

The Soncino Babylonian Talmud



PESOCHIM

Book III

Folios 60b-86b

TRANSLATED INTO ENGLISH

WITH NOTES

CHAPTERS VI - VII

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Pesachim 60b

Hence it surely refers [also] to one service,¹ and since the second clause refers [also] to one service, the first clause too refers [also] to one service! — What argument is this: the one is according to its nature, while the other is according to its nature: the second clause refers [also] to one service,² while the first clause refers either to one service or to two services.³ The scholars asked: What is the law of a Passover sacrifice which he killed at any other time of the year for its own purpose and for another purpose?⁴ Does the other purpose come and nullify⁵ its own purpose, and [thus] make it fit, or not? —

When R. Dimi came,⁶ he said, I stated this argument before R. Jeremiah: Since [slaughtering it] for its own purpose makes it fit at its own time, while [slaughtering it] for another purpose makes it fit at a different time,⁷ then just as [the slaughtering] for its own purpose, which makes it fit at its own time, does not save it from [the disqualifying effect of] another purpose,⁹ so also [the slaughtering] for another purpose, which makes it fit at a different time, does not save it [from the disqualifying effect] of its own purpose, and it is unfit. Whereupon he said to me, It is not so: If you say thus in respect to another purpose.¹⁰ that is because it operates in the case of all sacrifices;¹¹ will you say [the same where it is slaughtered] for its own purpose, seeing that it does not operate [as a cause of disqualification] in the case of all [other] sacrifices but only in the case of the Passover sacrifice alone? What is [our decision] thereon? —

Said Raba, A Passover sacrifice which he slaughtered at any other time of the year for its own purpose and for another purpose is fit. For it tacitly stands [to be killed] for its own purpose, yet even so, when he kills it for another purpose¹² it is fit, which proves that the other purpose comes and nullifies its own purpose. Hence, when he slaughters it for its own purpose and for another purpose too,

the other purpose comes and nullifies its own purpose.

Said R. Adda b. Ahabah to Raba: Perhaps where he states it, it is different from where he does not state it?¹³ For [if he kills it] for those who can eat it and for those who cannot eat it, it is fit, yet when he kills it for those who cannot eat it alone, it is disqualified. Yet why so? Surely it tacitly stands for those who can eat it?¹⁴ Hence [you must admit that] where he states it, it is different from where he does not state it; so here too, where he states it, it is different from where he does not state it. Is this all argument? he rejoined. As for there, it is well: there, as long as he does not [expressly] overthrow it at the slaughtering, its tacit [destiny] is certainly to be killed for its own purpose. But here, does it tacitly stand for those who are [registered] to eat it? Perhaps these will withdraw and others will come and register for it, for we learned: They may register and withdraw their hands from it [the Paschal lamb] until he kills it.

The scholars asked: What is the law of a Paschal lamb which was slaughtered during the rest of the year with a change of its offering, which may then not be eaten, or in part, in the sense that they may be eaten, but their owners have not discharged their obligations and must bring another. Therefore it is logical that its disqualifying power should be so strong as to render of no avail the fact that it was slaughtered for its purpose too. owners?¹⁵ Is a change of owner like a change of sanctity,¹⁶ and it validates it; or not? —

Said R. Papa. I stated this argument before Raba: Since a change of sanctity disqualifies it at its own time, and a change of owner disqualifies it at its own time: then just as a change of sanctity, which disqualifies it at its own time, validates it at a different time,¹⁷ so a change of owner, which disqualifies it at its own time, validates it at a different time. But he said to me, It is not so: If you say thus in the case of a change of sanctity, [that is]

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because its disqualification is intrinsic,¹⁸ and it is [operative] in respect of the four services,¹⁹

- (1) I.e., also to one service.
- (2) This will not have quite the same meaning as the same phrase used before. There it obviously meant that it treats of one service only. Here however the meaning is this: even in the case of one service the sacrifice is fit, this law holding good in the case of both one service or two services. Thus, if this intention, viz., that he was killing it for eaters and non-eaters, was expressed at the slaughtering, the sacrifice is fit, because eaters were included. While it may also refer to two services, as explained on p. 301, n. 7.
- (3) V. p. 301. n. 6.
- (4) E.g., if a man dedicated a lamb for the Passover sacrifice a considerable time beforehand. Now it is stated infra 70b that if he kills it as a peace-offering at any time other than the eve of Passover it is fit; if as a Passover offering, it is unfit.
- (5) Lit., 'exclude from'.
- (6) From Palestine to Babylon
- (7) Lit., 'not in its own time'.
- (8) Lit., 'draw out'.
- (9) So that if it is killed both for its purpose and for another purpose, it is unfit.
- (10) That it disqualifies the Passover sacrifice even if it is also killed for its own purposes.
- (11) All sacrifices, if slaughtered for a purpose other than their own, are disqualified, either wholly, viz., in the case of a sin-offering and the Passover
- (12) Before the eve of Passover.
- (13) The other purpose can nullify the tacit assumption that it stands for its own purpose, but it may be unable to nullify the explicit declaration that it is slaughtered for its own purpose too.
- (14) So that according to your argument it is the same as though he explicitly killed it for both.
- (15) The animal was set aside for a certain person and then slaughtered for a different person, but for its own purpose (Rashi).
- (16) I.e., like slaughtering it as a different sacrifice.
- (17) The text must be emended thus.
- (18) I.e., an illegitimate intention is expressed in respect to the sacrifice itself.
- (19) V. Mishnah supra 59b and note a.l.

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and it is [operative] after death,¹ and it is [operative] in the case of the community as in the case of an individual;² will you say [the same] of a change of owner, where the

disqualification is not intrinsic, and it is not [operative] in respect of the four services,³ and it is not [operative] after death,⁴ and it is not [operative] in the case of the community as in the case of an individual? And though two [of these distinctions] are not exact,⁵ two nevertheless are exact. For how is a change of owners different, that [you say] its disqualification is not intrinsic: because its disqualification is merely [one of] intention? Then with a change of sanctity too, its disqualification is merely one of intention. Again, as to what he says. A change of owners is not [operative as a disqualification] after death, then according to R. Phinehas the son of R. Ammi who maintained, There is [a disqualification in] a change of owner after death, what is there to be said? Two [of these distinctions] are nevertheless exact!

Rather, said Raba: A Paschal lamb which he slaughtered during the rest of the year with a change of owners is regarded as though it had no owners in its proper time,⁶ and it is disqualified.

MISHNAH. IF HE KILLED IT FOR THOSE WHO CANNOT EAT IT OR FOR THOSE WHO ARE NOT REGISTERED FOR IT, FOR UNCIRCUMCISED PERSONS OR FOR UNCLEAN PERSONS, IT IS UNFIT. [IF HE KILLED IT] FOR THOSE WHO ARE TO EAT IT AND FOR THOSE WHO ARE NOT TO EAT IT, FOR THOSE WHO ARE REGISTERED FOR IT AND FOR THOSE WHO ARE NOT REGISTERED FOR IT, FOR CIRCUMCISED AND FOR UNCIRCUMCISED, FOR UNCLEAN AND FOR CLEAN PERSONS, IT IS FIT. IF HE KILLED IT BEFORE MIDDAY, IT IS DISQUALIFIED, BECAUSE IT IS SAID, [AND THE WHOLE ASSEMBLY... SHALL KILL IT] AT DUSK.⁷ IF HE KILLED IT BEFORE THE [EVENING] TAMID, IT IS FIT, PROVIDING THAT ONE SHALL STIR ITS BLOOD UNTIL [THAT OF] THE TAMID IS SPRINKLED;⁸ YET IF IT WAS SPRINKLED,⁹ IT IS FIT.

GEMARA. Our Rabbis taught: How is 'for those who cannot eat it' meant? [If it was killed] in the name of an invalid or an old

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man. How is 'for those who were not registered for it' meant? If one company registered for it and he killed it in the name of a different company. How do we know this? Because our Rabbis taught, [Then shall he and his neighbor next unto him take one] according to the number of [Be-Miksath] [the souls]:¹⁰ 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, 'according to the number of [Be-Miksath] [the souls]... ye shall make your count [Takosu]': the Writ reiterated it, to teach that it is indispensable.

Rabbi said, This is a Syriac expression, as a man who says to his neighbor, 'Kill [Kos] me this lamb.'¹¹ We have thus found [it disqualified if killed] for those who are not registered for it; how do we know [the same of] those who cannot eat it? Scripture saith, according to every man's eating ye shall make your count,' [thus] eaters are assimilated to registered [persons].

(1) If the owner of the sacrifice died, his son must bring it, and if the latter slaughters it for a different purpose it is disqualified.

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

(3) In the case of sacrifices other than the Passover a change of owner is a disqualification only when it is expressed in connection with the sprinkling of the blood, i.e., he declares that he will sprinkle the blood on behalf of another person.

(4) When its owner dies the sacrifice loses his name, and therefore even if it is offered in another man's name it is fit.

(5) They are not true distinctions, as shown anon.

(6) I.e., as though it were slaughtered on Passover eve as a Passover sacrifice, but for no persons in particular.

(7) Ex. XII, 6; lit., 'between the evenings'.

(8) To prevent it from congealing.

(9) Before the blood of the Tamid.

(10) Ex. XII, 4.

(11) Thus Rabbi connects the word with slaughter. But he also admits its Hebrew connotation of counting, and he thus points out that an intention for those who cannot eat it or who are not registered for it disqualifies the sacrifice only

when it is expressed at the killing, but not when it is expressed at one of the other services (Tosaf.).

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If he slaughtered it for circumcised persons on condition that uncircumcised persons should be atoned for therewith at the sprinkling,¹ — R. Hisda said: It [the lamb] is disqualified; Rabbah ruled: It is fit.

R. Hisda said, It is disqualified: There is [a disqualification in] an intention for uncircumcised at the sprinkling. Rabbah ruled, It is fit: There is no [disqualification in] an intention for uncircumcised at the sprinkling. Rabbah said, Whence do I know it? Because it was taught: You might think that he [an uncircumcised person] disqualifies the members of the company who come with him,² and it is logical: since uncircumcision disqualifies, and uncleanness disqualifies, [then] just as with uncleanness, part uncleanness was not made tantamount to entire uncleanness,³ so with uncircumcision, part uncircumcision was not made tantamount to entire uncircumcision.⁴ Or turn this way:⁵ since uncircumcision disqualifies, and time disqualifies: then just as with time, part [in respect to] time was made tantamount to the whole [in respect of] tithe,⁶ so with uncircumcision, part [in respect] to uncircumcision should be made tantamount to the whole [in respect to] uncircumcision.

Let us see to what it is similar: you judge [draw an analogy between] that which does not apply to all sacrifices by that which does not apply to all sacrifices,⁷ and let not time provide an argument, which operates [as a disqualification] in the case of all sacrifices. Or turn this way: you judge a thing which was not freed from its general rule by a thing which was not freed from its general rule;⁹ and let not uncleanness provide an argument, seeing that it was freed from its general rule.¹⁰ Therefore it is stated. This [is the ordinance of the Passover].¹¹ What is [the purpose of] 'this'?¹² If we say. [to teach] that

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entire uncircumcision disqualifies it [the Paschal lamb], but part thereof¹³ does not disqualify it, surely that is deduced from, and all uncircumcised person[s] [shall not eat thereof]?¹⁴

Hence he [the Tanna] must have taught thus: Therefore it is stated, ‘and all uncircumcised shall not eat thereof. Entire uncircumcision disqualifies it, [but] part thereof does not disqualify it. And should you say, the same law applies to sprinkling, viz., that entire uncircumcision at least does disqualify it:¹⁵ therefore ‘this’ is stated, [teaching,] it is only at the slaughtering that entire uncircumcision disqualifies, but [as for] sprinkling, even entire uncircumcision too does not disqualify it.¹⁶ And should you ask, What is the leniency of sprinkling?¹⁷ That there is no intention of eaters in respect to sprinkling.¹⁸

But R. Hisda [maintains,] On the contrary, [the Baraita is to be explained] in the opposite direction. [Thus:] therefore it is stated, and all uncircumcised person[s] [shall not eat thereof]: if the whole of it [the registered company] is [in a state of] uncircumcision, it disqualifies it, but part thereof does not disqualify it. But [as for] sprinkling, even part thereof disqualifies it.¹⁹ And should you say, the same law applies to sprinkling, viz., that unless there is entire uncircumcision it does not disqualify it, therefore ‘this’ is stated, [teaching,] only at the slaughtering does part thereof not disqualify it, but at the sprinkling even part thereof disqualifies it. And should you ask, What is the stringency of sprinkling?²⁰ [It is] that [the prohibition of] Piggul cannot be imposed save at the sprinkling.²¹

To this R. Ashi demurred: Whence [do you know] that this [verse] ‘and all uncircumcised person[s],’ implies in its entirety; perhaps this [verse], ‘and all uncircumcised person[s]’ implies whatever there is of uncircumcision,²² [and] therefore the Merciful One wrote ‘this’ to teach that unless there is an entire [company in a state

of] uncircumcision, it does not disqualify it, there being no difference whether [it is] at the slaughtering or at the sprinkling?²³

Rather, said R. Ashi, R. Hisda and Rabbah

(1) Whether the latter were registered for it or not. [‘To be atoned for’ here is employed in a technical sense denoting to have the blood sprinkled on behalf of (a person), as there is no question of atonement with the Paschal lamb. The words ‘at the sprinkling’ are accordingly superfluous, and in fact do not appear in MS.M.]

(2) I.e., if he registered together with duly circumcised, all are disqualified from partaking of this lamb.

(3) Only if all who register are unclean is the sacrifice disqualified. but not if merely some of them are unclean.

(4) Hence it is not disqualified.

(5) I.e., argue thus.

(6) I.e., if he expressed an intention of eating only part of the sacrifice even after the time legally permitted, the whole sacrifice is Piggul (q.v. Glos.) and disqualified.

(7) Uncircumcision and uncleanness are not disqualifications in the case of other sacrifices, which may be killed on behalf of their owners even if they are uncircumcised or unclean.

(8) Lit., ‘permitted’.

(9) In no case may a sacrifice be eaten by an uncircumcised person or after its permitted time.

(10) If the whole community is unclean, the Paschal lamb is sacrificed and eaten by them. — Thus two contradictory arguments are possible.

(11) Ex. XII, 43; the passage proceeds to disqualify an uncircumcised person (v. 49), and this word is quoted as teaching that an uncircumcised person does not disqualify others who register with him. ‘This’ is a limitation, teaching that the law is exactly as stated, and is not to be extended to others.

(12) This is part of Rabbah's argument. How does ‘this’ signify that the uncircumcised does not disqualify the members of the company that come with him?

(13) I.e., when only some of the registered company are uncircumcised.

(14) Ibid. 48, which is thus interpreted: when all who have registered for a particular animal are uncircumcised, none must eat thereof. But if only a fraction are uncircumcised, the circumcised may eat thereof. (E.V. but no uncircumcised person shall eat thereof.)

(15) Viz., where he expressed an intention that the sprinkling should make atonement for uncircumcised only.

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(16) 'This' implies that uncircumcision disqualifies at one of the four services only, which is assumed to be the

slaughtering. This interpretation of the Baraitha supports Rabbah's view.

(17) What other leniency do you find in sprinkling, that you assume that the limitation of 'this' teaches a further leniency in respect to uncircumcision.

(18) He need not sprinkle expressly for those who are registered, as the requirement of registration and eaters is stated in connection with slaughtering, v. supra 61a note on Rabbi's exegesis.

(19) As his view supra.

(20) What other stringency do you find in sprinkling, that you assume that the limitation of 'this' teaches a further stringency in respect to uncircumcision.

(21) An illegitimate intention to partake of the sacrifice after the permitted time, expressed at one of the four services (v. Mishnah supra 59b) renders it Piggul, and he who eats it even within the permitted time, incurs Kareth, only if the subsequent services are performed without any intention at all or with a legitimate intention or with the same illegitimate intention. But if any one of the subsequent services is performed with a different illegitimate intention, e.g. to eat it without the permitted boundaries, it ceases to be Piggul and does not involve Kareth, v. Zeb. 28b. Hence the only service in which it can definitely be fixed as Piggul without possibility of revocation is sprinkling, because that is the last service. That is regarded as a stringency of sprinkling.

(22) I.e., on the contrary it may imply that even if a single person of those who are registered for the sacrifice is uncircumcised, it is disqualified.

(23) For on the present exegesis there is no verse to intimate a distinction.

was stated, If one bakes [food] on a Festival for [use on] a weekday.—

R. Hisda said: He is flagellated; Rabbah said: He is not flagellated. 'Rabbah said, He is not flagellated': We say, Since if guests visited him, it would be fit for him, [on the Festival itself]. it is fit for him now too.⁷ 'R. Hisda said, He is flagellated': We do not say, 'since'.⁸ As for Rabbah, it is well, [and] he is not self contradictory: here [in the case of circumcision], an action is wanting,⁹ whereas there an action is not wanting.¹⁰ But R. Hisda is self-contradictory?¹¹ — I will tell you: when does R. Hisda reject [the argument of] 'since'? [where it leads] to [greater] leniency;¹² [but where it results] in stringency, he accepts it.¹³

Mar Zutra son of R. Mari said to Rabina: [The Baraitha] teaches: 'since uncircumcision disqualifies, and uncleanness disqualifies, [then] just as uncleanness, part uncleanness was not made tantamount to entire uncleanness, so uncircumcision, part uncircumcision was not made tantamount to entire uncircumcision. How is this uncleanness meant? Shall we say, it means uncleanness of the person, and what is meant by, 'part uncleanness was not made tantamount to entire uncleanness'? That if there are four or five unclean persons and four or five clean persons,¹⁴ the unclean do not disqualify [the Paschal lamb] for the clean. But then in the case of uncircumcision too they do not disqualify, for we learned, **FOR CIRCUMCISED AND UNCIRCUMCISED... IT IS FIT:** how then is uncleanness different, that he is certain about it, and how is uncircumcision different, that he is doubtful?¹⁵

Hence it must refer to uncleanness of the flesh, and what is meant by, 'part uncleanness was not made tantamount to entire uncleanness'? For where one of the limbs becomes unclean, that which becomes unclean we burn, while the others we eat. To what have you [thus] referred it?¹⁶ To uncleanness of the flesh! Then consider the

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differ in this verse: And it shall be accepted for him to make atonement for him:¹ 'for him', but not for his companion.² Rabbah holds, His companion must be like himself: just as he is capable of atonement, so must his companion be capable of atonement,³ thus excluding this uncircumcised person, who is not capable of atonement.⁴ But R. Hisda holds, This uncircumcised person too, since he is subject to the obligation, he is [also] subject to atonement, since if he wishes he can make himself fit.⁵ Yet does R. Hisda accept [the argument of] 'since'?⁶ Surely it

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sequel: 'you judge that which does not apply to all sacrifices by that which does not apply to all sacrifices,¹⁷ hence let not time [dis]prove it, since it applies to all sacrifices'. Now what does 'uncleanness mean? Shall we say, uncleanness of the flesh, — why does it not apply to all sacrifices?¹⁸ Hence it is obvious that it refers to uncleanness of person, and what does 'it does not apply to all sacrifices' mean? For whereas in the case of all [other] sacrifices an uncircumcised person and an unclean person can send their sacrifices,¹⁹ in the case of the Passover offering an uncircumcised person and an unclean person cannot send their Passover offerings. Thus the first clause refers to uncleanness of the flesh, while the second clause refers to uncleanness of the person? —

Yes, answered he to him, he argues²⁰ from the designation of uncleanness.²¹ Alternatively, the sequel too refers to the uncleanness of flesh. Then what is [meant by] 'it does not apply to all sacrifices'? [It means this], for whereas in the case of all [other] sacrifices, whether the fat²² is defiled while the flesh remains [clean], or the flesh is defiled while the fat remains [clean], he [the officiating priest] sprinkles the blood;²³ in the case of the Passover offering, if the fat²² is defiled while the flesh remains [clean], he sprinkles the blood; but if the flesh is defiled while the fat remains [clean], he must not sprinkle the blood.²⁴ To what have you referred it: to uncleanness of the flesh? Then consider the final clause: 'you judge a thing which was not freed from its general interdict by a thing which was not freed from its general interdict, hence let not uncleanness disprove it, seeing that it was freed from its general interdict.' In which [case]? Shall we say,

- (1) Lev. I, 4. [I.e., by sprinkling, v. supra p. 306, n. 2.]
- (2) I.e., if the blood is sprinkled on behalf of a different person, the sacrifice is disqualified.
- (3) Only then does this change of name disqualify the sacrifice.
- (4) I.e., he is not fit to have the Paschal offering made acceptable on his behalf; cf. loc. cit. Hence

the intention that the sprinkling shall be on his behalf does not disqualify it.

- (5) By circumcision.
- (6) I.e., does he accept the view that since a different state of affairs is possible, we take it into account as though it were already in existence?
- (7) Though he has no guests. He is therefore regarded as having baked for the Festival itself.
- (8) V. supra 46b.
- (9) Viz., circumcision, before he is fit; hence though he is potentially circumcised, we cannot regard him as actually so.
- (10) The coming of guests involves no action on his part; hence Rabbah's ruling.
- (11) As in the case of baking on a Festival for a weekday.
- (12) If he accepts the argument of 'since' even in the case of circumcision, where an action is wanting, how much the more where no action is wanting!
- (13) Tosaf.: according to this, R. Hisda disqualifies the sacrifice (supra 61a top) only by Rabbinical law, for in Scriptural law this distinction is unacceptable.
- (14) Registered for the same Paschal lamb.
- (15) That the one must be deduced from the other.
- (16) Lit., 'in what (case) have you established it?'
- (17) The reference to uncleanness. V. supra p. 307, n. 2.
- (18) It certainly does.
- (19) To be sacrificed on their behalf, though they cannot partake of them personally.
- (20) Lit., 'he rebuts'.
- (21) I.e., from uncleanness as a cause of disqualification, without particularizing the nature of the uncleanness.
- (22) Which is burnt on the altar.
- (23) And the sacrifice affects its purpose.
- (24) For there must be at least as much as an olive of eatable flesh before its blood may be sprinkled.

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in the case of uncleanness of the flesh; where was it permitted? Hence it obviously refers to uncleanness of the person, and where was it permitted? In the case of a community?¹ Thus the first clause refers to uncleanness of flesh, while the second clause refers to the uncleanness of the person? —

Yes: he argues from the designation of uncleanness. Alternatively, the whole refers to uncleanness of the flesh; and [as to the question,] where was it permitted? [It was] in [the case of] the uncleanness of the Paschal lamb. For we learned: The Paschal lamb

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which comes [if offered] in uncleanness is eaten in uncleanness, for at the very outset it did not come for [aught] except to be eaten.²

R. Huna son of R. Joshua raised an objection: If a Paschal lamb has passed its year³ and he [its owner] slaughtered it at its own time⁴ for its own purpose;⁵ and similarly, when a man kills other [sacrifices] as a Passover offering in its [own] time, — R. Eliezer disqualifies [it];⁶ while R. Joshua declares it fit.⁷ Thus the reason [that R. Eliezer disqualifies it] is that it is in its own time, but [if it were slaughtered] at a different time⁸ it is fit; yet why so? Let us say, Since he disqualifies [it]⁹ in its own time, he also disqualifies it at a different time?¹⁰ —

Said R. Papa. There it is different, because Scripture saith, Then ye shall say, The sacrifice of the Lord's Passover it is:¹¹ let it retain its own nature:¹² neither may it be [slaughtered] in the name of other [sacrifices], nor may others [be slaughtered] in its name; in its time¹³ when it is disqualified [if slaughtered] in the name of others, others are disqualified [if slaughtered] in its name; at a different time, when it is fit [if slaughtered] in the name of others, others are fit [if slaughtered] in its name.

R. Simlai came before R. Johanan [and] requested him, Let the Master teach me the Book of Genealogies.¹⁴ Said he to him, Whence are you? — He replied, From Lod.¹⁵ And where is your dwelling? In Nehardea.¹⁶ Said he to him, We do not discuss it¹⁷ either with the Lodians or with the Nehardeans, and how much more so with you, who are from Lod and live in Nehardea!¹⁸ But he urged¹⁹ him, and he consented, Let us learn it in three months, he proposed. [Thereupon] he took a clod and threw it at him, saying, If Beruriah, wife of R. Meir [and] daughter of R. Hanina b. Teradion, who studied three hundred laws from three hundred teachers in [one] day, could nevertheless not do her duty²⁰ in three years, yet you propose [to do it] in three months! As he was going he said to him, Master, What is the difference

between [a Passover sacrifice which is offered both] for its own purpose and for a different purpose, and [one that is offered both] for those who can eat it and for those who cannot eat it?²¹ —

Since you are a scholar, he answered him, come and I will tell you. [When it is killed] for its own purpose and for another purpose, its disqualification is in [respect of] itself;²² [when he kills it] for those who can eat it and for those who cannot eat it, its disqualification is not in [respect of] itself; [when it is] for its own purpose and for another purpose, it is impossible to distinguish its prohibition;²³ [when it is] for those who can eat it and for those who cannot eat it, it is possible to distinguish its interdict.²⁴ [Sacrificing] for its own purpose and for another purpose applies to the four services;²⁵ for those who can eat it and for those who cannot eat it, does not apply to the four services.²⁶ [The disqualification of sacrificing] for its own purpose and for another purpose applies to the community as to an individual;²⁷ for those who can eat it and for those who cannot eat it, does not apply to the community as to an individual.²⁸

R. Ashi said: [That] its disqualification is intrinsic and [that] it is impossible to distinguish its prohibition are [one and] the same thing. For why does he say [that]²⁹ its disqualification is intrinsic? Because it is impossible to distinguish its prohibition.

Rami the son of Rab Judah said: Since the day that the Book of Genealogies was hidden,³⁰ the strength of the Sages has been impaired and the light of their eyes has been dimmed.³¹ Mar Zutra said, Between 'Azal' and 'Azal' they were laden with four hundred camels of exegetical interpretations!³²

It was taught: Others³³ say, If he put the circumcised before the uncircumcised,³⁴ it is fit; the uncircumcised before the circumcised, it is disqualified. Wherein does [the case where he put] circumcised before

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uncircumcised differ, that it is fit, — because we require [them to be] all uncircumcised:35 then [where he put] the uncircumcised before the circumcised too, we require all [to be] uncircumcised, which is absent?

- (1) V. supra 61b, p. 307, n. 5.
- (2) V. infra 76a.
- (3) 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.
- (4) I.e., on the eve of Passover.
- (5) Sc. as a Passover offering. Thus he killed a peace-offering as a Passover sacrifice.
- (6) He infers this a minori: if an animal set aside for the Passover offering is disqualified if slaughtered in its time (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 killed 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.
- (7) For all sacrifices, except the Passover offering and the sin-offering, if sacrificed for another purpose, are fit. He too argues a minori: if during the rest of the year, when it is disqualified if slaughtered in its own' name (Sc. as a Passover sacrifice), yet if others (i.e., peace-offerings) are slaughtered in its name they are fit (in accordance with the general rule stated at the beginning of this note); then in its own time, when it is of course fit if slaughtered in its own name, how much the more are others fit if killed in its name!
- (8) Lit., 'not in its time'.
- (9) This is the reading in cur. edd. Tosaf.'s reading is preferable: since it is disqualified, etc.
- (10) Now that R. Hisda accepts the argument of 'since' where this results in greater stringency.
- (11) Ibid. 27.
- (12) Lit., 'it is in its own being'. Hu ('it is') is an emphatic assertion that it must always retain its own peculiar nature, as explained in the text.
- (13) Sc. the eve of Passover.
- (14) A commentary on Chronicles, presumably so called because of the many genealogical lists it contains.
- (15) Lydda in southern Palestine. [The original home of R. Simlai, v. Hyman, Toledoth, p. 1151.]
- (16) The famous academy town on the Euphrates in Babylonia. It is fully discussed in Obermeyer, Landschaft, pp. 244ff.
- (17) So. cur. edd. Var. lec.: we do not teach it.
- (18) Probably he was simply putting him off.

- (19) Lit., 'compelled'.
- (20) I.e., study it adequately.
- (21) Why is it disqualified in the first case but fit in the second?
- (22) The illegitimate intention is in respect of the sacrifice itself.
- (23) I.e., you cannot say this portion of the animal was sacrificed for its own purpose, and that portion for another purpose.
- (24) It is possible to allocate separately the share for those who cannot eat it.
- (25) V. Mishnah 58b.
- (26) An intention with respect to the eaters expressed or conceived at the sprinkling has no effect, v. supra p. 306, n. 1.
- (27) I.e., both to private and to public sacrifices.
- (28) Intention in respect to eaters has effect only in the case of the Passover sacrifice, which is a private one, and in no others.
- (29) [MS.M.: 'For why is?'].
- (30) This probably means either suppressed or forgotten; perhaps destroyed.
- (31) Rashi: it contained the reasons for many Scriptural laws which have been forgotten.
- (32) I.e., on the passage commencing with 'And Azel had six sons' (I Chron. VIII, 38) and ending with 'these were the sons of Azel' (Ibid. IX, 44) there were such an enormous number of different interpretations! This too, of course, is not to be understood literally.
- (33) 'Others' frequently refers to R. Meir, v. Hor. 13b, and does refer to him here, as is evident from the text infra.
- (34) I.e., if he first intended it for the former and then for the latter.
- (35) In order to disqualify the sacrifice.

Pesachim 63a

Shall we [then] say that the 'others' hold, Slaughtering does not count save at the end, and [this is] in accordance with Raba, who said, There is still the controversy. Therefore if he put the circumcised before the uncircumcised, it operates in respect of the circumcised,¹ but it does not operate in respect of the uncircumcised; while if he put the uncircumcised before the circumcised, it operates in respect of the uncircumcised, but it does not operate in respect of the circumcised?² —

Said Rabbah, Not so: in truth the 'others' hold [that] slaughtering counts from beginning to end, but the case we discuss here is this: e.g., where he mentally determined [it]

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for both of them, [i.e.,] both for circumcised and for uncircumcised, and he verbally expressed³ [his intention] for uncircumcised, but he had no time to say, 'for the circumcised' before the slaughtering was completed with [the expressed intention of] the uncircumcised [alone], and they differ in this: R. Meir holds [that] we do not require his mouth and his heart [to be] the same [in intention];⁴ while the Rabbis hold, We require his mouth and his heart [to be] the same.⁵

Yet does R. Meir hold that we do not require his mouth and at the same service or at different services, because the first statement only is regarded. But the Rabbis maintain that his last words too count, so that if both are expressed at the same service there is a mixing of intentions, and it does not become Piggul, for a sacrifice becomes Piggul only when the blood has otherwise been properly sprinkled. This proves that the view that the first statement only is regarded is maintained even in respect of halves, for the sacrifice is large enough to permit us to assume that each wrongful intention was expressed with respect to a different part thereof, and yet R. Judah disagrees.

To this Abaye answered, Do not think that the slaughtering counts only when it is completed, so that the two intentions come together at the same moment. On the contrary, the slaughtering counts from beginning to end, and in the passage quoted he cut one organ of the animal with the intention of eating it after time, and the second organ with the intention of eating it without the permitted area, R. Meir holding that you can make an animal Piggul even at one organ only. (Ritual slaughtering — Shechitah — consists of cutting across the two organs of the throat, viz, the windpipe and the gullet.)

This proves that Raba, who raised this objection, holds that in the views of R. Meir and R. Judah slaughtering counts only at the end. Hence the present passage too can be

explained on that basis too. Thus: he must express his intention for whom he is slaughtering the Passover sacrifice at the end of the slaughtering, and at that moment there is insufficient time to mention both, and so only the first expression is regarded, the second being entirely disregarded. Therefore if he first mentions the circumcised, it is fit; while if he first mentions the uncircumcised, it is unfit. his heart [to be] the same, but the following contradicts it: He who intended saying '[Let this be] Terumah,' but he said 'tithe' [instead], [or, 'let this be] tithe,' and he said 'Terumah,' or, '[I swear] that I will not enter this house,' but he said, 'that [house],' or, '[I vow] that I will not benefit from this [person],' but he said 'from that [person],' he has said nothing,⁶ unless his mouth and his heart are alike?⁷ —

Rather, said Abaye, The first clause means where he stated, '[I cut] the first organ for the circumcised and the second organ for the uncircumcised too,' so that at the second organ also circumcised too are included.⁸ [But] the second clause means where he stated '[I cut] the first organ for uncircumcised, the second organ for circumcised' so that at the first organ circumcised are not included.

Now R. Meir is consistent with his opinion, for he maintained, You can render [a sacrifice] Piggul at half of that which makes it permitted; while the Rabbis⁹ are consistent with their view, for they maintain, You cannot render [a sacrifice] Piggul at half of that which makes it permitted.¹⁰

MISHNAH. HE WHO SLAUGHTERS THE PASSOVER OFFERING WITH LEAVEN [IN HIS POSSESSION]¹¹ VIOLATES A NEGATIVE COMMAND.¹² R. JUDAH SAID: [ALSO] THE [EVENING] TAMID TOO.¹³ R. SIMEON SAID: [IF HE SLAUGHTERS] THE PASSOVER OFFERING [WITH LEAVEN] ON THE FOURTEENTH FOR ITS OWN PURPOSE, HE IS LIABLE [TO PUNISHMENT]; [IF] FOR A DIFFERENT PURPOSE, HE IS EXEMPT.¹⁴ BUT [FOR] ALL OTHER SACRIFICES,¹⁵ WHETHER

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SLAUGHTERED FOR THEIR OWN PURPOSE OR FOR A DIFFERENT PURPOSE, HE IS EXEMPT. [BUT IF HE SLAUGHTERS THE PASSOVER SACRIFICE WITH LEAVEN] ON THE FESTIVAL, IF FOR ITS OWN PURPOSE, HE IS EXEMPT; IF FOR A DIFFERENT PURPOSE, HE IS LIABLE;¹⁶ BUT [FOR] ALL OTHER SACRIFICES [SLAUGHTERED ON THE FESTIVAL WITH LEAVEN], WHETHER FOR THEIR OWN PURPOSE OR FOR ANOTHER PURPOSE, HE IS LIABLE,¹⁷ EXCEPT [IN THE CASE OR] A SIN-OFFERING WHICH HE SLAUGHTERED FOR A DIFFERENT PURPOSE.¹⁸

GEMARA. R. Simeon b. Lakish said: He is never liable unless there is leaven belonging to him who slaughters or to him who sprinkles [the blood]

(1) Lit., 'the circumcised fall' (i.e., are counted). — The slaughtering counts as having been performed for the circumcised.

(2) When a man would substitute an animal for another consecrated animal, both are holy (Lev. XXVII, 33), the former bearing the same holiness as that of the latter, and it must be offered as the same sacrifice. Now if he declares, 'This animal be a substitute for a burnt-offering', 'This (the same) animal be a substitute for a peace-offering', R. Meir rules that it is a substitute for the first only, for only his first words are regarded. R. Jose holds that his last words too are regarded, and therefore it is a substitute for both; hence it must be redeemed, and the redemption money expended on two animals, one for a burnt-offering and another for a peace-offering. Now a problem is raised in Zeb. 30a: What if he declares, 'Half of this be a substitute for a burnt-offering, and half be a substitute for a peace-offering'; does R. Meir agree with R. Jose or not? Is R. Meir's reason in the former case because he regards the second statement as a change of mind, which is invalid, since by his first statement it has already become a burnt-offering? But that is obviously inapplicable to the case in question, hence R. Meir will agree. Or perhaps here too R. Meir holds that since the sanctity of the burnt-offering first takes possession of it, as it were, that of the peace-offering cannot operate? Abaye maintains that R. Meir does agree in this case, but Raba holds that there is still the controversy. Thereupon Raba raised an objection to Abaye from this: If a man slaughters a sacrifice with the intention of eating as much as an olive without the permitted area and as much as an olive after the permitted time, R. Judah disagrees

with the Rabbis and rules as R. Meir, that only his first statement is counted, hence it is not Piggul, which applies to the second only, and Kareth is not incurred for eating it. For R. Judah states this as a general rule: If the intention of an illegitimate time is expressed before the intention of an illegitimate place, it is Piggul, and Kareth is incurred for eating it, whether these two intentions are both expressed

(3) Lit., 'uttered with his mouth'.

(4) I.e., we merely regard the explicit intention. Hence since he mentioned the uncircumcised only, the sacrifice is unfit.

(5) I.e., both are regarded. Therefore the Mishnah supra 61a states that if it is sacrificed for both, whatever the order, it is fit.

(6) I.e., his words are invalid.

(7) This is an anonymous Mishnah, and it is a general rule that such reflects R. Meir's view; Sanh. 86a.

(8) Hence it is fit.

(9) I.e., the view of the Mishnah supra 61a.

(10) 'That which makes it permitted' (the Mattir) here is the slaughtering; half of that, etc. is the cutting of one organ. R. Meir holds that the intention expressed at the cutting of the first organ determines the status of the sacrifice. Hence, if this intention was to eat it after time, it is Piggul; while in the present case, since it was for the uncircumcised, it is disqualified. The Rabbis, however, hold that an illegitimate intention at the first organ cannot render it Piggul, and in the same way an intention for uncircumcised at the first organ does not disqualify it.

(11) I.e., before the leaven has been destroyed. The phraseology is Biblical: Thou shalt not slaughter (E.V. 'offer') the blood of My sacrifice with leavened bread (Ex. XXXIV, 25).

(12) V. preceding note.

(13) I.e., if he kills the evening Tamid of the fourteenth before the leaven is destroyed, he violates a negative command.

(14) In the former case the sacrifice is fit, hence the Shechitah is duly regarded as Shechitah. But in the latter the sacrifice is unfit; hence R. Simeon does not regard the Shechitah as Shechitah, and the verse quoted on p. 317, n. 6. does not apply to it.

(15) Offered on Passover eve with leaven in his possession.

(16) For a Passover offering killed at a time other than its own, viz., the fourteenth, is disqualified if sacrificed as a Passover offering, but fit if sacrificed as a peace-offering.

(17) Because they are fit, v. Zeb. 2a.

(18) Because it is disqualified, *ibid.*

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Pesachim 63b

or to one of the members of the company,¹ and providing that it [the leaven] is with him in the Temple Court.

R. Johanan said: Even if it is not with him in the Temple Court. Wherein do they differ? Shall we say that they differ in whether 'with' ['al] means 'near,'² R. Simeon b. Lakish holding, 'with' means near, while R. Johanan holds, We do not require 'with' [in the sense of] near,' — but surely they have differed in this once [already]?³ For we learned: If a man slaughters the thanks-offering within [the Temple Court], while its bread is without the wall, the bread is not sanctified.⁴ What does 'without the wall' mean?

R. Johanan said, Without the wall of Beth Pagi;⁵ but [if] without the wall of the Temple Court, it is sanctified, and we do not require 'with' [in the sense of] near.

R. Simeon b. Lakish said: Even if without the wall of the Temple Court, it is not sanctified; which proves that we require 'with' [in the sense of] near! — Rather, they differ over a doubtful warning.⁶ But in this too they have already differed once? For it was stated: [If a man declares, 'I take] an oath that I will eat this loaf to-day,' and the day passed and he did not eat it, — R. Johanan and R. Simeon b. Lakish both maintain, He is not flagellated.

R. Johanan said, He is not flagellated, because it is a negative injunction not involving an action,⁷ and every negative command not involving an action, we do not flagellate for it; but a doubtful warning counts as a warning.⁹

While R. Simeon b. Lakish said, He is not flagellated, because it is a doubtful warning, and a doubtful warning does not count as a warning; but as for a negative command not involving an action, we flagellate for it! I will tell you: After all they differ in whether 'with' implies near, yet it is necessary.¹⁰ For

if they differed on the subject of leaven [alone], I would say: It is only there that R. Johanan maintains that we do not require 'with' [in the sense of] near, because it is a prohibited article, and wherever it is, it is; but in the matter of sanctifying the bread, it is not sanctified save within [the Temple Court], [hence] I would assume [that] he agrees with R. Simeon b. Lakish, that if it is inside it is sanctified, and if not, it is not sanctified, by analogy with service vessels.¹¹ Thus this [latter case] is necessary. And if we were informed [of this] in the matter of sanctifying the bread, I would say: in this R. Simeon b. Lakish maintains that we require 'with' [in the sense of] near, so that if it is inside it is sanctified, [and] if not, It is not sanctified. But in the matter of leaven [I would say that] he agrees with R. Johanan that we do not require 'with' [in the sense of] near, because it is a prohibited article, and wherever it is, it is. Hence they are [both] necessary.

R. Oshaia asked R. Ammi: What if he who slaughters has none, but one of the members of the company has [leaven]?¹² — Said he to him, Is it then written, 'Thou shalt not slaughter [the blood of My sacrifice] with thy leavened bread'? 'Thou shalt not slaughter [the blood of My sacrifice] with leavened bread' is written.¹³ If so, he countered, [he is culpable] even if a person at the end of the world [possesses leaven]! —

Said he to him, Scripture saith, Thou shalt not slaughter [the blood of My sacrifice with leavened bread]; neither shall [the sacrifice of the feast of the Passover] be left overnight unto the morning: [thus,] 'Thou shalt not slaughter... with leavened bread' [applies to] those who are subject to 'it shall not be left overnight' on its account.¹⁴

R. Papa said: As a corollary, the priest who burns the fat [on the altar] violates a negative command, since he is subject to the general [interdict of] leaving the Emurim overnight.¹⁵ It was taught in accordance with R. Papa. He who slaughters the Passover sacrifice with

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leaven violates a negative command — When is that? When it belongs to him who slaughters or to him who sprinkles [the blood] or to one of the members of the company. If it belonged to someone at the end of the world, he is not tied to him.¹⁶ And whether he slaughters or sprinkles or burns [the fat],¹⁷ he is liable. But he who wrings a bird's neck on the fourteenth¹⁸ does not violate anything.¹⁹ But the following contradicts it: He who slaughters the Passover offering with leaven violates a negative command.

R. Judah said: The Tamid too.²⁰ Said they to him, They [the Sages] said [thus] of naught except the Passover-offering alone. When is that? When either he who slaughters or he who sprinkles or one of the members of the company possesses [the leaven]. If a person at the end of the world possesses it, he is not tied to him. And whether he slaughters or he sprinkles or he wrings [a bird's neck] or he sprinkles²¹ [the blood of the bird], he is liable. But he who takes the handful of the meal-offering²² does not violate a negative command. He who burns the Emurim does not violate a negative command.

(1) Registered for this sacrifice.

(2) In Ex. XXXIV, 25, quoted on p. 317, n. 6.

(3) Why then repeat the controversy here?

(4) The thanks-offering was accompanied by forty loaves. These were verbally sanctified before the sacrifice was actually slaughtered, whereupon they acquired a monetary consecration, which means that they might not henceforth be eaten or put to use until the offering is sacrificed; while if they became defiled, they were redeemed and reverted to Hullin. The slaughtering of the sacrifice conferred intrinsic ('bodily') sanctity upon them; they were more readily disqualified then, and if defiled they had to be burnt. In this connection too 'with' (על) is written: then he shall offer with the sacrifice of the thanks-offering unleavened cakes... with (על) cakes of leavened bread he shall present his offering (Lev. VII, 12f). — 'Not sanctified' means not intrinsically sanctified.

(5) A fortified suburb of Jerusalem (Jast.), which is the uttermost boundary of the town (Rashi). Its exact spot has not been identified, v. Neubauer, Geographie, pp. 247ff.

(6) 'Flagellation, the punishment for violating a negative command, is imposed only if the offender has been duly warned before he sinned. Now, if the leaven is in the Temple Court, he can be warned with the certainty that his proposed action is forbidden. But if it is not in the Temple Court, we are doubtful, as we do not know whether he has leaven at home, and thus it is a doubtful warning. R. Simeon b. Lakish holds that such is not a valid warning, and flagellation is not thereby incurred; while R. Johanan holds that it is a warning, and when we subsequently learn that he had leaven at home, he is flagellated.

(7) I.e., he violates the injunction, 'Thou shalt not take the name of the Lord thy God in vain (Ex. XX, 7) by remaining passive, not by a positive act, v. Shebu. 20b.

(8) Lit., 'its name is'.

(9) For naturally until the last moment of the day only a doubtful warning can be given, as we do not know that he will permit the day to pass without eating it.

(10) For them to differ in both cases.

(11) These sanctify whatever is put into them, but only when they are in the Temple Court (Tosaf.).

(12) Resh Lakish states it (supra) as an obvious thing, but R. Oshaia was in doubt.

(13) Ex. XXXIV, 25. Hence he is culpable.

(14) And that obviously applies to its owners only.

(15) I.e., if he still has leaven when he burns the fat, even if none of the company has any.

(16) He has no connection with him, — or, he is not bound to take him into account, — is unaffected thereby.

(17) This supports R. Papa.

