'? — Perhaps only the daily-offerings precede the additional offerings, because they are constant; how do we know that additional-offerings [precede] [less frequent] additional-offerings?<sup>5</sup> — Said R. Elai, Because Scripture states, Like these ye shall offer daily, for seven days:<sup>6</sup> [instead of] 'these', 'like these' [is written].<sup>7</sup> But this is required for its own purpose?<sup>8</sup> — If so,<sup>9</sup> let [Scripture] write, 'These ye shall offer daily'.<sup>10</sup> If it wrote, 'These ye shall offer daily for seven days', I would think [that] these [are offered] in the seven days?<sup>11</sup> — 'Daily' is written.<sup>12</sup> Yet I might still interpret. These [ye shall offer] for the day,<sup>13</sup> but on the remaining days I could not know how many?<sup>14</sup> — Scripture says, Ye shall

offer, [which implies] that all your offerings must be alike.<sup>15</sup> Abaye said: [We learn it] from that very text.<sup>16</sup> For if so,<sup>17</sup> let Scripture say 'beside the burnt-offering of the morning', and then be silent; why state, which is for a continual burnt-offering? To teach that that which is more constant takes precedence.<sup>18</sup>

MISHNAH. WHATEVER IS MORE SACRED THAN ANOTHER PRECEDES THAT OTHER. THE BLOOD OF A SIN-OFFERING PRECEDES THE BLOOD OF A BURNT-OFFERING,<sup>19</sup> BECAUSE IT PROPITIATES.<sup>20</sup> THE LIMBS OF A BURNT-OFFERING PRECEDE THE EMURIM OF A SIN-OFFERING,<sup>21</sup> BECAUSE IT [THE FORMER] IS ENTIRELY FOR [ALTAR] FIRES. A SIN-OFFERING PRECEDES A GUILT-OFFERING, BECAUSE ITS BLOOD IS SPRINKLED ON THE FOUR HORNS AND ON THE BASE.<sup>22</sup> A GUILT-OFFERING PRECEDES A THANKSOFFERING AND A NAZIRITE'S RAM, BECAUSE IT IS A SACRIFICE OF HIGHER SANCTITY. A THANKSOFFERING AND A NAZIRITE'S RAM PRECEDE A PEACE-OFFERING, BECAUSE THEY ARE EATEN ONE DAY [ONLY] AND REQUIRE [THE ACCOMPANIMENT OF] LOAVES. A PEACE-OFFERING PRECEDES A FIRSTLING, BECAUSE IT REQUIRES FOUR [BLOOD] APPLICATIONS, LAYING [OF HANDS]. DRINK-OFFERINGS, AND THE WAVING OF THE BREAST AND THE THIGH. A FIRSTLING PRECEDES TITHE, BECAUSE ITS SANCTITY IS FROM THE WOMB,<sup>23</sup> AND IT IS EATEN BY PRIESTS. TITHE PRECEDES BIRD[-OFFERINGS]. BECAUSE IT IS A SLAUGHTERED SACRIFICE,<sup>24</sup> AND PART OF IT IS MOST SACRED, [VIZ.,] ITS BLOOD AND EMURIM.<sup>25</sup> BIRDS PRECEDE MEAL-OFFERINGS, BECAUSE THEY ARE BLOOD SACRIFICES. A SINNER'S MEAL-OFFERING PRECEDES A VOTIVE MEAL-OFFERING, BECAUSE IT COMES ON ACCOUNT OF SIN. A SIN-OFFERING OF A BIRD PRECEDES A BURNT-OFFERING OF A BIRD; AND IT IS LIKEWISE WHEN HE DEDICATES THEM.<sup>26</sup>

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(1) Lit., 'continual' offerings — the daily burnt-offerings.

(2) Which were sacrificed on Sabbaths, Festivals, and New Moons.

(3) When the Sabbath and New Moon concurred, similarly the other cases.

(4) Num. XXVIII, 23. 'These' are the additional festival offerings, whilst 'beside the burnt-offering of the morning' implies that that had already been offered, having preceded the additional offerings.

(5) Since even the more frequent additional offerings are not really constant, perhaps we disregard their greater frequency.

(6) Ibid. 24.

(7) He interprets: like those which are mentioned in the preceding verse: as in those the more frequent take precedence, so in these (the festival additional-offerings) the more frequent take precedence.

(8) To teach that an additional offering must be brought every day of the festival.

(9) If that is its only purpose.

(10) Not 'like these.'

(11) I.e., the seven he-lambs specified in Num. XXVIII, 19 are not offered each day but spread over the seven days.

(12) Which precludes that interpretation.

(13) Sc. the first day.

(14) If Scripture did not write, like these.

(15) The offerings on each day (including the first) must be the same. Hence 'like' is unnecessary for that purpose, and so intimates precedence.

(16) Cited in the Mishnah.

(17) If its teaching applies only to the daily offerings.

(18) In all cases. For that reason 'continual' is emphasized.

(19) If both are ready for sprinkling at the same time.

(20) It makes atonement where kareth is involved.

(21) For burning.

(22) Whereas of the guilt-offering only two applications are made, and not on the horns; nor is the blood poured out on the base (Rashi).

(23) It is born sacred.

(24) Whereas a bird requires melikah; slaughtering is considered higher.

(25) Even in lesser sacrifices these possess the same sanctity as the most sacred sacrifices, since they belong to the altar. In the case of a bird only the blood possesses that sanctity, but there are no emurim.

(26) When a man dedicates the two birds (v Lev. V, 7) he first dedicates the one for sin-offering and then the one for burnt-offering.

## **Talmud - Mas. Zevachim 89b**

GEMARA. How do we know these things? — Because our Rabbis taught: And a second young bullock thou shalt take for a sin-offering:<sup>1</sup> Now, if this comes to teach that there are two [sacrifices], surely it has already been said, And offer thou the one for a sin-offering, and the other for a burnt-offering.<sup>2</sup> What then is taught by, And a second young bullock thou shalt take for a sin-offering? For one might think that a sin-offering takes precedence over all the rites of a burnt-offering,<sup>3</sup> therefore it says, And a second young bullock thou shalt take for a sin-offering.<sup>4</sup> If [we had only the text] And a second young bullock [to go by], you might think that a burnt-offering precedes a sin-offering in all its rites: therefore it says, And offer thou the one for a sin-offering, and the other for a burnt-offering. How are these [to be reconciled]? The blood of a sin-offering takes precedence over the blood of a burnt-offering [in sprinkling], because it propitiates.<sup>5</sup>

THE LIMBS OF A BURNT-OFFERING etc. Yet why so? say that [only] the first application [of the blood of the sin-offering], which makes atonement, takes precedence, but not the rest?<sup>6</sup> — Said Rabina: Here we are treating of the Levites' sin-offering, and though it was like a burnt-offering,<sup>7</sup> the Divine Law ordered it to take precedence.<sup>8</sup> In the West [Palestine] they said: Since he commenced the applications [of the sin-offering], he completes [them].

It was asked: Regarding the blood of a sin-offering and the limbs of a burnt-offering, which of them takes precedence? Does the blood of a sin-offering take precedence, because it propitiates; or perhaps the limbs of a burnt-offering take precedence, because they are entirely [destined] for [altar] fires? — Come and hear: THE BLOOD OF A SIN-OFFERING PRECEDES THE BLOOD OF A BURNT-OFFERING; thus only the blood of a burnt-offering does it precede, but it does not precede the limbs of a burnt-offering. On the contrary, [infer] from the subsequent clause: THE LIMBS OF A BURNT-OFFERING PRECEDE THE EMURIM OF A SIN-OFFERING: thus only the emurim of a sin-offering do they precede, but they do not precede the blood of a sin-offering. Rather, no inference can be made from this.

It was asked: [As to] the blood of a burnt-offering and the emurim of a sin-offering, which of these takes precedence? Does the blood of a burnt-offering take precedence, because it comes in virtue of a sacrifice that is altogether burnt; or perhaps the emurim of a sin-offering take precedence, because they come in virtue of an atoning [sacrifice]? — Come and hear: THE BLOOD OF A SIN-OFFERING PRECEDES THE BLOOD OF A BURNT-OFFERING; thus, only the blood of a sin-offering precedes the blood of a burnt-offering, but the emurim of a sin-offering do not. On the contrary, [infer] from the subsequent clause: THE LIMBS OF A BURNT-OFFERING PRECEDE THE EMURIM OF A SIN-OFFERING: thus, only the limbs of a burnt-offering precede the emurim of a sin-offering, but the blood of a burnt-offering does not. Rather, no inference can be made from this.

It was asked: [As to] the blood of a burnt-offering and the blood of a guilt-offering, which takes precedence? Does the blood of a burnt-offering precede, because it comes in virtue of a sacrifice that is altogether burnt; or perhaps the blood of a guilt-offering precedes, because it makes atonement? — Come and hear: THE BLOOD OF A SIN-OFFERING PRECEDES THE BLOOD OF A BURNT-OFFERING; hence the blood of a guilt-offering does not. [No:] by right he [the Tanna]

should have taught the blood of a guilt-offering [too], but because he wishes to teach in a later clause: THE LIMBS OF A BURNT-OFFERING PRECEDE THE EMURIM OF A SIN-OFFERING; for if he taught [that they precede] the emurim of a guilt-offering, I would argue: only the emurim of a guilt-offering do they precede, but they do not precede the emurim of a sin-offering;<sup>9</sup> for that reason he teaches about a sin-offering [only].

Come and hear: A SIN-OFFERING PRECEDES A GUILT-OFFERING; thus, only a sin-offering precedes a guilt-offering, but a burnt-offering does not. Surely that refers to the blood? — No: it refers to the emurim. This may be proved too, for he teaches. BECAUSE ITS BLOOD IS APPLIED, [and does not teach, Because it is applied].<sup>10</sup> This proves it.

A SIN-OFFERING PRECEDES etc. On the contrary, a guilt-offering should precede, because it has a fixed value?<sup>11</sup> — Even so, the greater number of altar [rites] is more important.

A GUILT-OFFERING PRECEDES A THANKSOFFERING etc. On the contrary, a thanksoffering and a nazirite's ram should take precedence, since they require loaves? — Even so, sacrifices of higher sanctity are more important.

A THANKSOFFERING AND A NAZIRITE'S RAM etc. On the contrary, a peace-offering should take precedence, since it is congregational as well as private?<sup>12</sup> — Even so [the fact that] they are eaten for one day only is more weighty.

It was asked: [As to] a thanksoffering and a nazirite's ram, which of these takes precedence? Does a thanksoffering take precedence, because it requires [the accompaniment of] four kinds of loaves;<sup>13</sup> or perhaps a nazirite's ram takes precedence, because other sacrifices<sup>14</sup> accompany it?<sup>15</sup> — Come and hear: This one precedes the other,<sup>16</sup> because the former requires four kinds of loaves, whereas the latter requires only two kinds of loaves.<sup>17</sup>

A PEACE-OFFERING PRECEDES A FIRSTLING etc. On the contrary, a firstling should take precedence, since its sanctity is from the womb and it is eaten by priests [only]? — Even so, the greater number of rites [connected with a peace-offering] are more important.

A FIRSTLING PRECEDES etc. On the contrary, tithe should take precedence, since it sanctifies what precedes it and what follows it?<sup>18</sup> Even so, sanctity from the womb is weightier.

TITHE PRECEDES BIRD-OFFERINGS etc. On the contrary, bird-offerings should take precedence, since they are most sacred? — Even so, the species of slaughtering is more important.

Rabina b. Shila said: If the emurim of lesser sacrifices are taken out<sup>19</sup> before the sprinkling of the blood, they are disqualified. Now, our Tanna supports this: BECAUSE IT IS A SLAUGHTERED SACRIFICE, AND PART OF IT IS MOST SACRED, [VIZ.,] ITS BLOOD AND EMURIM. As for emurim, it is well, [as] these are absent in birds; but blood at all events is present?<sup>20</sup> Surely then he informs us this: emurim are like blood: just as blood [is most holy] before sprinkling, so are emurim [most holy only] before sprinkling, and [only then] are they designated most sacred; and as blood is disqualified through being taken out, so are emurim disqualified through going out. Shall we say that the following supports him: If the flesh of lesser sacrifices was taken out before the sprinkling of the blood, R. Johanan says: It is fit; Resh Lakish maintains: It is disqualified. R. Johanan says [that] it is fit, since it must eventually be carried out [in any case].<sup>21</sup> Resh Lakish maintains [that] it is disqualified: it was not yet time for it to be carried out. Thus, they disagree only in respect of flesh, but not in respect of emurim!<sup>22</sup> — [No:] in fact they disagree in respect of emurim too, but the reason that they disagree [explicitly] about flesh is to inform you how far Resh Lakish maintains his view,<sup>23</sup> that even flesh, which will eventually be carried out, he maintains that it was not yet time for

it to be carried out.

Shall we say that it is dependent on Tannaim: [With regard to] emurim of lesser sacrifices which were taken out before sprinkling: R. Eliezer maintains: They do not involve trespass,<sup>24</sup>

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- (1) Num. VIII, 8. This treats of the consecration of the Levites.
  - (2) Ibid. 12. He speaks of it as 'already said' although it comes later.
  - (3) As is implied in v. 13, where sin-offering is mentioned first.
  - (4) Which intimates that it is second to the burnt-offering in the performance of its rites.
  - (5) Whilst the limbs of the burnt-offering are burnt before the emurim of a sin-offering.
  - (6) For atonement is made with a single application, supra 38a.
  - (7) Since it was not on account of sin at all.
  - (8) Hence its precedence does not cease when atonement has been made, since here there was no atonement.
  - (9) Since a sin-offering is more sacred than a guilt-offering.
  - (10) If by SIN-OFFERING he meant the blood, he should say, because it is applied. Emended text.
  - (11) Not less than two shekels; v. Lev. V, 15: a ram . . . according to thy valuation in silver by shekels . . . for a guilt-offering. Shekels implies at least two, whereas a sin-offering may be of any value.
  - (12) Congregational (public) peace-offerings were offered on the Feast of Weeks, v. Lev. XXIII, 19, whereas these others were private sacrifices only.
  - (13) V. Lev. VII, 12f.
  - (14) Lit., 'blood'.
  - (15) Sc. a sin-offering and a burnt-offering.
  - (16) Sc. the thanksoffering precedes the nazirite's ram.
  - (17) V. Num. VI, 15.
  - (18) If a man counts his cattle in order to tithe them, and declares the ninth and eleventh each as the tenth, in addition to the real tenth, they are all sanctified.
  - (19) Of the Temple court.
  - (20) Hence blood should not be mentioned, since in this respect birds are the same.
  - (21) As it is eaten anywhere in Jerusalem.
  - (22) Presumably R. Johanan too agrees that these are disqualified.
  - (23) Lit., 'to inform you the strength of Resh Lakish'.
  - (24) V. p. 405, n. 8. — This is even after sprinkling, because sprinkling is now of no avail to make them subject to trespass.

## Talmud - Mas. Zevachim 90a

and one is not culpable on their account in respect of piggul,<sup>1</sup> nothar,<sup>2</sup> or uncleanness.<sup>3</sup> R. Akiba maintains: They involve trespass, and one is culpable on their account for piggul, nothar, and defilement. Surely they disagree where they were taken in again,<sup>4</sup> and they disagree in this: one master [R. Eliezer] holds that they were disqualified by having been taken out, while another master holds that they were not disqualified by being taken out? — Said R. Papa: If they were taken in again, none disagree;<sup>5</sup> but here they disagree where they are still without,<sup>6</sup> and they disagree in this: one master holds [that] sprinkling is not effective for what is without,<sup>7</sup> while the other master holds [that] sprinkling is effective for what went out. But surely it was R. Papa who said:<sup>8</sup> If they are still without, none disagree;<sup>9</sup> they disagree only where they were taken in again? — That is only in connection with the Two Loaves, which are not part of the sacrifice itself; but since emurim are part of the sacrifice itself, they disagree where they are still without.

BIRD-OFFERINGS PRECEDE etc. On the contrary, meal-offerings should take precedence, since they are both congregational and private?<sup>10</sup> — Even so, the fact that they are blood sacrifices outweighs this.

A SINNER'S MEAL-OFFERING etc. On the contrary, a votive meal-offering should take precedence, since it requires oil and frankincense? — Even so, a sinner's meal-offering, which is brought on account of sin, is more important, since it makes atonement.

It was asked: [As to] the meal-offering of a sotah<sup>11</sup> and a votive meal-offering, which of these takes precedence? Does a votive meal-offering take precedence, because it requires oil and frankincense; or perhaps a sotah's meal-offering takes precedence, because it is brought to investigate sin? — Come and hear: A SINNER'S MEAL-OFFERING PRECEDES A VOTIVE MEAL-OFFERING: thus, only a sinner's meal-offering precedes a votive meal-offering, but a sotah's meal-offering does not! — [No:] does he then teach, because it makes atonement; [surely] he teaches, BECAUSE IT COMES ON ACCOUNT OF SIN, and this one [a sotah's meal-offering] too comes on account of sin.

Come and hear: This one precedes that one, because the former is of<sup>12</sup> wheat, while the latter is of barley.<sup>13</sup> Surely that means, a votive meal-offering [precedes] a sotah's meal-offering? — No: [it means that] a sinner's meal-offering [precedes] a sotah's meal-offering. Then infer it from the fact that the former makes atonement while the latter does not make atonement?<sup>14</sup> — What then: [it refers to] a votive meal-offering? Then infer it from the fact that the one [a votive meal-offering] requires oil and frankincense, while the other does not require oil and frankincense? Rather, he states one of two reasons.<sup>15</sup>

A SIN-OFFERING OF A BIRD PRECEDES etc. Whence do we know it? — For our Rabbis taught: And he shall offer that which is for the sin-offering first.<sup>16</sup> for what purpose is this stated? If to teach that it comes before the burnt-offering, surely it is already said, And he shall prepare the second for a burnt-offering?<sup>17</sup> This, however, furnishes a general rule for all sin-offerings, that they take precedence over all burnt-offerings which accompany them, [sc.] the bird sin-offering [precedes] the bird burnt-offering, the animal sin-offering [precedes] the animal burnt-offering, and even a bird sin-offering [precedes] an animal burnt-offering.<sup>18</sup> Therefore, [that] a bird sin-offering [precedes] a bird burnt-offering [is inferred from], And he shall prepare the second for a burnt-offering. An animal sin-offering [precedes] an animal burnt-offering, because the Divine Law intimated an extension;<sup>19</sup> a bird sin-offering [precedes] an animal burnt-offering, because this is a general rule.<sup>20</sup>

Come and hear: R. Eliezer said: Wherever a sin-offering is exchanged, the sin-offering [of a bird] takes precedence,<sup>21</sup> but here<sup>22</sup> the burnt-offering [of a bird] takes precedence.<sup>23</sup> Wherever it comes on account of sin, the sin-offering takes precedence; but here the burnt-offering takes precedence.<sup>24</sup> Wherever both [birds] come instead of one sin-offering, the sin-offering takes precedence; but here that they do not both come on account of one sin-offering,<sup>25</sup> the burnt-offering takes precedence?<sup>26</sup> — Said Raba: Scripture accorded it precedence in respect of designating it.<sup>27</sup>

Come and hear: Bullocks take precedence over rams, rams take precedence over lambs, lambs over he-goats.

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(1) Because they are as though blood had not been sprinkled for them, and so all their mattirin (q.v. Glos. and supra 29b, 43a) had not been presented.

(2) Because nothar applies only to what may be eaten within the prescribed period; this, however, may not.

(3) I.e., if an unclean person eats them, he is not liable. For only what is permitted to clean persons involves liability on account of personal defilement, but what is not so permitted does not involve liability. Now emurim (which are burnt on the altar, and so not permitted even to clean persons) are nevertheless included, as is deduced by Scriptural exegesis, but only on a similar basis to flesh: as flesh involves culpability only after sprinkling, so the emurim. Sprinkling, however, is ineffective in respect of these emurim, and therefore they do not involve culpability.

(4) Before sprinkling, yet even then R. Eliezer maintains that sprinkling is of no avail, because taking them out had

disqualified them.

(5) Sprinkling is certainly effective.

(6) At the time of sprinkling.

(7) Lit., 'for what went out' — and is still outside.

(8) In connection with the two loaves which were brought on Pentecost, if they were taken out of the Temple court between the slaughtering of the accompanying sacrifice and the sprinkling of its blood.

(9) Sprinkling is certainly of no avail.

(10) Sc. the meal-offerings which accompanied the 'omer (sheaf of corn) and the Two Loaves; these were congregational (v. Lev. XXIII, 10-21). There were no public offerings of birds.

(11) A wife suspected of adultery, v. Num. V, 12-15.

(12) Lit., 'comes from'.

(13) Wheat is superior to barley.

(14) Instead of because one is of wheat while the other is of barley.

(15) This answer must be given whatever you relate it to, and therefore it may well refer to a votive meal-offering and a sinner's meal-offering.

(16) Lev. V, 8.

(17) Ibid. 10.

(18) E.g. a woman after childbirth, who brings a year-old lamb for a burnt-offering, and a pigeon or a turtle-dove for a sin-offering.

(19) By the additional text.

(20) I.e., the law thus established applies to all sin-offerings and burnt-offerings.

(21) Where an animal sin-offering is prescribed in the first place, but Scripture permits it, when one is poor, to be exchanged for two birds of which one is for a sin-offering and one for a burnt-offering (e.g. when an unclean person enters the sanctuary, v. Lev. V, 1 seq.) the bird sin-offering takes precedence over the bird burnt-offering.

(22) In the case of a woman after childbirth to whom 'here' refers in the whole passage.

(23) Because she is liable to an animal burnt-offering, and in poverty she may bring two birds, one for a burnt-offering and another for a sin-offering, v. Lev. XII, 1 seq.

(24) As even the sin-offering is not on account of sin.

(25) In poverty she substitutes a bird burnt-offering for an animal burnt-offering, as a bird sin-offering was brought in any case, v. ibid. 6-8.

(26) This contradicts the Mishnah which teaches that a bird sin-offering takes precedence over an animal burnt-offering, whereas here she brings the animal burnt-offering before the bird sin-offering.

(27) One must first designate (i.e. dedicate) the animal (or bird) for the burnt-offering and then the bird for the sin-offering. But the latter is sacrificed first.

## **Talmud - Mas. Zevachim 90b**

Does that not refer to those of the Festival?<sup>1</sup> — No: [it means those] of a votive offering:<sup>2</sup> bullocks precede rams, because their drink-offerings are larger;<sup>3</sup> and for the same reason rams [precede] lambs; [while] lambs [precede] he-goats because more [is offered] of them, [viz.,] the fat-tail.<sup>4</sup>

Come and hear: The bullock of the anointed priest precedes the congregation's bullock for inadvertent sin; the congregation's bullock for inadvertent sin precedes the bullock for idolatry; the bullock of idolatry precedes the he-goats of idolatry. [And this is so] notwithstanding that the bullock of idolatry is a burnt-offering, whereas the he-goats of idolatry are sin-offerings? But why not deduce from the first clause: the congregation's bullock for inadvertent sin precedes the bullock of idolatry?<sup>5</sup> — We do not speak [of where both sacrifices are] of one kind: there a sin-offering [certainly] takes precedence. We speak of two kinds,<sup>6</sup> and yet here we find a burnt-offering preceding a sin-offering? — In the West [Palestine] they said in Raba b. Mari's name: The sin-offering of idolatry lacks an alef, as le-hattath is written.<sup>7</sup> Rabina said: In their case<sup>8</sup> 'according to the ordinance' is written.<sup>9</sup> Now that you have come to this, you may even say that [the preceding passage refers to] the bullocks of the Festival, [for] 'after their ordinance' is written in connection

with them too.<sup>10</sup>

It was asked: [With regard to] a bird sin-offering, an animal burnt-offering, and tithe, which of these precede?<sup>11</sup> Shall the bird sin-offering come first? there is tithe, which must precede it! Shall tithe come first? there is the animal burnt-offering, which must precede it! Shall the animal burnt-offering come first? there is the bird sin-offering, which must precede it! — Here<sup>12</sup> they held that a slaughtered sacrifice is more important.<sup>13</sup> In the West they said: The superiority of an animal burnt-offering [over tithe] serves the bird sin-offering and advances it over that of tithe.<sup>14</sup> MISHNAH. ALL SIN-OFFERINGS IN THE TORAH PRECEDE GUILT-OFFERINGS,<sup>15</sup> EXCEPT A LEPPER'S GUILT-OFFERING, BECAUSE IT COMES TO MAKE [A PERSON] FIT.<sup>16</sup> ALL GUILT-OFFERINGS OF THE TORAH MUST BE<sup>17</sup> TWO-YEAR OLDS AND [TWO] SILVER SHEKELS IN VALUE,<sup>18</sup> EXCEPT A NAZIRITES GUILT-OFFERING AND A LEPPER'S GUILT-OFFERING: THESE MUST BE A YEAR OLD, AND NEED NOT BE [TWO] SILVER SHEKELS IN VALUE.<sup>19</sup> AS THEY TAKE PRECEDENCE IN BEING OFFERED, SO THEY TAKE PRECEDENCE IN BEING EATEN.<sup>20</sup> IN THE CASE OF A PEACE-OFFERING OF YESTERDAY AND A PEACE-OFFERING OF TO-DAY,<sup>21</sup> THAT OF YESTERDAY TAKES PRECEDENCE. IN THE CASE OF A PEACE-OFFERING OF YESTERDAY AND A SIN-OFFERING AND A GUILT-OFFERING OF TO-DAY, YESTERDAY'S PEACE-OFFERING TAKES PRECEDENCE: THAT IS R. MEIR' S RULING. BUT THE SAGES MAINTAIN: THE SIN-OFFERING TAKES PRECEDENCE, BECAUSE IT IS A MOST SACRED SACRIFICE. AND IN ALL OF THESE, THE PRIESTS MAY DEVIATE IN THEIR MODE OF EATING, AND EAT THEM ROAST, STEWED OR BOILED, AND SEASON THEM WITH CONDIMENTS OF HULLIN OR OF TERUMAH: SO SAID R. SIMEON. R. MEIR SAID: ONE MAY NOT SEASON THEM WITH CONDIMENTS OF TERUMAH, SO AS NOT TO BRING TERUMAH TO UNFITNESS.<sup>22</sup> GEMARA. It was asked: That which is more constant and that which is more sacred,<sup>23</sup> which takes precedence? Does that which is more constant take precedence, because it is more constant; or does that which is more sacred take precedence, because it is more sacred? — Come and hear: The continual [burnt-]offerings precede the additional offerings.

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- (1) Sc. Tabernacles; the he-goats were sin-offerings and the lambs were burnt-offerings, yet the lambs take precedence.
  - (2) And both are burnt-offerings.
  - (3) A bullock requires a drink-offering of three 'esronim (pl. of 'issaron, a tenth part of an ephah), a ram one of two, and a lamb one 'issaron.
  - (4) Which in the case of a lamb is burnt on the altar as emurim, but not in the case of a he-goat; cf. Lev. III, 6-10 with 12-15. Though this passage refers to burnt-offerings, which are entirely burnt on the altar, yet the reason is valid, because it holds good of sacrifices in general.
  - (5) Instead of raising a difficulty from the final clause, cite the first clause to corroborate the Mishnah.
  - (6) Which is what the above-stated principle sets out to establish, that a bird sin-offering takes precedence over an animal burnt-offering.
  - (7) Heb. להטת instead of להטאת Num. XV, 24. This teaches that it is an exception and does not precede the burnt-offering.
  - (8) Sc. the offerings for idolatry.
  - (9) Ibid. This implies that they must be offered in the same order as they are prescribed, and the burnt-offering is mentioned there first.
  - (10) Ibid. XXIX, 33. There too the burnt-offerings are mentioned first. But in all other cases the sin-offering, even if it is only a bird, precedes.
  - (11) When we have the three together.
  - (12) In Babylon.
  - (13) Therefore tithe comes first, then the bird sin-offering and then the animal burnt-offering. The animal burnt-offering cannot come first, since Scripture expressly stated that it follows the sin-offering.
  - (14) Since the burnt-offering accompanies the sin-offering, the higher importance of the former over tithe, viz., that it is a most sacred sacrifice and is altogether burnt, invests the sin-offering with the same superiority over tithe. Hence the



sin-offering must be sacrificed first, then the burnt-offering, and last of all tithes.

(15) Where a person was liable to both and brought them at the same time.

(16) To enter the Temple and partake of sacrifices. This invests it with greater importance.

(17) Lit., 'come'.

(18) According to thy valuation in silver by shekels (Lev. V, 15), denoting at least two, is written in connection with the guilt-offering for trespass; other guilt-offerings are inferred from it, v. supra 48a.

(19) For both a year-old animal is prescribed (Num. VI, 12; v. Lev. XIV, 10-12). Again, since Scripture decreed that the two-year old ram for the guilt-offerings must be worth two silver shekels, a year-old lamb would be worth less.

(20) This refers to all sacrifices, those enumerated in the preceding Mishnah too.

(21) I.e., the former animal was brought yesterday, but has not yet been offered. Or, one sacrificed yesterday and one to-day, but neither has yet been eaten.

(22) For should they become nothar, the condiments too might not be eaten, even if they could be separated from the flesh, because they absorbed the taste of that flesh, which is now forbidden.

(23) E.g. if we have the blood of the daily burnt-offering and that of a sin-offering for sprinkling: the daily burnt-offering is more constant, while the sin-offering is more sacred.

## **Talmud - Mas. Zevachim 91a**

[Now this is so] notwithstanding that the additional offerings are more sacred!<sup>1</sup> — [No:] does then the Sabbath affect the additional offerings and not affect the continual-offerings?<sup>2</sup>

Come and hear: The additional-offerings of the Sabbath precede the additional-offerings of New Moon! — Does then New Moon affect its own additional offerings and not affect the additional offerings of the Sabbath?

Come and hear: The additional offerings of New Moon precede the additional offerings of New Year, although New Year is holier! — Does then New Year affect its own additional offerings and not affect the additional offerings of New Moon?

Come and hear: Another reason: the blessing for wine is constant, while the blessing for the day is not constant, and of that which is constant and that which is not constant, that which is constant comes first.<sup>3</sup> [Now this is so] notwithstanding that the blessing for the day is holier!<sup>4</sup> — Does then the Sabbath affect the blessing for the day and not affect the blessing for the wine?<sup>5</sup>

Come and hear, for R. Johanan said: The halachah is that one must recite the minhah [afternoon] service and then recite the additional service.<sup>6</sup> [Although the additional service is more sacred!]<sup>7</sup> — Does then the Sabbath affect the additional service and not affect the minhah service?

Come and hear: IN THE CASE OF A PEACE-OFFERING OF YESTERDAY, AND A SIN-OFFERING AND A GUILT-OFFERING OF TO-DAY, YESTERDAY'S PEACE-OFFERING TAKES PRECEDENCE. Hence, if both are of to-day, the sin-offering and the guilt-offering take precedence, although a peace-offering is more constant!<sup>8</sup> — Said Raba: You speak of what is common: we ask about what is constant, not about what is more common.<sup>9</sup> Said R. Huna b. Judah to Raba: Is then what is common not [the same as what is] constant?<sup>10</sup> Surely it was taught: I would exclude the Passover-offering, which is not constant, but I would not exclude circumcision, which is constant!<sup>11</sup> — What does 'constant' mean? It is more constant in precepts.<sup>12</sup> Alternatively, circumcision is constant in comparison with the Passover-offering.<sup>13</sup>

It was asked: [If one thing is] constant and [another] non-constant, and [the priest] slaughtered the non-constant first, what is the law?<sup>14</sup> Do we say, since he slaughtered it, he must offer [i.e., sprinkle] it [first]; or perhaps he must give it to another to stir the blood until he offers the constant, and then offer the non-constant?<sup>15</sup> — Said R. Huna<sup>16</sup> of Sura,<sup>17</sup> Come and hear: IN THE CASE OF A

PEACE-OFFERING OF YESTERDAY, AND A SIN-OFFERING AND A GUILT-OFFERING OF TO-DAY, YESTERDAY'S PEACE-OFFERING TAKES PRECEDENCE. Hence if it were [a peace-offering] of to-day analogous to that of yesterday — and how could that be? if he slaughtered the peace-offering first — [the sprinkling of] the sin-offering and the guilt-offering would take precedence!<sup>18</sup> — [No:] perhaps how [is the case of] a peace-offering of yesterday and a sin-offering and a guilt-offering of to-day meant? Where he slaughtered both.<sup>19</sup> Where, however, he did not slaughter both, there you have the question.

Come and hear: Another reason: the blessing for the wine is constant, whereas the blessing for the day is not constant, and of that which is constant and that which is not constant, that which is constant comes first!<sup>20</sup> — Here too, since it [the wine] has arrived,<sup>21</sup> it is analogous to both having been slaughtered.

Come and hear, for R. Johanan said: The halachah is that one must recite the minhah [afternoon] service and then recite the additional service!<sup>22</sup> — Here too, since the time for the minhah service has come, it is as though they were both slaughtered.

R. Aha the son of R. Ashi said to Rabina: Come and hear:<sup>23</sup> If he killed it<sup>24</sup> before midday, it is disqualified, because 'at dusk' is said in connection with it.<sup>25</sup> [If he killed it] before the [evening] tamid, it is fit, and one must stir its blood until he sprinkles the blood of the tamid!<sup>26</sup> — The case we discuss here is where e.g. he first slaughtered the tamid.<sup>27</sup> Said R. Aha the elder to R. Ashi: The Mishnah too proves that, because it teaches, 'until he sprinkles the blood of the tamid,' but it does not teach, until he slaughters [the tamid] and sprinkles its blood. This proves it.

AND IN ALL OF THESE, THE PRIESTS MAY DEVIATE etc. What is the reason? — Scripture says, [Even all the hallowed things . . . unto thee have I given them] for a consecrated portion,<sup>28</sup> which means, as [a symbol of] greatness [so that they can be eaten] just as kings eat.<sup>29</sup>

MISHNAH. R. SIMEON SAID: IF YOU SEE OIL BEING SHARED OUT IN THE TEMPLE COURT,<sup>30</sup> YOU NEED NOT ASK WHAT IT IS, FOR IT IS THE RESIDUE OF THE WAFERS [REKIKIM] OF THE ISRAELITE'S MEAL-OFFERINGS<sup>31</sup>, OR OF THE LEPER'S LOG OF OIL.<sup>32</sup> IF YOU SEE OIL BEING Poured ON TO THE FIRES,<sup>33</sup> YOU NEED NOT ASK WHAT IT IS, FOR IT IS THE RESIDUE OF THE OIL OF THE WAFERS OF PRIESTS' MEAL-OFFERINGS, OR OF THE ANOINTED PRIEST'S MEAL-OFFERING; FOR MEN CANNOT OFFER OIL [ALONE].<sup>34</sup> R. TARFON SAID: OIL CAN BE DONATED [BY ITSELF].

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(1) For they are brought on Sabbath and Festivals, whereas continual offerings are brought on week-days too.

(2) Just as it invests the former with greater sanctity, so it invests the latter too, seeing that we are now treating of the continual offering brought on the Sabbath.

(3) This explains why in Kiddush (Sanctification Benediction, recited at the beginning of every festival) the blessing over wine precedes that over the festival! — Whenever wine is drunk a blessing over it is required, whereas the blessing of sanctification is confined to festivals.

(4) Since the other is recited on week-days too.

(5) The sanctity of the latter too is enhanced when it is recited on the Sabbath or festival.

(6) V. supra 12a.

(7) Bracketed passage added by Sh.M.

(8) They are more common, since they can be brought at any time, whereas a sin-offering and a guilt-offering can be brought only when one is liable to them.

(9) A peace-offering is not legally more constant than a sin-offering, since one is not obliged to vow a peace-offering.

(10) Is not a thing regarded as more constant when it is more common?

(11) It is a general rule that one incurs a sin-offering for an inadvertent transgression which if committed deliberately would involve kareth. This however refers to negative injunctions (hence, sins of commission), not to positive

commands; therefore, though deliberate neglect of the Passover-offering or circumcision involves kareth, unintentional neglect does not involve a sin-offering. In the present passage, however, it is sought to draw a distinction between the Passover-offering and circumcision, on the grounds that the latter is constant. Now actually it is no more constant than the former, since both are obligatory, and it is only more common (since circumcision takes place at any time, while the Passover-offering is sacrificed only for Passover), and yet it is called constant, which shews that the two are identical.

(12) It is more emphasized in Scripture, the word 'covenant' occurring thirteen times in connection with it.

(13) For the reason stated in n. 6. But a peace-offering is not so much more common than a sin- or a guilt-offering to rank as constant in comparison with it.

(14) Whose blood must be sprinkled first?

(15) The blood would have to be stirred to keep it from congealing.

(16) Sh.M. reads: R. Hanina.

(17) The great academy town on the river Sura, a branch of the Euphrates; v. Obermeyer Landschaft, pp. 283-287.

(18) R. Huna understands the Mishnah thus: If a peace-offering was brought yesterday but only killed to-day, while a sin-offering or a guilt-offering brought to-day is still waiting to be slaughtered, the blood of the peace-offering must be sprinkled before the other is slaughtered. For he holds that if the peace-offering too has yet to be slaughtered, the Mishnah would not rule that it takes precedence. Hence by inference, if both were brought to-day and the peace-offering was wrongly slaughtered first, the slaughtering of the sin-offering etc. must precede the sprinkling of the peace-offering. This proves that where one sacrifice is more sacred than another, and the latter was slaughtered first, the former must nevertheless be slaughtered, and its blood sprinkled, before that of the less sacred is sprinkled, and presumably the same applies where one sacrifice is more constant than the other.

(19) Though he wrongly slaughtered the peace-offering first, yet since it is yesterday's, he must sprinkle its blood first too. From this you could infer that if both were of to-day, he must sprinkle the blood of the sin-offering first.

(20) Although the non-constant actually preceded the other, since the sanctity of the day automatically commenced at nightfall. This is analogous to slaughtering the non-constant first; and as here the blessing for the wine must be recited first, by analogy the blood of the constant must be sprinkled first.

(21) We have the wine actually before us.

(22) Although the time for the additional service came first; v. p. 435, n. 6: the argument here is similar.

(23) Emended text (Sh.M.).

(24) The Passover-offering.

(25) Ex. XII, 6: And the whole assembly . . . shall kill it at dusk; lit., 'between the evenings'.

(26) This proves that when one sacrifice is sacrificed earlier than it should be, the sprinkling must nevertheless wait.

(27) Before sprinkling the blood of the Passover-offering.

(28) Num. XVIII, 8.

(29) Hence they can eat it as they like. Cf. supra 28a.

(30) To the priests, for food.

(31) V. Lev. II, 4. The oil was used in smearing the wafers.

(32) V. Ibid., XIV, 12 seq.

(33) I.e., being burnt on the altar. The 'fires' (Heb. ishim, pl. of isheh, generally rendered, 'an offering made by fire') are those of sacrifices or portions thereof (sc. the emurim) as they are burnt on the altar.

(34) Hence this oil must be the residue of oil used in a meal-offering.

## **Talmud - Mas. Zevachim 91b**

GEMARA. Samuel said: According to R. Tarfon, when a man donates oil [by itself], he removes a fistful, burns it [on the altar], and its residue is eaten. What is the reason? — Scripture saith, [And when any one bringeth] a meal-offering:<sup>1</sup> this teaches that one can donate oil [by itself],<sup>2</sup> and that it [an offering of oil] is like a meal-offering: as a fistful is taken of a meal-offering and the rest is eaten,<sup>3</sup> so the oil: one takes a fistful off and the rest of it is eaten. R. Zera observed, We too have learnt thus: R. SIMEON SAID: IF YOU SEE OIL BEING SHARED OUT IN THE TEMPLE COURT, YOU NEED NOT ASK WHAT IT IS, FOR IT IS THE RESIDUE OF THE WAFERS [REKIKIM] OF THE ISRAELITES' MEAL-OFFERINGS OR OF THE LEPER'S LOG OF OIL . . . FOR MEN CANNOT OFFER OIL [ALONE]: hence it follows that on the view that it can be

offered, it can be shared out!<sup>4</sup> — Said Abaye to him: Then consider the next clause: IF YOU SEE OIL POURED ON THE FIRES, YOU NEED NOT ASK WHAT IT IS, FOR IT IS THE RESIDUE OF THE WAFERS OF PRIESTS' MEAL-OFFERINGS OR OF THE ANOINTED PRIEST'S MEAL-OFFERING, FOR MEN CANNOT OFFER OIL [ALONE]: hence it follows that on the view that it can be offered, the whole of it is a fire offering. Thus the first clause presents a difficulty on Abaye's view, while the last clause presents a difficulty on R. Zera's view. As for R. Zera, it is well: the first clause<sup>5</sup> refers to the residue, while the last clause refers to the fistful. But on Abaye's view there is a difficulty? — The first clause is taught on account of the last clause.<sup>6</sup> As for saying that a second clause is taught on account of a first clause, that is well; but does one teach a first clause on account of a second clause?<sup>7</sup> — Yes: they said in the West [Palestine]: The first clause is taught on account of the second clause.

Come and hear: Wine, in R. Akiba's view, is for the basins; oil, in R. Tarfon's view, is for the fires.<sup>8</sup> Now surely, since the whole of the wine is for basins, the whole of the oil is for burning?<sup>9</sup> — Why choose to say thus: each is conditioned by its own law.<sup>10</sup>

R. Papa said:<sup>11</sup> This is dependent on Tannaim: [When one donates] oil, he must bring not less than a log; Rabbi said: Three logs. Wherein do they differ? — The scholars stated before R. Papa: They differ as to whether [we say]: Judge from it and [all] from it; or, judge from it and place the deduction on its own basis.<sup>12</sup> The Rabbis hold: 'Judge from it and [all] from it': as a meal-offering can be donated, so can oil be donated; 'and [all] from it': as a meal-offering [requires] a log of oil,<sup>13</sup> so here too<sup>14</sup> a log of oil [is required]; and as a meal-offering, a fistful thereof is removed, and the rest is eaten, so the oil [alone], a fistful thereof is removed and the rest is eaten. And the other [learns] from a meal-offering: as a meal-offering is donated, so is oil donated; 'but place it on its own basis', viz., it is like a drink-offering [of wine]:<sup>15</sup> as a drink-offering consists of three logs,<sup>16</sup> so oil consists of three logs; and as the whole of a drink-offering is for basins, so the oil is altogether for the fires. R. Papa observed to Abaye: If Rabbi inferred it from a meal-offering, then all would agree that you judge from it and [all] from it. Rabbi, however, deduces it from 'home-born'.<sup>17</sup> Said R. Huna the son of R. Nathan to R. Papa: Can you say thus? Surely it was taught: 'A meal-offering': this teaches that oil [alone] can be donated? And how much? Three logs. Now, whom do you know to maintain [that it must be] three logs? Rabbi; yet he deduces it from a meal-offering! — If it was taught, it was taught, he replied.<sup>18</sup>

Samuel said: When one donates wine, he brings it and sprinkles it on the fires. What is the reason? Scripture saith, And thou shalt present for the drink-offering half a hin of wine, for an offering made by fire, of a sweet savour unto the Lord.<sup>19</sup> But he extinguishes [the fires]?<sup>20</sup> — Partial extinguishing<sup>21</sup> is not called extinguishing. But that is not so, for surely R. Nahman said in Rabbah b. Abbuha's name: If one removes a coal from the altar and extinguishes it, he is culpable? — That is when there is none but that [coal]. Alternatively, extinguishing as [part of] a religious rite is different.<sup>22</sup>

Come and hear, for R. Eliezer b. Jacob taught: Since Scripture authorized the taking up [of the ashes], you might think that one can extinguish [the embers] and take [them] up; but you must say that one may not extinguish!<sup>23</sup> — There it is different, for one can sit and wait.<sup>24</sup>

Come and hear: Wine, in R. Akiba's view, is for the bowls; oil, in R. Tarfon's view, is for the fires.<sup>25</sup> Moreover, it was taught: The wine of a drink-offering is for the bowls. Yet perhaps it is not so, but rather for the fires? Say, he must not extinguish!<sup>26</sup> — There is no difficulty: One agrees with R. Judah; the other with R. Simeon.<sup>27</sup> Are we to say that Samuel agrees with R. Simeon? Surely Samuel said: One may extinguish a lump of fiery metal in the street, that it should not harm the public,<sup>28</sup>

(1) Lev. II, 1.

(2) The Heb. is **קרבן מנחה** of which **קרבן** (an offering) is superfluous, since **מנחה** itself denotes the offering, and moreover **תקריב**, bringeth, is of the same root as **קרבן** and implies it. Hence it is understood to include even an offering of oil alone, without flour. (**מנחה**, generally rendered meal-offering, simply means a gift, of anything, although it is usually applied to offerings of flour.)

(3) Ibid. 2f.

(4) R. Simeon maintains that one need not ask what it is, i.e., whether it is a meal-offering in itself, because such cannot be donated. Hence he who holds that it can be donated maintains that it might happen that such itself is shared out; whence it follows that it is not altogether burnt on the altar.

(5) Which implies that oil, when donated by itself, is shared out among the priests.

(6) For the sake of symmetry and parallelism. The first clause, IF YOU SEE OIL BEING SHARED OUT IN THE TEMPLE COURT, is irrelevant to the controversy as to whether oil can be donated or not, for even if it could be donated, it would still not be shared out to the priests and so this oil, which was being shared out to the priests could only be the residue, as the Mishnah explains, on all views. But it is taught merely as a parallel to the second clause referring to a fire-offering, where it is only on the view that oil cannot be donated that one need not doubt, for on the view that oil can be donated, one might doubt what this oil is, since a votive offering of oil too is burnt on the altar.

(7) It is logical that when one clause has already been taught, a second is added for the sake of parallelism. But is it logical that an earlier clause should be added, before there is anything which it can parallel?

(8) R. Akiba holds (Men. 104b) that wine can be offered by itself, but not oil. When such wine is offered, it is to be put in basins or beakers, as a drink-offering, but it is not sprinkled on the fires. R. Tarfon agrees in this; R. Akiba's name, however, is mentioned in contrast to the next clause, which is only according to R. Tarfon, since R. Akiba holds that oil alone cannot be donated.

(9) When such is offered by itself. This contradicts Samuel.

(10) Though the whole of the wine is for basins, the whole of the oil need not be for burning.

(11) Sh.M. deletes this.

(12) I.e., whether an analogy must be carried through on all points, so that the case deduced agrees throughout with the case from which the deduction has started; or whether the deduction won by analogy be regulated by the rules of the original case (Jast.).

(13) V. Lev. XIV, 10.

(14) When oil alone is donated.

(15) Which is donated by itself. It is more logical to liken it to a drink-offering than to the ordinary meal-offering of which oil is only a part.

(16) As deduced in Men. 73b.

(17) Num. XV, 13; V. Men. 73b.

(18) I must accept it.

(19) Ibid. 10. 'For an offering made by fire' implies that it is sprinkled on same.

(20) Whereas Scripture says, Fire shall be kept burning on the altar continually; thou shalt not extinguish it (Lev. VI, 6).

(21) This could only extinguish a little.

(22) When he sprinkles the wine, he performs a religious rite.

(23) The var. lec. is preferable: say, however, (it is written), thou shalt not extinguish it. — Thus one may not extinguish even in the performance of a religious rite.

(24) Until they go out.

(25) Thus wine is not for the fires.

(26) Cf n. 1.

(27) These scholars dispute in Shab. 41b about an unintentional act on the Sabbath: R. Judah forbids, while R. Simeon permits it. Here too, the extinguishing is unintentional: the Baraitas which rule that the wine may not be sprinkled on the fires agree with R. Judah; whereas Samuel agrees with R. Simeon.

(28) Metal does not really burn, but throws off fiery sparks when hot. The prohibition of extinguishing (on the Sabbath, to which this refers) does not apply in this case by Biblical law at all, save by Rabbinical law; hence where general damage may ensue the Rabbis waived their prohibition.

## Talmud - Mas. Zevachim 92a

but not a burning piece of wood.<sup>1</sup> Now if you think that he agrees with R. Simeon, even that of wood too [should be permitted]?<sup>2</sup> — In respect to what is unintentional he holds with R. Simeon; but in the matter of work which is not needed per se,<sup>3</sup> he agrees with R. Judah.<sup>4</sup>

R. Huna said: If a drink-offering [of wine] was defiled, one must make a separate fire for it<sup>5</sup> and burn it, for it is said, And every [sin-offering] . . . in the holy place . . . it shall be burnt with fire.<sup>6</sup> It was taught likewise: If blood, oil, meal-offerings or drink-offerings were defiled, a separate fire is made for them, and they are burnt. Samuel said to R. Hana of Baghdad: Bring me ten people and I will teach you in their presence:<sup>7</sup> if drink-offerings were defiled, one makes a separate fire for them and burns them.

### CHAPTER XI

MISHNAH. IF THE BLOOD OF A SIN-OFFERING SPURTED ON TO A GARMENT, IT MUST BE WASHED.<sup>8</sup> THOUGH SCRIPTURE SPEAKS ONLY OF [SIN-OFFERINGS] WHICH ARE EATEN, FOR IT IS SAID, IN A HOLY PLACE SHALL IT BE EATEN,<sup>9</sup> YET BOTH THOSE WHICH MAY BE EATEN AND THE INNER [SACRIFICES]<sup>10</sup> NECESSITATE WASHING, FOR IT IS SAID, [THIS IS] THE LAW OF THE SIN-OFFERING:<sup>11</sup> THERE IS ONE LAW FOR ALL SIN-OFFERINGS. THE BLOOD OF A DISQUALIFIED SIN-OFFERING DOES NOT NECESSITATE WASHING, WHETHER IT HAD A PERIOD OF FITNESS OR DID NOT HAVE A PERIOD OF FITNESS. WHICH HAD A PERIOD OF FITNESS? ONE [WHOSE BLOOD] WAS KEPT OVERNIGHT, OR WAS DEFILED, OR WAS TAKEN OUT [OF THE TEMPLE COURT]. WHICH DID NOT HAVE A PERIOD OF FITNESS? ONE WHICH WAS SLAUGHTERED [WITH THE INTENTION OF EATING IT]<sup>12</sup> AFTER TIME OR WITHOUT BOUNDS; OR WHOSE BLOOD WAS RECEIVED BY UNFIT PERSONS.

GEMARA. IF THE BLOOD OF A SIN-OFFERING SPURTED etc. If there is one law for all sin-offerings, even a bird sin-offering too [should be included]. Why then was it taught: You might think that the blood of a bird sin-offering requires washing; therefore it states, This is [the law of the sin-offering]?<sup>13</sup> — Said Resh Lakish on Bar Kappara's authority. Scripture saith, shall [the sin-offering] be slaughtered:<sup>14</sup> thus the Writ speaks [only] of those which are slaughtered.<sup>15</sup> Yet say rather that the Writ speaks [only] of those which are eaten, as it is written, 'in a holy place shall it be eaten', but not inner [sin-offerings]? — The Divine Law included [them by writing] 'the law of'.<sup>16</sup> If so, even a bird sin-offering too [is included]? — The Divine Law expressed a limitation in 'this is'. And why do you prefer it thus?<sup>17</sup> — It is logical to include animal inner sin-offerings, because: it is an animal; it is slaughtered in the north;<sup>18</sup> [its blood is] received in a vessel;

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(1) For that is Biblically forbidden.

(2) For though he intentionally extinguishes it, yet his work is not needed per se (v. n. 6.), and R. Simeon permits such.

(3) E.g., when one carries out a corpse on Sabbath into the street. He does not really want the corpse in the street, but merely wants it out of the house. Every case of extinguishing except that of a wick to make it easier for subsequent relighting, falls within this category, since with this exception extinguishing is always negative. R. Judah forbids such, and R. Simeon permits it.

(4) Hence he permits the unintentional extinguishing on the altar, but forbids the unintentional extinguishing of a burning piece of wood.

(5) On the pavement of the Temple court; but it must not be taken out.

(6) Lev. VI, 23. The accents are disregarded in this rendering. In Pes. 24b the verse is interpreted to mean that all sacrifices which must be eaten in the Temple court when fit, must be burnt in the same place if unfit; and the same applies to this wine.

(7) Probably a proverbial expression, denoting emphasis and certainty.

- (8) Lev. VI, 20: And when there is sprinkled of the blood thereof upon any garment, thou shalt wash that whereon it was sprinkled in a holy place.
- (9) Ibid. 19.
- (10) The sin-offerings slaughtered in the inner sanctuary (hekal); these may not be eaten; v. Lev. IV, 1-12; 13-21.
- (11) Ibid. VI, 18; this is the superscription of the present passage containing this law of washing.
- (12) Or sprinkling its blood.
- (13) 'This is' is a limitation, implying, only what is enumerated in the section.
- (14) Ibid.
- (15) I.e., with shechitah, whereas a bird requires melikah.
- (16) One law for all.
- (17) Why apply the extension to inner sin-offerings and the limitation to birds, and not the reverse?
- (18) Rashi reads, and Bah emends accordingly: it is slaughtered; it requires the north.

## Talmud - Mas. Zevachim 92b

[its blood is sprinkled on] the horn; with the finger; on the edge [of the horn]; and it is an offering made by fire.<sup>1</sup> On the contrary, include rather the bird sin-offering, because it is an outer [offering], like itself, and is eaten, like itself? — Those [points of similarity] are more.

R. Joseph said, Scripture saith, [The priest] . . . shall eat it:<sup>2</sup> this one shall he eat, but not another; thus the Writ excluded of those which are eaten.<sup>3</sup> Then what is the purpose of 'this is'?<sup>4</sup> — If not for 'this is' I would say that 'shall eat it' is the style of Scripture;<sup>5</sup> hence this informs us [otherwise]<sup>6</sup>

Rabbah said, Scripture saith, and when there is sprinkled [yazze]h]: hence the Writ speaks of those which are sprinkled.<sup>7</sup> But surely we learnt: THOUGH SCRIPTURE SPEAKS OF [THE SIN-OFFERINGS] WHICH ARE EATEN?<sup>8</sup> — This is what [the Tanna] means: Although Scripture speaks of [the sin-offerings] which are eaten, that is only in respect of scouring and rinsing.<sup>9</sup> but in respect to washing, 'and when there is sprinkled [yazze]h' is written.<sup>10</sup> If so, [instead of saying BOTH THOSE WHICH MAY BE EATEN AND THE INNER [SIN-OFFERINGS]]. he should say. Both the inner [sin-offerings] and those which may be eaten?<sup>11</sup> — Learn, both the inner [sin-offerings] and those which may be eaten.

