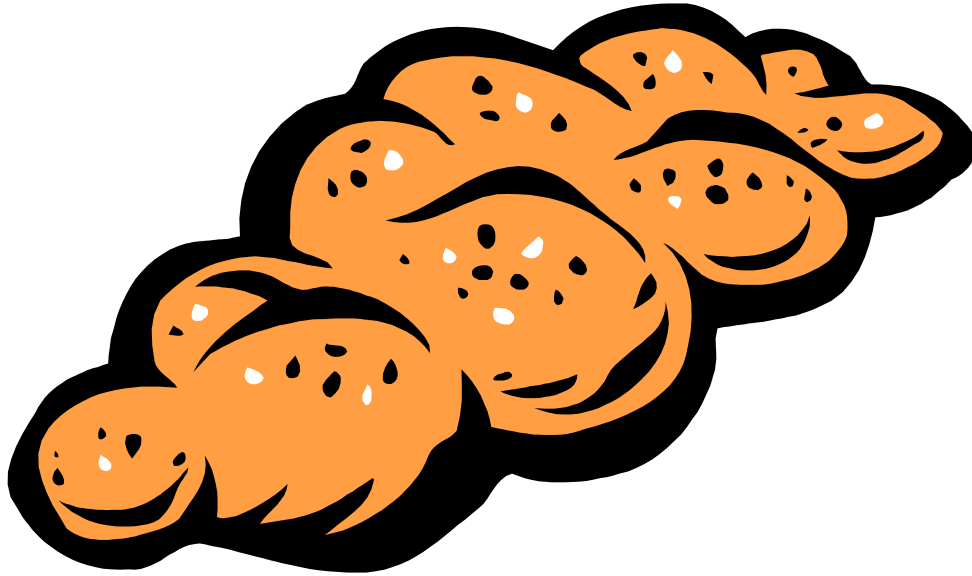


The Soncino Babylonian Talmud



CHALLOH

TRANSLATED INTO ENGLISH
WITH NOTES

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CHALLOH

Hallah Chapter 1

MISHNAH 1. FIVE SPECIES [OF CEREALS] ARE SUBJECT TO [THE LAW OF] HALLAH.¹ WHEAT, BARLEY, SPELT, OATS AND RYE.² THESE ARE SUBJECT TO HALLAH, AND [SMALL QUANTITIES OF DOUGH MADE OF THE DIFFERENT SPECIES] ARE RECKONED TOGETHER ONE WITH ANOTHER [AS ONE QUANTITY]³ AND ARE ALSO SUBJECT TO THE PROHIBITION OF [THE CONSUMPTION OF] 'NEW' [PRODUCE]⁴ PRIOR TO THE OMER,⁵ AND TO [THE PROHIBITION OF] REAPING PRIOR TO PASSOVER.⁶ IF THEY TOOK ROOT PRIOR TO THE OMER, THE OMER RELEASES THEM;⁷ IF NOT, THEY ARE PROHIBITED UNTIL THE NEXT OMER HAS COME.

MISHNAH 2. IF ONE HAS EATEN ON THE PASSOVER AN OLIVE-SIZE⁸ OF UNLEAVENED BREAD [MADE] OF THESE [CEREALS], HE HAS FULFILLED HIS OBLIGATION;⁹ [IF ONE HAS EATEN ON THE PASSOVER] AN OLIVE-SIZE OF LEAVEN [MADE OF THESE CEREALS], HE HAS INCURRED THE PENALTY OF KARETH.¹⁰ IF ONE OF THESE [CEREALS, HAVING BECOME LEAVENED,] HAS BECOME MIXED WITH ANY OTHER SPECIES, ONE TRANSGRESSES THE [LAWS OF] PASSOVER.¹¹ IF ONE HAS VOWED [TO ABSTAIN] FROM [CONSUMING] BREAD AND TEBU'AH [(CEREAL) PRODUCE].¹² HE IS PROHIBITED FROM CONSUMING THESE [FIVE SPECIES]; THIS IS THE OPINION OF R. MEIR. THE SAGES SAY: IF ONE HAS VOWED [TO ABSTAIN] FROM [CONSUMING] DAGAN [CORN], HE IS PROHIBITED FROM [CONSUMING] THESE [SPECIES] ONLY.¹³ THEY ARE SUBJECT TO HALLAH AND TITHES.¹⁴

MISHNAH 3. THE FOLLOWING ARE SUBJECT TO HALLAH, BUT EXEMPT FROM TITHES: LEKET,¹⁵ SHIKEHAH,¹⁶ PE'AH,¹⁷ AND PRODUCE, OWNERSHIP OF WHICH HAS BEEN WAIVED,¹⁸ AND THE FIRST TITHE¹⁹ OF WHICH TERUMAH [THE

PRIEST'S PORTION] HAD BEEN TAKEN OFF,²⁰ AND THE SECOND TITHE,²¹ AND CONSECRATED [PRODUCE]²² WHICH HAVE BEEN REDEEMED, AND THAT WHICH REMAINS OVER FROM THE OMER,²³ AND GRAIN WHICH HAS NOT GROWN ONE-THIRD [RIPE].²⁴ R. ELIEZER SAID: GRAIN WHICH HAS NOT GROWN ONE-THIRD [RIPE] IS EXEMPT [ALSO] FROM HALLAH.²⁵

MISHNAH 4. THE FOLLOWING ARE SUBJECT TO TITHES, BUT EXEMPT FROM HALLAH: RICE, MILLET, POPPY-SEED, SESAMUM, PULSE,²⁶ AND LESS THAN FIVE-FOURTHS [OF A KAB] OF [THE FIVE KINDS OF] GRAIN,²⁷ SPONGE-BISCUITS, HONEYCAKES,²⁸ DUMPLINGS,²⁹ CAKE [COOKED] IN A PAN³⁰ AND MEDUMMA'³¹ ARE EXEMPT FROM HALLAH.

MISHNAH 5. DOUGH WHICH WAS ORIGINALLY [INTENDED FOR] FANCY-BAKING,³² AND FINALLY [COOKED AS] FANCY-BAKING, IS EXEMPT FROM HALLAH.³³ [IF IT WAS] ORIGINALLY [ORDINARY] DOUGH, BUT FINALLY [COOKED AS] FANCY-BAKING, [OR IF IT WAS] ORIGINALLY [INTENDED FOR] FANCY-BAKING, BUT FINALLY [COOKED AS ORDINARY] DOUGH, IT IS SUBJECT TO HALLAH; SIMILARLY ARE RUSKS³⁴ SUBJECT [TO HALLAH].³⁵

MISHNAH 6. THE [FLOUR-PASTE CALLED] ME'ISAH³⁶ BETH SHAMMAI DECLARE EXEMPT [FROM], BUT BETH HILLEL DECLARE SUBJECT [TO HALLAH].³⁷ THE [FLOUR-PASTE CALLED] HALITA³⁸ BETH SHAMMAI DECLARE SUBJECT [TO], AND BETH HILLEL DECLARE EXEMPT [FROM HALLAH].³⁹ AS FOR THE LOAVES OF THE THANKSGIVING SACRIFICE⁴⁰ AND THE WAFERS OF A NAZIRITE,⁴¹ — IF ONE MADE THEM FOR ONESELF, THEY ARE EXEMPT [FROM HALLAH].⁴² [IF ONE MADE THEM] TO SELL IN THE MARKET,⁴³ THEY ARE SUBJECT [TO HALLAH].

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MISHNAH 7. IF A BAKER MADE DOUGH FOR DISTRIBUTING,⁴⁴ IT IS SUBJECT TO HALLAH.⁴⁵ IF WOMEN GAVE [FLOUR]⁴⁶ TO A BAKER TO MAKE FOR THEM DOUGH,⁴⁷ — AND IF THERE IS NOT IN THAT WHICH BELONGS TO [ANY] ONE OF THEM THE [MINIMUM] MEASURE,⁴⁸ IT⁴⁹ IS EXEMPT FROM HALLAH.⁵⁰

MISHNAH 8. DOUGH FOR DOGS,⁵¹ AS LONG AS [IT IS SUCH AS] SHEPHERDS PARTAKE THEREOF,⁵² IS SUBJECT TO HALLAH;⁵³ AND ONE MAY MAKE AN ‘ERUB⁵⁴ THEREWITH,⁵⁵ AND EFFECT A SHITTUF⁵⁶ THEREWITH;⁵⁵ AND ONE SHOULD SAY THE BLESSINGS FOR [BEFORE⁵⁷ AND AFTER⁵⁸ EATING] IT, AND ONE SHOULD SAY THE INTRODUCTORY FORMULA TO A CORPORATE RECITAL OF GRACE AFTER IT;⁵⁹ AND IT MAY BE COOKED ON A FESTIVAL,⁶⁰ AND A PERSON DISCHARGES THEREWITH ONE'S OBLIGATION ON THE PASSOVER;⁶¹ BUT IF [THE DOUGH BE SUCH AS] SHEPHERDS DO NOT PARTAKE THEREOF⁶² IT IS NOT SUBJECT TO HALLAH;⁶³ NOR MAY ONE MAKE AN ‘ERUB THEREWITH, NOR EFFECT A SHITTUF THEREWITH; NOR SHOULD ONE SAY THE BLESSINGS FOR [BEFORE⁶⁴ AND AFTER]⁶⁵ IT, NOR SAY THE INTRODUCTORY FORMULA TO A CORPORATE RECITAL OF GRACE AFTER IT;⁶⁶ NOR MAY IT BE COOKED ON A FESTIVAL; NOR DOES A PERSON DISCHARGE THEREWITH ONE'S OBLIGATION ON THE PASSOVER. IN EITHER CASE IT IS SUSCEPTIBLE TO RITUAL DEFILEMENT AFFECTING FOODSTUFFS.⁶⁷

MISHNAH 9. IN THE CASE OF HALLAH AND TERUMAH; ONE IS LIABLE, ON ACCOUNT OF [HAVING EATEN] THEM, TO DEATH,⁶⁸ OR⁶⁹ TO [REPAY] ‘ONE-FIFTH’;⁷⁰ AND THEY ARE FORBIDDEN [AS FOOD] TO ‘STRANGERS’;⁷¹ THEY ARE THE PROPERTY OF THE PRIEST;⁷² THEY ARE VOID [IF ONE PART OF EITHER IS MIXED] WITH ONE-HUNDRED-AND-ONE [PARTS, THE REST BEING NON-SACRED DOUGH OR

PRODUCE];⁷³ THEY REQUIRE WASHING OF ONE'S HANDS,⁷⁴ AND [WAITING UNTIL] THE SETTING OF THE SUN [PRIOR TO EATING THEM];⁷⁵ THEY MAY NOT BE TAKEN OFF A CLEAN [LOT]⁷⁶ FOR [DISCHARGING THE OBLIGATION⁷⁷ IN RESPECT ALSO OF] AN UNCLEAN [LOT],⁷⁸ AND [ARE NOT TAKEN OFF ONE LOT IN RESPECT ALSO OF ANY OTHER LOT]⁷⁹ EXCEPT OF SUCH [LOTS] AS ARE CLOSE TOGETHER,⁸⁰ AND FROM SUCH AS ARE [IN A] FINISHED [STATE].⁸¹ IF ONE SAID: ALL MY THRESHING-FLOOR IS TERUMAH, OR ALL MY DOUGH IS HALLAH, HE HAS NOT SAID ANYTHING, UNLESS HE HAS LEFT SOME OVER.⁸²

(1) The law relating to the portion of dough assigned to the priests in accordance with Num. XV, 17-21,... When ye eat the bread of the land... of the first of your dough ye shall set apart a cake (hallah) for a gift.... Of the first of your dough ye shall give unto the Lord a portion for a gift throughout your generations.

(2) V. Kil. I, notes. These species are held to be subject to Hallah because the word לחם (bread) is used here and also in connection with Passover, ‘bread of affliction’, Deut. XVI, 3. The argument, by gezerah shawah (v. Glos.) is: Since, in the case of Passover, לחם obviously implies a cereal capable of becoming leavened, so too does the capacity for leavening determine the liability of produce to hallah.

(3) Amounting to the minimum subject to hallah. It is only when all of these are mixed together in the flour, or if after having been kneaded separately, they are kneaded together, that this rule applies unconditionally. If, however, the doughs (each less than the minimum) were kneaded out of various species and later they stuck together (v. infra II. 4) their being deemed as forming one quantity liable to hallah depends on which particular species have been used (v. note *ibid.*).