(18) While he still possesses leaven. The reference is to a bird offered as a sacrifice for a man lacking atonement; as stated supra 59a, it could be brought on the fourteenth after the afternoon Tamid, i.e., when it is time for the Passover sacrifice to be slaughtered.

(19) This is explained anon.

(20) V. note on Mishnah.

(21) זבחה, term used in connection with bird sacrifices, as distinct from זבחה, which refers to animal sacrifices.

(22) V. Lev. II, 2.

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Now [the rulings on] wringing are contradictory, [and the rulings on] burning [the fat] are contradictory? — Then according to your reasoning, let that [Baraitha] itself present a difficulty to you. For it teaches, 'They said [this] of naught except the Passover offering alone; and then it teaches, 'Whether he slaughters or he

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sprinkles or he wrings [a bird's neck] or he sprinkles [the blood of the bird]?¹ [Say] rather, both are [according to] R. Simeon; [the rulings on] wringing are not contradictory: here² it refers to the fourteenth,³ while there it⁴ means during the Intermediate Days, and thus both the one and the other are [according to] R. Simeon. [The rulings on] the burning [of fat] too are not contradictory: it is dependent on Tannaim. For some compare burning to slaughtering,⁵ whilst others do not compare [them].

R. JUDAH SAID: THE [EVENING] TAMID TOO, etc. What is R. Judah's reason? — He tells you: Scripture saith, [Thou shalt not slaughter the blood of] My sacrifice,⁶ [implying] the sacrifice which is particularly assigned to Me; and which is that? the Tamid.

R. SIMEON SAID: [IF HE SLAUGHTERS] THE PASSOVER SACRIFICE [WITH LEAVEN] ON THE FOURTEENTH, etc. What is R. Simeon's reason? — Because 'My sacrifice,' 'My sacrifice,' is written twice:⁷ read it, 'a sacrifice,' 'My sacrifices'.⁸ For what law did the Divine Law divide them from one another and not write 'My sacrifices' [in one word]? To intimate: when there is 'a sacrifice' [viz., the Paschal lamb], you are not liable on account of 'My sacrifices'; when there is no 'sacrifice,' you are liable for 'My sacrifices'.

[BUT IF HE KILLS THE PASSOVER OFFERING WITH LEAVEN] ON THE FESTIVAL, IF FOR ITS OWN PURPOSE, HE IS EXEMPT, etc. The reason is that it is for a different purpose,⁹ but if it is unspecified, he is exempt. [Yet] why? The Passover offering during the rest of the year¹⁰ is a peace-offering!¹¹ Can you then infer from this¹² [that] the Passover offering during the rest of the year requires cancellation?¹³ —

Said R. Hiyya b. Gamada: It was thrown out from the mouth of the company¹⁴ and they said: [The circumstances are] e.g., that its

owners were unclean by reason of a dead body and relegated to the second Passover,¹⁵ so that while unspecified it [still] stands [to be sacrificed] as a Passover offering.¹⁶

MISHNAH. THE PASSOVER OFFERING IS SLAUGHTERED IN THREE DIVISIONS,¹⁷ FOR IT IS SAID, AND THE WHOLE ASSEMBLY OF THE CONGREGATION OF ISRAEL SHALL KILL IT:¹⁸ [I.E.,] 'ASSEMBLY,' 'CONGREGATION,' AND 'ISRAEL.'¹⁹ THE FIRST DIVISION ENTERED, THE TEMPLE COURT WAS FILLED, THEY CLOSED THE DOORS OF THE TEMPLE COURT, THEY SOUNDED A TEKIAH, A TERUAH, AND A TEKIAH.²⁰ THE PRIESTS STOOD IN ROWS, AND IN THEIR HANDS WERE BASINS²¹ OF SILVER AND BASINS OF GOLD; A ROW WHICH WAS ENTIRELY OF SILVER WAS OF SILVER, AND A ROW WHICH WAS ENTIRELY OF GOLD WAS OF GOLD: THEY WERE NOT MIXED; AND THE BASINS HAD NO [FLAT] BOTTOMS, LEST THEY PUT THEM DOWN AND THE BLOOD BECOME CONGEALED. THE ISRAELITE KILLED [THE LAMB], AND THE PRIEST CAUGHT [THE BLOOD]; HE HANDED IT TO HIS COLLEAGUE AND HIS COLLEAGUE [PASSED IT ON] TO HIS COLLEAGUE; AND HE RECEIVED THE FULL [BASIN] AND GAVE BACK THE EMPTY ONE.²² THE PRIEST NEAREST THE ALTAR SPRINKLED IT ONCE OVER AGAINST THE BASE [OR THE ALTAR].²³ THE FIRST DIVISION [THEN] WENT OUT AND THE SECOND ENTERED; THE SECOND WENT OUT AND THE THIRD ENTERED. AS THE MANNER OF THE FIRST [GROUP], SO WAS THE MANNER OF THE SECOND AND THE THIRD. THEY RECITED THE HALLEL;²⁴ IF THEY FINISHED IT²⁵ THEY REPEATED, AND IF THEY REPEATED [AND WERE NOT FINISHED YET], THEY RECITED IT A THIRD TIME, THOUGH THEY NEVER DID RECITE IT A THIRD TIME. R. JUDAH SAID: THE THIRD DIVISION NEVER REACHED²⁶ 'I LOVE THAT THE LORD SHOULD HEAR' [ETC.],²⁷ BECAUSE THE PEOPLE FOR IT WERE FEW. AS WAS DONE ON WEEK-DAYS SO WAS DONE ON THE SABBATH, SAVE THAT THE PRIESTS

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SWILLED THE TEMPLE COURT, [BUT] WITHOUT THE CONSENT OF THE SAGES. R. JUDAH SAID: HE [A PRIEST] USED TO FILL A GOBLET WITH THE MIXED BLOOD²⁸ [AND] HE SPRINKLED IT ONCE ON THE ALTAR; BUT THE SAGES DID NOT AGREE WITH HIM. HOW DID THEY HANG UP [THE SACRIFICES] AND FLAY [THEM]? THERE WERE IRON HOOKS FIXED IN THE WALLS AND IN THE PILLARS, ON WHICH THEY SUSPENDED [THE SACRIFICES] AND FLAYED [THEM]. IF ANY ONE HAD NO PLACE TO SUSPEND AND FLAY, THERE WERE THERE THIN SMOOTH STAVES WHICH HE PLACED ON HIS SHOULDER AND ON HIS NEIGHBOUR'S SHOULDER, AND SO SUSPENDED [THE ANIMAL] AND FLAYED [IT]. R. ELIEZER SAID: WHEN THE FOURTEENTH

- (1) The last two refer to birds, hence not to the Passover offering, v. p. 321, n. 7.
- (2) In the first Baraitha.
- (3) As is distinctly stated. Then he is exempt, culpability being incurred on that day only for the Paschal lamb.
- (4) In the second Baraitha.
- (5) Actually only slaughtering which includes sprinkling is mentioned in Ex. XXXIV, 25. (Thou shalt not slaughter the blood of, etc.), but some maintain that burning is the same.
- (6) Ex. XXIII, 18; XXXIV, 25.
- (7) In Ex. XXIII, 18 and XXXIV, 25.
- (8) I.e., by transferring the Yod (י) from one זבחי to the other, we have זבחי, זבחי, a 'sacrifice' referring to the Paschal lamb, and זבחי, 'My sacrifices', plural, referring to all others.
- (9) I.e., he explicitly states thus.
- (10) I.e., at any time other than the eve of Passover.
- (11) Automatically. Why then is an explicit declaration required.
- (12) Viz., that we do nevertheless require this explicit statement.
- (13) Lit., 'uprooting', 'eradicating'. I.e., it does not become a peace-offering automatically, but its character as a Passover offering must be explicitly cancelled.
- (14) I.e., all the scholars unanimously declared.
- (15) V. Num. IX, 10ff.
- (16) In the following month; therefore it is not a peace-offering automatically. But in other cases it is, and an explicit declaration is then unnecessary.
- (17) Irrespective of the number sacrificing.
- (18) Ex. XII, 6.
- (19) Each denotes a separate division.

(20) Teki'ah is a long, straight blast on the Shofar (ram's horn); Teru'ah is a series of three short consecutive blasts.

(21) To receive the blood.

(22) After the blood had been sprinkled. Thus it was worked on the 'endless-chain' system.

(23) I.e., on the side which has a projecting base, viz., the north and west sides of the altar, v. Mid. III, 1.

(24) Lit., 'praise', a liturgical passage at present consisting of Ps. CXIII-CXVIII. This was recited by each group.

(25) Before they finished sacrificing.

(26) Lit., 'from the days of the third party they did not reach'.

(27) Ps. CXVI, 1 seq.

(28) The blood of many sacrifices which ran together.

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FELL ON THE SABBATH, HE PLACED HIS HAND ON HIS NEIGHBOUR'S SHOULDER AND HIS NEIGHBOUR'S HAND ON HIS SHOULDER, AND HE [THUS] SUSPENDED [THE SACRIFICE] AND FLAYED [IT].¹ THEN HE TORE IT AND TOOK OUT ITS EMURIM, PLACED THEM IN A TRAY AND BURNT THEM ON THE ALTAR. THE FIRST DIVISION WENT OUT AND SAT DOWN ON THE TEMPLE MOUNT,² THE SECOND [SAT] IN THE HEL,³ WHILE THE THIRD REMAINED IN ITS PLACE. WHEN IT GREW DARK THEY WENT OUT AND ROASTED THEIR PASCHAL LAMBS.

GEMARA. R. Isaac said: The Passover offering was not slaughtered except in three divisions each consisting of thirty men. What is the reason? 'Assembly' 'congregation,' and 'Israel' [are prescribed, and] we are doubtful whether [that means] at the same time or consecutively.⁴ Therefore we require three divisions each consisting of thirty men, so that if [it means] at the same time, they are there; and if consecutively, they are there. Hence fifty [in all] too are sufficient, thirty entering and preparing [their sacrifices], then ten enter and ten leave, [and another] ten enter and [another] ten leave.

THE FIRST DIVISION ENTERED, etc. It was stated, Abaye said: We learned, 'They

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[the doors] locked themselves';⁵ Raba said, We learned: **THEY LOCKED**. Wherein do they differ? — They differ in respect of relying on a miracle. 'Abaye said, We learned, They locked themselves'; as many as entered, entered, and we rely on a miracle.⁶

Raba said, We learned, **THEY LOCKED**, and we do not rely on a miracle. And as to what we learned, R. Judah said: Heaven forefend that Akabia b. Mahalalel was banned! for the wisdom and fear of sin to Akabia b. Mehalallel,⁷ — Abaye explains Temple Court was never closed upon any man in Israel equal in it according to his view, [while] Raba explains it according to his view. Abaye explains it according to his view: there was none in the Temple Court when it closed itself upon every man in Israel like Akabia b. Mahalalel in wisdom and fear of sin. Raba explains it according to his view: There was none in the Temple Court when they closed it on all Israel like Akabia b. Mahalalel in wisdom and the fear of sin.

Our Rabbis taught: No man was ever crushed in the Temple Courts except on one Passover in the days of Hillel, when an old man was crushed, and they called it 'The Passover of the crushed'.

Our Rabbis taught: King Agrippa once wished to cast his eyes on the hosts of Israel.⁸ Said he to the High Priest, Cast your eyes upon the Passover sacrifices. He [thereupon] took a kidney from each, and six-hundred-thousand pairs of kidneys were found there, twice as many as those who departed from Egypt, excluding those who were unclean and those who were on a distant journey; and there was not a single Paschal lamb for which more than ten people had not registered; and they called it, 'The Passover of the dense throngs.' 'He took a kidney'! but it required burning [on the altar]? He burned them subsequently.¹⁰ But it is written, And [Aaron's sons] shall burn it, etc.¹¹ [which intimates] that he must not mix the fat [portions] of one [sacrifice] with [that of] another? — He subsequently burned them

each separately. But it was taught: And [the priest] shall burn then;¹² [this teaches] that all of it must be [burnt] simultaneously.¹³ But it was a mere seizure, i.e., he took it from them until they gave him something else.¹⁴

THE PRIESTS STOOD IN ROWS, etc. What is the reason? Shall we say, lest they take [a basin] of gold and return [a basin] of silver;¹⁵ then here too,¹⁶ perhaps they might take [a basin] of two hundred [measures] capacity and return one of one hundred? Rather, [the reason is] that it is more becoming thus.¹⁷

AND THE BASINS DID NOT HAVE [FLAT] BOTTOMS, etc. Our Rabbis taught: None of the basins in the Temple had [flat] bottoms, except the basins of the frankincense for the showbread, lest they put them down and they break up the bread.¹⁸

AN ISRAELITE KILLED AND THE PRIEST CAUGHT [THE BLOOD], etc. Is then an Israelite indispensable?¹⁹ — He [the Tanna] informs us that very fact, viz., that the Shechitah is valid [when done] by a lay Israelite.

AND THE PRIEST CAUGHT [THE BLOOD] informs us this: from the receiving of the blood and onwards it is a priestly duty.

HE HANDED IT TO HIS COLLEAGUE. You can infer from this that carrying without moving the feet is carrying!²⁰ [No:] perhaps he moved slightly [too]. Then [in that case] what does he inform us? — He informs us this: In the multitude of people is the king's glory.²¹

HE RECEIVED THE FULL [BASIN] AND GAVE BACK THE EMPTY ONE, etc. But not the reverse.²² This supports R. Simeon b. Lakish. For R. Simeon b. Lakish said: You must not postpone the precepts.²³

THE PRIEST NEAREST THE ALTAR., etc. Which Tanna [holds] that the Passover offering requires sprinkling?²⁴ Said R. Hisda,

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it is R. Jose the Galilean. For it was taught, R. Jose the Galilean said: Thou shalt sprinkle their blood against the altar, and thou shalt burn their fat:²⁵ 'its blood' is not said, but 'their blood'; 'its fat' is not said, but 'their fat'.²⁶ This teaches concerning the firstling, the tithe [of animals] and the Passover offering, that they require the presenting of blood and Emurim at the altar.²⁷ How do we know that they require [sprinkling against] the base? —

Said R. Eleazar: The meaning of 'sprinkling' is deduced from, a burnt-offering.²⁸ Here it is written, thou shalt sprinkle their blood against the altar, while there it is written, And Aaron's sons, the priests, shall sprinkle its blood against the altar round about:²⁹ just as the burnt-offering requires [sprinkling against] the base, so does the Passover offering too require [sprinkling against] the base.

- (1) But the staves might not be used on that day.
- (2) If the fourteenth fell on the Sabbath, as they could not carry their sacrifices home and had to wait for the evening.
- (3) A place within the fortification of the Temple (Jast.); v. Mid. I, 5.
- (4) And each expression denotes a minimum of ten.
- (5) Or, were locked-miraculously, without human agency.
- (6) That the doors should shut themselves when sufficient had entered.
- (7) V. 'Ed. V, 6 for the whole discussion. 'Was never closed' — on the eve of Passover, at the sacrificing of the Paschal lambs.
- (8) In spite of the enormous crowds that thronged it.
- (9) I.e., to take a census of the Jewish people. This was an unpopular proceeding, as it was regarded as of unfortunate omen; cf. I Chron. XXI. In addition, a census was looked upon with suspicion as being the possible precursor of fresh levies and taxation, and the decision of Quirinius, the governor of Syria, to take a census in Judea (c. 6-7 C.E.) nearly precipitated a revolt; v. Graetz. History of the Jews (Eng. translation) II, ch. V. pp. 129 seq. According to Graetz (op. cit. p. 252) the present census was undertaken by Agrippa II in the year 66 C.E. as a hint to the Roman powers not to underrate the strength of the Jewish people, and therefore avoid driving them too far by the cruelty and greed of the Procurator, at that time

Gessius Florus. Graetz assumes that an extra large number flocked to Jerusalem on that occasion, and it is then that the old man was suffocated. This however does not agree with the statement that the man was crushed in the days of Hillel, which is a far earlier date, Hillel having flourished or commenced his Patriarchate one hundred years before the destruction of the Temple, i.e., 30 B.C.E.

- (10) After the event.
- (11) Lev. III, 5.
- (12) Lev. III, 16.
- (13) All the parts of the sacrifice which are burnt on the altar (called Emurim) must be burnt at the same time. Here, however, the kidneys would be burnt separately.
- (14) The unpopularity of the census (v. p. 326, n. 2) may have necessitated this procedure.
- (15) Which is 'descending in sanctity', and this must be avoided.
- (16) I.e., even with the present arrangements.
- (17) The general beauty and dignity of the proceedings are thereby enhanced.
- (18) These vessels were kept near the showbread, and if they were not provided with a base to stand on they might fall against the rows of showbread and break up their formation.
- (19) Lit., 'is it not enough that it should not be an Israelite?' — Surely a priest too could kill it!
- (20) Carrying the blood to be sprinkled was one of the four services (v. supra 59b Mishnah), and there is a controversy in Zeb. 14b whether the priest actually had to walk a little for this or not. From the present passage we see that this was unnecessary.
- (21) Prov. XIV, 28.
- (22) It had to be done in this order.
- (23) Lit., 'one must not pass by precepts', but must perform them immediately they come to hand. Thus when the full basin is held out, the next priest must accept it immediately, before returning the empty one, as the reception of the full basin on its way to the sprinkling is a religious service.
- (24) From the distance, and not just pouring out; v. infra 121a.
- (25) Num. XVIII, 17.
- (26) Though the passage treats of one sacrifice only, viz., the firstling. The plural possessive suffix indicates that other sacrifices too are included in this law.
- (27) These are the only sacrifices in connection with which it is not mentioned elsewhere, hence the plural is applied to them. Furthermore, Scripture states 'thou shalt sprinkle' (Tizrok), not 'thou shalt pour out' (Tishpok).
- (28) Lit., "'sprinkling", "sprinkling" is deduced from a burnt-offering'.
- (29) Lev. I, 11.

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Pesachim 65a

And how do we know it of the burnt-offering itself? — Scripture saith, at the base of the altar of the burnt-offering:¹ this proves that the burnt-offering requires [sprinkling at] the base.²

THE FIRST DIVISION WENT OUT, etc. A Tanna taught: It [the third division] was called the slothful division.³ But It was impossible otherwise? What should they have done! — Even so, they should have hurried themselves, as it was taught: Rabbi said: The world cannot exist without a perfume maker and without a tanner: happy is he whose craft is [that of] a perfume maker, [and] woe to him whose craft is [that of] a tanner. Nor can the world exist without males and females: happy is he whose children are males, [and] woe to him whose children are females.⁴

AS HE DID ON WEEK-DAYS, etc. Without whose consent?⁵ — Said R. Hisda, Without the consent of R. Eliezer; for if [the ruling of] the Rabbis [is regarded], surely they maintain that it is a shebuth,⁶ and a shebuth is not [interdicted] in the Temple. What is this [allusion]? — For it was taught: Whether he milks, sets milk [for curdling],⁷ or makes cheese, [the standard for culpability is] as much as a dried fig. He who sweeps [the floor], lays [the dust by sprinkling water], and removes loaves of honey, [if he does this] unwittingly on the Sabbath, he is liable to a sin-offering; if he does it deliberately on a Festival, he is flagellated with forty [lashes]: this is R. Eliezer's view.

But the Sages maintain: In both cases it is [forbidden] only as a shebuth.⁸ R. Ashi said: You may even say, [it means] without the consent of the Sages, this agreeing with R. Nathan. For it was taught, R. Nathan said: A shebuth that is necessary they permitted [in the Temple]; [but] a shebuth which is not necessary they did not permit.

R. JUDAH SAID: HE USED TO FILL A GOBLET, etc. It was taught, R. Judah said: He used to fill goblet with the mingled blood,⁹ so that should the blood of one of them be spilled, it is found that this renders it fit. Said they to R. Judah, But surely it [this mingled blood] had not been received in a basin? How do they know?¹⁰ Rather, they said thus to him: Perhaps it was not caught in a vessel?¹¹ I too, he answered them, spoke only of that which was received in a vessel. How does he know?¹² The priests are careful. If they are careful, why was it spilled? — Because of the speed with which they work,¹³ it is spilled. But the draining blood¹⁴ is mixed with it?¹⁵ — R. Judah is consistent with his view, for he maintained, The draining blood is [considered] proper blood. For it was taught: The draining blood is subject to a 'warning';¹⁶ R. Judah said: It is subject to kareth.¹⁷ 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 life:¹⁸

(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 the burnt-offering.

(3) For remaining to the last.

(4) This was not said in a spirit of contempt for the female sex, but in the realization of the anxieties caused by daughters; v. Sanh. 100b, (Sonc. ed.) p. 681).

(5) I.e., on whose view is this wrong?

(6) V. Glos.

(7) Rashi, Jast.: beats milk into a pulp.

(8) Which is only a Rabbinical prohibition, and involves neither a sin-offering nor flagellation, v. Shab. 95a.

(9) Lit., 'the blood of those which were mixed'.

(10) This is an interjection: how do the Rabbis, who raise this objection, know that it was not caught in a vessel?

(11) But poured straight from the animal's throat on to the ground. Rashi: 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.

(12) That it was caught in a vessel? For R. Judah prescribed this merely because the blood might

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have been spilled; then how can it be remedied with blood about which there is a doubt?

(13) Zariz denotes both careful and speedy; they hurried to catch the blood, present it at the altar, and sprinkle it.

(14) Tamzith denotes the last blood which slowly drains off the animal, contrad. to the lifeblood, which gushes forth in a stream.

(15) Whereas the 'life-blood' is required for sprinkling.

(16) 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).

(17) Just like life-blood. Hence it is also the same in respect to sprinkling.

(18) Ibid.

Pesachim 65b

blood wherewith life departs, makes atonement; and blood wherewith life does not depart, does not make atonement? — Rather [reply],¹ R. Judah is consistent with his view, for he maintained: Blood cannot nullify [other] blood.²

It was taught, R. Judah said to the Sages: On your view, why did they stop up [the holes in] the Temple Court?³ Said they to him: It is praiseworthy for the sons of Aaron [the priests] to walk in blood up to their ankles. But it interposed?⁴ — It is moist [liquid] and does not interpose. As it was taught: Blood, ink, honey and milk, if dry, interpose; if moist, they do not interpose.⁵ 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,⁶ surely it was taught: [And the priest shall put out] his linen measure:⁷ [that means] that it must not be [too] short nor too long?⁸ — [They could raise them] at the carrying of the limbs to the [Altar] ascent, which was not a service. Was it not? But since it required the priesthood, it was a service!

For it was taught, And the priest shall offer the whole, [and burn it] on the altar:⁹ this refers to the carrying of the limbs to the [altar] ascent. — Rather [they could raise

them] at the carrying of the wood to the [altar] pile, which was not a service. Nevertheless, how could they walk when carrying the limbs to the [altar] ascent and when carrying the blood? They walked on balconies.¹⁰

HOW DID THEY HANG UP [THE SACRIFICES] AND FLAY [THEM], etc. THEN HE TORE IT OPEN AND TOOK OUT ITS EMURIM, PLACED THEM ON A TRAY AND BURNT THEM [ON THE ALTAR]. Did he then burn them himself?¹¹ Say, To burn them on the altar.

THE FIRST DIVISION WENT OUT, etc. A Tanna taught: Each one placed his paschal lamb in its hide and slung it behind him. Said R. 'Ilish: In Arab-like fashion.¹²

CHAPTER VI

MISHNAH. THESE THINGS IN [CONNECTION WITH] THE PASSOVER OFFERING OVERRIDE THE SABBATH: ITS SHECHITAH AND THE SPRINKLING OF ITS BLOOD AND THE CLEANSING OF ITS BOWELS AND THE BURNING OF ITS FAT. BUT ITS ROASTING AND THE WASHING OF ITS BOWELS DO NOT OVERRIDE THE SABBATH. ITS CARRYING¹³ AND BRINGING IT FROM WITHOUT THE TEHUM¹⁴ AND THE CUTTING OFF OF ITS WART DO NOT OVERRIDE THE SABBATH. R. ELIEZER SAID: THEY DO OVERRIDE [THE SABBATH]. SAID R. ELIEZER, DOES IT NOT FOLLOW A FORTIORI: IF SHECHITAH, WHICH IS [USUALLY FORBIDDEN] AS A LABOUR, OVERRIDES THE SABBATH, SHALL NOT THESE, WHICH ARE [ONLY FORBIDDEN] AS A SHEBUTH, OVERRIDE THE SABBATH?¹⁵ R. JOSHUA ANSWERED HIM, LET FESTIVAL[S] REBUT¹⁶ IT, WHEREIN THEY PERMITTED LABOUR AND FORBADE A SHEBUTH.¹⁷ SAID R. ELIEZER TO HIM, WHAT IS THIS, JOSHUA, WHAT PROOF IS A VOLUNTARY ACT IN RESPECT OF A PRECEPT! R. AKIBA ANSWERED AND SAID, LET HAZA'AH¹⁸ PROVE IT, WHICH IS [PERFORMED] BECAUSE IT IS A PRECEPT AND IS

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[NORMALLY FORBIDDEN ONLY] AS A SHEBUTH, YET IT DOES NOT OVERRIDE THE SABBATH;¹⁹ SO YOU TOO, DO NOT WONDER AT THESE, THAT THOUGH THEY ARE [REQUIRED] ON ACCOUNT OF THE PRECEPT AND ARE [ONLY FORBIDDEN] AS A SHEBUTH, YET THEY DO NOT OVERRIDE THE SABBATH. SAID R. ELIEZER TO HIM, BUT IN RESPECT OF THAT [ITSELF] I ARGUE: IF SHECHITAH, WHICH IS A LABOUR, OVERRIDES THE SABBATH, IS IT NOT LOGICAL THAT HAZA'AH, WHICH IS [ONLY] A SHEBUTH, OVERRIDES THE SABBATH!

(1) To the question, 'But the draining blood is mixed with it'.

(2) Therefore there must be a little of proper (i.e., life-) blood, if spilled in this goblet of mixed blood, and that is sufficient for atonement.

(3) On the eve of Passover they stopped up the holes through which the blood of the sacrifices passed out to the stream of Kidron.

(4) Between the pavement and their feet, whereas they had to stand actually on the pavement itself, Zeb. 15b.

(5) 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.

(6) I.e., they made them short, so that they did not reach down to the blood.

(7) E.V. Garment. Lev. VI, 3.

(8) But reach exactly to the ground.

(9) Lev. I, 13.

(10) Projecting boards alongside the walls.

(11) This was not necessarily done by the same priest.

(12) In the fashion of Arab merchants, Rashi. Jast.: in the manner of travelers.

(13) Lit., 'riding' — i.e., carrying it upon one's shoulder.

(14) V. Glos.

(15) 'Labor' (מלאכה) denotes work regarded as Biblically forbidden, whereas a shebuth is only a Rabbinical interdict.

(16) Lit., 'prove'.

(17) Lit., 'they permitted (that which is forbidden on the Sabbath) on account of labor', etc. Slaughtering and cooking, for example, are permitted on Festivals, whereas bringing food from without the Tehum which is only a Rabbinical prohibition, is forbidden.

(18) Haza'ah connotes the sprinkling of the waters of purification (v. Lev. XIV, 7, 16; Num. XIX, 19) upon an unclean person; Zerikah, the sprinkling of the blood of the sacrifice upon the altar.

(19) If the seventh day of the unclean person (v. Num. ibid.) falls on the Sabbath, which happens to be the eve of

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SAID R. AKIBA TO HIM, OR ON THE CONTRARY: IF HAZA'AH, WHICH IS [FORBIDDEN] AS A SHEBUTH, DOES NOT OVERRIDE THE SABBATH,¹ THEN SHECHITAH, WHICH IS [NORMALLY FORBIDDEN] ON ACCOUNT OF LABOUR, IS IT NOT LOGICAL THAT IT DOES NOT OVERRIDE THE SABBATH.² AKIBA! SAID R. ELIEZER TO HIM, YOU WOULD ERASE WHAT IS WRITTEN IN THE TORAH, [LET THE CHILDREN OF ISRAEL PREPARE THE PASSOVER SACRIFICE] IN ITS APPOINTED TIME,³ [IMPLYING] BOTH ON WEEK-DAYS AND ON THE SABBATH. SAID HE TO HIM, MASTER, GIVE ME AN APPOINTED TIME FOR THESE AS THERE IS AN APPOINTED SEASON FOR SHECHITAH!⁴ R. AKIBA STATED A GENERAL RULE: WORK WHICH COULD BE DONE ON THE EVE OF THE SABBATH OVERRIDES⁵ THE SABBATH; SHECHITAH, WHICH COULD NOT BE DONE ON THE EVE OF THE SABBATH, DOES OVERRIDE THE SABBATH.

GEMARA. Our Rabbis taught: This Halachah was hidden from [i.e., forgotten by] the Bene Bathyra.⁶ On one occasion the fourteenth [of Nisan] fell on the Sabbath, [and] they forgot and Passover, R. Akiba holds that the Haza'ah must not be performed, though the man is thereby prevented from joining in the Passover sacrifice. did not know whether the Passover overrides the Sabbath or not. Said they, 'Is there any man who knows whether the Passover overrides the Sabbath or not?'

They were told, 'There is a certain man who has come up from Babylonia, Hillel the Babylonian by name, who served⁷ the two greatest men of the time,⁸ and he knows whether the Passover overrides the Sabbath or not [Thereupon] they summoned him [and] said to him, 'Do you know whether the

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Passover overrides the Sabbath or not?' 'Have we then [only] one Passover during the year which overrides the Sabbath?' replied he to them, 'Surely we have many more than two hundred Passovers during the year which override the Sabbath!⁹ Said they to him, 'How do you know it?'¹⁰

He answered them, 'In its appointed time' is stated in connection with the Passover, and 'In its appointed time'¹¹ is stated in connection with the Tamid; just as 'Its appointed time' which is said in connection with the Tamid overrides the Sabbath, so 'Its appointed time' which is said in connection with the Passover overrides the Sabbath. Moreover, it follows a minori, if the Tamid, [the omission of] which is not punished by Kareth, overrides the Sabbath, then the Passover, [neglect of] which is punished by kareth,¹² is it not logical that it overrides the Sabbath!

They immediately set him at their head and appointed him Nasi [Patriarch] over them,¹³ and he was sitting and lecturing the whole day on the laws of Passover. He began rebuking them with words. Said he to them, 'What caused it for you that I should come up from Babylonia to be a Nasi over you? It was your indolence, because you did not serve the two greatest men of the time, Shemaiah and Abtalyon.'

Said they to him, 'Master, what if a man forgot and did not bring a knife on the eve of the Sabbath?' 'I have heard this law,' he answered, 'but have forgotten it. But leave it to Israel: if they are not prophets, yet they are the children of prophets!' On the morrow, he whose Passover was a lamb stuck it [the knife] in its wool; he whose Passover was a goat stuck it between its horns. He saw the incident and recollected the Halachah and said, 'Thus have I received the tradition from the mouth[s] of Shemaiah and Abtalyon.'

The Master said: "'In its appointed season" is stated in connection with the Passover, and

"in its appointed time" is stated in connection with the Tamid: just as "its appointed time" which is said in connection with the Tamid overrides the Sabbath, so "its appointed time" which is said in connection with the Passover overrides the Sabbath.' And how do we know that the Tamid itself overrides the Sabbath? Shall we say, because 'in its appointed time' is written in connection with it;¹⁴ then the Passover too, surely 'in its appointed time' is written in connection with it?¹⁵ Hence [you must say that] 'its appointed time' has no significance for him [Hillel]; then here too, 'its appointed time' should have no significance for him? — Rather Scripture saith, This is the burnt-offering of every Sabbath, beside the continual burnt-offering:¹⁶ whence it follows that the continual burnt-offering [Tamid] is offered on the Sabbath.

The Master said: 'Moreover, it follows a minori: if the Tamid, [the omission of] which is not punished by Kareth, overrides the Sabbath; then the Passover, [neglect of] which is punished by Kareth, is it not logical that it overrides the Sabbath!' [But] this can be refuted: as for the Tamid, that is because it is constant,¹⁷ and entirely [burnt]?¹⁸ — He first told them the a minori argument, but they refuted it; [so] then he told them the Gezerah shawah. But since he had received the tradition of a Gezerah shawah, what was the need of an a minori argument? — Rather he spoke to them on their own ground: It is well that you do not learn a Gezerah shawah, because a man cannot argue [by] a Gezerah shawah of his own accord.¹⁹ But [an inference] a minori, which a man can argue of his own accord, you should have argued! — Said they to him, It is a fallacious a minori argument.

The Master said: 'On the morrow, he whose Passover was a lamb stuck it in its wool; [he whose Passover was] a goat stuck it between its horns.'

(1) I regard this as certain.

(2) This is a reductio ad absurdum.

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(3) Num. IX, 2.

(4) Shechitah must be done on the fourteenth; have these a similar fixed time? — surely not!

(5) Lit., 'every work. .. does not override'.

(6) 'The children of Bathyra' — they were the religious heads of Palestine at the time of this incident. — Bathyra is a town of Babylonia. [Their name is, however, generally held to be derived from the colony of that name in Batanea mentioned in Josephus, Antiquities, XVII, 2, 2, and established by Herod for the settlement of the Jews who had come from Babylon.]

(7) I.e., studied under.

(8) Lit., 'generation'.

(9) I.e., during the year more than two hundred sacrifices are offered on the Sabbath, viz., the two daily burnt-offerings and the two additional sacrifices of every Sabbath, besides the extra sacrifices offered on the Sabbath which occurs in the middle of Passover and the middle of Tabernacles.

(10) A question of such importance cannot be decided by a mere argument, however strong, but must have Biblical support, as well as the support of tradition.

(11) Num. XXVIII, 2.

(12) V. Num. IX, 13.

(13) This story of Hillel's rise to eminence contains a number of difficulties particularly (i) The ignorance of Bene Bathyra, the religious heads of the people, and (ii) the fact that there was no single head, but the authority lay in the hands of a family. V. Halevi, Doroth, I, 3. pp. 37ff, where this is discussed at great length; he maintains that the Great Sanhedrin, which was the ruling authority on all religious matters, had been abolished, and there was no single religious head at the time. [Buchler Synhedrion pp. 144ff connects this story with the controversy related infra 70b which led to the retirement of Judah b. Durtai to the south.]

(14) Which implies whenever it is.

(15) Then why is it regarded as axiomatic in the case of the former, whereas the latter must be learnt from it?

(16) Num. XXVIII, 10.

(17) Every day; in comparison therewith the Passover, which is only once a year, is not constant.

(18) Each of which fact gives it a stronger claim to override the Sabbath.

(19) A man must have received a tradition from his teachers that a particular word in the Pentateuch is meant for a Gezerah shawah, but he cannot assume it himself. Hence the Bene Bathyar, not having received this tradition, could not adduce this Gezerah shawah.

But he performed work with sacred animals?¹ [They did] as Hillel. For it was taught: It was related of Hillel, As long as he lived² no man ever committed trespass through his burnt-offering.³ But he brought it unconsecrated [Hullin] to the Temple Court, consecrated it, laid his hand upon it,⁴ and slaughtered it. [Yet] how might a person consecrate the Passover on the Sabbath? Surely we learned: You may not consecrate, nor make a valuation vow,⁵ nor make a vow of herem,⁶ nor separate⁷ Terumah and tithes. They said all this of Festivals, how much the more of the Sabbath! —

That applies only to obligations for [the discharge of] which no time is fixed; but in the case of obligations for [the discharge of] which a time is fixed, you may consecrate. For R. Johanan said: A man may consecrate his Passover on the Sabbath, and his Festival-offering [Hagigah] on the Festival. But he drives [a laden animal]?⁸ — It is driving in an unusual way.⁹ [But] even driving in an unusual manner, granted that there is no Scriptural prohibition, there is nevertheless a Rabbinical prohibition? —

That is [precisely] what they asked him: An action which is permitted by Scripture, while a matter of a shebuth stands before it to render it impossible,¹⁰ such as [an action performed] in an unusual manner [standing] in the way of a precept, what then? Said he to them, 'I have heard this Halachah, but have forgotten it: but leave [it] to Israel, if they are not prophets they are the sons of prophets.'

Rab Judah said in Rab's name: Whoever is boastful, if he is a Sage. his wisdom departs from him; if he is a prophet, his prophecy departs from him. If he is a Sage, his wisdom departs from him: [we learn this] from Hillel. For the Master said, 'He began rebuking them with words,' and [then] he said to them, 'I have heard this Halachah, but have forgotten it'.¹¹ If he is a prophet, his prophecy departs from him: [we learn this]

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from Deborah. For it is written, The rulers ceased in Israel, they ceased, until that I arose, Deborah, I arose a mother in Israel;¹² and it is written, Awake, awake, Deborah, awake, awake, utter a song.¹³

Resh Lakish said: As to every man who becomes angry, if he is a Sage, his wisdom departs from him; if he is a prophet, his prophecy departs from him. If he is a Sage, his wisdom departs from him: [we learn this] from Moses. For it is written, And Moses was wroth with the officers of the host, etc.;¹⁴ and it is written, And Eleazar the Priest said unto the men of war that went to the battle: This is the statute of the law which the Lord hath commanded Moses, etc.¹⁵ whence it follows that it had been forgotten by Moses.¹⁶ If he is a prophet, his prophecy departs from him: [we learn this] from Elisha. Because it is written, 'were it not that I regard the presence of Jehoshaphat the king of Judah, I would not look toward thee, nor see thee',¹⁷ and it is written, 'But now bring me a minstrel,' And it came to pass, when the minstrel played, that the hand of the Lord [i.e., the spirit of prophecy] came upon him.¹⁸

R. Mani b. Pattish said: Whoever becomes angry, even if greatness has been decreed for him by Heaven, is cast down. Whence do we know it? From Eliab, for it is said, and Eliab's anger was kindled against David, and he said: 'Why art thou come down? and with whom hast thou left those few sheep in the wilderness? I know thy presumptuousness, and the naughtiness of thy heart; for thou art come down that thou mightest see the battle.'¹⁹ And when Samuel went to anoint him [sc. A king], of all [David's brothers] it is written, neither hath the Lord chosen this,²⁰ whereas of Eliab it is written, But the Lord saith unto Samuel, 'Look not on his countenance, or on the height of his stature; because I have rejected him':²¹ hence it follows that He had favored him until then. We have [thus] found that the Tamid and the Passover override the Sabbath; how do we know that they override uncleanness?²² —

I will tell you: just as he learns the Passover from the Tamid in respect to the Sabbath, so also does he learn the Tamid from the Passover in respect to uncleanness. And how do we know it of the Passover itself? —

Said R. Johanan. Because the Writ saith, If any man of you shall be unclean by reason of a dead body:²³ a man [i.e.. an individual] is relegated to the second Passover,²⁴ but a community is not relegated to the second Passover, but they must offer it in [a state of] uncleanness.

R. Simeon b. Lakish said to R. Johanan: Say, a man is relegated to the second Passover, [whereas] a community has no remedy [for its uncleanness]. neither on the first Passover not on the second Passover?

Rather, said R. Simeon b. Lakish. [It is deduced] from here: [Command the children of Israel,] that they send out of the camp of every leper, and every one that hath an issue, and whosoever is unclean by the dead:²⁵ let [Scripture] state those who are unclean by the dead, and not state zabin²⁶ and lepers, and I would argue, if those who are unclean by the dead are sent out [of the camp]. how much the more Zabin and lepers!²⁷

(1) Which is forbidden, v. Deut. XV, 19: thou shalt do no work with the firstling of thine ox — a firstling being sacred.

(2) Lit., 'from his days'.

(3) I.e.. through making unlawful use of the consecrated animal.

(4) v. Lev. I, 4: and he shall lay his hand upon the head of the burnt-offering.

(5) I.e.. vow your own value to the Temple; v. Lev. XXVII, 2-13.

(6) A vow dedicating an object for priestly use, *ibid.* 28 seq.

(7) Lit., 'raise', 'lift off'.

(8) Which is likewise forbidden.

(9) Lit., 'as in a back-handed manner' — an idiom connoting an unusual way of doing anything. Sheep and goats are not employed as beasts of burden, hence this is unusual, whereas by Scriptural law work is forbidden on the Sabbath and Festivals only when performed in the usual way.

(10) Lit., 'to eradicate it'.

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- (11) Though his rebuke was probably justified and timely, he should not have drawn attention to his own promotion.
(12) Judg. V, 7.
(13) Ibid. 12; thus after boasting that she was a mother in Israel, she had to be urged to awake and utter song. i.e., prophecy, the spirit having departed from her.
(14) Num. XXXI, 14.
(15) Num. XXXI, 21.
(16) Lit., 'it had become hidden from Moses'.
(17) II Kings III, 14; this was an expression of anger.
(18) Ibid. 15.
(19) I Sam. XVII, 28.
(20) Ibid. XVI, 8f. passim.
(21) Ibid. 7.
(22) If the larger part of the community is unclean, these offerings are still sacrificed.
(23) Num. IX, 10.
(24) I.e., in the second month, *ibid.* II.
(25) Num. V, 2.
(26) Those who have an issue. Pl. of Zab, q.v. Glos.
(27) Their uncleanness is more stringent, since it emanates from themselves.

Pesachim 67a

But [it intimates,] there is a time when Zabin and lepers are sent out, whereas those who are unclean by the dead are not sent out; and when is that? It is [when] the Passover comes [is sacrificed] in uncleanness.

Said Abaye, If so, let us also argue: 'Let [Scripture] state a Zab and those who are unclean by the dead, and let it not state a leper, and I would argue, If a Zab is sent out, how much the more a leper; but [the fact that a leper is stated intimates] there is a time when lepers are sent out, whereas Zabin and those who are unclean by the dead are not sent out, and when is that? It is [when] the Passover comes in uncleanness'? And should you say. That indeed is so-surely we learned: The Passover which comes in uncleanness, Zabin and Zaboth, menstruant women and women in childbirth must not eat thereof, yet if they ate, they are not liable [to Kareth]?

Rather, said Abaye. After all, [it is derived] from the first verse;¹ [and as to the question raised,² the reply is]. If so,³ let the Divine Law write, 'If any man of you shall be unclean';

what is the purpose of 'by reason of a dead body'? And should you say, this [phrase] 'by reason of a dead body' comes for this [purpose, viz.] only he who is unclean by reason of a dead body is relegated to the second Passover, but not other unclean [persons], surely' it was taught: You might think that only those who are unclean by the dead and he who was on a distant journey keep the second Passover; whence do we know [to include] Zabin and lepers and those who had intercourse with menstruant women?⁴

Therefore it is stated, 'any man'.⁵ Then what is the purpose of [the phrase] 'by reason of a dead body' which the Divine Law wrote? But this is what [Scripture] states: A man [i.e.. an individual] is relegated to the second Passover, whereas a community is not relegated to the second Passover, but they keep [the first Passover] in uncleanness. And when do the community keep [the first Passover] in uncleanness? When [they are] unclean by reason of the dead; but in the case of other forms of uncleanness, they do not keep [it thus].

R. Hisda said: If a leper entered within his barrier,⁶ he is exempt [from flagellation],⁷ because it is said, he shall dwell solitary; without the camp shall his dwelling be:⁸ the Writ transformed it [his prohibition] into a positive command.⁹

An objection is raised: A leper who entered within his barrier [is punished] with forty lashes; Zabin and Zaboth who entered within their barrier [are punished] with forty lashes; while he who is unclean by the dead is permitted to enter the Levitical camp;¹⁰ and they said this not only [of] him who is unclean by the dead but even [of] the dead himself, for it is said, And Moses took the bones of Joseph with him,¹¹ 'with him' [implying] within his barrier [precincts]!¹² —

It is [a controversy of] Tannaim. For it was taught: 'He shall dwell solitary': [that means,] he shall dwell alone so that other

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unclean persons¹³ should not dwell with him.¹⁴ You might think that Zabin and unclean persons are sent away to one [the same] camp; therefore it is stated, that they defile 'not their camps:¹⁵ [this is] to assign a camp for this One and a camp for that one: this is R. Judah's opinion.

R. Simeon said, It is unnecessary. For lo, it is said, '[Command the children of Israel] that they send out of the camp every leper, and everyone that hath all issue, and whosoever is unclean by the dead'.¹⁶ Now, let [Scripture] state those who are unclean by the dead and not state Zab, and I would say, if those who are unclean by the dead are sent out, how much the more Zabin! Why then is Zab stated? To assign a second camp to him. And let [Scripture] state Zab and not state leper, and I would say, if Zabin are sent out, how much the more lepers! Why then is a leper stated? To assign a third camp to him. When it states, 'he shall dwell solitary', the Writ transforms it [the prohibition] into a positive command.¹⁷ What is the greater stringency of a Zab over him who is unclean by reason of the dead?¹⁸ —

Because uncleanness issues upon him from his own body. On the contrary, he who is unclean by the dead is more stringent, since he requires sprinkling on the third and the seventh [days]?¹⁹ —

Scripture saith, [instead of] 'the unclean,' 'and whosoever [Kol] is unclean,'²⁰ to include him who is unclean through a reptile, and a Zab is more stringent than he who is unclean through a reptile; and what is his greater stringency? As we have stated.²¹ On the contrary, a reptile is more stringent, since it defiles [even] accidentally?²² I will tell you:

- (1) Num. IX, 10.
- (2) By Resh Lakish.
- (3) That the deduction is to be made as R. Simeon b. Lakish proposes.
- (4) Which act defiles them.
- (5) Heb. Ish Ish: the doubling indicates extension, and therefore includes these.