If so, the bird sin-offering too [is included]?<sup>12</sup> — The Divine Law expressed a limitation in 'this is'. If so, an outer [sin-offering] too is not [included]? — The Divine Law expressed an extension in 'the law of'. And why do you prefer it thus? — It is logical to include an animal sin-offering, because: it is an animal; it is slaughtered in the north; [its blood is] received in a vessel; [its blood is sprinkled on] the horn; with the finger; on the edge [of the horn]; and it is an offering made by fire. On the contrary, include the bird sin-offering, since it requires haza'ah, like itself?<sup>13</sup> — Those [points of similarity] are more.

R. Abin asked: What if one took the blood of a bird sin-offering within<sup>14</sup> by its neck?<sup>15</sup> Is its neck like a service vessel,<sup>16</sup> and so it [the sacrifice] is disqualified; or perhaps it is like an animal's neck, while the Divine Law said, [And every sin-offering], whereof any of the blood [is brought into the tent of meeting . . . shall be burnt with fire],<sup>17</sup> [implying] of its blood, but not of its flesh!<sup>18</sup> — Come and hear: If it [the bird] struggled, entered within<sup>19</sup> and then returned,<sup>20</sup> it is fit. Hence, if, however, [the priest] took it in, it is disqualified.<sup>21</sup> Then according to your reasoning, when it is taugt in connection with most sacred sacrifices, If it struggled and entered the south<sup>22</sup> and then returned, it is fit; [will you infer], but if he [the priest] carried it out [of the north into the south] it is disqualified?<sup>23</sup> Rather, this is required where it went without; so there too, it is required where it went without.<sup>24</sup>

R. Abin asked: What if the blood [of the bird-offering] poured out on to the pavement,<sup>25</sup> and one collected it? [Do we say that] the Divine Law merely did not demand<sup>26</sup> a service vessel,<sup>27</sup> and

therefore one collects it and it is fit;<sup>28</sup> or perhaps, in its case the Divine Law actually disqualified a service vessel, and therefore one collects it, but it is disqualified?<sup>29</sup> — Said Raba, Come and hear: You might think that the blood of a bird sin-offering necessitates washing; therefore ‘this is’ is stated. Now, if you think that in its case the Divine Law actually disqualified a service vessel, I can infer this since it was disqualified in the air-space of a vessel!<sup>30</sup> — Said R. Huna son of Joshua: [The text is necessary] where one presses the garment<sup>31</sup> to its neck.<sup>32</sup>

Levi asked Rabbi:<sup>33</sup> What if it spurted from one garment on to another garment?<sup>34</sup> [Do we say,] It was rejected from the first garment in respect of washing,<sup>35</sup> or not? — That is indeed a question, he replied. It does need washing, on either alternative: if one can collect [the blood] and it is fit [for sprinkling], then this is fit.<sup>36</sup> While if it is collected and disqualified,<sup>37</sup> I agree with R. Akiba who maintained [that] if it had a period of fitness and was then disqualified, its blood necessitates washing.

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- (1) I.e., the emurim are burnt on the altar. The inner sin-offering has all these in common with the outer, whereas the bird sin-offering is unlike the outer in all these respects.
  - (2) Lev. VI, 19.
  - (3) ‘It’ sing., implies that the passage speaks only of one of the sin-offerings which may be eaten; hence the bird sin-offering is excluded.
  - (4) Since you already have a limitation in ‘it’.
  - (5) Not a limitation at all.
  - (6) Now that we know from ‘this is’ that a limitation is intended, ‘shall eat it’ teaches that the limitation concerns those which are eaten.
  - (7) Haza'ah, from which yazzeh is derived, is written only in connection with the inner sin-offerings, but not in connection with the outer sin-offerings, where zarak is written (both haza'ah and zerikah denote sprinkling, but the latter implies with more force than the former). Hence the Writ refers primarily to inner sin-offerings, and it is the outer sin-offerings which are included by ‘the law of’, implying one law for all.
  - (8) Which shews that it refers primarily to outer sin-offerings.
  - (9) V. Lev. VI, 21.
  - (10) Emended text (Sh.M.).
  - (11) The more obvious should be mentioned first, and according to Rabbah that is the inner sin-offering.
  - (12) If yazzeh shews that inner sin-offerings are primarily meant, the same should apply to a bird sin-offering, as this word is written in connection with it too.
  - (13) Sc. like the inner sin-offering.
  - (14) Into the hekal.
  - (15) Not in a service-vessel; but its neck was taken within and ipso facto the blood too. Is the sacrifice disqualified under the law forbidding the blood of an outer sin-offering to be taken within (v. Lev. VI, 23), or not?
  - (16) Since no service vessel is required in its case, the blood being sprinkled straight from the throat, the throat itself may take the place of a service vessel.
  - (17) Ibid., 23.
  - (18) Only when the blood alone is taken in, sc. in a service vessel, is the sacrifice disqualified, but not when it is taken in by means of the flesh.
  - (19) Into the hekal.
  - (20) I.e., its head was nipped near the hekal, and in its death struggles it entered therein.
  - (21) This assumes that only when it entered itself is it fit.
  - (22) The south side of the Temple court; it was killed in the north.
  - (23) Surely not, for no barrier divided the north from the south, to disqualify a sacrifice if its blood was carried from one into the other.
  - (24) Do not infer that if one carried it out it is unfit (that is obviously incorrect), but that if it struggled and went out of the Temple court, even if it returned, it is disqualified. Similarly, the bird remains fit only if it struggled and entered within; but if it struggled out of the Temple court, it is disqualified. No deduction, however, is to be made where one carried the bird within.



- (25) Of the Temple court.
- (26) Lit, 'make it need.'
- (27) The bird's throat counting as such.
- (28) Just as when the blood of an animal-offering is spilt from the service vessel in which it was received.
- (29) For sprinkling, for Scripture insisted that it must be sprinkled direct from the throat.
- (30) As soon as the blood enters the airspace above the garment it is technically received in a vessel (a garment ranks as a utensil or vessel) and is disqualified for sprinkling. Consequently the garment need not be washed, for only blood fit for sprinkling necessitates washing. What need then is there of a text?
- (31) Lit., 'vessel.'
- (32) So that the blood did not enter the air-space above the garment at all. Even then it need not be washed.
- (33) Emended text (Sh.M.).
- (34) This refers to the blood of an animal sin-offering.
- (35) When it fell on the first garment it became unfit for sprinkling, since it must be washed out, and therefore the second garment does not need washing.
- (36) Although it should be washed out of the first garment, yet as long as this was not done, it is fit for sprinkling, just as though it had fallen on to the pavement; and so fit blood spurted on to the second garment.
- (37) For further sprinkling.

### **Talmud - Mas. Zevachim 93a**

Rami b. Hama asked R. Hisda: What if it spurted on to an unclean garment?<sup>1</sup> R. Huna the son of R. Joshua observed: Since he asks thus, you may infer that he holds that if it had a period of fitness and was disqualified, its blood does not necessitate washing. [Nevertheless his question is:] is that only when they come consecutively, but not when they come simultaneously; or perhaps there is no difference?<sup>2</sup> — He [R. Hisda] replied: This is a controversy of R. Eleazar and the Rabbis, in accordance with Rabbah's view, and as explained by Abaye. For it was taught: R. Eleazar said: If the water of lustration<sup>3</sup> was defiled, it cleanses [an unclean person],<sup>4</sup> for lo, we sprinkle [the water of lustration] upon a niddah.<sup>5</sup> Now Rabbah observed: R. Eleazar said this in accordance with the thesis of R. Akiba, his teacher, who maintained that when the vessel [containing the water of lustration] is carried over an unclean place, it is as though it rested there.<sup>6</sup> For we learnt: If a man stood on the outer side of an oven, and a reptile was in the oven, and he put forth his hand to the window, took a flask, and carried it across the oven,<sup>7</sup> R. Akiba declares it unclean, while the Rabbis declare it clean. Now, they disagree in this: R. Akiba holds that it is as lying,<sup>8</sup> while the Rabbis hold that it is not as lying [thereon]. But Abaye raised an objection: [It was taught:] R. Akiba admits that in the case of sprinkling, if one carried it over an unclean earthen vessel or over an unclean couch or seat, it is clean,<sup>9</sup> for nothing defiles above as below<sup>10</sup> save as much as an olive of a corpse and other things which defile through overshadowing,<sup>11</sup> which includes a leprous stone!<sup>12</sup> Rather said Abaye: All agree that it is not as though it lay thereon, but here they differ in this: R. Akiba holds that we enact a preventive measure, lest it lay thereon;<sup>13</sup> while the Rabbis hold that we do not enact a preventive measure. But R. Akiba admits in the case of sprinkling,<sup>14</sup> for since it has gone out, it has gone out.<sup>15</sup> Now, wherein do R. Eleazar and the Rabbis disagree?<sup>16</sup> — Said Abaye: They disagree as to whether we draw an analogy between previous defilement and contemporary defilement: one master holds that we draw an analogy,<sup>17</sup> and the other master holds that we do not draw an analogy.<sup>18</sup> Raba said: All hold that we do not draw an analogy; but here they disagree in this: R. Eleazar holds that sprinkling requires a [minimum] standard, and sprinklings combine; while the Rabbis hold that sprinkling does not require a [minimum] standard.<sup>19</sup>

THE BLOOD OF A DISQUALIFIED SIN-OFFERING etc. Our Rabbis taught: [And when there is sprinkled] of the blood thereof<sup>20</sup> [that means,] of the blood of a fit [sacrifice], but not of the blood of a disqualified [one].<sup>21</sup> R. Akiba<sup>22</sup> said: If it had a period of fitness and was [subsequently] disqualified, its blood necessitates washing; if it did not have a period of fitness and was disqualified ab initio, its blood does not necessitate washing. Whereas R. Simeon maintained: In both cases its

blood does not necessitate washing. What is R. Simeon's reason? — 'Thereof' is written,<sup>23</sup> and 'of the blood thereof' is written:<sup>24</sup> one [excludes] where it had a period of fitness, and the other excludes where it did not have a period of fitness.<sup>25</sup> And R. Akiba?<sup>26</sup> — 'Thereof' excludes terumah.<sup>27</sup> R. Simeon, however, is consistent with his view, for he maintained: Lesser sacrifices do not necessitate scouring and rinsing, and how much the more terumah!<sup>28</sup>

**MISHNAH.** IF [BLOOD] SPURTED [DIRECT] FROM THE [ANIMAL'S] THROAT ON TO A GARMENT, IT DOES NOT NECESSITATE WASHING; FROM THE HORN OR FROM THE BASE [OF THE ALTAR], IT DOES NOT NECESSITATE WASHING. IF IT POURED OUT ON TO THE PAVEMENT AND [THE PRIEST] COLLECTED IT, IT<sup>29</sup> DOES NOT NEED WASHING. ONLY BLOOD WHICH WAS RECEIVED IN A VESSEL AND IS FIT FOR SPRINKLING NECESSITATES WASHING.

**GEMARA.** Our Rabbis taught: You might think that, if [the blood] spurted from the throat on to the garment, it necessitates washing; therefore it states, 'and when there is sprinkled [etc.]': I ordered thee [to wash the garment] only when [the blood] is fit for sprinkling.<sup>30</sup> Another [Baraitha] taught: You might think that, if it spurted from the horn or from the base, it requires washing, therefore it states, 'and when there shall be sprinkled': that excludes this [blood], which was already sprinkled.

**IF IT POURED OUT ON TO THE PAVEMENT etc.**

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(1) Whereby the blood was defiled, and so disqualified for sprinkling. Do we regard it as though it were defiled before it touched the garment, and hence does not necessitate washing; or perhaps the defilement of the blood and the obligation to wash the garment came simultaneously?

(2) He asks only if it fell on an unclean garment; hence he holds that if the blood was defiled before it fell, thus having been fit and then become disqualified, it certainly does not necessitate washing. But his question is whether that is only where these came consecutively, i.e., first the blood was disqualified and then it spurted on to the garment; or does it hold good even when both are simultaneous?

(3) Running water mixed with the ashes of the red heifer; this was sprinkled on a person defiled through the dead as a purificatory rite; v. Num. XIX.

(4) Just as though it had not been defiled.

(5) If a niddah was defiled through the dead, thereby becoming doubly unclean, both as a niddah and as one defiled by the dead, we besprinkle her with the water of lustration, while she is still a niddah, and the subsequent immersion counts for both forms of uncleanness, since we do not find Scripture ordering her first to perform immersion as a niddah and then to be besprinkled and repeat her immersion on account of her defilement through the dead. Now, as the water of lustration touches her, it is defiled itself through contact with a niddah, and yet it cleanses her. Now the analogy is apparently faulty, for here the defilement of the water and its sprinkling upon the woman are simultaneous, whereas R. Eleazar speaks of a case where the water was defiled first. Rabbah proceeds to explain why R. Eleazar regards it nevertheless as a true analogy.

(6) And unclean.

(7) An oven stood near a wall, in which was a window with a flask containing water of lustration; inside the oven lay a reptile, which made it unclean. A man, standing on the outer side of the oven, took the flask from the window, and in taking it to himself naturally carried it above the oven, through the air-space.

(8) On the oven, and is therefore defiled by it.

(9) I.e., if the water of lustration was sprinkled upon an unclean person, and in its passage passed over unclean vessels etc., it remains clean.

(10) Nothing defiles anything above, passing through its air-space, as when it is below, actually touching it.

(11) Lit. 'tent'. This is a technical expression denoting defilement caused by the defiler being under the same covering (technically called a tent) as the defiled. E.g., everything in a room containing a corpse, or as much as an olive of a corpse, is unclean through being under the same covering as the corpse.

(12) All things, both animate and inanimate, smitten with leprosy, defile through overshadowing. — Now, an oven unclean through a reptile does not defile through overshadowing. Hence this contradicts Rabbah's statement that R.

Akiba holds there too that the air-space above an article defiles the water of lustration just as though it touched it.

(13) We declare this vessel unclean, lest one think that even if it actually lay on the oven it is still clean. Sh.M. emends: lest one lay it (thereon). — Thus the vessel (and, of course, its contents) are only Rabbinically unclean, but clean by Scriptural law.

(14) Where not the vessel but the water itself passed through the air-space of something unclean, as it was sprinkled.

(15) Since the water leaves the priest's hand as he sprinkles it, we need not fear that he will place the water on the oven.

(16) Above, when R. Eleazar draws an analogy with a niddah, which the Rabbis reject.

(17) Sc. R. Eleazar: he draws an analogy with niddah, where the defilement is contemporary, i.e., simultaneous (v. n. 10. p. 446).

(18) Therefore if water of lustration was defiled before, it does not cleanse. — Similarly, when blood of an animal sin-offering spurts on to an unclean garment, R. Eleazar will rule that it must be regarded as unclean (hence disqualified for sprinkling) even before it spurted, and therefore the garment need not be washed. The Rabbis, however, who reject this view, will rule that it must be washed. This then is the answer to Rami b. Hama's question, sc. that it is dependent on Tannaim.

(19) V. supra 80a. Now, the first sprinkling does not contain the minimum standard, and so does not count as sprinkling; nevertheless it is defiled when it falls on the niddah. Hence at the next sprinkling, which is to combine with the first, the first is already unclean. Therefore it is a case of previous defilement, and is completely analogous to sprinkling with defiled water of lustration. The Rabbis, however, maintain that sprinkling does not require a minimum standard, and so the first counts as sprinkling; hence defilement and sprinkling are simultaneous, and no inference can be drawn in respect of previous defilement. — The R. Eleazar here is R. Eleazar b. Shammu'a, a disciple of R. Akiba; the R. Eliezer supra 80a, who maintains that sprinkling does not require a minimum standard, is R. Eliezer b. Hyrcanus.

(20) Lev. VI, 20.

(21) 'Thereof' is a limitation.

(22) Marginal emendation, R. Jacob.

(23) In v. 22, after the law of scouring and rinsing in v. 21: Every male among the priests may eat thereof.

(24) These are two limitations.

(25) Marginal emendation.

(26) How does he explain the second limitation?

(27) If terumah is boiled in a pot, it does not need scouring and rinsing.

(28) Hence no limitation is required in respect of terumah.

(29) The garment on which it fell.

(30) I.e., received in a vessel.

## **Talmud - Mas. Zevachim 93b**

Why do I need this too?<sup>1</sup> — He states the reason: What is the reason that IF IT Poured out on to the pavement and [the priest] collected it, it does not need washing? — Because ONLY BLOOD WHICH WAS RECEIVED IN A VESSEL AND IS FIT FOR SPRINKLING NECESSITATES WASHING.

FIT FOR SPRINKLING. What does this exclude? — It excludes the case where one received less than is required for sprinkling in one vessel and less than is required for sprinkling in another vessel.<sup>2</sup> For it was taught: R. Halafta b. Saul said: If he sanctified less than is required for sprinkling in one vessel, and less than is required for sprinkling in another vessel,<sup>3</sup> he has not sanctified it.<sup>4</sup> Now it was asked: How is it with blood? Is it a traditional law,<sup>5</sup> and we cannot learn from a traditional law,<sup>6</sup> or perhaps, what is the reason there? Because it is written, And a clean person shall take [hyssop,] and dip it in the water;<sup>7</sup> so here too it is written, And [the priest] shall dip [his finger] in the blood?<sup>8</sup> — Come and hear, for R. Zerika said in R. Eleazar's name: In the case of blood too he does not sanctify it.

Raba said, It was taught: And [the priest] shall dip:<sup>9</sup> but not sponge up; in the blood:<sup>9</sup> there must be sufficient blood for dipping from the beginning; [and sprinkle] of the blood:<sup>9</sup> of the blood

specified in this passage.<sup>10</sup> Now, it is necessary to write both 'and he shall dip' and 'in the blood'.<sup>11</sup> For if the Divine Law wrote 'and he shall dip' [only], I would say, even where there is insufficient for dipping in the first place; therefore the Divine Law wrote 'in the blood'. And if the Divine Law wrote 'in the blood' [only], I would say that he may even sponge it up; therefore the Divine Law wrote, 'and he shall dip'.<sup>12</sup> What does 'of the blood specified in this passage' exclude? — Said Raba: It excludes the [blood] remaining on his finger.<sup>13</sup> This supports R. Eleazar. For R. Eleazar said: The [blood] remaining on his finger is unfit.

Rabin son of R. Adda said to Raba: Your disciple said in R. Amram's name: It was taught: If [the priest] was sprinkling, and [the blood of] the sprinkling spurted out of his hand,<sup>14</sup> [and this happened] before he had sprinkled, it needs washing; after he had sprinkled, it does not need washing. Surely this is what he means: [If it happened] before he finished sprinkling, it needs washing; after he finished sprinkling, it does not need washing.<sup>15</sup> — No: this is what he means: before the sprinkling had left his hand, it necessitates washing; after it had gone forth from his hand, it does not need washing.<sup>16</sup>

Abaye raised an objection to him: When he finished sprinkling,<sup>17</sup> he wipes his hand on the body of the heifer.<sup>18</sup> Thus, only if he finished, but not if he had not finished!<sup>19</sup> — Said he to him: When he finished, he wiped his hand on the body of the heifer; before he finished, he simply wiped his finger. Now, when he finishes, it is well: he wipes his hand on the body of the heifer, as it is said, And the flesh shall he burn in his sight, [her skin, and her flesh, and her blood . . . shall be burnt].<sup>20</sup> But on what does he wipe his finger?<sup>21</sup> — Said Abaye: On the edge of the bowl, as it is written, Wipers [cleansers] of gold.<sup>22</sup>

**MISHNAH. IF [THE BLOOD] SPURTED ON TO THE SKIN, BEFORE IT WAS FLAYED, IT NEED NOT BE WASHED; [IF IT SPURTED] AFTER IT WAS FLAYED, IT MUST BE WASHED: THESE ARE THE WORDS OF R. JUDAH. R. ELEAZAR SAID: [IT NEED NOT BE WASHED] EVEN [IF IT SPURTED] AFTER IT WAS FLAYED. ONLY THE PLACE OF THE BLOOD NEEDS WASHING.<sup>23</sup> AND WHATEVER IS ELIGIBLE TO CONTRACT UNCLEANNESS,<sup>24</sup> AND IS FIT FOR WASHING, WHETHER A GARMENT, A SACK, OR A HIDE, MUST BE WASHED. THE WASHING MUST BE IN A HOLY PLACE;<sup>25</sup> THE BREAKING OF AN EARTHEN VESSEL MUST BE IN A HOLY PLACE; AND THE SCOURING AND RINSING OF A BRAZEN VESSEL MUST BE IN A HOLY PLACE.<sup>26</sup> IN THIS THE SIN-OFFERING IS MORE STRINGENT THAN [OTHER] SACRIFICES OF HIGHER SANCTITY.**

**GEMARA.** How do we know it? — Because our Rabbis taught: [And when there is sprinkled of the blood thereof upon] a garment:<sup>27</sup> I know it only of a garment: whence do I know to include the skin, after it is flayed? Because it says, thou shalt wash that whereon it was sprinkled.<sup>28</sup> You might think that I include the skin [even] before it was flayed: therefore it states, 'a garment': as a garment is an article eligible to contract uncleanness, so everything that is eligible to contract uncleanness [is included]:<sup>29</sup> these are the words of R. Judah. R. Eleazar said: 'A garment': I know it only of a garment; whence do I know to include a sack

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(1) It is included in the first ruling.

(2) Then they were combined in one vessel, and some blood spurted on a garment; that garment does not need washing. Thus the Mishnah means. Only blood which was fit for sprinkling when it was received in a vessel; here, however, it was not fit then.

(3) This refers to the water of lustration, which was sanctified for its purpose by being mixed with the ashes of the red heifer.

(4) For he must sanctify as much as is required in one vessel.

(5) In the case of the water of lustration. — A traditional law is one handed down by tradition, and not Learnt directly or

by inference from Scripture.

(6) In respect of other cases.

(7) Num. XIX, 18. The def. art. implies, in the water mentioned above, sc. the water sanctified for lustration; conversely it implies that the water when sanctified was sufficient for dipping, i.e., sprinkling.

(8) Lev. IV, 6.

(9) Ibid.

(10) This is explained anon.

(11) Emended text (Sh.M.).

(12) For notes v. supra 40b.

(13) He must not sprinkle with the blood left on his finger, but must dip his finger into the blood for each of the seven sprinklings.

(14) On to a garment. — This refers to inner sin-offerings.

(15) That implies that if blood which remained on his finger after one of the sprinklings spurted on to a garment, it must be washed. As a corollary, that remaining blood must be fit for sprinkling, for only such necessitates washing. Hence this contradicts R. Eleazar.

(16) I.e., he had dipped his finger into the blood: now, if this blood spurted off his finger before he had sprinkled it, it necessitates washing; if after, it does not, precisely because it is then the residue of the blood.

(17) The blood of the red heifer; v. Num. XIX, 4.

(18) For the blood must be burnt together with the body.

(19) Yet if he does not wipe it, he is using this blood for the next sprinkling—there were seven in all.

(20) Num. XIX, 5.

(21) Between the sprinklings. He cannot wipe it on the body, as he would soil his finger through hairs sticking to it.

(22) Ezra. 1, 10; cf. supra. 25a.

(23) But not the whole skin.

(24) V. discussion infra.

(25) In the Temple court.

(26) V. Lev. VI, 21: But the earthen vessel wherein it (sc. the flesh of a sin-offering) is sodden shall be broken; and If it be sodden in a brazen vessel, it shall be scoured, and rinsed in water.

(27) Lev. VI, 20.

(28) This is a repetition, and intimates extension.

(29) After a skin is flayed it can be put to use as it is, without further dressing; therefore if its owner expressly intended to use it thus, it is technically a utensil, and subject to defilement. Before it is flayed, however, it cannot be put to use, and cannot become unclean.

## **Talmud - Mas. Zevachim 94a**

and all kinds of garments?<sup>1</sup> Because it says, 'thou shalt wash that whereon it was sprinkled'. You might think that I can include a skin after it was flayed? Therefore it says, 'a garment': as a garment is an article which contracts uncleanness, so everything which contracts uncleanness [is included].<sup>2</sup> Wherein do they differ?<sup>3</sup> — Said Abaye: They differ about a cloth less than three [fingerbreadths square].<sup>4</sup> He who says [that it must be] eligible, this too is eligible, for if [its owner] desires, he can intend it [for use]. But he who maintains, anything which contracts uncleanness, this at all events cannot contract uncleanness.<sup>5</sup> Raba said, They disagree over a garment which [its owner] intended to embroider.<sup>6</sup> He who maintains [that it must be] eligible, this too is eligible, for if [its owner] desires, he can abandon his intention. He however who maintains, anything which can contract uncleanness: now at all events it cannot contract uncleanness. Others state,<sup>7</sup> Raba said: They disagree about an [untrimmed] hide which he intended to trim.<sup>8</sup> He who maintains [that it must be] eligible, this too is eligible; he however who maintains, anything which can contract uncleanness, this however cannot contract uncleanness until he trims it. And it was taught even so: R. Simeon b. Menassia said: A hide which [its owner] intended trimming is clean<sup>9</sup> until he trims it.

ONLY THE PLACE OF THE BLOOD NEEDS WASHING. How do we know it? — For our

Rabbis taught: You might think that if [the blood] spurted on part of the garment, the whole garment must be washed. Therefore it states, '[thou shalt wash] that whereon it was sprinkled': I ordered thee [to wash] only the place of the blood.

WHATEVER IS ELIGIBLE TO CONTRACT UNCLEANNES. This anonymous teaching agrees with R. Judah.<sup>10</sup> AND FIT FOR WASHING excludes a vessel which requires scraping.<sup>11</sup>

WHETHER A GARMENT, SACKCLOTH, OR HIDE. Are we to say that a skin can be washed? But the following contradicts this: If dirt is upon it, one wipes it off with a rag; if it is of leather [skin], water is poured over it until it disappears.<sup>12</sup> — Said Abaye, There is no difficulty: one agrees with the Rabbis; the other agrees with 'others'.<sup>13</sup> For it was taught: A garment and sackcloth are washed;<sup>14</sup> a vessel and a skin are scraped; others maintain: A garment, sackcloth, and skin are washed; while a vessel is scraped.

With whom does the following statement of R. Hiyya b. Ashi agree, [viz.:] I stood many times before Rab, and dabbed his shoes with water?<sup>15</sup> With whom? With the Rabbis.<sup>16</sup>

Raba observed: Does anyone maintain that skin is not washable? Surely it is written, And the garment, or the warp, or the woof, or whatsoever thing of skin it be, which thou shalt wash!<sup>17</sup> Rather said Raba: The Scriptural text and our Mishnah refer to soft [skins], whereas they disagree about hard [skins].<sup>18</sup> But surely R. Hiyya b. Ashi said: I stood many times before Rab, and dabbed his shoes with water?<sup>19</sup> — They were of hard [leather], and [he acted] in accordance with the Rabbis.

Subsequently Raba said: My statement was incorrect. Are we to say that the text refers [only] to soft [skins]? Does it not refer [even] to foresters' apparel which comes from overseas,<sup>20</sup> yet the Divine Law states that it must be washed?<sup>21</sup> Rather said Raba: Leprosy,<sup>22</sup> since it breaks out in the article itself, moistens it and softens it.<sup>23</sup>

Raba observed: If I have a difficulty, it is this:

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- (1) Garments made of any materials. A garment usually was of wool.
  - (2) A garment contracts uncleanness whether its owner intends to use it or not; hence the hide, even after it is flayed, is not included, because it does not contract uncleanness, but can only be made to contract uncleanness, by the owner's intention to use it.
  - (3) What garment is merely eligible to become unclean, though at present it cannot become unclean?
  - (4) This is the smallest piece which counts technically as a 'garment'. A smaller piece ranks as a garment only if the owner intends to use it.
  - (5) Without its owner's intention. Hence if the blood spurted on such a cloth, in R. Judah's opinion it must be washed, but not in R. Eleazar's.
  - (6) I.e., even a larger piece of cloth, but which has not yet been used, because its owner had expressed his intention to embroider it first. This counts as unfinished, and hence not a 'garment'; nevertheless, if the owner expressly abandons his intention, it becomes a 'garment'. Thus it is eligible, but cannot contract uncleanness at present.
  - (7) Marginal addition.
  - (8) 'Uzba is anything used as a rug or mat or tablecloth; it is generally of hide, but sometimes of cloth. Now, if one intended to use it for such purpose, it immediately ranks as a utensil, even before it is trimmed, and hence can be defiled. But if he intended trimming it, it cannot become unclean until he either trims it or abandons his intention.
  - (9) I.e., it cannot become unclean.
  - (10) Though its author is not named, we know from the Baraita that it is R. Judah's view. — When an individual's view is stated anonymously in the Mishnah, it is generally the halachah.
  - (11) E.g., a wooden vessel, whence it may be impossible to wash out the blood. This does not need washing at all but scraping.
  - (12) This treats of the Sabbath, when washing garments is forbidden as a prohibited labour. Dirt on a cushion may be

wiped off with a cloth, but not with water, as this constitutes washing. Water, however, may be poured over skin, for that is not regarded as washing. Thus skin is not technically subject to washing.

(13) 'Others' generally refers to it. Meir; Hor: 13b.

(14) If the blood of a sin-offering spurts upon them.

(15) On the Sabbath.

(16) Who hold pouring water over skin (or leather) is not washing.

(17) Lev. XIII, 58.

(18) E.g., leather.

(19) It is now assumed that they were of soft leather.

(20) It was manufactured of hard leather.

(21) Scripture does not limit itself but writes, or whatsoever thing of skin it be.

(22) To which the passage refers.

(23) Any leather garment. — Hence the text refers even to hard leather; our Mishnah refers to soft; while the controversy is in respect of hard.

## **Talmud - Mas. Zevachim 94b**

pillows and bolsters are soft, yet we learnt: 'If it is of leather, water is poured over it until it disappears'?<sup>1</sup> — Rather said Raba: All washing without rubbing is not called washing. And as to R. Hiyya b. Ashi's statement, I stood many times before Rab and dabbed his shoes with water; dabbing is [permitted], but not rubbing. [Now, our Mishnah treats] either of soft [skins], and it agrees with all; or of hard ones, and it agrees with 'others'. If so, [let water be poured] even [over] a garment too?<sup>2</sup> — In the case of a garment, soaking it [in water] constitutes its washing. Now, Raba is consistent with his view. For Raba said: If one threw a scarf into water, he is culpable;<sup>3</sup> if one threw linseed into water, he is culpable. As for a scarf, it is well, [as] he thereby washes it. But what is the reason in the case of linseed? And should you say, because he causes it to grow;<sup>4</sup> if so, the same applies to wheat and barley too?—This [linseed] emits mucus.<sup>5</sup> If so, the same applies to [undressed] hides?<sup>6</sup> — There he kneads.<sup>7</sup>

Raba lectured: It is permitted to wash a shoe on the Sabbath. Said R. Papa to Raba. But surely R. Hiyya b. Ashi said: I stood many times before Rab, and dabbed his shoes with water for him. Thus, only dabbing [is permitted], but not washing? Subsequently Raba appointed an interpreter before him and lectured:<sup>8</sup> What I told you was an error; but in truth, dabbing is permitted but washing is forbidden.

THE WASHING MUST BE IN A HOLY PLACE, etc. How do we know it?—Because our Rabbis taught: Thou shalt wash in a holy place:<sup>9</sup> from this we learn that the washing must be in a holy place.<sup>10</sup> How do we know that earthen vessels must be broken? Because it says, But the earthen vessel wherein it is sodden shall be broken.<sup>11</sup> How do we know that brazen vessels must be scoured and rinsed? Because it says, And if it be sodden in a brazen vessel, it shall be scoured and rinsed in water.<sup>12</sup>

IN THIS THE SIN-OFFERING IS MORE STRINGENT, etc. And is there nothing else:<sup>13</sup> surely there is the fact that its blood enters within?<sup>14</sup> — This refers to outer sin-offerings.<sup>15</sup> But outer sin-offerings too [have a peculiar stringency, viz.] if their blood entered within, they are disqualified? — This is in accordance with R. Akiba, who maintained: All bloods which enter the hekal to make atonement are disqualified.<sup>16</sup> Yet there is the fact that they make atonement for those who are liable to kareth? — This refers to the sin-offering for the 'hearing of the voice' or 'oath of utterance'.<sup>17</sup> Yet there is the fact that they require four sprinklings? — This agrees with R. Ishmael who maintained: All blood requires four sprinklings. But there is the fact that [the sprinklings must be] on the four horns? — Yet on your reasoning, surely there are the horn, the finger, and the edge?<sup>18</sup> Rather, [the Tanna] mention one out of two or three stringencies.

MISHNAH. IF A GARMENT<sup>19</sup> WAS CARRIED OUTSIDE THE HANGINGS,<sup>20</sup> IT MUST RE-ENTER, AND IT IS WASHED IN A HOLY PLACE. IF IT WAS DEFILED WITHOUT THE HANGINGS<sup>21</sup> ONE MUST TEAR IT,<sup>22</sup> THEN IT RE-ENTERS, AND IS WASHED IN A HOLY PLACE. IF AN EARTHEN VESSEL WAS CARRIED OUTSIDE THE HANGINGS, IT RE-ENTERS AND IS BROKEN IN A HOLY PLACE. IF IT WAS DEFILED WITHOUT THE HANGINGS, A HOLE IS MADE IN IT, THEN IT RE-ENTERS AND IS BROKEN IN A HOLY PLACE. IF A BRAZEN VESSEL WAS CARRIED OUTSIDE THE HANGINGS, IT RE-ENTERS AND IS SCOURED AND RINSED IN A HOLY PLACE. IF IT WAS DEFILED OUTSIDE THE HANGINGS, IT MUST BE BROKEN THROUGH,<sup>23</sup> THEN IT RE-ENTERS AND IS SCOURED AND RINSED IN A HOLY PLACE.

GEMARA. To this Rabina demurred. [You say,] ONE MUST TEAR IT: Surely the Divine Law speaks of a 'garment', and this is not a garment?<sup>24</sup> — He leaves enough of it [untorn] to be used as an apron.<sup>25</sup> But that is not so, for surely R. Huna said: They learnt this<sup>26</sup> only if one did not leave enough to be used as an apron [untorn], but if one left enough to be used as an apron, it is [technically] joined?<sup>27</sup>

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(1) Supra in connection with the Sabbath.

(2) Why must the dirt be wiped off only with a rag?

(3) For washing on the Sabbath, to which this refers.

(4) In the water. Thus it is a form of sowing, and for this he is culpable.

(5) Thin threads of mucus ooze from these seeds when they are put into water, which fastens them together.

(6) From these too a mucus issues in water.

(7) When the mucus causes the linseed to stick together, it is a kind of kneading, for which he is culpable. But kneading is inapplicable to hides.

(8) The Rabbis gave their public lectures through interpreters (amora).

(9) Lev. VI, 20.

(10) Emended text (Sh.M.).

(11) Ibid. 21.

(12) Ibid.-In each case the question is: how do we know that these things must be done in a holy place? The answer is, by reading 'in a holy place' with what follows, as well as with what precedes, thus: and in a holy place shall the earthen vessel... be broken (and) a brazen vessel... be scour'd and rinsed; v. Sifra a.l.

(13) In which the sin-offering is more stringent.

(14) In the inner sanctuary (hekal), which feature is absent from other most sacred sacrifices.

(15) Whose blood was not taken into the hekal.

(16) V. supra 81b.

(17) V. Lev. V, 1. 4 seq. — Kareth is not incurred for these even if they are committed deliberately.

(18) The blood of the sin-offering must be applied with the finger, on the horn, and on the edge of the horn. In all these too it is more stringent than other most sacred sacrifices.

(19) Which needed washing through the blood.

(20) I.e., outside the Temple court.

(21) In which condition it cannot re-enter, because nothing unclean may be taken into the Temple court.

(22) It ceases to be a garment, and thereby ceases to be unclean.

(23) I.e., a very large hole made in it. Metal vessels do not lose their uncleanness through a small hole.

(24) Scripture orders the garment to be washed, which implies that it must be a garment when it is washed.

(25) He does not tear it right across, but leaves the width of an apron (or duster) untorn. Since the greater part of it is torn it ceases to be unclean; nevertheless, since so much is left untorn, it is still technically a garment.

(26) That a garment loses its uncleanness when it is torn.

(27) And remains unclean.



## Talmud - Mas. Zevachim 95a

That is by Rabbinical law [only].<sup>1</sup>

IF AN EARTHEN VESSEL WAS CARRIED OUTSIDE etc. But the Divine Law spoke of a 'vessel', and this is not a vessel? — The hole is only large enough for a little root.<sup>2</sup>

IF A BRAZEN VESSEL... IT MUST BE BROKEN THROUGH etc. But then it is not a vessel? — He hammers [the hole] together.<sup>3</sup>

Resh Lakish said: If the [priest's] robe became unclean,<sup>4</sup> one must take it in less than three [fingerbreadths] square at a time, and wash it, because it is said, That it [the robe] be not rent.<sup>5</sup> R. Adda b. Ahabah objected: Thick [garments] and soft [unwoven garments] are not subject to the law of three [fingerbreadths] square?<sup>6</sup> -They count, because of the parent [piece].<sup>7</sup>

But surely it requires seven substances, for R. Nahman said in Rabbah b. Abbuha's name: The blood of the sin-offering and the appearance of leprosy require seven substances; whereas it was taught: But that urine may not be taken into the Temple?<sup>8</sup>

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(1) As a preventive measure, lest one does not tear the greater part of it. but Scripturally it is clean, and here the Rabbis waived this measure in order that the precept of washing may be fulfilled.

(2) Of a plant to push through. That suffices to make it clean, but not deprive it of the status of a vessel.

(3) Having broken it through, whereby it became clean, he then hammers the hole together, which makes it a vessel again.

(4) Outside the Temple court.

(5) Ex. XXVIII, 32. Hence it cannot be torn, as the Mishnah states. Therefore less than three finger-breadths square of it must be insinuated into the Temple court at a time, as then it does not count as an unclean garment.

(6) They cannot be unclean unless they are three handbreadths square. Now, the robe was of thick cloth; why then cannot one take in three handbreadths square at a time?

(7) As they are not separate pieces, but part of the whole robe, even three finger-breadths square counts technically as a garment.

(8) This is a difficulty according to the Mishnah: A garment on which the blood of a sin-offering spurted, as well as a garment which showed symptoms of leprosy, which must also be washed, needs the application of seven substances to cleanse it, viz., tasteless saliva, the liquid exuded by crushed beans, urine, natron, lye, Cimolean earth, and ashleg (v. Sanh. Sonc. ed. p. 330). How then can it be washed in the Temple Court, seeing that urine must not be brought there?

## Talmud - Mas. Zevachim 95b

And should you say that one mixes it in with the seven substances<sup>1</sup> and applies them all at once; surely we learnt: If they were not applied in their order,<sup>2</sup> or if they were all applied simultaneously, it is of no avail? And should you say that he mixes it up in one of the substances; but surely we learnt [that] he must rub the stain three times with each [substance]? — Rather, he mixes it up in tasteless saliva, for Resh Lakish said: There must be tasteless saliva with each one.

MISHNAH. WHETHER ONE BOILED THEREIN OR Poured BOILING [FLESH ETC.] INTO IT, WHETHER MOST SACRED SACRIFICES OR LESSER SACRIFICES, [THE POT] REQUIRES SCOURING AND RINSING. R. SIMEON SAID: LESSER SACRIFICES DO NOT NECESSITATE SCOURING AND RINSING.

GEMARA. Our Rabbis taught: [But the earthen vessel] which it is boiled in it.<sup>3</sup> I know it only when one boiled [the flesh] therein; how do I know it when one poured boiling [flesh] therein? Because it says, which [it is boiled] in it. [shall be broken].<sup>4</sup>

Rami b. Hama asked: What if one suspended [the flesh] in the air-space of an [earthen] oven?<sup>5</sup> Is the Divine Law particular about boiling and absorbing; or perhaps, [it is particular] about boiling [even] without absorbing?<sup>6</sup> — Said Raba, Come and hear: WHETHER ONE BOILED THEREIN OR Poured BOILING [FLESH] INTO IT!<sup>7</sup> — We do not ask about absorbing without boiling;<sup>8</sup> we ask about boiling without absorbing: what is the law?—Come and hear, for R. Nahman said in Rabbah b. Abbuha's name: The Temple oven was of metal.<sup>9</sup> Now, if you think that [only] boiling and absorbing [necessitates] breaking, let it be an earthen one?<sup>10</sup> — Since there were the remainders of meal-offerings, which were baked in the oven, so that there is boiling and absorbing,<sup>11</sup> we must make it of metal.

A certain oven was greased with fat. [Thereupon] Raba b. Ahilai forbade for all time<sup>12</sup> the bread [baked therein] to be eaten even with salt, lest one come to eat it with kutah.<sup>13</sup> An objection is raised: One must not knead dough with milk, and if he does knead it, the whole loaf is forbidden, because it leads to sin.<sup>14</sup> Similarly, one must not grease an oven with fat, and if he does grease it, all the bread [baked therein] is forbidden until the oven is refired. This is a refutation of Raba b. Ahilai. [It is indeed] a refutation.

Rabina said to R. Ashi: Now since Raba b. Ahilai was refuted, why did Rab say: pots must be broken on Passover?<sup>15</sup> Rab maintained that there<sup>16</sup> a metal one is meant. Alternatively, it may be an earthen oven: this [the oven] is fired from the inside;<sup>17</sup> while the other [the pot] is fired on the outside. Then let us burn it [the pot] from within? — He would spare it, lest it break [burst].<sup>18</sup> Therefore a tiled pan,<sup>19</sup> since it is burnt from without,<sup>20</sup> is forbidden.<sup>21</sup>

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(1) The urine is not brought in separately, but mixed (lit. 'swallowed') with the other substances. Then it is not noticeable, and can be taken into the Temple.

(2) As enumerated in n. 11, p.458,

(3) Lev. VI, 21.

(4) Rashi: 'shall be broken' coming immediately after 'in it' indicated that every vessel shall be broken if anything of the sin-offering is absorbed in it, even if it had not actually been boiled in it. If boiling flesh is placed in the vessel, the vessel must absorb some of it.

(5) Thus boiling or cooking it.

(6) The flesh is thus cooked, but the oven absorbs nothing of it. Does Scripture mean that only a vessel in which it is boiled and which thereby absorbs some of it must be broken; or perhaps it must be broken even when it does not absorb?

(7) Thus even if one thing only happened to the vessel (i.e., it absorbed but was not used for actual boiling), it must be broken or scoured and rinsed. Presumably boiling without absorbing is the same.

(8) That obviously necessitates breaking, since absorption is the principal reason for the whole law. For after the time allowed for the consumption of this flesh, the absorbed matter becomes nothar (v. Glos.), which is forbidden, and it will impart its flavour to any other flesh that is subsequently boiled in it, unless it is scoured and rinsed. (Scouring and rinsing are not efficacious for earthen vessels, for which reason they must be broken.)

(9) It is assumed that the reason is that it should not have to be broken.

(10) For the flesh was not actually placed in the area, but cooked (or roasted) in it on a spit. — Their ovens were open on top.

(11) Baking is technically the same as boiling.

(12) Even if the oven should be fired and burnt through again.

(13) A preserve consisting of sour milk, bread-crusts and salt (Jast.). The bread of course receives the flavour of the fat, and must not be eaten with anything containing milk or a milk product.

(14) One might eat it with meat.

(15) For we see that greased ovens (these were generally of earth) can be refired and used, the heat expelling the traces of fat. Then let the pots too be subjected to fire, which would likewise expel the absorbed leaven (it was on account of the absorbed leaven that Rab forbade their use on Passover).

(16) The oven that could be refired.

(17) Which is efficacious to expel absorbed matter.

- (18) Hence if he is told to burn it from within; he will burn it from without and think that enough.  
 (19) A kind of plaque made of tiles and upon which bread was baked.  
 (20) The coals being under it and the bread on top.  
 (21) For use on Passover.

## Talmud - Mas. Zevachim 96a

Then why should the pots in the Temple be broken: let them be returned to the kiln?<sup>1</sup> — Said R. Zera: Because kilns are not permitted in Jerusalem.<sup>2</sup> Abaye retorted: And are then refuse heaps permitted in the Temple court?<sup>3</sup> [Abaye, however,] had overlooked what Shemaiah of Kalnebo<sup>4</sup> recited: The fragments of earthen vessels were swallowed up in their place.<sup>5</sup> Now, when R. Nahman said in Rabbah b. Abbuha's name, 'The Temple oven was of metal', let it be an earthen one, since It was heated within?<sup>6</sup> — Since the Two Loaves and the Shewbread<sup>7</sup> were baked in the oven and were sanctified in the oven, it became a service vessel, and we do not make earthen service vessels.<sup>8</sup>

- (1) Which would expel what they had absorbed.  
 (2) On account of the smoke.  
 (3) Sc. of broken potsherds.  
 (4) Kar-nebo, 'the city of Nebo', conjectured to be Borsippa, Funk, Monumenta, I, p. 299.  
 (5) Yoma 21a.  
 (6) And thus what it absorbed of the sacrifices would be expelled.  
 (7) V. Lev. XXIII, 15-17; Ex. XXV, 30.  
 (8) Offerings such as meal-offerings, loaves etc. were sanctified by being placed in service vessels. The Two Loaves and the Shewbread, however, were not placed in a service vessel, but were kneaded and shaped outside the Temple court, then brought in and baked in the oven. Thus the oven itself sanctified them, and ipso facto ranked as a service vessel.

## Talmud - Mas. Zevachim 96b

And even R. Jose son of R. Judah said only that wooden ones [were permitted], but not earthen ones.<sup>1</sup>

R. Isaac the son of R. Judah used to attend Rami b. Hama['s lectures]. He left him and attended R. Shesheth['s lectures]. One day he [Rami b. Hama] met him, and observed: The noble<sup>2</sup> has taken us by the hand, and his scent has come into the hand!<sup>3</sup> Because you have gone to R. Shesheth, you are like R. Shesheth!<sup>4</sup> That was not the reason, he replied. Whenever I asked a question of you, you answered me from reason, [and] if I found a teaching<sup>5</sup> [to the contrary], it refuted your answer. [But] when I ask a question of R. Shesheth, he answers it from a teaching, so that even if I find a teaching which refutes him, it is one teaching against another.<sup>6</sup> Said he to him: Ask me a question, and I will answer you in accordance with a teaching.<sup>7</sup> [Thereupon] he asked him: If one boiled [the sacrifice] in part of a vessel,<sup>8</sup> does it require scouring and rinsing, or does it not require [them]?<sup>9</sup> — It does not require them, he replied, by analogy with [the] spurting [of blood].<sup>10</sup> But it was not taught so, he protested?<sup>11</sup> — It is logical that it is like a garment, he replied; just as a garment needs washing only in the place of the blood,<sup>12</sup> so a vessel requires scouring and rinsing only in the place of boiling. How can you compare them, he objected: blood does not spread,<sup>13</sup> whereas boiling spreads.<sup>14</sup> Moreover It was taught: [The] spurting [of blood] is more stringent than scouring and rinsing, and scouring and rinsing are more stringent than spurting. Spurting is more stringent, since [the law of] spurting operates in respect to outer sin-offerings and inner sin-offerings, and it operated before sprinkling,<sup>15</sup> which is not so in the case of scouring and rinsing.<sup>16</sup> Scouring and rinsing are more stringent, in that scouring and rinsing are required for most sacred sacrifices and for lesser sacrifices; [again] if one boiled [the flesh] in part of a vessel, the whole vessel requires scouring and rinsing, which is not so in the case of spurting! — If it was taught, it was taught,<sup>17</sup> he replied. And what is the reason? Scripture says, And if it be boiled in a brazen vessel', which means, even in part of a

vessel.

WHETHER MOST SACRED SACRIFICES etc. Our Rabbis taught: [Scripture saith] A sin-offering:<sup>18</sup> I know it only of a sin-offering; how do I know it of all sacrifices? Because it says, it is most holy.<sup>19</sup> You might think that I include terumah; therefore it says, [Every male among the priests may eat] thereof, which excludes terumah<sup>20</sup> these are the words of R. Judah. R. Simeon said: Most holy sacrifices necessitate scouring and rinsing, [but] lesser sacrifices do not necessitate scouring and rinsing, because it is written, 'It is most holy': most holy sacrifices do [necessitate it], but lesser sacrifices do not. What is R. Judah's reason? — Since 'thereof' is necessary to exclude terumah, it follows that lesser sacrifices necessitate scouring and rinsing.<sup>21</sup> And R. Simeon?<sup>22</sup> — He can answer you: 'Thereof' intimates what we said elsewhere.<sup>23</sup>

Now, does not terumah necessitate scouring and rinsing? Surely it was taught: You may not boil milk in a pot in which meat was boiled, and if one did, [the milk is forbidden] if it [the meat] could communicate its flavour [to it]<sup>24</sup> If one boiled terumah in it, one must not boil hullin in it; and if one did, [the hullin is forbidden] if it [the terumah] could communicate flavour [to it]!<sup>25</sup> — Said Abaye: This holds good<sup>26</sup> only in respect of what a master said, [viz.]: If one boiled [flesh] in part of a vessel, the whole vessel must be scoured and rinsed; but [in the case of] terumah only the part where it was boiled needs [scouring and rinsing]. Raba said: It holds good only in respect of what a master said: '[It shall be scoured and rinsed] in water', but not in wine; 'in water', but not in a mixture:<sup>27</sup> this, however,<sup>28</sup> may be [scoured and rinsed] even in wine, even in a mixture. Rabbah b. 'Ulla said: It holds good only in respect of what a master said: The scouring and rinsing must be in cold water;<sup>29</sup> this however is done in hot water.<sup>30</sup> That is well on the view that scouring and rinsing must be done in cold [water]; but on the view that the scouring is in hot water and the rinsing in cold,<sup>31</sup> what can be said?<sup>32</sup> , — There is the additional rinsing.<sup>33</sup>

MISHNAH. R. TARFON SAID: IF ONE BOILED [FLESH IN A POT] AT THE BEGINNING OF A FESTIVAL, HE CAN BOIL THEREIN DURING THE WHOLE FESTIVAL;<sup>34</sup> BUT THE SAGES MAINTAIN: UNTIL THE TIME OF EATING, SCOURING AND RINSING.<sup>35</sup> SCOURING [MERIKAH] IS AS THE SCOURING OF A GOBLET;<sup>36</sup> AND RINSING IS AS THE RINSING OF A GOBLET. SCOURING AND RINSING ARE DONE IN COLD [WATER].<sup>37</sup>

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(1) V. Suk. 50b.

(2) The alkafta or arkafta was a high Persian dignitary, v. Shebu. (Sonc. ed.) 6b.

(3) A proverbial taunt against those who cultivate high acquaintances, thinking that they are thereby ennobled themselves.

(4) You think that that will give you his reputation!

(5) A Mishnah or Baraitha.

(6) A controversy, and I may still adhere to the first.

(7) I will base my answer on logic, yet you will find a mathnitha to corroborate it.

(8) It was boiled with water, and so it could be boiled as it lay only in part of a vessel. Sh.M. explains that the other part of the vessel was not over the fire.

(9) Sc. the part in which the flesh was not boiled.

(10) When the blood spurts on part of a garment, only that part must be washed.

(11) We do not find a teaching to corroborate this, whereas you said that your answer could be corroborated.

(12) And that is explicitly taught in the Mishnah, supra 93b.

(13) There is no blood at all save where it can actually be seen on the garment.

(14) Even the part where the flesh does not lie absorbs some of it.

(15) Whether the blood be of an outer or an inner sin-offering, it necessitates the washing of the garment; also it applies to blood that spurts before it is sprinkled.

(16) Scouring and rinsing are required for outer sin-offerings only, which are eaten, since Scripture continues: Every male among the priests may eat thereof (Lev. VI, 22). For the same reason they are necessary only when the flesh is

boiled after the sprinkling, for if boiled before the blood is sprinkled, it may not be eaten.

(17) I must accept it.

(18) Lev. VI, 18 q.v.; this introduces the law of scouring and rinsing, and therefore whatever this verse includes is included in the law of scouring and rinsing.

(19) Ibid. 22. It is explained anon that this includes not only most holy, but also lesser sacrifices.

(20) This limitation applies to all the laws of this section, including that of scouring and rinsing.

(21) For if they did not, then terumah, whose holiness is certainly less than theirs, would obviously not necessitate scouring and rinsing, and the Scriptural limitation would be superfluous.

(22) How does he rebut this?

(23) That only a fit sacrifice necessitates scouring and rinsing, but not an unfit one; v. supra 93a.

(24) If the pot had absorbed so much of the meat that it now would noticeably impart its flavour to the milk.

(25) As in the preceding note. Hence it must be made fit by scalding with boiling water, which expels the absorbed matter (this is called hag'alah), as otherwise whatever is subsequently boiled therein is forbidden to lay Israelites. It is assumed that hag'alah is the same as scouring and rinsing.

(26) This statement that terumah does not necessitate scouring and rinsing.

(27) Of wine and water.

(28) Sc. a vessel in which terumah was boiled.

(29) After hag'alah (v. n. 9, p. 463) is performed, which must be in boiling water, the vessels must be scoured and rinsed in cold water.

(30) I.e., hag'alah alone suffices.

(31) And that nothing else is required.

(32) For scouring in hot water is ordinary hag'alah, and terumah too necessitates that.

(33) Which ordinary hag'alah does not require.

(34) It need not be scoured and rinsed until the end of the festival.

(35) The Gemara explains the meaning of this.

(36) I.e., within and without. Grace after meals was recited over a goblet of wine, and this was first washed and rinsed within and without; v. Ber. 51a.

(37) Var. lec. scouring is in hot water and rinsing is in cold.

## Talmud - Mas. Zevachim 97a

THE SPIT AND THE GRILLE<sup>1</sup> ARE SCALDED IN HOT WATER.<sup>2</sup> GEMARA. What is R. Tarfon's reason? — Because Scripture saith, And thou shalt turn in the morning, and go unto thy tents.<sup>3</sup> the Writ treats the whole [of the festival] as one morning.<sup>4</sup> To this R. Ahadboi b. Ammi demurred: Is there no piggul during a festival, and is there no nothar during a festival?<sup>5</sup> And should you say, that indeed is so; surely it was taught, R. Nathan said: R. Tarfon gave this ruling only.<sup>6</sup> Rather, [the reason is] as R. Nahman said in Rabbah b. Abbuha's name, viz.: Each day effects scalding for the previous one.<sup>7</sup>

BUT THE SAGES MAINTAIN: UNTIL THE TIME OF EATING etc. What does this mean? — Said R. Nahman in Rabbah b. Abbuha's name: He must wait as long as [the sacrifice] may be eaten, and then scour and rinse it. Whence do we know this? — Said R. Johanan on the authority of Abba Jose b. Abba: It is written, 'It shall be scoured and rinsed';<sup>8</sup> and it is written, 'Every male among the priests may eat';<sup>9</sup> what does this proximity intimate?<sup>10</sup> He must wait as long as [the sacrifice] may be eaten, and then scour and rinse it.