(4) V. Lev. XXIII, 14.

(5) ‘This selfsame day’ (*ibid.*) refers to the day on which the Omer was brought to the Temple. viz., the second day of Passover.

(6) V. *ibid.* v. 10ff. The expression ‘The sheaf (Omer) of the first of your harvest’, is taken to imply that the reaping of the Omer must be the first reaping, and that, therefore, there must be no reaping prior thereto, i.e., before Passover. The analogy between liability to hallah and liability to Hadash (the law relating to ‘new’ sc. produce) is based — by gezerah shawah — on the use of the term ראשית ‘first’ in the case of hallah (the first of

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your dough) as well as in the case of new produce (the first of your harvest).

(7) For harvesting.

(8) The statutory minimum in matters of this kind.

(9) Only species which are liable to leaven can, when deliberately prevented from doing so, serve for unleavened bread for Passover.

(10) 'Cutting off', 'excision'; a punishment by the hand of God as distinct from one by that of man; v. Ex. XII, 19: For whosoever eateth that which is leavened, that soul shall be cut off from the Congregation of Israel.

(11) If he keeps the mixture in his possession during the festival; v. Ibid. XII, 19; XIII. 7.

(12) A term which, in the opinion of all, denotes only the five species enumerated in Mishnah I.

(13) because they considered Tebu'ah and Dagan synonymous whereas H. Meir — who was at one with the Sages with regard to the word Tebu'ah — considered Dagan a more comprehensive term including also all seed- and pulse-foods and held that a man using that term in his vow debarred himself not only from the five species but also from seed- and pulse-foods.

(14) There are also other species subject to tithes, but the species so far enumerated are subject to both tithes and hallah. The Mishnah proceeds to specify categories which are subject to hallah but not to tithes, and vice-versa.

(15) Gleanings, v. Lev. XIX, 9.

(16) The Forgotten, sc. Sheaf. Deut. XXIV, 19.

(17) The Corner, sc. of the field. Lev. XIX, 9.

(18) Such waiving of ownership is termed hefker. It is only when the owner declared the produce hefker before smoothing the pile of grain that it is exempt from tithing. The Levites were entitled to tithes from commodities belonging to Israelites, in which the former, on account of being Levites, had no share (deduced from Deut. XIV, 29, v. T.J.); but since the Levites were included among those entitled to help themselves to the produce coming under the categories named (v. Deut. *ibid.*). The latter were not subject to being tithed for the benefit of the Levites.

(19) Assigned to the Levites.

(20) The terumah which the Levite had to give, a tithe out of the tithe received by him from the Israelite, to the Priests. In Ter. I, 5, a marginal reading is 'of which terumah had not been taken', meaning the terumah gedolah due from the Israelite to the Priest, The case contemplated in our reading is, according to T.J., one in which a Levite took his tithe from an Israelite whilst the grain was still in ears, and before the ordinary terumah had been taken off. In that event a Levite is bound to give thereof only his terumah (a tithe from the tithe he received) to the priest, but he is not expected to give to the priest anything on account of the terumah which would have accrued

to the latter from the Israelite if the Levite had not claimed his tithe so soon. It might have been thought that as the Levite's portion in such a case contained something that might be regarded as due to the priest, it would, for that reason, be exempt from hallah; the Mishnah therefore makes it clear that it is subject thereto.

(21) Which at the end of the agricultural year was to be taken to Jerusalem and consumed there. In the event of inconvenience through distance, it was to be redeemed and the money spent in Jerusalem on food, drink and anointing oneself, in which case (v. Lev. XXVII, 31) the proceeds of the redemption were to be increased by an amount equal to one-fifth of the eventual sum total, i.e., by one-fourth of the money-value of the tithe. The Mishnah here intimates that in the event of the second tithe having been separated whilst the corn was in a state when it was not liable to terumah or tithes (viz., when still in ear, v. T. J. and L.) it is exempt from the (first) tithe even after redemption, cf. Terumah I, 5. Such redeemed second tithe is, however, subject to hallah, because the latter is to be taken from the dough, and at the time of kneading the produce is already hullin (non-sacred).

(22) Being Temple property, technically termed hekdesch. V. Lev. XXVII, 11-27; cf. *infra* III, 3.

(23) In the Omer they offered up one-tenth of an ephah taken from flour made from three se'ah of barley; the remainder of the flour (spoken of here) was redeemed and could thereafter be eaten by anybody, and was therefore subject to hallah. It is, on the other hand, exempt from tithes, because at the material time, i.e., 'when the pile was made even' it was Temple property and thus exempt from tithes.

(24) T.J. deduces this exemption from Deut. XIV, 22, Thou shalt surely tithe the produce of thy sowing, the argument being: If the sowing has been productive it is to be tithed, if it has not been productive (and if it has resulted in a crop less than one-third ripe it cannot be said to have been productive) it does not require to be tithed. To hallah, however, it is subject because even when only one-third ripe it is capable of leavening (v. *supra* I, n. 2).

(25) This view is based on Num. XV, 20, where with reference to hallah it is said: As that which is set apart (terumah) of the threshing-floor so shall ye set it (i.e., hallah) apart, from which R. Eliezer deduces that whatever applies to terumah applies equally to hallah and, therefore, that just as a grain which has not grown one-third ripe is exempt from terumah and tithes it is likewise exempt from hallah.

(26) These are liable to tithes as produce, but not being capable of leavening, are not subject to hallah (v. *supra* I, n. 2). There are other species of

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produce which do not leaven, but these are particularized because they were often milled into flour and made into dough.

(27) The statutory minimum amount subject to hallah, as laid down infra II, 6; somewhat over 3 1/2 lbs. V. 'Ed. I, 2 and notes (Sonc. ed.) p. 2.

(28) T.J. renders 'honey-milk (cake)'. v. Simponte a.l. Cake made of ordinary dough cooked in honey. According to some, also is made of dough kneaded with honey, it is exempt from hallah, but v. infra p. 328. n. 1.

(29) אסקרייטין Jast. 'dumpling'. B. here and Rashi (to Pes. 37a) 'something made of a very soft (light) dough'. T.J. (p. 57) renders Halita, 'sold in the open market'. Halita, according to Pes. 37b (explaining the terms of Hallah I, 5), is dough made by pouring boiling water on flour, but according to R. Ishmael b. Jose (T.J.) it is flour poured into hot water. Aruch identifies the term with the Latin crustulum, 'small cake'. For other possible etymologies v. Kohut in Aruch Completum s.v.

(30) A cake or loaf prepared in a משרת pan (rather in a manner of frying) and not in an oven, and it is only something baked inside an oven and also styled bread (לחם) which is liable to hallah. T.J. renders halita, of water v. preceding note. Maim. emphasizes that the point about these four preparations is that from the very beginning they are kneaded with oil, or honey, or spices and are cooked in unusual ways, and are, in fact, designated not as bread but are named after the various admixtures which give them their distinctive character.

(31) I.e., produce or (as here) dough to which originally no holiness attached, but which by accidentally receiving an admixture of terumah of a quantity more than one-hundredth part of the original amount, becomes thereby prohibited to non-priests and permitted only to priests and is, therefore, not liable to hallah. Tosaf Yom-Tob and other commentators say that here the Mishnah has in mind post-Temple days, for the following reason: In Temple times hallah is a biblical precept, but medumma' is a Rabbinic institution (in purely Biblical law the admixture of terumah of a lesser quantity than the original amount of non-sacred produce is considered as neutralized, 'lost' and ritually of none effect, so that the whole mixed quantity would, in such a case, be non-sacred, hullin, and subject to hallah), and a remission resulting from the application of a Rabbinic ordinance cannot cancel a duty imposed by Scriptural command. In non-Temple times, however, when hallah, too, is only on Rabbinic authority, it can be, and is over-ridden by the Rabbinic regulation of medumma'.

(32) טופגנין, the word translated 'sponge-biscuits' in Mishnah 4, but used here for all fancy-baking, various kinds of which are enumerated there.

(33) This is explanatory of Mishnah 4.

(34) הקניוקאות, explained by Maim, and others as brittle cakes of parched flour kneaded with oil, which after having been baked, are crushed and prepared as gruel for very young children, v. Jast. For possible etymologies v. Aruch Completum.

(35) R. Joshua b. Levi (T.J. Hallah 58a) explains: Since these are to be crushed back into flour, it might have been thought that they are exempt from hallah, the Mishnah had, therefore, to make it clear that this is not the case.

(36) Made by pouring hot water on flour.

(37) Cf. 'Ed. V, 2 where this is mentioned as one of six exceptional instances in which Beth Hillel hold the stringent, and Beth Shammai the lenient view.

(38) Made by pouring flour into hot water (v. Mish. 4, n. 6).

(39) For the purposes of practical law the difference between me'isah and halita does not matter. The relevant difference between the two statements is that whilst the first-reported Tanna held that in this instance Beth Hillel were stringent and Beth Shammai the lenient, the latter Tanna held that the reverse was the case. The final state of the law with regard to any variety of plain dough is that if cooked inside an oven (i.e., baked), it is subject to hallah, but if cooked in a pan over a flame that passes underneath it, it is exempt.

(40) V Lev. VII, 22ff.

(41) Forming part of the sacrifice brought by a Nazirite when the period for which he vowed self-consecration is completed. Num. VI, 15. In fact, both loaves and wafers were required in either case.

(42) Being intended for the offering the dough was thus consecrated ab initio.

(43) But, naturally, with the intention of making ordinary use of them should there be no buyers requiring them for sacrificial purposes; thus at the material time (viz., of kneading) these loaves or wafers were not consecrated.

(44) In portions every one of which is less than the minimum liable to hallah.

(45) Because it is obviously his intention, in the event of there being no customers, to bake it all himself.

(46) But not money. v. Yoreh De'ah, 326, 3.

(47) And he, without their knowledge, kneaded all the flour together.

(48) Liable to hallah, viz., 1 1/4 kab, v. supra Mish. 4.

(49) I.e., the whole dough.

(50) Though the dough as a whole is now large enough to be subject to hallah; for the reason that it is taken for granted that those who gave their flour to the baker were 'particular' that their

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several quantities of flour be kneaded separately. — The Mishnah here speaks of women, because it is, as a rule, they who attend to a matter of this kind.

(51) I.e., for baking bread or biscuits for dogs. It consisted of flour and coarse bran (T.J.).

(52) When it contains rather less bran.

(53) The law of hallah is introduced (Num. XV, 19), And it shall come to pass when ye eat of the bread... . Since this dough (when baked) is fit for human food, it is liable to hallah.

(54) Lit., 'a merging' of rights, interests or privileges; the legal device whereby permission is contrived for (a) carrying on the Sabbath from a private to a public domain, and vice-versa (v. Shabb. 6a), known as 'The 'Erub of Courtyards', for (b) walking on the Sabbath more than the Sabbath limit (2000 cubits) outside a town, known as 'The 'Erub of Boundaries', and for (c) cooking food on a festival for the following day, if a Sabbath, known as 'The 'Erub of Cooked Foods' (Bezah II, 1). In (a), the food, contributed to by all the participants and kept in a place accessible to all of them, creates and represents a community of possession, constituting the area concerned a private domain ad hoc; in (b), the placing of food at the Sabbath boundary is presumed to constitute, for those having and deemed as having, a share in that food, a 'dwelling-place' which serves as a starting-point for a further Sabbath-limit of 2000 cubits; in (c), the setting aside of food cooked on the day prior to the festival, and leaving it till the end of the Sabbath is presumed to have the effect of rendering the cooking on the festival day (originally permitted in the Bible, Ex. XII, 16 for that day only) merely a continuation of the cooking in preparation for the Sabbath which had been commenced on the week-day prior to the festival.

(55) For the above purposes human food is obviously essential,

(56) Lit., 'a partnership'; the full form is 'a partnership in an alley or street', presumed to create 'a private domain', and conferring the right to carry on the Sabbath between a number of courtyards and an alley into which these open. 'Shittuf' is similar in significance to 'Erub.

(57) Viz., 'Who bringest forth bread from the earth', the benediction for bread.

(58) ברכת המזון. The full form of Grace after Meals said only if bread was part of the meal, v. Ber. 44a.

(59) When three or more adults have partaken of a common major meal (i.e., one of which bread formed part) a special formula (termed 'summoning') is pronounced by one of them, calling on his companions to join in Grace. V. Ber. 45a.