(6) I.e., into the precincts that are forbidden to him.

(7) Though he thereby transgressed the negative injunction, that they defile not their camp. — Num. V, 3.

(8) Lev. XIII, 46.

(9) Only a negative command involves flagellation, but not a positive command. Though a negative command is stated in this connection, this verse teaches that he is regarded as having violated a positive command only.

(10) The whole of the Temple Mount outside the walls of the Temple Court is so called.

(11) Ex. XIII, 19.

(12) Moses was a Levite.

(13) E.g., Zabin and those unclean through the dead.

(14) This shows that his uncleanness is greater and stricter than theirs.

(15) Num. V, 3: 'camps'. plural.

(16) Num. V, 2.

(17) Since according to R. Simeon this can have no other purpose; thus we have a controversy of Tannaim.

(18) That the former could be deduced as stated a minori from the latter.

(19) V. Num. XIX. 19.

(20) I.e., Scripture employs the second, more-embracing phrase, where the first would suffice.

(21) That the uncleanness emanates from himself. Hence the reference to a Zab is superfluous, and therefore it teaches as above.

(22) I.e., even if it touches the person by accident. But a discharge makes a man unclean as a Zab only if it issues of its own accord. If, however, it is caused by an 'accident', e.g., physical over-exertion or highly-seasoned food, he is not unclean.

Pesachim 67b

To that extent¹ a Zab too is certainly defiled through an accident, in accordance with R. Huna.

For R. Huna said: The first discharge² of a Zab defiles [when it is caused] by an accident.³ What is the greater stringency of a leper over a Zab? Because he requires peri'ah⁴ and rending [of garments], and he is forbidden sexual intercourse.⁵ On the contrary, a Zab is more stringent, because he defiles couch and seat,⁶ and he defiles earthen vessels by hesset?⁷ —

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Scripture saith, [instead of] 'a leper', 'and every [Kol] leper's to include a Ba'al keri;⁹ and a leper is more stringent than a Ba'al Keri, and what is his greater stringency? As we have stated.¹⁰ On the contrary, a Ba'al Keri is more stringent, because he defiles by the smallest quantity [of semen]?¹¹ —

He agrees with R. Nathan. For it was taught, R. Nathan said on the authority of R. Ishmael: A Zab requires [a discharge of matter] sufficient for the closing of the orifice of the membrum, but the Sages did not concede this to him. And he holds that a Ba'al Keri is assimilated to a zab.¹² What is the purpose of 'and every [Kol] leper'?¹³ —

Since 'every one [Kol] that hath an issue' is written, 'every [Kol] leper' too is written.¹⁴ Now [as for] R. Judah. [surely] R. Simeon says well?¹⁵ — He requires that¹⁶ for what was taught; R. Eliezer said: You might days, but only until evening, while a reptile too defiles until evening only. think, if Zabin and lepers forced their way through and entered the Temple Court at a Passover sacrifice which came in uncleanness,¹⁷ — you might think that they are culpable; therefore it is stated, ['Command the children of Israel,] that they send out of the camp every leper', and every one that hath an issue [Zab], and whosoever is unclean by the dead': when those who are unclean by the dead are sent out, Zabin and lepers are sent out; when those who are unclean by the dead are not sent out, Zabin and lepers are not sent out.

The Master said: "And every [Kol] one that hath an issue" is to include a Ba'al Keri'. This supports R. Johanan. For R. Johanan said: The cellars [under the Temple] were not consecrated; and a Ba'al Keri is sent without the two camps.¹⁸

An objection is raised: A Ba'al Keri is like [a person defiled through] contact with a reptile. Surely that means in respect of their camp?¹⁹ No: [it means] in respect of their uncleanness.²⁰ [You say] 'In respect of their uncleanness!' [Surely] uncleanness until

evening is written in connection with the one, and uncleanness until evening is written in connection with the other?²¹ Hence it must surely mean in respect of their camp! — No: after all [it means] in respect of their uncleanness, and he informs us this: that a Ba'al Keri is like [a person defiled through] the contact of the reptile: just as the contact of a reptile defiles [even] accidentally, so is a Ba'al Keri defiled [when the semen is discharged] accidentally.²² An objection is raised:

- (1) Lit., 'in such a manner' as that defilement caused by a reptile.
- (2) Lit., 'seeing' — of discharge.
- (3) He is not unclean as a Zab, for a period of seven
- (4) Letting the hair grow long and neglected, v. Lev. XIII, 45.
- (5) V. M.K. 7b.
- (6) This is a technical phrase. He defiles that whereon he lies or sits, imposing such a high degree of uncleanness on it that if a man touches it he in turn becomes so unclean as to defile his garments, even if they did not touch it. But a leper, though he too defiles couch and seat, the degree of uncleanness is less, and the man who touches it becomes unclean only in so far that he in turn defiles food and drink, but not his garments, nor can he defile any other utensils by touch. — Rashi. But Maim. and others omit this passage, whence it appears that they do not accept this distinction; v. also Tosaf. a.l. s.v. שָׁכַן.
- (7) Lit., 'shaking'. A Zab defiles an earthen vessel when he causes it to move through his weight. e.g., if it is standing on one end of a rickety bench and he sits down on the other, causing it to move upwards, as on a see-saw.
- (8) V. p. 341. n. 5.
- (9) A man who has discharged semen.
- (10) Rashi understands this as part of the following question: Now what is his greater stringency as stated? On the contrary, etc.
- (11) Whereas for leprosy there must be at least as much as a bean (geris).
- (12) As it is written, This is the law of him that hath an issue (Zab), and of him from whom the flow of seed goeth out (Ba'al Keri) — Lev. XV, 32. Thus a Ba'al Keri too requires a certain minimum; hence a leper is more stringent, and therefore a leper is mentioned in order to assign a third camp to him.
- (13) I.e., the 'Kol' written in connection with a leper.
- (14) For the sake of parallelism.

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(15) What then is the purpose of the verse quoted by R. Judah supra 67a?

(16) Sc. the verse employed by R. Simeon for this purpose.

(17) I.e., when the community as a whole was unclean.

(18) Viz., the camp of the Shechinah (the place of the Sanctuary) and the Levitical camp, just like a Zab. R. Johanan heard these two teachings from his master (Rashi).

(19) I.e., just as a man who is defiled by a reptile is sent out from the camp of the Shechinah only. i.e., from the Temple, so is a Ba'al Keri.

(20) Neither is unclean for seven days, but only until the evening.

(21) V. Lev. XI, 24; XV, 16. Hence the comparison is pointless and unnecessary.

(22) V. supra 67a bottom and note a.l.

Pesachim 68a

He who has intercourse with a niddah¹ is like he who is unclean by the dead.² In respect of what: shall we say, in respect of their uncleanness, — but uncleanness for seven [days] is written in connection with the one, and uncleanness for seven days is written in connection with the other?³ Hence it must surely be in respect of their camp;⁴ and since the second clause is in respect of their camps, the first clause too is in respect of their camps? — What argument is this! the one is as stated, and the other is as stated.⁵

An objection is raised: A leper is more stringent than a zab,⁶ and a Zab is more stringent than he who is unclean by the dead.⁷ A Ba'al Keri is excepted, for he who is unclean by the dead is more stringent than he. What does 'is excepted' mean? Surely [it means], he is excepted from the rule of a Zab and is included⁸ in the rule of him who is unclean by the dead, seeing that he who is unclean by the dead is more stringent than he, and [yet] he is permitted within the Levitical camp? — No: [it means that] he is excepted from the camp of him who is unclean by the dead and is included in the camp of a Zab; and though he who is unclean by the dead is more stringent than he, and [yet] he may enter the Levitical camp.

[nevertheless] we compare him [the Ba'al Keri] to what is like himself.⁹

A Tanna recited before R. Isaac b. Abdimi: Then he shall go abroad out of the camp:¹⁰ this means the camp of the Shechinah;¹¹ he shall not come within the camp:¹² this means the Levitical camp. From this [we learn] that a Ba'al Keri must go without the two camps.¹³ Said he to him, You have not yet brought him in that you should [already] expel him!¹⁴ Another version: you have not yet expelled him, and [already] you [discuss whether] he should enter!¹⁵ Rather say: 'abroad out of the camp' — this is the Levitical camp; 'he shall not come within the camp' — that is the camp of the Shechinah.

To this Rabina demurred: Assume that both refer to the camp of the Shechinah, [it being repeated] so that he should violate an affirmative command and a negative command on its account? If so, let Scripture say, 'Then he shall go abroad out of the camp' and 'he shall not enter': what is the purpose of 'within the camp'? Infer from it that it is to prescribe another camp for him.¹⁶

AND THE CLEANSING [MIHUY] OF ITS BOWELS. What is THE CLEANSING OF ITS BOWELS? — R. Huna said: [It means] that we pierce them with a knife.¹⁷ Hiyya b. Rab said: [It means the removal of] the viscous substance of the bowels, which comes out through the pressure of the knife.

R. Eleazar observed, What is Hiyya b. Rab's reason? Because it is written, and the waste places of the fat ones [Mehim] shall wanderers eat.¹⁸ How does this imply it? — As R. Joseph¹⁹ translated: and the estates of the wicked shall the righteous inherit.²⁰ Then shall the lambs feed as in their pasture [Kedobram]:²¹ Menassia b. Jeremiah interpreted it in Rab's name: As was spoken about them [Kimedubbar bam].²² What means 'as was spoken about them'? —

Said Abaye: 'And the waste places of the fat ones shall wanderers eat'. Said Raba to him,

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If 'the waste places' were written, it would be well as you say;²³ since, however, 'and the waste places' is written, this states another thing.

Rather, said Raba: [It is to be explained] as R. Hananel said in Rab's name. For R. Hananel said in Rab's name: The righteous are destined to resurrect the dead. [For] here it is written, 'Then shall the lambs feed Kedobram', while elsewhere it is written, Then shall Bashan and Gilead feed as in the days of old.²⁴ [Now] Bashan means Elisha, who came from Bashan, as it is said, 'and Janai and Shaphat in Bashan,²⁵ while it is written, Elisha the son of Shaphat is here, who poured water on the hands of Elijah.²⁶ [Again,] Gilead alludes to Elijah, for it is said, And Elijah the Tishbite, who was of the settlers of Gilead, said [unto Ahab].²⁷ R. Samuel b. Nahmani said in R. Jonathan's name: The righteous are destined to resurrect the dead, for it is said, There shall yet old men and old women sit in the broad places of Jerusalem, every man with his staff in his hand for very age;²⁸ and it is written, and lay my staff upon the face of the child.²⁹

'Ulla opposed [two verses]. It is written, He will swallow up death for ever;³⁰ but it is written, For the youngest shall die a hundred years old?³¹ There is no difficulty: there the reference is to Israel; here, to heathens. But what business have the heathens there? — Because it is written, And strangers shall stand and feed your flocks, and aliens shall be your plowmen and your vinedressers.³²

R. Hisda opposed [two verses]. It is written, Then the moon shall be confounded, and the sun ashamed;³³ whereas it is written, Moreover the light of the moon shall be as the light of the sun, and the light of the sun shall be sevenfold, as the light of the seven days?³⁴ There is no difficulty: the former refers to the world to come;³⁵ the latter to the days of the Messiah.³⁶ But according to Samuel, who maintained, This world differs from the Messianic age only in respect of the servitude to governments,³⁷ what can be

said? — Both refer to the world to come, yet there is no difficulty: one refers to the camp of the righteous; the other, to the camp of the Shechinah.

Raba opposed [two verses]: It is written, I kill, and I make alive;³⁸ whilst it is also written, I have wounded, and I heal;³⁹ seeing that He even resurrects, how much the more does He heal!⁴⁰ But the Holy One, blessed be He, said thus: What I put to death I make alive, just as I wounded and I heal [the same person].⁴¹

Our Rabbis taught: 'I kill, and I make alive': You might say, I kill one person and give life to another, as the world goes on.⁴² Therefore it is stated, 'I have wounded, and I heal': just as the wounding and the healing [obviously] refer to the same person, so death and life refer to the same person. This refutes those who maintain that resurrection is not intimated in the Torah.⁴³ Another interpretation: At first what I slay I resurrect;⁴⁴ and then, what I wounded I will heal.⁴⁵

(1) V. Glos.

(2) This is the conclusion of the Mishnah just quoted, Zab. V, 11.

(3) V. Lev. XV, 24; Num. XIX, 11.

(4) Both are sent out of the camp of the Shechinah only.

(5) Lit., 'as it is', i.e., each clause is governed by its own particular requirements.

(6) The leper being sent out of all three camps, whereas the Zab is sent out of two only; supra 67a.

(7) The last-named being sent out of the camp of the Shechinah only.

(8) Lit., 'enters'.

(9) Viz., a Zab. Thus the meaning of the Baraitha is this: A leper, a Zab, and he who is unclean by the dead follow the rule that the more stringent the uncleanness the further away is he sent; but a Ba'al Keri is excepted from this rule, and though his uncleanness is less than that of a person unclean by the dead, he is sent further away, because he must be compared to a Zab, since both are unclean through bodily discharge.

(10) Deut. XXIII, 11; the reference is to a Ba'al Keri.

(11) The Sanctuary.

(12) Ibid.

(13) I.e., if he is in the Temple ('the camp of the Shechinah') when he becomes a Ba'al Keri, he

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must leave both that and the Temple mount ('the Levitical camp').

(14) I.e., since Scripture states that he must not enter the Levitical camp, it follows that he is without: how then say that he is inside? (Rashi).

(15) I.e., you have not yet ordered him to leave the Levitical camp, and yet you are already forbidding him to enter.

(16) From which he must depart.

(17) To allow the dung to fall out.

(18) Isa. V, 17.

(19) [V. Targum version a.l. The Targum on the Prophets is ascribed by some to R. Joseph. V. B.K., Sonc. ed. p. 9, n. 9.]

(20) Thus he translates 'Mehim' the wicked, i.e., the repulsive; similarly 'Mihuy' refers to the repulsive matter, viz., the viscous substance.

(21) Ibid. One part of the verse having been quoted and translated, the Gemara proceeds to discuss the other half.

(22) I.e., in accordance with the promise made: 'lambs' is understood as meaning Israel.

(23) The second part of the verse being explanatory of the first.

(24) Mic. VII, 14.

(25) I Chron. V, 12.

(26) II Kings III, 11.

(27) I Kings XVII, 1. Now both Elijah and Elisha resurrected the dead (v. ibid. IV; I Kings XVII, 21 seq.) 'feed' is therefore understood to allude to this metaphorically; hence the same meaning is assigned to 'feed' in the first verse too, 'the lambs' being the righteous.

(28) Zech. VIII, 4.

(29) II Kings IV, 29. The staff was employed to revive the child (ibid. seq.), and the same purpose is assumed for it in the first verse.

(30) Isa. XXV, 8.

(31) Ibid. LXV, 20.

(32) Ibid. LXI, 5.

(33) Ibid. XXIV, 23.

(34) Ibid. XXX, 26.

(35) Then the sun and the moon shall be ashamed — i.e., fade into insignificance because of the light radiating from the righteous (Rashi in Sanh. 91b).

(36) V. Sanh., Sonc. ed., p. 601, n. 3.

(37) I.e., delivery from oppression.

(38) Deut. XXII, 39.

(39) Ibid.

(40) Why then state it? v. Sanh. 91b and notes a.l. in the Sonc. ed.: the point of the difficulty is explained there differently.

(41) As explained in the next passage.

(42) People dying and others being born.

(43) V. Sanh., Sonc. ed., p. 601, n. 5 and p. 604, n. 12.

(44) I.e., in the same state.

(45) After their resurrection I will heal them of the blemishes they possessed in their former life.

Pesachim 68b

AND THE BURNING OF ITS FAT. It was taught, R. Simeon said: Come and see how precious is a precept in its [proper] time.¹ For lo! the [precept of] burning the fats and limbs and the fat-pieces is valid all night, yet we do not wait for [burning] them until nightfall.²

ITS CARRYING AND ITS BRINGING, etc. But the following contradicts it: You may cut off a wart [of an animal] in the Temple, but not in the country,³ and if [it is done] with a utensil [a knife], it is forbidden in both cases?⁴

R. Eleazar and R. Jose b. Hanina one answered, Both refer to [removing the wart] with the hand: one refers to a moist [wart]; the other, to a dry one. While the other maintains, Both refer to a moist [wart], yet there is no difficulty: one means by hand, and the other means with a utensil.⁶ Now according to him who explained. 'One means by hand, and the other means with a utensil,' why did he not say. Both mean by hand, yet there is no difficulty: one refers to a moist [wart]; the other, to a dry one? —

He can answer you: a dry one [just] crumbles away.⁷ And according to him who maintained, 'Both mean by hand, yet there is no difficulty: one refers to a moist [wart]; the other to a dry one'; why did he not say: Both refer to a moist [wart], yet there is no difficulty: one means by hand, and the other means with a utensil? —

He can answer you: as for a utensil, Surely he [the Tanna] teaches there, 'if [it is done] with a utensil, it is forbidden in both cases!'⁸ And the other?⁹ That which he teaches [about] a utensil here, [is because] he comes to inform us of the controversy of R. Eliezer and R. Joshua. SAID R. ELIEZER... IF SHECHITAH, etc. R. Joshua is consistent with his view, for he maintains, Rejoicing on a Festival too is a religious duty.¹⁰

PESOCHIM - 60b-86b

For it was taught, R. Eliezer said: A man has naught else [to do] on a Festival save either to eat and drink or to sit and study. R. Joshua said: Divide it: [devote] half of it to eating and drinking, and half of it to the Beth Hamidrash. Now R. Johanan said thereon: Both deduce it from the same verse. One verse says, a solemn assembly to the Lord thy God,¹¹ whereas another verse says, there shall be a solemn assembly unto you:¹² R. Eliezer holds: [That means] either entirely to God or entirely to you; while R. Joshua holds, Divide it: [Devote] half to God and half to yourselves.

(Mnemonic: *'abam.*)¹³

R. Eleazar said: All agree in respect to the Feast of Weeks [*'Azereth*]¹⁴ that we require [it to be] 'for you' too. What is the reason? It is the day on which the Torah was given.¹⁵ Rabbah said: All agree in respect to the Sabbath that we require [it to be] 'for you' too. What is the reason? And thou shalt call the Sabbath a delight.¹⁶ R. Joseph said: All agree that on Purim we require 'for you' too. What is the reason? Days of feasting and gladness¹⁷ is written in connection therewith.

Mar son of Rabina would fast¹⁸ the whole year,¹⁹ except on the Feast of Weeks, Purim, and the eve of the Day of Atonement. The Feast of Weeks, [because] it is the day on which the Torah was given: Purim, [because] 'days of feasting and gladness' is written in connection therewith. The eve of the Day of Atonement: for Hiyya b. Rab of Difti taught: And ye shall afflict your souls on the ninth day of the month:²⁰ do we then fast on the ninth? Surely we fast on the tenth! But this is to tell you: whoever eats and drinks on the ninth thereof, the Writ ascribes [merit] to him as though he had fasted on the ninth and the tenth.²¹

R. Joseph would order on the day of Pentecost: 'Prepare me a third-born calf,'²² saying. 'But for the influence of this day,²³ how many Josephs are there in the market place!'²⁴

R. Shesheth used to revise his studies every thirty days, and he would stand and lean at the side of the doorway and exclaim, 'Rejoice, O my soul, Rejoice. O my soul; for thee have I read [the Bible], for thee have I studied [the Mishnah].' But that is not so, for R. Eleazar said, But for the Torah, heaven and earth would not endure, for it is said, If not for my covenant by day and by night, I had not appointed the ordinances of heaven and earth?²⁵ — In the first place when a man does it [sc. studies], he does so with himself in mind.

R. Ashi said: Yet according to R. Eliezer too, who maintained that [rejoicing on] a Festival is [merely] voluntary, he can be refuted:²⁶ if a Festival, when labor for a voluntary [requirement] is permitted,²⁷ yet the shebuth which accompanies it is not permitted; then the Sabbath, whereon only labor [required for the carrying out of] a precept is permitted, is it not logical that the shebuth which accompanies it is not permitted!

(1) I.e., as soon as it can be performed, even if it can be postponed.

(2) But do it immediately, though it is the Sabbath.

(3) Medinah, 'province'. This is the technical designation for all places outside the Temple.

(4) 'Er. 103a.

(5) Our Mishnah refers to a moist wart. Even when it is removed by hand, which is merely a Shebuth, it is forbidden, since it could have been removed the previous day. But in 'Er. 103a the reference is to a dry one, the removal of which is not even regarded as a shebuth.

(6) The former is permitted, while the latter is forbidden. — This of course is a more lenient explanation.

(7) It would not be called cutting at all.

(8) Why then should it be repeated in the present Mishnah?

(9) Does he not accept the force of this argument?

(10) Not merely permitted.

(11) Deut. XVI, 8.

(12) Num. XXIX, 35.

(13) A mnemonic is a word or phrase, whose letters or words respectively each stand for a tithe or catchword of a subject, strung together as an aid to the memory. Here 'a _ 'Azereth' B _ Shabbath; M _ Purim.

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(14) Lit., 'the solemn assembly' — without a further determinant this always means the Feast of Weeks.

(15) Therefore we must demonstrate our joy in it by feasting.

(16) Isa. LVIII, 13.

(17) Esth. IX, 22.

(18) Lit., 'sat in a fast'.

(19) That is if the occasion arose.

(20) Lev. XXIII, 32. The punctuation of the E.V. has been disregarded, as is required by the context.

(21) Together.

(22) I.e., the third calved by its mother. Others translate: (i) in its third year; or (ii) third grown, i.e., one that has reached a third of its full growth. On all translations this was regarded as particularly choice.

(23) Lit., 'if this day had not caused (it).'

(24) I.e., I owe my eminence to having studied the Torah, which was given on this day.

(25) Jer. XXXIII, 25. I.e., if not for my Torah, which is to

(26) Lit., 'there is a refutation for him'.

(27) I.e., Shechitah, though the eating of meat, which constitutes rejoicing, is voluntary.

Pesachim 69a

And R. Eliezer?¹ — In his view the shebuth [required] for a precept is more important.² It was taught. R. Eliezer said: I argue, if³ the necessary adjuncts of the precept which [come] after shechitah,⁴ when the precept has [already] been performed, override the Sabbath; shall not the necessary adjuncts of the precept which [come] before Shechitah override the Sabbath!

Said R. Akiba to him: If the necessary adjuncts of the precept which [come] after Shechitah override the Sabbath, the reason is⁵ because the Shechitah has [already] overridden the Sabbath;⁶ will you say that the necessary adjuncts of the precept before the Shechitah shall override the Sabbath, seeing that the Shechitah has not [yet] overridden the Sabbath?⁷ Another argument is: the sacrifice may be found to be unfit, and thus he will be found retrospectively to have desecrated the Sabbath.⁸ If so, let us not slaughter it either, lest the sacrifice be found unfit, and thus it be found that he retrospectively desecrated the Sabbath? —

Rather, he first told him this [argument], and he refuted it; and then he told him this 'the reason is, etc. be studied by day and by night, heaven and earth would not enjoy permanence. How then could R. Shesheth take such a selfish view of his studies?

R. AKIBA ANSWERED AND SAID: LET HAZA'AH PROVE IT, etc. It was taught, R. Eliezer said to him: 'Akiba, you have refuted me by Shechitah,' by Shechitah shall be his death!⁹ Said he to him 'Master, do not deny me at the time of argument:¹⁰ I have thus received [the law] from you. [vis.] Haza'ah is a shebuth and does not override the Sabbath.'¹¹ Then since he himself had taught it to him, what is the reason that he retracted? —

Said 'Ulla: When R. Eliezer taught it to him it was concerning Haza'ah for [the sake of] Terumah,¹² since Terumah itself does not override the Sabbath;¹³ [and] R. Akiba too, when he refuted him refuted him by Haza'ah for [the sake of] Terumah, which is [likewise] a religious duty¹⁴ and is [usually forbidden] as a shebuth; but he [R. Eliezer] thought that he was refuting him by Haza'ah for the Passover sacrifice.¹⁵

Rabbah raised an objection: R. Akiba answered and said, Let the Haza'ah of a person unclean through the dead prove [refute] it, — when his seventh [day] falls on the Sabbath and on the eve of Passover, so that it is a religious duty¹⁶ and it is [only] a shebuth, yet it does not override the Sabbath.¹⁷ Hence he [R. Eliezer] certainly taught him about Haza'ah for [the sake of] the Passover sacrifice. Then since he [himself] had taught it to him what is the reason that R. Eliezer rebutted him [thus]?—

R. Eliezer had forgotten his own tradition, and R. Akiba came to remind him of his tradition. Then let him tell it to him explicitly? — He thought that it would not be mannerly.¹⁸ Now, what is the reason that Haza'ah does not override the Sabbath; consider, it is mere handling,¹⁹ [then] let it

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override the Sabbath on account of the Passover sacrifice? —

Said Rabbah, It is a preventive measure, lest he take it [the water of purification] and carry it four cubits in public ground.²⁰ But according to R. Eliezer, let us [indeed] carry it, for R. Eliezer ruled, The necessary adjuncts to a precept override the Sabbath? I will tell you: that is only when the man himself is fit [to perform the precept] and the obligation lies upon him; but here that the man himself is not fit,²¹ the obligation does not lie upon him.

Rabbah said: According to the words of R. Eliezer,²² [if there is] a healthy infant,²³ one may heat water for him to strengthen him²⁴ and to circumcise him on the Sabbath, since it is fit for him. [If there is] a sickly infant,²⁵ one may not heat hot water for him to strengthen him and to circumcise him, since it is not fit for him.²⁶

Said Raba: But if he is healthy, why does he need hot water to strengthen him? Rather, said Raba, all are regarded as invalids in respect to circumcision: both in the case of a strong infant or a sickly infant, one may not heat hot water for him to strengthen him and to circumcise him on the Sabbath,²⁷ since it is not fit for him.

Abaye raised an objection against him: An [adult] uncircumcised person who did not circumcise himself [on the eve of Passover] is punished by kareth:²⁸ this is the view of R. Eliezer. Now here, though the man himself is unfit, yet he states that he is punished by Kareth, which proves that the obligation lies upon him.²⁹ —

Said Rabbah: R. Eliezer holds, One may not slaughter [the Passover] and sprinkle [its blood] for him who is unclean through a reptile,

(1) How does he rebut this argument?

(2) Hence though a shebuth is not permitted on a Festival, it nevertheless overrides the Sabbath

when it is necessary for the performance of a precept.

(3) Lit., 'and what is to me', this being the ethic dative.

(4) I.e., the cleansing of the bowels.

(5) Lit., 'for what is it to me' — i.e., I need not wonder at it, for the reason that, etc.

(6) Therefore it may be overridden again by a shebuth.

(7) Surely not.

(8) For no precept will have been performed.

(9) I.e., your argument is obviously a humorous one and cannot be taken seriously, since you would thereby eradicate a Scriptural law; v. Mishnah.

(10) Rashi; i.e., do not deny what you yourself have taught me — viz., that Haza'ah does not override the Sabbath. Jast.: do not make me an atonement, (saying, 'may his death be atonement') at the time of judgment — i.e., I need no apology for my attitude; or perhaps, do not be angry with me.

(11) Consequently I am justified in using this fact to prove, by a reductio ad absurdum (since it would overthrow a Scriptural law), that your argument is fallacious.

(12) An unclean priest may not undergo Haza'ah on the Sabbath in order to eat Terumah in the evening.

(13) Terumah may not be separated on the Sabbath.

(14) It is the priests' duty to eat Terumah.

(15) Which he holds is permitted on the Sabbath, since otherwise the unclean person is debarred from discharging his obligation.

(16) Haza'ah will make him fit to partake of the Passover in the evening, which is a religious duty.

(17) Thus it is explicitly stated that R. Akiba argued that Haza'ah, even for the sake of the Passover sacrifice, does not override the Sabbath.

(18) To tell him plainly; hence he intimated it to him indirectly.

(19) It is not a labor.

(20) Which is Scripturally forbidden.

(21) Since he is unclean.

(22) That wherever the man is unfit he has no obligation.

(23) To be circumcised on the Sabbath. 'Healthy' means that he is strong enough to be circumcised even without bathing.

(24) I.e., to make him even stronger.

(25) I.e., one who is too weak to be circumcised in his present state unless he is first bathed.

(26) For at present he is too weak; consequently it is not our duty to strengthen him so that he should be immediately liable. Tosaf.: this distinction can be drawn only according to R. Eliezer. But according to R. Akiba it is forbidden in all cases, just as Haza'ah is forbidden.

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(27) But the water must be prepared from the previous day.

(28) Because he could have circumcised himself after midday, when the Passover is obligatory; hence he incurs Kareth for not partaking of the Passover sacrifice, v. Ex. XII, 48 and Num. IX, 10-13. He is not comparable to an unclean person or one who is on a distant journey, since they could not make themselves fit after midday, while before that there was as yet no obligation.

(29) Where it is possible to make the person fit. Hence Haza'ah too should override the Sabbath, since a man is bound to make himself fit.

Pesachim 69b

and wherever an individual would be relegated [to the second Passover], in the case of the community they keep [it] in uncleanness, and whatever is [obligatory] in the case of a community is [obligatory] in the case of an individual, and whatever is not [obligatory] in the case of a community is not [obligatory] in the case of an individual. [Hence as for the defect of] uncircumcision, where if the whole community are uncircumcised we say to them, 'Arise, circumcise yourselves, and sacrifice the Passover, then an individual too, we say to him, 'Arise, circumcise yourself, and sacrifice the Passover,' while if he does not circumcise [himself] and [does not] sacrifice he is punished with Kareth. But [in the case of] uncleanness, where if the whole community is unclean we do not sprinkle [the water of purification] upon them but they keep [it] in uncleanness, [therefore] an individual too is not culpable.¹

R. Huna son of R. Joshua said to Raba: Yet there is the second Passover, which is not [practiced] in the case of a community, yet it is [practiced] in the case of an individual? — There it is different, replied he, because the community has [already] sacrificed at the first [Passover].²

An objection is raised: You might think that there is no penalty of Kareth [for neglecting to offer the Passover] except if he [the delinquent] was clean and was not on a journey afar off;³ how do we know it of an

uncircumcised person and one who was unclean through a reptile and all others who are unclean?⁴ Because it is stated, and the man [that is clean, etc.].⁵ Now, since he seeks [a verse to teach the inclusion of] him who is unclean through a reptile, he [evidently] holds, One may not slaughter [the Passover sacrifice] and sprinkle [its blood] for him who is unclean through a reptile; for if one may slaughter and sprinkle, why seek [a verse] for him, [seeing that] he is indeed [identical with] a clean person?⁶ by the rule stated, a community in like condition is not bound to purify itself but may sacrifice in uncleanness.

Again, since the community need not purify itself by sprinkling, an individual is not obliged to either, for an individual has no obligation which is not likewise binding upon the community; consequently, since an individual is not bound to purify himself, he may not do so on the Sabbath. But if the whole community are uncircumcised, it is their duty to circumcise themselves on the eve of Passover, and therefore it is the duty of an individual too, neglect of which entails Kareth. Had he, however, held that we do slaughter the Passover for a man who is unclean through a reptile or through a corpse when his seventh day falls on the eve of Passover, then since the individual is not relegated, the community too might not sacrifice in uncleanness but would have to purify itself; and as a corollary, since the community would have to perform Haza'ah, it would also be an individual's duty, and in consequence it would be permitted on the Sabbath. This proves that though he is not fit, the obligation is upon him [to make himself fit], and though this is not [so] in the case of a community,⁷ yet it is [so] in the case of an individual? —

Rather, said Raba: R. Eliezer holds, One may slaughter and sprinkle for a man who is unclean through a reptile, and the same law applies to a man who is unclean through the dead on his seventh day;⁸ then for what [purpose] is the Haza'ah? for the eatings —

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[yet] the eating of the Passover sacrifice Is not indispensable.¹⁰

R. Adda b. Abba said to Raba, If so, it is found that the Passover sacrifice is slaughtered for those who cannot eat it?¹¹ 'For those who cannot eat it' means for the infirm and the aged, he replied, since they are [physically] unfit; but this one is indeed fit, save that he is not made ready.

R. AKIBA STATED A GENERAL RULE, etc. Rab Judah said in Rab's name: The Halachah is as R. Akiba. And we learned similarly in respect to circumcision. R. Akiba stated a general rule: No labor which can be performed on the eve of the Sabbath overrides the Sabbath; circumcision, which cannot be performed on the eve of the Sabbath,¹² overrides the Sabbath; and Rab Judah said in Rab's name: The Halachah is as R. Akiba. Now [both] are necessary. For if he informed us [this] in connection with, the Passover, [I would say,] it is only there that the necessary adjuncts of the precept do not override the Sabbath, because thirteen covenants were not made over it; but as for circumcision, over which thirteen covenants were made,¹³ I would say that they [the adjuncts] override [the Sabbath]. While if he informed us [this of] circumcision, [I would argue,] it is only there that the necessary adjuncts of the precept do not override the Sabbath, since there is no kareth;¹⁴ but as for the Passover sacrifice, where there is kareth,¹⁵ I might argue, Let the necessary adjuncts override [the Sabbath]. Thus they are necessary.

MISHNAH. WHEN DOES HE¹⁶ BRING A HAGIGAH¹⁷ WITH IT [THE PASSOVER SACRIFICE]? WHEN IT COMES DURING THE WEEK, IN PURITY, AND IN SMALL [PORTIONS],¹⁸ BUT WHEN IT COMES ON THE SABBATH, IN LARGE [PORTIONS], AND IN UNCLEANNESS, ONE DOES NOT BRING THE HAGIGAH WITH IT. THE HAGIGAH WAS BROUGHT OF FLOCKS, HERDS, LAMBS OR GOATS, OF THE MALES OR THE

FEMALES, AND IT IS EATEN TWO DAYS AND ONE NIGHT.¹⁹

GEMARA. What has he taught [previously] that he [now] teaches [about] the Hagigah?²⁰ — He has taught about carrying it [the paschal lamb on his shoulders] and bringing it, which do not override the Sabbath, so he also teaches about the Hagigah that it [too] does not override the Sabbath, and he states thus: WHEN DOES ONE²¹ BRING A HAGIGAH WITH IT? WHEN IT COMES DURING THE WEEK, IN PURITY, AND IN SMALL [PORTIONS].²²

R. Ashi said: This proves that the Hagigah of the fourteenth

(1) This explains why a person who is unclean through a corpse need not purify himself, yet an uncircumcised person must circumcise himself. Thus: — the whole community are not bound to purify themselves by sprinkling, even if the seventh day of their uncleanness falls on the eve of Passover, so that after Haza'ah they would be clean in the evening, when the Passover is to be eaten. For he holds that 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; the same applies to him who is unclean through the dead whose seventh day falls on the eve of Passover, though he too would be clean in the evening if he were besprinkled during the day. Thus he must postpone his sacrifice for the second Passover; and therefore

(2) Where, however, the community as a whole did not sacrifice at the first Passover for some other reason of uncleanness than that of corpse uncleanness, there is no second Passover for individuals who are unclean through a corpse.

(3) v. Num. IX, 10, 13.

(4) In the same way. viz., that they could be clean by the evening, as explained in note 5.

(5) 'And' is an extension, and teaches the inclusion of these.

(6) For he could have the animal sacrificed by another, and he would be clean in the evening to eat it. Hence he must hold that you cannot sacrifice for him whilst he is unclean, i.e., before he performs Tebillah, yet even so he incurs Kareth since he could have performed Tebillah.

(7) The community is not bound to perform Haza'ah, even if it could, but sacrifices in uncleanness.

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(8) If he held that you may not slaughter, etc. then Haza'ah would certainly be permitted on the Sabbath and obligatory too, notwithstanding that it is not obligatory upon a community. Since he holds the reverse, however, the actual sacrificing is possible without Haza'ah at all.

(9) He cannot eat of the Passover sacrifice, as indeed of all sacrifices, without previous Haza'ah.

(10) For the fulfillment of the precept of the paschal sacrifice. Tosaf.: in such a case where he could make himself fit for eating but does not.

(11) Whereas it is stated supra 61a that such a Passover sacrifice is unfit.

(12) When the Sabbath is the eighth day from birth.

(13) In the passage enjoining circumcision upon Abraham and his descendants (Gen. XVII) 'covenant' is mentioned thirteen times, which shows its great importance.

(14) If circumcision is postponed.

(15) For not offering it.

(16) Var. lec. 'ONE'.

(17) Festival sacrifice. Such was obligatory on the first day of all Festivals; hence in the case of Passover, on the fifteenth of Nisan. The obligation is deduced in Hag. 9a from, and ye shall keep it a feast (hag) unto the Lord (Lev. XXIII, 41), hag being interpreted as referring to a Festival sacrifice. In this Mishnah, however, the reference is to a Hagigah brought on the fourteenth, and the Mishnah lays down the conditions when it is brought, it being in addition to the Hagigah of the fifteenth. Besides the Festival Hagigah there was another obligatory sacrifice, called the peace-offering of rejoicing, deduced from, and thou shalt rejoice in thy feast (Deut. XVI, 14). This is discussed anon.

(18) I.e., so many are registered for one paschal lamb that each person can receive but a small portion.

(19) The night between the two days.

(20) The sudden introduction of the Hagigah is abrupt and irrelevant, unless it has some point in common with the preceding Mishnah.

(21) Cf. n. 3.

(22) While the next clause proceeds to state when the Hagigah does not override the Sabbath, and that is the connection with the preceding Mishnah.

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is not obligatory. For if you should think that it is obligatory, let it come [be sacrificed] on the Sabbath, and let it come [when the Passover sacrifice is divided] in large [portions], and in uncleanness. Nevertheless, what is the reason that it comes [when the paschal lamb is divided] in small portions? —

As it was taught: The Hagigah which comes with the Passover is eaten first, so that the Passover be eaten after the appetite is satisfied.

AND IT IS EATEN FOR TWO DAYS, etc. Our Mishnah is not in agreement with the son of Tema. For it was taught: The son of Tema said: The Hagigah which comes with the Passover is as the Passover, and it may only be eaten a day and a night, whereas the Hagigah of the fifteenth¹ is eaten two days and one night; again, the Hagigah of the fourteenth, a man discharges therewith [his duty] on account of rejoicing, but he does not discharge therewith [his duty] on account of Hagigah.² What is the son of Tema's reason?³— As R. Hiyya taught his son, Neither shall the sacrifice of the feast [Zebah Hag] of the Passover be left unto the morning;⁴ 'Zebah Hag,' this is the Hagigah; 'the Passover' is what it implies, and the Divine Law saith, 'it shall not be kept overnight'.⁵

The Scholars asked: According to the son of Tema, is it [the Hagigah] eaten roast or is it not eaten roast?⁶ [Do we say,] When the Divine Law compared it to the Passover it was in respect of keeping it overnight, but not in respect of roast; or perhaps there is no difference? —

Come and hear: On this night all [must be eaten] roast;⁷ and R. Hisda said: These are the words of the son of Tema. This proves it.⁸ The Scholars asked: According to the son of Tema, does it [the Hagigah] come from the herd or does it not come from the herd; does it come from females or does it not come from females; does it come a two-year old, or does it not come a two-year old?⁹ [Do we say,] when the Divine Law compared it to the Passover it was in the matter of eating,¹⁰ but not in respect of all [other] things; or perhaps there is no difference? —

Come and hear: The Hagigah which comes with the Passover is as the Passover: it comes from the flock, but it does not come from the

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herd; it comes from the males but it does not come from the females; it comes a year old, but it does not come a two-year old, and it may be eaten only a day and a night, and it may be eaten only roast, and it may be eaten only by those who have registered for it. [Now,] whom do you know¹¹ to hold this view?¹² The son of Tema. This proves that we require everything.¹³ This proves it.

The Scholars asked: According to the son of Tema, is it subject to [the prohibition of] breaking a bone, or is it not subject to [the prohibition of] breaking a bone?¹⁴ [Do we say,] though the Divine Law assimilated it to the Passover, yet the Writ saith, '[neither shall ye break a bone] thereof,' [implying] 'thereof,' but not of the Hagigah;¹⁵ or perhaps, this 'thereof' comes [to teach], of a fit [sacrifice], but not of an unfit one?¹⁶ —

Come and hear: If a [slaughtering] knife is found on the fourteenth, one may slaughter with it immediately;¹⁷ [if it is found] on the thirteenth he must repeat the tebillah.¹⁸ [If he finds] a chopper.¹⁹ whether on the one or on the other,²⁰ he must repeat the tebillah.²¹ Who [is the authority for this]?²² Shall we say the Rabbis?²³ wherein does a [slaughtering] knife differ, that we assume that it had been immersed;²⁴ because it is fit for [slaughtering] the Passover? Then a chopper too, surely it is fit for [breaking the bones of] the Hagigah²⁰ ?²⁵ Hence it must be [the view] of the son of Tema, which proves that it is subject to [the prohibition of] breaking a bone! —

No: in truth [it is the view of] the Rabbis, and [this was taught] e.g., when it [the Passover] comes on the Sabbath.²⁶ But since the second clause teaches, If the fourteenth occurred on the Sabbath, he may slaughter with it immediately;²⁷ and [likewise if he finds it] on the fifteenth, he may slaughter with it immediately;²⁸ if a chopper is found tied to a knife, it is as the knife,²⁹ it follows that the first clause³⁰ does not treat of the Sabbath?—

Rather it means that it [the Passover] readiness for slaughtering the Passover on the fourteenth. We disregard the possibility that the owner may have lost it some time ago, for Jerusalem was thronged at Passover and it could not have lain long without being discovered. came

(1) V. p. 356, n. 4.

(2) V. note on Mishnah on these two sacrifices. Now the Hagigah of the fourteenth is a voluntary sacrifice (supra), and it is a general rule that an animal already dedicated for such cannot be used for all obligatory sacrifice, except in the case of the peace-offering of rejoicing. v. infra, 71a. Hence if the Hagigah dedicated for the fourteenth is not killed on that day, it can be utilized the next day as the peace-offering of rejoicing but not as the obligatory Hagigah of the fifteenth

(3) That the Hagigah may be eaten only a day and a night.

(4) Ex. XXXIV, 25.

(5) Referring to the Hagigah too.

(6) I.e., must it be eaten roast or not? Similarly the problems which follow.

(7) V. infra 116a.

(8) That the Hagigah too must be roast.

(9) V. Ex. XII, 5: your lamb (sc. the Passover) shall be... a male of the first year; ye shall take it from the sheep, or

from the goats. Does the same apply to the Hagigah or not?

(10) I.e., in the conditions under which it must be eaten.

(11) Lit., 'hear'.

(12) That it may be eaten only a day and a night.

(13) I.e., it must be like the Passover in all respects.

(14) v. Ex. XII, 46: neither shall ye break a bone thereof (sc. the Passover).

(15) I.e., there is no interdict in its case.

(16) If the Passover is unfit its bones may be broken; v. infra 83a.

(17) Without immersing it. For if it were unclean its owner would have immersed it on the thirteenth, so that it should be clean at sunset (v. Num. XIX, 14-19; shall be clean at even applies to utensils too), in

(18) I.e., he must immerse it, though even if it was unclean its owner may already have done so.

(19) A large knife used for cutting up meat and breaking the bones, but not as a rule for slaughtering.

(20) Viz., the thirteenth or the fourteenth.

(21) For since the bones of the Passover sacrifice must not be broken, even if it was unclean its owner may not have troubled to immerse it on the thirteenth but waited for the fourteenth, to have it

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in readiness for the use of breaking bones on the following day, to break the bones of the Hagigah of the fifteenth or of the peace-offering of rejoicing.

(22) Which implies that there is no breaking of bones on Passover eve.

(23) Who do not assimilate the Hagigah of the fourteenth to the paschal sacrifice, and consequently hold that the bones of the former may be broken.

(24) On the day before by the owner so that he who finds it need not immerse it.

(25) Why then should the finder repeat the immersion?

(26) So that a Hagigah cannot be brought at all. As there would be no need for the chopper, the owner, it is to be assumed, did not immerse it.

(27) Sc. even with the chopper, if he has no knife. For if it were unclean its owner would have performed Tebillah on Friday, to use it on Sunday (v. n. 4). Since Tebillah is forbidden on the Sabbath.

