

The Soncino Babylonian Talmud

Book IV

Folios 91b-120b



ZEVOCHIM

TRANSLATED INTO ENGLISH WITH NOTES

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Zevachim 91b

GEMARA. Samuel said: According to R. Tarfon, when a man donates oil [by itself], he removes a fistful, burns it [on the altar], and its residue is eaten. What is the reason? — Scripture saith, [And when any one bringeth] a meal-offering;¹ this teaches that one can donate oil [by itself],² and that it [an offering of oil] is like a meal-offering: as a fistful is taken of a meal-offering and the rest is eaten,³ so the oil: one takes a fistful off and the rest of it is eaten. R. Zera observed,

We too have learnt thus: **R. SIMEON SAID: IF YOU SEE OIL BEING SHARED OUT IN THE TEMPLE COURT, YOU NEED NOT ASK WHAT IT IS, FOR IT IS THE RESIDUE OF THE WAFERS [REKIKIM] OF THE ISRAELITES' MEAL-OFFERINGS OR OF THE LEPER'S LOG OF OIL... FOR MEN CANNOT OFFER OIL [ALONE]:** hence it follows that on the view that it can be offered, it can be shared out!⁴ —

Said Abaye to him: Then consider the next clause: **IF YOU SEE OIL POURED ON THE FIRES, YOU NEED NOT ASK WHAT IT IS, FOR IT IS THE RESIDUE OF THE WAFERS OF PRIESTS' MEAL-OFFERINGS OR OF THE ANOINTED PRIEST'S MEAL-OFFERING, FOR MEN CANNOT OFFER OIL [ALONE]:** hence it follows that on the view that it can be offered, the whole of it is a fire offering. Thus the first clause presents a difficulty on

Abaye's view, while the last clause presents a difficulty on R. Zera's view. As for R. Zera, it is well: the first clause⁵ refers to the residue, while the last clause refers to the fistful. But on Abaye's view there is a difficulty? — The first clause is taught on account of the last clause.⁶ As for saying that a second clause it taught on account of a first clause, that is well; but does one teach a first clause on account of a second clause?⁷ — Yes: they said in the West [Palestine]: The first clause is taught on account of the second clause.

Come and hear: Wine, in R. Akiba's view, is for the basins; oil, in R. Tarfon's view, is for the fires.⁸ Now surely, since the whole of the wine is for basins, the whole of the oil is for burning?⁹ — Why choose to say thus: each is conditioned by its own law.¹⁰

R. Papa said:¹¹ This is dependent on Tannaim: [When one donates] oil, he must bring not less than a log; Rabbi said: Three logs. Wherein do they differ? — The scholars stated before R. Papa: They differ as to whether [we say]: Judge from it and [all] from it; or, judge from it and place the deduction on its own basis.¹² The Rabbis hold: 'Judge from it and [all] from it': as a meal-offering can be donated, so can oil be donated; 'and [all] from it': as a meal-offering [requires] a log of oil,¹³ so here too¹⁴ a log of oil [is required]; and as a meal-offering, a fistful thereof is removed, and the rest is eaten, so the oil [alone], a fistful thereof is removed and the rest is eaten. And the other [learns] from a meal-offering: as a meal-offering is donated, so is oil donated; 'but place it on its own basis', viz., it is like a drink-offering [of wine]:¹⁵ as a drink-offering consists of three logs,¹⁶ so oil consists of three logs; and as the whole of a drink-offering is for basins, so the oil is altogether for the fires.

R. Papa observed to Abaye: If Rabbi inferred it from a meal-offering, then all would agree that you judge from it and [all] from it. Rabbi, however, deduces it from 'home-born'.¹⁷ Said R. Huna the son of R. Nathan to R. Papa: Can you say thus? Surely it was taught: 'A meal-offering': this teaches that oil [alone] can be donated? And how much? Three logs. Now, whom do you know to maintain [that it must be] three logs? Rabbi; yet he deduces it from a meal-offering! — If it was taught, it was taught, he replied.¹⁸

Samuel said: When one donates wine, he brings it and sprinkles it on the fires. What is the reason? Scripture saith, And thou shalt present for the drink-offering half a Hin of wine, for an offering made by fire, of a sweet

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savor unto the Lord.¹⁹ But he extinguishes [the fires]?²⁰ — Partial extinguishing²¹ is not called extinguishing. But that is not so, for surely R. Nahman said in Rabbah b. Abbuha's name: If one removes a coal from the altar and extinguishes it, he is culpable? — That is when there is none but that [coal]. Alternatively, extinguishing as [part of] a religious rite is different.²²

Come and hear, for R. Eliezer b. Jacob taught: Since Scripture authorized the taking up [of the ashes], you might think that one can extinguish [the embers] and take [them] up; but you must say that one may not extinguish!²³ — There it is different, for one can sit and wait.²⁴

Come and hear: Wine, in R. Akiba's view, is for the bowls; oil, in R. Tarfon's view, is for the fires.²⁵ Moreover, it was taught: The wine of a drink-offering is for the bowls. Yet perhaps it is not so, but rather for the fires? Say, he must not extinguish!²⁶ — There is no difficulty: One agrees with R. Judah; the other with R. Simeon.²⁷ Are we to say that Samuel agrees with R. Simeon? Surely Samuel said: One may extinguish a lump of fiery metal in the street, that it should not harm the public,²⁸

(1) Lev. II, 1.