(60) The law prohibiting work on festivals is qualified thus: No manner of work shall be done in them, save that which every man may eat (Ex. XII, 16). The word rendered 'by you', viz., לכם, is capable of being translated 'for yourselves', from which the Rabbis infer that only food fit for human beings is permitted to be cooked on a festival.

(61) Sc. to eat unleavened bread on the first night of Passover. Only that which is capable of leavening is (if fit for human food) subject to hallah, and is also (if deliberately prevented from leavening) usable for unleavened bread (v. supra I, 1, n. 2, 2, n. 3). In the course of mixing this dough it was intended that it should be eatable by human beings; it is therefore subject to the same laws as all dough meant for human consumption.

(62) On account of there being too much bran in the mixture.

(63) Because hallah is due only from 'your dough' (Num. XV, 20) i.e., dough fit for human consumption (Sifre Zutta). — According to Tosef. Hal. I and T.J. 58a this rule obtains only if the 'dog's dough' was baked in the shape of boards, i.e., quite unlike bread for human consumption, but not if baked in the shape of ככריות 'round cakes' (so Tosef. ed. Wilna. Jast reads there כעבין which he renders 'prongs', also in T.J. where some texts have כעבין V. Yoreh De'ah 310, 9. In Pithehe Teshubah, ad loc., it is pointed out that the latter ruling can be applicable only to the Land of Israel where alone hallah is a Biblical precept (cf. infra IV, 8), and that, even so, the insistence on separating hallah from exclusively 'dog's dough' for no other reason than their having been baked in the shape of ordinary loaves, can be attributed only to the principle of 'appearance to the eyes', i.e., the desire to avoid even the merest semblance of wrong-doing, in conjunction with the maxim 'that which the Rabbis have decreed on account of appearances is prohibited even in the strictest privacy'.

(64) I.e., not 'Who bringest forth bread from the earth'; the correct blessing in this case is 'by Whose word all things came into being', (so L. q.v.).

(65) I.e., not the full grace after meals. The correct one in this case is the shorter grace after food.

(66) I.e., if two of the three forming the (minimum) company at the meal have eaten bread made of 'dog's dough'. If, however, two ate real bread, and only the third had the other kind (or any which is not considered bread), then the latter man may be reckoned in the company for purposes of zimmun.

(67) According to Lev. XI, 34. All food which may be eaten, that on which water cometh, shall be unclean, when it has come into contact with the carcass of an unclean swarming thing. The Rabbis

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understood 'all food that may be eaten' by anyone, whether man or beast; as long, therefore, as any food is fit for dogs, it is susceptible to ritual uncleanness. Dough, of course, satisfies the condition: 'That on which water cometh'.

(68) Sc. 'by the hand of heaven', Sanh. 83a. This refers to a non-priest who has eaten either hallah or terumah wittingly, though without having been first warned. If he has eaten these after statutory warning, his punishment is 'stripes' (v. Ter. VII, 1). This is deduced from Lev. XXII, 9 in conjunction with v. 10 and v. 6, it being understood from the latter that by the 'holy things' spoken of throughout the passage, precisely terumah is intended (since only for eating terumah need the priest who had been unclean wait, on the day of his ablution, till sunset). V. Sanh. loc. cit. Hallah is considered as terumah since in Num. XV, 20 the latter term is applied also to the former.

(69) In ease of an unwitting transgressor.

(70) V. Lev. XXII, 14, And if a man eat of the holy thing unwittingly, then he shall put the fifth part thereof unto it and shall give unto the priest the holy thing, i.e. its cost. The added sum was to be equal to a fifth of the eventual total paid, i.e., a quarter of the assessed money-value of the consecrated produce or dough eaten. Cf supra 3, n. 4. The principal was to be paid to the priest whose property the terumah or hallah was, and the added sum to any priest.

(71) I.e., non-priests, non-Aaronides. Though this prohibition is already understood from the provisions preceding it in this Mishnah, its re-statement in positive form is not superfluous — as some authorities thought it to be — but is required to establish the fact that the prohibition is against non-priests consuming even less than the minimum quantity for which they are punishable.

(72) He may sell it, or acquire with it anything he wishes; if it should become unclean, he may use it as fuel over which to do cooking for himself.

(73) If the non-sacred is more than a hundred times the sacred (terumah or hallah), the non-sacred character of the mixture is in no wise affected; if the proportion of non-sacred to sacred is less than 100 to 1, the mixture is medumma' and prohibited to non-priests (v. supra 4 n. 8).

(74) On the part of the priest, before touching or eating them. If he does not wash his hands specially he renders terumah (even of fruit) or hallah pasul i.e., unfit.

(75) A priest who has become unclean has to undergo ablutions and wait till after sunset before eating terumah (or hallah), Lev. XXII, 6-7.

(76) Of produce or dough.

(77) Of terumah, hallah or tithes.

(78) Terumah, hallah or tithes may be separated from one lot of produce or dough in a quantity

sufficient to cover the terumah-, hallah- or tithes-obligation, also for other lots, but only if all such lots are close together; should one of the lots be unclean, the owner would be afraid to let it be close enough to the others lest the unclean touches the clean and makes the latter, too, unclean. Hence this regulation. Cf, infra IV, 6.

(79) So Maim. and other commentators.

(80) V. n. 5.

(81) Ma'as. I, 2ff, enumerate the stages at which various kinds of produce are considered in a 'finished' state, at which they severally become liable to have terumah or tithes separated from them. In the case of dough the time of separating hallah is when it has been rolled (v. infra III, 1).

(82) Terumah and hallah are both to be the 'first' of the produce or the dough respectively (Deut. XVIII, 4, Num. XV, 20), which implies that there must be some left over after they have been taken off.

Hallah Chapter 2

MISHNAH 1. PRODUCE [GROWN] OUTSIDE THE LAND,¹ THAT CAME INTO THE LAND IS SUBJECT TO HALLAH;² [IF IT] WENT OUT FROM HERE³ TO THERE,⁴ R. ELIEZER DECLARES [IT] TO BE SUBJECT [THERETO],⁵ BUT R. AKIBA DECLARES [IT] TO BE EXEMPT [THEREFROM].⁶

MISHNAH 2. IF EARTH FROM OUTSIDE THE LAND HAS COME TO THE LAND IN A BOAT,⁷ [THE PRODUCE GROWN THEREIN] IS SUBJECT TO TITHES AND TO THE [LAW RELATING TO] THE SEVENTH YEAR.⁸ SAID R. JUDAH: WHEN [DOES THIS APPLY]? WHEN THE BOAT TOUCHES [THE GROUND].⁹ DOUGH WHICH HAS BEEN KNEADED WITH FRUIT-JUICE¹⁰ IS SUBJECT TO HALLAH,¹¹ AND MAY BE EATEN WITH UNCLEAN HANDS.¹²

MISHNAH 3. A WOMAN MAY SIT AND SEPARATE HER HALLAH¹³ [WHILST SHE IS] NAKED,¹⁴ SINCE SHE CAN COVER HERSELF¹⁵ BUT A MAN [MAY] NOT. IF ONE IS NOT ABLE TO MAKE ONE'S DOUGH IN CLEANNESS HE SHOULD MAKE IT [IN SEPARATE] KABS,¹⁶ RATHER THAN MAKE IT IN UNCLEANNESS;¹⁷ BUT R. AKIBA SAYS: LET HIM MAKE IT IN UNCLEANNESS RATHER THAN MAKE IT [IN SEPARATE]

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KABS, SINCE THE SAME DESIGNATION AS HE GIVES TO THE CLEAN, HE LIKewise GIVES TO THE UNCLEAN; THE ONE HE DECLARES HALLAH TO THE NAME,¹⁸ AND THE OTHER HE DECLARES HALLAH TO THE NAME¹⁸ BUT [SEPARATE] KABS HAVE NO PORTION [DEVOTED] TO THE NAME.¹⁹

MISHNAH 4. IF ONE MAKES HIS DOUGH [IN SEPARATE] KABS,²⁰ AND THEY TOUCH ONE ANOTHER,²¹ THEY ARE EXEMPT FROM HALLAH,²² UNLESS THEY STICK TOGETHER.²³ R. ELIEZER SAYS: ALSO IF ONE SHOVELS²⁴ [LOAVES FROM AN OVEN] AND PUTS [THEM] INTO A BASKET,²⁵ THE BASKET JOINS THEM TOGETHER FOR [THE PURPOSES OF] HALLAH.²⁶

MISHNAH 5. IF ONE SEPARATES HIS HALLAH [IN THE STATE OF] FLOUR, IT IS NOT HALLAH,²⁷ AND IN THE HAND OF A PRIEST IT IS [AS] A THING ROBBED;²⁸ THE DOUGH ITSELF²⁹ IS STILL SUBJECT TO HALLAH,³⁰ AND THE FLOUR,³¹ IF THERE BE OF IT THE STATUTORY MINIMUM QUANTITY,³² IT³³ [ALSO IS] SUBJECT TO HALLAH;³⁴ AND IT IS PROHIBITED TO NONPRIESTS:³⁵ [THE LATTER IS] THE OPINION OF R. JOSHUA. THEY TOLD HIM OF AN OCCURRENCE WHEN A SCHOLAR — NONPRIEST — SEIZED IT.³⁶ SAID HE TO THEM: INDEED, HE DID SOMETHING DAMAGING TO HIMSELF,³⁷ BUT BENEFITING TO OTHERS.³⁸

MISHNAH 6. FIVE-FOURTHS [OF A KAB]³⁹ OF FLOUR⁴⁰ ARE SUBJECT TO HALLAH. [IF] THESE⁴¹ INCLUDING THEIR LEAVEN⁴² AND THEIR LIGHT BRAN AND THEIR COARSE BRAN [MAKE UP THE] FIVE-FOURTHS, THEY ARE SUBJECT;⁴³ IF THEIR COARSE BRAN HAD BEEN REMOVED FROM THEM⁴⁴ AND RETURNED TO THEM, THEY ARE EXEMPT.⁴⁵

MISHNAH 7. THE [STATUTORY MINIMUM] MEASURE OF HALLAH IS ONE TWENTY-FOURTH [PART OF THE DOUGH].⁴⁶ IF ONE MAKES DOUGH FOR ONESELF, OR ONE

MAKES IT FOR HIS SON'S BANQUET,⁴⁷ IT IS ONE TWENTY-FOURTH. IF A BAKER MAKES TO SELL IN THE MARKET, AND SO [ALSO] IF A WOMAN⁴⁸ MAKES TO SELL IN THE MARKET, IT IS ONE FORTY-EIGHTH.⁴⁹ IF DOUGH IS RENDERED UNCLEAN EITHER UNWITTINGLY OR BY FORCE,⁵⁰ IT IS ONE FORTY-EIGHTH,⁵¹ IF IT WAS RENDERED UNCLEAN DELIBERATELY, IT IS ONE TWENTY-FOURTH, IN ORDER THAT ONE WHO SINS SHALL NOT PROFIT [FROM HIS SIN].⁵²

MISHNAH 8. R. ELIEZER SAID: HALLAH MAY BE TAKEN FROM [DOUGH] THAT IS CLEAN, [IN A QUANTITY SUFFICIENT TO DISCHARGE THE OBLIGATION] IN RESPECT ALSO OF [DOUGH] THAT IS UNCLEAN!⁵³ HOW [MAY THIS BE DONE]? [IF ONE HAS] A CLEAN DOUGH AND AN UNCLEAN DOUGH, HE TAKES SUFFICIENT HALLAH⁵⁴ OUT OF A DOUGH, HALLAH WHEREOF HAD NOT YET BEEN TAKEN,⁵⁵ AND PUTS [DOUGH] LESS THAN THE SIZE OF AN EGG⁵⁶ IN THE MIDDLE,⁵⁷ IN ORDER THAT HE MAY TAKE OFF [THE HALLAH] FROM WHAT IS CLOSE TOGETHER;⁵⁸ BUT THE SAGES PROHIBIT.⁵⁹

(1) Sc. of Israel.

(2) Based on Num. XV, 18 ff. When ye come to the land whither I bring you... ye shall set apart hallah.....which implies that in Palestine dough from grain whether of native or foreign growth is subject to hallah (v. T.J.).

(3) Palestine.

(4) Abroad.

(5) Relying on When ye eat of the bread (i.e., cereal produce) of the land (ibid 19), whether made into dough in the Land or elsewhere (T.J.).

(6) Being of the opinion that the word 'There' (in Num. XV, 18, which literally translated is When ye come to the land which I bring you there) has the force of making the law of hallah applicable exclusively to dough kneaded in the Land (T.J.).