(28) For the same reason that Tebillah must already have been performed.

(29) And even if found on the fourteenth on a weekday he may slaughter with it immediately, for since they are tied together they must both have received Tebillah at the same time.

(30) Which requires a second immersion for either.

Pesachim 70b

in large [portions].¹ How can we know?² — Rather it means that it came in uncleanness.³ Yet after all, how could they know?⁴ — The Nasi had died.⁵ When did the Nasi die? Shall we say that he died on the thirteenth,⁶ then why was it necessary for the owner to perform Tebillah for the knife?⁷ Again, if he died on the fourteenth, wherein does the knife differ, that [we say] he [its owner] gave it Tebillah, and wherein does the chopper differ, that [we assume] he did not give it tebillah?⁸ — This arises only when the Nasi was in a dying condition on the thirteenth. As for the knife, [concerning] which [there is] one doubt,⁹ he would give it Tebillah [on the thirteenth]; the chopper, [concerning] which [there are] two doubts,¹⁰ he would not give it Tebillah.

It was taught: Judah the son of Durtai separated himself [from the Sages], he and his son Durtai, and went and dwelt in the

South.¹¹ '[For,]' said he, 'if Elijah should come and say to Israel, "why did you not sacrifice¹² the Hagigah on the Sabbath?" what can they answer him? I am astonished at the two greatest men of our generation. Shemaiah and Abtalyon, who are great Sages and great interpreters [of the Torah], yet they have not told Israel, The Hagigah overrides the Sabbath.'¹³

Rab said, What is the reason of the son of Durtai? Because it is written, And thou shalt sacrifice the Passover-offering unto the Lord thy God, of the flock and the herd:¹⁴ yet surely the Passover offering is only from lambs or goats? But 'flock' refers to the Passover offering, [while] 'herd' refers to the Hagigah, and the Divine Law saith, 'And thou shalt sacrifice the passover-offering'.¹⁵ Said R. Ashi: And are we to arise and explain the reason of schismatics?¹⁶ But the verse comes for [the exegesis] of R. Nahman.

For R. Nahman said in Rabbah b. Abbuha's name: How do we know that the left-over of the paschal offering is brought as a peace-offering?¹⁷ Because it is said, 'and thou shalt sacrifice the Passover-offering unto the Lord thy God, of the flock and of the herd'. Now, does then the Passover offering come from the herd: surely the Passover offering comes only from lambs or from goats? But [it means] the left-over of the paschal offering is to be [utilized] for something which comes from the flock and from the herd.¹⁸ Now according to the Rabbis, what is the reason that it [the Hagigah] does not override the Sabbath, seeing that it is certainly a public sacrifice? —

Said R. Illa'a on the authority of R. Judah b. Safra: Scripture saith, And ye shall keep it a feast [hag] unto the Lord seven days in the year.¹⁹ 'Seven!' but there were eight?²⁰ Hence from here [we learn that] the Hagigah does not override the Sabbath.²¹

When Rabin came,²² he said: I stated before my teachers, Sometimes you can only find six, e.g., if the first day of the Feast [of

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Tabernacles] fell on the Sabbath?²³ — Said Abaye: That Abin the childless should say such a thing! Eight is altogether impossible. [while] seven are found in most years.²⁴

‘Ulla said in R. Eleazar’s name: Peace-offerings which a man slaughtered on the eve of the Festival, he does not discharge therewith [his duty] either on account of rejoicing or on account of Hagigah.²⁵ ‘On account of rejoicing.’ because it is written, and thou shalt sacrifice [peace-offerings...] and thou shalt rejoice;²⁶ we require the slaughtering

- (1) In which case a Hagigah does not accompany it.
- (2) So MS.M. Cur. edd. ‘they know’ that a small number had registered for the Passover for which the unknown owner of this chopper was registered. Aliter: ‘how could they (the owners) know on the thirteenth that only a small number would register for the Passover, so that it would not be necessary to have the chopper immersed in readiness?’ V. Rashi.
- (3) Hence a Hagigah was possible.
- (4) How could the owner know on the thirteenth that on the morrow the majority of the community would be unclean?
- (5) And the whole community would have to take part in his funeral, which would defile them.
- (6) When the vessels are generally taken for Tebillah.
- (7) Seeing that the Passover is brought in uncleanness. Hence the finder should not be permitted to assume that it is clean, as he might then slaughter the Festival peace-offerings with it, which is forbidden. [Even when the Passover comes in uncleanness, the Festival sacrifices on the following or subsequent days must be brought in cleanness:]
- (8) He would not have known on the thirteenth, and therefore just as he assumed that a clean knife was necessary for slaughtering the Passover, so he would also assume that a clean chopper would be required for breaking the bones of the Hagigah which would accompany it.
- (9) Viz., whether the Nasi would die on the fourteenth or not.
- (10) (i) Whether the Nasi would die; and (ii) whether a Hagigah would be brought, for even if he did not die, only a few people might register for that particular paschal offering, in which case it would not be required.
- (11) Far from Jerusalem, so that he could not be in Jerusalem on Passover and therefore avoid the obligation of bringing a Hagigah. He held that it

was obligatory even if only a small number registered for the paschal offering, and even on the Sabbath.

(12) Lit., ‘celebrate’.

(13) [Judah b. Durtai is held to have belonged to the Sadducean party, and his son is identified with Dortos (v. Josephus, Antiquities XX, 6, 2) who had been captured by Quadratus in Lydda and executed for having incited the Jews in rebellion against the Romans, v. Derenbourg, Essai, p. 187 note.]

(14) Deut. XVI, 2.

(15) I.e., both are called by the same name, and therefore the same law applies to both.

(16) Though of course the Talmud abounds in controversies, even of one against many, and the views of the minorities too have to be explained, in actual practice the minority always fell in with the final decision of the majority. Hence R. Judah the son of Durtai was unjustified in separating himself, and we have no need to study his view; v. Halevi, Doroth I, 5, pp. 206f. — Or perhaps R. Ashi merely meant that since the interpretation of this verse is according to a minority view, it behooves us to know how the verse is interpreted on the view of the Sages. This appears to be the explanation given by R. Han., whose text differs slightly.

(17) E.g., if an animal dedicated for a Passover sacrifice was lost, whereupon its owners registered for another animal, and then it was found after the second was sacrificed. Or again, if a certain 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.

(18) Sc. a peace-offering.

(19) Lev. XXIII, 41. This treats of Tabernacles, which was observed for eight days, and the verse teaches that a Hagigah was to be brought (v. supra p. 356, n. 4).

(20) For the Hagigah, if not brought on the first day of the Festival, could be brought on any other day.

(21) And since one of the eight days must be the Sabbath, there are actually only seven days when it can be brought.

(22) From Palestine to Babylonia.

(23) Why is this too not intimated in Scripture?

(24) Therefore there is no need for Scripture to intimate that there may only be six,

(25) V. note on Mishnah.

(26) Deut. XXVII, 7.

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at the time of rejoicing,¹ which is absent [here]. ‘On account of Hagigah’: this is an obligatory sacrifice,² and every obligatory sacrifice comes from naught but Hullin.³

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Shall we say that [the following] supports him? [For it was taught]; And thou shalt be altogether [ak] joyful:⁴ this is to include the night of the last day of the Festival for rejoicing.⁵ You say, the night of the last day of the Festival; yet perhaps it is not so, but the night of the first day of the Festival?⁶ Therefore 'ak' is stated, dividing it.⁷ Now what is the reason?⁸ Is it not because he has naught wherewith to rejoice!⁹—

No: [it is] as it states the reason: Why do you prefer¹⁰ to include the night of the last day of the Festival and to exclude the night of the first day of the Festival? I include the night of the last day of the Festival, because there is rejoicing before it, while I exclude the night of the first day of the Festival, seeing that there is no rejoicing before it.¹¹

R. Joseph raised an objection: The Hagigah of the fourteenth, one discharges with it [his duty] on account of rejoicing. but one does not discharge with it [his duty] on account of Hagigah.¹² [Yet] why so?¹³ Surely we require slaughtering to be at the time of rejoicing, which is lacking [here]?¹⁴ — Said R. Idi b. Abin: It is meant where he delayed and slaughtered it [on the fifteenth].

R. Ashi observed: This too is logical, for if you should not say thus, who taught this teaching? The son of Tema?¹⁵ But [according to] the son of Tema, surely he has disqualified it through keeping it overnight!¹⁶

Raba objected: [The reciting of] hallel¹⁷ and rejoicing¹⁸ are [observed] eight [days].¹⁹ Now if you say [that] we require the slaughtering at the time of rejoicing, then there are many occasions when only seven are found, e.g.. if the first day of the Festival falls on the Sabbath?²⁰ Said R. Huna son of Rab Judah: He rejoices with the he-goats of the Festivals.²¹

Said Raba: Of this there are two refutations: firstly, because the he-goats of the Festivals can be eaten raw [on the Sabbath], but cannot be eaten roast,²² and there is no

rejoicing in [eating] raw [meat]; moreover, the Priests eat it; and wherewith do the Israelites rejoice? Rather, said R. Papa: He rejoices with clean garments and old wine.

When Rabin came, he said in R. Eleazar's name: Peace-offerings which one slaughtered on the eve of the Festival, he discharges therewith [his duty] on account of rejoicing, but he cannot discharge therewith [his duty] on account of Hagigah. 'He discharges [his duty] on account of rejoicing,' [for] we do not require the slaughtering at the time of rejoicing. 'But not on account of Hagigah'; this is an obligatory [sacrifice], and every obligatory [sacrifice] comes from naught but Hullin.

An objection is raised: 'And thou shalt be altogether' [ak] joyful:' this is to include the night of the last day of the Festival for rejoicing. You say, to include the light of the last day of the Festival; yet perhaps it is not so, but it is to include the night of the first day of the Festival? Therefore 'ak' is stated, dividing it. Now what is the reason? Is it not because he has no light wherewith to rejoice!—

No: [it is] as it was taught. Why do you prefer to include the night of the last day of the Festival and to exclude the night of the first day of the Festival? I include the night of the last day of the Festival, because there is rejoicing before it; while I exclude the night of the first day of the Festival, because there is no rejoicing before it.

R. Kahana said: How do we know that the emurim²³ of the Hagigah of the fifteenth are disqualified through being kept overnight?²⁴ Because it is said, neither shall the fat of My feast [Haggi] remain all night until morning;²⁵ and in proximity thereto 'the first' [is stated],²⁶ to intimate that this 'morning' means the first morning.²⁷

To this R. Joseph demurred: [Thus] the reason is that 'first is written, but if 'first' were not written I would say, what does

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‘morning’ mean? the second morning; [but] is there a case where the flesh is disqualified from the evening, whereas the Emurim [are fit] until morning?²⁸

Said Abaye to him, Yet why not? Surely there is the paschal offering according to R. Eleazar b. ‘Azariah, where the flesh is disqualified from midnight,²⁹ whereas the Emurim [are fit] until morning?—

Said Raba, This is R. Joseph's difficulty: is there a case where the Tanna does not require ‘first’ in respect of the flesh, whereas R. Kahana requires ‘first’ in respect of the emurim?³⁰ What is this [allusion]? — For it was taught: Neither shall any of the flesh which thou sacrificest the first day at even, remain all night until the morning:³¹

- (1) Viz., on the Festival itself.
- (2) Lit., ‘a matter of an obligation’.
- (3) V, p. 357. n. 3.
- (4) Deut. XVI, 15. This is superfluous, since v. 14 states, And thou shalt rejoice in thy feast. Hence it is intended as an extension.
- (5) I.e., the night of the eighth day. Rashi: It cannot mean the eighth day itself, since ‘seven’ is twice specified (in v. 13 and v. 15). Tosaf.: ‘night’ is not meant particularly. as the same applies to the day. By ‘rejoicing’ is meant the eating of the peace-offering of rejoicing.
- (6) Perhaps one must eat of the peace-offering then? And since sacrifices cannot be slaughtered at night, it would be necessary to slaughter it on the eve of the Festival.
- (7) Ak is always interpreted as a limitation; hence it excludes the first night.
- (8) That you include the last night and exclude the first; why not reverse it?
- (9) Since the sacrifice is not to be offered until the following morning. Thus this supports ‘Ulla's statement that the peace-offering of rejoicing cannot be offered on the eve of the Festival.
- (10) Lit., ‘what (reason) do you see?’
- (11) It is more logical to assume that a continuation of rejoicing already begun is included than that the rejoicing must commence before the time actually prescribed.
- (12) V. supra 70a for notes.
- (13) Why should he discharge with it his duty on account of rejoicing?
- (14) He understood it to mean that it was actually slaughtered on the fourteenth.
- (15) As stated supra 70a.

(16) Since he holds that the Hagigah of the fourteenth may be eaten only a day and a night. I.e., not after the night of the fifteenth, like the Passover. Hence he must have slaughtered it on the fifteenth.

(17) ‘Praise’ — i.e., Ps. CXIII-CXVIII, which are recited on every Festival.

(18) With the peace-offerings of rejoicing.

(19) The reference is to the Feast of Tabernacles.

(20) When the peace-offering may not be slaughtered.

(21) V. Num. XXVIII, 22, 30; XXIX, 16 et seq. These were public sacrifices, and therefore slaughtered even on the Sabbath.

(22) Though they are slaughtered on the Sabbath, their roasting or cooking does not override the Sabbath.

(23) V. Glos.

(24) Though its flesh may be eaten the whole of the following day too.

(25) Ex. XXIII, 18; ‘Haggi’ refers to the Hagigah.

(26) ראשית The first (E.V. ‘choicest’) of the fruits, etc. Here, however, it is read with ‘morning’, as explained in the text.

(27) I.e., the fat is not to remain until the first morning after the offering is sacrificed.

(28) Surely not, for the flesh may be eaten only on the day it is slaughtered and on the following, but not the night after it!

(29) V. infra 120b.

(30) The sanctity of Emurim, which are burnt on the altar, is naturally greater than that of the flesh, which is eaten, and accordingly the former becomes unfit more easily than the latter. Yet we see anon that the Tanna assumes that morning’ written in connection with the flesh must mean the first morning. without having recourse to ראשית ‘first’; why then does R. Kahana require the proximity of ראשית ‘first’ in order to establish that ‘morning’ written in connection with the Emurim means the first morning?

(31) Deut. XVI, 4.

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this teaches concerning the Hagigah of the fourteenth, that it may be eaten two days and one night.¹ Yet perhaps it is not so, but [only] one day and one night?² When it [Scripture] says, ‘the first day,’ the second morning³ is meant.⁴ Yet perhaps it is not so, but the first morning [is meant], and to what do I relate [the case of] the Hagigah which may be eaten two days and one night?⁶ [To all other Hagigoth] excepting this? When [Scripture] says thereof, But if [the sacrifice of his offering be] a vow, or a freewill-offering,⁷ it

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teaches concerning the Hagigah of the fourteenth that it may be eaten for two days and one night.⁸

The Master said:⁹ 'Yet perhaps it is not so, but the first morning [is meant]'. But you have [already] said, 'When it [Scripture] says. "the first day" the second morning is meant'? —

This is what he means: Yet perhaps it is not so, but the Writ speaks of two Hagigah, one the Hagigah of the fourteenth, and one the Hagigah of the fifteenth, and the former [must not remain] until its morning, while the latter [must not remain] until its morning?¹⁰ Then he argues, as to our general ruling¹¹ [that there is] a Hagigah which is eaten two days and one night.¹² if so, in which [case does] 'if, a vow or a freewill-offering' [hold good]? if the Hagigah of the fourteenth, surely a day and a night is written in connection therewith; if the Hagigah of the fifteenth, surely a day and a night is written in connection therewith?¹³ But this is in respect of the Hagigah of the fifteenth, while the whole of the other verse is in respect of the Hagigah of the fourteenth [only,] [and thus] it teaches concerning the Hagigah of the fourteenth that it may be eaten two days and one night. Thus the reason is that 'on the first day until the morning' is written, so that what does 'morning' mean? the second morning;¹⁴ hence wherever 'morning' is written without qualification, it means the first morning, even if 'first'¹⁵ is not written in connection with it.¹⁶

MISHNAH. IF THE PASSOVER WAS SLAUGHTERED FOR A DIFFERENT PURPOSE¹⁷ ON THE SABBATH, HE [THE SLAUGHTERER] IS LIABLE TO A SIN-OFFERING ON ITS ACCOUNT.¹⁸ WHILE ALL OTHER SACRIFICES WHICH HE SLAUGHTERED AS A PASSOVER,¹⁹ IF THEY ARE NOT ELIGIBLE,²⁰ HE IS CULPABLE; WHILE IF THEY ARE ELIGIBLE, — R. ELIEZER RULES HIM LIABLE TO A SIN-OFFERING, WHILE R. JOSHUA RULES HIM NOT CULPABLE.²¹ SAID R. ELIEZER TO

HIM: IF THE PASSOVER, WHICH IS PERMITTED FOR ITS OWN PURPOSE, YET WHEN HE CHANGES ITS PURPOSE HE IS CULPABLE; THEN [OTHER] SACRIFICES, WHICH ARE FORBIDDEN [EVEN] FOR THEIR OWN PURPOSE,²² IF HE CHANGES THEIR PURPOSE IS IT NOT LOGICAL THAT HE IS CULPABLE! R. JOSHUA ANSWERED HIM, NOT SO. IF YOU SAY [THUS] OF THE PASSOVER, [HE IS CULPABLE] BECAUSE HE CHANGED IT FOR SOMETHING THAT IS FORBIDDEN; WILL YOU SAY [THE SAME] OF [OTHER] SACRIFICES, WHERE HE CHANGED THEM FOR SOMETHING THAT IS PERMITTED?²³ SAID R. ELIEZER TO HIM, LET THE PUBLIC SACRIFICES²⁴ PROVE IT, WHICH ARE PERMITTED FOR THEIR OWN SAKE,²⁵ YET HE WHO SLAUGHTERS [OTHER SACRIFICES] IN THEIR NAME IS CULPABLE. R. JOSHUA ANSWERED HIM: NOT SO. IF YOU SAY [THUS] OF PUBLIC SACRIFICES, [THAT IS] BECAUSE THEY HAVE A LIMIT;²⁶ WILL YOU SAY [THE SAME] OF THE PASSOVER, WHICH HAS NO LIMIT?²⁷ R. MEIR SAID: HE TOO WHO SLAUGHTERS [OTHER SACRIFICES] IN THE NAME OF PUBLIC SACRIFICE IS NOT LIABLE. IF HE SLAUGHTERED IT²⁸ FOR THOSE WHO ARE NOT ITS EATERS,²⁹ OR FOR THOSE WHO WERE NOT REGISTERED³⁰, FOR UNCIRCUMCISED OR FOR UNCLEAN [PERSONS], HE IS CULPABLE; [IF HE SLAUGHTERED IT] FOR ITS EATERS AND FOR THOSE WHO ARE NOT ITS EATERS, FOR THOSE WHO ARE REGISTERED FOR IT AND FOR THOSE WHO ARE NOT REGISTERED FOR IT, FOR CIRCUMCISED AND FOR UNCIRCUMCISED, FOR UNCLEAN AND FOR CLEAN [PERSONS], HE IS NOT LIABLE.³¹ IF HE SLAUGHTERED IT, AND IT WAS FOUND TO POSSESS A BLEMISH, HE IS LIABLE. IF HE SLAUGHTERED IT AND IT WAS FOUND TEREFAH³² INTERNALLY,³³ HE IS NOT LIABLE.³⁴ IF HE SLAUGHTERED IT, AND [THEN] IT BECAME KNOWN THAT ITS OWNERS HAD WITHDRAWN THEIR HANDS FROM IT,³⁵ OR THAT THEY HAD DIED, OR THAT THEY HAD BECOME UNCLEAN, HE IS

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NOT CULPABLE, BECAUSE HE SLAUGHTERED WITH PERMISSION.³⁶

- (1) Understanding 'morning' to refer to the sixteenth of Nisan.
- (2) Relating 'morning' to the fifteenth.
- (3) After it is slaughtered, i.e., the morning of the sixteenth.
- (4) Lit., 'said'. For 'the first day' implies that it may be eaten the whole of the first day after it is slaughtered.
- (5) Lit., 'how do I fulfill?'
- (6) That there are such Hagigot (pl. Hagigah) is deduced anon.
- (7) Lev. VII, 16.
- (8) The verse continues: it shall be eaten on the day he offereth his sacrifice and on the morrow. Thus two days are allotted, which 'if a vow' is regarded as superfluous, and therefore is interpreted as an extension to include the present case.
- (9) The Talmud now proceeds to elucidate this Baraita leading up to the explanation of R. Joseph's argument.
- (10) I.e., the former must not remain until the morning of the fifteenth, while the latter must not remain until the morning of the sixteenth. Then the verse would be translated thus: 'neither shall any of the flesh... which thou sacrificest... at even' — sc. of the Hagigah of the fourteenth — 'remain all night', which naturally means until the morning of the fifteenth; while that 'which thou sacrificest the first day', i.e., on the fifteenth, must not remain... until the morning' viz., of the sixteenth.
- (11) Lit., 'what is established to us'.
- (12) Rashi: but as to our principle that there is a Hagigah apart from this which may be eaten, etc. Thus a different meaning is now given to the phrase 'apart from this'.
- (13) On the present hypothesis.
- (14) Because of 'the first day'.
- (15) אשית.
- (16) This is the point of R. Joseph's objection as explained by Raba,
- (17) Lit., 'not for its name' — e.g., as a peace-offering.
- (18) For having desecrated the Sabbath unintentionally, as he thought that just as it is permitted for its own purposes it is permitted for another purpose.
- (19) I.e., the animals had been consecrated for other sacrifices.
- (20) For a Passover, e.g., if they are females or two-years old (v. Ex. XII, 5).
- (21) R. Eleazar holds that even when a man performs a forbidden action while thinking that he is doing a religious deed, he is culpable. R. Joshua, however maintains that if the action

actually performed is a religious deed, even a slight one, he is not liable, as he is regarded not as having unwittingly desecrated the Sabbath, but as having erred in a religious matter. This applies to the present case, for he did offer a sacrifice, and R. Joshua rules supra 62b that all sacrifices, including the Passover, even if slaughtered for a different purpose, are nevertheless fit. But in the first case he definitely did not perform a religious action, since all know that a female, etc. is not eligible for a Passover, and therefore both agree that he is culpable.

(22) On the Sabbath.

(23) I.e., he slaughtered them as a Passover, which is actually permitted.

(24) Rashi: the sacrifices which are prescribed (Amure fr. Amur).

(25) The daily burnt-offering and the additional offerings of Sabbaths and Festivals override the Sabbath.

(26) Only a few animals are slaughtered as public sacrifices, and it is easy to avoid the mistake. Therefore when a man slaughters an animal consecrated for a different purpose as a public sacrifice, he cannot be regarded as having erred in a religious act but as one who unwittingly desecrated the Sabbath.

(27) An enormous number of animals were slaughtered (cf. supra 64b) — seemingly limitless. Hence his error is pardonable, and he is regarded as having erred in a religious duty.

(28) The Passover offering, on the Sabbath.

(29) Such who could not eat of it; e.g., sick or old people.

(30) Lit., 'numbered',

(31) In the former case the offering is unfit; hence his act constitutes desecration of the Sabbath; but in the latter case the offering is valid, v. supra 61a.

(32) V. Glos.

(33) Lit., 'in a secret part'.

(34) A sin-offering is incurred only when a person intends doing what he does, but is unaware that in the circumstances it is forbidden; he is then technically called Shogeg, an unwitting offender, But if he did not intend doing it at all, he is called anus, the victim of an unforeseen accident, and is not liable. Now an external examination of the animal would have revealed its blemish; his neglect to do this renders him Shogeg, as though he had known that it was blemished, but thought it permitted. But he could not have known here that it was Terefah; therefore he is regarded as anus, and is not culpable.

(35) I.e., they had re-registered for a different animal before this was slaughtered.

(36) He could not have known of this, and therefore he too is regarded as anus.

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GEMARA. What are we discussing? Shall we say, where he erred?¹ then you may infer from this that abrogation in error constitutes abrogation?² Hence it means that he [intentionally] abrogates [its status].³

Then consider the sequel: WHILE ALL OTHER SACRIFICES WHICH HE SLAUGHTERED AS A PASSOVER, IF THEY ARE NOT ELIGIBLE, HE IS CULPABLE; WHILE IF THEY ARE ELIGIBLE,- R. ELIEZER RULES HIM LIABLE TO A SIN-OFFERING, WHILE R. JOSHUA RULES HIM NOT CULPABLE. But if he abrogates [their status], what does it matter whether they are eligible or they are not eligible?⁴ Hence it obviously refers to a man who errs; [then] the first clause refers to a man who abrogates [its status], whereas the second clause refers to him who errs? — Said R. Abin: Yes the first clause refers to a man who abrogates, whereas the second clause refers to him who errs.

R. Isaac b. Joseph found R. Abbahu standing in a large concourse of people. Said he to him, How is our Mishnah meant? — The first clause refers to a man who abrogates, whereas the second clause refers to him who errs, he answered him. He learnt it from him forty times, and it seemed to him as though it were lying in his wallet.⁵

We learned: SAID R. ELIEZER: IF THE PASSOVER, WHICH IS PERMITTED FOR ITS OWN PURPOSE, YET WHEN HE CHANGES ITS PURPOSE, HE IS CULPABLE; THEN [OTHER] SACRIFICES, WHICH ARE FORBIDDEN FOR THEIR OWN PURPOSE, IF HE CHANGES THEIR PURPOSE IS IT NOT LOGICAL THAT HE IS CULPABLE. But if this [interpretation] is so, surely they are dissimilar,⁶ since the first clause refers to a man who abrogates, whereas the second clause refers to him who errs? —

In R. Eliezer's view there is no difference. But according to R. Joshua, who holds that there is a difference, let him answer him thus? — He says thus to him: According to my view, they are dissimilar, [for] the first clause refers to a man who abrogates, whereas the second clause refers to him who errs.

[But even] according to you, it is NOT SO. IF YOU SAY [THUS] OF THE PASSOVER, [HE IS CULPABLE] BECAUSE HE CHANGED IT FOR SOMETHING THAT IS FORBIDDEN; WILL YOU SAY [THE SAME] OF [OTHER] SACRIFICES, WHERE HE CHANGED THEM FOR SOMETHING THAT IS PERMITTED? SAID R. ELIEZER TO HIM: LET THE PUBLIC SACRIFICES PROVE IT, WHICH ARE PERMITTED FOR THEIR OWN SAKE, YET HE WHO SLAUGHTERS [OTHER SACRIFICES] IN THEIR NAME IS CULPABLE. R. JOSHUA ANSWERED HIM: NOT SO: IF YOU SAY [THUS] OF PUBLIC SACRIFICES, [THAT IS] BECAUSE THEY HAVE A LIMIT; WILL YOU SAY [THE SAME] OF THE PASSOVER, WHICH HAS NO LIMIT? Are we to say that wherever there is a limit R. Joshua holds him culpable? Yet surely infants have a limit⁷ yet we learned: He who had two infants for circumcision, one for circumcision after the Sabbath and the other for circumcision on the Sabbath,⁸ and he erred⁹ and circumcised the one belonging to after the Sabbath on the Sabbath, he is culpable.¹⁰ [If he had] one for circumcision on the eve of the Sabbath and another for circumcision on the Sabbath, and he erred and circumcised the one belonging to the eve of the Sabbath on the Sabbath. — R. Eliezer holds him liable to a sin-offering.¹¹ but R. Joshua exempts him.¹² —

Said R. Ammi: The circumstances here are e.g., that he first circumcised [the infant] of the eve of the Sabbath on the Sabbath, so that there is this [infant] of the Sabbath with whom he is pre-occupied;¹³ here e.g.. it means

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that he first slaughtered the public sacrifices at the beginning.¹⁴

If so, [when] 'R. MEIR SAID: HE TOO WHO SLAUGHTERS [OTHER SACRIFICES] IN THE NAME OF PUBLIC SACRIFICES IS NOT LIABLE' — [he meant] even if he had first slaughtered the public sacrifices at the beginning? Surely it was taught. R. Hiyya of Ebel 'Arab¹⁵ said in R. Meir's name: R. Eliezer and R. Joshua did not differ concerning him who had two infants, one for circumcision on the eve of the Sabbath and one for circumcision on the Sabbath, and he erred and circumcised the one belonging to the eve of the Sabbath on the Sabbath [both agreeing] that he is culpable. About what do they disagree? About a man who had two infants, one for circumcision after the Sabbath and another for circumcision on the Sabbath, and he erred and circumcised the one belonging to after the Sabbath on the Sabbath, R. Eliezer ruling him liable to a sin-offering, while R. Joshua exempts [him].¹⁶ Now is that logical?¹⁷ If there [in the second clause], where he did not perform a religious duty.¹⁸ R. Joshua exempts him; then where he did perform a religious duty, he rules him liable!¹⁹

Said the School of R. Jannai: The first clause means e.g., that he previously circumcised [the infant] belonging to the Sabbath on the eve of the Sabbath,

- (1) Thinking that it was a different sacrifice.
- (2) Lit., 'uprooting'. By slaughtering it for a different purpose he abrogates (lit., 'uproots') its true status; but this matter is disputed in Men. 49a.
- (3) Thinking, however, that this is permitted.
- (4) Since he deliberately abrogates its designation, he is certainly not erring in thinking that he is performing a religious act; why then does R. Joshua hold him not liable?
- (5) I.e., he then knew it perfectly, and was certain that he would not forget it.
- (6) Sc. the two cases.
- (7) I.e., in the case adduced he knows definitely that he has only one infant for circumcision on the Sabbath, and therefore when he circumcises

another his error is inexcusable, as explained in the note on the Mishnah.

(8) E.g., twins, one being born on the Sabbath late in the day, and the second born after nightfall (or even during twilight).

(9) Lit., 'forgot'.

(10) For unwittingly desecrating the Sabbath. For since circumcision is not obligatory before the eighth day, this is not circumcision but the mere infliction of a wound, which entails culpability.

(11) For though he has actually fulfilled a precept, nevertheless circumcision after its proper time does not override the Sabbath.

(12) He erred though fulfilling a precept, viz., because he was occupied with the circumcision of the second, which was actually obligatory for that day; and he also did fulfill a precept by circumcising the first, and R. Joshua holds that in such a case he is not culpable. Hence here too, if he slaughtered a private sacrifice for a public sacrifice, he was occupied with a precept, viz., slaughtering a sacrifice, and he did fulfill a precept, for the sacrifice he did actually offer is valid. Hence he should not be liable.

(13) When he circumcised the infant whose circumcision was due on the previous day, he had not yet circumcised the other; hence his error arose because he was rightly pre-occupied with the obligation of circumcision on that day.

(14) So that his subsequent error was unjustified, since he had no pre-occupation with any obligation of offering sacrifices at all when he made that error, all permitted sacrifices on that day having been disposed of.

(15) [In the Gilead district, v. Horowitz, Palestine, p. 6.]

(16) It is now assumed that in the first clause R. Meir holds him culpable when he circumcised both, because he thought that it was already time for both, and he first circumcised the infant belonging to the Sabbath, which was due for that day, and then circumcised the other. Now though he did actually perform a religious duty, yet since there was no occasion to be further occupied with this one after having circumcised the one belonging to the Sabbath, he is not regarded as having erred in the fulfillment of a precept. Whereas in the second clause he is exempt because he was pre-occupied with the infant belonging to the Sabbath and circumcised the other by mistake; for it is assumed that he certainly did not circumcise both on that day, as he must have known that one was due for the next day. Thus we see that where he has no occasion at all to be occupied at present with a precept, R. Meir rules him liable.

(17) That the reason is as stated in the last note.

(18) The infant not yet being due for circumcision.

(19) Surely not!

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so that the Sabbath does not stand to be overridden¹ whereas in the second clause the Sabbath stands to be overridden by him;² [thus] here, [too], surely the Sabbath stands to be overridden in respect of a public sacrifice.³ R. Ashi said to R. Kahana: But here too [in the first clause] the Sabbath stands to be overridden in connection with infants in general? Nevertheless it was not given [to be overridden] in connection with this man, he answered him.

WHILE ALL OTHER SACRIFICES WHICH HE SLAUGHTERED AS A PASSOVER, IF THEY ARE NOT ELIGIBLE, HE IS CULPABLE; WHILE IF THEY ARE ELIGIBLE, — R. ELIEZER RULES HIM LIABLE TO A SIN-OFFERING, WHILE R. JOSHUA RULES HIM NOT CULPABLE. Which Tanna draws a distinction between eligible and not eligible? It is R. Simeon. For it was taught: The sacrifices which are eligible [for a Passover] and the sacrifices which are not eligible are as one; and similarly he who slaughters for the sake of public sacrifices is not liable; this is R. Meir's view.

R. Simeon said: R. Eliezer and R. Joshua did not differ about those which are not eligible, [agreeing] that he is liable. About what do they differ? About those which are eligible. R. Eliezer ruling him liable to a sin-offering, while R. Joshua declares him not liable. R. Bibi said in R. Eleazar's name: R. Meir declared him not liable even [if it was] a calf of a peace-offering sacrifice which he slaughtered in the name of a Passover-offering.⁴ Said R. Zera to R. Bibi, But R. Johanan said: R. Meir admitted [that he is liable] in the case of blemished [animals]?⁵ — He is not pre-occupied with blemished animals [at all],⁶ whereas he is occupied with this [calf],⁷ he answered him.

Raba asked R. Nahman: What is R. Meir's opinions [where a man slaughters] Hullin for the sake of a Passover?⁹ Said he to him: R.

Meir declared him not liable even [if he slaughtered] Hullin for the sake of a Passover. But R. Johanan said: R. Meir admitted [that he is liable] in the case of blemished [animals]? Blemished [animals] cannot be confused [for these] these can be confused,¹⁰ Is then R. Meir's reason because they can be confused or they cannot be confused; surely R. Bibi said in R. Eleazar's name, R. Meir declared him exempt even [if it was] a calf of a peace-offering sacrifice which he slaughtered in the name of a Passover-offering,¹¹ which proves that R. Meir's reason is because he is pre-occupied with the [sacrificing of an animal].¹² — Said he to him, If he is pre-occupied [he is not liable] even if it cannot be confused; if it can be confused [he is not liable] even if he is not pre-occupied [with sacrificing], which excludes blemished [animals], which can neither be confused nor is he indeed pre-occupied [with the sacrificing of them].

R. Zera and R. Samuel b. Isaac were sitting in the hall of R. Samuel b. Isaac[’s house], and they sat and said: R. Simeon b. Lakish said: If a man mistook a spit of Nothar¹³ for a spit of [ordinary] roast meat¹⁴ and he ate it, he is liable.¹⁵ While R. Johanan said: If a man had intercourse with his wife, a niddah,¹³ he is liable; if he had intercourse with his Yebamah,¹³ a Niddah, he is not liable.¹⁶ Some say, In the former case¹⁷ he is all the more liable, seeing that he did not perform a religious duty [at all].¹⁸ Others say, In the former case he would not be liable. What is the reason? It is only there¹⁹ because he should have asked; but here, that he could not have asked,²⁰ [he is] not [liable]. Now [according to] R. Johanan, wherein does his Yebamah differ? Because he performed a religious duty! [Then in the case of] his wife too he performed a religious duty.²¹ — It refers to his wife when she is pregnant. But there is the pleasure of the periodical visit?²² — It was not at the time of her periodical visit.

But Raba said: A man is bound to please his wife with a good deed?²³ — It was near her

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[menstruation] date,²⁴ If so, the same [applies to] his Yebamah?²⁵ — he is bashful towards his Yebamah,²⁶ [but] he is not bashful towards his wife. Now R. Johanan, according to whom [does he give his ruling]? Shall we say, according to R. Jose, for we learned, R. Jose said: If the first festival-day of the Feast²⁷ fell on the Sabbath, and one forgot [himself] and carried out the palm-branch²⁸ into the street,²⁹ he is not liable [to a sin-offering], because he carried it out with permission.³⁰ But perhaps it is different there, because his time is urgent?³¹ Again, if [it is] in accordance with R. Joshua's [ruling] on infants,³² there too his time is urgent? —

Rather, it is in accordance with R. Joshua's [ruling] on Terumah. For we learned: If he [a priest] was eating Terumah and it became known that he was the son of a divorced woman or of a haluzah,³³ R. Eliezer holds him liable for the principal plus a fifth,³⁴ while R. Joshua exempts [him].³⁵

Perhaps [however] this is as R. Bibi b. Abaye, for R. Bibi b. Abaye said: This refers to Terumah on Passover eve, since its time is urgent?³⁶ Alternatively, Terumah is different, as it is designated 'Abodah,³⁷ and the Divine Law declared 'Abodah valid,³⁸ For we learned: If he was standing and offering [sacrifices] and it became known that he was the son of a divorced woman or of a Haluzah, all the sacrifices which he offered on the altar are invalid; but R. Joshua declares them valid. Now we said, what is R. Joshua's reason? Because it is written, Bless, Lord, his substance [Helo] and accept the work of his hands.³⁹ Now where is Terumah designated 'Abodah?

For it was taught: It once happened that R. Tarfon had not attended the Beth Hamidrash the previous evening. The [following] morning R. Gamaliel met him and said to him 'Why did you not attend the Beth Hamidrash last night?' 'I performed an 'Abodah,' replied he. 'All your words are naught but mysteries.'⁴⁰ he retorted, 'for

whence have we 'Abodah nowadays?'

⁴¹ Said he to him, 'Behold, it is said,

(1) And he had not yet discovered his mistake when he came to perform circumcision on the Sabbath. Thus, though he thought that he was occupied with a religious duty, and did in fact perform one, he is nevertheless liable, because the Sabbath did not stand to be violated by him, since there was no infant left for whom the Sabbath must be violated.

(2) Hence he erred in the matter of a religious duty, and R. Meir holds that such is not liable even if he did not eventually perform a religious duty at all. Thus here too, if he slaughters a private sacrifice as a public sacrifice, the Sabbath did stand to be overridden in respect of a public sacrifice, and even if it had actually been slaughtered already the error is excusable, and he is not culpable.

(3) As explained in last note.

(4) Though I might think that it is impossible to confuse these two.

(5) And he assumes that the two cases are alike, since in both an error should be impossible.

(6) Since he never dedicated them as sacrifices.

(7) Having set them aside for an offering, his mind was pre-occupied with them and he might have erred in offering them for another purpose.

(8) Lit., 'what (says) he?'

(9) On the Sabbath. No animal may be slaughtered as a sacrifice unless it is first consecrated.

(10) A man cannot err in respect of blemished animals, whereas he can forget that an animal has not been consecrated.

(11) Though these too cannot be confused.

(12) But he is not occupied in sacrificing Hullin.

(13) V. Glos.

(14) Lit., 'a spit of Nothar was exchanged to him for a spit roast'.

(15) To a sin-offering, which the unwitting consumption of Nothar involves. The roast meat was that of a sacrifice, while the eating of sacrifices is a religious duty, as it is written, and they shall eat those wherewith atonement was made (Ex. XXIX, 33). Thus he rules that he is liable even where he erred in thinking that he was fulfilling a religious duty.

(16) As explained below, the first case means immediately prior to her menstruation period, so that he did not fulfill a religious duty. But in the latter case he fulfills a religious duty (v. Deut. XXV, 5).

(17) Viz., that dealt with by R. Simeon b. Lakish.

(18) Whereas he did perform a religious duty by rendering to his wife her conjugal rights.

(19) Viz., where he cohabited with his wife, that he is liable.

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- (20) There was none to ask about the spit.
(21) Viz., that of procreation, which is enjoined in Gen. I, 28: be fruitful, and multiply.
(22) V. Keth. 61b.
(23) Sc. intercourse, even at other times too.
(24) When one must hold aloof from his wife.
(25) Neither in her case is there any religious obligation when her menstruation date is near?
(26) Therefore he could not ask her.
(27) 'Feast' (hag) without a further determinant always means the Feast of Tabernacles.
(28) V. Lev, XXIII, 40.
(29) Carrying from private into public ground constitutes a forbidden labor on the Sabbath; v. Shab.7 2a, 73a.
(30) I.e., though his action is forbidden, nevertheless it was done as a religious duty. Thus this is similar to the case dealt with by R. Johanan.
(31) He must do it within a fixed period; hence his anxiety not to miss that period excuses his forgetfulness.
(32) V. supra 72a.
(33) V. Glos. — whom a priest may not marry (Lev. XXI,7- a Haluzah is forbidden by Rabbinical law only); the issue of such a union is Hallal (profaned) who ranks as a Zar (lay Israelite) and must not eat Terumah under the same penalties as a Zar.
(34) Which a Zar who eats Terumah unwittingly must pay. v. Lev, XXII, 14.
(35) Because he erred in thinking that he was performing a religious duty; v. p. 374, n. 3; and the same applies to Terumah.
(36) I.e., it was Terumah of leaven and so he was in a hurry to consume it (R. Han.).
(37) 'Abodah, lit., 'service', means the sacrificial service; it is now stated that the eating of Terumah is likewise 'Abodah.
(38) When performed by a Hallal, though he is not eligible to do it in the first place. Hence though he may not eat Terumah, he is nevertheless not liable if he does eat it.
(39) Deut, XXXIII, 11. The verse refers to priests, and Helo (E.V.. substance) is derived here from Hullin (non-sacred, profane); thus it is translated, Bless... (even) him who is profaned (Hallal) and accept, etc. i.e., let his service be valid.
(40) Lit., 'words of astonishment'.
(41) After the destruction of the Temple.

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I give you the priesthood as a service of ['Abodath] gift; and the common man that draweth nigh shall be put to death:¹ [thus] they made the eating of Terumah in the borders² as [equivalent to] the 'Abodah in the Temple.

IF HE SLAUGHTERED IT FOR THOSE WHO ARE NOT ITS EATERS [etc.]. That is obvious: since it is [taught] there³ [that it is] unfit, he is liable here?⁴ — Because the second clause teaches, **HE IS NOT LIABLE**, the first clause teaches, **HE IS LIABLE**. But that too is obvious: Since [the sacrifice] is fit there, he is not liable here? —

Rather, because he teaches, **IF HE SLAUGHTERED IT FOR A DIFFERENT PURPOSE ON THE SABBATH**, he also teaches [about] **THOSE WHO ARE NOT ITS EATERS**. And what is the purpose of that itself?⁵ — [He states it] because he wishes to teach the controversy of R. Eliezer and R. Joshua.⁶

R. Huna b. Hinena said to his son, 'When you go before R. Zerika, ask him: On the view that he who causes damage through a wound is not liable,⁷ [when we learned] **IF HE SLAUGHTERED IT FOR THOSE WHO ARE NOT ITS EATERS, HE IS LIABLE**, what [of positive value] has he effected? —

He effected [this. viz.,] that if they [the Emurim] ascended [the top of the altar], they do not descend.⁸ **IF HE SLAUGHTERED IT, AND IT WAS FOUND TO POSSESS A BLEMISH, HE IS LIABLE**: what [of positive value] has he effected?⁹ —

He effected [something positive] in the case of cataracts in the eye,¹⁰ this being in accordance with R. Akiba, who maintained: If they [the Emurim] ascended, they do not descend,¹¹ **IF HE SLAUGHTERED IT AND IT WAS FOUND TO BE TEREFAH INTERNALLY, HE IS NOT CULPABLE**. Hence if it is in an exposed part, he is culpable; [yet] what has he effected?¹² —

He effected its withdrawal from the scope of Nebelah.¹³

Rabina demurred: As to what was taught: He who slaughters a sin-offering on the Sabbath without [the Temple] to an idol, is liable on account thereof to three sin-offerings:¹⁴ —

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what has he effected?¹⁵ — Said R. ‘Awira: Because he withdraws it from [the interdict of] a limb [cut] from a live animal.¹⁶

IF HE SLAUGHTERED IT AND IT BECAME KNOWN, etc. R. Huna said in Rab's name: A guilt-offering which was transferred to pasture and [then] slaughtered without a specified purpose is fit for a burnt-offering.¹⁷ This proves that he holds that it does not require [express] abrogation.¹⁸ If so, [even] if it was not transferred too?¹⁹ [When it is sacrificed thus immediately] after atonement it is preventively forbidden on account of [when it is sacrificed thus even] before atonement.²⁰ And whence do you rule [thus]? For we learned: A guilt-offering whose owner died or whose owner [otherwise] obtained atonement must graze until it becomes unfit;²¹ then it is sold, and its money falls [is utilized] for a voluntary offering.²² R. Eliezer said: It is left to die.²³ R. Joshua said: he can sell it and bring a burnt-offering for its money.²⁴ Thus, only for its money, but not that itself, because he preventively forbids [it when sacrificed] after atonement on account of [when it is sacrificed] before atonement. This proves it.