SCOURING IS AS THE SCOURING OF A GOBLET; RINSING IS AS THE RINSING OF A GOBLET. Our Rabbis taught: Scouring and rinsing are [done] with cold [water]: these are the words of Rabbi; but the Sages maintain: Scouring is with hot [water], and rinsing is with cold. What is the reason of the Rabbis? — It is comparable to the cleansing [gi'ul] of heathen [vessels].<sup>11</sup> And Rabbi?<sup>12</sup> — He can tell you: I do not speak of hag'alah [scalding];<sup>13</sup> I speak of the scouring and rinsing after hag'alah. And the Rabbis? — If so,<sup>14</sup> let Scripture write either, 'it shall be well

scoured', or, 'well rinsed';<sup>15</sup> why say 'it shall be scoured and rinsed'? — To inform you [that] scouring is [done] with hot water<sup>16</sup> and rinsing is [done] with cold. And Rabbi? — If Scripture wrote, 'it shall be well scoured', I would say [that it requires] two scourings or two rinsings; therefore 'it shall be scoured and rinsed' is written to inform you that scouring must be as the scouring of a goblet, rinsing must be as the rinsing of a goblet.<sup>17</sup>

**MISHNAH.** IF ONE BOILED SACRIFICES AND HULLIN IN IT, OR MOST HOLY SACRIFICES AND LESSER SACRIFICES; IF THEY WERE SUFFICIENT TO IMPART THEIR FLAVOUR,<sup>18</sup> THE LESS STRINGENT MUST BE EATEN AS THE MORE STRINGENT OF THEM;<sup>19</sup> BUT THEY DO NOT NECESSITATE SCOURING AND RINSING;<sup>20</sup> AND THEY DO NOT DISQUALIFY BY TOUCH.<sup>21</sup> IF [AN UNFIT] WAFER TOUCHED A [FIT] WAFER,<sup>22</sup> OR AN [UNFIT] PIECE OF FLESH TOUCHED A [FIT] PIECE OF FLESH,<sup>23</sup> NOT THE WHOLE WAFER OR THE WHOLE PIECE OF FLESH IS FORBIDDEN; ONLY THE PART THAT ABSORBED [OF THE UNFIT] IS FORBIDDEN.

**GEMARA.** What does this mean?<sup>24</sup> — This is what it means: If they were sufficient to impart their flavour, the less stringent must be eaten as the more stringent of them, and they require scouring and rinsing,<sup>25</sup> and they disqualify by their touch.<sup>26</sup> If they were insufficient to impart their flavour, the less stringent need not be eaten as the more stringent, and they do not necessitate scouring and rinsing, and do not disqualify by their touch. Granted that they do not require [scouring and rinsing] as for most sacred sacrifices, yet they should require [them] as for lesser sacrifices? — Said Abaye: What does he mean by THEY DO NOT NECESSITATE? [As for] most sacred sacrifices; but they do necessitate [them] as for lesser sacrifices. Raba said: This is in accordance with R. Simeon, who maintained: Lesser sacrifices do not necessitate scouring and rinsing.

As for Raba, it is well: for that reason he [the Tanna] teaches, SACRIFICES AND HULLIN, OR MOST SACRED SACRIFICES AND LESSER SACRIFICES.<sup>27</sup> But on Abaye's explanation, why do I need two clauses?<sup>28</sup> — They are necessary. For if he taught SACRIFICES AND HULLIN [only] I would say, Only hullin can nullify sacrifices,<sup>29</sup> as they are not of the same kind; but in the case of MOST SACRED SACRIFICES AND LESSER SACRIFICES, it is not so.<sup>30</sup> And if he taught about MOST SACRED SACRIFICES AND LESSER SACRIFICES only, I would think that only sacrifices are strong enough to nullify other sacrifices; but hullin I would say is not [strong enough].<sup>31</sup> Thus both are necessary.

IF AN [UNFIT] WAFER TOUCHED A [FIT] WAFER etc. Our Rabbis taught: Whatever shall touch [ . . . shall be holy];<sup>32</sup> you might think, even if it did not absorb; therefore it says, in the flesh thereof.<sup>33</sup>

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(1) On which flesh was roasted.

(2) V. n. 5. This makes them fit for further use.

(3) Deut. XVI,7. This means that the Israelite could return home on the morning after the festival.

(4) I.e., as one day. Since the reason for scouring and rinsing is that what is absorbed of the meat in the pot becomes nothar, it follows that it cannot become nothar from the beginning until the end of a festival, as it is all counted as one day.

(5) If one intends eating the sacrifice after its permitted period of two days, or if flesh is left over after two days, does it not become piggul or nothar, although it is still the festival?

(6) Sc. in respect of scouring and rinsing; but he admits that there can be piggul and nothar during a festival.

(7) Many peace-offerings were sacrificed during the festival, and the boiling of each day's sacrifice expels from the pot what it absorbed the previous day, and thus it does not become nothar.

(8) Lev. VI, 21.

(9) Ibid. 22.

(10) Lit., 'how is this?' — The second text immediately follows the first.

- (11) In order to expel what they had absorbed. This requires heat, as Scripture says in this connection: Every thing that may abide the fire, ye shall make go through the fire, and it shall be clean (Num. XXXI, 23).
- (12) Why does he not accept this argument?
- (13) That certainly requires hot water.
- (14) If Scripture meant that scouring and rinsing must follow hag'alah, for scouring is not hag'alah itself.
- (15) Lit., shall be scoured, scoured, or, shall be rinsed, rinsed. For if scouring is not hag'alah, it is identical with rinsing (both being in cold water), and Scripture merely means that it must be rinsed twice. Then the same word should be used for each operation.
- (16) I.e., it is hag'alah.
- (17) I.e., once on the outside and once on the inside.
- (18) If the pot had absorbed enough of the former to impart its flavour to the latter; or, if both were boiled together, if the former was sufficient to impart its flavour noticeably to the latter. — If they are both of the same kind, we regard them as though they were two different kinds.
- (19) If lesser sacrifices and hullin were boiled, the hullin must be eaten within the precincts of Jerusalem, and for two days only. If lesser sacrifices and most holy sacrifices were boiled in it, the lesser sacrifices must be eaten in the Temple court, on the same day, and by male priests only.
- (20) At the end of the shorter period allowed for the consumption of the more stringent, but only at the end of the longer allowed for the less stringent.
- (21) If the less stringent became disqualified, they do not in turn disqualify any flesh that touches them.
- (22) Of a meal-offering, v. Lev. II, 4.
- (23) The latter in each case absorbing from the former.
- (24) Why is it not scoured and rinsed at the end of the period allowed for the more stringent?
- (25) Accordingly, i.e. at the end of the shorter time.
- (26) If the more stringent were unfit while the less stringent were fit, the less stringent become disqualified too and in turn disqualify others just as the more stringent disqualified.
- (27) To give an anonymous ruling in accordance with R. Simeon, viz., that lesser sacrifices do necessitate scouring and rinsing.
- (28) Seeing that the same principle operates in both.
- (29) When the latter do not communicate their flavour to the former.
- (30) Even if the former do not impart their flavour to the latter, the whole must be treated with the stringency of the former.
- (31) Even if the sacrifice does not impart its flavour to the hullin, the whole must be treated with the stringency of the former.
- (32) Lev. VI, 20. 'Holy' means that it is subject to the same restrictions as the flesh of the sacrifice.
- (33) Lit. translation.

## **Talmud - Mas. Zevachim 97b**

[this intimates] that it must absorb [thereof] in its flesh. You might think that if it touched a part of a piece of flesh, the whole of it is unfit. Therefore it says, '[Whatever] shall touch': only that which touches is unfit. How so? The part which absorbed is cut away. '[In] the flesh thereof': but not the tendons, bones, horns or hoofs.<sup>1</sup> 'Shall be holy', to be as itself, so that if it [the sin-offering] is unfit, that [which touches it] becomes unfit; while if it is fit, it may be eaten [only] in accordance with its stringencies. Yet why so?<sup>2</sup> let the positive command<sup>3</sup> come and override the negative injunction!<sup>4</sup> — Said Raba, A positive injunction does not override a negative injunction in the Temple. For it was taught: Neither shall ye break a bone thereof.<sup>5</sup> R. Simeon b. Menassia said: [This refers to] both a bone which contains marrow and a bone which does not contain marrow. Yet why so? let the positive injunction<sup>6</sup> come and override the negative injunction? Hence you can infer that a positive injunction does not override a negative injunction in the Temple. R. Ashi said: 'Shall be holy' is a positive injunction: thus there are a positive and a negative injunction,<sup>7</sup> and a positive injunction cannot override a positive and a negative injunction [combined].

We have thus found that a sin-offering sanctifies<sup>8</sup> [whatever touches it] through absorption; whence do we know it of other sacrifices? — Said Samuel on R. Eleazar's authority: [Scripture saith,] This is the law of the burnt-offering, of the meal-offering, and of the sin-offering, and of the guilt-offering, and of the consecration-offering, and of the sacrifice of peace-offerings.<sup>9</sup> 'Of a burnt-offering': as a burnt-offering requires a utensil,<sup>10</sup> so all require a utensil. What utensil is meant? If we say, a basin?<sup>11</sup> in respect of public peace-offerings too it is written, And Moses took half of the blood, and put it in basins!<sup>12</sup> Rather, it means a knife.<sup>13</sup> And how do we know it of a burnt-offering itself? — Because it is written, And Abraham stretched forth his hand, and took the knife [to slay his son],<sup>14</sup> and there it was a burnt-offering, as it is written, And offered him up for a burnt-offering in the stead of his son.<sup>15</sup>

'Of a meal-offering': as a meal-offering may be eaten by male priests [only], so all may be eaten by male priests only. Which [are thus inferred]? If the sin-offering and the guilt-offering? [surely] it is explicitly written in connection with them, Every male among the priests may eat thereof!<sup>16</sup> If public peace-offerings? that is deduced from a Scriptural extension, [viz.] In a most holy place shalt thou<sup>17</sup> eat thereof; every male may eat thereof:<sup>18</sup> this teaches that public peace-offerings may be eaten by male priests only! — It is a controversy of Tannaim:

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- (1) These do not render the flesh that touches them 'holy'.
  - (2) Why does the flesh of the fit sacrifice become unfit through absorbing of the unfit?
  - (3) Ex. XXIX, 33: and they shall eat those things wherewith atonement was made (sc. the flesh of the sacrifices).
  - (4) Forbidding the unfit to be eaten, e.g. in Lev. VI, 23 q.v. It is a general principle that a positive injunction overrides a negative injunction when the two are in conflict.
  - (5) Ex. Xli, 46. This refers to the Passover-offering.
  - (6) To eat the flesh (which includes marrow), sc. and they shall eat the flesh in that night (Ex. Xli, 8).
  - (7) Forbidding the flesh which absorbed the taste of the disqualified sacrifice.
  - (8) In the sense stated above.
  - (9) Lev. VII, 37. The enumeration of all these together with the single superscription 'this is the law' teaches that they are all assimilated to one another, and the Talmud proceeds to explain in which respect they are so assimilated.
  - (10) The Heb. keli denotes a vessel or a utensil.
  - (11) For receiving the blood; and this teaches that a peace-offering too needs a basin. That a burnt-offering requires a basin is inferred from Ex. XXIV, 5f, q.v.
  - (12) Ibid. 6. The blood was that of burnt-offerings and peace-offerings. Hence peace-offerings need not be inferred from burnt-offerings.
  - (13) A burnt-offering must be killed with a knife (a utensil) and not e.g. with a sharp piece of stone (unfashioned into a utensil), and the text intimates that the same applies to the others.
  - (14) Gen. XXII, 10.
  - (15) Ibid 13.
  - (16) Lev. VII, 6.
  - (17) Sc. Aaron.
  - (18) Num. XVIII, 10.

## **Talmud - Mas. Zevachim 98a**

one infers it from this verse, and another infers it from the other.

'Of a sin-offering': as a sin-offering sanctifies through absorption, so all [sacrifices] sanctify through absorption.<sup>1</sup>

'Of a guilt-offering': as a guilt-offering, the foetus and after-birth inside it are not holy, so all [sacrifices], the foetus and after-birth inside them are not holy.<sup>2</sup> He holds that the young of sacrifices become holy when they come into existence,<sup>3</sup> and that we infer what is possible from what is not



possible.<sup>4</sup>

‘Of the consecration-offering’: as the consecration-offering, the remainder thereof was burnt,<sup>5</sup> and there were no living animals among its remainder;<sup>6</sup> so all [sacrifices], their remainder is burnt, but living animals are not counted as remainder.<sup>7</sup>

‘Of the . . . peace-offering’: as [parts of] a peace-offering render piggul, and [parts] are rendered piggul, so [in] all [sacrifices] [where there are parts which] render piggul and [parts which] are made piggul [the law of piggul applies].<sup>8</sup>

It was taught in a Baraitha in R. Akiba's name: ‘Of the meal-offering’: as a meal-offering sanctifies through absorption,<sup>9</sup> so all [sacrifices] sanctify through absorption. Now, it is necessary for both ‘meal-offering’ and ‘sin-offering’ to be written.<sup>10</sup> For if we were informed [this about] a meal-offering, [I might say that was] because it is soft it absorbs; but [as for] a sin-offering, I would say [that it is] not [so]. And if we were informed about a sin-offering, [I might say] that is because it is solid;<sup>11</sup> but a meal-offering I would say is not so. Thus both are necessary.

‘Of the sin-offering’: as a sin-offering comes of hullin only, and by day, and [its rites must be performed] with his [the priest's] right hand; so every [sacrifice] comes of hullin only, by day, and [its rites must be performed] with his right hand. And how do we know it of a sin-offering [itself]? — Said R. Hisda, Scripture saith: And Aaron shall present the bullock of the sin-offering, which is his:<sup>12</sup> [that intimates that] it must be his,<sup>13</sup> and not the congregation's,<sup>14</sup> nor of tithe.<sup>15</sup> [That its rites must be performed] by day is inferred from: in the day that he commanded [etc.]?<sup>16</sup> That is stated unnecessarily. [That its rites must be performed] with his right hand is inferred from Rabbah b. Bar Hanah's [exegesis]? For Rabbah b. Bar Hanah said in the name of Resh Lakish: Wherever ‘finger’ and ‘priesthood’ are stated, the right hand only [must be used]?<sup>17</sup> That [too] is stated unnecessarily. Alternatively, he agrees with R. Simeon, who maintained: [Where] ‘finger’ [is stated], priesthood is not required;<sup>18</sup> [but where] ‘priesthood’ [is stated], ‘finger’ is required.<sup>19</sup>

‘Of the guilt-offering’: as the bones of a guilt-offering are permitted, so the bones of every [sacrifice] are permitted.<sup>20</sup>

Raba said: It is clear to me

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(1) This is the answer to the question, how do we know that all sacrifices sanctify through absorption? The rest of the discussion is really irrelevant here.

(2) A guilt-offering was a male, and so there could be no foetus or afterbirth inside it to be holy. From this we learn that the foetus and afterbirth in female sacrifices, e.g. peace-offerings and sin-offerings, are not holy. If then a foetus was found in a sacrifice after it was slaughtered, its heleb (fat) and kidneys are not burnt on the altar as emurim, as in the case of the sacrifice itself.

(3) I.e., when they are born, but not before.

(4) I.e., females from males, though in the latter case the foetus and after-birth are not holy because they do not exist.

(5) V. Lev. VIII, 32, which refers to the consecration-offering.

(6) The consecration-offering was a public sacrifice, and we do not find that two animals were dedicated for the purpose (v. next note), so that one should be a ‘remainder’. Thus only flesh and bread were a remainder, and these alone were burnt.

(7) Whatever remains of a sacrifice after the time allowed for its consumption is burnt (as nothar). This, however, does not apply to a living remainder. E.g. if a man dedicated an animal for a sacrifice, lost it, dedicated a second, found the first and sacrificed one of them; similarly, if he dedicated two animals in the first instance, so that if one were lost the second would be sacrificed. The other is technically called a remainder, but this remainder is not burnt.

(8) V. supra 28b.

(9) For it is written, whatsoever toucheth them (sc. the meal-offerings) shall be holy (Lev. VI, 11).

- (10) The same is written of the sin-offering.  
 (11) Since the flesh is thick, the grease penetrates deeply into it.  
 (12) Lev. XVI, 6. E.V. which is for himself.  
 (13) Purchased at his own expense.  
 (14) Not bought with public funds.  
 (15) It must not be an animal of tithe, which is sacred in its own right. Hence it must be hullin.  
 (16) Lev. VII, 38. This refers to all the sacrifices enumerated in the preceding verse; why then derive it from a sin-offering?  
 (17) And 'priesthood' is stated in connection with each of these sacrifices.  
 (18) To shew that the right hand is meant.  
 (19) Both are stated in connection with a sin-offering, but only priesthood is stated in connection with the others. Hence they must be inferred from a sin-offering.  
 (20) Supra 86a.

## Talmud - Mas. Zevachim 98b

that if blood of a sin-offering is below and blood of a burnt-offering is above,<sup>1</sup> it requires washing.<sup>2</sup> Raba asked: What if blood of a burnt-offering is below and blood of a sin-offering is above? [Does a garment need washing] because of contact,<sup>3</sup> and here there is contact;<sup>4</sup> or perhaps the reason is on account of absorption, and here it did not absorb?<sup>5</sup> Subsequently he solved it, that it does not require washing.

Raba said: It is clear to me that blood on his garment interposes, but if [its owner] is a slaughterer, it does not interpose.<sup>6</sup> Grease on a garment interposes, but if [the owner] is a grease merchant, it does not interpose. Raba asked: What if there are blood and grease on a garment? [Why do you ask?] If he is a slaughterer, you can infer [that the immersion is ineffectual] because of the grease; and if he is a grease merchant, you can infer [that it is ineffectual] because of the blood. The question arises only where he is both; [do we say that] he does not object to one, but objects to two; or perhaps he does not object to two either? The question stands over.

## CHAPTER XII

MISHNAH. A TEBUL YOM<sup>7</sup> AND ONE WHO LACKS ATONEMENT<sup>8</sup> DO NOT SHARE IN SACRIFICES FOR CONSUMPTION IN THE EVENING.<sup>9</sup> AN ONEN<sup>7</sup> MAY HANDLE [SACRED FLESH], BUT MAY NOT OFFER,<sup>10</sup> AND DOES NOT RECEIVE A SHARE FOR CONSUMPTION IN THE EVENING. MEN WITH BLEMISHES, WHETHER PERMANENT OR TRANSIENT, RECEIVE A SHARE AND MAY EAT [OF THE SACRIFICES]. BUT MAY NOT OFFER. WHOEVER IS NOT ELIGIBLE FOR SERVICE<sup>11</sup> DOES NOT SHARE IN THE FLESH;<sup>12</sup> AND HE WHO DOES NOT SHARE IN THE FLESH DOES NOT SHARE IN THE HIDES. EVEN IF ONE WAS UNCLEAN WHEN THE BLOOD WAS SPRINKLED BUT CLEAN WHEN THE FATS WERE BURNED [ON THE ALTAR], HE DOES NOT SHARE IN THE FLESH, FOR IT IS SAID: HE AMONG THE SONS OF AARON, THAT OFFERETH THE BLOOD OF THE PEACE-OFFERINGS, AND THE FAT, SHALL HAVE THE RIGHT THIGH FOR A PORTION.<sup>13</sup>

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- (1) First blood of a sin-offering fell on a garment and then blood of a burnt-offering fell upon it. — Only the former necessitates the washing of the garment.  
 (2) Since the blood of a sin-offering fell actually on the garment and soaked into it.  
 (3) With the blood of a sin-offering.  
 (4) The blood of the burnt-offering soaks into the material, and so the second blood does actually touch the garment.  
 (5) The blood of the sin-offering, for the material is already saturated with the other blood.  
 (6) An unclean garment must be immersed in a ritual bath (mikweh) for purification; the ceremony is called immersion.

Now, when immersion is performed, no foreign matter may interpose between the article to be purified and the water. Normally, blood is foreign matter, for a person objects to blood on his garment, and it interposes (rendering immersion ineffectual). A slaughterer, however, does not object to blood on his garment, and so it is not regarded as foreign matter and does not interpose.

(7) V. Glos.

(8) V. p. 80, n. 2.

(9) By which time they will be clean.

(10) I.e., perform the sacrificial rites, e.g., sprinkling.

(11) I.e., to perform the sacrificial rites.

(12) The Talmud discusses the obvious contradiction between this and the preceding statements.

(13) Lev. VII, 33. Thus he receives a portion only when he can offer both the blood (i.e., perform the sprinkling) and the fat, but not otherwise. Nevertheless, this text seems irrelevant, as it refers to the thigh only. Sh.M. substitutes, it shall belong to the priest that sprinkleth the blood of the peace-offerings (ibid. 14).

## Talmud - Mas. Zevachim 99a

GEMARA. How do we know it? — Said Resh Lakish, Because Scripture saith, The priest that offereth it for sin shall eat it:<sup>1</sup> the priest who offers for sin<sup>2</sup> may eat; he who does not offer for sin, may not eat. Yet is this a general rule? surely there is the whole ward, which do not offer for sin, yet they eat?<sup>3</sup> — We mean he who is eligible to offer for sin. But lo, a minor is not eligible to offer for sin, yet he eats [thereof]? — Rather, what does 'shall eat it' mean? He shall receive a share therein: he who is eligible to offer for sin, receives a share; he who is not eligible to offer for sin, does not receive a share.<sup>4</sup>

But surely one who is blemished is not eligible to offer for sin, yet he receives a share? — The Divine Law included a blemished [person] [in the privilege of sharing], viz., Every male among the priests. [may eat thereof].<sup>5</sup> which includes a [priest] with a blemish.<sup>6</sup> Yet say that 'every male' includes a tebul yom? — It is logical to include a blemished [priest], since he may eat. On the contrary, one should include a tebul yom, since he will be eligible in the evening?<sup>7</sup> — Nevertheless, he is not eligible at present. R. Joseph said:<sup>8</sup> Consider: what does 'shall eat it' mean? [Surely] shall share therein. Then let the Divine Law write 'shall share therein'? why 'shall eat therein'? That you may infer: he who is fit to eat, shares [therein]; he who is not fit to eat<sup>9</sup> does not share [in it].<sup>10</sup>

Resh Lakish asked: Is a share to be given to a blemished [priest] who is unclean? [Do we say,] Since he is not eligible [to perform the service] and yet the Divine Law included him, it makes no difference, for what does it matter whether he is unclean or blemished? Or perhaps, he who is fit to eat [when the sacrifice is offered] receives a share, [while] he who is not fit to eat does not receive a share? — Said Rabbah, Come and hear: A High Priest can offer [a sacrifice] as an onen, but he may not eat nor receive a share to eat in the evening.<sup>11</sup> This proves that one must be fit to eat [when the sacrifice is offered]. This proves it.<sup>12</sup>

R. Oshaia asked: Is a share of public sacrifices given to an unclean [priest]?<sup>13</sup> Do we say, the Divine Law saith, 'The priest that offereth it for sin [shall eat it]', and this one too can offer for sin;<sup>14</sup> or perhaps, he who is fit to eat receives a share, he who is not fit to eat does not receive a share?<sup>15</sup> — Said Rabina, Come and hear: A High Priest may offer [sacrifices] as an onen, but he may not eat, nor receive a share to eat in the evening. This proves that he must be fit to eat. This proves it.

AN ONEN MAY HANDLE [SACRED FLESH], BUT MAY NOT OFFER etc. An onen may handle [sacred flesh]? Surely the following contradicts it: An onen and one who lacks atonement need immersion for sacred flesh?<sup>16</sup> — Said R. Ammi in R. Johanan's name: There is no difficulty: here [in the Mishnah] he had performed immersion; there, he had not performed immersion. But what even if he did perform immersion: aninuth<sup>17</sup> returns to him?<sup>18</sup> for Rabbah son of R. Huna said:

If an onen performed immersion, his aninuth returns to him! — Rather, there is no difficulty: here he dismissed [it] from his mind;<sup>19</sup> in the other case he did not dismiss [it] from his mind. But inattention requires [sprinkling on] the third and the seventh [days]: for R. Justai son of R. Mathun said in R. Johanan's name: Inattention<sup>20</sup> requires sprinkling on the third and the seventh [days]!<sup>21</sup> — There is no difficulty: In the one case he was careless about defilement of the dead;<sup>22</sup> in the other he was careless about defilement by a reptile.<sup>23</sup> Defilement of the dead is genuine defilement and requires sunset?<sup>24</sup> moreover, even terumah too [should require immersion]?<sup>25</sup> — Said R. Jeremiah: [This law holds good] when he declares, I was on my guard against anything that would defile me, but not against anything that would disqualify me.<sup>26</sup>

And is there half watchfulness? — Yes, and it was taught even so: If the basket was still on his head<sup>27</sup>

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(1) Ibid. VI, 19.

(2) I.e., sprinkles the blood and performs the priestly rites.

(3) The priests were divided into wards, which officiated in rotation, (v. Glos. s.v. Mishmar). Only one of the priests sprinkled the blood of a particular sacrifice, yet the whole of the ward to which he belonged would share it.

(4) A minor accordingly does not receive a share in his own right, but merely eats of another priest's share. — From this we learn that a tebul yom and one who lacks atonement do not receive shares.

(5) Lev. VI, 22.

(6) It is shewn infra 102a that he is included in respect of sharing, for it is explicitly stated elsewhere that he may eat, viz., He (sc. a blemished priest) may eat the bread of his God, both of the most holy, and of the holy (ibid. XXI, 22). No extension therefore would be required to shew that he may eat.

(7) Even to perform the sacrificial rites.

(8) In reply to your question that one should include a tebul yom.

(9) When it is actually offered.

(10) Hence it includes a blemished priest, who is fit to eat when it is sacrificed, but not a tebul yom, who will not be fit until the evening.

(11) When he ceases to be an onen.

(12) Hence an unclean blemished priest does not receive a share.

(13) The sacrifices having been offered by clean priests.

(14) For public sacrifices can be offered in uncleanness, if the whole congregation is unclean. Hence, though this priest could not sacrifice just then, yet in general he was eligible for public sacrifices.

(15) He is definitely not fit to eat, for a public sacrifice brought in uncleanness may not be eaten.

(16) Which they may not handle otherwise.

(17) The status of onen.

(18) Since aninuth lasts to the end of the first day.

(19) Sc. the care not to become unclean. He paid no attention to this, knowing that he could not officiate in any case.

(20) To ritual cleanness.

(21) From the day that he ceased to be watchful, for he may have been defiled through the dead on that day. Thus mere immersion is insufficient.

(22) He did not even take care to avoid that. Then he needs sprinkling on the third and the seventh days.

(23) But took care not to be defiled by the dead.

(24) Even after immersion the priest may not eat flesh of sacrifices until sunset, whereas only immersion is required above.

(25) He who is defiled by a reptile may not eat terumah without immersion, whereas immersion is required above only for eating sacred flesh (i.e., of sacrifices, whose sanctity is higher than that of terumah).

(26) 'Defile' means by Scriptural, 'disqualify' by Rabbinical law. The former requires sunset, but the latter requires immersion only. Also, the former disqualifies one in respect of terumah too, but not the latter.

(27) It is not clear to what 'still' refers. It is absent in Tosef. Toh. VIII, whence it is cited in the present passage.

## Talmud - Mas. Zevachim 99b

and a shovel was in it, and he declared, 'My mind was on the basket<sup>1</sup> but not on the shovel', the basket is clean, but the shovel is unclean. But let the shovel defile the basket? — One utensil cannot defile another. Then let it defile its contents?<sup>2</sup> Said Raba: It means that he declared: 'I guarded it from anything which might defile, but not from anything which might disqualify it.'<sup>3</sup> The matter was eventually reported<sup>4</sup> to R. Abba b. Memmel. Said he to them: Have they not heard what R. Johanan<sup>5</sup> said: He who eats terumah of the third degree may not eat [terumah again], but he may touch [terumah]?<sup>6</sup> This proves that the Rabbis raised eating to a high degree<sup>7</sup> but did not raise touch to a high degree.<sup>8</sup>

AND DOES NOT RECEIVE A SHARE FOR CONSUMPTION etc. He merely does not receive a share,<sup>9</sup> but may eat if he is invited? Surely the following contradicts it: An onen performs immersion and eats his Passover-offering in the evening, but [may] not [partake] of [other] sacrifices?<sup>10</sup> — Said R. Jeremiah of Difti: There is no difficulty: the former means on Passover [itself]; the latter, during the rest of the year. On Passover, since he may eat the Passover-offering, he may also eat other sacrifices; during the rest of the year, when he is not fit [for the former],<sup>11</sup> he is not fit [for the latter]. And what does 'but [may] not [partake] of [other] sacrifices' mean? But [may] not [partake] of [other] sacrifices of the whole year.

R. Assi said, There is no difficulty: In the one case the man died on the fourteenth [of Nisan] and was buried on the fourteenth; in the other [sc. our Mishnah], the man died on the thirteenth and was buried on the fourteenth,[for] the day of burial does not embrace the night [that follows] [even] by Rabbinical law.<sup>12</sup>

Which Tanna holds that [the law of] aninuth at night is Rabbinical [only]? — R. Simeon. For it was taught: [The law of] aninuth at night is Scriptural: these are the words of R. Judah. R. Simeon said: [The law of] aninuth at night is not Scriptural but of the rulings of the Scribes.<sup>13</sup> The proof is that they [the Rabbis] said: An onen performs immersion and eats his Passover-offering in the evening, but [may] not [partake] of [other] sacrifices.<sup>14</sup> Now, does R. Simeon hold [that the law of] aninuth at night is [only] Rabbinical? Surely it was taught, R. Simeon said: An onen may not send his sacrifices.<sup>15</sup> Now does that mean, even on Passover? — No, except the Passover-offering. But it was taught, R. Simeon said: [The designation] 'Peace-offerings' [shelamim] [indicates that] a man may bring [it] when he is whole [shalem]<sup>16</sup> but not when he is an onen. How do I know to include the thanksoffering?<sup>17</sup> I include the thanksoffering, because it is eaten with rejoicing, like a peace-offering.<sup>18</sup> How do I know to include a burnt-offering? I include a burnt-offering, because it is brought as a vow or as a freewill-offering, like the peace-offering. How do I know to include a firstling, tithe, and the Passover-offering? I include firstling, tithe, and the Passover-offering because they are not brought on account of sin, like a peace-offering. How do I know to include the sin-offering and the guilt-offering? Because it says, 'sacrifice'.<sup>19</sup> How do we know to include bird-[offerings], meal-offerings, wine, wood<sup>20</sup> and frankincense? Because it says, 'his offering be shelamim': all offerings which he brings, he brings when he is whole [shalem], but does not bring [them] when he is an onen. Thus at all events he includes the Passover-offering? — Said R. Hisda: The Passover-offering is mentioned en courant.<sup>21</sup> R. Shesheth said: What does the 'Passover-offering' mean? The Passover peace-offerings.<sup>22</sup> If so, it is identical with peace-offerings? — He teaches about peace-offerings which are brought on account of Passover, and he teaches about peace-offerings which are brought independently. For if he did not teach about the peace-offering which is brought on account of Passover, I would argue: Since it comes on account of the Passover-offering,<sup>23</sup> it is like the Passover-offering itself. Hence he informs us [that it is not so].

R. Mari said:

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(1) To guard it from defilement.

- (2) Sc. the food or eatables in the basket.
- (3) 'Defile' means to render an object unclean in the sense that it can render another object unclean (or disqualified) in turn; 'disqualify' means to render an object unfit for use on account of uncleanness, but that object cannot disqualify another object in turn; v. Pes. (Sonc. ed.) p. 62 n. 2 for this and the rest of the passage
- (4) Lit., 'the matter was rolled about and reached'.
- (5) Var. lec. Jonathan.
- (6) His body becomes, as it were, unclean (or disqualified) in the third degree; he may not eat terumah again without immersion, nevertheless his touch does not render terumah unfit.
- (7) They demanded a high standard of purity for eating.
- (8) And so here too, when we learnt that an onen needs immersion, it means for eating, but not for touching.
- (9) As a right.
- (10) An onen may not eat the flesh of sacrifices (v. Lev. X, 19f). By Scriptural law a man is an onen on the day of death only, but not at night; the Rabbis, however, extended these restrictions to the night too. As, however, the Passover-offering is a Scriptural obligation, they waived their prohibition in respect of the night, and he may eat thereof. He is not unclean, but requires immersion to emphasize that until evening sacred flesh was forbidden to him, whereas now it is permitted.
- (11) Obviously, since the Passover-offering can be eaten only on Passover.
- (12) V. n. 2. That, however, applies only when the person died on the same day too; but if he was merely buried on that day, but died the previous day, there is no aninuth at all by night. Accordingly, the passage quoted (from Pes. 91b) treats of Passover itself, and not of the rest of the year.
- (13) I.e., Rabbinical only. On Soferim (scribes) v. Kid. (Sonc. ed.) p. 79, n. 7.
- (14) Whereas if the interdict were Scriptural, he could. not partake of the Passover-offering either.
- (15) To be offered on his account.
- (16) The very word for peace-offering, shelamim, indicates that a man must be whole (shalem, sing. of shelamim) — The verse discussed is Lev. III, 6: And if his offering for a sacrifice of peace-offerings etc.
- (17) In the same limitation.
- (18) V. Deut. XXVII, 7: And thou shalt sacrifice peace-offerings, and shalt eat there; and thou shalt rejoice before the Lord thy God. This precept to rejoice is fulfilled by the eating of either peace-offerings or thanks-offerings, which are called peace-offerings, v. Lev. VII, 11-12.
- (19) Lit., 'a slaughtering'. hence including every slaughtered sacrifice. (A bird was not slaughtered but nipped (melikah), which explains the question that follows.)
- (20) One who donated wood brought a sacrifice along with it.
- (21) Firstling tithe and the Passover-offering are generally mentioned together, and so it is mentioned here too. But actually it does not apply to the Passover-offering.
- (22) When a large company shared in the Paschal lamb, an additional peace-offering (called hagigah) was brought and eaten before the Passover-offering.
- (23) To remedy its inadequateness.

## **Talmud - Mas. Zevachim 100a**

There is no difficulty:<sup>1</sup> in the one case the man died on the fourteenth and was buried on the fourteenth; in the other the man died on the thirteenth and was buried on the fourteenth. If the man died on the fourteenth and was buried on the fourteenth, the day of death embraces the night [that follows] by Scriptural law;<sup>2</sup> if the man died on the thirteenth and was buried on the fourteenth, [aninuth even on] the day of burial is [only] Rabbinical,<sup>3</sup> and it embraces the night [that follows only] by Rabbinical law.<sup>4</sup> Said R. Ashi to R. Mari: If so, when it is taught, R. Simeon said to him, The proof is that they [the Rabbis] said: An onen performs immersion and eats his Passover-offering in the evening, but [may] not [partake] of [other] sacrifices; let him [R. Judah] answer him: I speak to you of the day of death, [when one is an onen] by Scriptural law, whereas you tell me about the day of burial, [when aninuth is only] Rabbinical? That is a difficulty.

Abaye said, There is no difficulty: In the one case he died before midday [of the fourteenth]; in the

other he died after midday. [If he died] before midday, when he had [as yet] no obligation of the Passover-offering, aninuth falls upon him; [if he died] after midday, when he is subject to the Passover-offering, aninuth does not fall upon him.<sup>5</sup> And how do you know that we differentiate between [death] before midday and [death] after midday? — Because it was taught: For her shall he defile himself:<sup>6</sup> this is obligatory; if he does not wish to, we defile him by force. Now, the wife of Joseph the priest happened to die on the eve of Passover, and he did not wish to defile himself, whereupon his brother priests took a vote and defiled him by force. But the following contradicts it: [He shall not make himself unclean for his father . . .] and for his sister [when they die]:<sup>7</sup> why is this stated?<sup>8</sup> [For this reason:] Behold if he<sup>9</sup> was on his way to slaughter the Passover-offering or to circumcise his son,<sup>10</sup> and he learnt that a near relation of his had died,<sup>11</sup> you might think that he may defile himself; hence you read,<sup>12</sup> ‘he shall not make himself unclean’. You might think that just as he may not defile himself for his sister, so may he not defile himself for an unattended corpse:<sup>13</sup> therefore it states, ‘and for his sister’: he may not defile himself for his sister, but he must defile himself for an unattended corpse.<sup>14</sup> Hence you must surely infer that one holds good [where the person died] before midday, and the other where he died after midday.<sup>15</sup> Whence [does this follow]? Perhaps I can argue that in truth both refer to after midday, but one agrees with R. Ishmael and the other with R. Akiba. For it was taught: ‘For her shall he defile himself’: this is permissive; these are the words of R. Ishmael.<sup>16</sup> R. Akiba said: It is an obligation!<sup>17</sup> — You cannot think so, for the first clause of that [Baraita]<sup>18</sup> was taught by R. Akiba. For it was taught, R. Akiba said: [He shall not come near to a body, [to] the dead.<sup>19</sup> ‘Body’ refers to strangers;<sup>20</sup> ‘dead’ refers to relations. ‘For his father’ he may not defile himself, but he must defile himself for an unattended corpse.<sup>21</sup> ‘For his mother’: [even] if he was [both] a priest and nazirite, only for his mother he may not defile himself, but he must defile himself for an unattended corpse. For his brother’: [even] if he was [both] a High Priest and a nazirite, only for his brother he may not defile himself, but he must defile himself for an unattended corpse. ‘And for his sister’: why is this stated? If he was on his way to slaughter his Passover-offering or to circumcise his son, and he learnt that a near relation of his had died, you might think that he may defile himself; hence you read, ‘he shall not make himself unclean’. You might think that just as he may not defile himself for his sister, so he may not defile himself for an unattended corpse; therefore it states, ‘and for his sister’: he may not defile himself for his sister, but he must defile himself for an unattended corpse.

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(1) R. Simeon is not self-contradictory.

(2) Hence he may not eat of the Passover-offering in the evening.

(3) He holds that by Scriptural law aninuth applies only to the day of death.

(4) And this Rabbinical law is waived in favour of the Passover-offering.

(5) In both cases the man died on the fourteenth, and R. Simeon holds that the aninuth of the following night is Rabbinical. Now, the obligation to sacrifice the Passover-offering commences at midday on the fourteenth. Consequently, if death took place before midday, aninuth preceded the obligation, and this prevents the obligation from becoming operative; therefore he does not eat the Passover-offering in the evening. But if the man died after midday, this person was already under the obligation, therefore he does eat the Passover-offering in the evening.

(6) Lev. XXI, 3. This refers to a priest, who may not defile himself for the dead, except for certain near relations, e.g., father and mother etc. ‘Her’ means an unmarried sister, and, according to the Rabbis, his wife (‘his kin that is near to him,’ v. 2).

(7) Num. VI, 7. This refers to a nazirite.

(8) If he may not defile himself even for his parents, it is obvious that he may not defile himself for his sister.

(9) Sc. one who was both a nazirite and a High Priest.

(10) So that he could partake of the Passover-offering, which may not be eaten by a man whose son is uncircumcised.

(11) Lit., ‘that a dead had died unto him.’

(12) Lit., ‘say’.

(13) Heb., meth mizwah, a corpse which it is a duty to bury. If any person, even a High Priest, comes across an unattended corpse, he must defile himself and attend to his burial.

(14) Thus it is taught here that he must not defile himself but sacrifice the Passover-offering, whereas the first Baraita

teaches that he must defile himself. An obvious difficulty arises here: the first Baraita refers to a priest, who must defile himself for his near relations, whereas the second treats of a nazirite who is also a High Priest, who may not defile himself even for his relations. Sh.M. quotes a var. lec., according to which this second Baraita, though interpreting a passage dealing with a nazirite, transfers its teaching to an ordinary priest; in which case there is a definite contradiction between the two.

(15) Cf. p. 479. n. 6.

(16) Hence the obligation to sacrifice the Passover-offering overrides this permission, and he may not defile himself.

(17) Yet there may be no difference between death before midday and death after midday.

(18) Which forbids him to defile himself.

(19) Num. VI, 6. E.V. to a dead body. R. Akiba however understands the Hebrew as two substantives.

(20) Lit., 'distant ones'.

(21) Since 'dead' refers to relations, v. 7 which enumerates these relations is superfluous; R. Akiba explains that each relation enumerated has a particular teaching.

## Talmud - Mas. Zevachim 100b

Raba said: Both are meant after midday, yet there is no difficulty: in the one case it was before they had slaughtered [the Passover-offering] and sprinkled [its blood] on his account;<sup>1</sup> in the other it was after they had slaughtered and sprinkled on his account.<sup>2</sup> R. Adda b. Mattenah said to Raba: after they slaughtered and sprinkled on his account, what is done is done!<sup>3</sup> — Said Rabina to him: The eating of the Passover-offering is indispensable, [which follows] from Rabbah son of R. Huna's [teaching]. Said [Raba] to him: Pay heed to what your master [Rabina] has told you [R. Adda b. Mattenah].<sup>4</sup>

What was Rabbah son of R. Huna's [teaching]? — It was taught: The day when one learns [of a near relation's death] is as the day of burial in respect of the laws of seven and thirty [days' mourning];<sup>5</sup> In respect of eating the Passover-offering it is as the day on which the bones [of one's parents] are collected.<sup>6</sup> In both cases<sup>7</sup> he performs immersion and eats [of] sacrifices in the evening. Now this is self-contradictory: You say, the day when one learns is as the day of burial in respect of seven and thirty [days' mourning], but in respect of eating the Passover-offering it is as the day when the bones [of one's parents] are collected; whence it follows that as for the day of burial, one may not eat even in the evening; and then you teach, in both cases he performs immersion and eats of sacrifices in the evening? Said R. Hisda: It is a controversy of Tannaim.<sup>8</sup> Rabbah son of R. Huna said: There is no difficulty. In the one case he learnt about his bereavement just before sunset, and similarly the bones of his dead were gathered just before sunset, and similarly his relation died and was buried just before sunset. In the other case [these things happened] after sunset.<sup>9</sup> 'After sunset'! but what has been has been!<sup>10</sup> Hence you must surely infer from this that the eating of the Passover-offering is indispensable.<sup>11</sup>

R. Ashi said: What does 'both the one and the other' [mean]? It means that both on the day of hearing and on the day of gathering the bones, he performs immersion and eats of the sacrifices in the evening.<sup>12</sup> But this statement of R. Ashi is fiction. Consider: he [the Tanna] is discussing these;<sup>13</sup> then he should say, 'the one and the other.' Hence it surely follows that it is fiction.

Now, what is this controversy of Tannaim?<sup>14</sup> — For it was taught: For how long is he an onen on his account?<sup>15</sup> The whole day.<sup>16</sup> Rabbi said: As long as he is not buried.<sup>17</sup> What are we discussing? Shall we say, the day of death? does anyone reject the view that the day of death embraces the night following by Rabbinical law?<sup>18</sup> Moreover, 'Rabbi said: As long as he is not buried'; but if he was buried, he is permitted?<sup>19</sup> Does anyone reject [the implication of] And the end thereof as a bitter day?<sup>20</sup> — Said R. Shesheth: [We are discussing] the day of burial. To this R. Joseph demurred: Then when it is taught, He who learns about his bereavement, and he who gathers bones, performs immersion and eats in the evening; whence it follows that as for the day of burial, he may not even



eat in the evening; with whom will it agree?<sup>21</sup> Rather, explain it thus: For how long is he an onen on his account? The whole of that day<sup>22</sup> and the [following] night. Rabbi said: That is only as long as he was not buried; but if he was buried, [it is the day] without the [following] night. Now, this was reported before R. Jeremiah, whereupon he observed: That a great man like R. Joseph should say thus! Are we to assume then that Rabbi is more lenient? Surely it was taught: How long is he an onen on his account? As long as he is not buried, even for ten days: these are the words of Rabbi; but the Sages maintain: He observes aninuth on his account only on that day itself! Rather, explain it thus: How long does he observe aninuth on his account? The whole of that day without the [following] night. Rabbi maintained: As long as he is not buried, it embraces the [following] night.<sup>23</sup>

Now, it was stated before Raba: Since Rabbi maintained that the day of burial embraces the [following] night by Rabbinical law,<sup>24</sup> it follows that the day of death embraces the [following] night by Scriptural law.<sup>25</sup> Does then Rabbi hold that aninuth at night is Scriptural? Surely it was taught: 'Behold, this day [etc].<sup>26</sup> I am forbidden by day yet am permitted at night;<sup>27</sup> but [future] generations will be forbidden both by day and by night':<sup>28</sup> these are the words of R. Judah. Rabbi maintained: Aninuth at night is not Scriptural but a law of the Scribes! — In truth, it is Rabbinical.<sup>29</sup>

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- (1) Then they must not do so, for he has become an onen and Scripture disqualified him.
  - (2) The main thing that the Baraita teaches then is that he partakes thereof in the evening.
  - (3) Why is he permitted to eat thereof in the evening, any more than of other sacrifices, seeing that his aninuth exempts him? On Abaye's explanation this difficulty does not arise. For he explains that the person died after midday, but before the offering was slaughtered on his behalf. Now, since the obligation to sacrifice preceded his aninuth and is therefore still in force, if he is forbidden to eat of it in the evening, he will refrain from sacrificing at all; therefore the Rabbis waived their prohibition. But there is nothing to fear if his relation died after the sacrifice was offered, and so he should still be forbidden.
  - (4) His answer is correct.
  - (5) One must observe deep mourning for seven days after the burial of a near relation, during which time he must not work, bathe, or wear his shoes. A lighter mourning is observed for thirty days after burial, such as not putting on new garments or attending festivities. If a person learns of such a relation's death within thirty days, he must observe the seven and the thirty days' mourning from the day that he learnt it.
  - (6) A man may eat of the Passover-offering on the evening following the day when his parents' bones were collected; v. Pes. 92a.
  - (7) This can only mean, on the day of burial or on the day that the bones are collected. It cannot mean on the day of hearing and on the day of collecting, for the reason explained anon.
  - (8) The two clauses represent the views of different Tannaim.
  - (9) He may eat of sacrifices, and all the more so of the Passover-offering, if his relation died etc. before sunset; hence the evening is the night following his aninuth, and he holds that in this respect the day does not embrace the night following even by Biblical law. He may not eat on the evening of burial where he died after sunset, so that it is not the evening following the day of burial, but the evening of burial itself (the corpse will be buried either that same evening or on the next day).
  - (10) How can you then differentiate between the Passover-offering and other sacrifices, seeing that sacrifices may not be eaten on the day of burial? That certainly should apply to the Passover-offering too.
  - (11) For that reason they permitted it in the evening, because neglect to eat of it entails kareth (v. Glos.).
  - (12) But not on the evening after burial.
  - (13) Sc. the two mentioned by R. Ashi.
  - (14) To which R. Hisda alluded above.
  - (15) To be forbidden to partake of sacrifices.
  - (16) This is now assumed to mean without the night following.
  - (17) V. Sem. IV, 14.
  - (18) Surely not!
  - (19) On the same day.
  - (20) Amos VIII, 10. From this the Rabbis deduce (M. K. 21a) that the interdict of aninuth lasts the whole day of death,

even after burial.

(21) Both Rabbi and the Rabbis hold that the evening is permitted.

(22) Of burial.

(23) This then is the controversy alluded to by R. Hisda.

(24) Obviously by Rabbinical law only, for aninuth even on the day of burial itself is Rabbinical only.

(25) Just as aninuth on the day of death is Scriptural.

(26) Lev. X, 19. Aaron was explaining why he had not eaten of the sin-offering offered on the day of his consecration, viz., because he had lost two sons on that day.

(27) Since there were no other priests to eat thereof.

(28) Thus aninuth on the night following is Scriptural.

(29) Sc. the law of aninuth on the night after the day of death.

## **Talmud - Mas. Zevachim 101a**

but the Sages made their law even stricter than Scripture.<sup>1</sup>

Our Rabbis taught: 'For so I am commanded'; 'as I commanded'; 'as the Lord hath commanded':<sup>2</sup> 'For so I am commanded' that they should eat it during their bereavement [aninuth]; 'As I commanded', when it happened;<sup>3</sup> 'As the Lord commanded', I did not bid you [to do this] on my own authority. But the following contradicts it: [The sin-offering] was burnt on account of aninuth, for which reason it is said, [And there have befallen me] such things as these?<sup>4</sup> — Said Samuel, There is no difficulty: one agrees with R. Nehemiah, the other with R. Judah and R. Simeon. For it was taught: They burnt it because of aninuth; therefore it is stated, 'such things as these': these are the words of R. Nehemiah. R. Judah and R. Simeon maintained: It was burnt because of defilement, for if because of bereavement, they should have burnt the three.<sup>5</sup> Another argument: they would have been fit to eat them in the evening.<sup>6</sup> Another argument: surely Phinehas was with them!<sup>7</sup> Raba said: Both agree with R. Nehemiah, yet there is no difficulty: one refers to special ad hoc sacrifices, and the other to regular sacrifices.<sup>8</sup>

Now, how does R. Nehemiah explain these texts, and how do the Rabbis<sup>9</sup> explain these texts? — R. Nehemiah explains it thus: 'Wherefore have ye not eaten etc?''<sup>10</sup> 'Perhaps', said Moses to Aaron, 'its blood entered the innermost sanctuary?''<sup>11</sup> 'Behold, the blood of it was not brought [into the sanctuary within]', he answered. 'Perhaps it passed without its barrier?''<sup>12</sup> he suggested. 'It was in the sanctuary', he replied. 'And perhaps ye offered it in bereavement, and thus disqualified it?' 'Moses', replied he, 'did they, [my sons] offer it: I offered it?''<sup>13</sup> Thereupon he exclaimed, 'Behold, the blood of it was not brought within, and it was in the sanctuary,<sup>14</sup> then ye should certainly have eaten it, as I commanded, [viz.,] that they should eat it in their bereavement.' Said he to him: 'And there have befallen me such things as these, and if I had eaten the sin-offering to-day, would it have been pleasing in the sight of the Lord? perhaps you heard thus<sup>15</sup> only about the special sacrifices? For if [you would apply it] to the regular sacrifices, [you may argue] a minori from tithe, which is of lesser holiness,<sup>16</sup> [that it is not so]. For if the Torah said of tithe, which is of lesser holiness, I have not eaten thereof in my mourning,<sup>17</sup> how much the more does it apply to sacrifices, which are more holy?''<sup>18</sup> Forthwith, and when Moses heard that, it was pleasing in his sight.<sup>19</sup> He admitted [his error], and Moses was not ashamed [to excuse himself] by saying, 'I had not heard it', but said, 'I heard it and forgot.

How do R. Judah and R. Simeon explain these verses? — They explain it thus: 'Wherefore have ye not eaten the sin-offering': perhaps the blood entered the innermost sanctuary? 'Behold, the blood of it was not brought into the sanctuary within', he replied. Perhaps it passed without its barrier? It was in the sanctuary, was his answer. And perhaps ye offered it in bereavement, and thus disqualified it? Moses, replied he, did they offer it, that bereavement should disqualify? I offered it. And perhaps ye were negligent through your grief, and it was defiled? Moses, he exclaimed, am I

thus in your eyes, that I would despise Divine sacrifices? ‘And there have befallen me such things as these’, and even many more, yet would I not despise Divine sacrifices. If then, said he, ‘behold, the blood of it was not brought within, and it was in the sanctuary, then ye should certainly have eaten it, as I commanded’, [viz.] that they should eat it in their bereavement! Perhaps you heard thus only of the night,<sup>20</sup> he suggested; for if [you would apply it to] the day, [you may argue] a minori from tithe, which is of lesser holiness, [that it is not so]. For if the Torah said of tithe, which is of lesser holiness, ‘I have not eaten thereof in my mourning’, how much the more does it apply to sacrifices, which are more holy! Forthwith, ‘and when Moses heard that,

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(1) Lit., ‘strengthened their words more than did Scripture.’ Thus, while Scripture prescribes aninuth only on the day of death, the Rabbis decreed aninuth on the day of burial and on the night following.

(2) Lev. X, 13. 18. 15. The first refers to the meal-offering, the second to the sin-offering, and the third to the peace-offering. These three were brought at the consecration of Aaron and his sons into the priesthood, and Moses ordered them to eat them, adding, For so I am commanded etc.

(3) Sc. the death of Nadab and Abihu. He then told them that they were still to eat the sacrifice.

(4) Sc. the death of my children. Now, Moses admitted that they had acted rightly (v. 19); evidently then he had not been instructed that they were to eat it in bereavement.

(5) Three he-goats were sacrificed, yet only one was burnt.

(6) R. Simeon holds that aninuth does not extend to the following evening by Scriptural law at all. And even R. Judah, who maintains that it does, admits that on that occasion it did not (supra 100b).

(7) He was not an onen, and could have eaten it. Hence the sin-offering must have become defiled, and on that account only was it burnt.

(8) Lit., ‘of the hour . . . of generations’. R. Nehemiah holds that the meal-offering was to be eaten in bereavement, as it is written, ‘for so I am commanded’. Now, that meal-offering was a special sacrifice, and was permitted by a special dispensation. The sin-offering, however, was the ordinary New Moon sin-offering (this happened on New Moon). Moses erroneously thought that what he had been told about the meal-offering also applied to the sin-offering, and was therefore angry that it was burnt. Aaron, however, pointed out that he might have been told only about the special meal-offering, and Moses then admitted that he was right.

(9) Sc. R. Judah and R. Simeon.

(10) Lev. X, 17.

(11) I.e., into the Hekal, in which case you rightly burnt it.

(12) I.e., outside the Temple court.

(13) He renders v. 19: And Aaron spoke unto Moses: Behold, have they this day offered their sin-offering etc.? Surely I offered it, and I, being the High priest, was permitted to do so.

(14) He thus renders v. 18.

(15) Sc. that I should eat in spite of my bereavement.

(16) Lit., ‘tithe, which is light’.

(17) Deut. XXVI, 14.

(18) Lit., ‘which is heavier’. Emended text (Sh.M.).

(19) Lev. *ibid.* 20.

(20) That the sacrifice is to be eaten on the night following the day of death.