(7) Which has an aperture in its bottom, and (as explained by R. Judah) is aground on Palestinian soil, and thus anything grown in the soil in the boat sucks up sustenance from the soil of Palestine.

(8) And to all laws applicable to Palestinian produce (v. Maim.). On the 'SEVENTH YEAR' v. Ex. XXIII, 10 and Lev. XXV, 3-7; it is the subject of Tractate Shebi'ith in this Seder.

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(9) V. supra n. 1. R. Judah explains what the first reported unnamed Tanna (R. Meir) meant. The term 'WHEN' used by R. Judah in the Mishnah introduces, as here, an explanation; in Baraitha it introduces, as a rule, a differing view (v. 'Ikkar Tosaf. Yom. Tob).

(10) Apparently even without water (v. infra p. 328, n. 1).

(11) There are two considerations that might have led people to assume a contrary ruling. (a) The principle indicated in I, 4 and 5 that any but plain dough, and especially such as had an admixture giving it a special character, is exempt from hallah. (b) If a standard for liquids affecting ritual considerations regarding food were sought, it could be found in the seven liquids (viz., wine, date-honey, blood, water, oil, milk and dew) which when they moisten food render it susceptible to uncleanness (v. p. 325. n. 1). It might have been thought that whichever liquids rendered the flour-paste susceptible to uncleanness, also rendered it subject to hallah, in which case it would have appeared as if only those fruit-juices which had the former effect and are numbered among the seven liquids (viz., wine, date-honey and oil) rendered dough kneaded with them subject to hallah, but that dough kneaded with other fruit-juices is exempt from hallah. Hence the need for the Mishnah to make it clear that dough kneaded with any fruit-juice is liable to hallah. On the other hand, however, according to I, 4 (v. p. 320, n. 5) cake dough prepared with date-honey appears to be exempt from hallah. Thus there seems to be no unexceptionable guidance on the subject of how fruit-juices affect liability to hallah in view of these uncertainties, the dilemma could, in practice, be solved either by separating hallah in such a case, but without reciting the blessing ('who... hast commanded us to separate hallah from the dough'), or by putting that doubtful dough close to dough that is certainly subjected to hallah, and take hallah from the latter for both (cf. supra I, 9). V. Yoreh De'ah, 329, 9 and the commentators ad loc.

(12) This can be the case only if fruit-juices are not considered as moisture rendering food liable to uncleanness, as it is only then that unclean hands will not make the dough (or whatever is baked therefrom) unclean. Incidentally the difficulty arises again in that three of the liquids rendering food susceptible to uncleanness are fruit-juices; but even if we should decide that 'fruit-juices' in this Mishnah means 'fruit-juices except those among the seven liquids' there should still arise the following dilemma: In non-Temple days hallah is separated (and a blessing recited), but it is not given to a priest to eat because hallah must be eaten only in the levitical purity of the person, which state of purity is virtually nonexistent in

non-Temple times (owing to the absence of means of purification). Eo ipso the hand of the person separating the hallah, who too cannot be ritually clean, renders the hallah unclean, and it is for these reasons burnt. Now if it be the case that dough kneaded with fruit-juice is altogether insusceptible to defilement and yet liable to hallah, then since one is debarred from giving the hallah to a priest, the only alternative would be to burn perfectly 'clean' hallah, and that is a thing that should not be done. To avoid this dilemma it is strongly recommended by the authorities that those who bake should be sure always to mix into the dough some water or other liquid which renders it susceptible to uncleanness; hallah is then separated (accompanied with the recital of the appropriate blessing) and being through unavoidable conditions unclean is burnt (v. Yoreh De'ah ibid, 10).

(13) Pronouncing the appropriate benediction.

(14) Notwithstanding the rule that in the presence of nakedness one is not permitted to utter sacred words (v. Per. 22b).

(15) By sitting with her feet together, so that the labia cannot be seen (Maim). The buttocks do not constitute 'nakedness' for the purpose of preventing the uttering of a benediction (v. Ber. 24a).

(16) Less than 1 1/4 kab being exempt from hallah (v. infra Mishnah 6).

(17) Which would result in wittingly defiling sacred matter, viz., hallah.

(18) Reading not בָּשֵׁם but לְשֵׁם the variant mentioned in the commentators. For שֵׁם as The Name of God, v. Yoma III, 8, etc. and Marmorstein The Old Rabbinic Doctrine of God, p. 105.

(19) R. Akiba held that as hallah is given to the priest, whether — when it is clean — to be eaten or — when it is unclean — to be burnt by him as fuel for cooking for himself, it is — in either case — an expression of the Israelite's indebtedness to God, and of use to the priest, and should therefore not be avoided by deliberately kneading one's dough in quantities less than the minimum liable to hallah. R. Akiba's view is not accepted since as 'they said before R. Akiba: One does not say to a person: "Arise and commit a transgression so that thou mayest create for thyself an opportunity for a meritorious act", or "Arise and spoil in order that thou mayest mend"' (Tosef. Hal. 1, 8).

(20) Every separate piece of dough being thus exempt from hallah.

(21) In the course of baking (Maim.).

(22) But not from terumah, with regard to which, only proximity is required.

(23) Lit., 'bite [one into another]', stick together in the oven so that when pulling apart a portion of one loaf is detached by the other. Even so the

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effectiveness of such coalescence in rendering such loaves liable to hallah, depends on the precise species thus stuck together. V. infra IV, 2.

(24) Singly and separately, and they had not stuck together.

(25) Or any container.

(26) In Pes. 48b, it is discussed whether a flat board having no rim is to be considered as 'joining together' small quantities of dough for purposes of hallah, but the matter is left undecided. Later authorities recommend the covering over of all pieces of dough, or loaves, with a cloth, which has the same effect as a basket. (Yoreh De'ah, 325, 1).

(27) Because the commandment is definitely 'the first of your dough'.

(28) He must give it back to the Israelite, else by retaining it he would cause the latter to believe that he has duly performed the obligation of hallah, and that the dough he makes from the remaining flour is thereby exempt and permitted to be eaten, which is not the case (v. Kid. 46b).

(29) Made from the remaining flour.

(30) V. supra n. 7.

(31) Erroneously separated as hallah.

(32) 1 1/4 kab, or an Omer. v. infra Mish. 6.

(33) When made into dough.

(34) According to Maim. this liability is not a definite one.

(35) Lit., 'strangers'. This prohibition has, according to Rash and Asheri, no positive basis and is enacted only in view of the possibility of people seeing a non-priest eating something that had already been given to a priest, and thinking that the non-priest is committing the sin of partaking of consecrated food.

(36) **קפשה** the verb is, according to Maim. a cognate of **נפש**. Maim. appears to say that the word occurs often, and Emden (Glosses in Wilna Talmud) says. I know no place where it occurs except Lam. III, 16 (where the root is **נפש**). Maim. evidently thought of the frequent occurrence of **נפש**. The assumption, in T.J., is that this lay scholar not only seized the flour but also ate it, and thus demonstrated a view opposed to that of R. Joshua. L. assumed that the scholar, before eating the flour, had separated hallah from the flour, or that the latter was less in quantity than the statutory minimum and, of course, exempt from hallah.

(37) Since he is punished (T.J.).

(38) In that 'They eat and rely on him' (T.J.) which B. and L. and the codes apparently assume to mean that non-priests will be glad to partake of such flour and escape punishment by referring to a authoritative personal example. This interpretation was evidently felt to be, and indeed it is, strained and unsatisfactory; witness that some read the reverse (v. T.J.) viz., 'he did

something that is benefiting to himself, but damaging to others' which is explained (ibid.), 'he benefited himself since — anyway — he ate it, but did a disservice to others who will think that what he has eaten is exempt from hallah, whereas it is subject.

(39) 1 1/4 of this measure, as standardized in Sepphoris, was equivalent to an Omer which in the wilderness was the standard measure of food per person per day (Ex. XVI, 16); v. supra I, 4.

(40) When made into dough.

(41) Quantities of flour.

(42) The leaven (yeast) put into the dough-mixture.

(43) Because such flour, though coarse, is largely used for human food, particularly by the poor.

(44) And less than 1 1/4 kab is, thus, left.

(45) Because whilst it is usual, for the purposes of kneading dough, to sift flour and remove the coarse bran, it is not usual to put it back once it has been removed (T.J.); also, because coarse bran itself is not subject to hallah (Maim.).

(46) The proportions here laid down are not indicated in the Torah, but are 'a tradition of the Scribes'. T.J. explains that since Scripture says of hallah 'ye shall give', the amount handed over as hallah should be sufficiently appreciable to be handed over. From the minimum quantity of dough liable to hallah, viz., 1 1/4 kab (which == about 3 1/2 lbs), one twenty-fourth amounts to 2 to 2 1/2 ounces.

(47) No distinction is made between doughs whether big or small intended for private consumption.

(48) This applies equally to a man in similar circumstances, viz., who bakes in a small way at home but for sale. The Mishnah speaks here of a woman because it was as a rule women who engaged in this kind of small baking-business. Again no distinction is made between doughs whether large or small, intended for trading purposes.

(49) T.J. (as corrected according to Tosef Hal. I, 6) explains the reason for varying the proportions: The individual person baking for one's private use is more liberal than the professional baker who bakes to sell and make profit. — In non-Temple times when, owing to the all-prevailing ritual uncleanness (from defilement, direct and indirect, by dead bodies) all hallah is unclean, and cannot be given to priests (even in Palestine, and certainly outside Palestine even in Temple times since there hallah is separated always in deference not to a Scriptural precept, but only to a Rabbinic requirement), just a kazayith 'the size of an olive' of dough is taken off and burnt.

(50) Of unavoidable or overpowering circumstances.

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(51) The smaller proportion is laid down in this case because the hallah being unclean it may not be eaten and can serve the priest only as fuel (Rash and Bert.); also, because one should not deliberately increase the amount of such holy things as are ab initio and inevitably rendered unclean.

(52) I.e., so that no premium be placed on transgression by way of deliberate defilement of dough for the purpose of evading half of one's obligation in respect of hallah.

(53) Even if each dough is large enough to be itself subject to hallah. The advantage of this procedure is that the full quota of hallah in respect of all the doughs concerned could be eaten by the priest.

(54) I.e., the aggregate amount due from both doughs.

(55) Because it is not permitted to reckon in dough (already) exempt from hallah.

(56) 'Less than the size of an egg' is a quantity which even though it may itself become unclean, does not render other objects unclean by contact ('Orlah II, 4, end). For the principle that the standard proportion in matters of food rendered unclean by contact with or being in the same vessel as, a dead reptile, is 'the size of an egg', v. Yoma 79b-80a.

(57) The commentators amplify: the portion of clean dough already taken off as hallah is placed on the small piece put in the middle — between the two doughs — and lifted off as hallah for all the doughs together. By this method (a) all the dough has had the hallah levy discharged for it; (b) all the hallah is available as food (for the priest); (c) the (bulk of the) clean dough remains clean.

(58) V supra p. 326, n. 5.

(59) The Sages' ruling is due to the possibility of the two main pieces of dough coming into contact (Bert.) or the middle piece (advocated by R. Eliezer) being the size of an egg (Rashi, Sotah 30b). For a full examination of the possible reasons underlying the difference of opinion between R. Eliezer and the Sages on this point v. Sotah 30a — b.