R. Hisda raised an objection against R. Huna: IF HE SLAUGHTERED IT AND IT BECAME KNOWN THAT THE OWNERS HAD WITHDRAWN THEIR HANDS, etc.

(1) Num. XVIII, 7. ‘Service of gift’ refers to the priestly dues, which includes Terumah, and it is designated here ‘Abohah.

(2) This is a technical term denoting all places without the Temple.

(3) Supra 61a.

(4) For its unfitness renders his action a desecration of the Sabbath.

(5) For seemingly the same principles are involved here too.

(6) Lit., ‘to make R. Eliezer and R. Joshua dispute’.

(7) In general, the desecration of the Sabbath involves culpability only when it has a positive, beneficial effect. For causing damage, however, a man is not liable (Shab. 105b); but in respect to damage by wounding there is a controversy *ibid*, 106a.

(8) If a sacrifice becomes unfit in the Temple Court and its Emurim (v. Glos.) are placed on the

altar for burning, they do not descend but must be burnt there.

(9) For if the Emurim of a blemished animal sacrificed unwittingly are laid on the altar, they must be taken down.

(10) Which are a blemish in respect to a sacrifice.

(11) In this case, since it is a kind of blemish that does not apply to a bird-offering, v. Zeb. 85b.

(12) For here too if the Emurim are taken up to the altar they must go down again.

(13) V. Glos. As Nebelah it would defile, whereas now it does not defile.

(14) (i) For slaughtering on the Sabbath: (ii) for sacrificing to an idol: and (iii) for slaughtering a sacrifice without the Temple.

(15) Seeing that the slaughtering does not withdraw it from the scope of defilement, since an idol sacrifice becomes a source of defilement!

(16) A limb cut from a live animal is forbidden even to a non-Jew. His present action renders that interdict impossible (Rashi). R. Han.: a man is culpable when he eats as much as an olive of the limb of a live animal even if it is made up of flesh, tendons and bones; now, however, it ranks as Nebelah, and he is liable only when he eats as much as an olive of the flesh, by itself, excluding the tendons and bones.

(17) A sin-offering and a guilt-offering cannot be brought as votive sacrifices, but only when they are due for transgression. Now, if a man dedicates an animal for one of these, and then dies, or dedicates and sacrifices another animal in its place, then the first, if a sin-offering, must be allowed to perish; if a guilt-offering, it must be put out to pasture until it receives a blemish, when it is redeemed and reverts to Hullin (v. Glos.), while the redemption money is allocated to a special fund for voluntary sacrifices, which take the form of burnt-offerings. Now, if he slaughtered it (in the Temple Court) before it received a blemish, it is valid as a burnt-offering, since that would eventually have been brought in any case. The flesh is then burnt on the altar, while the hide belongs to the priests.

(18) Lit., ‘uprooting’. Since this is its ultimate destiny, he need not expressly abrogate its status of a guilt-offering.

(19) I.e., if it was slaughtered as a burnt-offering immediately its owner died, etc. it should be fit.

(20) For the two cases may be confused. But once it is actually put out to pasture there is no fear of confusion. — From the text and Tosaf. a.l. it would appear that if he slaughters it as a burnt-offering before transferring it to pasture it is unfit, even if it was done. While even after it was transferred to pasture it is fit for a burnt-offering only if it was thus sacrificed, so that we are faced with a *fait accompli*. But at the outset it may not be sacrificed even after it is transferred to pasture.

(21) For a sacrifice by receiving a blemish.

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(22) I.e., the money is placed in the fund for voluntary sacrifices.

(23) For he holds that a guilt-offering is the same as a sin-offering.

(24) I.e., the owner brings it as his own sacrifice, and the money does not go into the fund. Thus it is a private sacrifice, so that he himself can slaughter it, he lays his hands upon it (Lev. I, 4), and the accompanying drink-offerings are at his expense. Whereas when the money goes into the fund it is brought as a public sacrifice, and the foregoing are absent.

Pesachim 73b

Now it ways taught thereon: During the week in such circumstances it must be burnt immediately. Now it is well if you say that it requires abrogation: this is a Passover, and since it has no owners, its disqualification is in itself, [and] for that reason it must be burnt immediately. But if you say that it does not require abrogation [then] from the beginning¹ it is a peace-offering; On account of what [then] is its disqualification? [Presumably] on account of something extraneous, viz., that he slaughtered it after the evening tamid!² [But] then it requires disfigurement? For it was taught, This is the general rule: Wherever its disqualification is in itself, it must be burnt immediately; [if it is] in the blood or in its owner, [the flesh] must become disfigured and [then] it goes out to the place of burnings³—

Rather, do not say,⁴ ‘if he slaughtered it without specifying its purpose, it is fit as a burnt-offering,’ but say, If he slaughtered it for the purpose of a burnt-offering, it is fit. This proves that it requires [express] abrogation. Then according to R. Hiyya b. Gamada, who said: It was thrown out from the mouth of the company and they said: [The circumstances are] e.g., that its owners were unclean through a dead body and relegated to the second Passover: [thus] only this requires abrogation, but in general abrogation is not required, what can be said?⁵—

Rather, said R. Huna son of R. Joshua, what are we discussing here? E.g., if he separated

it [for a Passover] before midday, and the owner died after midday, so that it was eligible and then rejected, and whatever was eligible and then rejected cannot be eligible again.⁶ — Is then our reasoning [required] for any but Rab,⁷ — surely Rab said: Live animals cannot be [permanently] rejected?⁸

Rather, said R. Papa, the author of this⁹ is R. Eliezer, who maintained: Similarly, if he slaughters other [sacrifices] for the sake of the Passover, they are unfit,¹⁰ so that its disqualification is in itself.¹¹ But if it is [according to] R. Eliezer, he would rule him liable to a sin-offering, since R. Eliezer rejects [the view that] he who errs in the matter of a precept¹² is exempt!¹³—

R. Joseph¹⁴ the son of R. Salla the Pious explained it before R. Papa: The author of this is R. Joseph b. Honai. For we learned, R. Joseph b. Honai said: Those [other sacrifices] which are slaughtered for the purpose of a Passover or for the purpose of a sin-offering are unfit.¹⁵ This proves that its disqualification is in itself, and for that [reason] it must be burnt immediately; while in the matter of non-culpability¹⁶ he agrees with R. Joshua.¹⁷

R. Ashi said, Rab ruled in accordance with R. Ishmael the son of R. Johanan b. Berokah. For it was taught, R. Ishmael the son of R. Johanan b. Berokah said: If there was sufficient time in the day to ascertain whether the owners had withdrawn their hands or died or become defiled, he is liable,¹⁸ and it [the sacrifice] must become disfigured and [then] go out to the place of burning. he slaughtered it without a specified purpose, express abrogation not being necessary. But the reason in the Baraita is a different one, as stated. Thus: at midday the owner was still alive and therefore it was immediately eligible for a Passover offering; the owner's death disqualified it from that purpose, and he holds that it can never be eligible again in such circumstances. What is the reason? Is it not because it does not require abrogation?¹⁹—

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Whence [does this follow]: perhaps it is because he agrees with the Tanna of the School of Rabbah b. Abbuha, who said: Even Piggul²⁰ too requires disfigurement, because we learn the meaning of 'iniquity' from Nothar.²¹ For if you should not say thus, where the owners become defiled, what can be said, for surely that certainly requires abrogation, for R. Hiyya b. Gamada said, it was thrown out from the mouth of the company and they said: [The circumstances are] e.g., that its owners were unclean through a dead body and relegated to the second Passover? Hence it is clear as we answered at first: this is [in accordance with] R. Joseph b. Honai. [

(1) I.e., immediately the owners die or withdraw their hands.

(2) V. Glos.; that is when he would actually slaughter it, thinking that it was still a Passover, whereas as a peace-offering it must be slaughtered before; v. supra 59b.

(3) V. supra 34b for notes.

(4) In the statement of Rab reported by R. Huna.

(5) V. supra 64a for notes.

(6) The original version is to be retained, viz., that

(7) This explanation is given only in order to reconcile R. Huna's statement in Rab's name with the Baraitha.

(8) V. infra 98a.

(9) The Baraitha which was cited commenting on our Mishnah.

(10) V. supra 62b.

(11) I.e., it does not require abrogation, so that it is automatically a peace-offering; hence by slaughtering it expressly for a Passover he renders it intrinsically disqualified, and therefore on weekdays it must be burnt immediately.

(12) V. Mishnah 71 b and note a.l.

(13) Hence in the Mishnah he should be liable for desecrating the Sabbath.

(14) So MS.M. omitting 'But' of cur. edd.

(15) v. Zeb. 2a.

(16) When one errs in a matter of a precept.

(17) That he is not culpable.

(18) For he should have satisfied himself on these things before slaughtering. Therefore he is regarded not as having erred in the fulfillment of a precept but as an unwitting offender (Shogeg); hence he is liable.

(19) As above. Thus this supports Rab, who does not accept the view of the Baraitha quoted at the beginning of the page.

(20) V. Glos.

(21) V. infra 82b; though Piggul is certainly intrinsically disqualified.

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CHAPTER VII

MISHNAH. HOW IS THE PASSOVER-OFFERING ROASTED? WE BRING A SPIT OR POMEGRANATE WOOD AND THRUST IT INTO ITS MOUTH [RIGHT DOWN] AS FAR AS ITS BUTTOCKS, AND PLACE ITS KNEES AND ITS ENTRAILS INSIDE IT: THIS IS THE VIEW OF R. JOSE THE GALILEAN. R. AKIBA SAID: THIS IS IN THE NATURE OR SEETHING;¹ BUT THEY ARE HUNG OUTSIDE IT. ONE MAY NOT ROAST THE PASSOVER-OFFERING EITHER ON A [METAL] SPIT OR ON A GRILL.² R. ZADOK SAID: IT ONCE HAPPENED THAT R. GAMALIEL SAID TO HIS SERVANT TABI, GO OUT AND ROAST US THE PASSOVER-OFFERING ON THE GRILL.'

GEMARA. But let us bring [a spit] of metal? — When part of it is hot the whole of it is hot,³ and so [part of] it is roasted through the spit,⁴ whereas the Divine Law saith, roast with fire,⁵ and not roast through something else. But let us bring [a spit] of palm wood? — Since it has grooves it exudes water [sap], so that it would be like boiled. Then let us bring [a spit] of fig wood? — Since it is hollow,⁶ it exudes water, so that it is like boiled. Then let us bring [a spit] of the oak tree, the carob tree or the sycamore tree? — Because it has knots it exudes water. [But the wood] of the pomegranate tree too has knots? — Its knots are smooth.⁷ Alternatively, this refers to a shoot of this [i.e., the first] year's growth, which has no knots. But there is the point where it is cut?⁸ — He causes the point where it is cut to protrude without [the animal].

Our Mishnah is not according to R. Judah. For it was taught, R. Judah said: Just as a wooden spit is not burnt,⁹ so a metal spit does not boil [the flesh].¹⁰ Said they to him: This [sc. metal], if part of it is hot, the whole of it

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is hot; whereas the other [wood], if part of it is hot, the whole of it is not hot.¹¹

AND WE PLACE ITS KNEES, etc. It was taught: R. Ishmael called it Tok Tok.¹² R. Tarfon called it a helmeted goat.¹³

Our Rabbis taught: What is the helmeted goat which it is nowadays forbidden to eat on the nights of Passover?¹⁴ Wherever the whole is roasted in one [piece]. If a lamb was cut from it, [or] if a limb of it was boiled, that is not a helmeted goat. Now that you say that if a limb was cut from it, even if he roasted it together with it, it is not [a helmeted goat], [if a limb is] boiled need it [be stated]?¹⁵ — Said R. Shesheth: It means that he boiled it while attached [to the whole animal].

Rabbah said: A stuffed [lamb]¹⁶ is permitted. Said Abaye to him: But [the lamb] absorbs the blood?¹⁷ As it absorbs, so it exudes, he answered him.¹⁸ Shall we say that this supports him: AND [WE] PLACE ITS KNEES AND ITS ENTRAILS INSIDE IT: what is the reason? Is it not because we say, as it absorbs, so it exudes? — I will tell you: it is different there, [for] since there is the place of slaughtering, which is hollow,

- (1) The entrails inside the animal are like meat in a pot, which is seething, not roasting.
- (2) This is explained in the Gemara.
- (3) Metal-iron — being a good conductor of heat.
- (4) The flesh actually in contact with it is roasted in the heat of the spit, not by the heat of the fire.
- (5) Ex. XII,8.
- (6) Having a marrow-like substance inside.
- (7) Hence they do not exude sap.
- (8) Which naturally exudes moisture.
- (9) For being inside the lamb it is protected from the fire.
- (10) Thus he permits the use of a metal spit.
- (11) Hence there is no analogy between the two.
- (12) 'Tok' is the sound of boiling. Thus he held that the knees, etc. are placed inside it, so that it emits a sound of boiling. MS. M. reads: R. Ishmael called it a Takbera i.e., a basket, as the animal was stuffed with the loose pieces, v. Jast. s.v. תַּכְּבְּרָא.
- (13) He held that the knees, etc. must hang outside, so that it looked like a helmet on the head of a warrior.
- (14) I.e., after the destruction of the Temple; v. supra 53a.

(15) Surely it is superfluous.

(16) I.e., the lamb being stuffed with meat salted only enough for roasting, which is less than is required by law when it is to be boiled (Rashi). Blood in flesh is forbidden, hence the prescribed, process of soaking and salting in order to draw it out.

(17) Which exudes from the pieces of meat with which it is stuffed when the whole is roasted.

(18) It exudes on the outside the same amount of blood which it first absorbs on the inside.

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[the blood] indeed oozes out.¹ Shall we say that this supports him: The heart must be torn and the blood withdrawn;² if he did not tear it [open], he must tear it after it is boiled³ and it is permitted.⁴ What is the reason? Is it not because we say, as it absorbs, so it exudes?⁵ — The heart is different, because it is smooth.⁶ But surely Rabin the Elder put a paste of dough over a [roasted] pigeon for Rab, and he [Rab] said to him, 'If the paste is good [tasty], give it me and I will eat it?'⁷ — That was [done] with [a paste of] fine flour, which is crumbly.⁸

But Raba visited the home of the Resh Galutha⁹ and they put a paste of dough over a [roasted] duck for him. Said he, 'Had I not seen that it was as clear as white glass, I would not eat of it.' Now should you think, as it absorbs, so it exudes, why particularly when it is clear; [it is permitted] even if not clear? —

There it was [prepared] with white flour, so that it [the paste] is compact.¹⁰ Now the law is: [a paste] of finest flour, whether it looks red or does not look red, is permitted;¹¹ [a paste] of white flour: if it is as clear as white glass, it is permitted, if not, it is forbidden; [a paste] of other flours: if it looks red, it is forbidden; if it does not look red, it is permitted. [As to] a stuffed [lamb], he who forbids [does so] even if the mouth is at the bottom; while he who permits [does so] even if the mouth is on top. Now the law is: a stuffed [lamb, etc.] is permitted even if the mouth is on top.¹² [With regard to] raw meat,¹³ eggs,¹⁴ and the jugular veins, R. Aha

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and Rabina differ therein. (In the whole Torah¹⁵ R. Aha is stringent while Rabina is lenient, and the law is as Rabina [viz.,] as the lenient [view]; except in these three, where R. Aha is lenient and Rabina is stringent, and the law is as R. Aha, [viz.,] as the lenient view.)

If raw meat turns reddish, if one cuts¹⁶ and salts it, it is permitted even for a pot; if one impales it on a spit [over the fire], it is permitted,¹⁷ [because] it [the blood] certainly oozes out. If he placed it on [burning] coals, R. Aha and Rabina differ therein; one forbids and the other permits. He who forbids [holds that] it [the fire] binds [the blood],¹⁸ while he who permits [holds] that it draws [the blood] out. And the law is: it does indeed draw [the blood] out. Similarly with eggs: if he cut and salted them, they are permitted even for a pot. If he suspended them from a spit, they are permitted, [because] it [the blood] certainly oozes out.

If he laid them on coals, Aha and Rabina differ therein: one forbids and the other permits them. He who forbids [holds]: it certainly binds [the blood]; while he who permits [maintains]: it draws it out. Similarly with the [throat portion containing the] jugular veins: if he cut and salted it, it is permitted even for a pot; if he suspended it on a spit, the place of the cut¹⁹ being underneath,²⁰ it is permitted, [because] it does indeed ooze out.

If he laid it on coals, R. Aha and Rabina differ therein: one forbids and the other permits. He who forbids [holds]: it does indeed bind [the blood]; while he who permits [maintains]: it draws it out. And the law is: it draws it out. Raw meat which turns red, its serum is forbidden;²¹ if it does not turn red, its serum is permitted. Rabina said: Even if it does not turn red, its serum is forbidden, [for] it cannot but contain streaks of blood.

Mar b. Amemar said to R. Ashi: My father did indeed drink it.²² Others say: R. Ashi himself drank it.

Mar b. Amemar said to R. Ashi: Vinegar which had been used once for contracting [meat],²³ my father would not use it again for contracting'.²⁴ How does it differ from weak vinegar, which may be used for contracting'?— There

- (1) The animal being hung throat downwards.
- (2) Before it is boiled; the heart is full of blood and therefore ordinary salting, as is done with other flesh, is insufficient.
- (3) Rashi: this is assumed to mean, after it is roasted over an open fire, roasting being occasionally referred to as boiling, v. II Chron. XXXV, 13: and they boiled (Wa-yebashshelu) the Passover with fire according to the ordinance.
- (4) V. Hul. 109a.
- (5) The reference is not to the heart absorbing blood from other meat, but to one part of the heart absorbing blood from another, and it is now suggested that it exudes the same blood, since it is roasted over an open fire.
- (6) Hence it does not absorb, so that even if it were boiled in a pot it would be permitted, though there that it is not directly over the fire we certainly cannot say, so it exudes.
- (7) Now the paste absorbs blood from the roasted pigeon; since he wanted to eat it, he must have known that it re-exudes it.
- (8) And so leaves room for the blood to ooze.
- (9) V. Glos.
- (10) Which prevents the blood from oozing.
- (11) Even in the former case we assume that the blood which the paste absorbed certainly oozed out, the redness being a mere hue which it leaves.
- (12) When it is suspended for roasting; though there is no opening for the blood to run out, it nevertheless oozes out through the flesh.
- (13) Umza is raw meat, unsalted and un-soaked. Blood in flesh is forbidden only if it travels from one part of the flesh to another. But if it remains in its original place, e.g., when raw meat is pickled dry, it is permitted (Rashi).
- (14) The eggs of a male. Rashi: the controversy infra arises when they look red. Tosaf.: these eggs are covered with a membrane which is forbidden on account of blood, hence the controversy.
- (15) Where R. Aha and Rabina differ.
- (16) To allow for the blood to flow out.
- (17) Even if only slightly salted, as one salts ordinary meat when it is to be roasted.
- (18) Though not before it has time to travel from its place.
- (19) I.e., the throat.

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- (20) So that the blood can flow out.
(21) This is R. Aha's view; though he permits the meat itself, he agrees that the serum is forbidden.
(22) The serum.
(23) Meat was washed in vinegar in order to contract the blood vessels and bind the blood.
(24) Because after it has been used once the vinegar loses its strength to bind the blood in its place.

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the tartness of the fruit is present in its natural state, whereas here the tartness of the fruit is not present in its natural state.

ONE MAY NOT ROAST THE PASSOVER-OFFERING, etc. A story [is quoted] in contradiction? — The text is defective, and it teaches thus: But if it is a perforated grill, it is permitted, and R. ZADOK SAID [LIKEWISE]: IT ONCE HAPPENED THAT R. GAMALIEL SAID TO HIS SERVANT: GO OUT AND ROAST US THE PASSOVER-OFFERING ON THE PERFORATED GRILL'.

R. Hinena b. Idi asked R. Idi b. Ahabah: If a man fires an oven with the shells of 'orlah¹ and then sweeps it out and bakes bread in it, what is [the law] on the view that it is forbidden?² The bread is permitted, he answered. Said he to him, But R. Hinena the Elder said in R. Assi's name in R. Johanan's name: If a man fires an oven, sweeps it out, and roasts the Passover-offering in it, that is not 'roast with fire,' because 'roast with fire,' is stated twice.³ [Thus] the reason is that the Divine Law revealed [it by stating] roast with fire' twice; but if the Divine Law had not revealed it, I would say, it is 'roast with fire'?⁴ —

The Divine Law revealed it there, replied he, and we learn from it [for elsewhere]. Alternatively, there the reason is that the Divine Law wrote roast with fire' twice; but if the Divine Law had not written 'roast with fire' twice, I would say, the Divine Law insisted on fire, and even if he swept it out, that too is 'roast with fire';⁵ but here the

Divine Law objected to forbidden fuel, which is [now] absent.

Our Rabbis taught: If he cut it and placed it on the coals, Rabbi said: I maintain that this is 'roast with fire.' R. Ahadeboi b. Ammi pointed out a contradiction to R. Hisda: Did then Rabbi rule [that] coals are fire? But the following contradicts it: [Or when the flesh hath in the skin thereof] a burning by fire [etc.]:⁷ I know it only where it was burnt by fire; if it was burnt with coals, hot ashes, boiling lime, boiling gypsum, or anything produced by fire, which includes hot water [heated] by fire, how do we know it?⁸ Therefore 'a burning' is stated twice, as an amplification. [Hence] it is only because the Divine Law amplified [it by writing] 'a burning' twice, but if the Divine Law had not amplified [it by writing] 'a burning' twice, [I would say that] coals are not fire? Scripture does not find it necessary to include a wood coal, he answered him;⁹ a verse is necessary only in respect of a coal of metal. Then are not coals of metal fire? Surely in respect of a priest's daughter [who committed adultery], though it is written, she shall be burnt with fire,¹⁰ R. Mattenah said: They made a lead wick for her?¹¹ —

There it is different, because the Divine Law said, 'she shall be burnt with fire': 'she shall be burnt' is to include all burnings which come from fire, then all the more fire itself! [If so] let us surround her with bundles of faggots and burn her? —

The meaning of 'burning' is learnt from the children of Aaron: just as there it was a burning of the soul while the body remained intact, so here burning of the soul while the body remains intact [is meant].¹² Then let us prepare for her boiling water [heated] by the fire?¹³ —

[That is ruled out] on account of R. Nahman' [s dictum]. For R. Nahman said, Scripture saith, but thou shalt love thy neighbor as thyself:¹⁴ choose an easy death for him. Now,

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since there is R. Nahman[‘s deduction], what is the purpose of the Gezerah shawah?¹⁵ —

I will tell you: But for the Gezerah shawah, I would say [that] the burning of the soul while the body remains intact is not burning,¹⁶ while as for R. Nahman's [teaching], let us use many bundles of faggots for her, so that she should die quickly. Therefore it [the Gezerah shawah] informs us [that it is not so]. Then what is the purpose of ‘[she shall be burnt] with fire’?¹⁷ — It is to exclude [boiling] lead [drawn straight] from its source.

R. Jeremiah said to R. Zera: Then wherever ‘she shall be burnt with fire’ is written, it is to include all burnings which are produced by fire? Surely in respect to the [sacrificial] bullocks which were burnt, though it is written, and the [the priest] shall burn it on wood with fire,¹⁸ it was nevertheless taught: ‘With fire,’ but not with boiling lime or boiling gypsum? —

Said he to him, How compare! There ‘with fire’ is written [first] and ‘she shall be burnt’ after: [hence] it is to include all burnings which are produced by fire;¹⁹ [whereas] here is written, and he shall burn it on wood with fire,’ ‘with fire’ being at the end, to intimate that fire only [is permitted], but not anything else. But there too burning is written at the end, for it is written,

- (1) V. Glos.
- (2) Where it is not first swept out; V. supra 26b. Here, however, there is no improvement of the fuel in the loaf; hence the question.
- (3) Ex. XII, 8, 9. The repetition emphasizes that it must be roast actually over the fire itself.
- (4) Hence in the present case as there is no Biblical intimation, we should regard it as though the fire itself were present, and by corollary, as though, the oven were unswept.
- (5) Since the heat was the result of fire.
- (6) The Passover-offering; not actually dividing it, but making a number of deep cuts, so that it should roast more quickly.
- (7) Lev. XIII, 24.
- (8) That it falls within this particular category of leprosy? V. Hul. 8a.
- (9) For that indeed is fire.

- (10) Lev. XXI, 9.
- (11) V. Sanh. 52a.
- (12) V. Sanh. 52a.
- (13) I.e., let us execute her by scalding.
- (14) Lev. XIX, 18.
- (15) V. Glos. I.e., the derivation from the sons of Aaron. it. Nahman's dictum in itself excludes also burning by faggots.
- (16) So that the only alternative left is burning by faggots.
- (17) Since after all the verse is taken to include all burnings which come from fire.
- (18) Ibid. IV, 12.
- (19) Since the addition of ‘she shall be burnt’, after ‘with fire’ has already been stated, it is superfluous.

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where the ashes are poured out shall it be burnt?¹ I will tell you: that ‘shall it be burnt’ is required for what was taught: ‘It shall be burnt’: even if no ashes are there; ‘it shall be burnt’, even if he made the fire catch on to the greater part of it.²

Rabina said:³ Unite them⁴ and learn: ‘A burning by fire’: I know it only if it was burnt by fire or with a coal;⁵ if it was burnt with hot ashes, boiling lime, boiling gypsum or with anything produced by fire, which includes hot water [heated] by the fire, how do we know it? Therefore ‘a burning’ is stated twice as an amplification.

Raba pointed out a contradiction: did then Rabbi say [that] coals are designated fire? But the following contradicts it: [And he shall take a censer full of] coals [of fire]:⁶ you might think [that] quenched [smoldering] coals are meant;⁷ therefore ‘fire’ is stated. If ‘fire’, you might think [that] a flame [must be brought]; therefore ‘coals of’ is stated. How then [is it to be understood]? He must bring of the brightly-burning [coals].⁸ Now this is self-contradictory: you say: ‘‘coals,’’ you might think [that] quenched coals [are meant],’ which proves that brightly-burning [coals] are [termed] fire. Then consider the second clause: ‘if ‘‘fire’’, you might think [that] a flame [must be brought]; therefore ‘‘coals of’’ is stated,’ which proves that even brightly-burning [coals] are not fire?

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Whereupon R. Shesheth answered, This is what he teaches: coals: you might think, both smoldering and brightly-burning [can be taken]; therefore 'fire' is stated. if 'fire,' you might think [that] a flame [must be brought]; therefore 'coals of' is stated. How then [is this to be understood]? He must bring of the brightly-burning [coals]. Yet at all events coals are not called fire, which is a difficulty according to Rabbi? —

Said Abaye, Explain it thus: coals of: you might think quenched, but not brightly-burning; therefore 'fire' is stated; if 'fire,' you might think, he can bring a flame⁹ or a coal, whichever he desires; therefore 'coals of fire' is stated. How then [is it meant]? He must bring of the brightly burning [coals].

Raba¹⁰ asked: [You say] 'He can bring a flame or a coal, as he desires.' [But] how is a flame without a coal possible? [Only] if one smears a vessel with oil and lights a fire in it! [Then] why do I need a verse [to exclude] that? Seeing that you do not do thus before a king of flesh and blood, is it not all the more [forbidden] before the Holy One, blessed be He!

Rather said Raba, Explain it thus: 'coals of': you might think, quenched but not brightly-burning; therefore 'fire' is stated; if fire, you might think, let him bring half coal and half flame,¹¹ so that by the time he carries it within [the Holy of Holies] it is all a coal; therefore it is stated, 'And he shall take a censer full of coals of fire from off the altar': at the very time of taking they must be coals.

The Scholars asked: [Is the word] Omemoth or 'Omemoth'?¹² — R. Isaac quoted: The cedars in the garden of God could not hide it ['Amamuhu].¹³

MISHNAH. IF IT [THE PASCHAL LAMB] TOUCHED THE EARTHEN[WARE] OF THE OVEN, HE MUST PARE ITS PLACE; IF SOME OF ITS JUICE DRIPPED ON TO THE EARTHEN[WARE] AND DRIPPED BACK ON

TO IT, HE MUST REMOVE ITS PLACE.¹⁴ IF SOME OF ITS JUICE FELL ON THE FLOUR, HE MUST TAKE A HANDFUL AWAY FROM ITS PLACE. IF HE BASTED IT [THE PASCHAL LAMB] WITH OIL OF TERUMAH¹⁰ IF THEY WHO REGISTERED FOR IT ARE A COMPANY OF PRIESTS, THEY MAY EAT [IT]; BUT IF ISRAELITES, IF IT IS [YET] RAW, LET HIM WASH IT OFF; IF IT IS ROAST, HE MUST PARE THE OUTER PART. IF HE ANOINTED IT WITH OIL OF SECOND TITHE,¹⁵ HE MUST NOT CHANGE ITS VALUE TO THE MEMBERS OF THE COMPANY, BECAUSE SECOND TITHE MUST NOT BE REDEEMED¹⁶ IN JERUSALEM.¹⁷

GEMARA. It was stated: [If] hot matter [falls] into hot,¹⁸ all agree

(1) Ibid.

(2) Yet he must not leave it until the whole is burning. This is deduced because 'it shall be burnt' is repeated at the end of the sentence, which emphasizes that it is to be entirely burnt in all cases.

(3) In reply to the contradiction pointed out by R. Ahadeboi.

(4) Lit., 'wrap'.

(5) Coal is included as implied by the term 'fire', and not derived from the repetition of 'a burning', as stated in the original version.

(6) Lev. XVI, 12.

(7) I.e., without a flame, for otherwise they are simply called 'fire'.

(8) Lit., 'whispering,' for when coals are burning brightly they make a slight hissing noise something like a sibilant whisper.

(9) Without a coal.

(10) As emended in margin from Rabbah.

(11) E.g., a piece of wood part only of which is well alight.

(12) With an Alef (ס) or with an 'Ayin (ע)?

(13) Ezek. XXXI, 8; 'Amamuhu is with an 'Ayin (ע), and the root really means to dim, darken, whence E.V. 'hide'.

(14) I.e., the part on to which it dripped. 'Pare' denotes a very thin strip; 'to remove,' the thickness of the finger. The reason is explained in the Gemara.

(15) Second tithe was brought to Jerusalem and eaten there by its Israelite owners; if it was too burdensome, they redeemed it and expended the redemption money in Jerusalem, v. Deut. XIV, 22f.

(16) Var. lec.: sold.

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(17) Even to eat it in Jerusalem as holy food. If the owner of this oil charges the other members for their share, he virtually redeems or sells it as far as he is concerned.

(18) E.g., hot milk into hot meat, or hot forbidden flesh into hot permitted flesh, or vice versa. By 'hot', boiling is meant.

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that it is forbidden;¹ cold into cold, all agree that it is permitted.² [If] hot [falls] into cold, or cold into hot, — Rab maintained: The upper prevails;³ while Samuel maintained: The lower prevails.

We learned: IF SOME OF ITS JUICE DRIPPED ON TO THE EARTHEN[WARE] AND DRIPPED BACK ON TO IT HE MUST REMOVE ITS PLACE. It was assumed that this refers to a cold earthenware; now it is well on Rab's view that the upper prevails: consequently he must remove its place, because the juice goes and heats the earthenware and the earthenware in turn heats the juice, and when the juice drips back on to the paschal lamb, the paschal lamb is roasted [at that spot] by the heat of the earthenware, whereas the Divine Law said, roast with fire,⁴ but not roast with something else. But on Samuel's view that the lower prevails, since the earthenware is cold it actually cools the juice; why then should he remove its place? —

As R. Jeremiah said⁵ in Samuel's name: The reference is to hot flour; so here too the reference is to hot earthenware.

We learned: IF SOME OF ITS JUICE DRIPPED ON TO THE FLOUR, HE MUST REMOVE A HANDFUL FROM ITS PLACE. It was assumed that this refers to cold flour. It is well on Rab's view that the upper prevails: consequently he must remove a handful from its place, because it heats the flour around it and the flour in turn heats it, and the juice is roast by the heat of the flour, whereas the Divine Law said, 'roast with fire', but not roast with something else. But on Samuel's view that the lower prevails,

since the flour is cold it actually cools it; why then must he remove a handful from its place? —

Said R. Jeremiah b. Samuel: This refers to hot flour. We learned: IF HE BASTED IT With OIL OF TERUMAH, IF THEY [WHO REGISTERED FOR IT] ARE A COMPANY OF PRIESTS, THEY MAY EAT [IT]; IF IT BELONGS TO ISRAELITES: IF IT IS [YET] RAW, LET HIM WASH IT OFF; IF IT IS ROAST, HE MUST PARE THE OUTER PART. It is well on Rab's view that the upper prevails: consequently [mere] paring is sufficient, because the upper is cold.⁶ But on Samuel's view that the lower prevails, since it is hot it certainly absorbs; why then is paring sufficient: let us forbid it entirely? —

Basting is different, because a mere trifle is used. It was taught in accordance with Samuel: [If] hot matter [falls] into hot, it is forbidden; similarly, if he put cold into hot, it is forbidden; hot into cold or cold into cold, he must wash it off. [You say], 'Hot into cold, he must wash it off'; [surely] since it is hot, until it cools it cannot but absorb a little; then it should at least require paring? Rather say: hot into cold, he must pare it; cold into cold, he must wash it off. Another [Baraita] taught: If hot meat fell into hot milk, and likewise if cold fell into hot, it is forbidden. Hot into cold or cold into cold, he must wash [the meat]. 'Hot into cold, he must wash [the meat]'; [surely] since it is hot, until it cools it cannot but absorb a little, then it should at least require paring? — Rather say: hot into cold, he must pare [it]; cold into cold, he must wash [the meat].

The Master said: 'Cold into cold, he must wash the meat.

R. Huna said: They learned this only where he had not [previously] salted it; but if he had salted it, it is forbidden, for Samuel said: Salted [matter] is like hot;⁷ if preserved [in vinegar], it is like boiled.⁸

PESOCHIM - 60b-86b

Raba said: As to what Samuel said, Salted [matter] is like hot, — this was said only where it cannot be eaten through the salt;¹⁰ but if it can be eaten in spite of the salt, it is not so. A young pigeon fell into a jug of kamka,¹¹ [and] R. Hinena the son of Raba of Pashrunia¹² permitted it.

Said Raba: Who is so wise as to permit such a thing if not R. Hinena the son of Raba of Pashrunia, who is a great man. [For] he can tell you: when did Samuel say, Salted matter is like hot? — Where it cannot be eaten through the salt; whereas this could be eaten in spite of the salt. That is, however, only if it is raw; but if roast, it requires paring. Further, this was said only if it contains no splits;¹³ but if it contains splits, it is [altogether] forbidden; and if it is seasoned with condiments, it is forbidden.¹⁴

Rab said:

- (1) Because each absorbs from the other.
- (2) Because they do not absorb from each other.
- (3) Thus: if hot falls into cold, the upper heats the lower, and it is tantamount to hot into hot: while if cold falls into hot, it is as cold into cold.
- (4) Ex. XII, 8.
- (5) V. infra.
- (6) I.e., the oil is cold. Nevertheless paring at least is required, because the oil cannot but soak slightly into the flesh.
- (7) 'Salted', this is soon defined — it is regarded as hot, and necessitates paring.
- (8) And the whole of the permitted matter rendered forbidden.
- (9) Lit., 'we said'.
- (10) Until the salt is washed off
- (11) A relish containing milk, among other things.
- (12) A town in Babylonia. Obermeyer does not identify it. Jast., however, s.v. פרשוניא identifies it with Perishna, which is mentioned infra 91a, and Obermeyer, p. 297, n. 1. thinks that the latter is identical with Barus, which was included in the district of Sura for taxation purposes.
- (13) Then paring is sufficient.
- (14) In both cases the flesh absorbs more freely than otherwise.

Pesachim 76b

Fat meat of a [ritually] slaughtered [animal] which was roasted together with lean meat of

Nebelah¹ is forbidden. What is the reason? They fatten each other.² But Levi maintained: Even lean meat of a [ritually] slaughtered [animal] which was roasted together with fat meat of Nebelah is permitted. What is the reason? It is a mere smell, and smell is nothing. Levi gave a practical decision³ at the house of the Resh Galutha⁴ in the case of a goat and 'something else.'⁵

An objection is raised: One may not roast two Passover offerings together, on account of the mixture. Surely that means, the mixture of [the] flavours,⁶ which is a difficulty on Levi's view? No: [it means] the mixture of their carcasses.⁷ This too is logical, since the second clause teaches: Even a kid and a lamb. Now it is well if you say [that it is] on account of the carcasses: hence he teaches, 'even a kid and a lamb.'⁸ But if you say [that it is] on account of the mingling of [the] flavors, what does it matter whether it is a kid and a lamb or a kid and a kid? — What then? You are bound [to say] that it is forbidden only on account of the mixing of the carcasses, but the mingling of flavors is permitted; shall we say [then] that this is a refutation of Rab? —

Said R. Jeremiah: The case we discuss here⁹ is e.g., where he roasted them in two pots. [You say] 'In two pots — can you think so!¹⁰ — Rather say, as though [they were roasted in] two pots,¹¹ and this is what it teaches: One may not roast two Passover-offerings together, on account of the mixture. What mixture? The mixture of the flavors. And even [when roasted] as it were in two pots it is forbidden on account of the [possible] confusing of the carcasses, and even a kid and a lamb [must not be roasted together].

R. Mari said: This is dependent on Tannaim. If a man removes a hot loaf [from the oven] and places it on a wine barrel of Terumah, — R. Meir forbids it;¹² whereas R. Judah permits it; while R. Jose permits it in the case of [a loaf of] wheat, but forbids it in the case of barley [flour], because barley absorbs.

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Surely then it is dependent on Tannaim, one Master holding: Smell is nothing; while the other Master holds: Smell is something [substantial]? According to Levi, it is certainly dependent on Tannaim.¹³ Shall we say that it is [dependent on] Tannaim according to Rab [too]? —

Rab can tell you: All agree that smell is something [substantial]; [and as to the ruling of R. Judah] was it not stated thereon, Rabbah b. Bar Hanah said in the name of Resh Lakish: In the case of a hot loaf and an open barrel, all agree that it is forbidden; in the case of a cold loaf and a closed [stoppered] barrel, all agree that it is permitted. They differ only in the case of a hot loaf and a sealed barrel, [or] a cold loaf and an open barrel;¹⁴ and this too¹⁵ is like a hot loaf and an open barrel.¹⁶

R. Kahana the son of R. Hinena the Elder recited: A loaf which was baked together with roast [meat] in an oven may not be eaten with kutah.¹⁷ A fish was roasted [i.e., baked] together with meat, [whereupon] Raba of Parzikia¹⁸ forbade it to be eaten with kutah. Mar b. R. Ashi said: Even with salt too it is forbidden, because it is harmful to [one's] smell and in respect of 'something else.'¹⁹

MISHNAH. FIVE THINGS [SACRIFICES] MAY COME IN UNCLEANNESS, YET MUST NOT BE EATEN IN UNCLEANNESS: THE 'OMER,²⁰ THE TWO LOAVES,²¹ THE SHEWBREAD,²² THE SACRIFICES OF THE PUBLIC PEACE-OFFERINGS,²³ AND THE HE-GOATS OF NEW MOONS.²⁴ THE PASCHAL LAMB WHICH COMES IN UNCLEANNESS IS EATEN IN UNCLEANNESS, FOR FROM THE VERY BEGINNING IT CAME FOR NO OTHER PURPOSE BUT TO BE EATEN.

GEMARA. What does 'FIVE' exclude?²⁵ — It excludes the Hagigah [for example] of the fifteenth.²⁶ For I might argue, since it is a public sacrifice²⁷ and a season is fixed for it, let it override uncleanness; therefore he informs us [that] since you can make it up the whole seven [days],²⁸ it does not override the

Sabbath,²⁹ and since it does not override the Sabbath, it does not override uncleanness. Now, let him [the Tanna] state the he-goats of festivals too?³⁰ —

He does indeed state **THE SACRIFICES OF THE PUBLIC PEACE-OFFERINGS.**³¹ If so, let him not state the he-goats of New Moons either, seeing that he States **THE SACRIFICES OF THE PUBLIC PEACE-OFFERINGS?** — I will tell you:

- (1) In the same oven on separate spits and not touching.
- (2) The odor of the fat meat enters the lean meat and makes it fat, and then in turn the odor of the lean meat, which is forbidden enters the permitted meat and renders it forbidden too. — Hence if the meat of Nebelah itself is fat, it is certainly forbidden.
- (3) As distinct from a mere theoretical ruling — in accordance with his view.
- (4) V. Glos.
- (5) I.e., a swine, which was generally referred to thus; cf. supra 3b. These had been roasted together.
- (6) Each absorbs the flavor of the other through its smell, which would thus be enjoyed by those who have not registered for that animal.
- (7) The animals themselves may be mixed up with each other.
- (8) Though a mistake is less likely there.
- (9) In the teaching cited.
- (10) The Passover-offering may not be roasted in pots at all.
- (11) A heap of coals or ashes intervening between the two sacrifices.
- (12) To a lay Israelite, because it has absorbed the odor of the wine.
- (13) For R. Meir's view certainly contradicts his.
- (14) And it is only in such cases that R. Judah permits.
- (15) Sc. the case disputed by Rab and Levi.
- (16) Which even R. Judah agrees is forbidden.
- (17) V. Glos. This contains milk.
- (18) Obermeyer, p. 227, n. 2 thinks this identical with Perezina (Faransag), near Baghdad.
- (19) Leprosy.
- (20) V. Glos. and Lev. XXIII, 10f.
- (21) V. ibid. 17.
- (22) V. Ex. XXV, 30.
- (23) The lambs offered on Pentecost, v. Num. XXVIII, 27.
- (24) V. ibid. 15 — all these are brought even if the community is unclean, which of course makes them unclean too through the handling of the officiating priest; nevertheless, they may not be eaten for they are brought merely in discharge of

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public obligations, but their main purpose is not to be eaten.

(25) It is assumed that the number has this purpose, for otherwise the Mishnah would simply state, The 'Omer... come in uncleanness, etc.

(26) And similarly the Hagigah of any other Festival.

(27) In the sense that all Jews must bring a Hagigah.

(28) If not brought on the first day it can be brought for a week afterwards, v. Hag. 9a.

(29) A public sacrifice overrides the Sabbath only when it cannot be offered on any other day.

(30) V. Num. XXVIII, 15, 22, 30; XXIX, 5, 16, 38.

(31) For the he-goats too are public sacrifices (R. Han).

Pesachim 77a

It is necessary for him [to teach about] the he-goats of New Moons. I might argue, surely 'appointed season' [Mo'ed] is not written in connection therewith;¹ therefore he informs us that New Moon is designated Mo'ed, in accordance with Abaye's [dictum]. For Abaye said, The Tammuz² of that year³ was indeed made full,⁴ as it is written, He hath proclaimed an appointed time [Mo'ed] against me to crush my young men.⁵ Shall we say that all of them⁶ are derived from Mo'ed ['appointed time']? How do we know it?

For our Rabbis taught: And Moses declared unto the children of Israel the appointed times of the Lord.⁷ For what purpose is this stated?⁸ Because we have learnt only of the daily offering and the Passover-offering [that they override the Sabbath and uncleanness], since 'in its appointed time' is stated in connection with them,⁹ 'in its appointed time' [implying] even on the Sabbath, 'in its appointed time' implying even in uncleanness. Whence do we know it of other public sacrifices? Because it is said, These shall ye offer unto the Lord in your appointed time.¹⁰ Whence do we know to include the 'Omer — and that which is offered with it, and the two loaves and that which is offered with them? Therefore it is stated, 'And Moses declared unto the children of Israel the appointed times of the Lord': the Writ fixed it as one appointed

season for all of them.¹¹ Now, what is the purpose of all these?¹² —

They are necessary. For if the Divine Law wrote it of the daily offering [alone], I would say: The daily offering [overrides the Sabbath and uncleanness] because it is constant and entirely burnt, but the Passover is not so;¹³ hence we are informed [otherwise]. While if the Divine Law wrote it of the Passover-offering, [I would argue that] the Passover-offering [must be offered under all circumstances] because it involves the penalty of kareth,¹⁴ but [as for] the continual offering, for [neglect of] which there is no penalty of Kareth, I would say that it is not [so]; hence we are informed [otherwise]. Again, if the Divine Law wrote it of these two, I would say: These alone [override Sabbath and uncleanness, since they] possess a stringent feature, the continual offering being constant and entirely [burnt], the Passover-offering involving the penalty of Kareth; but [as for] other public sacrifices, I would say, It is not so. [Hence] the Divine Law wrote, 'These shall ye offer unto the Lord in your appointed times.' While if the Divine Law [merely] wrote, 'These shall ye offer unto the Lord in your appointed times,' I would argue: [It refers only to] other public sacrifices, which come to make atonement,¹⁵ but [the sacrifices accompanying] the 'Omer and the two loaves, which do not come to make atonement but are merely in order to permit [the new harvest] are not so; hence we are informed [otherwise].