## **Talmud - Mas. Zevachim 101b**

it was pleasing in his sight’. He admitted his error, and Moses was not ashamed [to excuse himself] by saying, ‘I had not heard it’, but, ‘I heard it and forgot.’ But they should have kept it and eaten it in the evening? — It was accidentally defiled.<sup>1</sup>

As for the Rabbis, it is well: for that reason it is written, ‘[and if I had eaten the sin-offering] this day.’<sup>2</sup> But on R. Nehemiah’s explanation, why [did he say] ‘this day’? — [He meant that it was] a statutory obligation of the day.<sup>3</sup>

As for R. Nehemiah, it is well: for that reason it is written, ‘Behold, this day [have they offered etc.]’<sup>4</sup> But according to the Rabbis, what is [the ‘significance of] ‘Behold, this day’?<sup>5</sup> — This is what he meant: Behold, have they offered?’ It was I who offered.<sup>6</sup>

The Master said: ‘Then the three should have been burnt.’ What were the three? — For it was taught: ‘And Moses diligently inquired for the goat of the sin-offering’:<sup>7</sup> ‘Goat’ alludes to Nahshon’s goat;<sup>8</sup> ‘sin-offering’ refers to the sin-offering of the eighth day;<sup>9</sup> ‘[Moses] inquired’ refers to the goat of New Moon.<sup>10</sup> You might think that the three of them were burnt; therefore it says, ‘and, behold, it was burnt’: one was burnt, but three were not burnt — ‘Diligently inquired’: why these two enquiries?<sup>11</sup> He said to them: ‘Why is this sin-offering burnt, and these others lying?’<sup>12</sup> Now, I do not know which one [was burnt]. But when it says, ‘And He hath given it to you to bear the iniquity of the congregation’,<sup>13</sup> it follows that it was the goat of New Moon.<sup>14</sup>

They said well to him?<sup>15</sup> — R. Nehemiah is consistent with his view, for he maintained [that] bereavement did not disqualify ad hoc sacrifices.<sup>16</sup>

The Master said: ‘Then they should have eaten it in the evening.’ They said well to him? — He holds that [the law of] aninuth at night is Scriptural.<sup>17</sup>

‘Another argument: surely Phinehas was with them.’ They said well to him? — He agrees with R. Eleazar. For R. Eleazar said in R. Hanina’s name: Phinehas was not elevated to the priesthood until he slew Zimri, for it is written, And it shall be unto him, and unto his seed after him, the covenant of an everlasting priesthood.<sup>18</sup> R. Ashi said: Until he made peace between the tribes, for it is said, And when Phinehas the priest, and the princes of the congregation, even the heads of the thousands of Israel that were with him, heard etc.<sup>19</sup> And as to the others too, surely it is written, ‘And it shall be unto him, and unto his seed after him’ [etc.]? — That is written as a blessing,<sup>20</sup> as to the other too, surely it is written, ‘And when Phinehas the priest heard’? — That was to invest his descendants with his rank.<sup>21</sup>

Rab said: Our teacher Moses was a High Priest, and received a share of the holy sacrifices, as it is said, It was Moses’ portion of the ram of consecration.<sup>22</sup> An objection is raised: ‘But was not Phinehas with them?’ Now if this is correct, let them argue, But was not our teacher Moses with them? Perhaps Moses was different, because he was engaged by the Shechinah,<sup>23</sup> for a master said: Moses ascended early in the morning and descended early in the morning.<sup>24</sup>

An objection is raised: He may eat the bread of his God both of the most holy, and of the holy:<sup>25</sup> if sacrifices of higher sanctity are stated, why are lesser sacrifices stated; and if lesser sacrifices are stated, why are sacrifices of higher sanctity stated? If lesser sacrifices were not stated, I would say, He may eat only of higher sacrifices, because they were permitted to a zar<sup>26</sup> and to them,<sup>27</sup> but he may not eat of lesser sacrifices. And if higher sacrifices were not stated I would say: He may eat only of lesser sacrifices, since they are lesser,<sup>28</sup> but not of higher sacrifices. For that reason both higher sacrifices and lesser sacrifices are stated. At all events he [the Tanna] teaches, Because they were permitted to a zar and to them: surely that means [to] Moses?<sup>29</sup> — Said R. Shesheth: No; it refers to the High Places [bamah], this agreeing with the view that a meal-offering could be offered at the High Places.<sup>30</sup>

An objection is raised: Who shut Miriam up?<sup>31</sup> If you say, Moses shut her up, surely Moses was a zar,

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(1) But not through negligence.

(2) He stressed that it was only during the day that he could not eat it, but he had intended to eat it that night.

(3) Could I eat the sin-offering, which is a statutory obligation for this day, and not a special sacrifice? (as supra a.)

- (4) Meaning that it was a statutory and regular offering for that day. and therefore might not be eaten in mourning.
- (5) It is apparently quite irrelevant.
- (6) As supra a.
- (7) Lev. X, 16.
- (8) It was the first of Nisan, and the first day of the consecration ceremonies of the Tabernacle, when Nahshon sacrificed a goat on behalf of the tribe of Judah (Num. VII, 12-17; Seder 'Olam).
- (9) Of Aaron's consecration rites.
- (10) Thus this verse is made to refer to three sacrifices, not to one.
- (11) The emphatic 'diligently' is expressed in Hebrew, as usual, by the repetition of the verb, and hence understood to mean two enquiries.
- (12) Waiting for the evening to be eaten: why did you not eat it during the day?
- (13) Lev. X, 17.
- (14) Which 'bears the iniquity of the congregation' by atoning for the defilement of the sanctuary and the sacrifices, Shebu. 2a.
- (15) This reverts to the earlier part of the discussion. Surely the argument that all three should have been burnt, if it was on account of their bereavement, is sound!
- (16) Such as the other two were.
- (17) Hence they could not eat it in the evening either.
- (18) Num. XXV, 13. This was spoken after he had slain Zimri: thus only then was the priesthood conferred upon him.
- (19) Josh. XXII, 30; v. whole chapter for the controversy between the two and a half tribes in Transjordan and the rest of Israel, and how it was settled. This is the first time that Phinehas is spoken of as 'the priest'; previously he is always referred to as 'Phinehas the son of Eleazar the son of Aaron the Priest'. Thus Priesthood is ascribed to his forbears, but not to himself.
- (20) He was informed that he would be invested with the priesthood, but it was not conferred upon him until later.
- (21) Tosaf: a promise that all High Priests would be descended from him.
- (22) Lev. VIII, 29.
- (23) V. Glos.
- (24) During the days preceding Revelation, when he ascended the mountain of Sinai and descended thence to the people.
- (25) Lev. XXI, 22. This refers to a blemished priest, who may not officiate, yet may partake of the sacrifices.
- (26) V. Glos. Though normally higher sacrifices might be eaten by male priests only, yet we do find an instance where they were permitted to a zar; the instance(s) is discussed anon. But a zar was never permitted to eat the priestly portions (viz., the breast and thigh) of lesser sacrifices. — Since then a zar may sometimes partake of higher sacrifices, it is logical that a blemished priest may always do so.
- (27) Sc. the priests.
- (28) Their sanctity is not so great.
- (29) The only instance found of a zar eating of higher sacrifices was when Moses received the breast and thigh of the ram of consecration, which was a higher sacrifice. Thus Moses is counted as a zar, not as a priest
- (30) Infra 113a. The meal-offering was a higher sacrifice, and when offered at the High Places (where a zar could officiate), after the handful had been burnt on the altar the remainder might be eaten by a zar, whereas in the Temple this belonged to the priests only.
- (31) As a leper; v. Num. XII, 14 seq. Before she could be shut away, the symptoms had to be duly diagnosed as leprous.

## **Talmud - Mas. Zevachim 102a**

and a zar cannot inspect plagues [of leprosy].<sup>1</sup> If you say that Aaron shut her away, Aaron was a relation, and a relation cannot inspect [leprous] plagues. Rather, the Holy One, blessed be He, bestowed great honour upon Miriam in that moment, and declared, I am a priest: I will shut her away, I will declare her a definite [leper], and I will free her. He teaches at all events, 'Moses was a zar and a zar cannot inspect plagues'? — Said R. Nahman b. Isaac: The inspection of leprosy<sup>2</sup> is different, because Aaron and his sons are specified in that section.

An objection is raised: Elisheba<sup>3</sup> had five joys more than the other daughters of Israel:<sup>4</sup> her

brother-in-law [Moses] was a king, her husband was a High Priest, her son [Eleazar] was Segan [deputy High Priest], her grandson [Phinehas] was anointed for battle,<sup>5</sup> and her brother [Nahshon] was the prince of his tribe; yet she was bereaved of her two sons. At all events he teaches, Her brother-in-law was a king: thus he was a king, but not a High Priest? — Emend, was also a king.

This is dependent on Tannaim: And the anger of the Lord was kindled against Moses.<sup>6</sup> R. Joshua b. Karhah said: A [lasting] effect is recorded of every fierce anger in the Torah,<sup>7</sup> but no [lasting] effect is recorded in this instance. R. Simeon b. Yohai said: A [lasting] effect is recorded in this instance too, for it is said, Is there not Aaron thy brother the Levite?<sup>8</sup> Now surely he was a priest? Rather, this is what He meant: I had said that thou wouldst be a priest and he a Levite; now, however, he will be a priest and thou a Levite. The Sages maintain: Moses was invested with priesthood only for the seven days of consecration. Some maintain: Only Moses' descendants were deprived of priesthood,<sup>9</sup> for it is said, But as for Moses the man of God, his sons are named among the tribe of Levi;<sup>10</sup> and it says, Moses and Aaron among His priests, and Samuel among them that call upon His name.<sup>11</sup> Why [add] 'and it says'?<sup>12</sup> — You might argue that [the first proof-text] is written for [future] generations,<sup>13</sup> hence it says, however, 'Moses and Aaron among His priests'.

Now, is then a [lasting] effect recorded of every fierce anger in the Torah? Surely it is written, And he went out from Pharaoh in hot anger,<sup>14</sup> and yet he said nothing to him? — Said Resh Lakish: He slapped him and went out. But did Resh Lakish say thus? Surely it is written, And thou shalt stand by the river's brink to meet him,<sup>15</sup> whereon Resh Lakish commented: [The Holy One, blessed be He, said to Moses,] He is a king, and thou must show him reverence;<sup>16</sup> while R. Johanan maintained: [God said to him:] He is a wicked man, therefore be thou insolent toward him? — Reverse it.<sup>17</sup>

R. Jannai said: Let the awe of kingship always be upon thee, for it is written, And all these thy servants shall come down unto me,<sup>18</sup> but he did not say it of [Pharaoh] himself.<sup>19</sup> R. Johanan said: It may be inferred from the following: And the hand of the Lord was on Elijah; and he girded up his loins, and ran before Ahab.<sup>20</sup>

'Ulla said: Moses desired kingship, but He did not grant it to him, for it is written, Draw not nigh halom [hither];<sup>21</sup> 'halom' can only mean kingship, as it is said, [Then David . . . said:] 'Who am I, O Lord God . . . that Thou hast brought me halom [thus far]?<sup>22</sup> Raba raised an objection: R. Ishmael said: Her [Elisheba's] brother-in-law [Moses] was a king? — Said Rabbah b. 'Ulla:<sup>23</sup> He ['Ulla] meant, for himself and for his descendants.<sup>24</sup>

Does then 'halom' refer to [future] generations wherever it is written?<sup>25</sup> Surely it is written in connection with Saul, Is there yet a man come halom [hither],<sup>26</sup> yet only he [enjoyed kingship], but not his seed? — If you wish I can answer that there was Ish-bosheth.<sup>27</sup> Alternatively, Saul was different, for it [kingship] did not remain even with him.<sup>28</sup> This agrees with R. Eleazar's dictum in R. Hanina's name: When greatness is decreed for a man, it is decreed for him and for his seed unto all generations, for it is said: He withdraweth not His eyes from the righteous; but with kings upon the throne He setteth them for ever.<sup>29</sup> But if he becomes arrogant, the Holy One, blessed be He, abases him, for it is said [And they are exalted . . .] And if they be bound in fetters, and be holden in cords of affliction.<sup>30</sup>

**MEN WITH A BLEMISH, WHETHER TRANSIENT.** How do we know this?— Because our Rabbis taught: Every male [may eat of it]:<sup>31</sup> this includes men with a blemish. In which respect? If in respect of eating, surely it is said elsewhere, He may eat the bread of his God, both of the most holy, and of the holy?<sup>32</sup> Hence it means in respect of sharing.<sup>33</sup> Another [Baraita] taught: 'Every male': this includes men with a blemish. In which respect? If in respect of eating, surely that is already stated [elsewhere]; if in respect of sharing, surely that [too] is already stated?<sup>34</sup> Hence [it is required]

in respect of a man blemished from birth.<sup>35</sup> For I might think: I know it only of an unblemished [priest] who became blemished; how do I know it of a man blemished from birth? Therefore it says, 'Every male'. Another [Baraita] taught: 'Every male' includes a man with a blemish. In which respect? If in respect of eating, surely it is already stated; if in respect of sharing, surely it is already stated; if in respect of a man blemished from birth, surely it is already stated? For I might think: I know it only of a man with a permanent blemish; how do I know it of a man with a transient blemish? Therefore it says, 'Every male'. Surely this should be reversed!<sup>36</sup> — Said R. Shesheth: Reverse it. R. Ashi said: After all, do not reverse it, yet it is necessary. For I might argue,

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- (1) V. Lev. XIII, 2.
  - (2) Lit., 'the appearance of plagues'.
  - (3) Aaron's wife.
  - (4) On the day that the Tabernacle was erected.
  - (5) He was anointed as the deputy High Priest to lead in battle.
  - (6) Ex. IV, 14. The reason for God's anger was Moses' extreme reluctance to go to Pharaoh.
  - (7) Wherever it is stated that God's anger was kindled, it left its mark in some way.
  - (8) Ex. IV, 14.
  - (9) But he remained a priest all his life.
  - (10) I Chron. XXIII, 24.
  - (11) Ps. XCIX, 6.
  - (12) Which implies that the first proof-text is insufficient.
  - (13) The first text deals with the status of the people then living, and for that reason Moses himself is not included. Thus it may not prove that he was a priest.
  - (14) Ex. XI, 8.
  - (15) Ibid. VII, 15.
  - (16) Surely then he would not have slapped him.
  - (17) Resh Lakish maintained that he was to be insolent toward him, and R. Johanan the reverse.
  - (18) Ibid. XI, 8.
  - (19) Out of respect for royalty, though he knew that Pharaoh himself would eventually appeal to him (ibid. XII, 30 seq.)
  - (20) I Kings XVIII, 46. Thus he shewed him respect as a king, in spite of the strong opposition he had always displayed.
  - (21) Ex. III, 5.
  - (22) 11. Sam. VII, 18. 'Halom' (thus far) there means the kingship.
  - (23) Emended text (Sh.M.).
  - (24) Moses desired royalty for himself and his descendants, but it was granted only for himself.
  - (25) For according to the answer just given, when God said to Moses, 'Draw not nigh halom', He meant that he could not enjoy kingship for future generations.
  - (26) 1. Sam. X, 22.
  - (27) His son, who did succeed him for a time.
  - (28) Even in his own lifetime it was torn from him. But originally it was decreed both for him and for his descendants, and he lost it only through his own instability.
  - (29) Job XXXVI, 7.
  - (30) Ibid. 8. This is their punishment if 'they are exalted', i.e., arrogant.
  - (31) Lev. VI, 11, 22; VII, 6. These refer to the meal-offering, the sin-offering, and the guilt-offering respectively. The Talmud now interprets each one.
  - (32) Ibid. XXI, 22.
  - (33) Blemished priests receive a share in their own rights.
  - (34) That is deduced from the first 'every male'.
  - (35) Lit., 'from the beginning'. — Emended text.
  - (36) One would include a non-permanent blemish sooner than a permanent one.

[he is] like an unclean [person]: as an unclean person may not eat—so long as he is not clean, so may this man not eat so long as he is not made whole;<sup>1</sup> hence it informs us [otherwise].

WHOEVER IS NOT ELIGIBLE etc. Is he not? surely a [priest] with a blemish is not eligible, yet he receives a share? Moreover [it implies that every] one who is eligible for service receives a share; lo, an unclean [priest] is eligible for the service in public sacrifices, and yet does not receive a share? — He means: who is fit to eat. Lo, a minor is fit to eat, yet does not receive a share? — He does not teach this.<sup>2</sup> Now that you have arrived at this, [you can say,] After all, it is as we first said:<sup>3</sup> if [your difficulty is] on account of an unclean [priest], he does not teach this;<sup>4</sup> and if [your difficulty is] on account of a [priest] with a blemish: a [priest] with a blemish was included by the Divine Law.<sup>5</sup>

EVEN IF ONE WAS UNCLEAN WHEN THE BLOOD WAS SPRINKLED BUT CLEAN WHEN THE FATS WERE BURNED, HE DOES NOT RECEIVE A SHARE. Hence, if he was clean when the blood was sprinkled but unclean when the fats were burned, he does receive a share. Our Mishnah does not agree with Abba Saul. For it was taught, Abba Saul said: He never receives a share unless he was clean from the time of the sprinkling of the blood until the time of the burning of the fats [inclusive], because it is said, He [among the sons of Aaron,] that offereth the blood of the peace-offerings, and the fat, [shall have the right thigh for a portion]<sup>6</sup> this intimates that even [at] the burning of the fat too [cleanness] is required.

R. Ashi asked: What if he was defiled in between?<sup>7</sup> Do we require him [to be clean] at the sprinkling and at the burning, and [this condition] is fulfilled; or perhaps he must be clean from the time of the sprinkling until the time of the burning of the fats? The question stands over.

Raba<sup>8</sup> said: I have the following discussion as a tradition from R. Eleazar son of R. Simeon, which he stated in a privy. You can argue: If a priest, a tebul yom, came and demanded: Give me of an Israelite's meal-offering, that I may eat thereof,<sup>9</sup> one [the clean priest] can answer him: If I can repulse you from an Israelite's sin-offering, though you have a valid right<sup>10</sup> to your own sin-offering, surely I can repulse you from an Israelite's meal-offering, seeing that you have no valid right<sup>10</sup> in your own meal-offering.<sup>11</sup> [He can reply:] If you repulse me from an Israelite's sin-offering, that is because just as I have a great privilege, so have you a great privilege;<sup>12</sup> will you repulse me from an Israelite's meal-offering, where just as my own rights are weak, so are your rights weak? [He can answer:] Lo, it says, [And every meal-offering . . .] shall be the priest's that offereth it:<sup>13</sup> come, offer, and eat.<sup>14</sup>

[If the tebul yom demands:] Give me [a share] of an Israelite's sin-offering, that I may eat, he can reply: If I can repulse you from an Israelite's meal-offering, though I have no privileges in my own meal-offering, surely I can repulse you from an Israelite's sin-offering, seeing that I have great privileges in my own sin-offering. He can retort: If you can repulse me from an Israelite's meal-offering, where just as you have no privileges so have I no privileges: will you repulse me from an Israelite's sin-offering, where just as you have great privileges, so have I great privileges? He can answer: Lo, it says, The priest that offereth it for sin shall eat it:<sup>15</sup> come, offer it for sin, and eat!

If [the tebul yom] demands Give me [a share] of the breast and the thigh, that I may eat, he can reply: If I can repulse you from an Israelite's sin-offering, though you have great privileges in your own sin-offering, surely I can repulse you from a peace-offering, where your privileges are weak, since you have rights only to the breast and thigh thereof. He can retort: If you can repulse me from a sin-offering, where my rights are weak in respect of my wives and servants,<sup>16</sup> will you repulse me from the breast and thigh, where my rights are strong in respect of my wives and my slaves?<sup>17</sup> He can answer: Lo, it says, It shall be the priest's that sprinkleth the blood of the peace-offerings against the altar:<sup>18</sup> Come, sprinkle and eat. Thus the tebul yom departs, bearing his arguments on his head,<sup>19</sup> with an onen on his right and one who lacks atonement on his left.<sup>20</sup>



R. Ahai raised a difficulty: Let him [the tebul yom] demand:<sup>21</sup> Give me [a share] of a firstling, that I may eat. Because he [the clean priest] can answer: If I can repulse you from an Israelite's sin-offering, though my own privileges in a sin-offering are weak in respect to my wives and slaves, surely I can repulse you from a firstling, where I enjoy great privileges, as it is altogether mine. [He can answer:] If you have repulsed me from a sin-offering, where just as your privileges are weak so are my privileges weak, will you repulse me from a firstling, where just as your privileges are great, so are mine great? [He can retort:] Lo, it says, Thou shalt sprinkle their blood against the altar, and shalt make their fat smoke for an offering made by fire . . . and the flesh of them shall be thine:<sup>22</sup> come, sprinkle, and eat.<sup>23</sup> And the other?<sup>24</sup> — Refute it [thus]: Is it then written, And the flesh of them shall be the priest's who sprinkleth? Surely it is written, And the flesh of them shall be thine, which means even another priest's.<sup>25</sup>

Now, how might he [R. Eleazar son of R. Simeon] do this?<sup>26</sup> Surely Rabbah b. Bar Hanah said in R. Johanan's name: One may meditate [on learning] in all places, except in a bath-house and a privy? — It is different [when it is done] involuntarily.

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- (1) I would say that Scripture includes only a man with a permanent blemish, because he can never be made whole. But one with a transitory blemish must wait.
  - (2) The Tanna does not in fact teach the converse that all who are fit to eat do share therein.
  - (3) Viz., whoever is not eligible for the service (not, not fit to eat).
  - (4) The Tanna merely teaches that whoever is not eligible for the service does not receive a share, but not the converse.
  - (5) Therefore he is an obvious exception.
  - (6) Lev. VII, 33.
  - (7) And was clean again by the time the fats were burned. — This question is asked on Abba Saul's view.
  - (8) Sh. M. emends: Rab.
  - (9) In the evening.
  - (10) Lit., 'your strength is good... your strength is feeble'.
  - (11) A priest liable to a sin-offering, can offer it himself even when his ward (v. p. 473, n. 10) is not officiating, and the flesh and hide then belong to him. Nevertheless, when a tebul yom he has no share in an Israelite's sin-offering (i.e., of course, even when his own ward is officiating). On the other hand, a priest has no share even in his own meal-offering, since a priest's meal-offering is completely burnt (Lev. VI, 16); surely then he has no claim, when a tebul yom, to an Israelite's meal-offering.
  - (12) Just as I can offer my own sin-offering, so can you offer your own; obviously then I cannot claim any greater privileges in an Israelite's sin-offering.
  - (13) Lev. VII, 9.
  - (14) But as you cannot offer, being a tebul yom, you cannot eat either.
  - (15) Ibid. VI, 19.
  - (16) Even when I am clean and receive a share, my wives and slaves may not eat thereof.
  - (17) They may eat of my share.
  - (18) Ibid. VII, 14.
  - (19) Lit., 'with his leniencies and stringencies on his head' — his arguments have availed him nought, and he retires crestfallen.
  - (20) They too can be similarly repulsed.
  - (21) I.e., why did R. Eleazar b. R. Simeon not discuss the case where a tebul yom demands a share in a firstling?
  - (22) Num. XVIII, 17, 18. This refers to firstlings.
  - (23) Why then did R. Eleazar b. R. Simeon omit this? Actually a firstling was not given to the ward but to any individual priest, to whom the whole of it belonged. R. Ahai nevertheless suggests that the above argument shews that it cannot be given to a priest (e.g. a tebul yom) who at the time of giving is not fit to officiate. Since R. Eleazar b. R. Simeon omits this, it follows that he does not accept this view.
  - (24) R. Eleazar b. R. Simeon: why does he reject this argument?
  - (25) 'Thine' meaning the priesthood's in general.

(26) Sc. think of all this in a privy.

### Talmud - Mas. Zevachim 103a

MISHNAH. WHENEVER THE ALTAR DOES NOT ACQUIRE ITS FLESH,<sup>1</sup> THE PRIESTS DO NOT ACQUIRE THE SKIN, FOR IT IS SAID, [AND THE PRIEST THAT OFFERETH] ANY MAN'S BURNT-OFFERING [EVEN THE PRIEST SHALL HAVE . . . THE SKIN]:<sup>2</sup> [THIS MEANS,] A BURNT-OFFERING WHICH COUNTS FOR A MAN.<sup>3</sup> IF A BURNT-OFFERING WAS SLAUGHTERED UNDER A DIFFERENT DESIGNATION, ALTHOUGH IT DOES NOT COUNT FOR ITS OWNER, ITS SKIN BELONGS TO THE PRIESTS. WHETHER [IT BE] A MAN'S BURNT-OFFERING OR A WOMAN'S BURNT-OFFERING, THE SKINS BELONG TO THE PRIESTS. THE SKINS OF LESSER SACRIFICES BELONG TO THEIR OWNERS. THE SKINS OF MOST SACRED SACRIFICES BELONG TO THE PRIEST, [AS CAN BE INFERRED] A MINORI: IF THEY ACQUIRE THE SKIN OF A BURNT-OFFERING, THOUGH THEY DO NOT ACQUIRE ITS FLESH; IS IT NOT LOGICAL THAT THEY ACQUIRE THE SKINS OF MOST SACRED SACRIFICES, WHEN THEY ACQUIRE THEIR FLESH? THE ALTAR DOES NOT REFUTE [THIS ARGUMENT], FOR IT DOES NOT ACQUIRE THE SKIN IN ANY INSTANCE.<sup>4</sup>

GEMARA. Our Rabbis taught: 'Any man's burnt-offering'; this excludes a burnt-offering of hekdesh:<sup>5</sup> these are the words of R. Judah. R. Jose son of R. Judah said: It excludes a proselyte's burnt-offering.<sup>6</sup>

What is meant by, 'This excludes a burnt-offering of hekdesh? — Said R. Hiyya b. Joseph: It excludes a burnt-offering derived from 'left-overs'.<sup>7</sup> That is well on the view that 'left-overs were devoted to public sacrifices; but what can be said on the view that 'leftovers' were devoted to private sacrifices?<sup>8</sup> — As Raba said [elsewhere], 'The burnt-offering' intimates, the first burnt-offering;<sup>9</sup> so here too' 'the burnt-offering' intimates, the first burnt-offering.<sup>10</sup>

R. Aibu<sup>11</sup> said in R. Jannai's name: It excludes the case where one dedicates a burnt-offering to the Temple Repair:<sup>12</sup> Now, on the view that the sanctity of Temple Repair seizes [it] by Scriptural law, there can be no question; but even on the view that it does not seize [it] [by Scriptural law], that applies only to the flesh, but it does seize the skin.<sup>13</sup> R. Nahman in Rabbah b. Abbuha's name also said: It excludes a burnt-offering derived from 'left-overs'. Said R. Hamnuna to R. Nahman: With whom does that agree? with R. Judah?<sup>14</sup> Surely he retracted [from his view]? For it was taught: Six were for votive [offerings], [viz.,] for burnt-offerings brought from [the proceeds of] left-overs, the skins of which [burnt-offerings] did not belong to the priests:<sup>15</sup> these are the words of R. Judah. Said R. Nehemiah — others say, R. Simeon — to him: If so, you have nullified the teaching of Jehoiada the Priest. For it was taught:<sup>16</sup> This teaching did Jehoiada the priest expound: It is a guilt-offering — he oweth a guilt-offering unto the Lord:<sup>17</sup> whatever comes in virtue of a sin-offering and a guilt-offering,<sup>18</sup> burnt-offerings are purchased therewith: the flesh belongs to the Lord,<sup>19</sup> while the skin belongs to the priests!<sup>20</sup> — Said he to him:<sup>21</sup> Then how does the Master explain it? — I explain it as referring to one who dedicates his property [to Temple Repair], he replied, and it is in accordance with R. Joshua. For we learnt: If one dedicates his property, amongst which were animals eligible for the altar, both males and females, — R. Eliezer said: The males must be sold for the purpose of burnt-offerings, and the females must be sold for the purpose of peace-offerings,<sup>22</sup> whilst the money [obtained] for them, together with the rest of the estate, falls to the Temple Repair. R. Joshua said: The males themselves must be offered as burnt-offerings, and the females must be sold for the purpose of peace-offerings, and burnt-offerings be brought with the money [obtained] for them.<sup>23</sup> Now, even R. Joshua who maintains that a man divides his consecration,<sup>24</sup> that is only in respect of the flesh,<sup>25</sup> but the skin is seized [with the sanctity of Temple Repair].<sup>26</sup>

‘R. Jose son of R. Judah said: It excludes a proselyte's burnt-offering’. Said R. Simai b. Hilkaï to Rabina: Is then a proselyte not a man?<sup>27</sup> — It excludes, replied he, a proselyte who died without heirs.<sup>28</sup>

Our Rabbis taught: ‘Any man's burnt-offering’: I know it only of a man's burnt-offering;<sup>29</sup> how do I know it of the burnt-offering of proselytes,<sup>30</sup> women, and slaves? Because it says, The skin of the burnt-offering,<sup>31</sup> [which is] an extension. If so, why does it say, any man's burnt-offering? [It intimates,] a burnt-offering which has freed a man [of his obligation], and [thus] excludes one which was slaughtered [with the intention of sprinkling its blood] after time or without bounds, [teaching] that the priests have no rights in its skin. You might think that I include<sup>32</sup> one which was slaughtered under a different designation, [for] since it does not free its owner,

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(1) E.g., if the sacrifice is disqualified before the blood is sprinkled, so that it was never fit for the altar.

(2) Lev. VII, 8.

(3) I.e., its owner has fulfilled his obligation thereby. Only of such does the skin belong to the priest. But if it is disqualified (v. n. 8, p. 496), its owner must bring another.

(4) You might say, Let the altar refute this argument, for the altar acquires the flesh of the burnt-offering but not its skin; similarly, then, the priests may acquire the flesh of most sacred sacrifices, but not their skins. This analogy, however, is faulty, for the altar has no right to the skin of any sacrifice, whereas the skins of burnt-offerings belong to priests.

(5) V. Glos; the meaning is explained anon.

(6) The skins of these do not belong to the priests.

(7) When a guilt-offering cannot be sacrificed, e.g., its owner died, it is left to graze until it is blemished. Then it is redeemed, and a burnt-offering is purchased with the redemption-money. This burnt-offering is sacrificed when there is a scarcity of other sacrifices (hence it was known as the sacrifice for ‘the altar's summer fruit’), and ranks as a public sacrifice; hence it was not ‘any man's burnt-offering’, and its skin did not belong to the priests.

(8) E.g., the heir of the dead man would bring it as a private sacrifice: why then should the skin not belong to the priest?

(9) V. Pes. 58b, Sonc. ed. p. 292.

(10) The def. art. in ‘the priest shall have the skin of the burnt-offering’ intimates that a particular one is meant, viz., an animal consecrated as such in the first place. A ‘left-over’, however, was originally consecrated for something else.

(11) Sh.M. emends: Ila.

(12) Lit., ‘one causes a burnt-offering to be seized (with sanctity) for the Temple Repair.’ — ‘Temple Repair’ is a technical term, denoting a thing dedicated for any Temple use except a sacrifice. This animal itself must be sacrificed.

(13) There are two views on the dedication of a sacrifice to Temple Repair (inferred from a discussion in Tem. 32a bottom, b): (i) This animal is seized with the sanctity of Temple Repair by Scriptural law. Consequently it must be redeemed (the redemption money going to the Temple Repair), and then sacrificed. On this view the skin is certainly not the priest's, for it is not ‘the burnt-offering of any man’, but one which belongs to Temple Repair. (ii) By Scriptural law this animal cannot be ‘seized’ with any other sanctity, since it already belongs to God. Yet even this view applies only to the flesh of the offering, which belongs to the altar; but as the skin does not belong to the altar in any case, it is ‘seized’ with the sanctity of Temple Repair, and does not belong to the priest.

(14) Who maintains anon that the skin of left-overs is the priest's.

(15) There were thirteen horn-shaped receptacles in the Temple for various funds. Six of these were for the purpose stated in the text.

(16) Marginal emendation: we learnt.

(17) Lev. V, 19. E.V. he is certainly guilty before the Lord. The present rendering, which gives the sense as it is understood here, viz., that the guilt-offering belongs to the Lord, contradicts Lev. VII, 7 q.v., and the text proceeds to reconcile the two verses.

(18) I.e., if the animals so dedicated cannot be offered as such for any reason; thus they are left-overs. They are left to graze until they are blemished, when they are redeemed, and other animals purchased for sacrifices, as explained.

(19) It is burnt on the altar.

(20) But not to the Lord. Now, R. Judah did not answer this, which shews that he accepted it and retracted from his view.

(21) Sc. R. Nahman to R. Hammuna.

(22) If one consecrates an animal fit for the altar to Temple Repair, the animal must be sacrificed. Hence these animals

must be sold to those who need them for sacrifices. This selling constitutes redemption, for R. Eliezer holds that everything consecrated for Temple Repair must be redeemed, if it cannot be used itself for that purpose, and the money goes to that fund.

(23) R. Joshua holds that when a man consecrates property without defining it, whatever is fit for the altar is meant to be sacrificed itself, and not redeemed. But at the same time, the whole of it must be for the altar, just as the whole of anything consecrated to Temple Repair belongs to the Temple Repair Fund. Consequently, males are sacrificed as burnt-offerings on behalf of the person who consecrated them, and not sold to another. Females, however, cannot be similarly sacrificed as peace-offerings, since only a portion of peace-offerings belong to the altar. Therefore they are sold for peace-offerings, and with the money males for burnt-offerings are bought, and the rest of the estate falls to Temple Repair.

(24) I.e., though he does not specify, he intends each thing for whatever it is fit, whether for the Temple Repair Fund or for the altar.

(25) I.e., the flesh of the animal belongs to the altar.

(26) Since skin could be consecrated to the Temple Repair Fund, it belongs to it now too, and not to the priests. This then is what we exclude above.

(27) Surely he is included in, 'any man's burnt-offering'?

(28) An ordinary Jew cannot be without an heir, since he must have some relation, however distant. A proselyte, however, loses all relationship with his pre-conversion relations, and so may die without a legal heir. Hence the animal does not belong to 'any man' when it is sacrificed.

(29) That the skin belongs to the priests.

(30) Sh.M. (and apparently Rashi) delete 'proselyte.' Var. lec. heathens. — Sacrifices were accepted from non-Jews.

(31) 'Burnt-offering' is a repetition in the same verse.

(32) Among those whose skin does not belong to the priests. Var. lec. exclude — sc. from those whose skins belong to the priest — this is preferable.

## Talmud - Mas. Zevachim 103b

the skin does not belong to the priests. Therefore it says, 'the skin of the burnt-offering', [which implies,] at all events. 'The skin of the burnt-offering': I know it only of the skin of a burnt-offering; how do I know it of the skin of most holy sacrifices? Because it says, ['the skin of the burnt-offering]<sup>1</sup> which he hath offered.'<sup>2</sup> You might think that I include lesser sacrifices too: therefore it states, 'burnt-offering': as a burnt-offering is a most sacred sacrifice, so all most sacred sacrifices [are included].<sup>3</sup> R. Ishmael said: 'The skin of the burnt-offering': I know it only of the skin of a burnt-offering. How do I know it of the skin of most sacred sacrifices? It is inferred by logic. If the priests have a right to the skin of a burnt-offering, though they have no right to its flesh, is it not logical that they have a right to the skin of [other] most sacred sacrifices, seeing that they have a right to their flesh? Let the altar refute it, for it has a right to the flesh and has no right to the skin? As for the altar, that is because it has no right to part thereof;<sup>4</sup> but in the case of priests who have a right to part thereof, you must say: since they have a right to part, they have a right to the whole.<sup>5</sup> Rabbi said: The text bears essentially only upon the skin of a burnt-offering.<sup>6</sup> For in every instance the skin follows the flesh. [Thus:] the bullocks that are to be burnt and the goats that are to be burnt are burnt and their skin with them. The sin-offering, guilt-offering, and public peace-offerings are the priestly dues: if they wish, they can flay them; if they do not so desire, they can consume them together with their skin.<sup>7</sup> Lesser sacrifices belong to their owners: if they desire, they can flay them; if they do not desire, they can eat them together with the skin. But of the burnt-offering it is said, And he shall flay the burnt-offering, and cut it into its pieces.<sup>8</sup> You might thus think that the priests do not acquire its skin; therefore it states, 'even the priest shall have to himself the skin of the burnt-offering which he hath offered'; and this excludes a tebul yom, [one who lacks atonement],<sup>9</sup> and an onen. For you might think that these have no right to the flesh, which is eaten, but they have a right to the skin, which is not eaten:<sup>10</sup> therefore it states, it shall be his:<sup>11</sup> which excludes one who lacks atonement, a tebul yom, and an onen.

Now, let the first Tanna too deduce it by logic? — That which may be inferred a fortiori. Scripture takes the trouble of writing it [explicitly]. Now, how does R. Ishmael utilise this text, ‘which he hath offered’? — It excludes a tebul yom, one who lacks atonement, and an onen. But let him deduce that from ‘it shall be his’? — R. Ishmael is consistent with his view. For R. Johanan said on R. Ishmael’s authority: ‘It shall be his’ is said in connection with a burnt-offering, and ‘it shall be his’ is said in connection with a guilt-offering: as there its bones are permitted, so here too its bones are permitted. This must be redundant, for if it is not redundant, it can be refuted: as for a guilt-offering, that is because its flesh is permitted! ‘It shall be his’ is a superfluous text.<sup>12</sup>

MISHNAH. ALL SACRIFICES WHICH BECAME DISQUALIFIED: [IF THIS HAPPENED] BEFORE THEY WERE FLAYED, THEIR SKINS DO NOT BELONG TO THE PRIESTS.<sup>13</sup> [IF IT OCCURRED] AFTER THEY WERE FLAYED, THEIR SKINS BELONG TO THE PRIESTS. SAID R. HANINA THE SEGAN OF THE PRIESTS:<sup>14</sup> NEVER IN MY LIFE HAVE I SEEN SKIN GO OUT TO THE PLACE OF BURNING.<sup>15</sup> R. AKIBA OBSERVED: WE LEARN FROM HIS WORDS THAT IF ONE FLAYS A FIRSTLING AND IT IS FOUND TO BE TEREFAH,<sup>16</sup> THE PRIESTS HAVE A RIGHT TO ITS SKIN. BUT THE SAGES MAINTAIN: ‘I HAVE NEVER SEEN’ IS NOT PROOF: RATHER, IT [THE SKIN] MUST GO FORTH TO THE PLACE OF BURNING.<sup>17</sup> GEMARA. [The preceding Mishnah teaches,] Whenever the altar does not acquire the flesh, the priests do not acquire the skin, [which implies,] even though the skin was stripped before the sprinkling [of the blood]. Who is the author of this? R. Eleazar b. R. Simeon, who maintained: The blood does not propitiate on behalf of the skin when it is by itself.<sup>18</sup> Then consider the second clause:<sup>19</sup> ALL SACRIFICES WHICH BECAME DISQUALIFIED: [IF THIS HAPPENED] BEFORE THEY WERE FLAYED, THEIR SKINS DO NOT BELONG TO THE PRIESTS; [IF IT OCCURRED] AFTER THEY WERE FLAYED, THEIR SKINS BELONG TO THE PRIESTS: this agrees with Rabbi, who maintained: The blood propitiates on behalf of the skin when it is by itself. Thus the first clause agrees with R. Eleazar b. R. Simeon, while the second clause agrees with Rabbi? — Said Abaye: Since the second clause agrees with Rabbi, the first clause too agrees with Rabbi; Rabbi however admits that flaying is not done before sprinkling.<sup>20</sup> Raba said: Since the first clause agrees with R. Eleazar b. R. Simeon, the second clause too agrees with R. Eleazar b. R. Simeon. What however is meant by ‘before flaying’

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(1) Sh.M. deletes this.

(2) This is superfluous, and therefore intimates: all sacrifices which a priest offers.

(3) But not others.

(4) As in the Mishnah: in no instance does the skin belong to the altar.

(5) To the skin of all most sacred sacrifices.

(6) And does not apply to or is not needed for any other sacrifices.

(7) I.e., the priests are not bound to flay the animals first. Obviously then the skin is theirs together with the flesh, and no text is required in respect of these.

(8) Lev. I, 6. Scripture does not state at this stage what is done with the skin.

(9) Rashak omits bracketed words.

(10) I.e., while they have no share in the flesh of other sacrifices, since they are not eligible to eat it when they are sacrificed, there seems no reason why they should not share in the skin of the burnt-offering.

(11) The literal translation of the text quoted is, the skin of the burnt-offering which he hath offered is the priest's; it shall be his. ‘It shall be his’ is emphatic; implying his only, and not any other priest's.

(12) Supra 86a q.v. notes. Thus he utilises ‘it shall be his’ for this purpose.

(13) But are burnt together with the flesh.

(14) V. p. 401, n. 4.

(15) Sc. after it was flayed.

(16) Though this disqualification occurred before it was even slaughtered.

(17) Since it was disqualified before it was flayed.

(18) If the flesh becomes disqualified after the animal is flayed, so that the sprinkling does not ‘propitiate’ on behalf of

the flesh, i.e., it does not render the flesh permitted, it does not propitiate on behalf of the skin either, i.e., it does not permit the skin to the priests.

(19) Sc. the present Mishnah.

(20) Though the blood does propitiate on behalf of the skin by itself, he admits that it is very rare for the skin to be by itself when the blood is sprinkled, since the flaying is generally done afterwards, in order not to keep the blood so long. Hence the preceding Mishnah assumes that the skin was not stripped before the sprinkling. If, however, it was, the skin would belong to the priests, notwithstanding that the altar did not acquire its flesh.

## Talmud - Mas. Zevachim 104a

and 'after flaying'? — Before it is eligible for flaying and after it is eligible for flaying [respectively].<sup>1</sup>

What is this allusion to Rabbi and R. Eleazar b. R. Simeon? — It was taught: Rabbi said: The blood propitiates on behalf of the skin by itself. But when it is together with the flesh and a disqualification arises in it, whether before or after the sprinkling, it is the same as itself.<sup>2</sup> R. Eleazar b. R. Simeon maintained: The blood does not propitiate on behalf of the skin by itself. And when it is together with the flesh and a disqualification arises in it before sprinkling, it is the same as itself; [if it arises] after the sprinkling, the flesh has been permitted for a short space of time, [and so] it is flayed, and the skin belongs to the priests.<sup>3</sup>

Shall we say that they differ on the same lines as R. Eliezer and R. Joshua? For it was taught: And thou shalt offer thy burnt-offerings, the flesh and the blood:<sup>4</sup> R. Joshua said: If there is no blood there is no flesh, and if there is no flesh there is no blood.<sup>5</sup> R. Eliezer said: The blood is [fit] even if there is no flesh, because it is said, And the blood of thy sacrifices shall be poured out [against the altar of the Lord thy God].<sup>6</sup> If so, why is it stated, And thou shalt offer thy burnt-offerings, the flesh and the blood? To teach you: just as the blood requires throwing,<sup>7</sup> so does the flesh require throwing.<sup>8</sup> Thus you learn that there was a space between the ascent and the altar.<sup>9</sup> Shall we say that he who maintains that it propitiates<sup>10</sup> agrees with R. Eliezer,<sup>11</sup> while he who maintains that it does not propitiate agrees with R. Joshua? — About the view of R. Eliezer there is no controversy at all.<sup>12</sup> They disagree in reference to R. Joshua. He who maintains that it does not propitiate holds as R. Joshua. While he who maintains that it does propitiate can tell you: R. Joshua rules thus only there, where there is no loss to the priests.<sup>13</sup> But as for the skin, which would entail a loss to the priests, even R. Joshua admits,<sup>14</sup> by analogy with a fait accompli.<sup>15</sup> For it was taught: If the flesh was defiled or disqualified,<sup>16</sup> or it passed without the curtains, — R. Eliezer said: He must sprinkle [the blood]; R. Joshua maintained: He must not sprinkle [the blood]. Yet R. Joshua admits that if he does sprinkle [it], it is accepted.<sup>17</sup>

SAID R. HANINA THE SEGAN OF THE PRIESTS etc. Did he not? Surely there are the bullocks which are burnt and the goats which are burnt?<sup>18</sup> — We do not speak of [what is burnt] in pursuance of their prescribed rites.<sup>19</sup> But what when [the sacrifice is disqualified] before it is flayed and before sprinkling?<sup>20</sup> — We refer to a stripped [skin].<sup>21</sup> But there is [a disqualification] after flaying and before sprinkling, according to R. Eleazar b. R. Simeon who maintained [that] the blood does not propitiate on behalf of the skin by itself?<sup>22</sup> — R. Hanina agrees with Rabbi.<sup>23</sup> Alternatively, you may even say that he holds as R. Eliezer b. R. Simeon: Rabbi admits that there was no flaying before sprinkling.<sup>24</sup> But there is [the case] where it is discovered terefah in its inwards?<sup>25</sup> — He holds that where it is found terefah in its inwards, it [the blood] propitiates. This may be proved too, for it teaches, R. AKIBA OBSERVED: WE LEARN FROM HIS WORDS THAT IF ONE FLAYS A FIRSTLING AND IT IS FOUND TO BE TEREFAH, THE PRIESTS HAVE A RIGHT TO ITS SKIN. This proves it. What then does R. Akiba inform us?<sup>26</sup> — He informs us this, [viz.,] that it is so even in the country.<sup>27</sup> R. Hiyya b. Abba said in R. Johanan's name: The halachah is as R. Akiba. But even R. Akiba ruled thus only where an expert had permitted it,<sup>28</sup> but not if an expert had not

permitted it. [The Talmud however states:] The law agrees with the view of the Sages: [the flesh is buried and the skin is burnt].<sup>29</sup>

MISHNAH. BULLOCKS WHICH ARE BURNT AND GOATS WHICH ARE BURNT: WHEN THEY ARE BURNT IN PURSUANCE OF THEIR PRESCRIBED RITES, THEY ARE BURNT IN THE ASH DEPOSITORY, AND DEFILE GARMENTS;<sup>30</sup> BUT WHEN THEY ARE NOT BURNT IN PURSUANCE OF THEIR PRESCRIBED RITES,<sup>31</sup> THEY ARE BURNT IN THE PLACE OF THE BIRAH<sup>32</sup> AND DO NOT DEFILE GARMENTS.

- (1) I.e., before and after sprinkling. If it is disqualified before sprinkling, even after flaying, the skin does not belong to the priests. If it is disqualified after sprinkling, even though it was not yet flayed, the skin belongs to the priests.
- (2) Sc. the flesh.
- (3) Cf. supra 85a.
- (4) Deut. XII, 27.
- (5) If either is defiled, the other is unfit for its purpose.
- (6) Ibid.
- (7) I.e., dashing against the altar.
- (8) On the altar.
- (9) V. supra 62b.
- (10) The blood propitiates on behalf of the skin after the flesh is disqualified. — Lit., 'it (the skin) is propitiated'.
- (11) That the blood is fit (and efficacious) even when there is no flesh.
- (12) He certainly disagrees with R. Eleazar b. R. Simeon, since he holds that the blood can be sprinkled even if there is no flesh, and therefore it must be efficacious in permitting the skin.
- (13) R. Joshua rules that if there is no flesh there is no blood only in the sense that the owner is not yet freed from his obligation and must bring another sacrifice. Thus this does not involve the priests in loss.
- (14) That the sprinkling of the blood makes it available for the priests. since Scripture ordains that the skin belongs to the priest who offers it, and here the priests have offered it.
- (15) As the text proceeds to explain. Sh.M. emends: with (flesh) that went out.
- (16) By the touch of a tebul yom.
- (17) Hence here in the same way the sprinkling permits the skin to the priests.
- (18) Their skin was burnt too.
- (19) There the burning of the skin (as of the whole animal) is part of the prescribed rites of that particular sacrifice. R. Hanina, however, spoke of sacrifices which were burnt through being disqualified.
- (20) There all agree that the skin is burnt.
- (21) Whereas in the case just quoted the animal was burnt without being flayed.
- (22) So that it must be burnt.
- (23) That the blood does propitiate in that case.
- (24) V. supra 103b, p. 503, n. 3. R. Eleazar b. R. Simeon would certainly hold the same. Thus though theoretically the skin might be burnt by itself, in practice this never happened.
- (25) This was disqualified before sprinkling and flaying, and it is now assumed that both Rabbi and R. Eleazar b. R. Simeon agree that the skin is burnt. (As this terefah would not be discovered until the skin was stripped, the skin would be burnt by itself.)
- (26) Since R. Hanina rules thus of all sacrifices, why does R. Akiba tell us this particularly about a firstling?
- (27) Lit., 'borders' — a technical term for all places outside Jerusalem. When a firstling becomes blemished, it is slaughtered and eaten outside Jerusalem just like hullin. But Scripture permits nothing else but eating, so that if it dies, the carcass must not be put to any use, but must be buried. If, however, it was found to be terefah (and so cannot be eaten), R. Akiba informs us that since this was discovered after it was flayed, the skin is permitted, just as the skin is permitted in similar circumstances in the Temple.
- (28) Before a blemished firstling might be slaughtered for food it had to be examined by an expert, to make sure that the blemish was a permanent one and had not been deliberately inflicted.
- (29) Presumably this means that the Talmud rejects the ruling of R. Hiyya b. Abba and rules in accordance with the Sages. Consequently, R. Akiba's inference, being based on R. Hanina's ruling, is likewise rejected. Hence if a firstling is

found terefah after it is stripped, the whole of it is forbidden. The flesh is buried, not burnt, for only the flesh of sacrifices which had been brought to the Temple court and there disqualified is burnt. Rashi knows no reason why the skin is burnt, and suggests that 'the flesh . . . burnt' should altogether be deleted, and that we simply read: The law agrees with the Sages.

(30) The garments of those who burn it, v. Lev. XVI, 28.

(31) But because they had been disqualified.

(32) Lit., 'the Edifice.' V. Gemara.

## **Talmud - Mas. Zevachim 104b**

IF THEY WERE CARRYING THEM<sup>1</sup> ON STAVES,<sup>2</sup> [AND] THOSE IN FRONT HAD PASSED WITHOUT THE WALL OF THE TEMPLE COURT WHILE THOSE IN THE REAR HAD NOT [YET] GONE OUT, THOSE IN FRONT DEFILE THEIR GARMENTS, WHILE THOSE IN THE REAR DO NOT DEFILE THEIR GARMENTS, UNTIL THEY GO OUT. WHEN BOTH GO OUT, BOTH DEFILE THEIR GARMENTS. R. SIMEON SAID: THEY DO NOT DEFILE [THEIR GARMENTS] UNTIL THE FIRE IS BURNING IN THE GREATER PART OF THEM.<sup>3</sup> WHEN THE FLESH IS DISSOLVED, HE WHO BURNS [IT] DOES NOT DEFILE HIS GARMENTS.<sup>4</sup>

GEMARA. WHAT IS THE BIRAH? — Said Rabbah b. Bar Hanah in R. Johanan's name: There is a place on the Temple Mount called 'Birah'. While Resh Lakish maintained: The whole Temple [House] is called Birah, for it is said, And to build the Birah [Temple], for which I have made provision.<sup>5</sup>

R. Nahman said in Rabbah b. Abbuha's name: There were three ash-pits. There was the large ash-pit in the Temple court: there they burnt most holy sacrifices and emurim of lesser sacrifices which had become disqualified. and the bullocks which were burnt and the goats which were burnt, which had become disqualified before sprinkling. There was a second ash-pit on the Temple Mount: there they burnt the bullocks which were burnt and the goats which were burnt, which had become disqualified after sprinkling. While [those which were burnt] in pursuance of their rites, [were burnt] without the three camps.<sup>6</sup> Levi recited: There were three ash-pits. There was the large ash-pit in the Temple court: there they burnt most holy sacrifices and emurim of lesser sacrifices which had become disqualified, and the bullocks which were burnt and the goats which were burnt, which had become disqualified either before or after the sprinkling. There was a second ash-pit on the Temple Mount: there they burnt the bullocks which were burnt and the goats which were burnt, which had become disqualified after they had gone out.<sup>7</sup> While [those burnt] in pursuance of their prescribed rites, [were burnt] without the three camps.

R. Jeremiah<sup>8</sup> asked: Is linah<sup>9</sup> effective in the case of the bullocks which are burnt and the goats which are burnt?<sup>10</sup> Do we say, linah is effective only in respect of flesh which can be eaten, but not in respect of these which cannot be eaten; or perhaps there is no difference? — Said Raba: This question was raised by Abaye, and I solved it for him from the following: And both agree that if he expressed an intention [of piggul] in connection with the eating of the bullocks and their burning, he has done nothing.<sup>11</sup> Surely then, since intention does not disqualify it, linah too does not disqualify it. — [No]: perhaps only intention does not disqualify it, but linah does disqualify it.

Come and hear: You trespass in respect of the bullocks which are burnt and the goats which are burnt from the time they are consecrated. Having been slaughtered, they are ready to become unfit through a tebul yom and one who lacks atonement, and through linah.<sup>12</sup> Surely that means, linah of the flesh? No, it means linah of the emurim.<sup>13</sup> But since the second clause teaches, You trespass in the case of all when they are in the ash-pit until the flesh is dissolved, it follows that the first clause treats of linah of the flesh? — What reason have you for supposing this? the second clause treats of the flesh, while the first clause treats of emurim.



Come and hear, for Levi recited: . . . which had become disqualified after they had gone out.' Does that not mean disqualification through linah? — No: it means disqualification through defilement or through going out.<sup>14</sup>

R. Eleazar asked: Is going out effective in respect of the bullocks that are burnt and the goats that are burnt?<sup>15</sup> Why does he ask?<sup>16</sup> — Said R. Jeremiah b. Abba: His question is asked on the view that 'it is not time yet for them to be carried out' [is a disqualification].<sup>17</sup> Do we say, that applies only to flesh which one is not eventually bound to carry out; but not to these, which must eventually be carried out; or perhaps here too [we argue that] it was not yet time for them to go out? — Come and hear, for Levi recited: 'which had become disqualified after they had gone out'. Does that not mean disqualification through going out? — No: it means disqualification through defilement or linah.<sup>18</sup>

R. Eleazar asked: What of the bullocks which were burnt and the goats which were burnt, if the greater part of them went out through the inclusion of the smaller part of a limb?<sup>19</sup> Do we cast this lesser part of the limb after its greater part, and that indeed has not gone out;<sup>20</sup> or perhaps we cast it after the greater part of the animal? — It is obvious that we do not disregard the greater part of the animal and regard the greater part of the limb! Rather [the question arises] where half of it went out, through the inclusion of the greater part of the limb. Do we cast this lesser part of the limb?<sup>21</sup>

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(1) Sc. the bullocks or goats.

(2) In order to burn them in pursuance of their rites.

(3) Sc. of the sacrifices. Hence those who leave the animal before the greater part of the carcass is burning. do not defile their garments.

(4) If a person comes to engage in its burning when the flesh is already disintegrated through the fire, he does not defile his garments.

(5) 1. Chron. XXIX, 19.

(6) V. p. 276. n. 6. That was the third ash-pit.

(7) Of the Temple court.

(8) Sh.M. reads: Eleazar.

(9) V. Glos.

(10) Does linah disqualify them, as it does other sacrifices?

(11) V. supra 35a.