Hallah Chapter 3

MISHNAH 1. ONE MAY EAT IN A CASUAL MANNER FROM DOUGH BEFORE IT IS ROLLED,¹ IN [THE CASE OF] WHEATEN [FLOUR], OR BEFORE IT IS MIXED INTO A COHESIVE BATTER, IN [THE CASE OF] BARLEY [FLOUR].² [ONCE] ONE HAS ROLLED IT [IN THE CASE OF] WHEATEN [FLOUR], OR ONE HAS MIXED IT INTO A COHESIVE PASTE, IN [THE CASE OF]

BARLEY [FLOUR], ONE WHO EATS THEREOF,³ IS LIABLE TO DEATH.⁴ AS SOON AS SHE⁵ PUTS IN THE WATER SHE SHOULD LIFT OFF HER HALLAH,⁶ PROVIDED ONLY THAT THERE ARE NOT FIVE-FOURTHS [OF A KAB] OF FLOUR⁷ THERE.⁸

MISHNAH 2. [IF] THE DOUGH BECAME MEDUMMA'⁹ BEFORE SHE HAD ROLLED IT, IT IS EXEMPT [FROM HALLAH].¹⁰ [IF] AFTER SHE HAD ROLLED IT, IT IS SUBJECT [THERETO].¹¹ [IF] THERE OCCURRED TO HER SOME UNCERTAIN UNCLEANNESS¹² BEFORE SHE HAD ROLLED IT, IT MAY BE COMPLETED¹³ IN UNCLEANNESS,¹⁴ [IF] AFTER SHE HAD ROLLED IT, IT SHOULD BE COMPLETED IN CLEANNESS.¹⁵

MISHNAH 3 . [IF] SHE¹⁶ CONSECRATED¹⁷ HER DOUGH BEFORE ROLLING IT, AND REDEEMED IT,¹⁸ SHE IS BOUND [TO SEPARATE HALLAH];¹⁹ [IF] SHE CONSECRATED IT] AFTER ROLLING IT, AND REDEEMED IT, SHE IS [LIKEWISE] BOUND;²⁰ [BUT IF] SHE CONSECRATED IT BEFORE ROLLING IT, AND THE GIZBAR²¹ ROLLED IT, AND AFTER THAT SHE REDEEMED IT, SHE IS EXEMPT, SINCE AT THE TIME OF HER OBLIGATION²² IT WAS EXEMPT.²³

MISHNAH 4.²⁴ SIMILAR THERETO²⁵ [IS THE FOLLOWING]: [IF] ONE CONSECRATED HIS PRODUCE BEFORE IT REACHED THE STAGE [WHEN IT BECOMES LIABLE] FOR TITHES,²⁶ AND REDEEMED IT,²⁷ IT IS SUBJECT [TO TITHES];²⁸ [IF] ONE CONSECRATED IT] AFTER IT HAD REACHED THE STAGE FOR TITHES, AND REDEEMED IT, IT IS [LIKEWISE] SUBJECT;²⁹ [BUT IF] ONE CONSECRATED IT BEFORE IT WAS 'COMPLETED',³⁰ AND THE GIZBAR 'COMPLETED' IT,³¹ AND AFTERWARDS [THE OWNER] REDEEMED IT, IT IS EXEMPT, SINCE AT THE TIME OF ITS OBLIGATION IT WAS EXEMPT.³²

MISHNAH 5. [IF] A NON-ISRAELITE GAVE [FLOUR] TO AN ISRAELITE TO MAKE FOR

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HIM DOUGH, IT IS EXEMPT FROM HALLAH;³³ IF HE [THE NON-ISRAELITE] GAVE IT TO HIM AS A GIFT, BEFORE ROLLING IT, HE IS LIABLE.³⁴ [IF] AFTER ROLLING IT, HE IS EXEMPT.³⁵ [IF] ONE MAKES DOUGH TOGETHER WITH A NON-ISRAELITE, [THEN] IF THERE IS NOT IN [THE PORTION] OF THE ISRAELITE THE [MINIMUM] MEASURE SUBJECT TO HALLAH,³⁶ IT IS EXEMPT FROM HALLAH.³⁷

MISHNAH 6. [IF] ONE BECAME A PROSELYTE AND HAD DOUGH, [THEN IF] IT WAS MADE³⁸ BEFORE HE BECAME A PROSELYTE, HE IS EXEMPT [FROM HALLAH]. [BUT IF] AFTER HE BECAME A PROSELYTE, HE IS LIABLE. ALSO IF THERE IS A DOUBT,³⁹ HE IS LIABLE;⁴⁰ BUT [A NON-PRIEST WHO HAS UNWITTINGLY EATEN OF SUCH HALLAH] IS NOT LIABLE IN RESPECT THEREOF TO [REFUND AN ADDITIONAL] 'ONE-FIFTH.⁴¹ R. AKIBA SAID: IT ALL DEPENDS ON THE [TIME OF THE] FORMATION OF THE LIGHT CRUST IN THE OVEN.⁴²

MISHNAH 7. [IF] ONE MAKES DOUGH FROM WHEATEN [FLOUR] AND FROM RICE [FLOUR],⁴³ AND IT HAS A TASTE OF CORN, IT IS SUBJECT TO HALLAH,⁴⁴ AND ONE FULFILLS THEREWITH ONE'S OBLIGATION ON PASSOVER;⁴⁵ BUT IF IT HAS NO TASTE OF CORN, IT IS NOT SUBJECT TO HALLAH, NOR DOES ONE FULFIL THEREWITH ONE'S OBLIGATION ON PASSOVER.

MISHNAH 8. [IF] ONE HAS TAKEN LEAVEN⁴⁶ OUT OF DOUGH FROM WHICH HALLAH HAD NOT BEEN TAKEN,⁴⁷ AND PUT IT INTO DOUGH FROM WHICH HALLAH HAD BEEN TAKEN,⁴⁸ [THEN] IF HE HAS A SUPPLY FROM ANOTHER PLACE,⁴⁹ HE [RECKONS IN WITH IT THE LEAVEN],⁵⁰ [AND] TAKES OUT⁵¹ [HALLAH] IN ACCORDANCE WITH THE PRECISE AMOUNT;⁵² BUT IF [HE HAS] NOT,⁵³ HE TAKES OUT ONE [PORTION OF] HALLAH FOR THE WHOLE [DOUGH].⁵⁴

MISHNAH 9. SIMILAR THERETO⁵⁵ [IS THE FOLLOWING]: IF OLIVES OF [REGULAR] PICKING⁵⁶ BECAME MIXED WITH OLIVES [LEFT OVER] FOR STRIKING-OFF⁵⁷ [BY THE NEEDY],⁵⁸ OR GRAPES OF [REGULAR] VINTAGE WITH GRAPES [LEFT OVER] FOR GLEANING [BY THE NEEDY],⁵⁹ [THEN] IF HE HAS A SUPPLY FROM ANOTHER PLACE⁶⁰ HE [RECKONS IN WITH IT THE REGULAR FRUIT CONTAINED IN THE MIXTURE, AND] TAKES OUT⁶¹ [TERUMAH AND TITHES] IN ACCORDANCE WITH THE PRECISE AMOUNT,⁶² IF [HE HAS] NOT,⁶³ HE TAKES OUT TERUMAH AND TERUMAH-OF-THE-TITHE⁶⁴ FOR ALL [THE FRUIT]⁶⁵ , AND [AS FOR] THE REST [OF THE DUES], [HE SEPARATES] THE TITHE AND THE SECOND TITHE⁶⁶ IN ACCORDANCE WITH THE PRECISE AMOUNT.⁶⁷

MISHNAH 10 . IF ONE TAKES LEAVEN FROM A DOUGH OF WHEATEN [FLOUR]⁶⁸ AND PUTS [IT] INTO DOUGH OF RICE [FLOUR],⁶⁹ [THEN] IF IT HAS THE TASTE OF CORN, IT IS SUBJECT TO HALLAH,⁷⁰ [BUT] IF [IT HAS] NOT, IT IS EXEMPT.⁷⁰ IF [THAT IS] SO, WITH REGARD TO WHAT⁷¹ THEN DID THEY SAY:⁷² 'AN ADMIXTURE OF] TEBEL,⁷³ HOWEVER LITTLE OF IT⁷⁴ THERE BE, RENDERS FOOD PROHIBITED?' [WITH REGARD TO A MIXTURE OF] A SPECIES WITH ITS OWN SPECIES,⁷⁵ BUT [WITH REGARD TO A MIXTURE OF A SPECIES] NOT WITH ITS OWN SPECIES,⁷⁶ [THE PROHIBITION APPLIES ONLY] WHEN IT [THE TEBEL ADMIXTURE] IMPARTS TASTE.

- (1) I.e., properly kneaded, when it constitutes dough in the sense of the Biblical precept relating to hallah.
- (2) Barley flour does not form so firm a dough as wheaten flour, and there is no point in waiting for a perfect dough which cannot be achieved.
- (3) Without hallah having been taken from it. in that state it is termed Tebel.
- (4) Sc. 'by the hand of Heaven', v. Lev. XXII. 9; cf., supra I, 9.
- (5) This provision applies also to a man; but the Mishnah speaks here of a woman since (a) it is women who are usually occupied in baking, cf. supra II, 7, n. 2 and (b) the reason for the regulation which follows is the contingency of a

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condition more liable to occur with a woman than with a man.

(6) This a Rabbinic precautionary regulation, viz., to take off hallah at the earliest possible moment (even though the stage of liability according to Scriptural requirement has not fully been reached, v. supra n. 1) lest the dough become unclean before there is a chance of separating hallah from the rolled dough. In non-Temple times the point of anticipating possible defilement does not arise, and hallah should be taken off when the dough has been rolled, prior to dividing it up into loaves.

(7) Sc. left entirely unmixed with the water, and as dry flour not yet liable to hallah, being also of an amount large enough to become (when eventually mixed with water) liable thereto. T.J. rules that in these circumstances one may take hallah for the whole of the contents of the mixing vessel by deliberately and explicitly reckoning in the as yet unmixed flour which is in it. — Another reading is ‘provided only that there are five-fourths of flour’, etc. already mixed with the water.

(8) In the mixing vessel.

(9) V. supra I, 4, n. 8.

(10) For the reason explained *ibid.*

(11) It had already, through having been rolled, become liable to hallah, and this being a Biblical precept, it cannot be overridden by the Rabbinic regulation of Medumma’.

(12) V. Nid. 5a ff.

(13) Lit., ‘done’.

(14) Because in any case the hallah when taken will be unfit for eating owing to the possibility of its being unclean. Further, it is permitted to cause uncleanness to hullin (Sot. 30b) v. Hid. 6b (bottom).

(15) Because hullin which is subject to hallah is like hallah, and the latter, like all terumah (a term also applied to hallah) the cleanness of which is in doubt, must not be made unclean deliberately. Such ‘hallah in suspense’ is not to be eaten, as it may be unclean, nor may it be burnt, as it may be clean; one should wait until it becomes certainly unclean and then burn it (v. Nid. 7a).

(16) V. supra Mishnah I n. 5.

(17) V. Lev. XXVII, 14 and *passim*.

(18) Also before rolling. On ‘redeeming’ consecrated things. v. Lev. *ibid.* 15 and *passim*.

(19) Since at the material time, viz., that of rolling, it was her property (again), cf. supra I, 3.

(20) Since at the material time it was obviously her property.

(21) The Temple store-keeper who received and was in charge of consecrated objects.

(22) I.e., the time of rolling.

(23) Because at that time the dough was not her property, but that of the Sanctuary.

(24) This Mishnah occurs verbatim also in Pe'ah IV, 8. The reason for this repetition is discussed in T.J. Hal. ad loc. And T.J. Pe'ah ad loc.

(25) Lit., ‘as something that goes in [the same way as] it (viz., the preceding case)’, a case that takes the same course, follows the same lines.

(26) The several stages at which different kinds of produce become subject to tithes are particularized in Ma'as. I, 2 — 4.

(27) Also before the tithestage.

(28) Since at the material time it was his property (again).

(29) Since at the material time it was certainly his property.

(30) I.e., brought to the state at which it becomes subject to terumah and tithes. Such ‘completed state’ varies according to the produce, v. *ibid.* I, 5 ff.

(31) By the appropriate act which brings it to the terumah and tithes stage.

(32) Having been at the time Temple property.

(33) Since it is not the property of an Israelite, and it is only the ‘first of your dough’ which I commanded, Num. XV, 20.

(34) Because at the material time (viz., of rolling) it was the Israelite's property.

(35) Because at the material time, it was not the property of an Israelite.

(36) 1 1/4 kab., v. supra II, 6.

(37) The converse is implied, viz., if the portion belonging to the Israelite is itself sufficiently large to be subject to hallah, the hallah must be given accordingly.

(38) V. supra Mishnah 1, n. 1.

(39) As to whether he was a proselyte at the material time.

(40) Since, however, it is doubtful whether the priest is entitled to it, it may be sold — instead of given — to him.

(41) Lev. XXII, 14 And if a man eat of the holy thing through error, then he shall put the fifth part thereof unto it, and shall give unto the priest the holy thing. On ‘one-fifth’, v. supra I, 9, n. 4. p. 325, In our case, in view of the doubt, he is to separate as a compensatory quantity of dough as great as, but not greater than, he had eaten; because of the doubt too, he is permitted to sell it to the priest. V. preceding note. Cf. Demai I, 2.

(42) R. Akiba differs from the accepted view. From T.J. ad loc. it would appear as if R. Akiba is here confining himself to the case under discussion. Maim., however, basing himself on Sifre to Num. XV, 21 understands R. Akiba as regarding the formation of a light crust in the oven as the statutory stage at which dough, in all cases, becomes liable to hallah.