Again, if the Divine Law wrote [about] the 'Omer and the two loaves alone, I would have said: On the contrary, it [applies only to] the 'Omer and the two loaves which are more important, because they come to permit; but these others are not so. Hence we are informed [otherwise]. Now it was assumed that all hold that uncleanness is overridden in the case of a community, hence the head-plate is required for propitiation.¹⁶ For there is no [other] Tanna whom you know to maintain [that] uncleanness is permitted in the case of a community¹⁷ but R. Judah. For

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it was taught: The head-plate, whether it is on his [the High Priest's] forehead¹⁸ or it is not on his forehead, propitiates; this is the view of R. Simeon.

R. Judah maintained: If it is still on his forehead, it propitiates; if it is not still on his forehead, it does not propitiate. Said R. Simeon to him: Let the High Priest on the Day of Atonement prove it, for it is not on his forehead, and [yet] it propitiates!¹⁹ — Leave the Day of Atonement, replied he, because uncleanness is permitted in the case of a community. Whence it follows that R. Simeon holds: Uncleanness is overridden in the case of a community. Again, [it was assumed that all hold,] the head-plate does not propitiate for [the defilement of] eatables,²⁰ for there is no Tanna whom you know to maintain [that] the head-plate propitiates for [the defilement of] eatables save R. Eleazar.

For it was taught, R. Eleazar said: The head-plate propitiates for [the defilement of] eatables; R. Jose said: The head-plate does not propitiate for the defilement of eatables.²¹ [Accordingly,] shall we say that our Mishnah²² does not agree with R. Joshua? For it was taught, And thou shalt offer thy burnt-offerings, the flesh, and the blood.²³

R. Joshua said: If there is no blood there is no flesh, and if there is no flesh there is no blood.²⁴

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].²⁵ Then how do I interpret,²⁶ 'and thou shalt offer thy burnt-offering, the flesh and the blood?' [It is] to teach you: just as the blood requires throwing,²⁷ so does the flesh require throwing;²⁸ hence say, there was a small passage-way between the stairway and the altar.²⁹ Now [according to] R. Joshua too, surely it is written, 'and the blood of thy sacrifices shall be poured out?' — He can answer you: surely in connection therewith is written, and thou shalt eat the flesh.³⁰

(1) Whereas it is from this word that we deduce anon that festival public sacrifices override the Sabbath and uncleanness.

(2) The fourth month of the year, generally corresponding to June.

(3) In which the spies reconnoitered the promised Land, with disastrous results, v. Num. XIII.

(4) I.e., it consisted of 30 days. When it consists of 29 days it is called defective. Now, as they set out on the 29th of Sivan, the third month (Ta'an. 29a), the 40 days of their mission ended on the ninth of Ab, the fifth month. Thus their weeping on that night (ibid. XIV, 1) became the forerunner of subsequent lamentation on that date for many generations, for it is the anniversary of the destruction of the Temple.

(5) Lam. I, 15. Abaye appears to interpret thus: God caused New Moon (i.e., the 'appointed time' — Mo'ed) of Tammuz in that year to be proclaimed on such a day that their return and the weeping of the people would coincide with the future anniversary of the destruction of the Temple. Hence, on this interpretation, New Moon too is designated 'Mo'ed'.

(6) I.e., those mentioned in the Mishnah that may be offered in uncleanness.

(7) Lev. XXIII, 44.

(8) Seeing that all the Festivals are individually treated in that chapter.

(9) Num. XXVIII, 2; IX, 2. 'In its appointed time' implies that the sacrifice must be offered in all circumstances, as explained in the text.

(10) Ibid. XXIX, 39. This verse ends the section (chs. XXVIII-XXIX) dealing with the public additional sacrifices on New Moon, the Sabbath and Festivals, and its effect is that the whole section is to be so understood as though 'in its appointed season' were explicitly written in connection with each.

(11) V. previous note; the same applies here, and the 'Omer and the two loaves are prescribed in this section (vv. 10f, 17f).

(12) Scripture could have written appointed season' in connection with one only, and the rest would follow.

(13) It is not constant by comparison.

(14) For not bringing it; v. Num. IX, 13.

(15) The additional sacrifices make atonement for the transgression of affirmative precepts, v. Yoma 36a.

(16) I.e., though uncleanness is not a bar when the whole community is unclean, Scripture does not mean that the normal interdict of uncleanness is completely abrogated, so that it is permitted, but merely that the interdict is overridden in favor of the community. Now in Ex. XXVIII, 38 it is stated: And it (the head plate) shall be upon Aaron's forehead, and Aaron shall bear (i.e., atone for) the

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iniquity committed in the holy things (sc. sacrifices)... and it shall always be upon his forehead, that they may be accepted before the Lord (i.e., that these sacrifices shall be fit). 'The iniquity' is understood to refer to a case where a sacrifice accidentally became unclean, and the head-plate atones for it, so that it remains fit. Since we hold that even in the case of a community uncleanness is merely overridden, but not actually permitted, the head plate is required for propitiation even then.

(17) So that the propitiation of the head-plate is not required at all.

(18) When the sacrifice accidentally becomes unclean.

(19) On that day he put aside all his usual vestments, which included the head-plate, and wore simple linen garments (v. Lev. XVI,4). Yet if the community was unclean he still offered the sacrifices, and the head-plate 'made them acceptable'.

(20) I.e., if the flesh or the part of the meal-offering which is eaten is defiled, the sacrifice cannot be proceeded with, the head-plate propitiating only if the blood or the handful which is burnt on the altar is defiled.

(21) These two assumption are the necessary premises for the question which follows.

(22) Which states that the 'Omer, the two loaves, etc. may be offered in uncleanness, although the plate does not propitiate on the eatable parts of these offerings.

(23) Deut. XII, 27.

(24) I. e., if either is defiled, the other is unfit for its purpose.

(25) Ibid.

(26) Lit., 'fulfill'.

(27) I.e., dashing against the altar.

(28) On to the altar.

(29) Consequently a priest standing at the top of the ascent could not place the flesh on the altar but had to throw it.

(30) Deut. XII, 27. This proves that the flesh too must be fit for eating.

Pesachim 77b

Then what is the purpose of these two verses?¹ — One refers to the burnt-offering and one refers to a peace-offering, and both are necessary. For if the Divine Law wrote it in connection with a burnt-offering, I would say: It is [only with] the burnt-offering² which is stringent — because it is entirely [burnt]; but as for the peace-offering which is not stringent — I would say that it is not so.

Again, if the Divine Law wrote [it of] a peace-offering I would say: on the contrary [the reason is] because it has two forms of consumption;³ but [as for] the burnt-offering, where there are not two forms of consumption.⁴ I would say that it is not so. Hence we are informed [otherwise]. Now [according to] R. Eliezer too, surely it is written, 'and thou shalt eat the flesh?' —

He can answer you: He utilizes that [to teach] that the flesh is not permitted for eating until the blood is sprinkled. If so, say that the whole verse comes for this [purpose], then how do we know [that] the blood [is fit] even if there is no flesh? —

He can answer you: If so, let the Divine Law [first] write 'thou shalt eat the flesh,' and then, 'and the blood of thy sacrifices shall be poured out,' as is written in the beginning [of the verse], 'and thou shalt offer thy burnt-offerings, the flesh and the blood?' Why then does [Scripture] place 'the blood of thy sacrifices' first? Hence infer from it [that] the blood [is fit] even if there is no flesh, and infer from it also that the flesh is not permitted for eating until the blood is sprinkled.⁵ And R. Joshua?⁶ —

[That] the flesh is not permitted for eating until the blood is sprinkled follows a minori: if the emurim,⁷ which when not available⁸ are not indispensable [to the eating of the flesh], yet when available are indispensable;⁹ then the blood, which if not available is indispensable, if available how much the more is it indispensable! And R. Eliezer?¹⁰ [Even] a law which can be inferred a minori, the Writ takes the trouble of writing it. And R. Joshua? —

Wherever we can interpret, we do interpret.¹¹ Shall we now say that our Mishnah is not in accordance with R. Joshua, for since he says that we require both,¹² while the head-plate does not propitiate for [the defilement of] eatables, how can it come in uncleanness?¹³ —

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You may even say [that it agrees with] R. Joshua, but R. Joshua holds: The head-plate propitiates for those that ascend.¹⁴ That is well of sacrifices, where there are objects which ascend [sc. Emurim]; but what can be said of the ‘Omer and the two loaves, where there are no objects to ascend [the altar]? —

I will tell you: R. Joshua too said that we require both only in the case of sacrifices; [but] he did not say [it] in the case of meal-offerings. Yet did he not say [it] in the case of meal-offerings? Surely we learnt: If the remainder thereof¹⁵ was defiled, [or] if the remainder thereof was lost:¹⁶ according to the view of R. Eliezer¹⁷ it [the handful] is fit;¹⁸ according to the view of R. Joshua,¹⁹ it is unfit!²⁰

It is according to his view, yet not entirely so.²¹ [Thus]: according to the view of R. Joshua, that we require both, yet not entirely so, for whereas R. Joshua ruled [thus] in the case of sacrifices, but he did not rule [thus] in the case of meal-offerings, this Tanna holds [that it is so] even in the case of meal-offerings. Now who is this Tanna that agrees with him but is more stringent than he?²²

Moreover, it was taught, R. Jose said: I agree with the words of R. Eliezer²³ in respect to meal-offerings and [animal] sacrifices, and with the words of R. Joshua in respect to [animal] sacrifices and meal-offerings. ‘The words of R. Eliezer in respect to [animal] sacrifices,’ for he used to say: The blood [is fit] even if there is no flesh; ‘and the words of R. Joshua in respect to sacrifices,’ for he used to say: If there is no blood there is no flesh, and if there is no flesh there is no blood. ‘The words of R. Eliezer in respect to meal-offerings’: for he used to say: the handful [is fit] even if there is no remainder [for consumption]; ‘and the words of R. Joshua In respect to meal-offerings,’ for he used to say: if there is no handful there is no remainder, [and] if there is no remainder there is no handful?²⁴ —

Rather R. Joshua holds: The head-plate propitiates for [the defilement of] the objects which ascend [the altar] and for eatables.²⁵ If so, why [do you say,] ‘according to the view of R. Joshua it is unfit?’²⁶ [That refers] to what is lost or burnt.²⁷ Then according to whom does he teach, ‘[if the remainder] was defiled?’ according to R. Eliezer? [But] that is obvious; seeing that you say that [even when it is] lost or burnt, where they are [now] non-existent, R. Eliezer declares [the handful] fit, need it [be stated] where it is defiled, when it is in existence! Hence it is obviously [taught] according to R. Joshua, yet he teaches [that] it is unfit?²⁸ Furthermore, it was taught, R. Joshua said: [In the case of] all the sacrifices of the Torah, whether the flesh was defiled while the fat has remained [clean], or the fat was defiled while the flesh has remained [clean], he [the priest] sprinkles the blood. But not if both were defiled. This proves that R. Joshua holds that the head-plate does not propitiate either for [the defilement of] the objects which ascend [the altar]²⁹ or for the eatables!³⁰ —

Rather [explain it thus:] after all our Mishnah is [the view of] R. Joshua, yet there is no difficulty: here it means in the first place; there it means if it was done [offered]. R. Joshua said [that both are required] only in the first place, but not if it was done.³¹ And whence do you know³² that R. Joshua draws a distinction between [what is required] in the first place and what was done? — Because it was taught: If the flesh was defiled, or disqualified,³³ 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.³⁴ But surely this explanation is not acceptable: firstly, because ‘it is unfit’³⁵ implies [even] where it was done.

Moreover,³⁶ FIVE THINGS MAY COME [IN UNCLEANNES] implies [even] in the first place!³⁷ —

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- (1) According to R. Joshua, since both teach that the blood and the flesh are interdependent.
- (2) That both are interdependent.
- (3) The fat portions are consumed ('eaten') on the altar while the flesh is consumed partly by priests and partly by its owners.
- (4) The whole being consumed on the altar.
- (5) The reversed order intimating this additional teaching.
- (6) How does he know this?
- (7) V. Glos.
- (8) E.g., if lost or defiled.
- (9) The flesh may not be eaten until the Emurim are burnt on the altar, v. supra 59b.
- (10) Does he not accept this argument?
- (11) The principle that Scripture writes explicitly what can be inferred a minori holds good only when the verse cannot be employed for any other purpose.
- (12) The blood and the flesh.
- (13) Sc. the objects enumerated in the Mishnah. For on the one hand, propitiation is required (v. p. 398, n. 2), while on the other there cannot be propitiation for eatables, and according to R. Joshua the eatables and the blood, or in the case of the meal-offering, the handful, are interdependent.
- (14) The altar, sc. the Emurim; i.e., providing that as much as an olive of the Emurim ascends the altar, the head-plate propitiates for its defilement, and the blood too can be sprinkled.
- (15) Of the meal-offering, after the handful was removed (v. Lev. II, 9). In the Hebrew the word is in the plural. This remainder would normally be eaten by the priests (ibid. 10).
- (16) In both cases before the handful was burnt on the altar.
- (17) That the blood is fit for sprinkling even if the flesh is not available; the handful of a meal-offering is the equivalent of the blood of an animal sacrifice, while the remainder is the equivalent of the flesh.
- (18) For burning on the altar, and the owner thus discharges his obligation and need not bring another meal-offering.
- (19) That the blood and the flesh are interdependent.
- (20) V. Men. 9a Thus R. Joshua requires both in the case of meal-offerings too.
- (21) Lit., 'and not according to his view.'
- (22) I.e., do we in fact find any such Tanna?
- (23) Lit., 'I see (as right) the words of R. Eliezer.'
- (24) This Baraita is explained anon. From it we see that R. Joshua maintained his view even in respect to meal-offerings.
- (25) Hence our Mishnah can agree with him.
- (26) Surely the head-plate propitiates, i.e., makes the handful fit for burning on the altar, even if the remainder is unclean?

- (27) If the remainder is lost or burnt the handful is unfit for the head plate propitiates only for defilement.
- (28) on his view this is necessary, as it informs us that he holds the handful unfit not only if the rest is now entirely non-existent, but even if the rest is in existence, but unclean.
- (29) Sc. the fat.
- (30) Sc. the flesh. For if the head-plate does propitiate, why is it unfit?
- (31) I.e., R. Joshua holds that in the first place both are required; nevertheless, if only the blood was clean and it was sprinkled, though it should not have been, it is fit. Our Mishnah too means where it was done.
- (32) Lit., say'.
- (33) By the touch of a Tebul Yom, q.v. Glos.; v. also supra 14a Mishnah and note a.l.
- (34) V. supra 34b for the whole passage.
- (35) In the ruling of R. Joshua where the remainder was defiled, v. supra.
- (36) Even granted that 'it is fit' implied only in the first instance.
- (37) So that our Mishnah could still not be in accordance with R. Joshua.

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Rather, there is no difficulty: here the reference is to an individual;¹ there [in the Mishnah] the reference is to a community.² Shall we say that our Mishnah does not agree with R. Jose?

For it was taught, R. Eliezer said: The head-plate propitiates for [the defilement of] eatables; R. Jose said: The head-plate does not propitiate for [the defilement of] eatables. Now it was assumed: since R. Jose rules, The head-plate does not propitiate for [the defilement of] eatables, he agrees with R. Joshua who maintains: We require both.³ Shall we now say [that] our Mishnah does not agree with R. Jose? —

No: R. Jose agrees with R. Eliezer, who maintained: The blood [is fit] even if there is no flesh. If so, in respect of what law [does he rule]: the head-plate does not propitiate for [the defilement of] eatables?⁴ — Then on your reasoning, when R. Eliezer rules: The head-plate does propitiate [for the defilement of eatables], — since he maintains [that] the blood [is fit] even if there is no flesh, in

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respect of what law [does the head-plate propitiate]? —

Rather they differ in respect of brandings it with [the unfitness of] Piggul⁶ and excluding it from [the law of] trespass.⁷

R. Eliezer holds: The head-plate propitiates for it [the defilement of the flesh] and renders it as clean, and so brands it as Piggul⁸ and excludes it from [the law of] trespass; while R. Jose holds: The head-plate does not propitiate for it and does not render it as clean; hence it cannot be branded as Piggul, nor does it exclude it from [the law of] trespass.

To this R. Mari demurred: Even granted that R. Jose agrees with R. Eliezer: as for sacrifices,⁹ It is well, [since] there is blood; as for the ‘Omer, there is the handful; [in the case of] the showbread too there are the censers [of frankincense].¹⁰ But [in the case of] the two loaves, what can be said?¹¹ And should you answer, it is in respect of what is offered together with them,¹² then it is tantamount to the public peace-offerings, [and] if so there are [only] four, whereas we learned FIVE? —

Rather, R. Jose holds: uncleanness was permitted in the case of a community.¹³ But surely it was taught: Both [in the case of] the one and the other,¹⁴ we besprinkle them the whole seven [days]¹⁵ with [the ashes of] all the purification offerings¹⁶ which were there:¹⁷ this is R. Meir's view.

R. Jose said: We besprinkle them on the third day and on the seventh day alone.¹⁸ Now if you should think that R. Jose holds, Uncleanness was permitted in the case of a community, why do I need sprinkling at all?¹⁹ Hence it is clear that our Mishnah does not agree with R. Jose.

R. Papa said to Abaye: And does R. Jose grant the [Court's] document to two!²⁰ For it was taught, R. Jose said: I agree with the words of R. Eliezer in respect to meal-

offerings and [animal] sacrifices, and with the words of R. Joshua in respect to sacrifices and meal-offering. ‘The words of R. Eliezer in respect to sacrifices,’ for he used to say: The blood [is fit] even if there is no flesh; ‘the words of R. Joshua in respect to sacrifices,’ for he used to say: If there is no blood there is no flesh, if there is no flesh there is no blood. ‘The words of R. Eliezer in respect to meal-offerings, for he used to say: the handful [is fit] even if there is no remainder [fit for consumption]; ‘and the words of R. Joshua in respect to meal-offerings,’ for he used to say: if there is no remainder there is no handful, [and] if there is no handful there is no remainder!

Said he to him: He states what appears logical [to him].²¹ [Thus:] when he was studying [the subject of] sacrifices²² he said: It is logical [that] just as they differ in respect to sacrifices, so do they differ in respect to meal-offerings too. [And] when he was studying [the subject of] meal-offerings he said: It is logical [that] just as they differ in respect to meal-offerings, so do they differ in respect to sacrifices too.

Said he to him: It is correct [that] when he was studying [the subject of] sacrifices he said: It is logical [that] just as they differ in respect to sacrifices, so do they differ in respect to meal-offerings too, because the verses [on this matter] are written fundamentally in connection with sacrifices.²³ But when he is studying [the subject of] meal-offerings and he says, It is logical [that] just as they differ in respect to meal-offerings, so do they differ in respect to sacrifices too, — but surely, the verses are fundamentally written in connection with sacrifices! —

Rather [explain it thus], there is no difficulty: I agree with the words of R. Eliezer, where it [the flesh] was defiled, and with the words of R. Joshua, where it was lost or burnt. Where it was defiled, what is the reason [that he agrees with R. Eliezer]? Because the head-plate propitiates! Surely you know R. Jose to

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maintain [that] the head-plate does not propitiate for [the defilement of] eatables! —

Rather [explain it thus], there is no difficulty: I agree with the words of R. Eliezer in the case of the community; I agree with the words of R. Joshua in the case of an individual. In the case of the community, what is the reason [that he agrees with R. Eliezer]? Because uncleanness is permitted in the case of a community? But one [objection] is that you know R. Jose to maintain [that] uncleanness is overridden in the case of a community. Again, if it refers to a community, [does only] R. Eliezer declare it fit, but not R. Joshua?

- (1) Then it is unfit in the first place, but valid if done.
- (2) Which is unclean; then it is permitted at the very outset.
- (3) The blood and the flesh.
- (4) Since you now say that the blood can be sprinkled in any case.
- (5) Lit., 'appointing.'
- (6) V. Glos.
- (7) For Piggul v. Lev. XIX, 7 (E.V. vile thing); mere intention renders it Piggul, and it may then not be eaten even within the permitted precincts or within the permitted time. But a sacrifice cannot become Piggul unless it is otherwise fit. Again, if one benefits from sacrifices of the higher sanctity (v. p. 108, n. 2) before their blood is sprinkled, he is liable to a trespass-offering; if after, he is exempt, for by then the flesh is permitted to priests.
- (8) For now there is no other disqualification.
- (9) Mentioned in our Mishnah that they may be offered in uncleanness.
- (10) All these ascend the altar, and therefore the head-plate makes them acceptable.
- (11) For these consist entirely of eatables, for whose defilement R. Jose holds that the head-plate does not propitiate. How then can they be offered in uncleanness?
- (12) V. Lev. XXIII, 18f. The slaughtering of these sacrifices sanctifies the loaves, and the sprinkling of their blood permits them for eating; thus the Mishnah teaches that the head-plate propitiates for the defilement of the showbread in so far as the sacrifices can now be brought.
- (13) So that propitiation is not required at all; v. supra 77a p. 398, nn. 2 and 3.
- (14) Sc. the priest who burnt the red heifer (Num. XIX 4ff) and the High Priest.

(15) The former prior to his burning the red heifer; the latter, before the Day of Atonement, when he officiated in the Temple.

(16) The red heifer was designated קטאת, i.e., a sin-offering, here translated purification offering, v. *ibid.* 9.

(17) Some ashes were kept of every red heifer killed since Moses.

(18) V. Yoma 4a.

(19) Seeing that the sacrifices of the Day of Atonement were public offerings.

(20) In a lawsuit the court granted a document containing the verdict to the winner. Here R. Jose grants this document to both sides — i.e., he agrees with both R. Eliezer and R. Joshua.

(21) Without expressing agreement either with the one or the other.

(22) Lit., 'when he stands at sacrifices.'

(23) V. verses quoted supra 77a.

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Surely you have said, even R. Joshua agrees in the case of a community! Rather [explain it thus:] I agree with the words of R. Eliezer where It was done [offered], and with the words of R. Joshua [where it is] at the very outset. [But] if it was done, even R. Joshua agrees, for it is taught: R. Joshua agrees that if he sprinkled [the blood] it is made acceptable? One refers to uncleanness; the other to [the case where it] is lost or burnt. [Thus:] when does he teach, R. Joshua agrees that if he sprinkled [the blood] it is made acceptable, where [the flesh] was defiled, but not if it was lost or burnt; [and] when does R. Jose say, I agree with the words of R. Eliezer if it was done, where [the flesh] was lost or burnt.

MISHNAH. IF THE FLESH WAS DEFILED WHILE THE FAT¹ HAS REMAINED [CLEAN], HE MUST NOT SPRINKLE THE BLOOD;² IF THE FAT WAS DEFILED WHILE THE FLESH HAS REMAINED [CLEAN], HE MUST SPRINKLE THE BLOOD. BUT IN THE CASE OF [OTHER] DEDICATED SACRIFICES IT IS NOT SO, FOR EVEN IF THE FLESH WAS DEFILED WHILE THE FAT HAS REMAINED CLEAN, HE MUST SPRINKLE THE BLOOD.³

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GEMARA. R. Giddal said in Rab's name: If he sprinkled [the blood], it [the Passover-offering] is made acceptable.⁴ But we require eating?⁵ — The eating is not indispensable. But surely it is written, according to every man's eating [ye shall make your count for the lamb]?⁶ — That is for preference.⁷ And is [this] not [to intimate that] it is indispensable? Surely it was taught: According to the number of [Bemiksath] the souls:⁸ this teaches that the paschal lamb is killed for none save those who registered for it. You might think that if he killed it for those who are not registered for it, he should be regarded as violating the precept, yet it is fit. Therefore it is stated, 'according to every man's eating ... ye shall make your count [Takosu]': The Writ reiterated it, to teach that it is indispensable; and eaters are assimilated to registered persons.⁹ —

Rather, Rab ruled as R. Nathan, who said: The eating of the Passover-offerings is not indispensable. Which [statement of] R. Nathan [is alluded to]?¹⁰ Shall we say, the following [dictum] of R. Nathan? For it was taught, R. Nathan said: How do we know that all Israel can discharge [their obligation] with one Passover-offering? Because it is said, and the whole assembly of the congregation of Israel shall kill it at dusk:¹¹ does then the whole assembly kill? Surely only one kills! But it teaches that all Israel can discharge [their duty] with one Passover-offering.¹² Perhaps it is different there, because if some withdraw it is fit for the others, and if the others withdraw it is fit for these?¹³ —

Rather it is this [dictum of] R. Nathan. For it was taught: If one company registered for it, and then another company registered for it, the former, for whom there is as much as an olive [per person], eat it and are exempt from sacrificing a second Passover-offering; the latter, for whom there is not as much as an olive [per person], cannot eat, and they are bound to sacrifice a second Passover-offering.

R. Nathan said: Both are exempt from sacrificing a second Passover-offering,

because the blood has already been sprinkled.¹⁴ Yet still perhaps it is different there, because if these withdraw it is fit for them [the others]?¹³ —

If so, let him teach, because it is possible for them¹⁵ to withdraw? Why [state] 'because the blood has already been sprinkled?' That proves' that the matter depends [entirely] on [the sprinkling of] the blood, but the eating is not indispensable. Now, what compels Rab to establish our Mishnah as meaning in the first place [only] and [in accordance with] R. Nathan: let us establish it as [agreeing with] the Rabbis, and even if it was done,¹⁶ it is not [fit]? —

To Rab our Mishnah presents a difficulty: why does it state, **HE MUST NOT SPRINKLE THE BLOOD**: let it teach, 'It is unfit'? Hence this proves that he must not sprinkle in the first place [only], but if done it is indeed well. But on R. Nathan's view, what is the purpose of 'according to every man's eating?' —

[To teach] that we require men who are fit to eat [to register for it]. Who is the author of the following which our Rabbis taught: If he slaughtered it for those who can eat of it, but sprinkled its blood for those who cannot eat of it, the paschal-offering itself is fit,¹⁷ and a man discharges his duty therewith? With whom [does this agree]? Shall we say [that] it is [according to] R. Nathan, but not the Rabbis? —

You may even say [that it agrees with] the Rabbis: There is no intention of eaters at the sprinkling.¹⁸ Who is the author of the following which our Rabbis taught: If he was ill at the time of the slaughtering but well at the time of sprinkling, [or] well at the time of slaughtering but ill at the time of sprinkling, one may not slaughter and sprinkle on his behalf, unless he is well from the time of the slaughtering until the time of the sprinkling? With whom [does this agree]? Shall we say [that] it is [according to] the Rabbis but not R. Nathan? —

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You may even say [that it agrees with] R. Nathan: we require a man who is capable of eating [to be registered for it]. Who is the author of the following which our Rabbis taught: If he slaughtered it in cleanness and then its owners became unclean, he must sprinkle the blood in cleanness,¹⁹ but the flesh must not be eaten in uncleanness? With whom [does this agree]? —

Said R. Eleazar: This was taught as a controversy, and it is [the view of] R. Nathan.²⁰ But R. Johanan said: You may even say [that] it is [the view of] the Rabbis: we treat here of the community,²¹ who may even sacrifice in [a state of] uncleanness. If it refers to the community, why may the flesh not be eaten in uncleanness? —

As a preventive measure, lest the owners²² become unclean [in a subsequent year] after the sprinkling and they argue: Were we not unclean last year, and yet we ate; then now too we will eat! But they will not know that in the previous year the owners were unclean when the blood was sprinkled,²³ whereas this year the owners were clean [when the blood was sprinkled].²⁴

- (1) The portions burnt on the altar.
- (2) Even according to R. Eliezer, because the main purpose of the Passover-offering is that it should be eaten.
- (3) Even according to R. Joshua, since the fat is clean.
- (4) And the owner does not bring another.
- (5) Which is impossible, since the flesh is defiled.
- (6) Ex. XII, 4.
- (7) Lit. , 'for a precept'. I.e. 'in the first place the lamb must certainly be brought for this purpose; nevertheless, even when it cannot be eaten the sacrifice is valid.
- (8) Ibid.
- (9) Just as registration is indispensable, so are eaters, and consequently eating, indispensable.
- (10) For he does not rule thus explicitly, and it must be inferred from some other statement.
- (11) Ex. XII, 6.
- (12) Now in that case there is certainly not as much as an olive of flesh for each, which is the minimum to constitute eating.
- (13) So that virtually it is fit for all, but in the present case it is not fit for any.

- (14) Which proves that in R. Nathan's view the eating is not indispensable.
- (15) Lit., 'they are fit, eligible.'
- (16) I.e., even if the blood was sprinkled.
- (17) This is assumed to mean that it is fit for the sprinkling of its blood and the burning of the fat, but not for eating.
- (18) V. supra, 61b.
- (19) I.e., by ritually clean priests and with clean service vessels.
- (20) Who maintains that the eating is not indispensable. R. Eleazar holds that he does not require those registered for it even to be fit to eat. Consequently he explains the previous Baraitha as the view of the Rabbis only
- (21) I.e., the whole or the majority of the community became unclean between the killing and the sprinkling, e.g., if the Nasi died just then.
- (22) I.e., the community, cf. n. 1.
- (23) So that it was a Passover-offering sacrificed in uncleanness, which is eaten in uncleanness too.
- (24) Hence the sacrifice came in a state of cleanness, and may therefore not be eaten now that the owners are unclean.

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Alternatively I may answer, Rab ruled as R. Joshua.¹ For it was taught, R. Joshua said: [In the case of] all the sacrifices of the Torah, whether the flesh was defiled while the fat has remained [clean] or the fat was defiled while the flesh has remained [clean], he must sprinkle the blood. [In the case of] a nazirite² and one who sacrifices the Passover-offering, if the fat was defiled and the flesh has remained [clean], he must sprinkle the blood; if the flesh was defiled while the fat has remained [clean], he must not sprinkle the blood. Yet if he sprinkled it, it is acceptable.³ If the owners became unclean through a dead body, he must not sprinkle [the blood], and if he does sprinkle the blood it is not acceptable.⁴

BUT IN THE CASE OF [OTHER] DEDICATED SACRIFICES IT IS NOT SO, etc. Who is [the author of] our Mishnah? — It is R. Joshua. For it was taught, R. Joshua said: [With regard to] all the sacrifices of the Torah of which as much as an olive of flesh or an olive of fat has remained [clean], he sprinkles the blood. [If there remains] as much as half an olive of flesh and half an

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olive of fat, he must not sprinkle the blood. But in the case of a burnt-offering, even [if there remains] as much as half an olive of flesh and half an olive of fat, he sprinkles the blood, because the whole of it is entirely [burnt].⁵ While in the case of a meal-offering, even if the whole of it is in existence,⁶ he must not sprinkle [the blood]. What business has a meal-offering [here]?⁷ —

Said R. Papa: [This refers to] the meal-offerings of libations.⁸ You might have said, Since it comes in virtue of⁹ the sacrifice, it is as the sacrifice:¹⁰ hence he informs us [that it is not so]. How do we know [it of] fat?¹¹

Said R. Johanan on R. Ishmael's authority, while it is [ultimately] derived from R. Joshua b. Hananiah: Scripture saith, [And the priest shall sprinkle the blood...] and burn the fat [heleb] for a sweet savor unto the Lord:¹² the fat [authorizes the sprinkling of the blood] even if there is no flesh. We have thus found [this to hold good of] fat; how do we know it of the lobe above the liver and the two kidneys?¹³ [But] where have we said that we do sprinkle?¹⁴ Since he states, 'while in the case of a meal-offering, even if the whole of it is in existence, we do not sprinkle [the blood],' [that implies,] the meal-offerings alone is not [sufficient for the sprinkling of the blood], but the lobe above the liver and the two kidneys are well.¹⁵ Whence [then] do we know it? —

R. Johanan, giving his own [exegesis] said: Scripture saith, 'for a sweet savor': whatever you offer up for a sweet savour.¹⁶ Now, it is necessary that both 'heleb' and 'for sweet savor' be written. For if the Divine Law wrote 'heleb' [alone], I would say: only 'fat', but not the lobe on the liver and the two kidneys; [therefore] the Divine Law wrote 'for a sweet savor.' While if the Divine Law wrote 'for a sweet savor' [alone], I would say: all that ascend for a sweet savor, and even the meal-offering [permit the sprinkling of the blood]; therefore the Divine Law wrote 'heleb.'

MISHNAH. IF THE COMMUNITY OR THE MAJORITY THEREOF WAS DEFILED, OR IF THE PRIESTS WERE UNCLEAN AND THE COMMUNITY CLEAN, THEY MUST SACRIFICE IN UNCLEANNESS. IF A MINORITY OF THE COMMUNITY WERE DEFILED: THOSE WHO ARE CLEAN OBSERVE THE FIRST [PASSOVER], WHILE THOSE WHO ARE UNCLEAN OBSERVE THE SECOND.

GEMARA. Our Rabbis taught: Behold, if the Israelites were unclean, while the priests and the service-vessels¹⁷ were clean, or the Israelites were clean while the priests and the service-vessels were unclean, and even if the Israelites and the priests were clean while the service-vessels were unclean, they must sacrifice in uncleanness, because a public sacrifice cannot be divided.¹⁸

R. Hisda said: They learned this only if the [slaughtering] knife became defiled through a person unclean by the dead,¹⁹ because the Divine Law saith, [and whosoever... toucheth] one that is slain by the sword,²⁰ [intimating,] the sword is [of the same degree of uncleanness] as the slain;²¹ hence it defiles the person. Thus from the very beginning when it is sacrificed,²² it is sacrificed in [a state of] personal uncleanness, which involves Kareth. But if the knife became unclean with the uncleanness conferred by a reptile, so that it defiles the flesh alone, but does not defile the person, [only] those who are clean sacrifice, but the unclean do not sacrifice, [for] it is better eaten when the flesh is unclean, which is subject to a negative injunction, rather than that the flesh should be eaten when the person is unclean, which is subject to kareth.²³ This proves that R. Hisda holds: uncleanness is overridden in the case of a community.²⁴ And thus said R. Isaac [too]: uncleanness is overridden in the case of a community.

But Raba said: Even the unclean too may sacrifice. What is the reason? Because it is written, And the flesh that toucheth any unclean thing shall not be eaten; it shall be

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burnt with fire. And as for the flesh, every one that is clean may eat thereof.²⁵ Wherever we read ‘and the flesh that toucheth any unclean thing shall not be eaten,’ we [also] read, ‘and as for the flesh, every one that is clean may eat thereof;’ and wherever we do not read, ‘and the flesh that toucheth any unclean thing shall not be eaten’ we [also] do not read, ‘and as for the flesh, every one that is clean may eat thereof.’²⁶

It was stated: Behold, if the Israelites were half [of them] clean and half unclean, Rab said: Half against half is as a majority; while R. Kahana said: Half against half is not as a majority. Rab said, Half against half is as a majority; [hence] these sacrifice²⁷ by themselves, while those sacrifice by themselves.²⁸ ‘While R. Kahana said: Half against half is not as a majority’; [hence] the clean observe the first [Passover], while the unclean observe the second. Others say, R. Kahana said: Half against half is not as a majority: the clean observe the first [Passover],

- (1) Who does not consider the eating indispensable.
- (2) Rashi: the peace-offering brought by a Nazirite on the completion of his Naziriteship (v. Num. VI, 14) is essentially intended to be eaten: hence the eating is indispensable. Tosaf. however maintains that it is not indispensable, and deletes ‘Nazirite,’ adding that it is absent in the Tosef. too; Bah also deletes it.
- (3) Thus the eating is not indispensable.
- (4) Because though the eating is not indispensable, the people registered for it must be fit to eat, while Scripture itself relegated him to the second Passover (Num. IX, 10f).
- (5) Since both the flesh and the fat are food for the altar, they combine. But this does not hold good of other sacrifices.
- (6) I.e., it is clean.
- (7) There is no blood to sprinkle in a meal-offering.
- (8) Which accompanied the sacrifice.
- (9) Lit., ‘by the strength of.’
- (10) Hence if as much as an olive of the flour is clean, and certainly if all is clean, the blood is sprinkled.
- (11) Sc. that the blood may be sprinkled if there is as much as an olive of clean fat?
- (12) Lev. XVI, 6.

- (13) That the blood is to be sprinkled if these alone are clean.
- (14) If these alone are left.
- (15) I.e., since they are part of the sacrifice itself, the blood is sprinkled if they alone are clean.
- (16) Authorizes by itself the sprinkling of the blood.
- (17) Used in connection with the sacrifice, the slaughtering knife and basins in which the blood is caught.
- (18) That some should bring it in a state of cleanness and others in a state of uncleanness. Since the majority bring it in uncleanness, even the minority who are clean bring it in uncleanness too.
- (19) This is the ‘service-vessel’ referred to and its degree of uncleanness.
- (20) Num. XIX, 16.
- (21) V. supra 14b.
- (22) Lit., ‘made.’
- (23) V. Mishnah supra 14a and p. 62, n. 2 a.l. Now in the first instance the knife bears a principal degree of uncleanness and defiles human beings. Hence the man who kills with it must in any case become unclean, while normally the penalty for eating sacred flesh in this state is Kareth (v. Lev. VII, 20). But in the second instance the knife is unclean in the first degree only and does not defile the person who handles it, though it defiles the flesh of the animal which is killed with it. Since this is a lower stage, for eating unclean sacred flesh is merely subject to a negative injunction but does not involve Kareth, we do not permit the greater uncleanness of the person too; hence those who are bodily unclean must observe the second Passover.
- (24) But not permitted; v. supra 77a, p. 398, n. 2. Consequently we seek as far as possible to bring the sacrifice in cleanness or at least with the smallest possible degree of uncleanness.
- (25) Lev. VII, 19.
- (26) I.e., the two are interdependent. Since the flesh is now eaten unclean, unclean persons too may eat it.
- (27) Lit., ‘do’.
- (28) They must all observe the first Passover. The clean must not show themselves to be defiled, for

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while the unclean observe neither the first nor the second. They cannot sacrifice on the first, because they are not a majority, [while] they cannot sacrifice at the second because they are not a minority.¹

We learned: IF THE COMMUNITY OR THE MAJORITY THEREOF WAS

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DEFILED, OR IF THE PRIESTS WERE UNCLEAN AND THE COMMUNITY CLEAN, THEY MUST SACRIFICE IN UNCLEANNESS. [Thus] it is only the majority that sacrifices in uncleanness, but [when it is] half and half, they do not sacrifice at the first [Passover], which is a difficulty on Rab's view? —

Rab can answer you: [When] a majority [is unclean], all sacrifice in uncleanness; [whereas where there is] half and half, these observe [the Passover] by themselves, and those observe [it] by themselves. That too is logical, because the second clause states IF A MINORITY OF THE COMMUNITY WERE DEFILED: THOSE WHO ARE CLEAN OBSERVE THE FIRST [PASSOVER], WHILE THOSE WHO ARE UNCLEAN OBSERVE THE SECOND. [Thus] only a minority sacrifice at the second, but not [when it is] half against half, for then they sacrifice at the first, these sacrificing by themselves and those sacrificing by themselves. But in that case it is a difficulty on R. Kahana's view? —

R. Kahana can answer you: [It states] IF A MINORITY OF THE COMMUNITY WERE DEFILED, THOSE WHO ARE CLEAN OBSERVE THE FIRST [PASSOVER], WHILE THOSE WHO ARE UNCLEAN OBSERVE THE SECOND; hence [when it is] half against half, the clean observe the first, but the unclean observe neither the first nor the second. Now that is well according to the latter version of P. Kahana[‘s ruling]; but according to the version in which R. Kahana states, ‘The clean observe the first and the unclean each half ranks as a majority, and when the majority is clean they must not sacrifice in uncleanness. On the other hand, the unclean half is not relegated to the second Passover, since they too count as a majority. observe the second,’ what is to be said? —

R. Kahana can answer you: The same law [holds good] that even half against half, the clean observe the first while the unclean observe the second; yet as to what he [the

Tanna] teaches, A MINORITY OF THE COMMUNITY: because he teaches THE MAJORITY in the first clause, he also teaches A MINORITY in the second clause. It was taught in accordance with Rab; it was taught in accordance with R. Kahana, and as both versions [of his ruling]. It was taught in accordance with Rab: If the Israelites were half [of them] clean and half [of them] unclean, the former sacrifice by themselves and the latter sacrifice by themselves. It was taught as the first version of R. Kahana[‘s ruling]: Behold, if the Israelites were half [of them] clean and half [of them] unclean, the clean observe the first [Passover] while the unclean observe the second. And it was taught as the second version of R. Kahana[‘s ruling]: Behold, if the Israelites were half [of them] clean and half [of them] unclean the clean observe the first, while the unclean observe neither the first nor the second. Now according to Rab and the second version of R. Kahana[‘s ruling], when he teaches, ‘The clean observe the first and the unclean [observe] the second,’ how do they reconcile it [with their views]? —

E.g., if the Israelites were half [of them] clean and half [of them] unclean, with women making up [the number of] the unclean;³ now he holds: [The observance of the Passover-offering by] women at the first [Passover] is voluntary;⁴ [hence] deduct the women from the [number of] unclean, so that the unclean are a minority, and a minority are relegated to the second Passover. According to Rab and the first version of R. Kahana, as to what was taught, ‘The clean observe the first and the unclean observe neither the first nor the second,’ how do they reconcile it [with their views]? —

Rab reconciles it [thus]: e.g., if the [male] Israelites were half [of them] unclean and half of them clean, with women as an addition to the clean.⁵ Now he holds: [The observance of the Passover-offering by] women at the first [Passover] is a duty, but voluntary at the second. [Hence] they [the unclean] cannot sacrifice at the first, because

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they are a minority,⁶ and a minority do not sacrifice at the first. While they cannot sacrifice at the second, [because] deduct the women from them,⁷ so there is half and half, and a half do not sacrifice at the second. While according to R. Kahana who maintained, a half too sacrifice at the second, he explains it thus: e.g., if the Israelites were half [of them] clean and half [of them] unclean, with women making up [the number of] the clean. Now he holds: [The observance of the Passover-offering by] women at the first Passover is a duty, while at the second it is voluntary. [Hence] they cannot sacrifice at the first, because they are half against half, and a half does not sacrifice at the first. At the second too they cannot sacrifice, [because] deduct the women from the clean [and] the unclean are a majority, and a majority do not sacrifice at the second. Again, according to R. Kahana, as to what was taught, 'Behold, if the Israelites were half [of them] clean and half [of them] unclean, the former sacrifice by themselves while the latter sacrifice by themselves,' how does he explain it? —

R. Kahana can answer you: It is [a controversy of] Tannaim: there is a view [that] half against half is as a majority, and there is a view [that] half against half is not as a majority. [To turn to] the main text:⁸ 'Behold, if the Israelites were half [of them] clean and half [of them] unclean, the former sacrifice by themselves and the latter sacrifice by themselves. If the unclean exceeded the clean even by one, they all sacrifice in uncleanness, because a public sacrifice cannot be divided.'⁹

R. Eleazar b. Mathia said: A single individual cannot overbalance the community to uncleanness, because it is said,

- (1) Whereas only a minority sacrifices at the second Passover.
- (2) The Tanna of the cited teaching.
- (3) I.e., there were half unclean only when women are included.
- (4) They need not observe it all.
- (5) Bringing up the clean to a majority.

(6) Since it is obligatory for women they must be counted.

(7) Sc. the clean; for since it is only voluntary for women at the second they cannot be counted.

(8) From which the teaching cited supra, p. 415, is taken.

(9) V. supra p. 412, n. 2.

Pesachim 80a

Thou mayest not sacrifice the Passover-offering at one of thy gates.¹

R. Simeon said: Even if one tribe is unclean and all the other tribes are clean, the former sacrifice by themselves while the latter sacrifice by themselves. (What is R. Simeon's reason? — He holds: One tribe is designated a community.)²

R. Judah said: Even if one tribe is unclean and all the other tribes are clean, let them [all] sacrifice in uncleanness, because a public sacrifice cannot be divided. (R. Judah holds: One tribe is designated a community, so that it is half against half,³ and [since] a public sacrifice is not divided, they all sacrifice in uncleanness.)

It was stated: If the Israelites were half [of them] clean and half [of them] unclean, — said Rab: we defile one of them with a reptile.⁴ But why so: let the former sacrifice by themselves and the latter by themselves, for surely Rab said: These sacrifice by themselves and those sacrifice by themselves?—

I will tell you: what do we discuss here? E.g., where the unclean exceeded the clean by one. If so, the majority are unclean, [then] let them all sacrifice in uncleanness? — He holds as R. Eleazar b. Mathia, who maintained: A single individual cannot overbalance the community to uncleanness. If so, our difficulty returns in full force:⁵ let the former sacrifice by themselves and the latter by themselves? Rather this is what he means: If there is a Tanna who agrees with the first Tanna⁶ who rules: [When there is] half against half they must not all sacrifice in

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uncleanness, and [also] he agrees with R. Judah who said: A public sacrifice cannot be divided, then we defile one of them with a reptile.