(12) V. supra 35b.

(13) Since these require burning on the altar (haktarah), linah certainly disqualifies them.

(14) It was carried out before the blood was sprinkled; this disqualifies it.

(15) V. preceding note: R. Eleazar asks whether this does disqualify them.

(16) Since they must eventually be carried out, why should he think that they are disqualified if this is done before the sprinkling of the blood?

(17) V. supra 89b.

(18) The Talmud means that when we ask about going out, we can argue that this may refer to linah, and vice versa.

(19) The greater part of the carcass was carried out, but it was the greater part only because it included the lesser part of a limb, the greater part of which was still within. Rashi: the question is whether that counts as going out, so that the men in front, who had carried that portion out (for the purpose of burning) defile their garments. Tosaf.: the question is whether (assuming that going out disqualifies). this must now be burnt within (v. supra).

(20) Hence the lesser part itself is regarded as still within, and consequently the greater part of the carcass has not gone out.

(21) Which remained within.

## **Talmud - Mas. Zevachim 105a**

after its greater part and that indeed has gone out;<sup>1</sup> or perhaps we cast it after the animal? The

question stands over.

Rabbah b. R. Huna recited [this passage] in reference to men. Thus: five men were engaged on it,<sup>2</sup> three had gone out and two were left [within]. What [is the law]? Do we follow the majority of those engaged on it;<sup>3</sup> or perhaps we go by the animal? The question stands over.

R. Eleazar asked: What if the bullocks which were burnt and the goats which were burnt were carried out and then brought back:<sup>4</sup> do we say, since they [the carcasses] went out, they are unclean; or perhaps, since they returned, they returned?<sup>5</sup> — Said R. Abba b. Memmel, Come and hear: IF THEY WERE CARRYING THEM ON STAVES, AND THOSE IN FRONT HAD PASSED WITHOUT THE WALL OF THE TEMPLE COURT WHILE THOSE IN THE REAR HAD NOT [YET] GONE OUT, THOSE IN FRONT DEFILE THEIR GARMENTS. WHILE THOSE IN THE REAR DO NOT DEFILE THEIR GARMENTS. UNTIL THY GO OUT. Now, if you should think that as soon as they go out, they [the garments] are defiled, then let those who are within also be defiled?<sup>6</sup> Said Rabina:<sup>7</sup> Now, is that logical?<sup>8</sup> Surely we require, and after that he may come into the camp,<sup>9</sup> which is absent. Then in which circumstances does R. Eleazar's question arise?<sup>10</sup> — Where they seized it with crooks.<sup>11</sup>

Our Rabbis taught: The bullocks [which are burnt], the [red] heifer, and the goat that is sent away:<sup>12</sup> he that leads [the last] away, he who burns them, and he who carries [the first-named] out [of the Temple court], defile their garments. They themselves, however, do not defile garments;<sup>13</sup> but they defile foodstuffs and liquids: these are the words of R. Meir. But the Sages maintain: The [red] heifer and the bullocks defile foodstuffs and liquids, [whereas] the goat which is sent away does not defile, because it is alive, and a live thing does not defile foodstuffs and liquids. As for R. Meir, it is well, [as his view] agrees with the teaching of the School of R. Ishmael. For the School of R. Ishmael taught: Upon any sowing seed which is to be sown:<sup>14</sup> as seeds, which will not ultimately defile with stringent uncleanness, require a qualification [heksher], so all which will not ultimately defile with stringent uncleanness require a qualification. Thus the carcass of a clean bird is excluded: since It will eventually defile with stringent uncleanness, it does not require a qualification.<sup>15</sup> But as for the Rabbis, if they accept the teaching of the school of R. Ishmael, even the goat that is sent away too [should defile]; while if they reject it, how do they know [that] the [red] heifer and the bullocks [defile foodstuffs]?<sup>16</sup> When R. Dimi came,<sup>17</sup> he said: In the West [Palestine] they said: They need a qualification for defilement from a foreign source.<sup>18</sup>

R. Eleazar asked: Can the bullocks which are burnt and the goats which are burnt defile foodstuffs and liquids within [the Temple court] as without?<sup>19</sup> When it lacks going out, is it as though it lacks an action,<sup>20</sup> or not? After he asked, he answered it: That which lacks going out is as though it lacked an action.<sup>21</sup>

R. Abba b. Samuel<sup>22</sup> asked R. Hiyya b. Abba: According to R. Meir, can as much as an olive of the nebelah of a clean bird defile?<sup>23</sup> When it is lying on the ground, there is no question.<sup>24</sup> When one has it in his mouth, there is no question.<sup>25</sup> The question arises when one is holding it in his hand.<sup>26</sup> [Do we say:] Since it was not yet taken [to his mouth], it is as though it lacked an action,<sup>27</sup> or not? [After he asked, he solved it]:<sup>28</sup>

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(1) And by adding this lesser part, the greater part of the animal has now gone out.

(2) In carrying out its carcass.

(3) Hence even those within are regarded as without.

(4) It is assumed that he asked whether the garments of the men who carried it out are defiled.

(5) And are regarded as not having gone out at all.

(6) For the defilement of garments depends on the going out of the carcass, not on that of the men (infra b). Hence those within do not defile their garments only because if the carcass is carried back within, even the garments of the men

without remain clean.

(7) Rashi and BAH read: Raba.

(8) Do you really think that this proof is valid?

(9) Lev. XIV, 8. 'After that' means after he washes his garments, which were unclean. This shews that Scripture speaks of one who is without (he cannot come in otherwise), and only then does he defile his garments.

(10) According to this, it obviously depends on whether the men have gone out.

(11) While standing outside, the carcass having been carried out once and taken in again. Are the garments of these men (if they are not the same as those who carried it out the first time) unclean, or not?

(12) V. Lev. XVI, 21 seq.

(13) The carcasses do not defile any garments which they touch.

(14) Lev. XI, 37.

(15) The whole Scriptural passage reads: And if aught of their carcass (sc. of unclean 'swarming things' — sherazim) fall upon any sowing seed which is to be sown, it is clean. But if water be put upon the seed, and aught of their carcass fall thereon, it is unclean unto you. Thus 'seed' is a foodstuff which requires a 'qualification' to become unclean, viz., water must first fall upon it, and it must be touched by a sherez (q.v. Glos.). When it is unclean, it can in turn defile only eatables and liquids, but not human beings or utensils or garments; thus its defilement is said to be light, not stringent. The School of R. Ishmael deduces that only such require a 'qualification' before they defile; but those which will defile human beings etc. do not require any qualification. The carcass (nebelah, q.v. Glos.) of a clean bird (i.e., one permitted for food) defiles the garments of the person who eats it; therefore it does not require a 'qualification'. Now, the red heifer, the goat that is sent away, and the bullocks which are burnt, will eventually defile garments; hence they do not need any qualification. and so defile even while they are alive.

(16) Seeing that Scripture speaks only of garments.

(17) V. p. 301. n. 7.

(18) The School of R. Ishmael meant that whatever will not eventually defile with stringent defilement needs a qualification from a foreign source, i.e., it must first touch a sherez or nebelah, whereas that which will eventually defile in this manner e.g. the red heifer, need not first touch a sherez or nebelah, but defiles foodstuffs and liquids automatically. Nevertheless, it must be such as is capable of defiling in general, and we find no instance of a living creature defiling.

(19) According to the foregoing, they defile foodstuffs because they defile with stringent defilement (sc. garments). But that is only

(20) Which is necessary before it can defile.

(21) Hence they do not defile foodstuffs within.

(22) Sh. M. emends: R. Abba b. Memmel.

(23) Foodstuffs and liquids. — There is no question on the view of the Rabbis, as they maintain that before anything can defile it must conform to the general laws which govern it, and as much as an olive of this nebelah can defile only when it is in a man's throat. R. Meir, however, holds that whatever can eventually defile with a stringent defilement need not be fit for defilement. Hence on his view the question arises,

(24) It certainly does not defile, for it may never reach the stage of stringent defilement, as perhaps none will take it in his mouth.

(25) It certainly does defile, for it has already reached that stage.

(26) And about to eat it.

(27) To render it capable of defilement.

(28) Sh.M. deletes bracketed words. Rashi reads: said he to him.

## Talmud - Mas. Zevachim 105b

The fact that it was not yet taken [to his mouth] is not as though it lacked an action. He refuted him: Thirteen laws were stated on the nebelah of a clean bird, and this is one of them: It needs intention<sup>1</sup> and it does not need a qualification<sup>2</sup> and as much as an egg thereof defiles foodstuffs.<sup>3</sup> Surely this is in accordance with R. Meir? — No: it agrees with the Rabbis. But the first clause teaches, 'it needs intention and it does not need a qualification<sup>2</sup> and whom do you know to hold thus? R. Meir. And since the first clause agrees with R. Meir, the second clause agrees with R. Meir? — Why say thus?

each is governed by its own conditions.<sup>4</sup> But the final clause teaches, Shechitah

when they go out: hence the question whether they defile foodstuffs whilst they are still within, just as when they are without. or melikah relieves it, when terefah, from its uncleanness:<sup>5</sup> now, whom do you know to hold this view? R. Meir, Then the first and the last clauses agree with R. Meir, while the middle clause agrees with the Rabbis? — Yes: the first and the last clauses agree with R. Meir, while the middle clause agrees with the Rabbis.

R. Hammuna said to R. Zera: Do not sit down on your haunches until you have told me this law:<sup>6</sup> on R. Meir's view do we distinguish first and second [degrees of uncleanness]<sup>7</sup> in the nebelah of a clean bird, or do we not distinguish first and second [degrees]? — Said he to him: Where a thing defiles a human being by touch, we distinguish first and second [degrees] in it; where it does not defile a human being by touch, we do not distinguish first and second [degrees] in it.<sup>8</sup>

R. Zera asked R. Ammi<sup>9</sup> b. Hiyya — others say, R. Abin b. Kahana: As to what was taught, When foodstuffs are joined by means of a liquid, they are united in respect of a light uncleanness, but are not united in respect of stringent defilement:<sup>10</sup> do we distinguish first and second [degrees] in their case, or do we not distinguish first and second [degrees] in their case? — Said he to him: Where a thing defiles a human being, we distinguish first and second [degrees] in it; where it does not defile a human being, we do not distinguish first and second [degrees] in it.

WHEN BOTH GO OUT. How do we know it? — Because our Rabbis taught: Elsewhere without three camps is said, whereas here without one camp [is prescribed]?<sup>11</sup> It is to teach you: immediately it has gone forth from the first camp, it defiles garments.<sup>12</sup>

And how do we know it in the case of that itself?<sup>13</sup> — Because our Rabbis taught . . . Even the whole bullock shall he carry forth without the camp:<sup>14</sup> [that means,] without the three camps. You say, without the three camps; yet perhaps it is not so, but rather, without one camp? — When it says in connection with the congregational bullock, without the camp,<sup>15</sup> which is superfluous, since it states, as he burned the first bullock,<sup>16</sup> that prescribes a second camp. When further 'without the camp' is stated in connection with the ashes,<sup>17</sup> which is superfluous. since it is already stated, where the ashes are poured out it shall be burnt,<sup>18</sup> it prescribes a third camp.<sup>19</sup>

Now, how does R. Simeon employ this 'without the camp'?<sup>20</sup> — He requires it for what was taught: R. Eliezer said: 'Without the camp' is stated here, and 'without the camp' is stated elsewhere:<sup>21</sup> as here it means without the three camps, so there it means without the three camps; and as there it means on the east of Jerusalem,<sup>22</sup>

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(1) Before it can defile foodstuffs, one must intend to eat it, (though such eating is not permissible).

(2) For defiling; v. supra a.

(3) Now, if it is on the ground, it certainly does need qualification, since one may never eat it. On the other hand, if it is in one's mouth, it does not need intention. Hence it must mean that he is holding it in his hand, and yet only as much as an egg defiles, but not as much as an olive.

(4) One may agree with the Rabbis, and the other with R. Meir.

(5) I.e., if it is ritually killed with shechitah or melikah, but found to be terefah, it does not defile.

(6) I.e., do not sit down at all.

(7) V. Pes. Sonc. ed. p. 62, n. 2.

(8) Hence we do not count it here.

(9) Sh.M. reads: Abin.

(10) Rashi: 'If two pieces of nebelah, each half an olive in size, are lying apart, but are joined by a liquid, this liquid unites them to enable them to defile any foodstuff which touches one of them, but does not unite them to defile a human being in the same way. I do not know the reason for this differentiation.' — As much as an olive of the nebelah of a

clean animal (but not of a bird) defiles a man by contact.

(11) 'Elsewhere' means in the case of the bullock brought by the anointed priest or that brought when the whole congregation sins in ignorance; these were burnt without the camp (v. Lev. IV, 12, 21), and it is deduced anon that Scripture means without the three camps. Whereas 'here' in reference to the Day of Atonement it is said: And the bullock of the sin-offering, and the goat of the sin-offering . . . shall be carried forth without the camp, and they shall burn in the fire their skins etc. (Lev. XVI, 27). This implies that they are burnt immediately they leave the first camp. In fact, however, they are all alike, for Lev. XII, 21 is applied to the bullock of the Day of Atonement (v. supra 39a); hence the text is assumed to convey a different teaching, as the Gemara explains. — On the 'three camps', v. p. 276. n. 6.

(12) Sc. of those who are to burn it. But it is not burnt until it has left the three camps.

(13) Sc. that 'elsewhere' three camps are meant.

(14) Lev. IV, 12.

(15) Ibid. 21.

(16) Ibid. That itself implies without the camp.

(17) Ibid. VI, 4: and he shall carry forth the ashes without the camp.

(18) Ibid. IV, 12. This refers to the anointed priest's bullock, which as we already know was burnt without; hence it follows that the place of the ashes was without.

(19) Each superfluous 'without the camp' intimates an additional camp whence it must be carried out.

(20) Since he maintains that the garments are not defiled until the fire has caught hold of the greater part of the carcass.

(21) In connection with the red heifer, Num. XIX, 3.

(22) Ibid. 4: And Eleazar . . . shall sprinkle of her blood toward the front of the tent of meeting. The tent of meeting faced east, hence Eleazar would stand still further east and face west. Similarly in the days of the Temple the heifer would be burnt without Jerusalem on the east.

## **Talmud - Mas. Zevachim 106a**

so here too it means on the east of Jerusalem.

And according to the Rabbis,<sup>1</sup> where did one burn them? — Even as it was taught: Where were they burnt? On the north of Jerusalem, without the three camps. R. Jose the Galilean said: They are burnt in the place of the ashes.<sup>2</sup> Raba observed: Who is the Tanna that disagrees with R. Jose the Galilean? — R. Eliezer b. Jacob. For it was taught: Where the ashes are poured out it shall be burnt: [this intimates] that ashes must be there [first]. R. Eliezer b. Jacob said: It intimates that the ground must slope down.<sup>3</sup> Said Abaye to him: Perhaps they disagree whether the ground must slope<sup>4</sup> ?

Our Rabbis taught: He who burns [the bullocks] defiles [his] garments, but he who kindles the fire does not defile [his] garments, nor does he who arranges the pile defile [his] garments. And what is the definition of 'he who burns'? — He who assists at the time of the burning. You might think that also he [who assists] when they have already been reduced to ashes defiles [his] garments: therefore it states, [And he that burneth] them [shall wash his clothes]:<sup>5</sup> [when he burns] them they defile garments, but when they have become ashes they do not defile garments. R. Simeon said: [When he burns] them they defile [his] garments. but when the flesh is disintegrated they do not defile garments. Wherein do they disagree? — Said Raba: They disagree where it [the flesh] is completely charred.<sup>6</sup>

## CHAPTER XIII

MISHNAH. HE WHO SLAUGHTERS AND OFFERS UP WITHOUT [THE TEMPLE COURT]. IS CULPABLE IN RESPECT OF SLAUGHTERING AND IN RESPECT OF OFFERING<sup>7</sup> R. JOSE THE GALILEAN MAINTAINED: IF HE SLAUGHTERED WITHIN AND OFFERED UP WITHOUT, [HE IS CULPABLE];<sup>8</sup> IF HE SLAUGHTERED WITHOUT AND OFFERED UP WITHOUT, HE IS NOT LIABLE, BECAUSE HE OFFERED UP ONLY THAT WHICH WAS UNFIT.<sup>9</sup> SAID THEY TO HIM: WHEN ONE SLAUGHTERS WITHIN AND OFFERS UP

WITHOUT, IMMEDIATELY HE CARRIES IT OUT, HE RENDERS IT UNFIT.<sup>10</sup>

AN UNCLEAN [PERSON] WHO EATS [OF SACRIFICES], WHETHER UNCLEAN SACRIFICES OR CLEAN SACRIFICES, IS CULPABLE. R. JOSE THE GALILEAN SAID: AN UNCLEAN PERSON WHO EATS CLEAN [SACRIFICES] IS CULPABLE, BUT AN UNCLEAN PERSON WHO EATS UNCLEAN [FLESH OF SACRIFICES] IS NOT CULPABLE. BECAUSE HE ATE ONLY THAT WHICH IS UNCLEAN. SAID THEY TO HIM: WHEN AN UNCLEAN PERSON EATS CLEAN [FLESH], IMMEDIATELY HE TOUCHES IT, HE DEFILES IT.<sup>11</sup> A CLEAN PERSON WHO EATS UNCLEAN [FLESH] IS NOT CULPABLE, BECAUSE ONE IS CULPABLE ONLY ON ACCOUNT OF PERSONAL UNCLEANNESS.<sup>12</sup> GEMARA. As for offering up. it is well: the penalty is written and the interdict<sup>13</sup> is written. The penalty, for it is written, And bringeth it not unto the door of the tent of meeting [. . . even that man shall be cut off from his people].<sup>14</sup> The interdict, for it is written, Take heed to thyself that thou offer not thy burnt-offerings [in every place that thou seest],<sup>15</sup> and in accordance with R. Abin's dictum in R. Eleazar's<sup>16</sup> name, vis.: Wherever 'take heed', 'lest', or 'not' is stated, it is nought but a negative command. But as for slaughtering, the penalty, it is true, is stated, for it is written, [What man soever . . . that killeth an ox . . .] and hath not brought it unto the door of the tent of meeting [. . . shall be cut off from among his people];<sup>17</sup> but whence [do we derive] the interdict? — Scripture saith, And they shall no more sacrifice their sacrifices [unto the satyrs etc].<sup>18</sup> That is required for R. Eleazar's dictum, viz.: How do we know that if one sacrifices an animal to Mercurius<sup>19</sup> he is liable to punishment? Because it is written, 'And they shall no more sacrifice their sacrifices unto the satyrs'. Since this is redundant in respect of normal worship, being derived from, How did these nations serve their gods?<sup>20</sup> apply it to abnormal worship [as being punishable!]<sup>21</sup> — Said Rabbah: Read in this text, and they shall not sacrifice, and read in it, and they shall no more.<sup>22</sup>

But it is still required for what was taught: Thus far<sup>23</sup> it speaks of sacrifices which one consecrated when bamoth were forbidden and offered up when bamoth were forbidden,<sup>24</sup>

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- (1) Who employ this verse for a different purpose, as above.
  - (2) Ashes from the altar must first be placed there, so that they are burnt 'where the ashes are poured out.' — It follows that the first Tanna does not require this.
  - (3) Lit., 'poured out', it must be a place where the ashes naturally pour down.
  - (4) Possibly R. Eliezer b. Jacob too admits that ashes must first be placed there, but he adds that the place must slope too. — Abaye's suggestion is unrefuted.
  - (5) Lev. XVI, 28.
  - (6) It is then disintegrated, yet not ashes. According to R. Simeon, a person who comes to assist in the burning at this stage does not defile his garments, whereas in the opinion of the Rabbis he does.
  - (7) A man who wantonly slaughters or offers up a sacrifice without the Temple (by 'offering up' is meant e.g. that he burns it on a block of stone — but v. Mishnah infra 108a — as one would burn it on the altar) incurs kareth. If he does these in ignorance, being unaware that they are forbidden, he is liable to a separate sin-offering on account of each action, as each counts as a distinct transgression.
  - (8) Bracketed words are added from the separate edition of the Mishnayoth.
  - (9) One is culpable for offering up without only when it was fit to be offered up within. But this was not, on account of having been slaughtered without.
  - (10) Even before he offers it up. Nevertheless he is liable; the same therefore applies when he slaughters without and offers up without.
  - (11) Even before he eats it, yet he is culpable.
  - (12) Cf. supra 43a.
  - (13) Lit., 'the warning'.
  - (14) Lev. XVII, 9. This refers to sacrifices.
  - (15) Deut. XII, 13: 'Every place that thou seest' means outside the Temple. Thus one text intimates the penalty and another the interdict.

(16) Var. lec. Ilai's.

(17) Lev. XVII, 3f.

(18) Ibid. 7.

(19) Mercurius, a Roman divinity, identified with the Greek Hermes; also a statue or a way-mark dedicated to Hermes, the patron deity of the wayfarer.

(20) Deut. XII, 30.

(21) Hence sacrificing to Mercurius, though not its normal worship (its normal worship consisted of throwing stones at it; v. Sanh. 60b). involves guilt. — Thus the text is required for this!

(22) I.e., this is really a double injunction, and the first, 'they shall not sacrifice', interdicts sacrificing without, this being the subject of the whole passage.

(23) The passage until this verse, and they shall no more sacrifice, i.e., Lev. XVII, 3-6.

(24) I.e., after the Tabernacle was erected. If, however, one consecrated an animal before the Tabernacle was erected, when bamoth were permitted, there is nothing as yet to shew that he is culpable if he slaughters it at a bamah after it is erected.

## Talmud - Mas. Zevachim 106b

since their penalty is stated, [vis..] 'and hath not brought it unto the door of the tent of meeting' [etc.]. whilst whence do we know the interdict? 'Take heed to thyself that thou offer not thy burnt-offerings [etc.].' From here onward<sup>1</sup> it speaks of sacrifices which one consecrated when bamoth were permitted but offered when they were forbidden, for it is said, To the end that the children of Israel may bring their sacrifices which they sacrifice<sup>2</sup> [viz.,] sacrifices which I formerly permitted — in the open field:<sup>2</sup> this teaches you [that] he who sacrifices [slaughters] [at bamoth] when bamoth are forbidden, the Writ regards him as though he offered in the open field. 'Even that they may bring them unto the Lord':<sup>2</sup> this is a positive injunction.<sup>3</sup> Whence have we a negative injunction? From the text, 'And they shall no more sacrifice [etc.]'<sup>4</sup> You might think that one is punished for it by kareth; therefore it states, This shall be a statute for ever unto them throughout their generations:<sup>1</sup> 'this' is their [statute]. but nought else is theirs!<sup>5</sup> — Rather said R. Abin:<sup>6</sup> [We learn it] a minori: if [Scripture] interdicted where it did not punish [with kareth];<sup>7</sup> is it not logical that it interdicted where it punished [with kareth]?<sup>8</sup> Rabina observed to R. Ashi: If so, let a negative injunction not be stated in connection with heleb,<sup>9</sup> and it could be inferred a minori from nebelah:<sup>9</sup> if [Scripture] interdicted nebelah, where it did not punish [with kareth]; is it not logical that it interdicted heleb, seeing that it did punish [with kareth]. Then he came before Raba.<sup>10</sup> Said he to him: It could not be inferred from nebelah, because [the argument] can be refuted: As for nebelah, the reason is because it defiles.<sup>11</sup> [Nor can it be deduced] from unclean sherazim [reptiles], [because,] As for unclean sherazim, the reason is because a small portion defiles.<sup>12</sup> [Nor] from clean sherazim,<sup>13</sup> [because,] As for clean sherazim, the reason is because [the standard of] their interdict is very small.<sup>14</sup> [Nor] from 'orlah and kilayim of the vineyard, [because,] As for 'orlah and kilayim of the vineyard, that is because all benefit from them is forbidden.<sup>15</sup> [Nor] from shebi'ith,<sup>16</sup> [because,] As for shebi'ith, that is because it imposes its own status upon the money received for it.<sup>17</sup> [Nor] from terumah, [because,] As for terumah, that is because it is never exceptionally permitted.<sup>18</sup> [Nor can you deduce it] from all these because they are never permitted exceptionally.

Raba said: If I have a difficulty, it is this: When we learnt, The Passover-offering and circumcision are positive commands,<sup>19</sup> let us infer [a negative injunction in their case] from one who leaves [anything] over [of the Passover-offering]:<sup>20</sup> If Scripture interdicted in the case of one who leaves over, though it did not prescribe a penalty, is it not logical that it interdicted in the case of the Passover-offering and circumcision, where it did prescribe a penalty?<sup>21</sup> R. Ashi said: I reported this discussion in R. Kahana's presence. and he told me: [A negative injunction] cannot be inferred from leaving over, because [the argument] can be refuted: as for leaving over, that is because it cannot be repaired;<sup>22</sup> will you say [that there is a negative injunction] in the case of a Passover-offer, which can be repaired [if neglected]?<sup>23</sup>

But can you assume an interdict by inferring a *minori*? [For] even on the view that you can punish through inferring a *minori*, you cannot assume a formal prohibition by inferring a *minori*! — Rather, it is as R. Johanan said [elsewhere]. For R. Johanan said: ‘Bringing’ is inferred from ‘bringing’:<sup>24</sup> as in the latter case [Scripture] did not prescribe a penalty without formally interdicting, so in the former case [Scripture] did not prescribe a penalty without formally interdicting.

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(1) From Lev. XVII, 7.

(2) *Ibid.*, 5.

(3) Though the inference is obviously that they may not bring them to the bamoth but only ‘unto the Lord’ (i.e. at the Tabernacle), yet since it is expressed affirmatively, the implied interdict counts as a positive injunction.

(4) ‘No more’ implies that hitherto it was permitted, but from now onwards it is forbidden.

(5) It is subject only to an affirmative and a negative precept, but not to *kareth*. — Thus the negative injunction applies to sacrifices which were consecrated when bamoth were permitted, but we have no explicit negative injunction in respect of those consecrated when bamoth were forbidden.

(6) Sh.M. and Bah emend: Abaye.

(7) Sc. where the sacrifice was consecrated when bamoth were permitted. As just stated, we have a negative injunction covering that case, but *kareth* is not involved.

(8) Sc. where the sacrifice was consecrated when bamoth were already forbidden.

(9) v. Glos.

(10) Rabina and R. Ashi were later than Raba. For that reason the text is amended to Abaye (v. n. 6.). Raba's contemporary.

(11) Whereas *heleb* does not defile.

(12) As much as a lentil defiles.

(13) Those which do not defile, e.g., a frog or an ant, but which are forbidden as food by a negative interdict,

(14) He who eats as much as a lentil is culpable; whereas no penalty is incurred for eating less than an olive size of *heleb*.

(15) Whereas *heleb* is only forbidden as food.

(16) For all these words v. Glos.

(17) Lit., ‘it seizes its money.’ — If *shebi'ith* is sold, the money is forbidden in the same way as itself. That does not apply to *heleb*, however.

(18) Lit., ‘it is not permitted out of its general (interdict).’ *Terumah* is always forbidden to unclean priests, whereas some *heleb* is permitted, viz., the *heleb* of a *hayyah* (non-domesticated animal, e.g., deer).

(19) It is stated in Ker. 2a that one is liable to a sin-offering for the unintentional violation of all negative injunctions which if deliberately violated involve *kareth*. These two however, though entailing *kareth*, are positive precepts, and so their neglect does not necessitate a sin-offering.

(20) This is forbidden by a negative injunction: And ye shall let nothing of it remain until the morning (Ex. XII, 10).

(21) Hence, if such an argument is permissible, they should rank as subject to a negative injunction too. viz., not to neglect them.

(22) Once the flesh is left over, nothing can be done.

(23) By bringing an offering on the Second Passover (v. Num. IX, 9 seq.). Circumcision should be done on the eighth day; yet if not done then, it can be performed at any time subsequently. — Thus so far all the arguments against the assumption of an interdict a *minori* have been rebutted.

(24) A *gezerah shawah* between slaughtering and offering up is deduced, based on the fact that ‘bringing’ is written in connection with both: Slaughtering: What man soever . . . that killeth an ox . . . and hath not brought it unto the door of the tent of meeting; offering up: Whatsoever man . . . that offereth up a burnt-offering or sacrifice, and bringeth it not unto the door of the tent of meeting. — R. Johanan stated this exegesis with respect to another question (v. infra 107a), but the same applies here.



## Talmud - Mas. Zevachim 107a

Raba said, It is as R. Jonah[’s exegesis]. For R. Jonah said: ‘There’ is inferred from ‘there’:<sup>1</sup> as in the one case, [Scripture] did not prescribe a penalty without formally prohibiting, so in the other case [Scripture] did not punish without formally prohibiting.<sup>2</sup>

We have [now] found the case of those which should be burnt within, which were offered up without;<sup>3</sup> how do we know the case of those which should be burnt without,<sup>4</sup> which were offered up without?<sup>5</sup> — Said R. Kahana: Scripture saith, And thou shalt say unto them<sup>6</sup> [which means,] thou shalt say concerning those just mentioned.<sup>7</sup> To this Raba<sup>8</sup> demurred: Is it then written, ‘concerning them’: Surely ‘unto them’ is written?<sup>9</sup> Rather, it is as the School of R. Ishmael taught: ‘And thou shalt say unto them’ combines the sections.<sup>10</sup> R. Johanan said: ‘Bringing’ is inferred from ‘bringing’:<sup>11</sup> as there it refers to those [sacrifices] which must be burnt without, so here too it refers to those which must be burnt without. To this R. Bibi demurred: When we learnt, There are thirty-six offences in the Torah which entail kareth: surely there are thirty seven, for there are offering up [a sacrifice which should be burnt within] and offering up [a sacrifice which should be burnt without]?<sup>12</sup> That is indeed a difficulty.

Now, when we learnt: He who sprinkles some of the blood without, is culpable:<sup>13</sup> how do we know it?<sup>14</sup> — It is inferred from what was taught: Blood shall be imputed [unto that man]:<sup>15</sup> that is to include one who sprinkles [without]: these are the words of R. Ishmael. R. Akiba said: Or sacrifice<sup>16</sup> includes sprinkling. And how does R. Ishmael employ this [phrase] ‘or sacrifice’? — To divide.<sup>17</sup> And whence does R. Akiba know to divide? — He infers it from, and bringeth it not [unto the door of the tent of meeting].<sup>18</sup> And R. Ishmael?<sup>19</sup> — He requires that [‘it’] [for teaching:] One is culpable for [offering up] the whole [animal], but not for [offering up] an incomplete one.<sup>20</sup> And R. Akiba?<sup>21</sup> — He infers it from [the phrase] ‘to sacrifice it’. And R. Ishmael? — One [‘it’] is in respect of those [sacrifices] which which should be burnt within, which were made incomplete and offered up without; the other is in respect of those which should be burnt without, which one made incomplete and offered up without.<sup>22</sup> And it was taught even so: R. Ishmael said: You might think that if one made incomplete and offered up without what should be burnt within, he is culpable; therefore it says, ‘to sacrifice it’: one is culpable for [offering up] a whole [animal], but not for [offering up] an incomplete one. And R. Akiba?<sup>23</sup> — He holds that if one made incomplete and offered up without what should be burnt within, he is culpable.

And R. Akiba: How does he employ this [phrase], ‘blood shall be imputed’? — It includes the shechitah of a bird.<sup>24</sup> And R. Ishmael? — He deduces it from, or that killeth.<sup>25</sup> And R. Akiba? — He can answer you: He requires that [to teach]: One is culpable for slaughtering [shechitah], but not for nipping [melikah].<sup>26</sup> And R. Ishmael? — He infers it from, This is the thing [which the Lord hath commanded].<sup>27</sup> For it was taught: [What man soever . . .] that killeth [an ox etc.]: I know it only of slaughtering an animal; how do I know [that] if one slaughters a bird [he is culpable]? Because it says, or that killeth.<sup>28</sup> You might think that I also include one who performs melikah, and that is indeed logical: if one is culpable for shechitah [of a bird], though this is not its correct rite within; is it not logical that one is culpable for melikah [without], seeing that that is its correct rite within? Therefore it states. ‘This is the thing [etc.]’. And R. Akiba? — He can answer you: that is required for a gezerah shawah.<sup>29</sup>

Now, as to what we learnt: He who takes the fistful,<sup>30</sup> and he who receives the blood [of a sacrifice slaughtered without] is not liable: how do we know it? But whence would you infer that he is culpable?<sup>31</sup> — From shechitah.<sup>32</sup> As for shechitah, the reason may be because it invalidates a Passover-offering [when it is done] on behalf of such who cannot eat it!<sup>33</sup> — Then infer it from sprinkling: as for sprinkling, the reason may be because a lay-Israelite is liable to death on its account!<sup>34</sup>

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- (1) Deut. XII, 14: There shalt thou offer up thy burnt-offerings, and there thou shalt do all that I command thee. 'Do' refers to all rites (including slaughtering) in connection with sacrifices.
- (2) The 'one case' and 'the other case' are 'offering up' and 'doing' respectively (v. preceding note).
- (3) Sc. those which were slaughtered within, so that they should have been burnt (i.e., haktarah) within.
- (4) Sc. which were slaughtered without so that they could not be burnt within but without. 'Burnt' in this connection does not mean haktarah, but the burning of unfit sacrifices.
- (5) That this too makes one liable. For it might be argued that there is no culpability here, since the animal could not be burnt within in any case.
- (6) Lev. XVII, 8.
- (7) Lit., 'the near ones'. (Sh.M. reads: the preceding.) Lev. XVII, 3-7 deals with slaughtering without: vv. 8f treats of offering up without, and they commence with, 'And thou shalt say unto them' which implies, thou shalt say about them just mentioned, sc. those who slaughter without, that they are also culpable for offering up without.
- (8) Sh.M. reads: Rabbah.
- (9) I.e., אֲלֵהֶם ('alehem), not עֲלֵהֶם ('alehem).
- (10) Sc. vv. 3-7 and vv. 8f. Hence the provisions of the latter section (sc. liability for offering up without) apply to those mentioned in the former (viz., those who slaughter without). — Though this exegesis too infers the law from the same phrase, the method of interpretation is different and retains the correct rendering of 'alehem, unto them.
- (11) V. supra 106b and p. 520, n. 3. Similarly here: as 'bringing' in the former section refers to one who slaughters without, so it does in the latter too.
- (12) The thirty-six as enumerated include offering up without. Now in answer to the question, since they are all enumerated, why is the number stated? The Talmud says that it teaches that if one committed all of them in a single state of ignorance (not knowing that they are forbidden), he is liable to thirty-six sin-offerings. If, however, culpability for offering up without sacrifices which should be burnt without, is inferred by a gezerah shawah from those which should be burnt within, they constitute two separate offences and involve separate sin-offerings. But in that case they should be enumerated separately there too, and the number given is thirty-seven.
- (13) I.e., even if he made one sprinkling only instead of four.
- (14) For Scripture speaks only of slaughtering and offering up without, but not of sprinkling.
- (15) Lev. XVII, 4.
- (16) Ibid. 8; it refers to offering up without, and 'or' is regarded as an extension.
- (17) To shew that one is liable for offering up without either a burnt-offering or any other sacrifice. Without 'or' you would assume that liability is incurred only for offering up both.
- (18) 'It' is singular and so implies one.
- (19) Does he not admit this exegesis?
- (20) From which part is missing. The exact meaning of 'whole' and 'incomplete' is discussed anon.
- (21) How does he know this?
- (22) If 'it' were written once only, I would say that its implication applies only to those which should be burnt without. But as for those which should be burnt within, he is culpable even if he offers up only part, for when a single limb springs off the altar during the burning (haktarah), it must be replaced, which shews that haktarah applies even to part. (The general principle is that the performance of a rite without involves liability when it would count as a proper rite within.)
- (23) Whence does he learn this?
- (24) Though a bird sacrifice requires melikah, not shechitah, yet if it is slaughtered without (i.e., with shechitah), it involves liability.
- (25) Ibid., 3.
- (26) Thus both are necessary. For from the first I would conclude that even shechitah of a bird involves liability, and all the more melikah, since that is the correct way of sacrificing a bird. Hence the second teaches that only shechitah involves liability.
- (27) Lev. XVII, 2. This is the superscription to the whole passage, and is emphatic, implying that the law is exactly as stated.
- (28) This is superfluous, as Scripture could say, that killeth an ox . . . in the camp or without the camp.
- (29) V. Ned. 78a; B. B. 120b.

(30) Of a meal-offering, without, and does not burn it.

(31) That you seek a text to shew that he is not.

(32) By analogy: as shechitah is a sacrificial rite and involves culpability if performed without, so it is the same with every sacrificial rite.

(33) V. supra 4a. But that obviously cannot apply to taking the fistful, or to receiving.

(34) For performing it. But he is not liable for the other rites.

## Talmud - Mas. Zevachim 107b

— Infer it from both combined.<sup>1</sup> But if so,<sup>2</sup> let it not be stated in connection with sprinkling, which may be inferred from both [shechitah and offering up] combined. [Thus: when you say,] let it be inferred from shechitah, [you can argue], as for shechitah, the reason is because it is invalid in the case of the Passover-offering [when done] on behalf of such who cannot eat. Let it be inferred from offering up: As for offering up, the reason is because it applies to a meal-offering [too].<sup>3</sup> Then infer it from both combined? Rather, for that reason a text is written [to include sprinkling] to intimate that you may not infer from both combined.<sup>4</sup>

R. Abbahu said: If one slaughtered [a sacrifice] and sprinkled [its blood without]: according to R. Ishmael he is liable to one [sin-offering], [whereas] according to R. Akiba he is liable to two.<sup>5</sup> Abaye said: Even on R. Akiba's view, he is liable to one only, because Scripture saith, There thou shalt offer up thy burnt-offerings, and there thou shalt do all that I command thee:<sup>6</sup> Scripture thus ranked them as one 'doing' [rite].<sup>7</sup>

If one sprinkled and offered up [without], according to R. Ishmael he is liable to two [sin-offerings], [whereas] according to R. Akiba he is liable to one only.<sup>8</sup> Abaye said: Even on R. Akiba's view he is liable to two, that being the reason that Scripture divided them, [vis.] 'There thou shalt offer-up . . . and there thou shalt do'. If one slaughtered, sprinkled, and offered up all agree that he is liable to two.

Our Rabbis taught: [Or that killeth it] without the camp.<sup>9</sup> You might think [that that means] without the three camps;<sup>10</sup> therefore it states, . . . or goat, in the camp.<sup>9</sup> If [you thus stress] 'in the camp', you might think that [even] one who slaughters a burnt-offering in the south is culpable;<sup>11</sup> therefore it is stated, or that killeth it without the camp: as 'without the camp' is distinguished in that it is not eligible for the slaughtering of most sacred sacrifices or for the slaughtering of any sacrifice, so 'in the camp' means in a place which is not eligible for the slaughtering of any sacrifice: hence the south [side of the Temple court] is excluded, for though it is not fit for the slaughtering of most sacred sacrifices, it is eligible for the slaughtering of lesser sacrifices.

'Ulla said: One who slaughters on the roof of the Hekal is culpable, since it is not eligible for the slaughtering of any sacrifice. To this Raba demurred: If so, let Scripture write, 'in the camp or . . . without the camp', and 'unto the door of the tent of meeting' will not be necessary; what is the purpose of '[and hath not brought it] unto the door of the tent of meeting': surely it is to exclude the roof?<sup>12</sup> Now according to Raba, if that is so,<sup>13</sup> let [Scripture] write, 'unto the door of the tent of meeting' [only]: what is the purpose of 'in the camp' and 'without the camp'?<sup>14</sup> Surely that is to include the roof?<sup>15</sup> — Said R. Mari: No: it includes [the case where] the whole of [the animal] is within, but its throat is without.<sup>16</sup> If its throat is without, it is obvious [that one is culpable]; [for] to what does the Divine Law object? to slaughtering without; and this is slaughtering without! — Rather, it includes [the case where] the whole of the animal is without, while its throat is within.<sup>17</sup>

It was stated: One who offers up nowadays.<sup>18</sup> R. Johanan maintained: He is culpable;<sup>19</sup> Resh Lakish said: He is not liable. R. Johanan maintained, He is culpable: The first sanctity hallowed it for the nonce and for the future. Resh Lakish said, He is not liable: the first sanctity hallowed it for the

nonce, but did not hallow it for the future.<sup>20</sup>

Shall we say that they differ in the same controversy as that of R. Eliezer and R. Joshua? For we learnt: R. Eliezer said: [I have heard that] when they were building the Temple.<sup>21</sup> they made curtains for the Temple and curtains for the courts;<sup>22</sup> but that they built the Temple [walls] on the outside [of these curtains]. whereas they built the courts on the inside [of these curtains]. R. Joshua said: I have heard that they offered [sacrifices] though there was no Temple; and they ate most sacred sacrifices though there were no curtains, and lesser sacrifices and second tithe though there was no wall,<sup>23</sup> because the first sanctity hallowed it for the nonce and hallowed it for the future.<sup>24</sup> Hence it follows that R. Eliezer holds that it did not hallow it [for the future].<sup>25</sup> Said Rabina to R. Ashi: Whence [does this follow]? Perhaps all agree that the first sanctity hallowed it for the nonce and hallowed it for the future, and one master reported what he had heard, while the other master reported what he had heard. And should you say. What was the purpose of curtains, according to R. Eliezer? Simply for privacy.

It was stated: If one offers up [a limb] less than an olive [in size],<sup>26</sup> but the bone makes it up to an olive,<sup>27</sup> R. Johanan maintained: He is culpable; Resh Lakish said: He is not culpable. R. Johanan maintained, He is culpable: that which is attached to what ascends [the altar] is as what is ascends [in its own right]. Resh Lakish said, He is not liable: that which is attached to what ascends is not as what ascends.<sup>28</sup>

Raba asked: What if one offers up

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(1) Lit., 'from between them' — sc. shechitah and sprinkling, for the refutation that applies to one does not apply to the other. Their only common feature is that they are both sacrificial rites; hence the same law should apply to all other sacrificial rites.

(2) That such reasoning is permissible.

(3) But there is no sprinkling in a meal-offering.

(4) Scripture thus intimates that this reasoning is not permissible in the present instance, Hence it is also not permissible in respect of taking the fistful or receiving, and so no text is required to show that these do not involve liability.

(5) R. Ishmael infers liability for sprinkling from the phrase, 'blood shall be imputed'. Now, this is actually written in connection with slaughtering: thus we have a single interdict covering both, and the same kareth is written in connection with both. Hence when he commits both in one state of ignorance, they rank as one offence, and render him liable to one sin-offering only. R. Akiba, however, infers it from 'or a sacrifice', which is written in reference to offering-up. Hence slaughtering and sprinkling are separate interdicts and involve separate sin-offerings.

(6) Deut. XII, 14,

(7) By enumerating 'offer-up' and 'do' separately, it follows that Scripture counts offering up as one act, and all other rites which are 'done' as another single act. Hence they involve one offering only. 'Offer up' means to burn on the altar. The other sacrificial rites (do) comprise slaughtering, receiving the blood and carrying it to the altar, and sprinkling.

(8) The reasoning is similar to that in n. 3, but reversed.

(9) Lev. XVII, 3.

(10) V. p. 276, n. 6. Only then is he culpable.

(11) Since it should be slaughtered on the north side of the Temple court; supra 53b.

(12) For the text implies, only he who does not bring it to the 'tent of meeting' (the Temple court) at all is liable, whereas he who slaughters on the roof has brought it.

(13) That 'unto the door of the tent of meeting' implies any part thereof.

(14) Scripture should simply say: What man soever . . . killeth an ox . . . and hath not brought it unto the door of the tent of meeting. This would shew that killing anywhere outside the Temple court makes one liable, while killing anywhere inside (e.g. on the roof, or a burnt-offering in the south) does not.

(15) As being a place of culpability.

(16) Even then one is culpable.

(17) Even then one is culpable.

- (18) After the destruction of the Temple, when all offering up is without.
- (19) If he does it deliberately he incurs kareth.
- (20) V supra 60b. On the first view, Jerusalem is still 'the chosen place'; hence the present is technically a time when bamoth are forbidden, and so there is culpability.
- (21) Sc. the second Temple, in the days of Ezra.
- (22) Temporarily, until proper walls should be built.
- (23) Around Jerusalem.
- (24) Hence the sites were holy for their various purposes, though walls and curtains were lacking.
- (25) For which reason temporary curtains were necessary to make the site which they enclosed holy.
- (26) Sc. the flesh.
- (27) If a bone springs off the altar while it is being offered within, it is not replaced; supra 85b; v. also p. 522, n. 8.
- (28) Actually, only the flesh ascends, while the bone ascends too merely because it is attached to the flesh, R. Johanan, holds that the bone nevertheless counts as something which is itself offered up, and therefore in the present case one is culpable. Resh Lakish takes the reverse view.

### **Talmud - Mas. Zevachim 108a**

the head of a pigeon. which is not as much as an olive, but the salt makes it up to an olive? Said Raba of Parzakia<sup>1</sup> to R. Ashi: Is not that the controversy of R. Johanan and Resh Lakish? — [No:] You may ask on R. Johanan's view, and you may ask on the view of Resh Lakish. You may ask on R. Johanan's view: R. Johanan gives his ruling only there, in respect of the bone, which is related to the flesh,<sup>2</sup> but not in the case of salt, which is not related to the flesh; [or perhaps, there is no difference]? You may ask on the view of Resh Lakish: Resh Lakish gives his ruling only there in respect of the bone, because if it parts from it [the flesh], there is no obligation to take it up [on the altar]; but not here, where if it parts, there is an obligation to take it up,<sup>3</sup> or perhaps, there is no difference? The question stands over.

R. JOSE THE GALILEAN SAID etc. Rabbi answered on behalf of R. Jose the Galilean: As for one who slaughters within and offers up without, the reason is because it had a time of fitness; will you say [the same] when one slaughters without and offers up without, where it never had a period of fitness? R. Eleazar son of R. Simeon answered on behalf of R. Jose the Galilean: As for slaughtering within and offering up without, that is because the sanctuary [the altar] receives it;<sup>4</sup> will you say [the same] when one slaughters without and offers up without, where the Sanctuary does not receive it?<sup>5</sup> Wherein do they differ?<sup>6</sup> — Said Ze'iri: They differ in respect to slaughtering at night.<sup>7</sup> Rabbah said: They disagree where one received it [the blood] in a non-sacred vessel.<sup>8</sup>

AN UNCLEAN [PERSON] WHO EATS [OF SACRIFICES], WHETHER UNCLEAN SACRIFICES etc. The Rabbis say well to R. Jose the Galilean? — Said Raba: Where the [priest's] body [first] became unclean, and then the flesh became unclean, none disagree that he is liable, because personal defilement involves kareth. They disagree where the flesh [first] became unclean and then the [priest's] body became unclean : the Rabbis hold, We say miggo ['since']; whereas R. Jose the Galilean holds: We do not say miggo.<sup>9</sup> Now according to R. Jose, granted that we do not say miggo, yet let his personal uncleanness, which is graver, come and fall upon the uncleanness of the flesh?<sup>10</sup> — Said R. Ashi: How do you know that personal uncleanness is more stringent? Perhaps uncleanness of the flesh is more stringent, since it cannot be purified in a mikveh.<sup>11</sup>

MISHNAH. SLAUGHTERING [WITHOUT] IS MORE STRINGENT THAN OFFERING UP [WITHOUT], AND OFFERING UP [IS MORE STRINGENT] THAN SLAUGHTERING. SLAUGHTERING IS MORE STRINGENT, FOR HE WHO SLAUGHTERS [A SACRIFICE] ON BEHALF OF MAN<sup>12</sup> IS CULPABLE, WHEREAS HE WHO OFFERS UP TO A MAN IS NOT CULPABLE.<sup>13</sup> OFFERING UP IS MORE STRINGENT: TWO WHO HOLD A KNIFE AND SLAUGHTER [WITHOUT] ARE NOT CULPABLE, [WHEREAS] IF THEY TAKE HOLD OF A

LIMB AND OFFER IT UP, THEY ARE CULPABLE. IF ONE OFFERED UP, THEN OFFERED UP AGAIN, THEN OFFERED UP AGAIN,<sup>14</sup> HE IS CULPABLE IN RESPECT OF EACH [ACT OF] OFFERING UP: THESE ARE THE WORDS OF R. SIMEON. R. JOSE SAID: HE IS LIABLE ONLY TO ONE [SIN-OFFERING]. HE IS LIABLE ONLY WHEN HE OFFERS UP ON THE TOP OF AN ALTAR;<sup>15</sup> R. SIMEON SAID: HE IS LIABLE EVEN IF HE OFFERS UP ON THE TOP OF A ROCK OR A STONE.

GEMARA. Why is offering up to a man [without] different, that it is not culpable? [presumably] because unto the Lord is written!<sup>16</sup> Then in the case of slaughtering too, surely 'unto the Lord' is written?<sup>17</sup> — There it is different, because Scripture saith, 'What man soever'.<sup>18</sup> 'What man soever' is written in connection with offering up too? — That is required for teaching that when two men offer up a limb, they are liable. If so, [say that] here too it is required for teaching that if two men hold the knife and slaughter, they are liable? — There it is different, because Scripture saith, that [man]:<sup>19</sup> [this implies,] one, but not two. If so, 'that [man]' is written in connection with offering up too? — That is required

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(1) V. supra 10b, p. 50, n. 5.

(2) Lit., 'which is of the kind of the flesh'.

(3) If the salt springs off the altar, the piece must be resalted, because it is written, neither shalt thou suffer the salt of the covenant of thy God to be lacking (Lev. II, 13).

(4) If after being taken out, it is taken in again and offered up on the altar, the altar receives it, and it is not taken down (v. supra 84a).

(5) If it is offered up on the altar after it was slaughtered without, it must be removed.

(6) Rabbi and R. Eleazer b. R. Simon.

(7) According to Rabbi, if one slaughtered a sacrifice within at night and then offered it up, he is not liable, since it never had a period of fitness, for a sacrifice slaughtered at night is unfit. According to R. Eliezer, he is culpable, for if it is laid on the altar, it does not descend.

(8) The sacrifice is immediately invalid, so it never had a period of fitness; nevertheless, the altar receives it.

(9) A clean person who eats unclean flesh is not liable to a sin-offering; an unclean person who eats clean flesh is liable. Now, in the latter case posited by Raba the flesh was already forbidden on account of its own uncleanness. Nevertheless the Rabbis hold that the interdict of personal uncleanness can fall upon the first and be added to it, because it is more comprehensive, as now not only is that piece forbidden to him, but all other pieces, and so we argue: since (miggo) he is interdicted in respect of other pieces, he is also interdicted through his personal uncleanness in respect of this piece too, though that is forbidden in any case. Consequently he is liable to a sin-offering. R. Jose does not accept this argument of miggo, and holds that since the flesh is already forbidden, his own uncleanness does not count at all, and he is not liable. If, however, he became unclean first, he was already forbidden to eat any flesh on pain of a sin-offering, simply because the flesh became unclean.

(10) As an additional interdict. For even if a more comprehensive interdict does not fall upon a less comprehensive one, that is only where both are of equal gravity. Here, however, personal uncleanness is more stringent, since it involves a sin-offering, whereas the uncleanness of the flesh does not.

(11) Whereas an unclean priest is cleansed in a mikweh.

(12) I.e., for lay consumption, not as a sacrifice.

(13) On account of offering up without, though this constitutes idolatry and he is culpable on that account.

(14) Each time part of the same animal. He offered them up in ignorance, but between each offering he became aware that it was forbidden, and then forgot.

(15) I.e., he must first build an altar without and then offer up upon it.

(16) Lev. XVII, 8f: Whatsoever man . . . offereth up a burnt-offering . . . 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. 'Unto the Lord' shews that Scripture speaks of one who is offering to God, not to man, and only then does he incur kareth (or, a sin-offering if he acts in ignorance).

(17) Ibid. 3f: What man soever . . . killeth all ox . . . and hath not brought it unto the door of the tent of meeting, to present it as an offering unto the Lord.

(18) Heb. ish ish, lit., a man, a man', The repetition extends the law even to one who slaughters to a human being.

(19) Ibid. and that man shall be cut off from among his people.

## Talmud - Mas. Zevachim 108b

in order to exclude one who acts in ignorance, under constraint, or in error.<sup>1</sup> If so, there too it is required in order to exclude one who acts in ignorance, under constraint, or in error? — 'That' is written twice.<sup>2</sup> Then what is the purpose of 'unto the Lord'?<sup>3</sup> — It is to exclude the goat that is sent away.<sup>4</sup>

OFFERING UP IS MORE STRINGENT etc. Our Rabbis taught: A man, a man<sup>5</sup> why this [repetition]? To include two who take hold of a limb and offer it up, [and it teaches] that they are liable. For I might argue, is not [the reverse] logical: if two who hold a knife and slaughter are not liable, though when one slaughters to a man he is liable; is it not logical that when two take hold [of a limb and offer it up] they are not liable, seeing that one who offers up to a man is not liable? Therefore 'a man, a man' is stated: these are the words of R. Simeon. R. Jose said: 'That [man]' implies one but not two. If so, why is 'a man, a man' stated? — [Because] Scripture employs human idiom.<sup>6</sup> And R. Simeon?<sup>7</sup> — He requires that for excluding one who acts in ignorance, under constraint, or in error. And R. Jose?<sup>8</sup> — [He infers that] from ha-hu [being written instead of] hu.<sup>9</sup> And R. Simeon? — He does not attribute any particular significance to<sup>10</sup> ha-hu [as opposed to] hu.