(43) Which is a species not subject to hallah, v. supra I, 4.

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- (44) Even if it contains less than the minimum (1 1/4 kab) liable to hallah. L. points out that this ruling applies exclusively in the case of wheat and rice, because of the latter's resemblance to the former; if, however, a species which is subject to hallah has been kneaded with some species which is exempt, then the resultant dough is subject to hallah only if both the following conditions are present: (a) the taste of corn is noticeable, and (b) it contains at least the minimum quantity (1 1/4 kab) of corn, even though the latter be exceeded by the non-labile species present in the mixture.
- (45) Cf. supra I, 2.
- (46) To be used for leavening another dough; likewise, for the purpose of this Mishnah, dough.
- (47) Such dough, or produce, from which the priestly dues had not been separated is known as *tebel* and may not be eaten.
- (48) This latter dough thereby becomes prohibited for eating (v. infra 10, n. 4) until an appropriate portion, such as the Mishnah proceeds to define, is separated as hallah.
- (49) I.e., some dough from which or in respect of which no hallah had yet been taken.
- (50) So Tosef.; so as to make up with the leaven the minimum subject to hallah.
- (51) From the new supply.
- (52) In respect of which no hallah had yet been taken, viz., the *tebel* leaven put into the dough, and the dough 'from another place'.
- (53) Sc. any other such dough, or flour, to reckon in with the leaven.
- (54) Including the leaven and the dough into which it had got mixed. In this case he takes off as hallah the appropriate proportion (1/24th or 1/48th, v. supra II, 7) of the whole dough.
- (55) V. supra Mishnah 4, n. 17.
- (56) Which are subject to *terumah* and tithes.
- (57) A term suggested by the expression 'the striking-off of olives', Isa. XVII, 6, XXIV, 13.
- (58) As commanded in Deut. XXIV, 20. When thou beatest thine olive-tree, thou shalt not go over the boughs again; it shall be for the stranger, for the fatherless, and the widow. These olives are exempt from priestly and levitical dues; v. Pe'ah I, 6.
- (59) As commanded Deut. ibid. v. 21: When thou gatherest the grapes of thy vineyard, thou shalt not glean after thee; it shall be for the stranger, for the fatherless, and for the widow. These gleanings are exempt from priestly and levitical dues; v. Pe'ah ibid.
- (60) I.e., other lots of regular olives and grapes in respect of which *terumah* or tithes have yet to be taken.
- (61) From the new supply.
- (62) Viz., of the regular fruit mixed with the gleanings, plus the new supply, in respect of both of which *terumah* and tithes are still outstanding.
- (63) I.e., no new supply.
- (64) Otherwise called the 'tithe of the tithe', Num. XVIII, 26. I.e., the tithe which a Levite is enjoined to give to the priest out of the tithe which he, the Levite himself, receives from the Israelite (ibid. vv. 21ff). Here it means the amount that would become due for this 'tithe of the tithe', if the first tithe were to be taken off the total produce (which, in fact, is not the case; v. note 4) i.e., one-hundredth part of the latter.
- (65) I.e., the gleanings together with the admixture of regular fruit which made the whole lot *tebel*.
- (66) The designation given by tradition to the tithe (commanded in Deut. XIV, 22ff) which was itself, or its equivalent in money, to be taken to Jerusalem and there consumed in rejoicing.
- (67) I.e. supposing the total that had got mixed up was 100 quarters, 50 of regular fruit (still to be tithed, etc.), and 50 of gleanings (which do not require to be tithed, etc.). In that case the owner is to give 2 quarters (i.e., one-fiftieth of the total) as *terumah*, and 1 quarter (one-hundredth of the total, v. note 1) as 'tithe of the tithe'. For the first tithe, however, he is to separate only 5 quarters (one-tenth of the 50 quarters which alone are liable to tithing) and deduct half a quarter in respect of the 'tithe of the tithe' (which he had already set aside), thus handing over to the Levite 1/2 quarters. The 'second tithe' he is to take from that which remains (over from the 50 quarters which were liable to tithing (after *Simponte*). L. explains the procedure thus: He separates *terumah*, tithe and second tithe from all the produce; from the first tithe he gives a tithe to the priest as the 'tithe of the tithe'; but to the Levite he gives only such part of the tithe as is due from the amount that had been originally liable to tithing. The second tithe he also gives as from the bulk amount. — The requirement, here, that *terumah* and *terumah* of the tithe be levied upon a larger amount of produce than are the other dues, is attributed to the circumstance that the penalty for infringement of the law of *terumah* of the tithe is death ('by the hand of heaven'; cf. I, 9 note 2), and so as to be certain of having fully complied with these precepts, the proportions to be set aside are computed on the maximum amount of produce so 'taxable'.
- (68) Which is subject to hallah and from which hallah is still due.
- (69) Which, as such, is not subject to hallah (v. supra I, 4).
- (70) In accordance with the principle established in Mishnah 7.
- (71) Vocalizing למה.
- (72) The Sages, v. 'Abodah Zara 73b. Halevy, Dorothe II, p. 830 says, אמרו ('they said') introduces a quotation from the Mishnah in its original form; such passages as ours are additions

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made at the time of the closing of the Mishnah for the purpose of finally elucidating the point under discussion by correlating all the relevant dicta having a bearing thereon.

(73) Eatables at the stage when they severally become subject to the separation of priestly and levitical dues, but before that separation has been effected, at which stage they may not be eaten.

(74) I.e., of the tebel.

(75) E.g., wheat which is tebel, with other wheat (or like species; v. infra IV, 2) which is not.

(76) E.g., wheat-dough which is tebel, with dough from a grain dissimilar thereto (v. IV, 2) which is exempt (either ab intio or so rendered) from hallah, or with rice dough which is in no circumstances subject to hallah.

Hallah Chapter 4

MISHNAH 1. IF TWO WOMEN¹ MADE [SEPARATE DOUGHS] FROM TWO [SEPARATE] KABS,² AND THESE [THE DOUGHS] TOUCHED ONE ANOTHER, [THEN] EVEN IF THEY ARE OF ONE SPECIES, THEY ARE EXEMPT [FROM HALLAH].³ BUT IF THEY BELONG TO ONE WOMAN, [THEN] IF IT BE [A CASE OF] ONE SPECIES WITH ITS [LIKE] SPECIES, THEY ARE SUBJECT [TO HALLAH].⁴ BUT WITH AN UNLIKE SPECIES, THEY ARE EXEMPT.⁵

MISHNAH 2. WHAT IS IT [THAT CONSTITUTES THE CATEGORY OF] A SPECIES WITH ITS [LIKE] SPECIES?⁶ WHEAT IS NOT RECKONED TOGETHER WITH ANY [SPECIES]⁷ OTHER THAN WITH SPELT; BARLEY IS RECKONED TOGETHER WITH ALL [SPECIES] EXCEPT WHEAT. R. JOHANAN B. NURI SAID, THE REST OF THE SPECIES⁸ ARE RECKONED TOGETHER ONE WITH ANOTHER.⁹

MISHNAH 3. [IF THERE ARE TWO DOUGHS FROM] TWO [SEPARATE] KABS,¹⁰ AND [DOUGH FROM] A KAB OF RICE,¹¹ OR [FROM] A KAB OF TERUMAH¹² [LYING] BETWEEN,¹³ THEY ARE NOT RECKONED TOGETHER;¹⁴ [IF THERE WAS] A THING [VIZ., DOUGH] FROM WHICH HALLAH HAD BEEN TAKEN¹⁵ [LYING] BETWEEN, THEY ARE RECKONED TOGETHER, SINCE IT¹⁶

HAD ALREADY [ONCE] BEEN SUBJECT TO HALLAH.¹⁷

MISHNAH 4. [IF DOUGH FROM] A KAB OF 'NEW' [CORN].¹⁸ AND [DOUGH FROM] A KAB OF 'OLD' [CORN]¹⁸ STUCK ONE WITH THE OTHER,¹⁹ R. ISHMAEL SAID: LET HIM TAKE [HALLAH] FROM THE MIDDLE,²⁰ BUT THE SAGES PROHIBIT.²¹ IF ONE HAS TAKEN HALLAH FROM [DOUGH MADE OUT OF] ONE KAB, R. AKIBA SAYS: IT IS HALLAH,²² BUT THE SAGES SAY: IT IS NOT HALLAH.²³

MISHNAH 5. [IF ONE HAS] TWO [SEPARATE] KABS [OF DOUGH]²⁴ FROM ONE OF WHICH HALLAH HAD BEEN TAKEN SEPARATELY, AND FROM THE OTHER [TOO,] SEPARATELY, AND HE WENT BACK [TO THEM] AND MADE [OF] THEM ONE DOUGH, R. AKIBA DECLARES IT EXEMPT,²⁵ BUT THE SAGES DECLARE IT LIABLE.²⁶ [THUS] IT IS FOUND THAT [THE VERY PROPOSITION²⁷ GIVING RISE TO] THE STRINGENCY OF THE ONE [RULING]²⁸ IS [THE PROPOSITION THAT GIVES RISE TO] THE LENIENCY OF THE OTHER [RULING].²⁹

MISHNAH 6. A MAN MAY TAKE THE REQUISITE AMOUNT FOR HALLAH OUT OF A [CLEAN] DOUGH FROM WHICH HALLAH HAS NOT [PREVIOUSLY] BEEN TAKEN — [HIS PURPOSE BEING] TO EFFECT IT IN CLEANNESS — BY WAY OF GOING ON SEPARATING [HALLAH] THEREFROM IN RESPECT OF [UNCLEAN] DEMAI,³⁰ UNTIL IT PUTRIFIES, SINCE HALLAH IN RESPECT OF DEMAI MAY BE TAKEN FROM CLEAN [DOUGH] IN RESPECT OF UNCLEAR [DOUGH], AND FROM [ONE DOUGH IN RESPECT OF ANOTHER DOUGH] WHICH IS NOT CLOSE TOGETHER.

MISHNAH 7. IF ISRAELITES WERE TENANTS OF GENTILES IN SYRIA,³¹ R. ELIEZER DECLARES THEIR PRODUCE SUBJECT TO TITHES AND TO [THE LAW OF] THE SEVENTH [YEAR],³² BUT RABBAN GAMALIEL DECLARES [IT] EXEMPT.³³ RABBAN GAMALIEL SAYS: [ONE IS TO

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GIVE] TWO HALLAH-PORCTIONS IN SYRIA,³⁴ BUT R. ELIEZER SAYS: [ONLY] ONE HALLAH-PORCION.³⁵ THEY³⁶ ADOPTED THE LENIENT RULING OF RABBAN GAMALIEL,³⁷ AND THE LENIENT RULING OF R. ELIEZER.³⁸ EVENTUALLY THEY WENT BACK [ON THIS PRACTICE]³⁹ AND INSTITUTED THE PRACTICE IN ACCORDANCE WITH RABBAN GAMALIEL IN BOTH RESPECTS.⁴⁰

MISHNAH 8. RABBAN GAMALIEL SAYS: THERE ARE THREE TERRITORIAL DIVISIONS⁴¹ WITH REGARD TO [LIABILITY TO] HALLAH: FROM THE LAND OF ISRAEL TO KEZIB⁴² — ONE HALLAH-PORCION; FROM KEZIB⁴³ TO AMANAH⁴⁴ — TWO HALLAH-PORCTIONS: ONE FOR THE FIRE⁴⁵ AND ONE FOR THE PRIEST,⁴⁶ TO THE ONE FOR THE FIRE THE [RULE OF THE STATUTORY] PROPORTION APPLIES,⁴⁷ TO THE ONE FOR THE PRIEST THE [RULE OF THE STATUTORY] PROPORTION DOES NOT APPLY;⁴⁸ FROM THE RIVER⁴² TO AMANAH AND [THE ZONE] INWARD, TWO HALLAH-PORCTIONS: ONE FOR THE FIRE AND ONE FOR THE PRIEST, TO THE ONE [INTENDED] FOR THE FIRE THE [RULE OF THE STATUTORY] PROPORTION DOES NOT APPLY,⁴⁹ TO THE ONE [INTENDED] FOR THE PRIEST THE [RULE OF THE STATUTORY] PROPORTION APPLIES,⁵⁰ AND [A PRIEST] WHO HAS IMMERSSED HIMSELF DURING THE DAY [AND HAS TO WAIT TILL SUNSET FOR HIS PURIFICATION TO BE COMPLETE]⁵¹ MAY EAT IT.⁵² R. JOSE SAYS: ONE DOES NOT REQUIRE IMMERSION.⁵³ IT IS FORBIDDEN [AS FOOD] TO MEN WHO HAVE AN ISSUE,⁵⁴ TO WOMEN WHO HAVE AN ISSUE, TO WOMEN DURING MENSTRUATION,⁵⁵ TO WOMEN AFTER CHILDBIRTH,⁵⁶ BUT MAY BE EATEN WITH A 'STRANGER' AT THE [SAME] TABLE,⁵⁷ AND MAY BE GIVEN TO ANY PRIEST.⁵⁸