But ‘Ulla maintained: We send away one of them on a journey afar off.’⁷ But let us defile him with a reptile? — He holds: We slaughter [the Passover-offering] and sprinkle [its blood] for a man who is unclean through a reptile.⁸ Then let us defile him through a dead body? — Then you debar him from his Hagigah.⁹ But now too you debar him from his Passover-offering? — It is possible to sacrifice at the second [Passover]. Then in the case of [defilement by] a dead body too it is possible to sacrifice [the Hagigah] on the seventh [day of Passover] which would be his eighth [day after defilement]? — ‘Ulla holds: They are all a compensation for the first [day]:¹⁰ [hence] he who is eligible on the first is eligible [to sacrifice] on all of them, but wherever one is not eligible on the first, he is not eligible on any of them.

R. Nahman said to them [his disciples], Go and tell ‘Ulla: Who will obey you to pull up his tent-pegs and tent and speed away!¹¹

It was stated: If the majority were zabin¹² and the minority unclean though the dead, — Rab said: Those unclean through the dead cannot sacrifice either on the first or on the second. They do not observe the first [Passover], because they are a minority, and a minority do not observe [it] on the first. They cannot observe it on the second either: whenever the community observes [it] on the first, individual[s] observe [it] on the second; [but] whenever the community does not observe it on the first, individual[s] do not observe [it] on the second. Said Samuel to them [his disciples], Go out and say to Abba:¹³ How do you dispose of, Let the children of Israel keep the Passover in its appointed season!¹⁴ —

He [Rab] answered them: Go and say to him: [yet] how do you dispose of it [the verse]

when they are all zabin?¹⁵ But [you must say] since it is impossible [to carry it out], it is impossible; so here too it is impossible. It was stated: If the majority were unclean through the dead and a minority were Zabin, — R. Huna said: There is no compensation for a Passover-offering which comes in uncleanness;¹⁶ while R. Adda b. Ahabah said: There is compensation for a Passover-offering which comes in uncleanness. Shall we say that they differ in this, viz., he who maintains [that] there is no compensation for a Passover-offering which comes in uncleanness holds: Uncleanness is overridden in the case of the community; while he who maintains [that] there is compensation for a Passover-offering which comes in uncleanness holds: Uncleanness is permitted in the case of a community!¹⁷ —

I will tell you. It is not so, for all hold [that] uncleanness is overridden in the case of a community, and they differ in this: one Master holds:

(1) Deut. XVI, 5. He translates: you must not sacrifice it on account of one person, i.e., one person has no power to change any of the conditions of the sacrifice.

(2) V. Hor. 5b. Hence it is not relegated to the second.

(3) Communities are not regarded numerically.

(4) So that there is a majority unclean, and all can now sacrifice in uncleanness.

(5) Lit., ‘to its place.’

(6) in the previously cited Baraitha.

(7) Which is tantamount to being unclean (v. Num. IX, 10) and effects the same result. For the definition of a journey afar off’, v. infra 93b.

(8) Since he can have a ritual bath (Tebillah) and be fit to eat in the evening.

(9) V. Glos. The reference is to the Hagigah brought on the fifteenth, and he would be debarred from it, since a man defiled by the dead is unclean for seven days. [But when he is sent away on a ‘journey afar off’, he might manage to be back in Jerusalem on the following day to offer the Hagigah, v. Tosaf.]

(10) All the days of the Festival, though fit for the sacrificing of the Hagigah, are only regarded as a compensation for the first day, this being the day when it should really be brought. This question is disputed in Hag. 9b.

(11) None will consent to depart on a distant journey! Hence Rab’s expedient is preferable. [R.

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Nahman must have accepted R. Akiba's definition (v. loc. cit.) of a 'journey afar off', v. Tosaf.]

(12) Pl. of Zab, q.v. Glos. They are unclean, but the law that an unclean majority sacrifice in uncleanness applies only to those who are unclean through the dead.

(13) Rab. His name was Abba Arika, but he was called Rab (the Master) in the same way that R. Judah ha-Nasi was called Rabbi.

(14) Num. IX, 2.

(15) When obviously the precept cannot be fulfilled.

(16) Hence the Zabin cannot observe the second Passover.

(17) V. supra 77a; hence it is really the same as any other Passover-offering, and therefore permits of compensation.

Pesachim 80b

Cleanness defers, [whereas] uncleanness does not defer;¹ while the other Master holds: Even uncleanness defers.

It was stated: If a third were Zabin, a third clean, and a third unclean through the dead, — R. Mani b. Pattish said: Those unclean through the dead observe neither the first [Passover] nor the second. They do not sacrifice on the first, [because] the Zabin swell the number of the clean² who do not sacrifice in uncleanness; [hence] the unclean through the dead are a minority, and a minority do not sacrifice on the first. They do not sacrifice on the second, [because] the Zabin combine with those who are unclean through the dead who did not sacrifice on the first; [hence] they are a majority, and a majority is not relegated to the second Passover.

MISHNAH. IF THE BLOOD OF A PASSOVER-OFFERING IS SPRINKLED AND THEN IT BECOMES KNOWN THAT IT³ WAS UNCLEAN, THE HEADPLATE PROPITIATES; IF THE PERSON [THE OWNER] BECAME UNCLEAN,⁴ THE HEADPLATE DOES NOT PROPITIATE, BECAUSE THEY [THE SAGES] RULED: [IN THE CASE OF] A NAZIRITE, AND HE WHO SACRIFICES⁵ THE PASSOVER-OFFERING, THE HEADPLATE PROPITIATES FOR THE UNCLEANNESS OF THE BLOOD, BUT THE HEADPLATE DOES NOT

PROPITIATE FOR THE UNCLEANNESS OF THE PERSON. IF HE WAS DEFILED WITH THE UNCLEANNESS OF THE DEEP,⁶ THE HEADPLATE PROPITIATES.⁷

GEMARA. Thus it is only because it was [first] sprinkled and it became known afterwards [that it was unclean]; but if it [first] became known and [the blood] was sprinkled afterwards, it does not propitiate. But the following contradicts it: For what does the head-plate propitiate? For the blood, flesh, and fat which were defiled, whether in ignorance or deliberately, accidentally or intentionally, whether in the case of an individual or of a community?⁸ —

Said Rabina: [With regard to] its defilement, whether [it occurred] in ignorance or deliberately, [the offering] is made acceptable;⁹ [but as to its] sprinkling, [if done] in ignorance [that the blood was unclean], it is acceptable; if deliberately, it is not acceptable.

R. Shila said: [With regard to] its sprinkling, whether [done] in ignorance [that the blood was unclean] or deliberately, it is accepted; [but as to] its uncleanness, [if it occurred] in ignorance, it is acceptable; if [caused] deliberately, it is not acceptable. But surely he states, 'whether in ignorance or deliberately?' This is what it means: If it was defiled in ignorance, and he [the priest] sprinkled it, whether unwittingly or deliberately, it is accepted. Yet surely it is taught, IF THE BLOOD WAS SPRINKLED AND THEN IT BECAME KNOWN: thus it is only because it was sprinkled [first] and it became known afterwards; but if it became known [first] and it was sprinkled afterwards, it is not so? —

The same law holds good even if it became known [first] and it was sprinkled afterwards, and the reason that he states, IF IT WAS SPRINKLED AND THEN IT BECAME KNOWN is because he wishes to teach in the second clause, IF THE PERSON BECAME UNCLEAN, THE HEADPLATE

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DOES NOT PROPITIATE, where even if it was sprinkled [first] and it became known afterwards [it does] not [propitiate]; therefore he teaches the first clause too, **IF IT WAS SPRINKLED AND THEN IT BECAME KNOWN. IF HE WAS DEFILED WITH 'THE UNCLEANNESS OF THE DEEP'**, etc.

Rami b. Hama asked: The priest who propitiates with their sacrifices, is the 'uncleanness of the deep' permitted to him or not?¹⁰ Do we say, when have we a tradition about the 'uncleanness of the deep'?¹¹ [It is] in the case of the owners, but we have no tradition in respect of the priest; or perhaps we have a tradition in respect of the sacrifice,¹² no matter whether the owners or the priest [are thus defiled]? —

Said Raba, Come and hear: For 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 is to exclude 'uncleanness of the deep' caused by a reptile; and to what [then] do we refer? Shall we say, to the owners [who are thus defiled]? Then in the case of whom? If we say, in the case of a Nazirite? Does it [a reptile uncleanness] affect him,¹³ [seeing that] the Divine Law said, and if any man die beside him [etc.].¹⁴

Hence it must refer to him who sacrifices the Passover-offering. Now that is well on the view [that] we may not slaughter [the Passover-offering] and sprinkle [its blood] for those who are unclean through a reptile.¹⁵ But on the view [that] we slaughter and sprinkle on behalf of those who are unclean through a reptile, what can be said? Seeing that known uncleanness was permitted to him [who sacrifices at Passover], how much the more 'uncleanness of the deep'! Hence it must surely refer to the priest, whence it is proved that 'uncleanness of the deep' was permitted to him! —

Said R. Joseph, No: After all it refers to the owners and the Passover-offering, and it

excludes 'uncleanness of the deep' of gonorrhoea.¹⁶ Yet does it [the head-plate] not propitiate for the 'uncleanness of the deep' of gonorrhoea? Surely it was taught, R. Jose said: A woman who watches from day to day¹⁷ on whose behalf they slaughtered [the Passover-offering] and sprinkled [its blood]

(1) I.e., when the sacrifice comes in a state of cleanness, it relegates the unclean to the second Passover; but when it comes itself in a state of uncleanness, it cannot relegate those who are otherwise unclean to the second Passover.

(2) Lit., 'they make large.'

(3) Rashi: The offering — i.e., the flesh-or the blood. In the former case the head plate makes it acceptable only in the sense that the owner is not liable to another offering and the Emurim are burnt on the altar; yet the flesh itself may not be eaten (Tosaf. on the basis of Rashi's interpretation). Tosaf. itself maintains that the Mishnah refers to the defilement of the blood only.

(4) Through the dead.

(5) Lit., 'does,' 'prepares.'

(6) 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 buried therein.

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

(8) V. supra 16b. 'In ignorance' and 'deliberately' are assumed to mean respectively: ignorance of the uncleanness of the blood, and deliberately sprinkling it with that knowledge.

(9) The head-plate propitiates.

(10) 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 breastplate propitiate, so that the sacrifice is valid, or not?

(11) That the head-plate propitiates for it.

(12) Viz., that in the case of the Passover-offering and the sacrifice of a Nazirite the head plate propitiates for personal defilement caused by the 'uncleanness of the deep.'

(13) Even if he is certainly defiled by a reptile.

(14) Num. VI,9 thus his Naziriteship is affected only by uncleanness through the dead.

(15) V. supra 69a p. 353. Hence R. Hiyya can mean that when one is defiled through the 'uncleanness of the deep' of a reptile the Passover-offering must not be sacrificed for him.

(16) 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 a doubt; for if he does not discharge on that day he

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will be clean in the evening; while 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 head-plate does not propitiate in his case and the offering must not be killed or its blood sprinkled on his behalf.

(17) Lit., 'day against day.'

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on her second day, and then she saw [a discharge], may not eat [of the sacrifice] and is exempt from observing the second Passover.¹ What is the reason? Is it not because the head-plate propitiates?² —

I will tell you: It is not so, [the reason being] because R. Jose holds: She is defiled from now and henceforth.³ But it was taught, R. Jose said: A Zab of two discharges⁴ on whose behalf they slaughtered [the Passover-offering] and sprinkled [its blood] on the seventh day,⁵ and then he discharged again;⁶ for the third to see whether another discharge will follow, rendering her a Zabah, or not. Thus on the first or second day of her discharge within these eleven days she is called 'a woman who watches from day to day.' Should another discharge follow on the third day, she cannot regain cleanness until seven days have passed without any issue at all. (The foregoing is on the basis of the ancient law, but already in the period of the Talmud itself the law was adopted that a single blood issue at any time imposes all the restrictions which necessitate for cleanness a period of seven consecutive clean days.)

Now in the present instance the eve of Passover occurred on the second day of her discharge; the sacrifice was offered and its blood was sprinkled on her behalf before she had a discharge on that day, so that if she had not discharged later she would have been fit to eat in the evening. Since, however, she subsequently discharged, she cannot eat of the sacrifice, as she cannot perform Tebillah until the following evening. Similarly, a woman who watches from day to day on whose second day they slaughtered and

sprinkled on her behalf, and then she discharged again, — these defile their couch or their seat retrospectively,⁷ and they are exempt from observing the second Passover.⁸ —

I will tell you: what does 'retrospectively' mean? By Rabbinical law.⁹ Now R. Oshaia too holds [that] he defiles retrospectively by Rabbinical law [only].¹⁰ For it was taught, R. Oshaia said:¹¹ But a Zab who saw [a discharge] on his seventh day upsets the preceding [period];¹² whereupon R. Johanan said to him: He does not upset [aught] save that day.¹³ (What will you? If he holds [that] he defiles retrospectively,¹⁴ let us upset even all of them; while if he holds that he defiles [only] from now and onwards,¹⁵ let him not upset even that day?¹⁶ — Rather say: He does not even upset that day.)

Whereupon he [R. Oshaia] said to him [R. Johanan], R. Jose agrees with you.¹⁷ Yet surely R. Jose said: They defile their couch and their seat retrospectively? Hence it certainly proves that they defile retrospectively by Rabbinical law [only]. This proves it. Now according to R. Jose, seeing that he rules [that] he defiles from now and onwards [only], what does '[They spoke of the "uncleanness of the deep"]' in respect of a corpse alone' exclude?¹⁸ [Hence] let us solve from this that it refers to the priest, and [thus] the 'uncleanness of the deep' is permitted to him? —

I will tell you: After all it refers to the owners and [treats] of the Passover-offering, but he [R. Jose] holds: One may not slaughter [the Passover-offering] and sprinkle [its blood] on behalf of those who are unclean through a reptile, and thus it is necessary to exclude it.¹⁹ But according to R. Jose, how is a complete Zabah possible?²⁰ — When she has a continuous discharge.²¹ Alternatively, e.g., if she sees [a discharge] the whole of two [successive] twilights.²²

R. Joseph asked: The priest who officiates at²³ the continual-offering,²⁴ is the

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‘uncleanness of the deep’ permitted to him or not? If you should say that the ‘uncleanness of the deep’ is permitted to the priest who officiates at their sacrifices,²⁵ what about the gonorrhoea which has no connection with the preceding, and when a man has a single discharge he is unclean only until the evening, when he performs *Tebillah* and becomes clean. Why then does he need another day? priest who officiates at the continual-offering? Do we say, when have we a tradition about ‘the uncleanness of the deep’, in respect of the Passover-offering, [but] we have no tradition about the ‘uncleanness of the deep’ in respect to the continual-offering; or perhaps the continual-offering is learned from the Passover-offering? —

Said Rabbah: It stands to reason: if where known uncleanness was not permitted to him,²⁶ yet the ‘uncleanness of the deep’ was permitted to him,²⁷ then where known uncleanness was permitted to him,

(1) During the eleven days following the seven days of *Niddah* (menstruation) which are called the eleven days between the menses, a woman 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 (*Zibah*). A discharge on one or two days within the eleven renders her unclean for that day or those days only, but she cannot perform *Tebillah* (v. *Glos.*) to become clean until the evening of the following day (for full details v. *Nid.* 71b ff), and she must wait

(2) For when the blood was sprinkled she was doubtfully unclean, since she might discharge again on that day. Thus she is assumed to be unclean with the ‘uncleanness of the deep,’ and is exempt from observing the second Passover because the head-plate propitiates and makes her sacrifice valid, though she cannot partake of it.

(3) If she discharges on one day, waits part of the following and performs *Tebillah*, she is clean, and if she subsequently discharges on the same day she becomes unclean anew, but does not continue her previous uncleanness. Hence when the sacrifice was slaughtered she was actually clean, having already performed *Tebillah*, so that no propitiation is required.

(4) When a man suffers three gonorrhoeic discharges within three days or less (in this respect a man differs from a woman, who becomes a

Zabah only if the three discharges are on three consecutive days), he becomes a full *Zab*, i.e., he does not regain his cleanness until seven consecutive days pass without a discharge, while during these seven days he is unclean as a *Zab*; should he discharge on any of these days, he requires a further seven days, and so on. On the eighth day he brings a sacrifice, and on the evening that follows he may eat of sacred flesh (having performed *Tebillah* the previous day). If, however, he suffers two discharges only, he is likewise unclean for seven days, but does not bring a sacrifice on the eighth; hence he can partake of sacrifices on the evening following the seventh day.

(5) So that if the day passes without a further discharge, he is fit to partake of the Passover-offering in the evening.

(6) *Lit.*, ‘*Saw.*’ ‘*Saw*’ and ‘*sight*’ are technical terms denoting the gonorrhoeic discharges of a *Zab*.

(7) Anything upon which they sit or lie, even without actually touching it, becomes unclean, its degree of defilement being that of a ‘principal uncleanness’ which in turn defiles people or utensils (v. *Mishnah supra* 14a and note a.l.) ‘retrospectively’ means, since the *Tebillah* (q.v. *Glos.*) on the seventh day. Before the *Tebillah* of course he would in any case be unclean.

(8) Thus they are not unclean only for the future, and yet they are exempt from a second Passover; the reason must be because it is an ‘uncleanness of the deep’ of gonorrhoea, and he holds that the head-plate propitiates.

(9) But according to Biblical law she was clean during the interval between the *Tebillah* until the third discharge.

(10) I.e., he interprets R. Jose's ruling thus.

(11) So *cur. edd.* But marginal note emends this to, ‘For R. Oshaia said’, omitting ‘it was taught’, as we never find his view expressed in a *Baraita*, though he was the compiler of a series of *Baraitas*.

(12) I.e., the seven days are nullified and he must count another seven days; v. p. 423, n. 3. Rashi observes that he does not know to what R. Oshaia refers when he says ‘But’, which obviously indicates a contrast with some other law. Possibly, however, *אבל* means here ‘indeed’, ‘in truth’, in which case it is an independent statement.

(13) Which is disregarded, and he requires only one more day free from discharge in order to regain his cleanness.

(14) I.e., from the beginning of the seventh day, the portion of the seventh day during which he had no discharge not being regarded as a complete day, that we should look upon him as having had seven consecutive days without an unclean discharge.

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(15) Not from the beginning of the day, for the part of the day during which he was free from discharge counts as a whole day.

(16) For on that view he has enjoyed seven consecutive days of cleanness, which purifies him. The present discharge therefore is as an entirely new attack of (17) Since he exempts her from observing the second Passover, he too holds that she is not retrospectively unclean.

(18) For, as seen above, on the present ruling there is no 'uncleanness of the deep' in connection with gonorrhoea. Hence it must refer to defilement by a reptile and to the priest; v. supra 80b.

(19) The steps of the argument are stated supra 80b.

(20) Since he holds that part of the day is counted as a whole day, and she is unclean only from when she discharges, each day is distinct and she can never be unclean for the three consecutive days which are necessary before she becomes a complete Zabah.

(21) For the whole three days.

(22) Twilight counts as the end of one day and the beginning of the following. Hence if she discharges right through the twilights of Sunday and Monday, she is regarded as having 'seen' on Sunday, Monday, and Tuesday, and as this includes the beginnings of Monday and Tuesday, she is unclean the whole of these days.

(23) Lit., 'propitiates with'.

(24) During the whole year.

(25) V. supra 80b.

(26) E.g., a Nazirite and one who sacrifices his Passover-offering. The head-plate does not propitiate to make the sprinkling permissible.

(27) In the case of the continual-offering, where none are clean.

man die beside him [⁵Alaw],⁵ [which means] when it is quite clear beside him.⁶ We have thus found [it in the case of] a Nazirite; how do we know [it in the case of] one who sacrifices a Passover-offering? — Said R. Johanan: Because Scripture saith, [If any man shall be unclean by reason of a dead body or] in a distant road unto you:⁷ [that means] when it is quite clear unto you. R. Simeon b. Lakish said, It is as the road: just as the road is manifest, so must the [cause of] defilement be manifest too.

An objection is raised: What is the 'uncleanness of the deep'? Wherever not [even] a person at the end of the world had been cognizant thereof.⁸ If a person at the end of the world had been cognizant thereof, it is not the 'uncleanness of the deep.' [But] according to R. Eleazar who interpreted — when it is quite clear beside him, then [it is 'uncleanness of the deep'] unless he himself [the Nazirite] knows of it.⁹ According to R. Johanan who interpreted 'unto you' [as meaning] when it is quite clear unto you, then [at least] two should know thereof.¹⁰ According to R. Simeon b. Lakish who said, It is as a road, then all should know of it? — Rather the 'uncleanness of the deep' is known as a traditional law, while the verse[s] are a mere support.¹¹ Mar son of R. Ashi said: They learned this¹² only where it became known to him¹³ after the sprinkling, so that when the blood was sprinkled it was rightly sprinkled; but if it was known to him before the sprinkling — it does not propitiate.

An objection is raised: If a man finds a corpse lying across the width of a path,¹⁴ in respect of Terumah he is unclean;¹⁵ in respect of [the laws of] a Nazirite or one who sacrifices the Passover-offering, he is clean; and all [statements of] unclean and clean refer to the future.¹⁶ Rather if stated, it was thus stated: Mar son of R. Ashi said: Do not say that only if it became known to him after sprinkling does it propitiate, whereas if it became known to him before sprinkling, it does not propitiate; for even if it became

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is it not logical that the 'uncleanness of the deep' was permitted to him? — I will tell you: can we then argue a fortiori from a traditional law: surely it was taught, R. Eliezer said to him: Akiba! That a bone [of a corpse] the size of a barley grain defiles¹ is a traditional law, whereas [that] a quarter [log] of blood [of a corpse defiles] is [deduced by you] a fortiori,² and we do not deduce a fortiori from a traditional law! —

Rather said Raba: We learn [the scope of] 'its appointed time' from the Passover-offering.³ And where is [the law about] the 'uncleanness of the deep' itself written?⁴ — Said R. Eleazar: Scripture saith, And if any

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known to him before sprinkling it [still] propitiates.

[To revert to] the main text: If a man finds a corpse lying across the width of a path, in respect of Terumah he is unclean; in respect of [the laws of] a Nazirite or one who sacrifices a Passover-offering, he is clean.

When is that said? If he has no room to pass by,¹⁷ but if he has room to pass by, he is clean even in respect of Terumah.

When is that said? If he finds it whole. But if it was broken or dismembered, he is clean, as he might have passed between the pieces. But [if it lay] in a grave, even if broken and dismembered, he is unclean, because the grave unites it.¹⁸

When is this said? If he was walking on foot. But if he was laden [with a burden] or riding, he is unclean; because he who walks on foot can avoid touching it or overshadowing it,¹⁹ but when he is laden or riding, he cannot but touch [it] or overshadow it.²⁰

When is this said?²¹ In the case of 'uncleanness of the deep'; but in the case of known uncleanness, he is unclean. And what is 'uncleanness of the deep'? Wherever not [even] one at the end of the world had been cognizant thereof. But if one [even] at the world's end was cognizant thereof, it is not 'uncleanness of the deep.' If he found it hidden in straw, earth, or pebbles, it is 'uncleanness of the deep.'²² [If he found it] in water, in darkness, or in the clefts of rocks, it is not 'uncleanness of the deep.'²³ And they did not state [the law of] 'uncleanness of the deep' in respect of aught save a corpse alone.

MISHNAH. IF IT [THE PASCHAL LAMB] BECAME UNCLEAN, [EITHER] WHOLLY OR THE GREATER PART THEREOF, WE BURN IT IN FRONT OF THE BIRAH²⁴ WITH THE WOOD OF THE PILE.²⁵ IF THE LESSER PART THEREOF BECAME UNCLEAN, ALSO NOTHAR,²⁶ THEY [THE PEOPLE] BURN IT IN THEIR COURT-YARDS OR ON THEIR ROOFS

WITH THEIR OWN WOOD. MISERS BURN IT IN FRONT OF THE BIRAH, IN ORDER TO BENEFIT FROM THE WOOD OF THE PILE.

GEMARA. What is the reason?²⁷ — Said R. Jose b. Hanina: In order to put them to shame.²⁸

IF THE LESSER PART THEREOF BECAME UNCLEAN, etc. But the following contradicts it: Similarly, he who went out of Jerusalem and reconnected that he had holy flesh with him, if he has passed Scopus he burns it where he is; but if not,

- (1) A Nazirite, if he touches or carries it, and he must commence again (v. Num. VI, 9-12).
- (2) R. Akiba deduced a fortiori from the former that if a Nazirite is under the same covering as a quarter log of blood taken from a corpse he is defiled, just as in the first case; v. Naz. 57a.
- (3) Mo'ado (its appointed time) is written in connection with both the continual-offering and the Passover-offering (v. Num. XXVIII, 2; IX, 2). Hence just as the head plate propitiates for the 'uncleanness of the deep' in the latter case, so in the former too.
- (4) That the head-plate propitiates in the case of a Nazirite and one who sacrifices his Passover-offerings. At this stage it is as yet unknown that it is not intimated in Scripture at all but is a traditional law.
- (5) Num. VI, 9.
- (6) I.e., he becomes unclean only if the existence of the corpse is 'beside him', clear and known to him. But in the 'uncleanness of the deep' it was unknown hitherto.
- (7) Ibid. IX, 10, lit. translation.
- (8) Until after the Nazirite or the Israelite sacrificing his Passover-offering was defiled by it. In that case the head-plate propitiates.
- (9) Since the verse refers to him.
- (10) 'Unto you', Heb. Lakem, is in the plural, hence must refer to two at least.
- (11) But not really the source of the law.
- (12) Sc. that the head-plate propitiates for 'uncleanness of the deep' in the two cases stated.
- (13) The owner of the sacrifice, that he had been thus defiled.
- (14) Where he had passed, and he must either have actually touched or passed over it.
- (15) He may not eat Terumah.
- (16) Thus though it is now known to him before the blood is sprinkled, the head-plate propitiates, for this too was a case of 'uncleanness of the deep', since as far as is known none was aware of the corpse before.

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- (17) V. p. 427, n. 7.
(18) And the whole length of the grave is unclean and defiles.
(19) יִאֲהֵיל < נִהַל means to form a tent, and is the technical term for overshadowing a corpse without touching it.
(20) Because the burden or the action of the riding makes him sway from side to side.
(21) That a Nazirite, etc. is clean.
(22) These completely cover a corpse and make him quite invisible; hence its presence would not be known.
(23) Because one might have seen it previously.
(24) V. supra 49a.
(25) The wood specially arranged for the altar for the burning of the burnt-offerings, etc.
(26) That which remained over from a clean Passover sacrifice, v. Ex. XII, 10.
(27) That it is burnt before the Temple, publicly.
(28) For their carelessness in permitting it to become defiled.

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he returns and burns it in front of the Temple with the wood of the [altar] pile?¹ — Said R. Hama b. ‘Ukba, There is no difficulty: One refers to a lodger;² the other [our Mishnah] refers to a householder. R. Papa said, Both refer to a lodger: there he had repaired to the road;³ here he had not repaired to the road.

R. Zebid said: in truth it is as was first stated, [viz.,] there it refers to a lodger, while here it refers to a householder, and even where he had not taken to the road; [in the case of] a lodger, since he has not [wood of his own] he was regarded as a miser, for we learned: MISERS BURN IT IN FRONT OF THE TEMPLE IN ORDER TO BENEFIT FROM THE WOOD OF THE [ALTAR] PILE.

Our Rabbis taught: If they come [desire] to burn it in their own court-yards and with the wood of the [altar] pile, we do not heed [permit] them; in front of the Temple and with their own wood, we do not heed them. As for not heeding them [when they wish to burn it] with the wood of the pile in their own courtyards, that is well, [the reason being] lest some of it [the wood] be left over and they come to a stumbling-block through it.⁴

But what is the reason that [they may] not [burn it] in front of the Temple with their own wood? — Said R. Joseph: So as not to shame him who has none [of his own].

Raba said: On account of suspicion.⁵ Wherein do they differ? — They differ where he brought cane reeds and dried branches, which are not fit for the pile.⁶ We learned elsewhere: The head of the ma'amad⁷ used to place the unclean⁸ by the East Gate.⁹ What is the reason? Said R. Joseph: In order to put them to shame.¹⁰

Raba said: Because of suspicion.¹¹ Wherein do they differ? — They differ in respect of delicate persons or ropemakers.¹²

MISHNAH. A PASSOVER-OFFERING WHICH PASSED OUT¹³ OR WAS DEFILED MUST BE BURNT IMMEDIATELY.¹⁴ IF ITS OWNERS WERE DEFILED OR THEY DIED,¹⁵ IT MUST BECOME DISFIGURED¹⁴ AND BE BURNT ON THE SIXTEENTH. R. JOHANAN B. BEROKAH SAID: THIS TOO MUST BE BURNT IMMEDIATELY, BECAUSE THERE ARE NONE TO EAT IT.

GEMARA. As for uncleanness, It is well, because it is written, And the flesh that toucheth any unclean thing shall not be eaten; it shall be burnt with fire.¹⁶ But how do we know it of what goes out? Because it is written, Behold, the blood of it was not brought into the sanctuary within.¹⁷

Moses said to Aaron: ‘Why did ye not eat the sin-offering? Perhaps its blood entered the innermost [sanctuary]’?¹⁸ ‘No,’ he answered him. ‘Perhaps it passed without its barrier’?¹⁹ he asked. ‘No,’ replied he, ‘it was in the sanctuary.’ Said he to him, ‘If it was in the sanctuary, and "behold, the blood of it was not brought into the sanctuary within," wherefore have ye not eaten it?’ Whence it follows that if it passed out, or if its blood entered within, it requires burning. As for when it is defiled, it is well: the Divine Law revealed it in the case of lesser Holy sacrifices, and all the more²⁰ in the case of

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Most Holy sacrifices.²¹ But as to what goes out; we have found [that it is disqualified in the case of] superior sacrifices; whence do we know [it of] inferior sacrifices? Moreover, as to what was taught: If its blood was kept overnight,²²

- (1) V. Mishnah supra 49a for notes. — This shows that even a small portion is burnt thus.
- (2) Who has no home of his own and lacks the facilities for burning it at home.
- (3) Therefore it is too much trouble to return home, and so he burns it in front of the Temple.
- (4) They may use it for other purposes, which is forbidden.
- (5) He will take away any wood that is left over, but the onlooker will think that it is wood of the altar pile and so suspect him of theft.
- (6) Raba's reason is not applicable here, and therefore it is permitted; whereas R. Joseph's reason still hold hence it is forbidden.
- (7) Post, a division of popular representatives deputed to accompany the daily services in the Temple with prayers, and also a corresponding division in the country town, answering to the divisions (v. supra 57a, p. 284, n. 3) of priests and Levites. — Jast.
- (8) Of the priestly division that should have officiated that day in the Temple.
- (9) That all who entered might see them.
- (10) For not having taken care to be clean.
- (11) Lest they be suspected of neglecting the Temple service for their private affairs.
- (12) Who receive little pay; no priest will neglect the Temple service for this. Raba's reason does not apply here, whereas R. Joseph's reason does.
- (13) Beyond its proper boundaries.
- (14) On the fourteenth.
- (15) So there is none to eat it. (13) V. supra 34a, p. 156, n. 7.
- (16) Lev. VII, 19.
- (17) Ibid. X, 18; the previous verses relate how Moses was angry with Eleazar and Ithamar for having the sin-offering burnt instead of eating it.
- (18) I.e., the Holy of Holies — in that case you had rightly burnt it; v. ibid. VI, 23.
- (19) I.e., outside the Temple court.
- (20) Var. lec.: the same law applies.
- (21) V. supra 24a, p. 108, n. 2. The verse quoted in connection with defilement refers to a peace-offering.
- (22) I.e., the blood of the sacrifice had not yet been sprinkled by sunset.

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if its blood was poured out, or if the blood passed outside the Temple enclosures, —

where it is all established law that it requires burning;¹ whence do we learn it? —

We deduce it from R. Simeon[‘s teaching]. For it was taught, R. Simeon said: In the holy place... it shall be burnt with fire;² this teaches of the sin-offering that is burnt in the holy place [sanctuary]. Now, I only know this alone: how do we know it of the unfit of the [other] Most Holy sacrifices and the Emurim of the lesser Holy sacrifices? Therefore it is stated, ‘in the holy place... it shall be burnt with fire.’³ We have [thus] found it of the Most Holy sacrifices; whence do we know it of the lesser Holy sacrifices?⁴

Rather [that] wherever there is a disqualification in the sacred [sacrifices]⁵ burning is required, no matter whether it is the Most Holy sacrifices or the lesser Holy sacrifices; — this is known by tradition.⁶ And as for Aaron's sin-offering, that is because the incident that happened, happened thus.⁷ Now, according to the Tanna of the School of Rabbah b. Abbuha who said, Even Piggul requires disfigurement,⁸ whence do we know it — [because] he learns the meaning of iniquity from Nothar:⁹ yet let us learn the meaning of iniquity from Aaron's sacrifice?¹⁰—

He can answer you: [A sacrifice such as] Aaron's sin-offering too in such a case¹¹ would require disfigurement in [future] generations;¹² but there it was a special dispensation.¹³ Now that we say, [that] ‘wherever there is a disqualification in the sacred [sacrifices] burning is required, no matter whether it is the most sacred sacrifices or the lesser sacrifices, — this is known by tradition,’ what is the purpose of ‘in the holy place... it shall be burnt with fire’? —

That is required [to teach] that its burning [must be] in the holy place.¹⁴ What is the purpose of, ‘and the flesh that toucheth any unclean thing shall not be eaten; it shall be burnt with fire’? —

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That is required for its own sake.¹⁵ You might say, All disqualifications of the sacred [sacrifices mean] e.g., if its blood was kept overnight, if its blood was spilled, if its blood went outside, or if it was slaughtered by night: these require burning because they do not apply to Hullin.¹⁶ But if it became unclean, which disqualifies in the case of Hullin too' I would say, since it has been treated as profane [non-holy], it does not require burning, and burial should suffice for it. Hence we are informed [that it is not so].

IF ITS OWNERS WERE DEFILED OR THEY DIED, IT MUST BECOME DISFIGURED, etc. R. Joseph said: The controversy is where the owners were defiled after the sprinkling, so that the flesh had become fit for eating. But if the owners were defiled before the sprinkling, so that the flesh had not become fit for eating, all agree that it must be burnt immediately. An objection is raised: This is the general rule: Wherever its disqualification is in itself, it must be burnt immediately; [if it is] in the blood or in its owner, [their flesh] must become disfigured and [then] it goes out to the place of burning?' Now [the disqualification through] the owners is taught as analogous to [that of] the blood: just as [that of] the blood is before sprinkling, so was [the defilement of] the owners before sprinkling? —

Rather if stated, it was thus stated: The controversy is where the owners were defiled before the sprinkling, so that the flesh is not fit for eating, whereby it is as though its disqualification were in itself; but if the owners were defiled after the sprinkling, so that the flesh had become fit for eating, all agree that its disqualification is through something else [extraneous] and it requires disfigurement.

But R. Johanan maintained: The controversy holds good [even if the owners were defiled] after sprinkling too. Now R. Johanan is consistent with his view. For R. Johanan said: R. Johanan b. Berokah, and R. Nehemiah said the same thing. R. Johanan b.

Berokah, this which we have stated. What is [the allusion to] R. Nehemiah? —

For it was taught, R. Nehemiah said: This [Aaron's sin-offering] was burnt on account of bereavement, therefore it is stated, [and there have befallen me such things] as these.¹⁷ Now surely bereavement is as [a disqualification] after sprinkling.¹⁸ Yet when it was burnt; it was burnt immediately.¹⁹

(1) In all these cases the blood is unfit for sprinkling and in turn the flesh cannot be eaten, and it must be burnt.

(2) Lev. VI, 23.

(3) V. supra 24a and notes a.l.

(4) The verse quoted refers only to the Emurim of the lesser holy sacrifices.

(5) Or, whatever its disqualification (that arises) in the sanctuary.

(6) It is not intimated in the Bible.

(7) The Bible does not record this story in order to teach, as stated above, but simply because it happened so.

(8) Though the disqualification is certainly in itself; v. supra 34b.

(9) 'Iniquity' is written in connection with Piggul and Nothar. Piggul: and the soul that eateth of it shall bear his iniquity (Lev. VII, 18); Nothar: but every one that eateth of it shall bear his iniquity (ibid. XIX, 8, — this verse is applied to Nothar in Ker. 5a). Now Nothar is naturally disfigured, having been kept too long, and the employment of 'iniquity' in both cases teaches that Piggul too requires disfigurement.

(10) Lev. X, 17: and he hath given it to you to bear the iniquity of the congregation. Hence just as it was burnt there on the same day, before it could become disfigured, so should Piggul be.

(11) Whatever the cause of its disqualification. On this there are two views: (i) it had been defiled; (ii) it could not be eaten because Aaron and his sons were bereaved that day by the death of Nadab and Abihu.

(12) I.e., if a sin-offering becomes thus disqualified it normally requires disfigurement.

(13) Lit., 'the ruling of the hour'.

(14) In the Temple Court.

(15) I.e., to teach that uncleanness too is a sacred disqualification in this respect.

(16) V. Glos. Hullin remains unaffected by these. Thus in spite of these disqualifications the sacrifice has not been subjected to an indignity, as it were, which would disqualify even in the case of Hullin. (2) V. supra 34b for notes.

(17) Lev. X, 19; 'as these' directly refers to his bereavement.

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(18) For even if Nadab and Abihu died before the sprinkling, this would not be invalid, the sin-offering being dissimilar to the Passover-offering in this respect. For the latter stands primarily to be eaten, and therefore if the owners are defiled before the sprinkling, the sprinkling is invalid, while if they are defiled after the sprinkling the sprinkling is valid. The purpose of the sin-offering however, is atonement, so that even if the priests are defiled (here, bereaved) before the sprinkling and cannot eat, the sprinkling is valid. Hence this bereavement, even if it occurred before the blood was sprinkled, is the same as when the owners of the Passover-offering are defiled after the sprinkling.

(19) Hence since R. Johanan identifies R. Johanan b. Berokah's view with that of R. Nehemiah, this must be the former's opinion also, and thus they differ in our Mishnah where the owners are defiled after the sprinkling too.

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Rabbah added: R. Jose the Galilean too. For it was taught, R. Jose the Galilean said: The whole passage speaks only of the bullocks which were burnt and the he-goats which were burnt, and its purpose is to teach that when they are disqualified, they must be burnt before the Temple, and to impose a negative injunction against eating them.¹ Said they to him: A 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,² whence it follows that if it [the sacrifice] went outside or if its blood entered within, it requires burning.³ But R. Johanan⁴ holds: The blood and the flesh are one thing;⁵ [while the defilement of] the owners is a different thing.⁶

MISHNAH. THE BONES,⁷ AND THE SINEWS, AND THE NOTHAR OF THE PASCHAL LAMB ARE TO BE BURNT ON THE SIXTEENTH.⁸ IF THE SIXTEENTH FALLS ON THE SABBATH, THEY ARE TO BE BURNT ON THE SEVENTEENTH, BECAUSE THEY⁹ DO NOT OVERRIDE EITHER THE SABBATH OR THE FESTIVAL.

GEMARA. R. Mari b. Abbuha said in R. Isaac's name: Bones of sacrifices which served Nothar¹⁰ defile the hands,¹¹ since they became a stand for a forbidden article.¹² Shall we say that this supports him: THE BONES, AND THE SINEWS, AND THE NOTHAR ARE TO BE BURNT ON THE SIXTEENTH. How are these bones meant? If we say that they contain no marrow, why burn them? Let us throw them away!¹³ Hence it is obvious that they contain marrow. Now, it is well if you agree that the serving of Nothar is a [substantial] fact:¹⁴ then it is right that they require burning.¹⁵ But if you say [that] the serving of Nothar is not a [substantial] fact, why do they need burning? Let us break them, scoop out their marrow and burn it, and throw them [the bones] away.¹⁶ Hence this surely proves that the serving of Nothar is a [substantial] fact! —

I will tell you. It is not so: in truth I may argue that the serving of Nothar is not a [substantial] fact, but he¹⁷ holds: [neither shall ye break a bone] thereof¹⁸ [means] of a fit [bone], and even of an unfit [one]. [You say] 'Even of an unfit [one]' — can you think so! Surely we learned: But he who leaves anything over [even] of clean [flesh], or he who breaks [a bone] of: an unclean [Passover-offering], does not receive forty [lashes]?¹⁹ —

There is no difficulty: here it means where it enjoyed a period of fitness;²⁰ there it means where it never enjoyed a period of fitness;²⁰ And which Tanna admits a distinction between where it enjoyed a period of fitness and where it did not enjoy a period of fitness? — It is R. Jacob. For it was taught: 'Neither shall ye break a bone thereof': 'thereof' implies of a fit one, but not of an unfit one.

R. Jacob said: If it enjoyed a period of fitness and became unfit, it is subject to the prohibition of breaking a bone; if it did not enjoy a period of fitness, it is not subject to the prohibition of breaking a bone.

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R. Simeon said: Both the one and the other are not subject to the prohibition of breaking a bone. An objection is raised: No bones of sacrifices require burning,²¹ except the bones of the Passover-offering,²² on account of the stumbling-block.²³ How are these bones meant? If we say that they contain no marrow, why do they need burning? Hence it is obvious that they contain marrow. Now if you should think [that] the serving of Nothar is something substantial, why do the bones of [other] sacrifices not require burning? —

Said R. Nahman b. Isaac: The circumstances here are e.g., if he found them [the bones] scooped out:²⁴ [in the case of] the bones of [other] sacrifices which are not subject to the prohibition of breaking a bone, [we assume that] they were scooped out before it²⁵ [the marrow] became Nothar', Hence they did not serve Nothar and do not require burning. [But in the case of] the bones of the Passover-offering which are subject to the prohibition of breaking a bone, we assume that they were scooped out after they became Nothar; hence they had served Nothar and require to be burnt.

R. Zebid said: The circumstances here are e.g.,

(1) This refers to Lev. VI, 23: And no sin-offering, whereof any of the blood is brought into the tent of meeting to make atonement in the holy place, shall be eaten; it shall be burnt with fire. The Rabbis relate this to a sin-offering which is sacrificed in the inner court, whose blood was carried into the inner court, thereby thus qualifying it. But R. Jose the Galilean relates it to a sin-offering which is sacrificed in the inner court, e.g., the bullock brought when the entire congregation sins in ignorance (v. Lev. IV, 13 f.). Hence he interprets the verse thus: And no sin-offering thereof any of the blood is rightly brought into the tent of meeting, etc. shall 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. Hence the verse must mean that if it became unfit though going outside its legitimate boundary or through defilement, it must be burnt in front of the Birah, and not be 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 whose disregard is not punished by flagellation).

(2) Lev. X, 18.

(3) Now, since R. Jose the Galilean learns sacrifices for all time from Aaron's sin-offering, he evidently holds that for all time if the blood is brought within, it requires immediate burning without awaiting disfigurement, though the disqualification of the blood is like a disqualification through something else. Rabbah assumes that the same law viz., that it must be burnt without awaiting disfigurement, applies to the owner's defilement, though it is a disqualification through something else. Hence R. Jose the Galilean and R. Johanan b. Berokah say the same thing.

(4) Who does not include R. Jose the Galilean.

(5) Hence when the blood goes without its precincts, it is a disqualification in the sacrifice itself.

(6) I.e., it is a disqualification through something else, and therefore one cannot be deduced from the other.

(7) Of the paschal lamb. They may not be broken (Ex. XII, 46), and therefore their marrow becomes Nothar (v. Glos.) and must be burnt (ibid. 10).

(8) Not on the fifteenth, which is a festival day, but on the sixteenth, which is the first of the Intermediate days (Hol Ha-Mo'ed); v. p. 16, n. 4.

(9) I.e., the burning of them.

(10) I.e., the marrow was left in them after the time permitted for the eating of the sacrifice, and thus became Nothar, for which the bones served as a container.

(11) Just as Nothar itself, v. infra 85a, 120b.

(12) Sc. the marrow.

(13) Nothar, which must be burnt, is applicable only to what can be eaten in the first place, viz., the flesh and the marrow.

(14) I.e., of sufficient importance to be treated as Nothar itself.

(15) I.e., the bones themselves too.

(16) For as stated anon, only a fit bone may not be broken; here, once the marrow is Nothar, the bone ceases to be fit.

(17) The Tanna of our Mishnah.

(18) Ex. XII, 46.