Now, according to R. Jose, since [in] this 'ish ish' the Torah employs human idiom, in the other ish ish too<sup>11</sup> [we must say that] the Torah employs human idiom; whence then does he know that one who slaughters to a man is liable? — He infers it from, blood shall be imputed unto that man, he hath shed blood: [this implies,] even one who slaughters to a man.<sup>12</sup>

IF ONE OFFERED UP, THEN OFFERED UP AGAIN etc. Resh Lakish said: The controversy is about four or five limbs, one master holds that the text, to sacrifice it, [which teaches that] a person is liable on account of a whole, but not on account of an incomplete one, is written in connection with the whole animal<sup>13</sup> the other master holds that it is written in connection with each limb.<sup>14</sup> But in the case of one limb,<sup>15</sup> all agree that he is liable to one [offering] only. But R. Johanan maintained: The controversy is about one limb; one master holds that if one offers up without [limbs] which were [first] burnt within and [thus] became incomplete, he is liable;<sup>16</sup> while the other master holds that he is not liable,<sup>17</sup> But in the case of four or five limbs, all agree that he is liable on account of each limb [separately]. Now, this disagrees with 'Ulla. For 'Ulla said: All agree that one is liable if he offers up without [limbs] which were burnt within and [thus] became incomplete. They disagree only where one offers up without [limbs] which were burnt without and [thus] became incomplete: there one master holds that he is not liable, while the other master holds that he is liable.<sup>18</sup> Others say, 'Ulla said: All agree that one is not liable if he offers up without [limbs] which were burnt without and [thus] became incomplete. They disagree only where one offers up without [limbs] which were burnt within and [thus] became incomplete: one master holds that he is not liable, while the other master holds that he is liable. Now, Samuel's father disagrees with 'Ulla's [view] in its first version. For Samuel's father said: In accordance with whom do we replace on the altar [limbs] that spring off? It is not in accordance with R. Jose.<sup>19</sup>

HE IS LIABLE ONLY WHEN HE OFFERS UP [ON TOP OF AN ALTAR] etc. R. Huna said, What is R. Jose's reason? — Because it is written, And Noah builded an altar unto the Lord.<sup>20</sup> R. Johanan said: What is R. Simeon's reason? — Because it is written, So Manoah took the kid with the meal-offering, and offered it upon the rock unto the Lord.<sup>21</sup> Now as to the other too, surely it is written, And Noah builded an altar unto the Lord? — That was merely for its elevation.<sup>22</sup> And as to the other too, surely it is written, So Manoah took [etc.]? — That was a temporary dispensation.

Alternatively, this is R. Simeon's reason, [viz.,] as it was taught: R. Simeon said: [There is] the altar [of the Lord] at the door of the tent of meeting,<sup>23</sup> but there is no altar at the bamah;<sup>24</sup> therefore if one offered up [without] on a rock or on a stone, he is liable. ['He is liable!'] Surely he should say, [he] is excluded?<sup>25</sup> — This is what he means: Therefore if one offers up on a rock or on a stone when bamoth are forbidden, he is liable.

R. Jose son of R. Hanina asked: As to the horn, the ascent, the base and squareness, are these indispensable at the bamoth?<sup>26</sup> — Said R. Jeremiah to him. It was taught: The horn, the ascent, the base and squareness were indispensable at the great bamoth,<sup>27</sup> but were not indispensable at minor bamoth.<sup>28</sup>

## MISHNAH

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- (1) 'In error' means when he is led into error by another.
- (2) Blood shall be imputed unto that man . . . and that man shall be cut off. Thus we have two limitations.
- (3) Written in connection with slaughtering.
- (4) On the Day of Atonement, Lev. XVI, 21. A man is not liable for slaughtering that without, because 'unto the Lord' implies that liability is incurred only when it could be sacrificed, and its rites performed, within.
- (5) V. n. 2.
- (6) Where this repetition is quite common.
- (7) Does he not admit the implication of 'that'?
- (8) Whence does he know this?
- (9) Both mean 'that', The longer form implies a further limitation.
- (10) Lit., 'he does not interpret'.
- (11) Sc. in connection with slaughtering.
- (12) That is implied in the emphatic 'he hath shed blood' — no matter to whom.
- (13) One is liable only when he offers up the whole animal; therefore even if he offered up several limbs, he is liable to one offering only, viz., on account of the first, because the animal was still whole then.
- (14) One is liable only when he offers up a whole limb, but not when he offers up part of a limb. Hence each limb imposes a separate liability.
- (15) I.e., if a man offered up one limb in several portions consecutively.
- (16) Because if such a limb springs off the altar, it must be replaced. This shews that it still requires haktarah after it has become incomplete, therefore when one offers it up without, performing haktarah there, he is liable. Consequently, each successive offering up of a portion of the same limb entails a separate sacrifice.
- (17) Save for a whole limb. Therefore when he offers up the limb in several parts, he incurs one offering only.
- (18) The latter holds that 'it' excludes less than the size of an olive, but not an incomplete limb.
- (19) For if R. Jose held thus, then since they still require haktarah within, though when they spring off they are already incomplete, he should also hold that one is liable for offering up without limbs which were incomplete through having been burnt within. This proves that in the opinion of Samuel's father, R. Jose disagrees, and holds that one is not liable, even if he offers up without limbs which were incomplete through having been first burnt within.
- (20) Gen. VIII, 20. This proves that only an altar makes the act one of offering up.
- (21) Judg. XIII, 19.
- (22) To facilitate the act of offering up, but not because an actual altar was necessary.
- (23) Lev. XVII, 6.
- (24) Only at the door of the tent of meeting was a proper altar required. But when bamoth were permitted, no proper altar was necessary, and one could sacrifice and offer up on a simple stone.
- (25) 'But there is no altar at a bamah', obviously means when this is permitted. But one is not liable then for offering up without, and so he should have said, this excludes (from liability) one who offers up on a rock or on a stone.
- (26) These were indispensable to the altar in the Tabernacle: v. supra 62a.
- (27) Sc. at Nob and Gibeon; these were public bamoth.
- (28) Sc. private bamoth, which individuals built for themselves.



## Talmud - Mas. Zevachim 109a

. IF EITHER VALID SACRIFICES OR INVALID SACRIFICES HAD BECOME UNFIT WITHIN, AND ONE OFFERS THEM WITHOUT, HE IS LIABLE.<sup>1</sup> IF ONE OFFERS UP WITHOUT AS MUCH AS AN OLIVE OF A BURNT-OFFERING AND ITS EMURIM [COMBINED].<sup>2</sup> HE IS LIABLE.

GEMARA. Our Rabbis taught: [Whatsoever man . . .] that offereth up a burnt-offering:<sup>3</sup> I know it only of a burnt-offering; whence do I know to include the emurim of a guilt-offering, the emurim of a sin-offering, the emurim of most sacred sacrifices and the emurim of lesser sacrifices?<sup>4</sup> Because it says, '[or] sacrifice'.<sup>5</sup> Whence do we know to include the fistful, frankincense, incense, the meal-offering of priests, the meal-offering of the anointed priest, and one who makes a libation of three logs of wine or of water?<sup>6</sup> Because it says, 'And bringeth it not unto the door of the tent of meeting':<sup>7</sup> whatever comes to the door of the tent of meeting, you are liable on its account [if it is done] without. Again, I know it only of valid sacrifices; whence do I know to include invalid [ones], e.g., [a sacrifice] that is kept overnight, or that goes out, or is unclean, or which was slaughtered [with the intention of being eaten] after time or without bounds, or whose blood was received and sprinkled by unfit persons; or [whose blood] was sprinkled above when it should have been sprinkled below, or below when it should have been sprinkled above, or within instead of without, or without instead of within;<sup>8</sup> or a Passover-offering or a sin-offering which one slaughtered under a different designation? Because it says, 'And bringeth it not to sacrifice', [this teaches,] whatever is received at the door of the tent of meeting,<sup>9</sup> you are liable on its account without.

IF ONE OFFERS UP WITHOUT AS MUCH AS AN OLIVE OF A BURNT-OFFERING [AND ITS EMURIM] etc. Only [of] a burnt-offering and its emurim, but not [of] a peace-offering and its emurim.<sup>10</sup> We have thus learnt here what our Rabbis taught: A burnt-offering and its emurim combine to [make up the standard of] an olive, in respect of offering them up without, and in respect of being liable through them on account of piggul, nothar, and defilement.<sup>11</sup> As for offering-up. it is well: only a burnt-offering, because it is altogether burnt [kalil],<sup>12</sup> but not a peace-offering. What however is the reason for piggul, nothar, and uncleanness? Surely we learnt: All instances of piggul combine, and all instances of nothar combine:<sup>13</sup> thus the rulings on piggul are contradictory, and those on nothar are contradictory? — The rulings on piggul are not contradictory: one refers to piggul, the other refers to the intention of piggul.<sup>14</sup> Nor are the rulings on nothar contradictory: one refers to [actual] nothar, the other refers to such which were left over before the blood was sprinkled.<sup>15</sup> And who is the author of this? — R. Joshua. For it was taught: R. Joshua said: [In the case of] all the sacrifices of the Torah of which as much as an olive of flesh or an olive of heleb remains,

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(1) Because if such unfit sacrifices are placed on the altar within they are not removed.

(2) E.g. half as much as an olive of each.

(3) Lev. XVII, 8.

(4) That if one offers up these without, he is liable.

(5) Ibid. This is an extension.

(6) This is the smallest measure which constitutes a libation.

(7) Ibid. 9.

(8) 'Within' and 'without' here mean on the inner altar and on the outer altar respectively.

(9) I.e., whatever is not removed from the altar if placed thereon.

(10) The flesh and the emurim of a peace-offering do not combine to make up the standard of an olive.

(11) This is now assumed to mean that one is liable for eating as much as an olive of the flesh and the emurim combined when it is piggul or nothar, or if he is unclean.

(12) Hence no distinction is drawn between the flesh and the emurim, and they combine.

(13) Now, piggul and nothar apply both to the flesh and to the emurim of a peace-offering (v. supra 43a): hence the two

should combine.

(14) If one eats half as much as an olive of the flesh of a peace-offering which is already piggul and the same quantity of its emurim, he is liable to a sin-offering. If, however, one slaughters a peace-offering with the intention of eating or burning half as much as an olive of the flesh and half as much as an olive of the emurim after time, it does not become piggul, because the flesh should be eaten and the emurim should be burnt, whereas an illegitimate intention of eating or burning renders a sacrifice piggul only when it is made in respect of what is eaten or burnt respectively. Such intentions do combine, however, in the case of a burnt-offering, since the whole of it is burnt.

(15) In the case of ordinary nothar the flesh and the emurim, even of a peace-offering, combine. It is different, however, in the following instance: The whole of the animal, except half as much as an olive of the flesh and the same of the emurim, was lost or destroyed before the sprinkling of the blood. Now, if this happened with a burnt-offering, we would have as much as an olive for the altar's consumption, and therefore the sprinkling is valid to render it nothar, in the sense that if it is left until after time and then eaten, it entails liability. In the case of a peace-offering, however, there is only half as much as an olive for the altar's consumption and the same for man's consumption: these do not combine to permit the sprinkling. If one did sprinkle, therefore, the sprinkling is not valid to render it nothar in the above sense. The same applies to defilement.

### **Talmud - Mas. Zevachim 109b**

he sprinkles the blood. [If there remains] half as much as an olive of flesh and half an olive of heleb, he must not sprinkle the blood. But in the case of a burnt-offering, even [if there remains] half as much as an olive of flesh and half an olive of heleb, he sprinkles the blood, because the whole of it is entirely burnt. While as for a meal-offering, even if the whole of it is in existence, he must not sprinkle [the blood]. What business has a meal-offering [here]?<sup>1</sup> — Said R. Papa: [This refers to] the meal-offering of libations which accompanies the [animal] sacrifice.<sup>2</sup>

MISHNAH. AS FOR THE FISTFUL [OF FLOUR]. THE FRANKINCENSE, THE INCENSE, THE PRIESTS' MEAL-OFFERING, THE ANOINTED PRIEST'S MEAL-OFFERING, AND THE MEAL-OFFERING OF LIBATIONS, IF [ONE] PRESENTED AS MUCH AS AN OLIVE OF ONE OF THESE WITHOUT, HE IS LIABLE. BUT R. ELEAZAR<sup>3</sup> RULES THAT ONE IS NOT LIABLE UNLESS HE PRESENTS THE WHOLE OF THEM [WITHOUT].<sup>4</sup> IN THE CASE OF ALL OF THESE, IF THEY WERE OFFERED WITHIN, BUT AS MUCH AS AN OLIVE WAS LEFT OVER AND ONE OFFERED IT WITHOUT, HE IS LIABLE.<sup>5</sup> IN THE CASE OF ALL OF THESE, IF THEY BECAME SLIGHTLY INCOMPLETE. AND ONE OFFERED THEM WITHOUT, HE IS NOT LIABLE.<sup>6</sup> ONE WHO OFFERS SACRIFICES TOGETHER WITH THE EMURIM WITHOUT,<sup>7</sup> IS LIABLE.<sup>8</sup>

GEMARA. Our Rabbis taught: If one burns as much as an olive of incense<sup>9</sup> without, he is liable; [if one burns] half a peras<sup>10</sup> within he is not liable. Now it was assumed that what does 'not liable' mean? A zar is not liable;<sup>11</sup> [then the difficulty arises] why so? Surely it is haktarah?<sup>12</sup> — Said R. Zera in R. Hisda's name in R. Jeremiah b. Abba's name in Rab's name: What does 'not liable' mean? The community is not liable.<sup>13</sup>

R. Zera said: If I have a difficulty, it is this, viz., Rab's statement thereon [that] here even R. Eleazar agrees; but surely R. Eleazar maintains that this does not constitute haktarah?<sup>14</sup> — Said Rabbah: In respect of haktarah in the Hekal none disagree.<sup>15</sup> They disagree only in respect of the haktarah within.<sup>16</sup> one master holds, 'his hands full' is particularly meant;<sup>17</sup> while the other master holds [that] 'his hands full' is not meant particularly. But surely, said Abaye to him, 'statute' is written in reference to haktarah within?<sup>18</sup> — Rather said Abaye: In respect of haktarah within, none disagree. They disagree only in respect of haktarah without: one master holds [that] we learn within from without; while the other master holds that we do not learn [within from without].<sup>19</sup>

Raba observed: Seeing that the Rabbis do not learn without from without, can there be a question

of [learning] within from without?<sup>20</sup> To what is this allusion?<sup>21</sup> — To what was taught: You might think that if one offers up [without] less than an olive of the fistful [of flour] or less than an olive of emurim, or if one makes libations of less than three logs of wine or less than three logs of water, he is liable: therefore it states, ‘to sacrifice [do]’: one is liable for a complete [standard], but one is not liable for an incomplete one. Now, less than three logs nevertheless contains many olives, and yet the Rabbis do not learn without from without!<sup>22</sup> — Rather said Raba: [The Mishnah applies to] where e.g., one appointed it

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(1) There is no blood to sprinkle in a meal-offering.

(2) If the flesh is lost while the meal-offering is in existence, the blood must not be sprinkled.

(3) So Sh.M.

(4) Because it is not valid within unless the whole of it is offered. The Rabbis, however, hold that even if as much as an olive is offered within it is valid, provided that the whole of it was available for offering.

(5) R. Eleazar agrees here, because this would have completed the offering within and made it valid.

(6) Since offering them within would not have been valid.

(7) I.e., he offers up the flesh, to which is attached the emurim.

(8) On account of the emurim.

(9) Emended text (Sh.M.).

(10) A peras (half a maneh) of incense was offered twice daily, morning and evening. ‘Half a peras’ means any quantity less than a peras.

(11) If a zar burns less than a peras within he is not liable, though only a priest is permitted to burn it.

(12) V. Glos. Even with that quantity; and, a zar who performs haktarah is liable.

(13) They have fulfilled their obligation, though it was less than the standard quantity prescribed.

(14) Why then is the community quit of its obligation?

(15) All agree that the daily haktarah in the Hekal is fulfilled with as much as an olive, because Scripture does not prescribe a quantity for this, the standard of a peras being Rabbinical only. Consequently R. Eleazar admits that if one burns as much as an olive of this without, he is liable; and for the same reason the community is quit of its obligation when as much as an olive is burnt within. Hence the Baraitha, which refers to the daily haktarah, agrees with all.

(16) On the Day of Atonement, which was done in the innermost sanctuary. There a definite quantity is prescribed, viz., ‘his hands full’ (Lev. XVI, 12).

(17) Not less, and the whole must be taken simultaneously. Hence less does not constitute haktarah on that occasion, and if one burns this without, he is not liable.

(18) Ibid. 34: And this shall be an everlasting statute unto you, to make atonement . . . once in the year. ‘Statute’ intimates that everything which is so designated must be carried out exactly as prescribed; further, it applies to all the rites enumerated in the chapter which are performed only ‘once in the year’, and hence includes haktarah within. How then can anyone maintain that ‘his hands full’ is not meant particularly?

(19) Abaye too explains that the Baraitha treats of haktarah of the Hekal, while the Mishnah treats of haktarah within. But his premises and reasoning are different. Thus: all agree that a complete haktarah, viz., ‘his hands full’ is indispensable within. They disagree where one burnt without the Temple as much as an olive of this incense that should have been burnt within, in the innermost sanctuary. One master holds that we learn within from without, i.e. the incense of the innermost sanctuary from the incense of the Hekal: just as one is liable for burning as much as an olive of the latter without, so is one liable for burning as much as an olive of the former without, although that same quantity burnt in its rightful place, sc. the innermost sanctuary, does not constitute haktarah. R. Eleazar, however, holds that we cannot make this inference, precisely because of the difference just noted, Hence when he burns it without he is not liable.

(20) Surely they would not make such an inference.

(21) Where do we find that they do not learn without from without?

(22) They do not say that since as much as an olive of incense burnt without entails liability. the same measure of wine or water offered as a libation without entails liability, though both of these are ‘without’, i.e., they are rightly offered on the outer altar. The author of this must be the Rabbis, since R. Eleazar holds that one is not liable even when he burns as much as an olive without. (It should be noted that ‘without’ in the present passage is used with two different meanings: (i) outside the Temple court altogether. where all offering is forbidden; and (ii) the outer altar in the Temple court, where the daily incense is burnt and the drink-offerings are made.)

## Talmud - Mas. Zevachim 110a

in a vessel: one master holds that appointing in a vessel is an act that counts, while the other master holds that it is not an act that counts.<sup>1</sup>

Raba said: Now that we have said that there is a view that appointment through a vessel does not count, if one appointed six [logs] for a bullock<sup>2</sup> and removed four of them and offered them up without, he is liable, since they are fit for a ram.<sup>3</sup> If one appointed four [logs] for a ram and removed three of them and offered them up without, he is liable, since they are fit for a lamb. If they [the three logs] were slightly incomplete, he is not liable.<sup>4</sup>

R. Ashi said: The Rabbis do not learn nisuk,<sup>5</sup> from haktarah, though it is without from without; they do learn haktarah from haktarah, though it is within from without.<sup>6</sup>

IN THE CASE OF ALL OF THESE, IF THEY BECAME SLIGHTLY INCOMPLETE etc. It was asked: Does incompleteness without count as incompleteness, or does it not count as incompleteness?<sup>7</sup> Do we say, since it went out, it was disqualified; what is the difference then whether there is less or more?<sup>8</sup> Or perhaps, only when it goes out and is wholly existent [does it involve liability], but not when it is not wholly existent? — Said Abaye, Come and hear: R. ELEAZAR RULES THAT ONE IS NOT LIABLE UNLESS HE PRESENTS THE WHOLE OF THEM,<sup>9</sup> Rabbah son of R. Hanan objected to Abaye: Does the master solve it from R. Eleazar?<sup>10</sup> — I explicitly heard it from a master, he replied: the Rabbis disagree with R. Eleazar only when the whole of it is available; but if it is incomplete, they agree with him. Surely that means, [even] if it became incomplete without? — No: [only] when it became incomplete within.

Come and hear: IN THE CASE OF ALL OF THESE, IF THEY BECAME SLIGHTLY INCOMPLETE AND ONE OFFERED THEM WITHOUT, HE IS NOT LIABLE: does that not mean [even] where it became incomplete without? — No: [only] when it became incomplete within.

ONE WHO OFFERS SACRIFICES [etc.]. Why so? surely it interposes?<sup>11</sup> — Said Samuel: It means where he turns them over.<sup>12</sup> R. Johanan said: You may even say that he does not turn them over, but the author of this is R. Simeon who maintained: Even if one offers them up on a rock or on a stone, he is liable.<sup>13</sup> Rab said: One kind is not an interposition for the same kind.<sup>14</sup>

MISHNAH. IF THE FISTFUL OF A MEAL-OFFERING WAS NOT [YET] TAKEN, AND ONE OFFERED IT WITHOUT, HE IS NOT LIABLE.<sup>15</sup> IF ONE TOOK OFF THE FISTFUL, THEN REPLACED THE FISTFUL WITHIN IT, AND OFFERED IT WITHOUT, HE IS LIABLE.<sup>16</sup>

GEMARA, But why so? let the remainder nullify the fistful?<sup>17</sup> — Said R. Zera: Haktarah is stated in connection with the fistful, and haktarah is stated in connection with the remainder:<sup>18</sup> as in the case of the haktarah stated in connection with the fistful, one fistful does not nullify another;<sup>19</sup> so in the case of haktarah stated in connection with the remainder, the remainder does not nullify the fistful.

MISHNAH. AS FOR THE FISTFUL AND THE FRANKINCENSE, IF ONE OFFERED ONE OF THEM WITHOUT, HE IS LIABLE; R. ELIEZER RULES THAT HE IS NOT LIABLE UNLESS HE OFFERS THE SECOND [TOO].<sup>20</sup> [IF ONE OFFERED] ONE WITHIN AND THE OTHER WITHOUT,<sup>21</sup> HE IS LIABLE,<sup>22</sup> AS FOR THE TWO DISHES OF FRANKINCENSE,<sup>23</sup> IF ONE OFFERED ONE OF THEM WITHOUT, HE IS LIABLE; R. ELIEZER RULES THAT HE IS NOT LIABLE UNLESS HE OFFERS THE SECOND [TOO]. [IF ONE OFFERED] ONE WITHIN AND THE OTHER WITHOUT, HE IS LIABLE.

GEMARA. R. Isaac Nappah<sup>24</sup> asked: Can the fistful permit a proportionate quantity of the remainder?<sup>25</sup> does it [the fistful] indeed permit, or does it merely weaken [the prohibition]?<sup>26</sup> — On whose view [is this question asked]? If on the view of R. Meir, who maintained, You can render a sacrifice piggul through half of the mattir,<sup>27</sup> it indeed permits it;<sup>28</sup> and if on the view of the Rabbis who maintained that you cannot render a sacrifice piggul through half of the mattir, it may neither permit nor weaken it?<sup>29</sup> — Rather, [the question is asked] on the view of R. Eliezer.<sup>30</sup> But R. Eliezer agrees with the Rabbis?<sup>31</sup> — Rather, [the question is asked] on the view of the Rabbis here:<sup>32</sup> does it permit, or does it weaken?<sup>33</sup> The question stands over.

#### MISHNAH. IF ONE SPRINKLES PART OF THE BLOOD WITHOUT,<sup>34</sup>

- (1) Both the Mishnah and the Baraita treat of haktarah of the Hekal, where Scripture does not prescribe a fixed quantity. Therefore the Baraita teaches that he is liable, and R. Eleazar agrees, as Rab stated. The controversy in the Mishnah arises where one appointed the whole peras that was to be burnt (by Rabbinical law) for its purpose by placing it in a vessel. R. Eleazar holds that this appointment is a substantial act, in the sense that if the priest does not burn it all in the Hekal it is not haktarah and the community is not quit of its obligation. Therefore one is not liable for burning it without unless he burns the whole of it. The Rabbis, however, hold that this appointing does not count at all, and so it is the same as any other incense.
- (2) I.e., he put six logs of wine in a vessel, to be used for the drink-offering which accompanied the sacrifice of a bullock.
- (3) This measure would suffice for a ram, and so he is culpable. If, however, appointment in a vessel counted as a substantial act, he would not be liable unless he offered up the whole six logs without.
- (4) Because less than three logs are not fit for anything within.
- (5) The act of offering libations.
- (6) R. Ashi defends Abaye's explanation, and rebuts Raba's objection. — The text is emended.
- (7) If the full standard was taken without (whereby it was immediately disqualified for use within), and then some of it was lost before he offered it up: does it count as incomplete or not?
- (8) Since it is disqualified in any case, and yet one is liable for offering it without, he may also be liable when it becomes short without.
- (9) Thus even if it is taken out whole, there is no liability unless it is offered whole.
- (10) Surely not. For R. Eleazar holds that even if the whole is existent he is not liable unless he offers the whole, whereas the Rabbis hold that if the whole is existent one is liable when he offers as much as an olive. The question is asked on the view of the Rabbis.
- (11) The flesh interposes between the fire and the emurim, and such would not constitute proper offering up within, for the emurim must lie directly on the fire.
- (12) Sc. that the emurim lie on the fire.
- (13) If even a proper altar is not necessary, it is certainly not necessary for the emurim to lie directly on the fire.
- (14) Flesh is the same kind of matter as emurim, and therefore it does not count as an interposition.
- (15) Because in that state it is not fit for offering within either.
- (16) Because in that case, if it is offered within, it is valid; Men. 23a.
- (17) Hence he should not be liable.
- (18) Lev. II: 2: And he shall take thereout his handful . . . and ... shall make (it) smoke (we-hiktir). Ibid. 11: No meal-offering ... shall be made with leaven, for ye shall make no leaven, nor any honey, smoke (lo taktiru) as an offering made by fire unto the Lord. This is interpreted to mean that one must not burn (haktarah) any portion of the meal-offering whereof part is to be 'an offering made by fire;' hence it applies to the remainder, as part thereof (viz., the fistful) has been taken as 'an offering made by fire'.
- (19) Even if it exceeds it.
- (20) Both must normally be offered before the remainder may be eaten (in the case of a votive meal-offering, to which this refers). Hence the two together are the mattir (v. Glos.), and R. Eliezer holds that one is liable only when he offers without the whole mattir.
- (21) In this order.

- (22) Because the second completes it, and had it been offered within, it would have permitted the consumption of the remainder.
- (23) The burning of which permitted the eating of the Shewbread.
- (24) Or, the smith.
- (25) V. n. 6, p. 540. If one burned the fistful alone, stating that this was to permit part of the remainder (which he determined beforehand), while the other part was to be permitted by the frankincense, is the first part thus permitted?
- (26) Does the fistful completely permit part, in which case this part is now permitted; or does it merely weaken the prohibition of the whole, while the frankincense finally removes it? in that case it will still be forbidden.
- (27) If the priest declares a piggul intention at the burning of either the fistful or the frankincense, the offering is piggul.
- (28) For a sacrifice can be rendered piggul only through a rite which completely permits it (or at least, a portion thereof), just as sprinkling completely permits an animal sacrifice. R. Meir then must certainly hold that the burning of the fistful permits part of the remainder,
- (29) There is no proof that on their view the burning of the fistful either permits part or even weakens the prohibition of the whole.
- (30) In our Mishnah: since he rules that one is not liable for burning that alone without, it may be that he holds that it permits part only.
- (31) Sc. those who disagree with R. Meir, — I.e., the same difficulty that arises on the view of the Rabbis, sc. that they may hold that it neither permits nor weakens, arises on the view of R. Eliezer.
- (32) In our Mishnah.
- (33) Since they maintain that one is liable for burning the fistful alone without, they must regard the same within as a proper haktarah, even without the frankincense. Hence the question, in respect of what is it haktarah: is it in respect of permitting part, or in respect of weakening the whole?
- (34) E.g., he made one application only; this holds good even in the case of the inner sin-offerings, where all the four applications are indispensable.

## **Talmud - Mas. Zevachim 110b**

HE IS LIABLE. R. ELEAZAR SAID: ALSO HE WHO MAKES A LIBATION OF THE WATER OF THE FESTIVAL, ON THE FESTIVAL, WITHOUT, IS LIABLE.<sup>1</sup> R. NEHEMIAH SAID: IF ONE PRESENTED THE RESIDUE OF THE BLOOD<sup>2</sup> WITHOUT, HE IS LIABLE.

GEMARA. Raba said: R. Eleazar too agrees in the case of blood.<sup>3</sup> For we learnt: R. Eleazar and R. Simeon maintained: From where he left off, there he recommences.<sup>4</sup>

R. ELEAZAR SAID: ALSO HE WHO MAKES A LIBATION OF THE WATER OF THE FESTIVAL, ON THE FESTIVAL, WITHOUT, IS LIABLE. R. Johanan said on the authority of R. Menahem of Jotapata:<sup>5</sup> R. Eleazar ruled thus in accordance with the thesis of R. Akiba, his teacher, who maintained [that] the pouring of water [on the Feast of Tabernacles] is [required] by Scriptural law, For it was taught: R. Akiba said: And the drink-offerings thereof:<sup>6</sup> Scripture speaks of two drink-offerings, viz., the libation of water and the libation of wine.<sup>7</sup> Said Resh Lakish to R. Johanan: If so, just as there three logs [are required], so here too three logs [are required], whereas R. Eleazar speaks of THE WATER OF THE FESTIVAL?<sup>8</sup> [Again,] if so, just as there [there is liability] during the rest of the year, so here too [one should be liable] during the rest of the year, whereas R. Eleazar says [that one is only liable] ON THE FESTIVAL? He, however, had overlooked R. Assi's statement in R. Johanan's name. For R. Assi said in the name of R. Johanan on the authority of R. Nehunia of the valley of Beth Hauran:<sup>9</sup> Ten Saplings,<sup>10</sup> the Willow,<sup>11</sup> and the Water Libation are Mosaic laws from Sinai.<sup>12</sup>

Our Rabbis taught: One who makes a libation of three logs of water on the Feast [of Tabernacles], without, is liable. R. Eleazar said: If he drew it for the sake of the Feast, he is liable. Wherein do they disagree? — Said R. Nahman b. Isaac: They disagree as to whether a standard quantity of water is required.<sup>13</sup> R. Papa said: [

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- (1) Special water libations on the altar were made during the Feast of Tabernacles. If one makes a libation without of the water specially drawn for this purpose, he is liable.
- (2) Of these sin-offerings whose blood must be poured out at the base of the altar.
- (3) He accepts the view in the Mishnah, though he disagrees in the case of frankincense.
- (4) V. supra 42a. If the blood is accidentally spilt after the first application, a second animal is slaughtered, and the sprinkling is continued, starting with the second application. Thus the first application was effective, and therefore if it is made without, it entails liability.
- (5) A fortress in Galilee.
- (6) Num. XXIX, 31. This refers to the drinkofferings which accompanied the animal sacrifices on Tabernacles, R. Akiba stresses the plural 'offerings'.
- (7) Hence it is Scriptural, and since it is a Scriptural rite, one is liable for doing it without.
- (8) If R. Eleazar based his view on R. Akiba's interpretation, then one should argue: since the rite is learnt from the plural form, 'drink-offerings', the two are alike, and there is no liability for less than three logs without. R. Eleazar, however, merely speaks of THE WATER OF THE FESTIVAL, which may, on one view, be one log (Suk. 48a).
- (9) Or, Beth Haurathan. A town in a valley S.E. of Damascus, and a station for announcing the New Moon; cf. Ezek, XLVII, 18; R.H. 22b.
- (10) The whole of a plantation fifty cubits square, containing at least ten saplings (the definition of 'saplings' is given in Shebi.I.) may be ploughed until the very end of the sixth year (the seventh is the Sabbatical year). In a plantation of older trees tilling must cease at least one month before.
- (11) The circuits around the altar with a willow during the Feast of Tabernacles.
- (12) Thus not only R. Akiba, but all the Rabbis agree that the Water Libation is Scriptural. As, however, this is a Mosaic tradition, and not directly indicated in Scripture, one is not bound by the analogy of the Wine Libation; hence three logs are not needed. — 'He overlooked' presumably means Menahem of Jotapata, and though R. Johanan cites both statements, the present one may be of later date, when he had rejected Menahem's view (Tosaf.).
- (13) The first Tanna holds that it is, and so liability is incurred only for three logs, neither more nor less. R. Eleazar maintains that there is no standard: consequently, this condition of three logs holds good only if the water was specially drawn for libations in the vessel used for the purpose, which held three logs, whereby the vessel appointed the whole of the three logs (cf. supra a top). But if the vessel did not thus appoint it, one is liable even for less. (Tosaf. Rashi explains it otherwise.)

## **Talmud - Mas. Zevachim 111a**

They disagree as to whether libations were offered in the wilderness.<sup>1</sup> Rabina said: They disagree as to whether we learn water libation from wine libation.<sup>2</sup>

Our Rabbis taught: One who makes a libation of three logs of wine without, is liable. R. Eleazar son of R. Simeon said: Provided that he [first] sanctified them in a [service] vessel. Wherein do they disagree? — Said R. Adda the son of R. Isaac: They differ about the overflow of measures.<sup>3</sup> Rabbah the son of Raba<sup>4</sup> said: They disagree as to whether libations were offered at the bamoth, and in the controversy of the following Tannaim. For it was taught: A private bamah does not require libations: these are the words of Rabbi. But the Sages maintain: It does require libations.<sup>5</sup> Now, these Tannaim [disagree on the same lines] as the following Tannaim. For it was taught: 'When ye are come [etc.]':<sup>6</sup> Scripture prescribes [the bringing of] libations at the great bamah. You say, at the great bamah: yet perhaps it is not so, but rather at a minor bamah?<sup>7</sup> When it says, into the land of your habitations, which I give unto you.<sup>6</sup> surely Scripture speaks of a bamah in use by all of you: these are the words of R. Ishmael. R. Akiba said: 'When ye are come' prescribes libations at a minor bamah. You say, at a minor bamah: yet perhaps it is not so, but rather at the great bamah? When it says, 'into the land of your habitations,' Scripture speaks of a bamah in use in all your habitations.<sup>8</sup> Now when you analyse the matter, [you find that] on R. Ishmael's view they did not offer libations in the wilderness, while on R. Akiba's they did offer libations in the wilderness.

R. NEHEMIAH SAID: IF ONE PRESENTED THE RESIDUE OF THE BLOOD WITHOUT, HE IS LIABLE. R. Johanan said: R. Nehemiah taught in agreement with the view that [the pouring out of] the residue is indispensable.<sup>9</sup> An objection is raised: R. Nehemiah said: If one offered the residue of the blood without, he is liable. Said R. Akiba to him: Surely [the pouring out of] the residue of the blood is [but] the remainder of a rite?<sup>10</sup> Let [the burning of] the limbs and the fat-pieces prove it, he replied, which is the remainder of a rite,<sup>11</sup> yet if one offers them up without, he is liable. Not so, said he, If you speak of [the burning of] the limbs and the fat-pieces, that is because it is the beginning of the service; will you say the same of the residue of the blood, which is the end of the service?<sup>12</sup> Now if this is correct,<sup>13</sup> let him answer him: This too is indispensable? That is indeed a refutation! But now that R. Adda b. Ahabah said: The controversy<sup>14</sup> is about the residue of the inner [sin-offering];<sup>15</sup> but all agree that [the pouring out of] the residue of the outer [sin-offering] is not indispensable, [you can answer thus]: R. Nehemiah spoke [in the Mishnah] of the residue of the inner [sin-offering]; whereas that [Baraitha] was taught in connection with the residue of the outer [sin-offerings].<sup>16</sup> If so, let him [R. Nehemiah] answer him: I spoke [only] of the residue of the inner [sin-offerings]? — Rather, he argued on R. Akiba's hypothesis.<sup>17</sup>

MISHNAH. IF ONE NIPS A BIRD[-OFFERING] WITHIN AND OFFERS IT UP WITHOUT, HE IS LIABLE; IF ONE NIPS IT WITHOUT AND OFFERS IT UP WITHOUT, HE IS NOT LIABLE.<sup>18</sup> IF ONE SLAUGHTERS A BIRD WITHIN AND OFFERS IT UP WITHOUT, HE IS NOT LIABLE.<sup>19</sup>

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(1) Both agree that no standard is required, and when the Tanna says three logs he is not exact, for the same applies even to less. (Tosaf. Rashi reverses it; both agree that there is a definite standard, and liability is incurred only for three, not for more or less.) The first Tanna holds that libations were offered in the wilderness. Now, Scripture states, When ye are come into the land of your habitations (sc. Eretz Israel) . . . and will make an offering by fire unto the Lord . . . then shall he that bringeth his offering present unto the Lord . . . wine for the drink-offering (Num. XV, 2 seq.). This implies that libations became obligatory only after they entered Eretz Israel. This cannot mean at the public bamoth, since these were the same as the Tabernacle in the wilderness, where libations were already offered. Hence it must mean at private bamoth, and in this respect it was a new obligation, since there were no private bamoth in the wilderness. At these private bamoth, however, there were no service vessels to sanctify the wine before use; hence the wine could not require special sanctification. For that reason the first Tanna maintains that even when private bamoth were subsequently forbidden, and wine and water for libations would first be sanctified in service vessels, yet if one made a libation without even of water not specially drawn and sanctified, he was liable, since there had been a time when unsanctified wine was used for libations. R. Eleazar, however, holds that libations were not offered in the wilderness. Hence 'when ye are come' etc. refers to the Tabernacle at Shiloh, where the wine was first sanctified. Therefore liability is incurred only for wine (or water) specially drawn and sanctified, since we find no instance of unsanctified wine being used.

(2) They agree that libations were offered in the wilderness; therefore the text must refer to private bamoth, where unsanctified wine was used. But this was only in the case of wine; water libations, however, were offered only at the public bamoth, and the water was first sanctified. The first Tanna holds that we learn water libation from wine libation: as liability is incurred for offering a libation without even of unsanctified wine, so is it incurred for water not specially drawn. R. Eleazar rejects this analogy and maintains that since only sanctified water was used in libations, liability is incurred only for same.

(3) The brim that floats above the actual vessel. Both hold that sanctification by a service-vessel is required; the Rabbis maintain that the overflow is sanctified, and therefore even if the three logs consisted of such overflow, one is liable, R. Eleazar holds that the overflow is not sanctified, and liability is incurred only for wine that was sanctified in the vessel itself.

(4) Emended text (Sh.M.). Cur. edd, Raba the son of Rabbah.

(5) R. Eleazar b. R. Simeon agrees with Rabbi that there were no libations at a private bamah, and so we never find them without prior sanctification; the 'first Tanna agrees with the Sages that libations were offered at a private bamah, and these, of course, were not first sanctified.

(6) Numb. XV, 2.

(7) 'Great' and 'minor' mean public and private respectively.



- (8) Hence, a private bamah.
- (9) V. supra 42b. Therefore it is a service and entails liability if done without.
- (10) And is not indispensable (v. supra 52a); hence it does not entail liability when done without.
- (11) It is not indispensable, for the sprinkling of the blood alone is indispensable.
- (12) Surely not.
- (13) That R. Nehemiah holds that the pouring out of the residue of the blood is indispensable.
- (14) Whether the pouring out of the residue is indispensable or not.
- (15) The residue of the blood of sin-offerings which is sprinkled within, in the Hekal.
- (16) R. Nehemiah admits that that is not indispensable; hence one who offers it without is not liable.
- (17) I maintain that the pouring out of the residue is indispensable. But even if, as you say, it is not, let the burning of the limbs prove that one who offers it without is liable.
- (18) Once he nips it without it is nebelah and not fit for offering up within. He is not liable for nipping it without, as stated supra 107a.
- (19) Because by slaughtering it within, instead of nipping it, he disqualified it, and therefore it could not be offered up within.

### **Talmud - Mas. Zevachim 111b**

IF ONE SLAUGHTERS [IT] WITHOUT AND OFFERS [IT] UP WITHOUT, HE IS LIABLE.<sup>1</sup> THUS ITS PRESCRIBED RITE WITHIN FREES HIM FROM LIABILITY [IF HE DOES IT] WITHOUT, WHILE ITS PRESCRIBED RITE WITHOUT FREES HIM FROM LIABILITY [IF HE DOES IT] WITHIN. R. SIMEON SAID: WHATEVER ENTAILS LIABILITY WITHOUT, ENTAILS IN SIMILAR CIRCUMSTANCES WITHIN WHEN ONE [SUBSEQUENTLY] OFFERS IT UP WITHOUT; EXCEPT WHEN ONE SLAUGHTERS [A BIRD] WITHIN AND OFFERS [IT] UP WITHOUT.<sup>2</sup>

GEMARA. Is this ITS PRESCRIBED RITE? Surely it is its inculcating rite<sup>3</sup> — Learn, its inculcating rite.

R. SIMEON SAID etc. To what does he refer? If we say, to the first clause, [viz.] IF ONE NIPS A BIRD [SACRIFICE] WITHIN AND OFFERS [IT] UP WITHOUT, HE IS LIABLE; IF ONE NIPS [IT] WITHOUT AND OFFERS [IT] UP WITHOUT, HE IS NOT LIABLE; whereon R. Simeon observed [that] just as he is liable [when he nips it] within, so is he liable<sup>4</sup> [when he nips it] without, — then instead of [saying] WHATEVER ENTAILS LIABILITY WITHOUT, he should say, ‘whatever entails liability within’? And if [he means:] just as one is not liable [when he nips it] without, so is he not liable [when he nips it] within, — then he should say. Whatever does not entail liability without does not entail liability within?<sup>5</sup> Again if he refers to the second clause: IF ONE SLAUGHTERS A BIRD WITHIN AND OFFERS [IT] UP WITHOUT, HE IS NOT LIABLE; IF ONE SLAUGHTERS [IT] WITHOUT AND OFFERS [IT] UP WITHOUT, HE IS LIABLE; whereon R. Simeon observed: Just as one is not liable [when he slaughters it] within, so is he not liable [when he slaughters it] without, — then he should say, Whatever does not entail liability within does not entail liability without? Or again if [he means], just as he is liable [when he slaughters] without, so is he liable [when he slaughters it] within, — surely he teaches, EXCEPT WHEN ONE SLAUGHTERS [A BIRD] WITHIN AND OFFERS [IT] UP WITHOUT?<sup>6</sup> — Said Ze'iri: They disagree about the slaughtering of an animal at night, and this is what [the Mishnah] says: Likewise if one slaughters an animal at night, within, and offers it up without, he is not liable;<sup>7</sup> if one slaughtered [it] at night without and offered [it] up without, he is liable.<sup>8</sup> R. SIMEON SAID: WHATEVER ENTAILS LIABILITY WITHOUT, ENTAILS LIABILITY IN SIMILAR CIRCUMSTANCES WITHIN WHEN ONE [SUBSEQUENTLY] OFFERS [IT] UP WITHOUT,<sup>9</sup> EXCEPT WHEN ONE SLAUGHTERS [A BIRD] WITHIN AND OFFERS [IT] UP WITHOUT. Raba said: They disagree about receiving [the blood] in a non-sacred vessel, and this is what it says: Likewise, if one receives [the blood] in a non-sacred vessel within, and offers it up without, he is not

liable;<sup>10</sup> if one receives [the blood] in a non-sacred vessel without and offers [it] up without, he is liable. R. SIMEON SAID: WHATEVER ENTAILS LIABILITY WITHOUT, ENTAILS LIABILITY IN SIMILAR CIRCUMSTANCES WITHIN WHEN ONE [SUBSEQUENTLY] OFFERS [IT] UP WITHOUT, EXCEPT WHEN ONE SLAUGHTERS [A BIRD] WITHIN AND OFFERS [IT] UP WITHOUT. And now that the father of Samuel son of R. Isaac recited: If one nips a bird within and offers [it] up without, he is liable; if he nips [it] without and offers [it] up without, he is not liable; but R. Simeon rules that he is liable: [you can say that] R. Simeon refers to that case, but read: Whatever entails liability [when it is sacrificed] within and offered up without, entails liability [when it is sacrificed] without.<sup>11</sup>

MISHNAH. AS FOR A SIN-OFFERING WHOSE BLOOD WAS RECEIVED IN ONE GOBLET, IF ONE [FIRST] SPRINKLED [THE BLOOD] WITHOUT AND THEN SPRINKLED [IT] WITHIN; [OR] WITHIN AND THEN WITHOUT, HE IS LIABLE, BECAUSE THE WHOLE OF IT WAS ELIGIBLE WITHIN. IF THE BLOOD WAS RECEIVED IN TWO GOBLETS AND ONE SPRINKLED BOTH WITHIN, HE IS NOT LIABLE; BOTH WITHOUT, HE IS LIABLE. [IF HE SPRINKLED] ONE WITHIN AND ONE WITHOUT,<sup>12</sup> HE IS NOT LIABLE; ONE WITHOUT AND ONE WITHIN, HE IS LIABLE ON ACCOUNT OF THE ONE WITHOUT, WHILE THE ONE WITHIN MAKES ATONEMENT.<sup>13</sup> TO WHAT MAY THIS BE COMPARED? TO A MAN WHO SET ASIDE [AN ANIMAL FOR] HIS SIN-OFFERING, THEN IT WAS LOST, AND HE SET ASIDE ANOTHER IN ITS PLACE; THEN THE FIRST WAS FOUND, AND [SO] BOTH ARE PRESENT. IF HE SLAUGHTERED BOTH OF THEM WITHIN, HE IS NOT LIABLE; BOTH OF THEM WITHOUT, HE IS LIABLE. [IF HE SLAUGHTERED] ONE WITHIN AND ONE WITHOUT, HE IS NOT LIABLE;<sup>14</sup> ONE WITHOUT AND ONE WITHIN, HE IS LIABLE ON ACCOUNT OF THE ONE WITHOUT,<sup>15</sup> WHILE THE ONE WITHIN MAKES ATONEMENT. JUST AS THE BLOOD RELIEVES ITS OWN FLESH, SO DOES IT RELIEVE THE FLESH OF ITS COMPANION [THE OTHER ANIMAL].<sup>16</sup>

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(1) Both for slaughtering (supra 107a) and for offering up (infra 119b).

(2) The Gemara discusses the meaning of this.

(3) There cannot be a prescribed rite of slaughtering a sacrifice without; rather, this slaughter is the act which inculcates one and makes him liable.

(4) For offering it up without.

(5) Emended text (Sh.M.).

(6) Which makes it obvious that he means something else, since this is stated as an exception.

(7) This would agree with R. Judah supra 84a, q.v., that an animal sacrifice slaughtered at night must be removed from the altar even if placed thereon. Hence it was not fit for offering up within, and so does not entail liability when it is offered up without. — Ze'iri assumes a lacuna in the Mishnah.

(8) Because in respect of slaughtering without night does not differ from day, since it was eligible to be brought the following day to the 'door of the tent of meeting'.

(9) For he holds that when it is slaughtered within at night it is not removed from the altar (ibid.).

(10) Cf. n. 2. The same applies here.

(11) The exception will then refer to an inference that follows from R. Simeon's statement. For one might infer that whatever does not entail liability when it is sacrificed within and offered up without, e.g., if one sacrifices an unfit animal which was disqualified before it came to the Temple — e.g. one with which an unnatural crime had been committed — does not entail liability when sacrificed without and offered up without. An exception to this is the case of a bird; though it does not entail liability when slaughtered within and offered up without, it does entail liability when slaughtered without and offered up without.

(12) In that order.

(13) I.e., makes the sacrifice valid.

(14) For atonement was made with the first, and so the second was not eligible for slaughtering within. For a sin-offering can be brought only when one is liable; after the first was offered, the second was in the position of a sin-offering whose owner dies before it is sacrificed, and is henceforth unfit for sacrificing.

(15) Since it was eligible then.

(16) This refers to where he slaughtered both within. The sprinkling of the blood of the first relieves its flesh from liability to trespass (v. p. 405, n. 8.); it also relieves the flesh of the second from the same liability, though the second was unfit.

## Talmud - Mas. Zevachim 112a

GEMARA. As for [sprinkling the blood] without and then sprinkling [it] within, it is well, because the whole of it was eligible within.<sup>1</sup> But [if he first sprinkled] within and then offered [it] up without, it is [but] the residue?<sup>2</sup> — This agrees with R. Nehemiah, who ruled: If one offers the residue of the blood without, he is liable. If it agrees with R. Nehemiah, consider the sequel: IF THE BLOOD WAS RECEIVED IN TWO GOBLETS: IF ONE SPRINKLED BOTH WITHIN, HE IS NOT LIABLE; BOTH WITHOUT, HE IS LIABLE. [IF HE SPRINKLED] ONE WITHIN AND ONE WITHOUT, HE IS NOT LIABLE. Surely R. Nehemiah maintained [that] if one offers the residue of the blood without, he is liable? — I will answer you: Which Tanna disagrees with R. Eleazar son of R. Simeon [and maintains that] one goblet renders the other rejected? It is R. Nehemiah.<sup>3</sup>

TO WHAT MAY THIS BE COMPARED? TO ONE WHO SETS ASIDE [AN ANIMAL FOR] HIS SIN-OFFERING, THEN IT WAS LOST, AND HE SET ASIDE ANOTHER IN ITS PLACE; THEN THE FIRST WAS FOUND [etc.] What is the purpose of [adding]. TO WHAT MAY THIS BE COMPARED?<sup>4</sup> — The author of this is Rabbi, who maintained: If [the first animal] was lost when [the second] was set aside, it must perish.<sup>5</sup> And this is what it means: This is only if [the first] was lost. If, however, one set aside two [animals for] sin-offerings as surety,<sup>6</sup> one of these was a burnt-offering from the very outset, in accordance with R. Huna's dictum in Rab's name, viz.: If a guilt-offering was transferred to pasture. and one then slaughtered it without a specified purpose, it is valid as a burnt-offering.<sup>7</sup> How compare: there, a guilt-offering is a male and a burnt-offering is a male; but a sin-offering was a female?<sup>8</sup> — Said R. Hiyya of Vastania:<sup>9</sup> It refers to a ruler's goat.<sup>10</sup>

## CHAPTER XIV

MISHNAH. IF ONE SLAUGHTERED THE COW OF LUSTRATION<sup>11</sup> OUTSIDE ITS APPOINTED PLACE,<sup>12</sup> AND LIKEWISE IF ONE OFFERED WITHOUT THE SCAPEGOAT,<sup>13</sup> HE IS NOT LIABLE, BECAUSE IT SAYS, AND HATH NOT BROUGHT IT UNTO THE DOOR OF THE TENT OF MEETING,<sup>14</sup> [WHICH INTIMATES THAT FOR] WHATEVER IS NOT ELIGIBLE TO COME TO THE DOOR OF THE TENT OF MEETING, ONE IS NOT LIABLE ON ITS ACCOUNT. [AS FOR] A ROBA', A NIRBA', AN ANIMAL SET ASIDE [FOR AN IDOLATROUS SACRIFICE], AN ANIMAL WORSHIPPED [AS AN IDOL]. A [DOG'S] EXCHANGE, [A HARLOT'S] HIRE, KIL'AYIM, A TEREFAH, AN ANIMAL CALVED THROUGH THE CAESAREAN SECTION,<sup>15</sup> IF ONE OFFERED THESE WITHOUT, HE IS NOT LIABLE, BECAUSE IT SAYS, 'BEFORE THE TABERNACLE OF THE LORD: FOR WHATEVER IS NOT ELIGIBLE TO COME BEFORE THE TABERNACLE OF THE LORD, ONE IS NOT LIABLE ON ITS ACCOUNT. [AS FOR] BLEMISHED ANIMALS, WHETHER WITH PERMANENT BLEMISHES OR

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(1) When he sprinkled it without, Hence he is liable.

(2) Which should not entail liability.

(3) Emended text (Sh.M.). For the allusion v. supra 34b. Hence the blood in the second goblet, according to R. Nehemiah, is not even a residue, and therefore he is not liable.

(4) What does this analogy teach, for apparently the point is quite clear without it?

(5) Even if it had been found by the time that the second was sacrificed. (The Rabbis hold that in the latter case it does not perish, but must be left to graze until it receives a blemish, when it is redeemed, and a burnt-offering is brought for the redemption money. If they did not wait for it to become blemished, but sacrificed it as a burnt-offering, it is valid.

Therefore if one sacrificed it without he is liable, in the view of the Rabbis.)

(6) I.e., in case one is lost, the other should be available,

(7) V. supra 5b. The same applies here, and so if one offers it without, he is liable (cf. the view of the Rabbis in n. 6, p. 550).

(8) Hence it was not fit for a burnt-offering.

(9) Or, Astunia (in cur. edd, Justinia), near Pumbeditha, v. Obermeyer, Landschaft, p. 229.

(10) Brought as a sin-offering (v. Lev. IV, 22 seq.). This was a male. If he set aside two, and the second is offered without, it entails liability.

(11) I.e., the red heifer, v. Num. XIX.

(12) Lit. 'vat', 'pit'.

(13) V. Lev. XVI, 21.

(14) Lev. XVII, 4.

(15) V. supra 71a for all these.