MISHNAH 9. THESE, TOO, MAY BE GIVEN TO ANY PRIEST:⁵⁹ DEVOTED THINGS,⁶⁰ FIRSTLINGS,⁶¹ THE [LAMB SUBSTITUTED AS] RANSOM FOR THE FIRSTLING OF AN

ASS,⁶² THE SHOULDER, THE TWO CHEEKS AND THE MAW,⁶³ THE FIRST OF THE FLEECE,⁶⁴ OIL [FIT ONLY] FOR BURNING,⁶⁵ CONSECRATED FOOD [ORDAINED TO BE CONSUMED WITHIN THE PRECINCTS] OF THE SANCTUARY,⁶⁶ AND THE FIRST-RIPE FRUITS.⁶⁷ R. JUDAH PROHIBITS IN [THE CASE OF] FIRST-RIPE FRUITS.⁶⁸ [AS FOR] HORSEBEANS [SET ASIDE] FOR TERUMAH, R. AKIBA PERMITS,⁶⁹ BUT THE SAGES PROHIBIT.⁷⁰

MISHNAH 10. NITTAI [A MAN OF] TEKOA⁷¹ BROUGHT HALLAH-PORCTIONS FROM BE-JATTIR,⁷² BUT THEY DID NOT ACCEPT [THESE] FROM HIM.⁷³ THE MEN OF ALEXANDRIA BROUGHT THEIR HALLAH-PORCTIONS FROM ALEXANDRIA, BUT THEY DID NOT ACCEPT [THESE] FROM THEM.⁷³ THE MEN OF MOUNT ZEBOIM⁷⁴ BROUGHT THEIR FIRST-RIPE FRUITS PRIOR TO THE FESTIVAL,⁷⁵ BUT THEY DID NOT ACCEPT [THESE] FROM THEM, ON ACCOUNT OF THAT WHICH IS WRITTEN IN THE LAW: AND THE FEAST OF THE HARVEST, THE FIRST-FRUITS OF THY LABOURS, WHICH THOU SOWEST IN THE FIELD.⁷⁶

MISHNAH 11. BEN ANTIGONUS⁷⁷ BROUGHT UP⁷⁸ FIRSTLINGS FROM BABYLON, BUT THEY DID NOT ACCEPT [THESE] FROM HIM.⁷⁹ JOSEPH THE PRIEST⁸⁰ BROUGHT FIRST-RIPE FRUITS [IN THE FORM] OF WINE AND OIL,⁸¹ BUT THEY DID NOT ACCEPT [THESE] FROM HIM;⁸² HE ALSO BROUGHT UP HIS SONS AND MEMBERS OF HIS HOUSEHOLD TO CELEBRATE THE LESSER PASSOVER⁸³ IN JERUSALEM, BUT THEY TURNED HIM BACK,⁸⁴ SO THAT THE THING SHOULD NOT BECOME FIRMLY FIXED AS AN OBLIGATION. ARISTON⁸⁵ BROUGHT HIS FIRST-RIPE FRUITS FROM APAMEA⁸⁶ AND THEY ACCEPTED [THESE] FROM HIM,⁸⁷ BECAUSE THEY SAID,⁸⁸ ONE WHO OWNS [LAND] IN SYRIA IS AS ONE WHO OWNS [LAND] IN THE OUTSKIRTS OF JERUSALEM.⁸⁹

(1) Not necessarily, but most likely to occur with women in the course of their household activities.

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- (2) One kab is not subject to hallah, in accordance with the view of the School of Hillel ('Ed. I, 2).
- (3) Because as a rule each of the women not only does not contemplate her dough coming into contact with someone else's, but actually objects to it; the two kabs are, therefore, considered as separate (just as their owners deem them to be) despite the fact that by chance they touched or even stuck together.
- (4) In circumstances explained supra II, 4.
- (5) This exemption applies also in the event of the two doughs being of the same species but otherwise different, e.g., one of coarse and the other of fine flour (T.J.) or one seasoned with saffron and the other not (v. L.).
- (6) So that they might combine by contact to make up the requisite minimum (viz., 1 1/4 kab) to be subject to hallah. It should be noted that the considerations envisaged in this Mishnah have reference only to hallah but not to other priestly or levitical dues.
- (7) Of the five kinds of grain. v. supra I, 1.
- (8) Enumerated supra I, 1.
- (9) The question as to which species combine with which to form a minimum subject to hallah, arises only when the doughs touch or stick to one another; if any two or more species (liable to hallah) have mingled, either in the flour or in two kneading, they are without question 'reckoned together' (T.J.).
- (10) Both of one species which is liable to hallah.
- (11) A species not liable to hallah
- (12) Which, as a priestly perquisite, is not liable to hallah.
- (13) And sticking to the two on either side.
- (14) Because the connecting intervening piece of dough, whether it is of rice or terumah, is one not liable to hallah. T.J. explains the necessity for instancing both rice and terumah: (a) if rice only had been mentioned, it might have been thought that just rice is not to be 'reckoned in' for the reason that it is a species ab initio not subject to hallah, but that terumah, which is of course of grain, that is in itself liable to hallah, should be reckoned in; (b) if terumah alone had been mentioned it might have been inferred, that just terumah is not 'reckoned in' for the reason that an admixture of it to other dough, by making the whole Medumma' (v. I, 4, n. 8). renders it exempt from hallah, but that rice, an admixture of which to grain does not invariably impair the liability of the dough to hallah (v. III. and 10), might be 'reckoned in'.
- (15) And therefore no longer liable to hallah.
- (16) The piece of dough in the middle.
- (17) Constituting in this respect a category different from the preceding cases where the dough lying in the middle had never been liable to hallah.
- (18) According to Ter. I, 5, it is unavailing to separate terumah from one year's corn an amount large enough to cover the requirements for terumah in respect also of either the preceding or the following year's corn. The same rule applies mutatis mutandis to taking hallah.
- (19) Lit., 'hit one with the other', cf. supra II, 4, n. 2.
- (20) Where the two doughs run into one another, thus taking some from each.
- (21) The prohibition of the Sages is directed against taking, in these circumstances, just one hallah-portion even if it be out of the place where both doughs coalesce. The fact that the two doughs have stuck together certainly renders them jointly subject to hallah, but since one is of 'old' and the other of 'new' corn, the statutory proportion (1/24th or 1/48th v. supra II, 7) must be taken separately from each dough.
- (22) I.e., if subsequently the kab was increased to 1 1/4 kab, whereby the portion that had erroneously been taken off is deemed as having been only prematurely separated and retroactively made into hallah with all due sanctity attaching thereto.
- (23) Since at the time a portion was taken off the dough was, owing to the small amount thereof, not subject to hallah, the separation of the dough portion was gratuitous and entirely without effect on its non-sacred (hullin) status.
- (24) I.e., neither is large enough to be subject to hallah.
- (25) Since in accordance with the view enunciated in his name in Mishnah 4, the dough-portions taken separately from each of the doughs and, erroneously, but in good faith-intended as hallah, have been validated as such by the subsequent addition of the other dough.
- (26) In accordance with their view, contrary to R. Akiba's, in Mishnah 4.
- (27) Viz., that of R. Akiba set out supra n. I.
- (28) I.e., the stringency which results from the application of R. Akiba's view to the case in Mish. 4, where the owner is thereby deprived of the dough-portions which are, in that view, held to have been consecrated by him as hallah.
- (29) I.e., the leniency which is the effect of the application of that same view to the case in our Mishnah, inasmuch as here the owner is thereby exempted from giving away a further portion of dough as hallah.
- (30) Ordinarily demai denotes produce with regard to which there is suspicion, inasmuch as it has been obtained from an 'am ha-arez, that it may not have been properly tithed. Here, according to Maim. it means dough with regard to which there is doubt, for the same reason as above, whether hallah had been separated. Rash and Bert, say it means dough from grain that was demai (in the original sense, viz., in respect of

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tithes). Such corn presumed to have come from an 'am ha-arez was unclean and so, too, the dough made from it. L. reviews and criticizes the above interpretations and finally rejects them as untenable. His own interpretation is, that this Mishnah is concerned with dough bought from a Cuthean (Samaritan) and it is uncertain whether the latter has intended the dough for his own consumption (when, in view of known Samaritan religious scruples, he can be trusted to have separated hallah), or for sale (when one cannot assume that the Samaritan had separated hallah, inasmuch as the Samaritan code did not require hallah to be taken from dough intended for sale). Such dough is thus demai (in respect of hallah), and it is this kind of demai that is meant here. Furthermore, a Samaritan's dough is, failing certain knowledge to the contrary, unclean. The dough spoken of first in our Mishnah is also demai, but it is clean, either because the Samaritan had, in the presence of an Israelite, undergone ritual ablution from uncleanness immediately prior to preparing the dough, or because the flour had been mixed not with water but with fruit-juice (which does not render dough capable of contracting uncleanness; cf. supra II, 2, p. 328, n. 1). The position then is this: One dough is clean, the other unclean. In ordinary circumstances it is not permitted to take hallah from clean dough in sufficient quantity to exempt also unclean dough (v. supra I, 9), but because in our case both doughs are demai in respect of hallah, it is permitted to do so, as well as to take hallah from such a dough in sufficient quantity to exempt also other similar doughs without putting them close together.

(31) A geographical term denoting territories outside the boundaries of the Land of Israel (as delimited in Num. XXXIV) which were captured by King David before he completed the conquest of the Land of Israel proper (Jebus i.e. Zion remained in gentile possession till nearly the end of David's reign; v. II Sam. XXIV). It was agreed that these adjacent territories were of lesser sanctity than the Land proper, but there were differences of opinion as to which of the precepts enjoined for the Land of Israel were applicable also to Syria.

(32) Since in his view Syria was like the Land of Israel in these matters. In T.J. it is suggested that the intention of R. Eliezer in imposing this obligation was to 'fine' these Israelite tenants in Syria. Rash suggests that the purpose of the proposed fine was to discourage Jews from settling permanently in Syria. The law of the 'Seventh Year' is promulgated in Ex. XXIII, 10-11, Lev, XXV, 1 ff and forms the subject of tractate Shebi'ith in our Seder.

(33) Because he held that Syria was like the Land of Israel in regard to tithes, etc. only if the land (in Syria) on which the produce was grown was the property of Israelites (v. end of chapter) but not when, as here, the latter were merely tenants.

(34) One portion to burn, because it is unclean (as everywhere outside the Land), and the other to give to a priest so as to prevent the law of hallah from being entirely forgotten (v. infra 9).

(35) Just as in the Land of Israel (v. n. i).

(36) The Jews in Syria.

(37) Exempting the produce of Israelite tenants in Syria from tithes and Shebi'ith.

(38) Demanding from them only one hallah-portion (instead of two as R. Gamaliel).

(39) Because they found that it was considered unworthy, and even wicked, to take advantage of the lenient rulings of two authorities when those rulings arose from opposing principles. The norm was that if you adopt the principle of one authority giving rise to a lenient ruling, you must consistently follow that principle wherever it applies, whether the effect of such application is a leniency or a stringency.

(40) Lit., 'ways'; i.e., both in the matter of tithes and Shebi'ith (where he is lenient) and in that of hallah (where he is stringent).

(41) Lit., 'lands'.

(42) For these geographical items v. Shebi'ith VI, 1. notes.

(43) That zone was authentic Land of Israel by reason of being within the boundaries mentioned in Num. XXXIV, having been occupied in the first conquest, and also reoccupied by the returned Babylonian exiles under Zerubbabel and Ezra, and therefore indubitably subject to the precepts bound up with the sanctity of the Land.

(44) A zone within the Pentateuchal boundaries of the Land of Israel and therefore originally holy; but since it had not been reoccupied by those who returned from Babylon, it did not re-assume complete holiness.