(19) Flagellation, the penalty for violating a negative injunction. V. infra 84a. Since he is not so punished, the prohibition evidently does not apply.

(20) E.g., if a bone is rendered unfit on account of Nothar, it was fit before it became Nothar. Then the prohibition remains even when it becomes unfit. (9) E.g., if the bone was defiled before the sprinkling of the blood. Then it was never fit, and the prohibition does not apply to it.

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(21) Though the marrow in them, if uneaten, is Nothar. The bones are broken while the marrow is scooped out and burnt.

(22) Where the bones themselves are burnt.

(23) One might Otherwise be led to violate the prohibition of breaking bones.

(24) I.e., the bones were already broken and their marrow removed.

(25) The plural in the text probably refers to the separate marrows distributed among the bones.

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that he found them piled up in heaps and some of them were scooped out:¹ [in the case of] bones of [other] sacrifices which are not subject to the prohibition of breaking a bone, [I assume] that they have all been scooped out and [the marrow] eaten; hence they do not require burning. But in the case of bones of the Passover-offering which are subject to the prohibition of breaking a bone, [I say] perhaps it is these [only] which were scooped out, while the others² were not scooped out; hence they require burning.

Rab Judah said in Rab's name: All sinews are flesh, except the sinews of the neck. We learned: **THE BONES, THE SINEWS, AND THE NOTHAR ARE TO BE BURNT ON THE SIXTEENTH.** How are these sinews meant? If they are sinews of flesh, let us eat them! While if they remained over,³ then they are [indeed] Nothar?⁴ Hence it is obvious [that] the sinews of the neck [are meant]. Now it is well if you say that they are flesh:⁵ therefore they require burning. But if you say that they are not flesh, why do they require burning? —

Said R. Hisda: This [teaching] arises only in respect of the thigh sinew, and in accordance with R. Judah. For it was taught, R. Judah said: [The prohibition of the thigh sinew] is operative only in respect of one, and reason determines, that of the right [thigh].⁶ Then in that case conclude that R. Judah is in doubt,⁷ for if he is really certain, let us eat that which is permitted, and throw away that which is forbidden. Why then do they [both] need burning? —

Said R. Ika b. Hinena: [This law was stated] where e.g., they were [originally] distinguished but subsequently mixed up.⁸ R. Ashi said: It is necessary [to teach it] only in respect of the fat of the sinew of the thigh. For it was taught: Its fat is permitted, but the Israelites are holy and treat it as forbidden.⁹ Rabina said: It refers to the outer [sinew of the thigh], and is in accordance with Rab Judah's dictum in Samuel's name. For Rab Judah said in Samuel's name: The inner one which is near the bone is forbidden, and a person is liable on its account [to flagellation]; the other which is near the flesh is forbidden, but a person is not liable on its account.¹⁰

IF THE SIXTEENTH FELL, etc. Yet why so? Let the affirmative command come and override the negative command?¹¹—

Said Hezekiah, and the School of Hezekiah taught likewise: And ye shall let nothing of it remain until the morning; but that which remaineth of it until the morning ye shall burn with fire: now [the second] 'until the morning' need not be stated, What then is the teaching of 'until the morning'? [Scripture comes] to appoint a second morning for its burning.¹²

Abaye said: Scripture saith, The burnt-offering of the Sabbath [shall be burnt] on its Sabbath:¹³ but the burnt-offering of weekdays is not [to be burnt] on the Sabbath, nor is the burnt-offering of weekdays [to be burnt] on Festivals.¹⁴

Raba said: Scripture saith, [no manner of work shall be done in them — sc. Festivals — save that which every man must eat,] that only may be done by you:¹⁵ 'that' but not its preparatory requisites:¹⁶ 'only,'

(1) He only examined those on top and found them thus.

(2) Which he did not examine.

(3) Accidentally or through negligence.

(4) Why state it separately?

(5) In spite of their woodenness.

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(6) V. Gen. XXXII, 33. Thus actually one of the thigh sinews is permitted, though we do not know which; this one therefore is really Nothar and must be burnt.

(7) Which is forbidden and which is permitted.

(8) R. Judah may be certain that the prohibition applies to the right thigh only, but these sinews referred to in our Mishnah, though distinguished when drawn out, are now mixed up and we do not know which is the right and which is the left, and hence both require burning.

(9) Since therefore according to Scriptural law it can be eaten, it is Nothar and must be burnt. On the other hand, since in actual practice it could not be eaten the Tanna cannot include it in the term Nothar, which generally implies flesh which could have been eaten, and must mention it separately.

(10) It is forbidden by Rabbinical law only. The reasoning in the preceding note applies here too.

(11) It is a general principle that if an affirmative command and a negative command are in conflict, the former overrides the latter. Here we have all affirmative command to burn the Nothar, Ex. XII, 10, and a negative command forbidding work on a festival, *ibid.* 16.

(12) Translating: but that which remaineth of it, (ye shall wait) until the (following) morning (sc. that of the sixteenth) (and) burn (it) with fire.

(13) Num. XXVIII, 10; this is the literal translation.

(14) E.g., the animal sacrificed before the Sabbath or Festival must not be burnt the following evening. Hence sacrifices and sacred food in general, if unfit, must not be burnt on Festivals, a *fortiori*.

(15) Ex. XII, 16.

(16) E.g., you may roast meat, but may not sharpen a spit for impaling the meat on it.

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but not circumcision out of its proper time, which might [otherwise] be inferred a *fortiori*.¹

R. Ashi said: [On the seventh day is a Sabbath of] solemn rest [Shabbathon],² [written] in connection with Festivals, is an affirmative precept³ and one affirmative precept cannot override a negative precept and an affirmative precept [combined].

MISHNAH. EVERYTHING WHICH CAN BE EATEN OF A FULL-GROWN OX MAY BE EATEN OF A TENDER GOAT,⁴ AND ALSO

THE TOPS OF THE FORELEGS AND THE GRISTLES.⁵

GEMARA. Rabbah pointed out a contradiction. We learned: EVERYTHING WHICH CAN BE EATEN OF A FULL-GROWN OX MAY BE EATEN OF A TENDER GOAT; hence that which cannot be eaten [of the former] may not [be eaten of the latter]. Then consider the sequel: [AND ALSO] THE TOPS OF THE FORELEGS AND THE GRISTLES: yet surely these cannot be eaten in the case of a full-grown ox? —

Rather it is [dependent on] Tannaim, and it is taught thus: EVERYTHING WHICH CAN BE EATEN OF A FULL-GROWN OX MAY BE EATEN OF A TENDER GOAT, while that which cannot be eaten [of the former] may not be eaten [of the latter]: but some maintain, also THE TOPS OF THE FORELEGS AND THE GRISTLES. Raba said: This [the second] is a defining clause,⁶ and it teaches thus: EVERYTHING WHICH CAN BE EATEN OF A FULL-GROWN OX after [much] boning MAY BE EATEN OF A TENDER GOAT when roasted, and what is it? THE TOPS OF THE FORELEGS AND THE GRISTLES.

It was taught in accordance with Raba: Everything which can be eaten of a full-grown ox after [much] boning may be eaten of a tender goat when roasted, and what is it? The tops of the forelegs and the gristles, and the soft sinews are treated⁷ as flesh. It was stated: [With regard to] sinews which would ultimately harden,⁸ — R. Johanan said: One may register for them in the Passover-offering; Resh Lakish maintained: One may not register for them in the Passover-offering. R. Johanan said, One may register for them in the Passover-offering, [because] we decide by the present. Resh Lakish maintained, One may not register for them in the Passover-offering, [because] we decide by its ultimate [condition].⁹

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Resh Lakish raised an objection against R. Johanan: Everything which can be eaten of a full-grown ox may be eaten of a tender goat, and what is it? The tops of the forelegs and the gristles; [thus] only these,¹⁰ but not sinews which would ultimately harden! — Said he to him: He teaches those, and the same applies to these. [Thus] why are those [permitted]? Because they can be eaten in the case of a full-grown ox after [much] boning; [so] these too call be eaten of a full-grown ox after [much] boning. R. Jeremiah said to R. Abin: When you go before R. Abbahu, point out a contradiction to him. Did then R. Johanan say, '[With regard to] sinews which would ultimately harden, one may register for them in the Passover-offering', which shows that we decide by the present?

Surely Resh Lakish asked R. Johanan: 'Can the skin of the head of a tender [sucking] goat be defiled'?¹¹ And he answered him: 'It cannot be defiled', which proves that we decide by the future? — Said he to him: he who pointed out this contradiction to you was not particular about his flour.¹² Surely R. Johanan retracted in favor of Resh Lakish['s view], and he said to him: Do not provoke me, for I learn it as the opinion of an individual.¹³

MISHNAH. HE WHO BREAKS A BONE OF A CLEAN PASSOVER-OFFERING RECEIVES FORTY [LASHES]. BUT HE WHO LEAVES OVER [FLESH] OF A CLEAN [OFFERING] OR BREAKS [A BONE] OF AN UNCLEAN [ONE] IS NOT FLAGELLATED WITH FORTY [LASHES].

GEMARA. As for leaving over [flesh] of a clean [offering], it is well. For it was taught: And ye shall let nothing of it remain until the morning; and that which remaineth of it until the morning ye shall burn with fire.¹⁴ Scripture desires to state an affirmative command after a negative command, thus teaching that one is not flagellated for it; this is R. Judah's view.¹⁵ R. Jacob said: This is not the real reason,¹⁶ but because It is a negative injunction involving no action,¹⁷ for

which one is not flagellated. But how do we know [that] he who breaks [a bone] of an unclean [offering is not flagellated]? — Because Scripture states, Neither shall ye break a bone thereof:¹⁸ 'thereof' [implies] of a fit sacrifice but not of an unfit one.

Our Rabbis taught: 'Neither shall ye break a bone thereof': 'thereof' implies of a fit sacrifice but not of an unfit one. Rabbi said: In one house shall it be eaten... neither shall ye break a bone thereof:¹⁸ [this intimates,] whatever is fit for eating is subject to the [prohibition of] breaking a bone, while whatever is not fit for eating is not subject to the [prohibition of] breaking a bone. Wherein do they differ? Said R. Jeremiah: They differ in respect of a Passover-offering which came in a state of uncleanness:¹⁹ on the view that [the verse refers to] a fit [sacrifice].

(1) An infant is circumcised even on the Sabbath, if it is the eighth day after birth (Lev. XII, 3), but not otherwise. This is deduced from 'alone', which is a limitation. But for this, one could infer a fortiori that it is permissible (v. Shab. 132b). Thus we see that an act which need not be done on a particular day may not be done on the Sabbath or on Festivals, and the same applies to unfit sacred food.

(2) Lev. XXIII, 3.

(3) For it intimates: rest thereon, so that work on a festival involves the transgression of both affirmative and negative precepts.

(4) But not those portions of a full-grown ox which are too hard to be eaten (the reference, of course, is to the

Passover-offering), though in the case of a young goat these are soft and edible.

(5) E.g., the cartilage of the ears, the gristly portion of the breast, and the small ribs at the end of the spine.

(6) Lit., 'he teaches what they are'.

(7) Lit., 'judged'.

(8) The sinews of the neck of a young goat fit for a Passover-offering are soft, but when it grows older they harden and are unfit for food.

(9) Thus R. Johanan interprets the 'soft sinews' of the foregoing Baraita as meaning those which are soft now, even if they ultimately harden; while in the view of Resh Lakish it means only those which remain permanently soft.

(10) Which even in the case of a full-grown ox can be eaten after protracted boiling.

(11) At present it is edible, but not when the goat grows older. Can it be defiled as food, since it can

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now be eaten, or not, since it will ultimately harden.

(12) Whether he milled sound wheat or the refuse! I.e., he was careless about his data.

(13) This refers to the Mishnah in Hul. 122a which states that the skin of the head of a tender goat is as its flesh, i.e., can be defiled as an eatable, which proves that we decide by the present and thus contradicts R. Johanan's answer to Resh Lakish. He, however, countered by stating that he regarded it as an individual's ruling only. Hence when he rules in the present discussion that we decide by the present, it must be on the assumption that that Mishnah represents the opinion of the majority, an assumption, however, which he evidently abandoned.

(14) Ex. XII, 10.

(15) This is a general principle, for when an affirmative precept follows a negative one, it is implied that if the latter is violated, the remedy lies in the former.

(16) Lit., 'this is not of the same denomination'.

(17) It is violated by remaining passive, not by committing a positive act.

(18) Ibid. 46.

(19) I.e., when the majority of the community were unclean; v. Mishnah supra 79a.

Pesachim 84b

this however is unfit;¹ but on the view that whatever is fit for eating [is subject to this law], [surely] this too is fit for eating.²

R. Joseph said: In such a case all agree that it is not subject to the [prohibition of] breaking a bone, for Rabbi comes to be [more] lenient³ and this is surely unfit. But⁴ they differ where it enjoyed a period of fitness and then became unfit;⁵ on the view that [the verse refers to] a fit [sacrifice], this [indeed] was fit; but on the view that [only what is] fit for eating [is meant], surely it is not fit for eating now.

Abaye said: In such a case all hold that it is not subject to the [prohibition of] breaking a bone. What is the reason? [Because] at all events it is unfit now. But they differ in respect of breaking a bone during the daytime.⁶ On the view that [the verse refers to] a fit [sacrifice], this [indeed] is fit; but on the view, that [only what is] fit for eating [is subject to this law], at present⁷ it is not fit for eating.

An objection is raised: 'Rabbi said: One may register for the marrow in the head, but one may not register for the marrow in the thigh-bone'. Why [may one register for] the marrow in the head? Because one is able to scrape it and extract it. Now if you think that the breaking of the bone by daylight is permitted, then the thigh-bone too, let us break it during the day, extract the marrow, and register for it? —

Abaye can answer you: Yet even according to your view,⁸ let us still take a glowing coal after nightfall, place it upon it, burn it and extract the marrow and register for it? For surely it was taught: But he who burns the bones or cuts the sinew does not violate [the prohibition of] breaking a bone? Then what can you say?⁹ Abaye said: Because it may split.¹⁰

Raba said: [This is impossible] on account of the loss of sacred food, which he may destroy with [his own] hands, as the fire may destroy some of the marrow. [Hence] during the daytime too [it may not be broken] as a preventive measure on account of after nightfall.¹¹

R. Papa said: In such a case all hold that it is subject to the [prohibition of] breaking a bone. What is the reason? [Because] in the evening it is fit for eating. But they differ in respect of a limb part of which went out:¹² On the view that [the verse refers to] a fit [sacrifice], this [indeed] is fit;¹³ while on the view that [only what is] fit for eating [is subject to this law], this, however, is not fit for eating, as was taught: R. Ishmael the son of R. Johanan b. Berokah said: A lamb part of which went outside, and which he broke, is not subject to the [prohibition of] breaking a bone.

R. Shesheth the son of R. Idi said: In such a case all agree that it is not subject to the [prohibition of] breaking a bone, for this limb is surely unfit. But they differ in respect of breaking a bone of a half-roast [offering].¹⁴

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On the view that [the verse refers to] a fit [sacrifice], this is fit;¹⁵ while on the view that [only what is] fit for eating [is subject to this law], now [however] it is not fit for eating.

R. Nahman b. Isaac said: In such a case all agree that it is subject to the [prohibition of] breaking a bone. What is the reason? Because it is surely fit for eating, as he can roast it [completely] and eat it. But they differ in respect of [the breaking of the bone of] the fat tail. On the view that [the verse refers to] a fit [sacrifice], this is indeed fit, but on the view that [only what is] fit for eating [is subject to this law], this [however] is not fit for eating, for the fat tail is offered to the Most High.¹⁶

R. Ashi said: In such a case it is certainly not subject to the [prohibition of] breaking a bone, for it is certainly unfit for eating at all. But they differ in respect of [breaking the bone of] a limb upon which there is less than an olive of flesh.¹⁷ On the view that [the verse refers to] a fit [sacrifice], this indeed is fit; but on the view that [only what is] fit for eating [is subject to this law], we require the standard of eating, which is absent.

Rabina said: In such a case it is not subject to the [prohibition of] breaking a bone, because we require the standard of eating. But they differ in respect of a limb upon which there is less than an olive of flesh at this point,¹⁸ but which contains as much as an olive of flesh elsewhere. On the view that [the verse refers to] a fit [sacrifice], this indeed is fit. But on the view that [only what is] fit for eating [is subject to this law], we require the standard of eating at the point where it is broken, which is absent.

It was taught as four of these.¹⁹ For it was taught, Rabbi said: ‘In one house shall it be eaten... neither shall ye break a bone thereof’: he is culpable on account of that which is fit, but he is not culpable on account of that which is not fit. [Thus:] If it had a period of fitness but became unfit by the time of eating, it is not subject to the [prohibition

of] breaking a bone. If it contains the standard of eating,²⁰ it is subject to the [prohibition of] breaking a bone; if it does not contain the standard of eating, it is not subject to the [prohibition of] breaking a bone. That which is intended for the altar²¹ is not subject to the [prohibition of] breaking a bone. [Only] at the time of eating is it subject to the [prohibition of] breaking a bone; when not at the time of eating²² it is not subject to the [prohibition of] breaking a bone. It was stated: If a limb does not contain as much as an olive of flesh at this point,²³ but does contain as much as an olive of flesh elsewhere, — R. Johanan maintained: It is subject to the [prohibition of] breaking a bone; R. Simeon b. Lakish said: It is not subject to the [prohibition of] breaking a bone.

R. Johanan raised an objection against Resh Lakish: ‘Neither shall ye break a bone thereof’: both a bone upon which there is as much as an olive of flesh and a bone upon which there is not as much as an olive of flesh. Now what does ‘there is not as much as an olive of flesh upon it’ mean? Shall we say that there is not as much as an olive of flesh upon it at all, then why is it subject to the [prohibition of] breaking a bone?²⁴ Hence surely this is what it means: Both a bone upon which there is as much as an olive of flesh at this [very] point and a bone upon which there is not as much as an olive of flesh at this point, but there is as much as an olive of flesh upon it elsewhere? —

Said he to him,

- (1) Normally such is unfit, for uncleanness is merely overridden in favor of a community, but not permitted, v. supra 77a, p. 398, n. 2; hence it is not subject to the prohibition of breaking a bone.
- (2) Since a Passover offered in uncleanness may be eaten in uncleanness, v. supra 76b.
- (3) Some versions omit this (Bah).
- (4) [Var. lec. omit ‘In such a case . . . But’.]
- (5) E.g., the paschal sacrifice became unclean after the sprinkling of the blood.
- (6) Of the fourteenth, before the Festival commences on the evening of the fifteenth.
- (7) I.e., when he actually breaks it.

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- (8) Sc. that this is forbidden.
- (9) Why one may not register for the marrow.
- (10) The fire may not burn it through but cause it to crack and split and this is the same as breaking it.
- (11) The point of the 'too' ('during the daytime too') is this: just as it must not be burnt at night by Rabbinical law only, lest something else happen, so he must not break it during the day by Rabbinical law only', also because he may do something else instead, viz., break it at night.
- (12) Without the walls of Jerusalem. The offering had to be eaten in Jerusalem; whatever went outside became unfit. Here as only part of a limb had gone out, this part should be cut out', but this entails cutting across the bone in the limb.
- (13) Sc. the part which remained inside, and when he breaks the bone he naturally touches on that part. Consequently it is forbidden; for the remedy v. Mishnah infra 85b.
- (14) Which is itself forbidden, v. Ex. XII, 9: Eat not of it half-roast (so translated supra 41a).
- (15) The sacrifice itself is fit, though it may not be eaten because it was not properly prepared.
- (16) I.e., it is burnt on the altar together with the Emurim (v. Glos.).
- (17) That is the least quantity which constitutes eating
- (18) Where he actually breaks the bone.
- (19) [R. Joseph, R. Nahman b. Isaac, Abaye and Rabina (or R. Ashi). V. n. 5. Var. lec., however, omits the passage.]
- (20) [Either at the point where it is broken, as required by Rabina, or on the limb itself', as required by R. Ashi.]
- (21) I.e., the bone of the fat tail.
- (22) I.e., before nightfall.
- (23) At the point of breaking.
- (24) For R. Johanan and Resh Lakish both, agree that it must contain as much as an olive of flesh before it is subject to the prohibition.

Pesachim 85a

No: it means this: Both a bone which has as much as an olive of flesh on the outside and a bone which has not as much as an olive of flesh on it on the outside, but contains as much as an olive of flesh [marrow] inside, [yet still] at the point of breaking. And it was taught [even so]: 'Neither shall ye break a bone thereof': [this refers to] both a bone which contains marrow and a bone which does not contain marrow, while to what do I apply,¹ and they shall eat the flesh in that night?² To the meat on the bone. Yet perhaps it is not so, but [it applies] to the meat

[marrow] inside the bone [too], while to what do I apply, 'neither shall ye break a bone thereof'? To a bone which does not contain marrow; but in the case of a bone which contains marrow he breaks [it] and eats [the marrow]; and do not wonder thereat, for the affirmative command comes and overrides the negative command!³ When, [however,] 'they shall not break a bone thereof'⁴ is stated in connection with the second Passover, which need not have been taught, seeing that it has already been said, according to all the statute of the Passover they shall keep it,⁵ deduce from this [that it means] both a bone which, contains marrow and a bone which does not contain marrow.

An objection is raised: [With regard to] a limb part of which went outside,⁶ he cuts [the flesh] as far as the bone, and pares it until he reaches the joint and then cuts it off.⁷ Now if you say [that] a limb upon which there is not as much as an olive at this point but there is as much as an olive on it elsewhere is not subject to the [prohibition of] breaking a bone, why does he pare it until he reaches the joint and [then] cut it off? Let us scrape a little away and break it? —

Abaye said: [This cannot be done] because of a [possible] split.⁸ Rabina said: This refers to the thigh bone.⁹ We learned elsewhere: Piggul and Nothar¹⁰ defile the hands.¹¹ R. Huna and R. Hisda, — One maintained: It was on account of the suspects of the priesthood;¹² while the other maintained: It was on account of the lazy priests.¹³ One recited [the reason] in reference to Piggul, while the other recited it in reference to Nothar. He who recited it in reference to Piggul [gave the reason as being] on account of the suspects of the priesthood. While he who recited it in reference to Nothar [stated that it was] on account of the lazy priests. One recited: As much as an olive;¹⁴ while the other recited: As much as an egg. He who recited, as much as an olive [took the same standard] as its prohibition,¹⁵ while he who recites, as much as an olive, [takes the same standard] as its uncleanness.¹⁶

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The scholars asked: Did the Rabbis enact uncleanness in respect of what goes outside¹⁷ or not? Do we say, they imposed uncleanness on Nothar because they [the priests] might come to be lazy about it; but [concerning] that which goes outside, they will [certainly] not carry it out with [their own] hands, [and so] the Rabbis did not decree uncleanness in connection therewith. Or perhaps there is no difference? —

Come and hear: If part of a limb went outside, he cuts [the flesh] as far as the bone and pares it until he reaches the joint and then cuts it off. Now if you say that the Rabbis imposed uncleanness upon it, what if he does cut? Surely it defiles it?¹⁸ — It is concealed uncleanness,¹⁹ and concealed uncleanness does not defile.

But according to Rabina who maintained: The connection of foodstuffs is not a real connection, and they are as though separated,²⁰ what can be said: surely they²¹ touch each other and it [the inner portion] is defiled? — Hence according to him who recited, as much as an olive, [we must say here] that it²² did not contain as much as an olive; while according to him who recited, as much as an egg, [we must say] that it did not contain as much as an egg.

Come and hear: If a man carries out flesh of a Passover-offering from one company to another,²³ though he [has violated] a negative injunction, it [the flesh] is clean. Now does that not mean that it is clean yet forbidden, because that which goes out from one company to another company is like that which goes outside its boundary²⁴ and is disqualified [for eating], yet even so it teaches [that] it is clean, which proves that the Rabbis did not decree uncleanness! —

No: it is clean and permitted, because that which goes out from company to company is not like that which goes outside its boundary, and it is not disqualified. But surely the second clause teaches: He who eats it is

subject to a negative injunction? As for him who says, as much as an egg, it is well: [this may refer to] where it contains as much as an olive²⁵ but not as much as an egg. But according to him who says as much as an olive, what can be said? —

Rather [say thus]: We do not ask in respect of what goes out in the case of a Passover-offering, for the Rabbis [certainly] did not decree uncleanness [there]. What is the reason? The members of a company²⁶ are most scrupulous, and so are very careful with it.²⁷ But we do ask in respect of what goes out in the case of sacrifices [in general]: what [is the law]? The question stands over. Now he who carries out flesh of the Passover-offering

(1) Lit., 'and how do I fulfill?'

(2) Ex. XII, 8.

(3) V. supra 83b, P. 439. n. 1.

(4) Num. IX, 12.

(5) Num. IX, 12.

(6) V. supra 84b, p. 444, n. 2.

(7) While the flesh which he cut on (i.e., which had not gone outside) is eaten.

(8) When he hits the bone to break it, it may split elsewhere, not just where it was scraped.

(9) Which contains marrow; hence scraping the flesh off is of no avail.

(10) V. Glos.

(11) By Rabbinic law; v. infra 120b.

(12) Who were suspected of maliciously making the sacrifice Piggul to hurt its owner, who would have to bring another; therefore the priest who handles it was declared unclean, since defilement was regarded as very serious even by the wicked (Rashi, and Tosaf. quoting Yoma 23a). Another interpretation: so that he who touched it should not be suspected of intending to eat it, as it would be known that he could not do this in his unclean state.

(13) Who were too indolent to consume the flesh within the permitted period and allowed it to become Nothar.

(14) Of these defiled the hands.

(15) That quantity involves punishment if it is eaten.

(16) As much as an egg is the smallest quantity which defiles by Biblical law. Hence when the Rabbis enacted that this defiles the hands, they adopted the same standard.

(17) Its appointed boundaries.

(18) The inner portion of the flesh is defiled by contact with the part which went outside.

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(19) This is a technical term: the actual point of contact is not visible in the same way that the contact of two separate pieces of flesh is visible.

(20) Since foodstuffs are intended to be cut up. In his view the law of concealed uncleanness is only applicable where

the object is not intended to be cut, e.g., a piece of cloth, v. Hul. 72b.

(21) The two parts.

(22) The portion which went outside.

(23) Cf. Mishnah infra 86a.

(24) Within which it must be eaten. Viz., the walls of Jerusalem.

(25) Which involves punishment.

(26) Who have registered for one paschal sacrifice.

(27) Hence there is no need for a preventive measure.

Pesachim 85b

from one company to another company, how do we know [that he violates a negative injunction]? — Because it was taught: Thou shalt not carry forth aught of the flesh abroad out of the house:¹ I only know [that it must not be taken] from one house to another house; whence do we know [that it must not be taken] from one company to another company?² Because it is stated, ‘abroad’, [meaning] outside [the place of] its consumption.

R. Ammi said: He who carries out flesh of the Passover-offering from one company to another company is not culpable unless he deposits [it there]: ‘carrying out’ is written in connection with it as [in connection with] the Sabbath;³ [hence] just as [in the case of] the Sabbath, [he is not culpable] unless he removes and deposits,⁴ so here too [he is not culpable] unless he removes it [from one company] and deposits it [with the second].

R. Abba b. Mammel raised an objection: If they were carrying them on staves, the front bearers having gone outside the walls of the Temple Court while the rear ones had not [yet] gone out, those in front defile [their] garments while those behind do not defile their garments.⁵ But it has not come to rest?⁶ He raised the objection and he himself answered it: It refers to [carcasses] which are trailed [along the ground].⁷

MISHNAH. IF PART OF A LIMB WENT OUTSIDE, HE CUTS [THE FLESH] AS FAR AS THE BONE AND PARES IT UNTIL HE REACHES THE JOINT AND CUTS IT AWAY. BUT IN THE CASE OF [OTHER] SACRIFICES HE CUTS IT OFF WITH A CHOPPER, BECAUSE THEY ARE NOT SUBJECT TO THE [PROHIBITION OF] BREAKING A BONE. FROM THE DOOR-STOP AND WITHIN RANKS AS WITHIN [THE CITY];⁸ FROM THE DOOR-STOP AND WITHOUT IS AS OUTSIDE [THE CITY]. THE WINDOWS⁹ AND THE THICKNESS OF THE WALL ARE AS THE INSIDE.

GEMARA. Rab Judah said in Rab's name: And it is likewise in respect of prayer.¹⁰ He differs from R. Joshua b. Levi.

For R. Joshua b. Levi said: Even an iron partition cannot interpose between Israel and their Father in Heaven.¹¹ Now this is self-contradictory. You say, FROM THE DOORSTOP AND WITHIN RANKS AS WITHIN [THE CITY]; hence the [area of] the door-stop itself is as the outside. Then consider the sequel: FROM THE DOOR-STOP AND WITHOUT IS AS OUTSIDE [THE CITY]; hence the door-stop itself is as the inside? — There is no difficulty: one refers to the gates of the Temple Court;¹² the other, to the gates of Jerusalem.¹³

For R. Samuel b. R. Isaac said: Why were the gates of Jerusalem not sanctified?¹⁴ Because lepers shelter under them in summer¹⁵ from the sun and in winter¹⁶ from the rain. R. Samuel son of R. Isaac also said: Why was the gate of Nicanor¹⁷ not sanctified? Because lepers stand there and insert the thumbs of their hands [into the Court].¹⁸

THE WINDOWS AND THE THICKNESS OF THE WALL, etc. Rab said: The roofs and the upper chambers were not sanctified.¹⁹ But that is not so, for Rab said on the authority of R. Hiyya: There was [only] as much as an olive of the Passover-

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offering [to eat],²⁰ yet the Hallel²¹ split the roofs!²²

- (1) Ex. XII, 46.
- (2) Even in the same house.
- (3) Sc. in Ex. XVI, 29: let no man go out of his place on the seventh day (Tosaf. s.v. **הוֹצֵאָה**).
- (4) Lit., 'he uproots and lays at rest'. Removing it from private and depositing it in public ground or the reverse; v. Shab. 2a.
- (5) This refers to the bullocks which were burnt outside the three camps (v. p. 343 n. 2); Jerusalem itself is the third camp but the bearers defiled their garments as soon as they left the first camp, viz., the Temple Court. This is deduced in Yoma 68a from Lev. XVI, 27: and the bullocks of the sin-offering... shall be carried forth without the camp.
- (6) It was not put down, yet it defiles, though 'carrying out' is written there.
- (7) Which constitutes depositing.
- (8) The door-frame in the city walls of Jerusalem was of considerable breadth — sufficient for the Passover-offering to be eaten there. The Mishnah states that everywhere on the inside of this door-frame is as inside the city, while that on the outside is as the outside of the city. The Gemara discusses the status of the door-frame space itself.
- (9) In the city walls; these too occupied a considerable breadth.
- (10) Certain portions of the service are recited only when there is a quorum of ten men (called *Minyan*). A man standing in the inside of the door-stop is counted with those inside the room, but not he who is standing outside the door-stop.
- (11) Hence even if he stands outside the door-stop, he is counted with the others.
- (12) There the space of the door-stop itself is as the inside.
- (13) There it is as the outside.
- (14) I.e., the space occupied by the thickness of the gates.
- (15) Lit., 'the sun'.
- (16) Lit., 'the rain'.
- (17) The east gate of the Temple Court.
- (18) V. Lev. XIV, 17 and Yeb. 7b.
- (19) The roofs of the houses of Jerusalem are not sanctified, in the sense that sacrifices which are eaten anywhere in Jerusalem may not be eaten on them. Similarly, the sacrifices which had to be eaten within the Temple precincts might not be eaten on its roof or in its upper chambers.
- (20) Very large companies registered for each sacrifice, so that each person could not receive more than that.
- (21) V. p. 324, n. 2.
- (22) It was sung with such gusto.

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Does that not mean that they ate on the roof and recited [the Hallel] on the roof? No: they ate on the ground and recited [it] on the roof. Yet that is not so, for surely we learned: You must not conclude after the Paschal meal [by saying] 'To the after-meal entertainment!'¹ and Rab said: [That means] that they must not remove from one company to another?² — There is no difficulty: there it is at the time of eating;³ here it is not at the time of eating.⁴

Come and hear: Abba Saul said: The upper chamber of the Holy of Holies was more stringent than the Holy of Holies, for the High Priest entered the Holy of Holies once a year, whereas the upper chamber of the Holy of Holies was entered only once a septennate — others say, twice a septennate — others say, once in a Jubilee — to see what it required?⁵ —

Said R. Joseph: Shall a man stand up and raise an objection from the Hekal!⁶ The Hekal is different, because it is written, Then David gave to Solomon his son the pattern of the porch [of the Temple], and of the houses thereof, and of the treasuries thereof, and of the upper rooms thereof, and of the inner chambers thereof, and of the place of the ark-cover;⁷ and it is written, All this [do I give thee] in writing, as the Lord hath made me wise by His hand upon me.⁸

Come and hear: [With regard to] the chambers built in the sacred area⁹ and opening into the non-sacred area,¹⁰ their inside is non-sacred,¹¹ while their roofs are sacred? — R. Hisda explained this [as meaning] where their roofs were level with the ground of the Temple Court.¹² If so, consider the second clause: [As to] those built in the non-sacred [area] and opening into the sacred [area], their inside is sacred, while their roofs are non-sacred. Now if you think that it means where their roofs are level with the ground of the Temple Court, then they are cellars, whereas R. Johanan said: The

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cellars were not sanctified? — R. Johanan said this only in respect of those opening into the Temple Mount; [whereas] that was taught in respect of those opening into the Temple Court. But it was taught, R. Judah said: The cellars under the Hekal were non-sacred?¹³ — That was taught where they opened into the non-sacred [area].

Come and hear: And its roof is sacred?¹⁴ — Now is that logical: surely he teaches: As for these roofs, you may not eat there sacrifices of the greater sanctity, nor kill there sacrifices of the lesser sanctity.¹⁵ But in that case 'its roof is holy' presents a difficulty? — Said R. Hama b. Guria: [That was taught] in respect of those two cubits. For we learned: There were two cubits [measures] in Shushan the Castle,¹⁶ one on the north-east corner and one on the south-east corner. That on the north-east corner exceeded [the cubit] of Moses¹⁷ by half a fingerbreadth, while that on the south-east corner exceeded it [sc. the first cubit] by half a fingerbreadth, so that it exceeded [the cubit] of Moses by a fingerbreadth. And why was one large and one small?¹⁸ So that the workers might receive [contracts] by the small [measure] and deliver [the work] by the large one, to avoid liability to a trespass-offering.¹⁹ Any why two? One was for [work in] gold and silver,²⁰ while the other was [or building].²¹

We learned: THE WINDOWS AND THE THICKNESS OF THE WALL ARE AS THE INSIDE. As for the windows, it is well, this being possible where they were level with the ground of the Temple Court; but how is the thickness of the wall conceivable?²² — It is possible in the case of the inner wall,²³ as it is written, But he hath made the rampart and the wall to mourn,²⁴ which R. Aha — others say, R. Hanina — interpreted: the wall proper and the minor wall.

MISHNAH. IF TWO COMPANIES ARE EATING IN ONE ROOM,²⁵ THESE MAY TURN THEIR FACES IN ONE DIRECTION AND THOSE MAY TURN THEIR FACES IN ANOTHER DIRECTION,²⁶ WITH THE

BOILER²⁷ IN THE MIDDLE.²⁸ WHEN THE WAITER²⁹ RISES TO MIX [THE WINE], HE MUST SHUT HIS MOUTH AND TURN HIS FACE AWAY [FROM THE OTHER COMPANY] UNTIL HE REACHES HIS OWN COMPANY.³⁰ BUT A BRIDE³¹ MAY TURN HER FACE AWAY AND EAT.

GEMARA. Who is [the author of] our Mishnah? — It is R. Judah. For it was taught: Upon the houses wherein they shall eat it:³² this teaches that a Paschal lamb may be eaten in two companies. You might think that the eater may eat in two places,³³ therefore It is stated, In one house shall he eat it.³⁴ Whence it was said: If the waiter³⁵ ate as much as an olive at the side of the oven, if he is wise he eats his fill³⁶ of it; but if the members of the company wish to do him a favor, they come and sit at his side:³⁷ this is R. Judah's opinion.

R. Simeon said: 'Upon the houses wherein they shall eat it:' this teaches that the eater may eat in two places.³⁸

- (1) It was customary among ancient nations to conclude a banquet with bouts of drinking, revelry and music. The sanctity of the Paschal meal precluded this, as it would turn an occasion of solemnity and reverential gratitude to God into one of light-hearted frivolity.
- (2) For the purpose mentioned in the preceding note. Thus the whole service must be carried out in the same place.
- (3) Then a change of place is forbidden.
- (4) The Hallel was recited after the meal was concluded; praise to God is then permissible anywhere.
- (5) E.g., repairs. Thus the upper chambers were sanctified.
- (6) The Holy, the hall containing the golden altar, etc. contrad. to the Holy of Holies (Jast.). In the present passage, however, R. Joseph appears to use the word more elastically, making it embrace the Holy of Holies too.
- (7) I Chron. XXVIII, 11.
- (8) Ibid. 19. 'The Lord hath made me wise' is understood to mean that he was Divinely inspired to sanctify all those mentioned in the forgoing, which include the 'upper room'.
- (9) I.e., the Temple Court.
- (10) Sc. the Temple Mount; i.e., they had no doors opening into the Temple Court.

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(11) They lack the sanctity of the Temple Court, though they possess that of the Temple Mount, for their status is determined by their openings.

(12) The chambers referred to being cellars.

(13) This is now assumed to refer even to those opening into the Temple Court.

(14) Sc. the roof of the Hekal, this being the conclusion of R. Judah's statement. R. Joseph's answer that the Hekal was different on account of the explicit verse is inapplicable here, for the roofs are not mentioned in that verse.

(15) V. supra p. 108, n. 2. Thus it is definitely stated that they did not enjoy the sanctity of the Temple Court.

(16) A chamber built above the eastern gate of the Temple, so called because the picture of the castle of Shushan in the capital of the Persian empire, was sculptured upon it.

(17) I.e., the standard cubit.

(18) Why not simply the standard cubit of Moses?

(19) E.g., they contracted to build a certain length in terms of the standard cubit; nevertheless they completed their contract according to the length of the larger measure. The purpose was to preclude the possibility of benefiting from the Sanctuary over and above their exact due, which would involve them in trespass.

(20) This being more difficult, they added only half a fingerbreadth to the standard measure.

(21) Where a whole fingerbreadth was added. — Now the roofs were sanctified only in so far that these measuring rods and similar utensils or vessels which were not used in the actual service of the altar might be kept in them. But they were not sanctified in respect of anything else.

(22) For by the thickness of the wall must be meant the top, which is the same as the upper chambers and the roofs, while the top of the city wall was certainly not on a level with the Temple Mount.

(23) A smaller wall on the inside of the larger wall; the top of the former was level with the greatest height of the ground of the Temple Court, which itself reached several different heights in gradient.

(24) Lam. II, 8.

(25) Of the same Paschal offering.

(26) They are not bound all to face each other, though they were originally one company for this offering.

(27) In which water was heated for diluting the wine.

(28) Though this seems further to emphasize their separateness.

(29) Who is waiting on both parties. He too had registered for this offering—a Jewish waiter, of course is meant.

(30) Lest he be suspected of eating with the other company too. This Tanna holds that one Paschal lamb may be eaten in two companies, but one person may not eat in two places.

(31) Who in her modesty does not wish to face the company.

(32) Ex. XII, 7.

(33) Of the same offering. E.g., either in two separate rooms or even in one room containing two companies, which makes it like two rooms.

(34) Ex. XII, 46. The vocalization is יאכל (passive E.V.: shall it be eaten), but it may also be read יאכל, and R. Judah holds that the traditional consonantal form of the word determines its meaning regardless of vocalization.

(35) Engaged in roasting the offering.

(36) Lit., 'fills his stomach'.

(37) And eat there, but he may not go and eat with them, as he would thereby be eating in two places.

(38) 'They shall eat' referring to each individual separately, who is thus permitted to eat in 'the houses'.

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You might think that it may be eaten in two companies. Therefore it is stated, 'In one house shall it be eaten.'¹ Wherein do they differ?

R. Judah holds: The traditional [non-vocalized] text is authoritative; while **R. Simeon holds:** The text as read [as vocalized] is authoritative.² If they were sitting [in one company], and a partition was spread between them,³ — on the view that [one] Paschal lamb may be eaten in two companies, they may eat [thus]; [but] on the view that [one] Paschal lamb may not be eaten in two companies, they may not eat [thus]. If they were sitting⁴, when the partition was removed from between them:⁵ on the view that the eater may eat in two places, they may [go on] eating [thus]; but on the view that the eater may not eat in two places, they may not [go on] eating.

R. Kahana sat [and] stated this as a definite ruling. Said **R. Ashi to R. Kahana:** You should [rather] ask it as a question: Does the removing of a partition or the setting up of a partition transform it into two places or two companies [respectively] or not? The question stands over.

THE BRIDE TURNS HER FACE AWAY, etc. What is the reason? — Said **R. Hiyya b.**

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Abba in R. Johanan's name: Because she is modest.⁶ R. Huna the son of R. Nathan visited the home of R. Nahman b. Isaac. They asked him, 'What is your name?' 'Rab Huna,' replied he.⁷ 'Would you, Sir, sit down on the couch,' said they, and he sat down. Then they offered him a goblet, which he accepted at the first [invitation]⁸ but he drank it in two times, without turning his face away. They asked him, 'What is the reason that you called yourself Rab Huna?' [He replied:] 'That is my name.'⁹ 'What is the reason that when they told you to sit on the couch you did sit?'¹⁰ Said he to them: 'Whatever your host tells you, do.'¹¹ 'What is the reason that when a goblet was offered you accepted it at the first invitation?' Said he to them: 'One must show reluctance to a small man, but one must not show reluctance to a great man. 'Why did you drink it in two times?' — Said he to them: 'Because it was taught: He who drinks his goblet in once is a gourmand; in two times, shows good breeding; in three times, is of the arrogant. Why did you not turn your face away?'¹² — 'We learned, A BRIDE TURNS HER FACE AWAY,' replied he.¹³

R. Ishmael Son of R. Jose visited the home of R. Simeon b. R. Jose b. Lakunia. They offered him a goblet, which he accepted at the first invitation and drank in one draught. Said they to him: 'Do you not agree that he who drinks his goblet in one draught is greedy?' Said he to them: 'This was not said when your goblet is small, your wine sweet, and my stomach broad'.¹⁴ R. Huna said: The members of a company enter three at a time, and depart even singly.¹⁵ Rabbah observed: But that is only if they enter at the time when people generally enter,¹⁶ and providing that the attendant had taken notice of them.¹⁷ Rabina said: And they must make their [full] payment;¹⁸ and the last must pay extra.¹⁹ But the law does not agree with him.

(1) Each Paschal lamb must be eaten in one company, but the person is not bound to retain the same position in the company all the time.

(2) V. n. 1; also Sanh., Sonc. ed. p. 10, n. 4.

(3) Thus transforming them into two companies.

(4) In two rooms.

(5) Thus making them into one company; furthermore, a new area is added to each, and this renders the whole as another place.

(6) And as a bride she is naturally the cynosure of all eyes.

(7) Mentioning his title of Rabbi.

(8) Lit., 'in one time' — he did not wait to be pressed a second time.

(9) Lit., 'I am the master of the name'. Rashi: I have been called Rab Huna even as a child. Thus Rab in his case was a proper name, not only a title. [R. Hananel: an ordained Rabbi and known by this designation.]

(10) The couch was reserved for distinguished visitors, others sitting on ordinary stools. His immediate compliance therefore savored of arrogance.

(11) Var. lec.: except 'depart'. The text reads better without this addition, but if it is retained it was probably meant humorously — a guest should not outstay his welcome until he is told to go!

(12) Which would have been more mannerly in their opinion.

(13) But not others.

(14) R. Ishmael was very stout, v. 84a.

(15) Rashi: This does not refer particularly to the Passover-offering. The members of a company should enter for meals three at a time in order to facilitate the work of the waiter, but may depart even singly though the waiter has still to attend on the rest. R. Han.: When a company registers for a Passover-offering and three of them (but not less) enter the house at the normal time for eating, they can eat without waiting for the rest. But if they had already assembled and then left for some purpose, even if only one is left he can eat alone and need not wait for their return.

(16) I.e., not earlier, in which case they must wait for the rest.

(17) According to Rashi: They notified the waiter of their intention to depart singly. R. Hananel: The waiter had been sent to find them and failed. MS.M. too reads: the attendant has searched for them.

(18) [To the waiter for the extra trouble incurred. R. Hananel: the one who eats the Paschal lamb on his own, if he ate more than his share, v. Aruch s.v. לייך.]

(19) To the waiter for the extra trouble incurred. [R. Hananel omits this clause.]