## **Talmud - Mas. Zevachim 112b**

WITH TRANSIENT BLEMISHES, IF ONE OFFERS THEM WITHOUT, HE IS NOT LIABLE. R. SIMEON SAID: [IF ONE OFFERS] ANIMALS WITH PERMANENT BLEMISHES, HE IS NOT LIABLE; [IF ONE OFFERS] ANIMALS WITH TRANSIENT BLEMISHES, HE VIOLATES A NEGATIVE INJUNCTION. [WITH REGARD TO] TURTLEDOVES BEFORE THEIR TIME AND YOUNG PIGEONS AFTER THEIR TIME.<sup>1</sup> IF ONE OFFERED THEM WITHOUT, HE IS NOT LIABLE. R. SIMEON SAID: [IF ONE OFFERS] YOUNG PIGEONS AFTER THEIR TIME, HE IS NOT LIABLE; [IF HE OFFERS] TURTLEDOVES BEFORE THEIR TIME, HE VIOLATES A NEGATIVE INJUNCTION. [ONE WHO OFFERS] AN ANIMAL TOGETHER WITH ITS YOUNG [ON THE SAME DAY], AND [ONE WHO OFFERS] BEFORE TIME, IS NOT LIABLE.<sup>2</sup> R. SIMEON SAID: HE TRANSGRESSES A NEGATIVE INJUNCTION. FOR R. SIMEON MAINTAINED: WHATEVER IS ELIGIBLE TO COME LATER INVOLVES A NEGATIVE INJUNCTION, BUT DOES NOT INVOLVE KARETH.<sup>3</sup> BUT THE SAGES MAINTAIN: WHATEVER DOES NOT INVOLVE KARETH DOES NOT INVOLVE A NEGATIVE INJUNCTION. 'BEFORE TIME APPLIES BOTH TO ITSELF AND TO ITS OWNER.<sup>4</sup> WHAT IS BEFORE TIME AS APPLIED TO ITS OWNER? IF A ZAB OR A ZABAH, A WOMAN AFTER CHILDBIRTH,<sup>5</sup> OR A LEPER,<sup>6</sup> OFFERED THEIR SIN-OFFERING OR THEIR GUILT-OFFERING WITHOUT, THEY ARE NOT LIABLE; [IF THEY OFFERED] THEIR BURNT-OFFERINGS OR THEIR PEACE-OFFERINGS WITHOUT, THEY ARE LIABLE.<sup>7</sup> IF ONE OFFERS UP FLESH OF A SIN-OFFERING, OR FLESH OF A GUILT-OFFERING, OR FLESH OF MOST SACRED SACRIFICES, OR FLESH OF LESSER SACRIFICES, OR THE RESIDUE OF THE 'OMER,<sup>8</sup> OR THE TWO LOAVES, OR THE SHEWBREAD, OR THE REMAINDER OF MEAL-OFFERINGS; OR IF HE POURS [THE OIL ON TO THE MEAL-OFFERING], OR MINGLES [IT WITH FLOUR], OR BREAKS UP [THE MEAL-OFFERING CAKES], OR SALTS [THE MEAL-OFFERING], OR WAVES IT, OR PRESENTS [IT OPPOSITE THE SOUTH-WEST CORNER OF THE ALTAR], OR SETS THE TABLE [WITH THE SHEWBREAD], OR TRIMS THE LAMPS, OR TAKES OFF THE FISTFUL, OR RECEIVES THE BLOOD. — [IF HE DOES ANY OF THESE] WITHOUT, HE IS NOT LIABLE. NOR IS ONE LIABLE ON ACCOUNT OF ANY OF THESE ACTS ON ACCOUNT OF ZARUTH,<sup>9</sup> OR UNCLEANNESS, OR LACK OF [PRIESTLY] VESTMENTS,<sup>10</sup> OR THE NON-WASHING OF HANDS AND FEET.<sup>11</sup>

BEFORE THE TABERNACLE WAS SET UP BAMOTH WERE PERMITTED AND THE SERVICE WAS PERFORMED BY THE FIRSTBORN; AFTER THE TABERNACLE WAS SET UP BAMOTH WERE FORBIDDEN AND THE SERVICE WAS PERFORMED BY PRIESTS. MOST SACRED SACRIFICES WERE [THEN] EATEN WITHIN THE CURTAINS, AND LESSER SACRIFICES [WERE EATEN] ANYWHERE IN THE CAMP OF THE ISRAELITES.<sup>12</sup>

WHEN THEY CAME TO GILGAL,<sup>13</sup> BAMOTH WERE [AGAIN] PERMITTED: MOST SACRED SACRIFICES WERE EATEN WITHIN THE CURTAINS, AND LESSER SACRIFICES [WERE EATEN] ANYWHERE. WHEN THEY CAME TO SHILOH,<sup>14</sup> BAMOTH WERE [AGAIN] FORBIDDEN. [THE TABERNACLE] THERE HAD NO ROOF, BUT [CONSISTED OF] A STONE EDIFICE CEILED WITH CURTAINS, AND THAT WAS THE 'REST' [ALLUDED TO IN SCRIPTURE]:<sup>15</sup> MOST HOLY SACRIFICES WERE EATEN [THERE] WITHIN THE CURTAINS, AND LESSER SACRIFICES AND SECOND TITHE<sup>16</sup> [WERE EATEN] WHEREVER [SHILOH] COULD BE SEEN. WHEN THEY CAME TO NOB AND TO GIBEON,<sup>17</sup> BAMOTH WERE [AGAIN] PERMITTED: MOST HOLY SACRIFICES WERE EATEN WITHIN THE CURTAINS, AND LESSER SACRIFICES [AND SECOND TITHE]<sup>18</sup> IN ALL THE CITIES OF ISRAEL. WHEN THEY CAME TO JERUSALEM, BAMOTH WERE FORBIDDEN AND WERE NEVER AGAIN PERMITTED,<sup>19</sup> AND THAT WAS THE 'INHERITANCE'. MOST HOLY SACRIFICES WERE EATEN WITHIN THE CURTAINS,<sup>20</sup> AND LESSER SACRIFICES AND SECOND TITHE WITHIN THE WALL [OF JERUSALEM].

ALL SACRIFICES CONSECRATED WHILE BAMOTH WERE FORBIDDEN AND OFFERED WITHOUT WHILE BAMOTH WERE FORBIDDEN, INVOLVE A POSITIVE AND A NEGATIVE INJUNCTION,<sup>21</sup> AND ONE IS LIABLE TO KARETH ON THEIR ACCOUNT.<sup>22</sup> IF ONE CONSECRATED THEM WHILE BAMOTH WERE PERMITTED, BUT OFFERED THEM WITHOUT WHEN BAMOTH WERE FORBIDDEN, THEY INVOLVE A POSITIVE AND A NEGATIVE INJUNCTION, BUT ONE IS NOT LIABLE TO KARETH ON THEIR ACCOUNT.<sup>23</sup> IF ONE CONSECRATED THEM WHEN BAMOTH WERE FORBIDDEN, AND OFFERED THEM WHEN BAMOTH WERE PERMITTED, THEY INVOLVE A POSITIVE INJUNCTION,<sup>24</sup> BUT THEY DO NOT INVOLVE A NEGATIVE INJUNCTION. THE FOLLOWING SACRIFICES WERE OFFERED IN THE TABERNACLE:<sup>25</sup> SACRIFICES CONSECRATED FOR THE TABERNACLE: PUBLIC SACRIFICES WERE OFFERED IN THE TABERNACLE, AND PRIVATE SACRIFICES WERE OFFERED AT A BAMAH.<sup>26</sup> IF PRIVATE SACRIFICES WERE CONSECRATED FOR THE TABERNACLE, THEY MUST BE OFFERED IN THE TABERNACLE; YET IF ONE OFFERED THEM AT A BAMAH, HE IS NOT LIABLE.

WHEREIN DID THE MINOR BAMAH AND THE GREAT BAMAH DIFFER? [IN RESPECT OF] LAYING [OF HANDS]. SLAUGHTERING IN THE NORTH,

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- (1) Turtledoves may be sacrificed only after they reach a certain stage; pigeons, only before. V. Hul. 22a.
  - (2) 'Before time' is explained anon. An animal may not be slaughtered together with its young on the same day (cf. Lev. XXII, 28). — In the whole passage the reference is to liability or otherwise for slaughtering without. R. Simeon too means that he has transgressed the negative injunction forbidding the slaughtering of sacrifices without, but is not liable.
  - (3) And therefore if one does it in ignorance, he is not liable to a sin-offering.
  - (4) Whether the animal (or bird) was not yet eligible, or whether its owner was not yet eligible or liable.
  - (5) Before the expiration of forty or eighty days; v. Lev. XII, 1-8.
  - (6) All these, within the period of their counting; v. Lev. XIV, 1-10; XV, 1-15; 25-30.
  - (7) Since these could have been offered as a votive offering within in their name. A sin-offering and a guilt-offering, however, cannot be offered votively.
  - (8) After the fistful is taken.
  - (9) I.e., the prohibition of a zar (a non-priest) to officiate in the Temple.
  - (10) The priest had to officiate in the special garments prescribed in Ex. XXVIII; if he did not wear them all whilst engaged in any of these, he incurs no liability.
  - (11) V. Ex. XXX, 17-21.
  - (12) V. p. 276, n. 6.
  - (13) After crossing the Jordan and entering the promised land; the Tent of Meeting was then set up at Gilgal, and it remained there during the fourteen years of conquering and allotting the country.
  - (14) After the fourteen years.

- (15) Deut. XII, 9: For ye are not as yet come to the rest and to the inheritance, which the Lord your God giveth thee. When they arrived at Shiloh, they had come to that 'rest'. The significance of this is discussed in the Gemara.
- (16) Which was to be eaten 'in the place which the Lord thy God shall choose' (ibid. 18).
- (17) After Shiloh, the Tabernacle was erected at Nob, and subsequently it was set up at Gibeon.
- (18) 'And second tithe' is a var. lec.
- (19) Even after the destruction of the Temple.
- (20) In the place corresponding to within the curtains of the Tabernacle, viz., in the Temple court.
- (21) Lev. XVII, 5: even that they may bring them unto the Lord; this is a positive injunction. Deut. XII, 13: Take heed to thyself that thou offer not thy burnt-offerings in every place that thou seest; this is the negative injunction, and is understood to apply to all sacrifices.
- (22) Lev. XVII, 4: And hath not brought it unto the door of the tent of meeting . . . that man shall be cut off among his people.
- (23) V. supra 106b.
- (24) Having consecrated them when bamoth were forbidden, he was subject to the positive injunction, 'even that they may bring them unto the Lord', which means to the Tabernacle. By waiting until the Tabernacle was destroyed, which rendered this impossible, he transgressed that injunction.
- (25) When it was at Gilgal, when bamoth too were permitted.
- (26) If animals were consecrated for public or private sacrifices, and the place was unspecified, it is tacitly assumed that the former were meant for sacrifice in the Tabernacle (public sacrifices could be sacrificed only there), and the latter were meant for bamoth.

### **Talmud - Mas. Zevachim 113a**

SPRINKLING ROUND ABOUT,<sup>1</sup> WAVING AND PRESENTING,<sup>2</sup> (R. JUDAH MAINTAINED: THERE WERE NO MEAL-OFFERINGS AT THE BAMAH). PRIESTHOOD, SACRIFICIAL VESTMENTS, SERVICE VESSELS, A SWEET ODOUR,<sup>3</sup> A LINE OF DEMARCATION FOR [THE SPRINKLING OF] THE BLOOD,<sup>4</sup> AND THE WASHING OF HANDS AND FEET.<sup>5</sup> BUT TIME, NOTHAR AND DEFILEMENT WERE ALIKE IN BOTH.<sup>6</sup>

GEMARA. What does OUTSIDE ITS APPOINTED PLACE mean? — Resh Lakish said: Outside the place which had been examined for it.<sup>7</sup> Said R. Johanan to him: But surely the whole of Eretz Israel had been thus examined?<sup>8</sup> Rather said R. Johanan: It means, e.g., that one slaughtered it within the wall of Jerusalem.<sup>9</sup> But let him explain it [as meaning] that he slaughtered it without the wall, but not opposite the door [of the Hekal], for R. Adda b. Ahabah said: If one did not slaughter it opposite the door [of the Hekal], it is disqualified for it is said, And he shall slay it . . . and sprinkle [of her blood toward the front of the tent of meeting]:<sup>10</sup> As the sprinkling must be opposite the door, so must its slaughtering be opposite the door? And should you answer that he [R. Johanan] does not assimilate [slaughtering to sprinkling], surely it was stated: (If one did not slaughter it opposite the door, R. Johanan maintained that it was disqualified, [because it says], And he shall slay. . . and sprinkle. Resh Lakish said: It is fit, [because it says, and she shall be brought forth'] without the camp and he shall slay.<sup>11</sup> And it was stated likewise:)<sup>12</sup> If one did not burn it opposite the door, — R. Johanan said: It is disqualified; R. Oshaia said: It is fit. R. Johanan said, 'It is disqualified', [because it says,] and he shall burn . . . and he shall sprinkle.<sup>13</sup> R. Oshaia said, 'It is fit', because Scripture saith, with her dung [pirshah] it shall be burnt: [that means, in] the place that she departs [poresheth] to death, there must she be burnt!<sup>14</sup> — I will answer you: He [R. Johanan] proceeds to a climax:<sup>15</sup> it goes without saying that [if he slaughters it] without the wall [and not opposite the door] [it is disqualified], because he removed it further [from the Sanctuary]. But even [if he slaughtered it] within the wall, so that he brought it nearer, and I might argue that it is fit, he informs us [that it is not].

The master said: 'Said R. Johanan to him, But surely the whole of Eretz Israel had been thus examined'. Wherein do they differ? — One master holds that the Flood descended in Eretz Israel;<sup>16</sup>

while the other master holds that it did not descend [there]. R. Nahman b. Isaac observed: Both interpret the same text, [Viz.:] Son of man, say unto her: Thou art a land that is not cleansed, nor rained upon in the day of indignation.<sup>17</sup> R. Johanan holds: Scripture speaks rhetorically.<sup>18</sup> O Eretz Israel, how art thou not clean; did then the rain [flood] descend upon thee in the day of indignation? While Resh Lakish holds that it bears its plain sense: Eretz Israel, thou art not clean, [for] did not the rain descend upon thee in the day of indignation?

Resh Lakish refuted R. Johanan: There were courtyards in Jerusalem built on a rock; beneath them was a hollow, on account of graves down in the depths.<sup>19</sup> There they brought pregnant women, and women who had given birth, and there they reared their children for [the service of] the [Red] Heifer.<sup>20</sup> And they brought oxen with doors on their backs;<sup>21</sup> the children sat on them and carried stone goblets,<sup>22</sup> which they filled [with water] and then returned to their place!<sup>23</sup> — Said R. Huna, the son of R. Joshua: They were especially strict in the case of the [Red] Heifer.

R. Johanan refuted Resh Lakish: On one occasion they found [human] bones in the Wood Chamber,<sup>24</sup> and they desired to declare Jerusalem unclean. Whereupon R. Joshua rose to his feet and exclaimed: Is it not a shame and disgrace to us that we declare the city of our fathers unclean! Where are the dead of the Flood, and where are the dead of Nebuchadnezzar?<sup>25</sup> Since he said, 'Where are the dead of the Flood?' he surely meant that they had not been there [in Jerusalem]? — Then on your reasoning, had there been none of the slain of Nebuchadnezzar [there]?<sup>26</sup> Rather, they had been, but were removed; so here too<sup>27</sup> they had been [in Eretz Israel], but were cleared away. But if they were removed,

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(1) So that the blood touched the four sides of the altar.

(2) Sc. the meal-offerings, opposite the south-west corner of the altar.

(3) V. supra 46b.

(4) Whether it was to be sprinkled above or below.

(5) All these were required at the public bamah but not at a private one.

(6) The prohibition of eating the flesh after time and when unclean, or when it had been rendered piggul (v. Glos.) through the intention of eating it after time, operated at both.

(7) Examined to see that there was no hidden grave under it. Only in such a place might it be slaughtered.

(8) V. infra.

(9) Whereas it was to be slaughtered without, Num. XIX, 3.

(10) Ibid. 3f. This would correspond to opposite the door of the Hekal.

(11) Which implies anywhere outside the camp.

(12) Sh.M. deletes the bracketed passage.

(13) Actually the order is reversed: And Eleazar...shall sprinkle of her blood toward the front of the tent of meeting seven times, and he shall burn the heifer. This proximity denotes assimilation: the blood must be sprinkled and the flesh burnt in the same place. — Thus R. Johanan does assimilate two actions stated in proximity, and the same must apply to slaughtering and sprinkling. (Or, he states this explicitly, if the bracketed passage is retained in the text.)

(14) I.e., where her last death-struggles take place. In her struggles she may move away from the spot opposite the door of the Hekal.

(15) Lit., 'he states, "it is not necessary".'

(16) So the bones of many dead sunk in the earth; hence it is not purified.

(17) Ezek. XXII, 24.

(18) Lit., 'indeed wonders.'

(19) In case there were unknown graves below, the hollow prevented the defilement from striking upward and rendering unclean what was in the courtyard.

(20) These children, who would thus be rigidly guarded from defilement, besprinkled the priest who burnt the Red Heifer.

(21) These doors likewise interposed between the defilement of a possible lost grave and the children who sat on them. This was done when they left the courtyards and went to the Pool of Siloam to draw water for mixing with the ashes of

the Red Heifer.

(22) A vessel of stone cannot become unclean.

(23) This proves that Eretz Israel was not regarded as clear of lost graves.

(24) Where the wood was kept for the altar.

(25) They are found elsewhere, but not here.

(26) Of course there were, as many were slain when he captured Jerusalem.

(27) In respect of the dead of the Flood.

## **Talmud - Mas. Zevachim 113b**

then they were removed!<sup>1</sup> — Granted that they had been cleared away from Jerusalem, they had not been cleared away from the whole of Eretz Israel.

Others state, Resh Lakish refuted R. Johanan: 'Where are the dead of the Flood; where are the dead of Nebuchadnezzar?' Surely then, since the latter were [in Eretz Israel], the former too were there? — Why say thus? each had its own state.<sup>2</sup>

Resh Lakish refuted R. Johanan: Whatsoever was in the dry land, died:<sup>3</sup> according to my opinion that the Flood descended to Eretz Israel, it is well: for that reason they died. But on your view, why did they die? — Because of the heat, in accordance with R. Hisda. For R. Hisda said: With hot passion they sinned, and by hot water they were punished. [For] here it is written, And the water cooled;<sup>4</sup> whilst elsewhere it is said, Then the king's wrath cooled down.<sup>5</sup>

Others state, R. Johanan refuted Resh Lakish: Whatsoever was in the dry land, died. On my opinion that the Flood did not descend to Eretz Israel, it is well: for that reason it is called dry land. But on your view, what is the meaning of 'dry land'? — The place which was originally dry land. And why does he specify 'dry land'?<sup>6</sup> — In accordance with R. Hisda. For R. Hisda said: In the generation of the Flood the decree [of destruction] was not decreed against the fish in the sea, because it says, 'Whatsoever was in the dry land died', but not the fish in the sea.

On the view that the Flood did not descend there, it is well: thus the re'em<sup>7</sup> stayed there. But on the view that it did descend, where did it stay?<sup>8</sup> — Said R. Jannai: They took the young [of the re'em] into the Ark. But surely Rabbah b. Bar Hanah said: I saw a sea re'em, one day old, which was as big as Mount Tabor. And how big is Mount Tabor? Forty parasangs.<sup>9</sup> Its neck, stretched out, was three parasangs; the place where its head rested was a parasang and a half. It cast a ball of excrements and blocked the Jordan! — Said R. Johanan: They took its head [only] into the Ark. But a master said: The place where its head rested was three parasangs? — Rather, they took the tip of its nose into the Ark. But surely R. Johanan said: The Flood did not descend in Eretz Israel?<sup>10</sup> — He explains [it thus] on the view of Resh Lakish. But the Ark plunged up and down?<sup>11</sup> — Said Resh Lakish: They tied its horns to the Ark.<sup>12</sup> But surely R. Hisda said: The people in the generation of the Flood sinned with hot passion, and with hot water they were punished?<sup>13</sup> — And on your view, how could the Ark travel [at all]?<sup>14</sup> Moreover, how did Og king of Bashan stand?<sup>15</sup> Rather, a miracle was performed for it [the water], and it was cooled at the side of the Ark.

Now according to Resh Lakish, even granted that the Flood fell upon Eretz Israel, surely, however, none [of the dead] were left there. For Resh Lakish said: Why was it [Babylon] called Mezulah? Because all the dead of the Flood were dumped [niztallelu] there? And R. Johanan said: Why was it called Shinar? Because all the dead of the Flood were shaken out thither [nin'aru lesham]? — Yet it was impossible that some should not have cleaved [remained]. R. Abbahu said: Why was it called Shinar? — Because it shakes out its wealthy men [mena'ereh 'ashirim].<sup>16</sup> But we see that there are [wealthy people there]? — They do not last three generations. R. Ammi said: He who eats earth of Babylon is as though he ate the flesh of his ancestors.<sup>17</sup> It has also been learnt



likewise: He who eats earth in Babylon is as though he ate the flesh of his ancestors. Some say, It is as though he ate of abominations and creeping things.<sup>18</sup>

THE SCAPEGOAT. [Is it not eligible to come to the door of the tent of meeting?] Surely the following contradicts it: Or sacrifice [korban]:<sup>19</sup> I might understand even sacred things of the Temple Repair,<sup>20</sup> which are designated korban, as it says, And we have brought the Lord's korban [offering].<sup>21</sup> Therefore it states, and bringeth it not unto the door of the tent of meeting: [the law applies only to] what is eligible to come to the door of the tent of meeting; hence sacred things of Temple Repair, which are not thus eligible,<sup>22</sup> are excluded.<sup>23</sup> I might think that I exclude these, which are not eligible, but I do not exclude the scapegoat that is sent away, which is eligible to come to the door of the tent of meeting:<sup>24</sup> therefore it states, [to sacrifice it] unto the Lord, which excludes the scapegoat, as that is not dedicated to the Lord? — There is no difficulty: the one means before the casting of lots;<sup>25</sup> the other means after the casting of lots. After the casting of lots too there is still the confession?<sup>26</sup> — Rather, said R. Mani, there is no difficulty: The one means before confession; the other means after confession.

A ROBA' AND A NIRBA'. But this too I may infer from 'unto the door of the tent of meeting'?<sup>27</sup>

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- (1) In any case then Eretz Israel is free from lost graves.
  - (2) The latter had been in Eretz Israel, and cleared out, but the former were never there.
  - (3) Gen. VII, 22.
  - (4) Ibid. VIII, 1. E.V. abated.
  - (5) Est. VII, 10. In both cases the root שִׁכַּךְ is used, giving them the same meaning, and proving that the water was hot when it descended. — This heat spread to Eretz Israel.
  - (6) Obviously all land where people lived was dry before the Flood.
  - (7) A huge animal, too large to enter the Ark.
  - (8) That it was able to survive the flood.
  - (9) A Persian mile, nearly four English miles. — This passage occurs in a series of 'tall' stories by Rabbah b. Bar Hanah related in B. B. 73a seq., which were probably veiled allegories on the political and social conditions of the time.
  - (10) Hence he needs no explanation at all.
  - (11) And this would cause the re'em to slip out and drown.
  - (12) To secure it.
  - (13) It would have been scalded.
  - (14) Since its seams were caulked with pitch, why did not the pitch dissolve in the hot water and leave the Ark unseaworthy?
  - (15) According to legend he was such a giant that he escaped from the Flood (Nid. 61b). Why wasn't he scalded by the hot water?
  - (16) People cannot be wealthy there.
  - (17) Who died there.
  - (18) V. Shab. 113b.
  - (19) Lev. XVII, 8.
  - (20) V. p. 74 n. 7.
  - (21) Num. XXXI, 50. The verse continues: of jewels of gold, armlets etc.; hence it obviously refers to sacred things of Temple Repair.
  - (22) Because only blemished animals can be consecrated for Temple Repair, and such are not eligible for a sacrifice.
  - (23) If one slaughtered these without as a sacrifice, he is not culpable.
  - (24) As we do not know which will be sacrificed and which will be sent away, until the lots are cast.
  - (25) To determine which shall be sacrificed and which sent away; V. Lev. XVI, 8. At that stage it is eligible to come to the tent of meeting.
  - (26) Which is made over that goat, v. ibid. 21. That was made within.
  - (27) Why does the Mishnah quote a different proof-text here?

## Talmud - Mas. Zevachim 114a

As for a roba' and a nirba', it is well: It is conceivable [that the other proof-text is required] where one first consecrated them and then bestiality was committed with them.<sup>1</sup> But as for an animal set apart [for idolatrous worship] and an animal worshipped [as an idol], no man can forbid that which does not belong to him?<sup>2</sup> — This refers to lesser sacrifices, and in accordance with R. Jose the Galilean, who maintained that lesser sacrifices are their owner's property.<sup>3</sup> For it was taught: [If any one sin] and commit a trespass against the Lord [ . . . then he shall bring his guilt-offering]:<sup>4</sup> this is to include lesser sacrifices, because they are his [the individual's] property.<sup>5</sup> this is the view of R. Jose the Galilean. Therefore [the second proof-text is required for] roba' and nirba', because immorality is involved.<sup>6</sup> [It is required for] a [harlot's] hire, the price [of a dog], kil'ayim, and an animal calved through the caesarean section, in the case of the young of consecrated animals [sacrifices]; [because] he holds: The offerings of sacred animals are sacred from birth.<sup>7</sup>

BLEMISHED ANIMALS . . . AN ANIMAL TOGETHER WITH ITS YOUNG etc. Now, they are all necessary.<sup>8</sup> For if he taught about blemished animals [only], I would say that the reason is that they are repulsive,<sup>9</sup> but as for turtledoves, which are not repulsive, I would say that they agree with R. Simeon. While if he taught about turtledoves, I would say that the reason is because they were not rejected after having been eligible; but as for blemished animals which were eligible but became rejected, I would say that R. Simeon agrees with the Rabbis.<sup>10</sup> And if he taught about these two, I would say that the reason is because their disqualification is intrinsic; but as for an animal and its young, where the disqualification comes from without,<sup>11</sup> I would say that the Rabbis agree with R. Simeon. Thus [all three] are necessary.

FOR R. SIMEON MAINTAINED etc. What is R. Simeon's reason? — Said R. Ela in the name of Resh Lakish: Because Scripture saith, Ye shall not do after all that we do here this day, [every man whatsoever is right in his own eyes]:<sup>12</sup> Moses spoke thus to Israel: When ye enter the [Promised] Land, ye shall offer votive [sacrifices],<sup>13</sup> but ye shall not offer obligatory offerings. Thus Gilgal in comparison with Shiloh was premature, and Moses said to them, Ye shall not do.<sup>14</sup> Said R. Jeremiah to R. Zera: If so,<sup>15</sup>

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(1) Now, when it was consecrated, it was fit to come to the door of the tent of meeting and therefore the text, 'and hath not brought it' etc. may not exclude this case; for the first text might mean that if an animal was eligible when it was consecrated and then one slaughtered it without, he is liable, even if it was not eligible when it was slaughtered; hence the Mishnah quotes the other proof-text, 'to present it as an offering unto the Lord before the Tabernacle of the Lord'. This definitely excludes whatever is not actually fit to be offered.

(2) The Mishnah must mean that the animal had been set apart before it was consecrated, for once it is consecrated it belongs to God, and it cannot be forbidden by any man's act, viz., dedicating it for an idolatrous sacrifice or worshipping it. But in that case the first proof-text is sufficient.

(3) Hence they can be forbidden even after they are consecrated, and the Mishnah treats of such a case.

(4) Lev. V. 21. The trespass referred to is false repudiation of liability on oath.

(5) If one swears falsely that he did not vow a peace-offering, which is of lesser sanctity, he brings a guilt-offering. Though this law does not apply to sacred property (deduced from, 'and deal falsely with his neighbour' *ibid.*), the phrase 'against the Lord' shews that it does apply nevertheless even where there is an element of sanctity, viz., in the case of lesser sacrifices, and thus teaches that these count as the individual's property.

(6) For which reason they are disqualified even if bestiality is committed after they were consecrated.

(7) As stated above, the second proof-text is necessary only if the animals were eligible when consecrated, and in these that is possible only in the case of the young of consecrated animals, which were disqualified before birth by being promised as a harlot's hire or the exchange of a dog: when one came to sacrifice their mother, they would come to the door' too. It cannot arise in the case of the animals themselves, for if they were consecrated and then given as a harlot's hire, this second act is invalid (*Tem.* 30b) and they remain fit. Whilst if they were first a harlot's hire and then consecrated, the law is deduced from the first proof-text. The same applies to the other cases, viz., kil'ayim etc. Again, if

these young become sacred even before birth, the act of subsequently giving them as a harlot's hire etc. would not disqualify them, just as it does not disqualify the mother. Therefore he must hold that they are sacred only from birth. — Several words are omitted from the text, in accordance with Rashi and Sh.M.

(8) The controversy between R. Simeon and the Sages must be taught in all three instances.

(9) Therefore the Rabbis hold that he is not liable for slaughtering them without.

(10) That he is not liable.

(11) It is not intrinsic and only due to an accident of time, viz., that they are both slaughtered on the same day.

(12) Deut. XII, 8.

(13) Lit., 'which are right (or pleasing) in your eyes'.

(14) The Sifre applies the text to their first fourteen years in Eretz Israel, when the Tabernacle was at Gilgal. These years were spent in conquering and sharing the land, and so one could apply to them the words, for ye are not as yet come to the rest . . . which the Lord your God giveth thee (ibid. v. 9). This is what Moses said to them: At present, when we are travelling about with the Tabernacle and bamoth are forbidden, all sacrifices can be offered. But in the years of conquest and division, before ye are come to the 'rest', 'Ye shall not do after all that we do here this day,' viz., offer obligatory offerings, but only 'every man whatsoever is right in his eyes,' i.e., votive sacrifices. Thus the statutory offerings were premature at Gilgal, (and would have to wait until they came to Shiloh), and Moses forbids their sacrifice at the bamoth by a negative injunction, 'Ye shall not do.' From this E. Simeon infers that the premature sacrifice of all animals at the bamoth, i.e., before they become eligible, is forbidden by a negative injunction.

(15) That those at Gilgal are premature.

## **Talmud - Mas. Zevachim 114b**

one should even be flagellated too?<sup>1</sup> Why did R. Zera say: Scripture transmuted it into a positive command?<sup>2</sup> — Perhaps that is only according to the Rabbis,<sup>3</sup> but in the view of R. Simeon, that indeed is so.<sup>4</sup> R. Nahman b. Isaac said: Within, at Gilgal, was like without in comparison with Shiloh.<sup>5</sup>

Rabbah said: R. Simeon's reason is as it was taught: R. Simeon said: How do we know that one who sacrifices his Passover-offering at a private bamah when bamoth were prohibited, violates a negative command? Because it is said, 'Thou mayest not sacrifice the Passover-offering [within one of thy gates]'.<sup>6</sup> You might think that it is also thus when bamoth were permitted;<sup>7</sup> therefore it is stated, 'within one of thy gates': I have told you [that he violates a negative injunction] only when all Israel enter through one gate.<sup>8</sup> Now when is this thus? If we say, after midday,<sup>9</sup> let him even incur kareth too!<sup>10</sup> Hence It must surely mean before midday!<sup>11</sup> — No: in truth it means after midday, but it means when bamoth were permitted. But surely he says, 'When bamoth were prohibited'? — He means when the bamah was forbidden for that [sacrifice], but permitted for another.<sup>12</sup>

BEFORE TIME etc. Are these then subject to guilt-offerings? — Said Ze'iri: Include a leper amongst them.<sup>13</sup>

THEIR BURNT-OFFERINGS AND THEIR PEACE-OFFERINGS. And are these subject to peace-offerings? — Said R. Shesheth: Learn a nazirite [in the Mishnah]. According to Ze'iri, the Tannaim [explicitly] included it:<sup>14</sup> according to R. Shesheth, the Tannaim did not include it.<sup>15</sup>

R. Hilkiyah b. Tobi said: They learnt it<sup>16</sup> only [when he sacrifices it] for its own sake. But [if he sacrifices it] under a different designation<sup>17</sup> he is culpable, since it is eligible, under a different designation, within.<sup>18</sup> If so, let him also be culpable [when he slaughters it] for its own sake, since it was eligible, under a different designation, within? — It lacks abrogation.<sup>19</sup>

To this R. Huna demurred: Is there anything which [when slaughtered] for its own sake is not fit, yet [when slaughtered] under a different designation is fit?<sup>20</sup> — Is there not? Surely

- (1) Sc. one who slaughters an animal prematurely within. For the public bamah at the Tabernacle of Gilgal, which was the Tent of Meeting of the wilderness, naturally ranked as within, yet Scripture said 'Ye shall not do'. — The transgression of a negative injunction is punished by flagellation.
- (2) V. Hul. 80b. If, however, 'Ye shall not do' applies to such, we have a negative command.
- (3) As they do not relate 'Ye shall not do' to premature slaughtering.
- (4) One would be flagellated.
- (5) It counts as without since obligatory sacrifices might not be offered there. Thus even R. Simeon admits that he is not flagellated, for now we find the negative injunction only in connection with slaughtering without, but not in connection with slaughtering within.
- (6) Deut. XVI, 5.
- (7) For even then private bamoth were permitted only for votive sacrifices, but not for obligatory sacrifices like the Passover-offering, which were sacrificed at the public bamoth.
- (8) I.e., when there is a central sanctuary; but when bamoth were permitted there was no central sanctuary. The verse is understood thus: 'Thou mayest not sacrifice the Passover-offering' at a private bamah when all Israel enter through 'one of the gates'.
- (9) On the fourteenth of Nisan.
- (10) And not merely flagellation, (v. n. 1.), since it can then be received within.
- (11) When it is premature. Thus a sacrifice slaughtered prematurely without, under its correct designation, entails the violation of a negative prohibition.
- (12) It was forbidden for the Passover-offering, but permitted for a burnt-offering and peace-offering (i.e., votive offerings). This then is what he means: You might think that this is so even when it (the Passover-offering) may be sacrificed at a bamah, viz., before midday, when it can be offered as a peace-offering; therefore it says, 'in one of thy gates'. I have told . . . 'at one gate, viz., at the public bamah, to slaughter their Passover-offerings, which is after midday.
- (13) I.e., 'guilt-offering' is mentioned only in connection with the leper, who is also enumerated. Rashi, in the Mishnah, deletes 'leper'.
- (14) Sc. leper, in the Mishnah.
- (15) 'Leper' is absent in the version of the Mishnah, nevertheless it must be added, on the assumption that the text of the Mishnah is defective.
- (16) That when a leper prematurely sacrifices his guilt-offering without he is not culpable.
- (17) E.g., as a burnt-offering.
- (18) For all sacrifices slaughtered under a different designation are fit, except the Passover-offering and the sin-offering.
- (19) Before it can be eligible, its name as a guilt-offering must be abrogated, and as long as this was not done it is not eligible.
- (20) For although all sacrifices slaughtered under a different designation are fit, that is surely only when they are fit if slaughtered for their own sake.

## **Talmud - Mas. Zevachim 115a**

a Passover-offering, though not fit [if slaughtered] during the rest of the year under its own designation, is nevertheless fit [if slaughtered] under a different designation! — A Passover-offering during the rest of the year is a peace-offering.<sup>1</sup>

Shall we say that the following supports him [R. Hilkiyah]? [It was taught:] You might think that I also exclude<sup>2</sup> a burnt-offering which is premature in relation to its owner,<sup>3</sup> or a nazirite's guilt-offering and a leper's guilt-offering;<sup>4</sup> therefore it says, an ox', [implying] in all cases; 'or lamb', [implying, in all cases; or goat', [implying] in all cases. Thus he omits a sin-offering. Now what are we discussing? If we say, [when it is sacrificed] in its time,<sup>5</sup> why particularly a guilt-offering; even a sin-offering too [entails liability]? Hence it must mean [when it is] not [sacrificed] in its proper time; and in which [case]? If we say, [when he sacrifices it] for its own sake, why is he liable for a guilt-offering?<sup>6</sup> Hence it must surely mean [when he sacrifices it] under a different designation!<sup>7</sup> — In truth it means in the proper time and under a different designation, and this is in accordance with R. Eliezer, who maintained: We assimilate the guilt-offering to the sin-offering; and he teaches the

derived case, and the same law applies to the principal case.<sup>8</sup>

Come and hear: You might think that I include a burnt-offering which is intrinsically premature<sup>9</sup> and a sin-offering [which is premature] either intrinsically or through its owners;<sup>10</sup> therefore it says, 'And hath not brought it unto the door of the tent of meeting': Whatever is not eligible to come to the door of the tent of meeting, you are not liable on its account. But [the Tanna] omits a guilt-offering. Now what are we discussing? If we say, [when it is sacrificed] for its own sake, let him not be liable in the case of a guilt-offering too?<sup>11</sup> Hence it must surely mean [when one does] not [sacrifice it] for its own sake!<sup>12</sup> — This agrees with R. Eliezer, who assimilates the guilt-offering to the sin-offering; and he teaches the principal case [the sin-offering], and all the more [does it apply to] the derived case.

Come and hear, for when R. Dimi came,<sup>13</sup> he said: The school of Bar Liwai taught: You might think that I also exclude a burnt-offering which is premature through its owner, and a nazirite's guilt-offering and a leper's guilt-offering [etc.]. Now, he [the Tanna] thus infers that one is liable, but I do not know how he infers it. Said Rabina: [The reference is:] 'an ox', in all cases; 'a sheep', in all cases; 'a goat', in all cases. But he omits a sin-offering. And what are we discussing [etc.]?<sup>14</sup> What difficulty is this?<sup>15</sup> Perhaps [it is to be explained] as you stated [in the previous discussion]? — Said R. Nahman [b. Isaac]: Because this teaching of the school of Bar Liwai contradicts what Levi taught, viz.: As to a nazirite's guilt-offering and a leper's guilt-offering, if one slaughtered them under a different designation they are valid, but do not free their owners of their obligations. If one slaughtered them before they were due from their owners, or if they were two years old when they were slaughtered, they are unfit.<sup>16</sup> [And R. Dimi answered:]<sup>17</sup> There is no difficulty: In the one case [he slaughtered it] for its own sake; in the other it was not [slaughtered] for its own sake.<sup>18</sup>

R. Ashi pointed out a contradiction between our Mishnah and the Baraita,<sup>19</sup> and he reconciled them; one means [where he slaughters it] for its own sake;<sup>20</sup> the other [where he does] not [slaughter it] for its own sake. Shall we say that this refutes R. Huna? — R. Huna can answer you: The case we discuss here is that of one who set aside two [animals for] guilt-offerings, as security,<sup>21</sup> so that one of them was a burnt-offering from the outset,

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(1) Hence when one slaughters it as such, he is slaughtering it for its own sake.

(2) From the implication of the text, 'and hath not brought it unto the door' etc.

(3) E.g. one brought by a leper or a woman after childbirth before they were fit.

(4) Disqualified for some other reason. — I might think that these do not entail liability when sacrificed without, since they were not eligible within.

(5) And for its own sake.

(6) Since it is not eligible within.

(7) Thus what is not fit within under its own designation is fit under a different designation.

(8) R. Eliezer maintains that a guilt-offering too is disqualified if slaughtered under a different designation, which he infers from the sin-offering (supra 10b), which is thus the principal instance of such disqualification. The Baraita teaches that nevertheless when one slaughters it under a different designation without, he is liable. The reason is because even after he abrogated its name as a guilt-offering, he could still slaughter it within without any specific purpose, when it would count as a valid guilt-offering and free its owner of his obligation. Hence at the time that he slaughtered it without, under a different designation, it was fit for slaughtering within. The same law applies to the sin-offering too, this being the leading case of unfitness, as explained. This must be in accordance with R. Eliezer, because the Rabbis maintain that a guilt-offering is valid when slaughtered under a different designation. Hence it is fit to be received within, and no special text is necessary for shewing that he is culpable.

(9) E.g., if one sacrifices it before it is eight days old.

(10) E.g. a leper's and a nazirite's sin-offering, sacrificed before it is due. — I might think that if one sacrifices these without, he is liable.

(11) Since it is not eligible.

(12) Thus this supports R. Hilkiyah and refutes R. Huna.

(13) V. p. 46, n. 1.

(14) The reasoning then follows as above. — The text is in some disorder, and the emendations of Sh.M. and Margin have been adopted.

(15) Why do you cite this to refute R. Huna?

(16) Hence, if slaughtered without under such conditions, they do not entail liability, in accordance with the general rule that what is unfit within does not entail liability without. Thus it contradicts the earlier teaching.

(17) Sh.M. deletes bracketed words.

(18) The school of Bar Liwai means that he is culpable if he slaughtered it under a different designation; while Levi teaches that they are unfit (and hence entail no liability without) when slaughtered for their own sake. (Accordingly, the two clauses of Levi's teaching do not deal with the same circumstances.) Now, since R. Dimi opposed these two Baraithas, he must have known that the former too applies where the guilt-offering is slaughtered prematurely, and thus it refutes R. Huna. (R. Huna presumably rejects this reasoning.)

(19) Our Mishnah states that one is not liable in the case of a leper's guilt-offering, whereas the Baraitha states that one is.

(20) Then he is not liable.

(21) In case one is lost, the other should be sacrificed.

## **Talmud - Mas. Zevachim 115b**

this agreeing with R. Huna's dictum in Rab's name, viz.: If a guilt-offering was transferred to pasture and one then slaughtered it without a specified purpose, it is valid as a burnt-offering.<sup>1</sup>

ONE WHO OFFERS UP THE FLESH OF A SIN-OFFERING [. . . WITHOUT, IS NOT LIABLE]. Our Rabbis taught: How do we know that he who offers up the flesh of a sin-offering, or the flesh of a guilt-offering, or the flesh of most sacred sacrifices, or the flesh of lesser sacrifices, or the remainder of the 'omer, or the two loaves, or the Shewbread, or the residue of meal-offerings, [without], is not liable? Because it says, '[Whatsoever man . . . that offereth] a burnt-offering': as a burnt-offering is eligible for offering up,<sup>2</sup> so everything which is eligible for offering up [on the altar entails liability].<sup>3</sup> How do we know that also he who pours [the oil on the meal-offering], or mingles [it with flour], or breaks up [the meal-offering cakes], or salts [the meal-offering], or waves [it], or presents [it opposite the south-west corner of the altar], or sets the table [with the Shewbread], or trims the lamps, or takes off the fistful, or receives the blood, without, is not liable? Because it says, 'that offereth a burnt-offering or sacrifice': as offering up completes the service, so everything that completes the service [entails liability].<sup>4</sup>

BEFORE THE TABERNACLE WAS SET UP [etc.] R. Huna<sup>5</sup> son of R. Kattina sat before R. Hisda, and recited [the text], And he sent the young men of the children of Israel, [who offered burnt-offerings, and sacrificed peace-offerings of oxen unto the Lord].<sup>6</sup> Said he to him: Thus said R. Assi: And then they ceased.<sup>7</sup> Now, he thought to refute him from our Mishnah, when he heard him teach in R. Adda b. Ahaba's name: The burnt-offering[s] which Israel sacrificed in the wilderness did not require flaying and dismembering; whereupon he refuted him from a Baraitha, which had a bearing upon the whole [of his teaching]. For it was taught: Before the Tabernacle was set up bamoth were permitted and the service was performed by the firstborn, and all were eligible to be offered, viz., animals, beasts, birds, male and female, unblemished or blemished; clean, but not unclean;<sup>8</sup> and all offered burnt-offerings, and the burnt-offering[s] which Israel offered in the wilderness required flaying and dismembering; and gentiles are permitted to do thus in these days?<sup>9</sup> It is a controversy of Tannaim. For it was taught: And let the priests also, that come near to the Lord, sanctify themselves:<sup>10</sup> R. Joshua b. Karhah said: This intimated the separation of the first born.<sup>11</sup> Rabbi said: This intimated the separation of Nadab and Abihu.<sup>12</sup> On the view that this meant the separation of Nadab and Abihu, it is well: hence it is written, This is that the Lord spoke, saying, 'Through them that are near unto Me I will be sanctified'.<sup>13</sup> But on the view that it meant the retirement of the

firstborn, where was [this warning] indicated?<sup>14</sup> In the text, And there I will meet with the children of Israel; and [the Tent] shall be sanctified by My glory [bi-kebodi]:<sup>15</sup> read not bi-kebodi, but bi-keboday [My honoured ones]:<sup>16</sup> this the Holy One, blessed be He, said to Moses, but they did not know [its meaning] until the sons of Aaron died.<sup>17</sup> When the sons of Aaron died, he [Moses] said to him: ‘Oh my brother! Thy sons died only that the glory of the Holy One, blessed be He, might be sanctified through them’.<sup>18</sup> When Aaron thus perceived that his sons were the honoured ones<sup>19</sup> of the Omnipresent, he was silent, and was rewarded for his silence, as it is said, And Aaron held his peace.<sup>20</sup> And thus it says of David, Be silent before the Lord, and wait patiently [hith-hollel] for Him:<sup>21</sup> though He casts down many slain [halalim] of thee, be silent before Him. And thus it was said by Solomon, [There is . . .] a time to keep silence, and a time to speak:<sup>22</sup> sometimes a man is silent and is rewarded for his silence; at others a man speaks and is rewarded for his speaking. And this is what R. Hiyya b. Abba said in R. Johanan's name: What is meant by the text, Awful is God out of thy holy places [mi-mikdashka]?<sup>23</sup> Read not mi-mikdashka but mimekuddasheka [through thy consecrated ones]: when the Holy One, blessed be He, executes judgment on His consecrated ones, He makes Himself feared, exalted, and praised.

[To return to the original discussion:] Yet the burnt-offering is a difficulty?<sup>24</sup> — It is a controversy of two Tannaim. For it was taught, R. Ishmael said: The general laws were stated at Sinai,<sup>25</sup> while the details were stated at the Tent of Meeting.<sup>26</sup> R. Akiba said: The general laws and the details were stated at Sinai, repeated in the Tent of Meeting, and a third time in the plains of Moab.<sup>27</sup>

The master said: ‘All were eligible to be offered’. How do we know this? — Said R. Huna, Because Scripture saith: And Noah builded an altar unto the Lord, and took of every clean animal [behemah] and of every clean fowl, [and offered burnt-offerings on the altar].<sup>28</sup> Animal [behemah] and fowl [bear] their plain meaning; beast [hayyah] is included in animal [behemah].

(1) Supra 5b, 112a. Hence if he slaughtered one of these without as a burnt-offering (presumably, even before the other had been sacrificed as a guilt-offering), it counts as having been slaughtered for its own sake, and therefore he is liable.

(2) The whole of it is offered up on the altar.

(3) These, however, were eaten and not offered up on the altar.

(4) None of these do so, as they are followed by another rite. On the other hand, by the same reasoning he who offers libations or burns incense or the fistful removed from a meal-offering, without, is liable.

(5) Bah and Sh.M. emend: Hana.

(6) Ex. XXIV, 5. The ‘young men’ were the firstborn, not priests, and the occasion was when Moses built an altar at the foot of Mount Sinai (ibid. v. 4).

(7) This was the last time that the firstborn performed the sacrificial service, though it was nearly a year before the Tabernacle was set up.

(8) Only clean animals etc., i.e., those which may be eaten, could be offered.

(9) Non-Jews might still offer at bamoth ‘in these days’, after the building of the Temple.

(10) Ex. XIX, 22. This was immediately before Revelation, while the incident cited above took place immediately after Revelation.

(11) By ‘priests’ the firstborn are meant here, as it was they who ‘came near the Lord’ to perform sacrifices, and the verse now separated them and forbade them to approach the mountain.

(12) Not the firstborn but actual priests are meant, viz., Nadab and Abihu, who became priests at Sinai. — Thus Rabbi holds that henceforth only the children of Aaron might act as priests, while R. Joshua b. Karhah maintains that the service was still performed by the firstborn.

(13) Lev. X, 3. I.e., God had warned them previously, in the verse under discussion.

(14) The priests had never been warned.

(15) Ex. XXIX, 43.

(16) This requires only a change of punctuation.

(17) God intimated that when He would ‘meet with the children of Israel’, i.e., at the consecration of the Tabernacle, He would be sanctified through His honoured ones (the priests), but they did not understand the allusion.

- (18) This is what God had meant. — Emended text (Sh.M.).
- (19) Or, the favoured ones. Lit., ‘the known ones’.
- (20) Lev. X, 3. The reward was that God subsequently spoke specially to him, v. 8.
- (21) Ps. XXXVII, 7.
- (22) Ecc. III, 7.
- (23) Ps. LXVIII, 36.
- (24) For it states that it did require flaying and dismembering.
- (25) E.g., an altar of earth thou shalt make unto Me, and shalt sacrifice thereon thy burnt-offerings, and thy peace-offerings (Ex. XX, 21).
- (26) E.g., that the burnt-offering was to be flayed and cut up. Hence until the Tent of Meeting was set up, burnt-offerings were not flayed and dismembered.
- (27) I.e., in Deuteronomy (v. Deut. I, 5).
- (28) Gen. VIII, 20.

## Talmud - Mas. Zevachim 116a

‘Males and females, unblemished and blemished animals’: this excludes an animal lacking a limb, which might not [be sacrificed]. For R. Eleazar said: How do we know that [an animal or bird] lacking a limb was forbidden to the children of Noah?<sup>1</sup> Because it says, ‘And of every living thing of all flesh’:<sup>2</sup> the Holy One, blessed be He, said to Noah: Bring [into the Ark] animal[s] whose chief limbs are alive.<sup>3</sup> But perhaps that was to exclude a terefah? — That is inferred from to keep seed alive.<sup>4</sup> That is correct on the view that a terefah cannot give birth; but on the view that a terefah can give birth, what can be said? — Surely Scripture said, ‘[to keep them alive] with thee’: [this means] those that are like thee.<sup>5</sup> But perhaps Noah himself was terefah?<sup>6</sup> — ‘Whole’ [tamim] is written of him.<sup>7</sup> Perhaps that means, whole in his ways?<sup>8</sup> — ‘Righteous’ is written of him.<sup>9</sup> But perhaps [it means that he was] whole in his ways and righteous in his actions? — If you should think that Noah himself was terefah, could the Merciful One say to Noah, Take in [only] such as are like thee, [but] do not take in whole [animals]?<sup>10</sup> Now, since we infer it from ‘with thee’, what is the purpose of ‘to keep seed alive’? — You might think that ‘with thee’ meant merely for companionship, [so they might be] even aged or castrated. Therefore [‘to keep seed alive’] informs us [that it is not so].

[The master said:] ‘Clean, but not unclean’. Were there then clean and unclean [animals] at that time?<sup>11</sup> — Said R. Samuel b. Nahmani in R. Jonathan's name: [It means] of those with which no sin had been committed.<sup>12</sup> How did he [Noah] know?<sup>13</sup> — As R. Hisda said. For R. Hisda said: He led them past the Ark; those which the Ark accepted were certainly clean; those which the Ark rejected were certainly unclean. R. Abbahu said: Scripture saith, ‘And they that went in, went in male and female’:<sup>14</sup> [that means,] that they went in of their own accord.<sup>15</sup>

The master said: ‘And all offered burnt-offerings’. Only burnt-offerings, but not peace-offerings? Surely it is written, and sacrificed peace-offerings of oxen?<sup>16</sup> — Say rather, all offered burnt-offerings and peace-offerings. But it was taught: But not peace-offerings, save only burnt-offerings? — That is in accordance with the view that the Children of Noah did not offer peace-offerings.<sup>17</sup> For it was stated, R. Eleazar and R. Jose b. Hanina [disagree]. One maintained: The Children of Noah offered peace-offerings; while the other maintained: They did not. What is the reason for the view that the Children of Noah did offer peace-offerings? — Because it is written, And Abel, he also brought of the firstlings of his flock and of the fat [heleb] thereof.<sup>18</sup> What thing is it whose ‘fat’ [heleb] [only] is offered on the altar, but the whole of it is not offered on the altar? Say, that is a peace-offering. What is the reason of the view that the Children of Noah did not offer peace-offerings? — Because it is written, Awake, O north, and come, thou south:<sup>19</sup> [this means,] Awake, O people whose rites [were performed] in the north, and come, O people, whose rites [will henceforth be performed] in the north and the south.<sup>20</sup> But as to this master, surely it is written, ‘of the fat thereof’? — That means, of their fat ones.<sup>21</sup> And as to the other master, surely it is written,



‘Awake, O north [etc.]’? — That refers to the ingathering of the exiles.<sup>22</sup>

But surely it is written, And Moses said: ‘Thou must also give into our hands sacrifices [zebahim] and burnt-offerings, that we may sacrifice unto the Lord our God?’<sup>23</sup> — [He demanded] zebahim for food and burnt-offerings for sacrifice.<sup>24</sup> But surely it is written, And Jethro, Moses’ father-in-law, took a burnt-offering and sacrifices unto the Lord?<sup>25</sup> — That was written after the giving of the Torah [Revelation].<sup>26</sup> That is well on the view that Jethro came after Revelation; but on the view that Jethro came before Revelation, what can be said? For it was stated: The sons of R. Hiyya and R. Joshua b. Levi [disagree]: one [side] maintains: Jethro came before Revelation; while the other maintains: Jethro came after Revelation! — He who maintains that Jethro came before Revelation holds that the Children of Noah sacrificed peace-offerings.

This is a controversy of Tannaim: Now Jethro, the priest of Midian, heard:<sup>27</sup> what news did he hear that he came and turned a proselyte? R. Joshua said: He heard of the battle with the Amalekites, since this is immediately preceded by,<sup>28</sup> And Joshua discomfited Amalek and his people with the edge of the sword.<sup>29</sup> R. Eleazar of Modim<sup>30</sup> said: He heard of the giving of the Torah and came. For when the Torah was given to Israel the sound thereof travelled from one end of the earth to the other, and all the heathen kings were seized with trembling in their palaces, and they uttered song,<sup>31</sup> as it is said, And in his place all say: ‘Glory’.<sup>32</sup> They all assembled by the wicked Balaam and asked him: What is this tumultuous noise that we have heard: perhaps a flood is coming upon the world, for it says, The Lord sat enthroned at the flood? — The Lord sitteth as King for ever, he replied: the Holy One, blessed be He, has already sworn that He will not bring [another] flood upon the world.<sup>33</sup> Perhaps, they ventured, He will not bring a flood of water, yet He will bring a flood of fire, as it is said, For by fire will the Lord contend?<sup>34</sup> He has already sworn that He will not destroy all flesh, he assured them. Then what is the sound of this tumult that we have heard? He has a precious treasure in His storehouse, which was hidden by Him nine hundred and seventy-four generations before the world was created,<sup>35</sup> and He has desired to give it to His children, as it is said, The Lord will give strength unto His people.<sup>36</sup> Forthwith they all exclaimed, The Lord will bless His people with peace.<sup>36</sup>

R. Eleazar said: He heard about the dividing of the Red Sea, and came, for it is said, And it came to pass, when all the kings of the Amorites heard [. . . how that the Lord had dried up the waters of the Jordan before the children of Israel] ;<sup>37</sup> and Rahab the harlot too said to Joshua’s messengers [spies]: For we have heard how the Lord dried up the water of the Red Sea.<sup>38</sup> Why is, ‘neither was there spirit in them any more written in the first text, whereas in the second it says, ‘neither did there remain [stand] any more spirit in any man’?

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(1) As sacrifices. ‘Children of Noah’ is a technical term denoting all people before the Revelation at Sinai, and all non-Israelites who did not accept the Torah after Revelation. In the present discussion even Israelites technically ranked as Children of Noah, until the laws of sacrifices as stated in Leviticus became operative.

(2) Gen. VI, 19.

(3) I.e., not missing. — Of these animals Noah subsequently sacrificed.

(4) Ibid. VII, 3. A trefah, however, cannot give birth, and so cannot keep seed alive.

(5) Not trefah.

(6) Perhaps he suffered from a disease or organic disturbance which in the case of an animal would render it trefah.

(7) Gen. VI, 9. E.V. whole-hearted.

(8) Modest and patient.

(9) Which includes that.

(10) That is obviously absurd.

(11) Before the Torah was given.

(12) Those which had mated only with their kind.

(13) Which were clean and which unclean.

- (14) Ibid. VII, 16.
- (15) In their respective pairs, seven of the clean and two of the unclean.
- (16) Ex. XXIV, 5.
- (17) V. n. 7, p. 571, on 'the children of Noah'. But Ex. XXIV, 5 was after Revelation.
- (18) Gen. IV, 4.
- (19) S. S. IV, 16.
- (20) The burnt-offering was slaughtered on the north side of the altar; the peace-offering, on any side. He renders: Awake, O nation who hitherto, as Children of Noah, could only sacrifice on the north side of the altar (hence, burnt-offerings) and now, by accepting the Torah, come as a people who can sacrifice in the north and the south. — Cf. Gen. Rab. XXII, 5 (Sonc. ed. p. 183.)
- (21) Sc. the best.
- (22) It is a summons to the north and the south to bring in their exiles.
- (23) Ex. X, 25. This was said before Revelation, and since 'burnt-offerings' are specifically mentioned, 'sacrifices' must mean peace-offerings.
- (24) The answer renders zebachim animals for slaughtering, not sacrifices.
- (25) Ibid. XVIII, 12.
- (26) Although it is written before. — It is a principle of exegesis that the Torah is not necessarily in chronological order (Pes. 6b).
- (27) Ex. XVIII, 1.
- (28) Lit., 'since it is written at the side thereof'.
- (29) Ibid. XVII, 13.
- (30) The native place of the Hasmoneans, fifteen miles N. W. of Jerusalem.
- (31) Of reverence to God.
- (32) Ps. XXIX, 9. E.V. 'and in His temple etc.
- (33) For He could only be a King (over His creatures) for ever as long as mankind existed. Hence He could not destroy them.
- (34) Isa. LXVI, 16.
- (35) Cf. Gen. Rab. I, 10 (Sonc. ed. p. 10); Cant. Rab. V, 11 (Sonc. ed. p. 243 and n. 3. a.l.).
- (36) Ps. ibid. 11. — The Torah is the strength of Israel.
- (37) Josh. V, 1. As 'heard' here refers to the drying up of waters, it has a similar connotation in connection with Jethro.
- (38) Ibid. II, 10.