(45) I.e., to be burnt by the owner, being unclean hallah. Since this zone was not restored to its original holiness, its hallah is unclean just as the hallah in any land outside the Land of Israel.

(46) This is not mandatory, but instituted by the authorities to draw attention to the peculiar character of that zone with regard to sanctity. This procedure is to obviate on the one hand the likely erroneous notion that the territory is to be regarded as definitely outside the Land in respect of sanctity, and on the other hand the other mistaken notion that it is to be regarded as completely holy territory. The very contradictoriness of the procedure will stimulate enquiry which will enable people to learn of the special status of the zone.

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(47) Because this portion is in virtue of that zone having been originally holy and liable to hallah on Biblical authority — the direction to burn it being due solely to its being unclean, in which circumstances it would have to be burnt even in the Land of Israel proper.

(48) Because this portion is only an institution of the Scribes.

(49) Less than the minimum may be separated because (a) it is on solely Scribal authority and (b) because it is to be burnt.

(50) This hallah-portion too is only on Scribal authority, but since it is to be eaten the full amount should be given.

(51) V. supra I, 9, p. 326, n. 2. The regulations with regard to a person in that state are detailed in the tractate of that name Tebul Yom in seder Tohoroth.

(52) Since this hallah-portion is on the authority only of the Scribes, the eating thereof is prohibited only to such as are in a state of actual uncleanness by reason of an issue or of menstruation (v. infra notes 4-6) but not to anyone unclean through any other cause, or whose cleanness is, as in the case of tebul yom, in a state of suspense until the end of the day.

(53) So that, according to R. Jose, outside the Land, one who has had an issue may eat hallah.

(54) V. Lev. XV, 2-15.

(55) V. ibid. 19-30.

(56) V. ibid. XII.

(57) With consecrated food it is insisted that it should not be eaten by the priest at the same table where a non-priest is eating, lest the latter partake of the consecrated food either by accident or in error. Since the hallah-portion with which we are here concerned is not scripturally ordained this precaution is not required.

(58) Maim. reproduces the T.J. interpretation of 'any priest', viz., 'be it a priest who is a kabir (i.e., a scholar) or one who is an 'am ha-rez (i.e., an unlearned person)'. Evidently what is meant is: whether the priest be one who takes care to eat consecrated food in cleanness, or one who does not. V. Bert. and Tusef. Yom Tob. Bert. writes as if Maim.'s explanation is at variance with that of the Talmud, whilst Maim. does nothing but reproduce T.J. verbatim.

(59) V. preceding Mishnah, end n. 8.

(60) V. Lev. XXVII, 28. No devoted thing, a man may devote to the Lord of all that he hath... shall be sold or redeemed: every devoted thing is most holy unto the Lord; Num. XVIII, 14: Every devoted thing in Israel shall be thine i.e., the priest's. Since it is to be redeemed with money, the latter may obviously be given to any priest without references to the likelihood of his being clean or unclean.

(61) V. Ex XIII, 12: Thou shalt set apart unto the Lord all that openeth the womb; every firstling that is a male, which thou hast coming of a beast, shall be the Lord's, Deut. XV, 19 ff: All the firstling males of thy herd all of thy flock thou shalt sanctify unto the Lord thy God... thou shalt eat it before the Lord thy God... in the place which the Lord shall choose (i.e. the Holy City of Jerusalem)... And if there be any blemish therein, lameness, or blindness, any ill blemish whatsoever, thou shalt not sacrifice it unto the Lord thy God. Thou shalt eat it within thy gates: the unclean and the clean may eat it. Reference to Num. XVIII, 17-18 shows that 'Thou shalt eat it' is addressed to the priest. It is clear that our Mishnah speaks of the flesh of a blemished firstling, and since this may be eaten by 'the unclean and the clean' it may, obviously, be given to any priest irrespective of his cleanness.

(62) V. Ex. XIII, 13: And the firstling of an ass thou shalt redeem with a lamb. This lamb is not considered consecrated (Bert.).

(63) V. Deut, XVIII, 3: And this shall be the priests' due from the people, from them that offer a sacrifice, whether it be ox or sheep, that they shall give to the priest the shoulder, the two cheeks and the maw. V. n. 5 infra.

(64) V. ibid. 4... the first of thy fleece shalt thou give him.

(65) I.e. , oil set aside as terumah, which has become unclean.

(66) Since these are parts of sacrifices brought into the Sanctuary where no unclean priest may enter there is, obviously, no fear that it may be eaten by a priest during his uncleanness. (It is different with hallah and terumah; these may be eaten outside sacred precincts where there are priests of all kinds, and care should therefore be taken that these priestly dues do not get into the hands of priests who are either unclean or possibly neglectful of their ritual cleanness.)

(67) V. Num. XVIII, 13: The first-ripe fruits of all that is in their land, which they bring unto the Lord, shall be thine; every one that is clean in thy house may eat thereof. These were to be brought by the Israelite direct to the Sanctuary, v. n. 5.

(68) R. Judah's reason is: Seeing that first-ripe fruits are not offered on the altar, ignorant priests are likely to underrate the sacredness of first-ripe fruits and to eat them prior to self-purification.

(69) Sc. to give to any priest, since these are rarely eaten by human beings, and the likelihood of these being eaten by an unclean priest is therefore remote.

(70) Seeing that they are sometimes eaten by human beings, no exception is to be made of them.

(71) In South Judah v. Amos I, 1, II Sam. XIV, 2.

(72) Reading with Kohut, Aruch Completum, s.v. (יהר or spelt defectivum יהיר) is

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mentioned Josh. XV, 48, XXI, 14, I Sam. XXX, 27, I Chron. VI, 42 in S. Judah. In T.J. Sheb. p. 36, it is mentioned among places on the borders of the Land of Israel in relation to the applicability of the laws of the sanctity of the Land. According to the above data it would be in the neighborhood of Tekoa. It is this place that is probably meant by Schurer (*Geschichte des Volkes Israel I*, p. 693) when he identifies our place-name as Be-jittar. Hirschensohn, *Sheba' Hokmoth s.v. בתיר* thinks of Botrys on the North African coast.

(73) For the reasons: (a) These hallah-portions could not be eaten, since, coming from not fully sacred territory, they were unclean. (b) They could not accept them and burn them, because (since their place of origin was in a zone of partial but not complete sanctity) the fact that such hallah is unclean is not generally known, and people might be led to think that clean hallah was being — and permitted to be — burnt in Palestine. (c) Accepting these hallah-portions and sending them out of Palestine to burn them, would lead people to think, entirely erroneously, that any hallah or terumah may be sent out of the Land of Israel. The only possible thing to do is to let these dough-portions remain till the Eve of Passover when they should be burnt with other leaven (T.J.).

(74) Probably close to the valley of that name (I Sam. XIII, 18) and the town of that name (Neh. XI, 34) in Judea.

(75) Azereth, a Rabbinic designation for the Feast of Weeks or Pentecost, on which the first-ripe fruits were due to be brought to the Temple. Lit., 'the closing', Pentecost being considered the closing festival to Passover.

(76) Ex. XXIII, 16 (cf. Lev. XXIII, 15-21, Num. XXVIII, 26). According to this verse it was the first-fruits coming from 'that which thou sowest in the field' i.e., the 'Two Loaves' (which, too, were termed 'First-fruits') that were the first to be brought to the Temple, before the other first-ripe produce, indeed before any of the other priestly and levitical dues. Seemingly the refusal recorded here is contrary to Mishnah Men. X, 6 which lays it down that although the first-fruits are in the first instance not to be brought before the Two Loaves, nevertheless if one had already unintentionally done so, such first-fruits are valid. (They are not accepted at the time but laid aside till after the bringing of the Two Loaves on the day of the Festival, and then they are handed to the priest and the declaration prescribed in Deut. XXVI is recited.) T.J., however, explain that the refusal of the prematurely brought first-fruits, in our case, was on the ground that acceptance would, in the circumstances, have given the impression that it was the proper thing to bring first-fruits prior to the Feast of Weeks.

(77) Var. lec.: Antinos.

(78) To the Temple.

(79) From Deut. XIV, 23. And thou shalt eat before the Lord thy God, in the place which He shall choose... the tithes of thy corn, thy wine and thine oil, and the firstlings of thy cattle and thy flocks, a deduction is made that even as terumah and tithes are not to be brought to the altar from outside of sacred territory so too are firstlings not to be brought from such places. Such firstlings are to be allowed to pasture till they become unfit for sacrifice and then they are eaten by priests (v. T.J.).

(80) He was evidently well-known as one who was particularly concerned to avoid circumstances defiling the sanctity attaching to a priest (v. Zeb. 10a, Sifra to Lev. XXI, 2, 'Er. 47b; 'A.Z. 13a).

(81) The law is that first-ripe fruits may be brought in liquid form only if there was such intention at the time of the picking of the olives or grapes.

(82) Because there had been no prior intention to bring them in liquid form; T.J.

(83) As a rule designated 'the Second Passover'. According to Num. IX, 1-12, a person who was unclean on the Eve of the Passover and therefore unable to offer up the Paschal Lamb, was to do so exactly a month later (i.e. on the eve of the 15th Iyyar). The occasion reported here was probably in the year when his wife died on the Eve of Passover. Unwilling to miss the Paschal Sacrifice, he was, then, most reluctant to allow himself to become defiled through her dead body (v. Num. XIX, II, 14) although the death of a wife is a case in which a man is permitted to defile himself (Lev. XXI, 2, where the phrase 'for his kin that is near unto him' refers, according to Rabbinic interpretation, to his wife). His colleagues, however, forcibly overcame his reluctance and he did allow himself to become unclean (Sifra loc. cit., Zeb. loc. cit. and parallels). V. Hyman, *Toledoth Tannaim s.v.* where he usually corrects an erroneous inference by Weiss (*Dor I. P. 46, n. 2, p. 47*) as to the date of the halachah permitting a priest to defile himself on the death of his wife.

(84) According to Ex. XXIII, 17, Passover was one of the three festivals when all males were to 'appear before the Lord', but that is ordained only for the real Passover and not for the 'Second (called here Lesser) Passover'. Pilgrimage to the Temple was of course permitted throughout the year and priests — like Joseph ha-Kohen — naturally had access to the Temple. Notwithstanding this and the fact that he was attending for the purposes of carrying out the precept of the 'Second Passover', he was turned back because he brought his young sons, etc. with him, lest his act lead the public — as it was most likely to do — to an erroneous conclusion that the Second Passover required just like Passover itself

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not only the sacrifice of the Paschal Lamb by those who had been unable to do so on the real Passover, but also the pilgrimage of all males.

(85) Perhaps not the proper name of a man, but just a man of noble birth or standing.

(86) A few places of this name are known. Probably Paneas in Syria is meant here.

(87) First-ripe fruits were accepted from abroad, unlike terumah. The decision not to subject produce abroad to terumah is due to a desire to discourage priests from leaving the Holy Land as they would be tempted to do in order to collect terumah abroad. Owners had no need to 'bring' terumah to the Temple but just to distribute it among priests. Such a cause did not exist in the case of first-ripe fruits which had to be brought to the Sanctuary.

(88) The phrase indicates a reference to a Mishnah in the Mishnah-collection in its earliest form. Cf. *supra* III end.

(89) And the product of such Jewish owned land in Syria is accordingly subject to tithes, etc. This is not the case if the land in Syria is held by Jews only on tenancy v. *supra* Mish. 7. V. Git. 8a for a list of particulars in which Syria is treated in law like the Land of Israel. MS. M. adds the following passage (which is quoted in B. K 110b and Hul. 133b as a Baraitha): Twenty-four dues were given to the priests: ten in the Temple and four in Jerusalem and ten within the borders (of the Land of Israel). These are the ten given them in the Temple: Sin-offerings, sin-offerings of birds, the unconditional and suspensive guilt-offerings, the peace-offering of the congregation, the log of oil of the leper, the remainder of the Omer, the Two Loaves, the Showbread, the residue of the meal-offerings. And these are the four given in Jerusalem: The firstlings, the first-fruits, the heave-offering from the thank-offering, and the ram of the Nazirite, and the skins of hallowed sacrifices. And these are the ten given them within the borders: Terumah, terumah of the tithe, hallah, the first of the shearing, the priestly gifts (from every beast slaughtered for food), the redemption price of the firstborn son, the redemption price of the firstling of an ass, the field of possession, the devoted field, and what was wrongly obtained of a proselyte (who died without any legal issue). No priest who is not well versed in these things may receive them as gifts.