## Talmud - Mas. Zevachim 116b

— [She meant that] they even lost their virility. And how did she know this? — Because, as a master said, There was no prince or ruler who had not possessed Rahab the harlot. It was said: She was ten years old when the Israelites departed from Egypt, and she played the harlot the whole of the forty years spent by the Israelites in the wilderness. At the age of fifty she became a proselyte. Said she: May I be forgiven as a reward for the cord, window, and flax.<sup>1</sup>

The master said: 'And gentiles are permitted to do thus in these days'. How do we know it? — Because our Rabbis taught: Speak unto the children of Israel:<sup>2</sup> the children of Israel are enjoined against [sacrifices] slaughtered without, but gentiles are not enjoined against [sacrifices] slaughtered without. Therefore each one may build himself a bamah and offer thereon whatever he desires. R. Jacob b. Aha said in R. Assi's name: It is forbidden to assist them or act as their agents.<sup>3</sup> Raba observed: Yet we may instruct them.<sup>4</sup> [This happened with] Ifra Hormiz, mother of King Shabur,<sup>5</sup> who sent an offering to Raba, with the request, Offer it up in honour of Heaven. Said Raba to R. Safra and R. Aha b. Huna: Go, fetch two young men [non-Jews] of like age, seek a spot where the sea has thrown up alluvial mud,<sup>6</sup> take new [unused] twigs,<sup>7</sup> produce a fire with a new flint, and offer it up in honour of Heaven. Said Abaye to him: In accordance with whom [do you give these instructions]? In accordance with R. Eleazar b. Shammua'? For it was taught, R. Eleazar b. Shammua' said: As the altar must not have been used by a layman [for secular purposes], so the

wood must not have been used by a layman. But surely R. Eleazar b. Shammua' admits in the case of a bamah?<sup>8</sup> For it was taught: One text says, So David gave to Ornan for the place six hundred shekels of gold by weight;<sup>9</sup> whereas it is written, So David bought the threshing-floor and the oxen for fifty shekels of silver;<sup>10</sup> how can these be reconciled? He collected fifty [shekels] from each tribe, which amounted to six hundred [in all]. Rabbi said on the authority of Abba Jose b. Dosehai: [He bought] the oxen, wood, and site of the altar for fifty, and [the site of] the whole Temple for six hundred. R. Eleazar b. Shammua' said: [He bought] the oxen, wood, and site of the altar for fifty, and [the site of] the whole Temple for six hundred,<sup>11</sup> for it is written, And Araunah said unto David: 'Let my lord the king take and offer up what seemeth good unto him; behold the oxen for the burnt-offering, and the threshing instruments [morigim] and the furniture of the oxen for the wood'.<sup>12</sup> And Raba? — He can answer you: There too they were new.<sup>13</sup>

What are morigim? — Said 'Ulla: A bed of turbel. What is a bed of turbel? — Said Abaye: 'A goat with hooks', with which the threshers thresh.<sup>14</sup> Abaye said: Which text [proves this meaning]? — Behold, I make thee a new threshing-sledge [morag] having sharp teeth; [thou shalt thresh the mountains etc.].<sup>15</sup>

Raba<sup>16</sup> read out [Scripture] to his son, and opposed texts to each other: It is written: 'So David gave to Ornan etc.'; whereas it is also written, 'So David bought etc.' How can these be reconciled? He collected fifty from each tribe, which totalled six hundred. Yet the texts are still contradictory, for there it was silver and here it was gold? — Say rather: He collected silver to the value [weight] of six hundred [shekels of] gold.

LESSER SACRIFICES WERE EATEN ANYWHERE IN THE CAMP OF THE ISRAELITES. R. Huna said: [This means,] wherever the Israelites were, but there was no camp.<sup>17</sup> R. Nahman refuted R. Huna: Were there no camps in the wilderness? Surely it was taught: Just as there were camps in the wilderness, so there was a camp in Jerusalem. From [the walls of] Jerusalem to the Temple Mount was the camp of the Israelites; from the Temple Mount to the Gate of Nicanor<sup>18</sup> was the Levitical camp; beyond that was the camp of the Shechinah, and that corresponded to [the place within] the curtains in the wilderness! — Say rather, wherever the camp of the Israelites was.<sup>19</sup> That is obvious? — You might say, it is disqualified through having gone out. Therefore he informs us [otherwise]. Yet say that it is indeed so? — Scripture saith, Then the tent of meeting shall set forward:<sup>20</sup> even when it sets forward, it is still the 'tent of meeting'.<sup>21</sup>

It was taught, R. Simeon b. Yohai said: Yet another place was there, [viz.] the Women's Court,<sup>22</sup> and no penalty was imposed on its account.<sup>23</sup> But at Shiloh there were only two camps. Which was absent? — Said Abaye:<sup>24</sup> It is logical that there was certainly the Levitical camp; for if you should think that there was no Levitical camp,

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(1) For hiding them in flax, and then letting them down by a cord through a window (ibid. 6, 15).

(2) Lev. XVII, 2.

(3) In sacrificing without.

(4) How to sacrifice.

(5) Of Persia.

(6) Which has dried and can be used as an altar.

(7) Or, chips. (10) He held that an altar must never have been used for a secular purpose; similarly the wood must not be fragments of utensils, and the flint etc. must likewise never have been used for secular purposes. Hence he told them to seek virgin soil caused by the drying of alluvial mud. — They would then instruct the young men how to offer the sacrifice.

(8) That the wood may have been used previously for something else.

(9) I Chron. XXI, 25.

(10) II Sam. XXIV, 24.

(11) On the present version the views of R. Eleazar b. Shammua' and Rabbi are identical. Sh.M. emends: 'How can these be reconciled? (He bought) the site of the altar (only) for fifty, and (the site of) the whole Temple for six hundred. Rabbi said on the authority of Abba Jose b. Dostai: He collected fifty shekels . . . (in all). R. Eleazar b. Shammua' said (continuing as in the text)'.

(12) Ibid. 22. Thus he took utensils that had already been used for a secular purpose, and used them as fuel for the altar. — As the Temple was not built until the reign of Solomon, the altar erected here by David was simply a bamah.

(13) They had never yet been used.

(14) 'Goat with hooks' was the name of a threshing sledge. It was a wooden platform (hence 'bed') studded underneath with sharp pieces of flint or with iron teeth (Jast.).

(15) Isa. XLI, 15.

(16) Sh.M. emends: Rahabah.

(17) This is now assumed to mean that one could eat lesser sacrifices even if he went out of the camp of the Israelites.

(18) The east gate of the Temple court.

(19) If they broke camp and pitched their camp elsewhere, a sacrifice which had been offered at the former site could be eaten in the new site.

(20) Num. II, 17.

(21) V. supra 61b. Hence the camps even in travelling are regarded as camps.

(22) This did not have the status either of the Temple Mount or of the Temple court.

(23) One was not punished for entering it whilst unclean.

(24) Emended text (Sh.M.). Cur. edd. Rabbah.

## Talmud - Mas. Zevachim 117a

this would result in zabin and the unclean through the dead being sent out from one camp [only],<sup>1</sup> whereas the Torah said, That they defile not their camps:<sup>2</sup> [this intimates,] assign a camp for this one and a camp for that one.<sup>3</sup> Said Raba to him: What then? there was no camp of the Israelites!<sup>4</sup> If so, zabin and lepers would be sent to the same place, whereas the Torah said, He [the leper] shall dwell alone,<sup>5</sup> [intimating] that no other unclean person may dwell with him? — Rather, there were all three camps after all; and what is meant by 'there were only two camps'? In respect of reception.<sup>6</sup> Hence it follows that in the wilderness the Levitical camp received [an involuntary homicide]? — Yes: and it was taught even so: Then I will appoint thee a place [whither he may flee]:<sup>7</sup> 'thee' [implies] in thy lifetime;<sup>8</sup> 'thee a place' [implies] in thy place;<sup>9</sup> 'whither he may flee': this teaches that they banished [a homicide] in the wilderness; whither did they banish him? To the Levitical camp. From this they deduced that if a Levite committed homicide, he was banished from one district to another;<sup>10</sup> and if he fled to his own [juridical] district,<sup>11</sup> his district receives him. Which text [teaches this]? — Said R. Aha the son of R. Ika: Because he must remain in his city of refuge:<sup>12</sup> [this implies,] in the city which has already provided him with refuge.<sup>13</sup>

WHEN THEY CAME TO GILGAL [etc.]. Our Rabbis taught: Whatever could be vowed or offered as a freewill-offering<sup>14</sup> could be offered at a bamah;<sup>15</sup> what could not be vowed or offered as a freewill-offering<sup>16</sup> could not be offered at a bamah. A meal-offering and [a sacrifice of] naziriteship<sup>17</sup> were offered at a bamah: these are the words of R. Meir. But the Sages maintain: Only peace-offerings and burnt-offerings were sacrificed on behalf of a private individual. R. Judah said: whatever the community and an individual offered in the Tent of Meeting in the wilderness<sup>18</sup> were offered in the Tent of Meeting at Gilgal.<sup>19</sup> What was the difference between the Tent of Meeting in the wilderness and the Tent of Meeting at Gilgal? [When] the Tent of Meeting in the wilderness [existed], bamoth were not permitted; [when] the Tent of Meeting at Gilgal [existed], bamoth were permitted, and one could offer on his bamah on the top of his roof<sup>20</sup> only burnt-offering[s] and peace-offerings. But the Sages maintain: whatever the community offered in the Tent of Meeting in the wilderness they offered in the Tent of Meeting at Gilgal. In both places<sup>21</sup> only burnt-offering[s] and peace-offerings were offered on behalf of a private individual. R. Simeon said: Even the community offered only Passover-offerings

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- (1) Viz., the camp of the Shechinah, since both are permitted in the camp of the Israelites (Pes. 67a).
- (2) Num. V, 3 q.v.; camps, plural.
- (3) Each is sent into a different camp: he who is unclean through the dead is expelled from the camp of the Shechinah but permitted in the Levitical camp, whereas zabin are expelled from the Levitical camp too.
- (4) So that every place outside the Levitical camp had no status at all, and was simply like a field, whither a leper too might repair.
- (5) Lev. XIII, 46.
- (6) An involuntary homicide took refuge in a city specially designated for that purpose (Ex. XXI, 13; Num. XXXV, 9 seq.). In the wilderness this function was served by the Levitical camp; when they came to Shiloh, the Levitical camp lost that function.
- (7) Ex. XXI, 13.
- (8) Sc. in Moses' lifetime; hence, in the wilderness.
- (9) 'Thy' sc. Moses' — hence, the Levitical camp.
- (10) All the forty-eight Levitical cities were cities of refuge. Hence, a Levite who committed involuntary homicide fled from his own city to another Levitical city.
- (11) Having committed homicide elsewhere. Rashi however reads (and Sh. M. emends): and if he fled within his own district; and explains: if he fled from one quarter to another in his own city.
- (12) Num. XXXV, 28.
- (13) E.g., in the case of a homicide who fled to a city of refuge, and then again committed homicide in that city, he must remain in this same city. The same therefore applies to a Levite living in that city.
- (14) V. supra 2b, p. 2, n. 6.
- (15) I.e., at a private bamah, for statutory offerings were offered at the public bamah.
- (16) Statutory offerings.
- (17) These were both votive, since naziriteship itself was the result of a vow.
- (18) I.e., all sacrifices.
- (19) Which was a public bamah.
- (20) I.e., at a private bamah.
- (21) Sc. both at public and at private bamoth.

## **Talmud - Mas. Zevachim 117b**

and statutory offerings for which there is a fixed time.

What is R. Meir's reason? — Because Scripture saith, Ye shall not do after all that we do here this day, [every man whatsoever is right in his eyes]:<sup>1</sup> Moses spoke thus to Israel: When ye enter the [Promised] Land, ye shall offer votive sacrifices, but ye shall not offer obligatory offerings;<sup>2</sup> [and] meal-offerings and [sacrifices of] naziriteship were votive sacrifices. And the Rabbis?<sup>3</sup> — There were no meal-offering[s] at the bamah [at all];<sup>4</sup> [and the sacrifices of] naziriteship were obligatory.<sup>5</sup>

Samuel said: They disagree about the sin-offering and the guilt-offering;<sup>6</sup> but all agree that the burnt-offerings and peace-offerings [of a nazirite] are votive sacrifices. Rabbah raised an objection: [The law of] the breast and thigh and the separation of the loaves of the thank-offering<sup>7</sup> operated at the great [public] bamah, but did not operate at a minor [private] bamah; but he [the Tanna] omits the sodden shoulder.<sup>8</sup> If you say that they disagree about the burnt-offering and the peace-offering, it is well: this agrees with the Rabbis. But if you maintain that they disagree [only] about the sin-offering and the guilt-offering, who is the author of this? Rather, if stated, it was thus stated: Samuel said: They disagree about the burnt-offering and the peace-offering; but all agree that the sin-offering and the guilt-offering are obligatory, and [so] they were not offered.

The master said: 'But the Sages maintain: Whatever the community offered in the Tent etc.' What is the reason of the Rabbis? — Scripture saith, Every man whatsoever is right in his eyes:<sup>9</sup> only a

man may offer voluntary sacrifices and not obligatory ones; but a community can offer obligatory [sacrifices] too.

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(1) Deut. XII, 8.

(2) V. supra 114a.

(3) How do they refute this argument?

(4) For only animal sacrifices were permitted there.

(5) Since the vow of naziriteship merely meant abstention from wine, grapes, defilement, and cutting the hair. The sacrifices were then imposed upon the vower.

(6) Which a nazirite brought on the completion of his naziriteship.

(7) The breast and thigh of peace-offerings, and four loaves out of the forty which accompanied a thanksgiving, belonged to the priest.

(8) Of the nazirite's peace-offering ram, which likewise was a priestly due, Num. VI, 14, 19. This implies that this was not offered at a private bamah at all.

(9) Deut. XII, 8. This is the marginal emendation. The text quotes Judg. XVII, 6.

### Talmud - Mas. Zevachim 118a

And R. Judah?<sup>1</sup> — He can answer you: 'Whatsoever is right' is written in reference to 'in his eyes',<sup>2</sup> but at the great bamah one could offer even statutory offerings. But surely 'man' is written, and does that not intimate that [only] a man may offer voluntary but not obligatory sacrifices?<sup>3</sup> — 'Man' is written to intimate that a zar is fit.<sup>4</sup> [The fitness of] a zar is deduced from, And the priest shall sprinkle the blood on the altar of the Lord [at the door of the tent of meeting]?<sup>5</sup> — You might say, it requires the sanctification of the firstborn, as originally.<sup>6</sup> hence it ['man'] informs us [that it is not so].

The Sages are identical with the first Tanna?<sup>7</sup> — Said R. Papa: They differ as to whether libations were offered in the wilderness.<sup>8</sup>

The master said: 'R. Simeon said etc'. What is R. Simeon's reason? — Because it is written, And the children of Israel encamped in Gilgal, and they offered the Passover-offering.<sup>9</sup> Now that is obvious?<sup>10</sup> Surely then this is what [the text] informs us: they offered only obligatory [sacrifices] similar to the Passover-offering,<sup>11</sup> but they did not offer [obligatory sacrifices] which were not like the Passover-offering.<sup>12</sup> And the other?<sup>13</sup> — It is required for R. Johanan's dictum. For R. Johanan said on R. Bana'ah's authority: An uncircumcised person received sprinkling.<sup>14</sup>

A Tanna recited before R. Adda b. Ahabah: The only difference between the great [public] bamah and the minor [private] bamah was [in respect of] Passover-offerings and obligatory-offerings which have a fixed time. Said he to him: in accordance with whom was this told to you? In accordance with R. Simeon, who maintained: The only difference between the great bamah and the minor bamah was [in respect of] Passover-offerings and obligatory offerings which have a fixed time; and you must make your teaching refer to a statutory burnt-offering,<sup>15</sup> as there is also a votive burnt-offering.<sup>16</sup> For if you would refer to sin-offerings, is there then a votive sin-offering?<sup>17</sup> Yet let him make it refer to an obligatory meal-offering, since there were habitin?<sup>18</sup> — He holds that there were no meal-offering[s] at the bamah.

WHEN THEY CAME TO SHILOH etc. Whence do we know it? — Said R. Hiyya b. Abba in R. Johanan's name: one text says, And she brought him unto the house of the Lord in Shiloh;<sup>19</sup> whereas another text says, And He forsook the Tabernacle of Shiloh, the tent which He had made to dwell among men, and it also says, Moreover He abhorred the tent of Joseph, and chose not the tribe of Ephraim.<sup>20</sup> How are these reconciled? It had no roof, but stones below and curtains above.<sup>21</sup>

**MOST SACRED SACRIFICES** [etc.] Whence do we know it? — Said [R. Eleazar in] R. Oshaia[‘s name]: Because Scripture saith, Take heed to thyself that thou offer not thy burnt-offerings in every place that thou seest.<sup>22</sup> You may not offer ‘in every place that thou seest’, but you may eat [the sacrifice] ‘in every place that thou seest’. Yet say: in every place that thou seest’ you may not offer,<sup>23</sup> but you may slaughter ‘in every place that thou seest’? — Said R. Jannai: Scripture saith, There shalt thou offer . . . and there thou shalt sacrifice.<sup>24</sup> R. Abdimi b. Hasa<sup>25</sup> said, Scripture saith,

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**(1)** How does he justify his view that an individual too could offer obligatory sacrifices at the public bamah?

**(2)** I.e., in reference to the private bamah, which one could erect wherever one chose.

**(3)** And if this does not apply to the public bamah too, why is ‘man’ written? Scripture should simply write, Whatsoever is right in his eyes, and since ‘in his eyes’ implies a private bamah, it is obvious that the limitation applies to an individual only, for the community did not sacrifice at a private bamah. Hence ‘man’ must teach that this limitation applies to the public bamah too.

**(4)** To officiate at a bamah.

**(5)** Lev. XVII, 6. The inference is: only ‘at the door of the tent of meeting’ must a priest sprinkle the blood; but at a bamah a zar (lay-Israelite) too could officiate.

**(6)** Though priests are not necessary, yet we require the firstborn, who officiated originally.

**(7)** The first Sages (referred to as the first Tanna) say that only peace-offerings and burnt-offerings were offered on behalf of an individual, which implies that the community could offer obligatory sacrifices; while the second Sages (referred to as ‘the Sages’) likewise maintain that whatever the community could offer at the Tent of Meeting in the wilderness, they could offer at the Tent of Meeting at Gilgal (which was a public bamah), but that a private individual could offer only peace-offerings and burnt-offerings both at a public and at a private bamah. Thus their views are identical.

**(8)** Supra 111a, q.v. The first Sages hold that libations were not offered in the wilderness, and therefore they merely teach that peace-offerings and burnt-offerings were permitted at the bamah. The second Sages hold that libations were offered in the wilderness, and so they teach: whatever the community had to offer in the wilderness, sc. libations, they also had to offer at Gilgal.

**(9)** Josh. V, 10. Cur. edd. read: And the children of Israel offered the Passover-offering in Gilgal.

**(10)** That they had to sacrifice the Passover-offering: why then does Scripture state it?

**(11)** I.e., those which must be offered at a fixed time.

**(12)** E.g., sin-offerings.

**(13)** The Rabbis: how do they explain the verse?

**(14)** If an uncircumcised person becomes unclean through the dead, he is besprinkled and becomes clean (v. Num. XIX, 17 seq.), and may then handle sacrifices. He learns this from the present text, ‘and they offered the Passover-offering’. Now, the majority of them had been uncircumcised in the wilderness (Josh. V, 5): according to the Talmud (Yeb, 71b) they were circumcised on the eleventh of Nisan (the first month); many of them were unclean through the dead, their parents having died in the wilderness right up to the time of their crossing the Jordan into Eretz Israel. If they had not been besprinkled whilst yet uncircumcised, they would not be clean, for two sprinklings were necessary, and if the first were on the eleventh, the second would be on the fifteenth (v. Num. a.l.), whereas they had to sacrifice on the fourteenth.

**(15)** Viz., the daily and additional burnt-offerings (v. Num. XXVIII-XXIX); these are the ‘obligatory offerings which have a fixed time’ which you mean, but the statutory sin-offerings of festivals could not be offered there.

**(16)** Which could be offered at a private bamah only.

**(17)** Surely not. For the passage must mean that apart from Passover-offerings R. Simeon includes only those obligatory offerings of which there were also votive offerings. For if he meant all obligatory offerings which have a fixed time, he should simply mention them, and not the Passover-offering at all, since that too is an obligatory offering with a fixed time. Hence this is what he means: The only difference between the public and the private bamah was in respect of the Passover-offerings, which were offered at the former but not at all at the latter, while as for other sacrifices which were offered at both, the difference is that at the private bamah only votive offerings were offered, whereas at the public bamah statutory offerings which have a fixed time were also offered. — The text is emended; v. Marginal Gloss.

**(18)** A sort of cake (v. Lev. VI, 13 seq.; the actual word occurs in I Chron. IX, 31 where it is rendered, things that were baked on griddles). These were statutory daily offerings, and as there were also votive meal-offerings, these too fulfilled the conditions required by R. Adda b. Ahabah.

(19) I Sam. I, 24.

(20) Ps. LXXVIII, 60, 67. Thus it is called a 'house' in Samuel, but 'tent' in Psalms.

(21) Thus it partook partly of the nature of a house, and partly of the nature of a tent. — Cur. edd. add: 'And that was the rest': this is deleted by Sh. M.

(22) Deut. XII, 13. This means when they will have come to the rest' (v. 9)' sc. Shiloh, and 'in every place that thou seest' is understood to mean: in every place whence the Tabernacle at Shiloh can be seen.

(23) 'Offer' in its limited sense means to burn the emurim on the altar.

(24) Deut. XII, 14. Lit., 'do' (so E.V.). — Thus it must be 'sacrificed' (slaughtered) and 'offered' in the same place.

(25) Sh. M. emends: Hama.

## Talmud - Mas. Zevachim 118b

'And there was Taanath [the lamenting of] Shiloh', which means the place which made whoever saw it mourn for the sacrifices which he ate there.<sup>1</sup> R. Abbahu said: Scripture saith, Joseph is a fruitful vine, a fruitful vine through the eye:<sup>2</sup> [this means,] let the eye which would not feed upon and enjoy that which did not belong to it,<sup>3</sup> be privileged to eat [of sacrifices] as far as it can see. R. Jose son of R. Hanina quoted: 'And the desire of him that dwelt in hatred':<sup>4</sup> [this means,] let the eye that did not desire to enjoy that which did not belong to it, be privileged to eat [sacrifices] among those that hated it.<sup>5</sup>

It was taught: When they said, [As far as the eye could] see, they meant: [from] wherever one could see [the Tabernacle] without anything interposing. R. Simeon b. Eliakim observed to R. Eleazar: Give me an example. Said he to him: E.g., the synagogue of Maon.<sup>6</sup>

R. Papa said: When they said, 'see', they did not mean that one must see the whole of it, but that one must see part of it. R. Papa asked: What of [a place whence] one could see [the Tabernacle] whilst standing, but not when sitting? R. Jeremiah asked: What [of a place where] if one stood on the edge of the valley one could see [it], but when he sat in the valley he could not see [it]? The questions stand over.

When R. Dimi came [from Palestine], he said: The Shechinah rested on Israel in three<sup>7</sup> places: in Shiloh, in Nob and Gibeon,<sup>8</sup> and in the Eternal House;<sup>9</sup> and in all of these it rested [on Israel] only in the portion of Benjamin, for it is said, He covereth him all day:<sup>10</sup> all 'coverings' will be nought elsewhere but in Benjamin's portion. Abaye went and told this to R. Joseph. Said he to him: Kaylil<sup>11</sup> had but one son, and he is not 'finished'.<sup>12</sup> Surely it is written, And He forsook the tabernacle of Shiloh; and it is written, Moreover He abhorred the tent of Joseph, and chose not the tribe of Ephraim?<sup>13</sup> — Said R. Adda [b. Mattenah]: What is his difficulty? perhaps the Shechinah was in Benjamin's portion, while the Sanhedrin<sup>14</sup> was in Joseph's portion,<sup>15</sup> as we find in the Eternal House that the Shechinah was in Benjamin's portion, whereas the Sanhedrin was in Judah's portion? How compare? replied he. There the territories [of Judah and Benjamin] were contiguous; but were they contiguous here?<sup>16</sup> — They were indeed contiguous, even as R. Hama son of R. Hanina said:<sup>17</sup> A strip issued from Judah's portion and entered Benjamin's portion, and on this the altar was built. The righteous Benjamin grieved thereat every day, [wishing] to absorb it;<sup>18</sup> so here too a strip issued from Joseph's portion into Benjamin's portion, and that is the meaning of Taanath-Shiloh.<sup>19</sup>

This is a controversy of Tannaim: 'He covereth him'; this alludes to the first Temple; 'all the day', to the second Temple; 'and He dwelleth between his shoulders', to the days of the Messiah.<sup>20</sup> Rabbi said: 'He covereth him', alludes to this world;<sup>21</sup> 'all the day', to the days of the Messiah; 'and He dwelleth between his shoulders', to the World to Come.

Our Rabbis taught: The duration of the Tent of Meeting in the wilderness was forty years less one; the duration of the Tent of Meeting at Gilgal was fourteen years, [viz.,] the seven [years] of conquest



and the seven of division.<sup>22</sup> The duration of the Tent of Meeting at Nob and Gibeon [combined] was fifty-seven years. Thus for Shiloh was left three hundred and seventy less one.

‘The duration of the Tent of Meeting in the wilderness was forty less one.’ How do we know it? — Because a master said: In the first year<sup>23</sup> Moses made the Tabernacle; in the second the Tabernacle was set up, and Moses sent out the spies.

‘That of Gilgal was fourteen years, [viz.,] the seven [years] of conquest and the seven of division.’ How do we know it? — Because Caleb said: Forty years old was I when Moses the servant of the Lord sent me from Kadesh-barnea to spy out the land; and I brought him back word as it was in my heart; and it is written, and now, lo, I am this day fourscore and five years old.<sup>24</sup> How old was he when he crossed the Jordan? Seventy eight years;<sup>25</sup> and he said, ‘[I am this day] fourscore and five years old’: thus [you have] seven years for the conquest. And how do we know the seven years of division? — I can say, since the conquest took seven [years], the dividing too took seven years. Alternatively, because [otherwise] we cannot explain [the verse] In the fourteenth year after that the city was smitten.<sup>26</sup>

‘The Tent of Meeting at Nob and Gibeon lasted fifty-seven years. How do we know it? — Because it is written, And it came to pass, when he made mention of the ark of God, [that he fell from off his seat . . . and died].<sup>27</sup> Now it was taught: When Eli the priest died, Shiloh was destroyed and they repaired to Nob; when Samuel the Ramathite died, Nob was destroyed and they went to Gibeon. And it is written, And it came to pass, front the day that the ark abode in Kiriath-jearim, that the time was long, for it was twenty years; and all the house of Israel yearned after the Lord.<sup>28</sup> These twenty years [were made up as follows]: Ten years during which Samuel ruled alone,<sup>29</sup> one year that Samuel and Saul ruled [together],<sup>30</sup> two years that Saul reigned,<sup>31</sup> and the seven which David reigned [in Hebron],

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(1) Before the Tabernacle was destroyed. There is no such text in the Bible. Rashi suggests, and Sh.M. cites as a var. lec., Josh. XVI, 6: And the border turned about eastward unto Taanath-Shiloh. — He treats Taanath as an adjectival substantive, the lamenting of, from anah to lament (cf. ta'aniah in Isa. XXIX, 2: and there shall be mourning (ta'aniah), and explains it as in the text, and thus infers that sacrifices could be eaten wherever the Tabernacle at Shiloh could be seen.

(2) Gen. XLIX, 22. E.V. by a fountain. — Shiloh was in Ephraim's (i.e., Joseph's) territory.

(3) Potiphar's wife.

(4) Deut. XXXIII, 16. By a play on words **סנה** is connected with **שנאה** hatred. E.V.: And the good will of Him that dwelt in the bush. The verse refers to Joseph.

(5) Sc. in the territories surrounding Shiloh, which belonged to the other tribes whose ancestors had hated Joseph. — Presumably ‘as far as the eye could see’ would embrace the borders of these territories. — This interpretation, of course, is merely aggadic and is not the actual source of the law.

(6) In Judea. From there one would have an uninterrupted view of the Tabernacle at Shiloh — The text is emended.

(7) Marginal emendation; four.

(8) These were two separate places, but they are generally coupled, which probably explains why cur. edd. read ‘three’, treating these as one.

(9) The Temple in Jerusalem.

(10) Deut. XXXIII, 12. — This refers to Benjamin.

(11) Rashi suggests that this was the name of Abaye's father.

(12) That one son — Abaye — is but half-baked — he has not mastered his studies.

(13) Ps. LXXVIII, 60, 67. The comparison of these two verses shews that the Tabernacle was in Ephraim's portion, not Benjamin's.

(14) The religious and civil court; v. Sanh. 2a.

(15) He assumes that the Sanhedrin had its seat in or by the Tabernacle, and that the verses in Psalms refer to the forsaking by the Divine Presence (Shechinah) of this Sanhedrin.

- (16) Did Joseph (Ephraim) and Benjamin have a common boundary at Shiloh?
- (17) In reference to the Temple at Jerusalem.
- (18) V. supra 53b.
- (19) Josh. XVI, 6; v. supra. He now suggests that it means: (Benjamin's) mourning for Shiloh, that it was in Joseph's territory.
- (20) On this view only the two Temples were in Benjamin's territory. but not the Tabernacles at Shiloh and elsewhere.
- (21) Wherever the Shechinah rested in this world, i.e., in both Temples and in all Tabernacles, it was in Benjamin's territory.
- (22) Dividing the land among the tribes.
- (23) Of the Exodus.
- (24) Josh. XIV, 7, 10. — 'This day' means when they started dividing the country.
- (25) Since the spies were not sent out at the beginning of the second year, but some months later.
- (26) Ezek. XL, 1. According to the Talmud ('Ar. 12a), this was a jubilee year, while the Release years (shemittah) and Jubilee years did not commence until the land had been divided. The calculation is then as follows: The Temple was built four hundred and eighty years after the Exodus, which was four hundred and forty years after their entry into Eretz Israel. The Temple stood four hundred and ten years, making a total of eight hundred and fifty years from their entry until its destruction, which is thirty-seven Jubilees. Deducting fourteen years for conquest and division, as these did not count for Jubilee, we find that it was destroyed fourteen years before a Jubilee year, and therefore the fourteenth year after its destruction was a Jubilee year. (The Talmud deduces that this was a Jubilee year independently of this calculation.)
- (27) I Sam. IV, 18. This refers to Eli the priest.
- (28) Ibid. VII, 2. The Ark was placed in Kiriath-jearim when it returned from the land of the Philistines, where it had been four months.
- (29) As judge.
- (30) I.e., Saul ruled with the advice of Samuel. Sh.M. reads: the eleven years that Samuel ruled, and deletes one . . . together'.
- (31) V. Ibid. XIII, 1. Rashi maintains that the first year, when he ruled with Samuel, is not counted.

## Talmud - Mas. Zevachim 119a

for it is written, And the days that David reigned over Israel were forty years: seven years reigned he in Hebron, [and thirty and three years reigned he in Jerusalem].<sup>1</sup> Now of Solomon it is written, And he began to build . . . in the fourth year of his reign.<sup>2</sup> Thus three hundred and seventy less one was left for Shiloh.<sup>3</sup>

WHEN THEY CAME TO NOB AND GIBEON etc. How do we know it? — Because our Rabbis taught: For ye are not as yet come to the rest and to the inheritance, [which the Lord your God giveth thee]:<sup>4</sup> 'to the rest' alludes to Shiloh, 'inheritance' alludes to Jerusalem. Why does Scripture separate them?<sup>5</sup> In order to grant permission between one and the other.<sup>6</sup> Resh Lakish said to R. Johanan: If so,<sup>7</sup> let [the Mishnah] teach second tithe too?<sup>8</sup> — As for tithe, he replied, the implication of 'there' is derived from 'there' [written] in connection with the Ark:<sup>9</sup> since there was no Ark [at Nob and Gibeon],<sup>10</sup> there was no tithe either. If so, the Passover-offering and [other] sacrifices are the same, for we learn the meaning of 'there' [in their case]<sup>11</sup> from 'there' [written] in connection with the Ark: since there was no Ark, these too were not [offered]? — Who has told you [this]? he replied: R. Simeon,<sup>12</sup> who maintained that even the community could only offer Passover-offerings and obligatory offerings which have a fixed time,<sup>13</sup> but obligatory offerings for which there was no fixed time might not be offered at either place. Now, animal tithe is an obligatory offering without a fixed time, and corn tithe is assimilated to animal tithe.

Hence it follows that in R. Judah's view [second tithe] is offered?<sup>14</sup> — Yes. For surely R. Adda b. Mattenah said: Second tithe and animal tithe were eaten in Nob and Gibeon [only], in R. Judah's opinion. Yet surely a birah [Divine residence] was required?<sup>15</sup> — Did not R. Joseph recite: There

were three Divine residences, [viz.,] at Shiloh, [at] Nob and Gibeon,<sup>16</sup> and [at] the Eternal House? He [R. Joseph] recited it, and he explained it: [These were] in respect of second tithe, and in accordance with R. Judah.

WHEN THEY CAME TO JERUSALEM etc. Our Rabbis taught: For ye are not as yet come to the rest and to the inheritance: 'rest' alludes to Shiloh; 'inheritance', to Jerusalem. And thus it says, My inheritance is become unto Me as a lion in the forest; and it says, Is My inheritance unto Me as a speckled bird of prey?<sup>17</sup> this is R. Judah's opinion. R. Simeon said: 'Rest' alludes to Jerusalem; 'inheritance', to Shiloh, as it is said, This is My resting-place for ever; here will I dwell, for I have desired it; and it says, For the Lord hath chosen Zion; He hath desired it for His habitation.<sup>18</sup>

On the view that 'rest' alludes to Shiloh, it is well: hence it is written, 'to the rest and to the inheritance'.<sup>19</sup> But on the view that 'rest' alludes to Jerusalem while 'inheritance' alludes to Shiloh, [Moses] should say, 'to the inheritance and to the rest'? — This is what he said: Not only have ye not reached the 'rest' [Jerusalem]; you have not even reached the 'inheritance' [Shiloh].

The school of R. Ishmael taught: Both [words] allude to Shiloh;<sup>20</sup> R. Simeon b. Yohai said: Both allude to Jerusalem.<sup>21</sup> It is well on the view that 'rest' alludes to

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(1) I Kings II, 11.

(2) II Chron. III, 2. The period of Nob and Gibeon is calculated from the time that the Ark was taken to Kiriath-jearim until Solomon began building the Temple. Thus we have 20 and 33 (which he reigned in Jerusalem) and 4 = 57.

(3) The Temple was consecrated four hundred and eighty years after the Exodus. The figure three hundred and sixty-nine is arrived at by deducting the forty years in the wilderness, the fourteen at Gilgal, and the fifty-seven of Nob and Gibeon.

(4) Deut. XII, 9.

(5) Why is each enumerated separately?

(6) For the text refers to the permissibility of bamoth at Gilgal, and teaches: until when may each man sacrifice what is 'right in his own eyes' (v. 8 — sc. at the bamoth)? until you come to the rest, i.e., to Shiloh, and then bamoth will be forbidden. Now, if they were to remain permanently forbidden, Scripture need say nothing more. By adding 'and to the inheritance' it intimates that when they come to Jerusalem bamoth will again be forbidden, and thus implies that they were permitted between the destruction of the Tabernacle at Shiloh and the consecration of the Temple in Jerusalem.

(7) That the time between — sc. when the Tabernacle was at Nob and Gibeon — was completely permitted.

(8) That it must be eaten at Nob and Gibeon only, seeing that the sanctity of Shiloh was completely departed.

(9) Tithe, Deut. XIV, 23: And thou shalt eat before the Lord thy God, in the place which He shall choose to cause His name to dwell there, the tithe of thy corn etc.; Ark, Ex. XL, 3: And thou shalt put there the ark of the testimony. The use of 'there' in both cases implies that they are connected.

(10) But first at Kiriath-jearim and then in the city of David.

(11) Deut. XII, 7: and there ye shall eat-this refers to the sacrifices enumerated in v. 6.

(12) The Mishnah which implies that second tithe might be eaten anywhere is in accordance with R. Simeon.

(13) For that reason he maintains that firstlings and animal tithes, which did not have a fixed time, were not brought there; and therefore it was unnecessary to bring corn tithe there either, since the two are assimilated. (Though the two are not really alike: whereas the law of firstling and animal tithe was not operative, and these could not be brought at Nob and Gibeon or anywhere else, second tithe need not be brought at Nob and Gibeon, but might be eaten anywhere.)

(14) I.e., it must be eaten only at Nob and Gibeon.

(15) They were to be eaten 'before the Lord your God', which implies a structure in the nature of a Temple or Tabernacle.

(16) Which are counted as one.

(17) Jer. XII, 8-9. In both verses 'inheritance' means Jerusalem.

(18) Ps. CXXXII, 14, 23.

(19) In correct chronological order.

(20) Yet even so, bamoth were permitted after the destruction of the Sanctuary at Shiloh, for he holds that they were

permitted even after the destruction of the Temple at Jerusalem (cf. Meg. 10a).

(21) Hence bamoth were not forbidden until the Temple was built.

## Talmud - Mas. Zevachim 119b

Shiloh [and] ‘inheritance’ to Jerusalem; or the reverse; hence it is written, ‘to the rest and to the inheritance’. But on the view that both allude to Shiloh or both allude to Jerusalem, he should say, ‘unto the rest and inheritance’?<sup>1</sup> That is a difficulty.

On the view that both allude to Shiloh it is well: ‘rest’ means when they rested from conquest, while [it is called] ‘inheritance’ because there they divided their inheritance, as it is said, And Joshua cast lots for them in Shiloh before the Lord; and there Joshua divided the land unto the children of Israel according to their divisions.<sup>2</sup> But on the view that both allude to Jerusalem, ‘inheritance’ is well, as it means the eternal inheritance; but why is it called ‘rest’? — It was the place where the Ark rested, as it is written, Arise, O Lord, unto Thy resting-place, Thou, and the ark of Thy strength.<sup>3</sup>

On the view that both allude to Jerusalem, but that [during the period of] Shiloh bamoth were permitted, it is well; hence it is written, So Manoah took the kid with the meal-offering, and offered it upon the rock unto the Lord<sup>4</sup>. But on the view that both allude to Shiloh, and bamoth were [then] forbidden, how [say], ‘and offered it upon the rock unto the Lord’?<sup>5</sup> — It was a special dispensation.<sup>6</sup>

The school of R. Ishmael taught as R. Simeon b. Yohai, who maintained: Both allude to Jerusalem. And your token is, One man attracted [many] men.<sup>7</sup>

ALL THE SACRIFICES etc. R. Kahana said: They learnt this<sup>8</sup> only of shechitah. But for offering up<sup>9</sup> one incurs kareth too. What is the reason? Because Scripture saith, And thou shalt say unto them<sup>10</sup> [which means,] thou shalt say concerning those just mentioned.<sup>11</sup> To this Rabbah demurred: Is it then written, ‘and thou shalt say concerning them’;<sup>12</sup> surely, ‘and thou shalt say unto them’ is written?<sup>13</sup> Moreover It was taught: R. Simeon stated four general rules about sacrifices: If he consecrated them when bamoth were forbidden and slaughtered and offered [them] up when bamoth were forbidden, without, they are subject to a positive and a negative injunction, and entail kareth. If he consecrated them when bamoth were permitted and slaughtered and offered [them] up when bamoth were forbidden, without, they are subject to an affirmative and a negative injunction, and do not entail kareth.<sup>14</sup> If he consecrated them when bamoth were forbidden, and slaughtered and offered them up without when bamoth were permitted, they are subject to an affirmative precept,<sup>15</sup> but not to a negative precept. If he consecrated them when bamoth were permitted and slaughtered and offered [them] up when bamoth were permitted, he is not liable to anything at all.<sup>16</sup>

AND THE FOLLOWING SACRIFICES . . . LAYING [OF HANDS] etc. Laying [of hands] [is not practised at a private bamah] because it is written . . . before the Lord, and he shall lay his hand.<sup>17</sup> Slaughtering in the north, because it is written, [And he shall kill it on the side of the altar] northward before the Lord.<sup>18</sup> [Blood] applications round about [the altar], because it is written, And he shall sprinkle the blood round about the altar [that is at the door of the tent of meeting].<sup>19</sup> Waving, because it is written, To wave it for a wave-offering before the Lord.<sup>20</sup> Presenting, because it is written, The sons of Aaron shall present it before the Lord, in front of the altar.<sup>21</sup>

R. JUDAH MAINTAINED: THERE WERE NO MEAL-OFFERINGS AT THE BAMAH. R. Shesheth said: On the view that there were no meal-offerings at the bamah, there were no bird [-offerings] [either]; on the view that there were meal-offerings at the bamah there were bird [-offerings] [also]. What is the reason? — [And sacrifice them for] sacrifices [zebahim]:<sup>22</sup> ‘zebahim’, but not meal-offerings; ‘zebahim’, but not bird [-offerings].

PRIESTHOOD, because it is written, And the priest shall sprinkle the blood [on the altar of the Lord at the door of the tent of meeting].<sup>23</sup>

PRIESTLY VESTMENTS, because it is written, [And they — the priestly vestments—shall be upon Aaron, and upon his sons . . .] to minister in the holy place.<sup>24</sup>

SERVICE VESSELS, because it is written, [The vessels of ministry], wherewith they minister in the sanctuary.<sup>25</sup>

A SWEET ODOUR, because it is written, A sweet savour unto the Lord.<sup>26</sup>

A LINE OF DEMARCATION FOR [THE SPRINKLING OF] THE BLOOD, because it is written, That the net may reach halfway up the altar.<sup>27</sup>

THE WASHING OF HANDS AND FEET, because it is written, And when they came near unto the altar, they should wash.<sup>28</sup>

Rami b. Hama said: They learnt it<sup>29</sup> only about sacrifices of the great bamah which were offered at the great bamah; but no demarcation was required for sacrifices of a minor bamah which were offered at the great bamah.<sup>30</sup> Rabbah raised an objection: [The laws of] the breast and the thigh, and the separation of the loaves of the thanksgiving, operated at the great bamah, but did not operate at a minor bamah!<sup>31</sup> — Say, they are operative in connection with the sacrifices of the great bamah and are not operative in connection with the sacrifices of a minor bamah.<sup>32</sup>

Others say, Rami b. Hama said: They learnt it only when the great bamah [was essential],<sup>33</sup> but when minor bamoth [were permitted], even if one sacrificed at the great bamah, there was no demarcation. Rabbah raised an objection: [The laws of] the breast and the thigh and the separation of the loaves of the thanksgiving operated at the great bamah, but did not operate at a minor bamah? — Say, they operate when the great bamah [was essential], but did not operate when minor bamoth [were permitted].

Now, he disagrees with R. Eleazar, for R. Eleazar said: If one took a burnt-offering of a minor bamah within, its barriers receive it in respect of all things.<sup>34</sup>

R. Zera asked: If one took the burnt-offering of a private bamah

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(1) Not repeat 'to'.

(2) Josh. XVIII, 10. Cur. edd. quote the text rather differently.

(3) Ps. CXXXII, 8. Cur. edd. quote: And it came to pass when the Ark rested, but there is no such text in the Bible.

(4) Judg. XIII, 19.

(5) This was simply a bamah, which was forbidden.

(6) That permitted him on that occasion.

(7) R. Simeon b. Yohai, an individual, won over the school of R. Ishmael to his view. Cf. supra 53b.

(8) That if one consecrated an animal when bamoth were permitted and offered it when they were forbidden, he does not incur kareth.

(9) On the altar, i.e., burning the emurim.

(10) Lev. XVII, 8.

(11) V. supra 107a. 'Those just mentioned' are those who consecrated the animal when bamoth were permitted and sacrificed them without when bamoth were forbidden (v. 7 is thus explained).

(12) Which would justify this command.

(13) In Hebrew the difference is in one letter only.

- (14) This explicitly contradicts R. Kahana.
- (15) I.e., he has violated an affirmative precept; similarly in the other cases.
- (16) This last clause is obvious, and probably included merely for the sake of completeness. Tosaf. explains it thus: if one consecrated an animal for a burnt-offering, to be offered at the public bamah; even if he took it to the precincts of this bamah, and then took it out and sacrificed it at a private bamah, he is not liable.
- (17) Lev. I, 3f. 'Before the Lord' implies at a public place of sacrifice; similarly the others.
- (18) Ibid., 11.
- (19) Ibid. 5. Hence 'round about' is required only at 'tent of meeting', I.e., at a public altar.
- (20) Ibid. X, 15.
- (21) Ibid. VI, 7. This is the reading according to Rashi.
- (22) Ibid. XVII, 5. (10) Zebahim denotes sacrifices that are slaughtered (with shechitah). If, then, the word excludes meal-offerings, ipso facto it excludes bird-offerings, since these were killed with melikah, not shechitah.
- (23) Lev. XVII, 6, excluding then a private bamah.
- (24) Ex. XXVIII, 43. 'In the holy place' implies a public sanctuary, but not a private one.
- (25) Num. IV, 12.
- (26) Lev. I, 9.
- (27) Ex. XXVII, 5. From this verse we learn that a line of demarcation is necessary (supra 53a); 'the altar' is a limitation, implying only the altar in the Tabernacle, which was a public sanctuary.
- (28) Ex. XL, 32.
- (29) That a line of demarcation was necessary at the public bamah.
- (30) Emended text (Sh.M. and margin). 'Sacrifices of the great bamah . . . of a minor bamah' means those which were consecrated for sacrifice at a public or at a private bamah respectively. 'No demarcation was required' — their blood could be sprinkled above or below the line.
- (31) Supra 117b. This implies that these laws operated whenever a sacrifice was offered at a great bamah, even if it had been consecrated for the small bamah. The same therefore should apply to the other laws which governed the great bamah.
- (32) As explained in n. 8.
- (33) I.e., when private bamoth were forbidden.
- (34) If a burnt-offering which was consecrated for a private bamah was carried within the precincts of the public bamah, the barriers of the public bamah receive it, and all the laws of the public bamah apply to it. This proves that even sacrifices consecrated for a private bamah are governed by the laws of a public bamah in such circumstances. A further corollary is that the laws of the public bamah hold good at all times, whether private bamoth were permitted or forbidden. — Rashi explains here that R. Eleazar means that he took the burnt-offering within the precincts of the public bamah after it was slaughtered. His interpretation in Me'ilah 3a, however, assumes that it applies before its slaughter too.

## Talmud - Mas. Zevachim 120a

within, and then took it out again, what is the law?<sup>1</sup> do we say, Since it has entered, the barriers [of the public bamah] have received it; or perhaps, since it has returned, it has returned?<sup>2</sup> — Is this not the controversy of Rabbah and R. Joseph? For we learnt: If sacrifices of higher sanctity were slaughtered in the south,<sup>3</sup> they are subject to trespass.<sup>4</sup> Now the [scholars] asked: If they ascended [the altar], must they be taken down? Rabbah maintained: They must be taken down; R. Joseph maintained: They must not be taken down!<sup>5</sup> — The question arises on both Rabbah's and R. Joseph's views. The question arises on Rabbah's view, [for you can argue:] Rabbah rules thus only in respect of the altar, [for] what is eligible for it, it sanctifies,<sup>6</sup> and what is not eligible for it, it does not sanctify;<sup>7</sup> but the barrier may receive it even when it is not eligible for it. Or perhaps, there is no difference? The question arises on R. Joseph's view, [for you may argue:] R. Joseph rules thus only there, since it is one place;<sup>8</sup> but here, that they are two places,<sup>9</sup> it is not so. Or perhaps, there is no difference? The question stands over.

That which is certain to Rabbah in one direction and to R. Joseph in the opposite direction, was a question to R. Jannai. For R. Jannai asked: If the limbs of the burnt-offering of a private bamah

ascended the altar<sup>10</sup> and were taken down, what is the law? If the fire has not taken hold of them, there is no question;<sup>11</sup> the question arises where the fire had taken hold of them: what then? The question stands over.

It was stated: As for night slaughtering at a private bamah, Rab and Samuel [disagree]. One maintains: It is valid; the other maintains: It is invalid.<sup>12</sup> Now, they disagree on R. Eleazar's [difficulty]. For R. Eleazar pointed out a contradiction between texts. It is written, And he said.' 'Ye have dealt treacherously; roll a great stone unto me this day',<sup>13</sup> But it is written: And Saul said.' 'Disperse yourselves among the people, and say unto them: Bring me hither every man his ox, and every man his sheep, and slay them here, and eat; and sin not against the Lord in eating with the blood'. And all the people brought every man his ox with him that night, and slew them there.<sup>14</sup> One master answered: one [text] applies to hullin, the other to sacrifices.<sup>15</sup> The other master answered: One refers to the sacrifices of a great bamah,<sup>16</sup> the other refers to the sacrifices of a minor bamah.

It was stated: As for the burnt-offering of a private bamah, Rab maintained: It does not require flaying and dismembering; while R. Johanan said: It does require flaying and dismembering. Now, they disagree on R. Jose the Galilean['s dictum]. For it was taught, R. Jose the Galilean said: The burnt-offering[s] which the Israelites sacrificed in the wilderness<sup>17</sup> did not require flaying and dismembering, because flaying and dismembering were required only from [the erection of] the Tent of Meeting and onward. One master holds: From [the erection of] the Tent of Meeting and onward, there was no difference [in this respect] between the great bamah and the minor bamah; while the other master holds: At the great bamah, yes; at the lesser bamah, no.

It was taught in accordance with R. Johanan: In the [following] matters the great bamah differed from the minor bamah: Horn, ascent, base, and squareness [were required at] the great bamah; but there were no horn, ascent, base and squareness at a minor bamah.<sup>18</sup> There were a laver and its base at the great bamah, but there were no laver and base at a minor bamah. The breast and the thigh were [waved] at the great bamah, but there were no breast and thigh at a minor bamah. In the [following] matters the great bamah and a minor bamah were alike: shechitah was required at the great bamah and at a minor bamah; flaying and dismembering were required at the great and at the minor [bamoth]. Blood permitted, and rendered piggul<sup>19</sup> at the great and at a minor [bamoth]. [The laws of] blemishes and time<sup>20</sup> [operated] at the great and at a minor [bamah].

**BUT TIME, NOTHAR AND DEFILEMENT WERE ALIKE IN BOTH.** Our Rabbis taught: How do we know that time operates at a minor bamah as at a great bamah? For [you might argue:] the Torah ordered [flesh] that was kept overnight<sup>21</sup> to be burnt, and [flesh] that went out [of its permitted boundaries] to be burnt:<sup>22</sup> just as flesh which went out is fit at a [minor] bamah,<sup>23</sup> so [flesh] which was kept overnight is fit at a [minor] bamah. But does not [the reverse] follow from birds, a minori:

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(1) Does the law of a public bamah apply to it, so that it must be taken back and have its breast and thigh waved before the altar, or not? Here too Rashi explains that it was taken within after it was slaughtered.

(2) And is subject to the laws of a private bamah only.

(3) Instead of the north.

(4) V. p. 176, n. 10. We do not say that since they were slaughtered in the wrong place, it is as though they were simply killed unritually, when they cease to be subject to trespass.

(5) Emended text (Rashi and Sh.M.). Now, Rabbah who says that they must be taken down holds that these are not the same as other sacrifices which were disqualified in the Sanctuary, but as though they were killed unritually. Thus he holds that the barriers have not received them. Whereas R. Joseph, who rules that they must be taken down, holds that the barriers have received them.

(6) So that it must not be removed thence, once it is placed thereon.

(7) And since it is as though it were not ritually slaughtered (in his view), it is not eligible for it.

(8) It was slaughtered in the Temple court, after all.

- (9) The public and the private bamoth.
- (10) Of the public bamah. Rashi apparently explains that the question refers to a burnt-offering consecrated for sacrifices at a public bamah, which was slaughtered at a private bamah.
- (11) They certainly must descend.
- (12) Rashi reads: Rab says it is valid; Samuel says: It is invalid.
- (13) I Sam. XIV, 33, q.v. As they were engaged in pursuit of the enemy, this could only have been in the nature of a private bamah, and his emphasis on 'this day' proves that the night was not valid for slaughtering.
- (14) I Sam. XIV, 34. R. Eleazar leaves the difficulty unanswered.
- (15) The text specifying 'day' applies to sacrifices, which must be slaughtered by day even at a private bamah.
- (16) These must be sacrificed by day. — He would explain then that when Saul specified day, he referred to those who would wait until they could sacrifice at the public bamah.
- (17) Before the Tabernacle was erected.
- (18) V. supra 62a.
- (19) The sprinkling of the blood permitted the flesh, while a piggul intention at the sprinkling rendered the sacrifice piggul.
- (20) That a blemish disqualified an animal, and that there was a time limit for the eating of the flesh.
- (21) I.e., nothar, flesh kept after its prescribed period.
- (22) This is deduced in Pes. 82a q.v.
- (23) Since it had no walls to define its boundaries.

## Talmud - Mas. Zevachim 120b

if time disqualifies birds, though a blemish does not disqualify them;<sup>1</sup> is it not logical that time should disqualify the sacrifices of a minor bamah, seeing that a blemish does disqualify them? As for birds, the reason is because a zar is not fit in their case; but in the case of a minor bamah, where a zar is fit [to officiate], let time not disqualify. Therefore it states, And this is the law of the sacrifice of peace-offerings,<sup>2</sup> which makes time at a minor bamah the same as time at the great bamah.<sup>3</sup>

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(1) V. supra 116a.

(2) Lev. VII, 11.

(3) Sc. a disqualification. 'This is the law' etc. implies that all peace-offerings, wherever offered, are governed by the same law in respect of the contents of that passage. That passage (q.v.) deals with time, piggul, and defilement.