(2) The Heb. Is קרבן מנחה of which קרבן (an offering) is superfluous, since מנחה itself denotes the offering, and moreover קריב bringeth, is of the same root as קרבן and implies it. Hence it is understood to include even an offering of oil alone, without flour. מנחה, generally rendered meal-offering, simply means a gift, of anything, although it is usually applied to offerings of flour.)

(3) Ibid. 2f.

(4) R. Simeon maintains that one need not ask what it is, i.e., whether it is a meal-offering in itself, because such cannot be donated. Hence he who holds that it can be donated maintains that it might happen that such itself is shared out; whence it follows that it is not altogether burnt on the altar.

(5) Which implies that oil, when donated by itself, is shared out among the priests.

(6) For the sake of symmetry and parallelism. The first clause, IF YOU SEE OIL BEING SHARED OUT IN THE TEMPLE COURT, is irrelevant to the controversy as to whether oil can be donated or

not, for even if it could be donated, it would still not be shared out to the priests and so this oil, which was being shared out to the priests could only be the residue, as the Mishnah explains, on all views. But it is taught merely as a parallel to the second clause referring to a fire-offering, where it is only on the view that oil cannot be donated that one need not doubt, for on the view that oil can be donated, one might doubt what this oil is, since a votive offering of oil too is burnt on the altar.

(7) It is logical that when one clause has already been taught, a second is added for the sake of parallelism. But is it logical that an earlier clause should be added, before there is anything which it can parallel?

(8) R. Akiba holds (Men. 104b) that wine can be offered by itself, but not oil. When such wine is offered, it is to be put in basins or beakers, as a drink-offering, but it is not sprinkled on the fires. R. Tarfon agrees in this; R. Akiba's name, however, is mentioned in contrast to the next clause, which is only according to R. Tarfon, since R. Akiba holds that oil alone cannot be donated.

(9) When such is offered by itself. This contradicts Samuel.

(10) Though the whole of the wine is for basins, the whole of the oil need not be for burning.

(11) Sh.M. deletes this.

(12) I.e., whether an analogy must be carried through on all points, so that the case deduced agrees throughout with the case from which the deduction has started; or whether the deduction won by analogy be regulated by the rules of the original case (Jast.).

(13) V. Lev. XIV, 10.

(14) When oil alone is donated.

(15) Which is donated by itself. It is more logical to liken it to a drink-offering than to the ordinary meal-offering of which oil is only a part.

(16) As deduced in Men. 73b.

(17) Num. XV, 13; V. Men. 73b.

(18) I must accept it.

(19) Ibid. 10. 'For an offering made by fire' implies that it is sprinkled on same.

(20) Whereas Scripture says, Fire shall be kept burning on the altar continually; thou shalt not extinguish it (Lev. VI, 6).

(21) This could only extinguish a little.

(22) When he sprinkles the wine, he performs a religious rite.

(23) The var. lec. is preferable: say, however, (it is written), thou shalt not extinguish it. — Thus one may not extinguish even in the performance of a religious rite.

(24) Until they go out.

(25) Thus wine is not for the fires.

(26) Cf n. 1.

(27) These scholars dispute in Shab. 41b about an unintentional act on the Sabbath: R. Judah forbids,

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while R. Simeon permits it. Here too, the extinguishing is unintentional: the Baraitas which rule that the wine may not be sprinkled on the fires agree with R. Judah; whereas Samuel agrees with R. Simeon.

(28) Metal does not really burn, but throws off fiery sparks when hot. The prohibition of extinguishing (on the Sabbath, to which this refers) does not apply in this case by Biblical law at all, save by Rabbinical law; hence where general damage may ensue the Rabbis waived their prohibition.

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but not a burning piece of wood.¹ Now if you think that he agrees with R. Simeon, even that of wood too [should be permitted]?² — In respect to what is unintentional he holds with R. Simeon; but in the matter of work which is not needed per se,³ he agrees with R. Judah.⁴

R. Huna said: If a drink-offering [of wine] was defiled, one must make a separate fire for its and burn it, for it is said, And every [sin-offering]... in the holy place... it shall be burnt with fire.⁶ It was taught likewise: If blood, oil, meal-offerings or drink-offerings were defiled, a separate fire is made for them, and they are burnt. Samuel said to R. Hana of Baghdad: Bring me ten people and I will teach you in their presence:⁷ if drink-offerings were defiled, one makes a separate fire for them and burns them.

CHAPTER XI

MISHNAH. IF THE BLOOD OF A SIN-OFFERING SPURTED ON TO A GARMENT, IT MUST BE WASHED.⁸ THOUGH SCRIPTURE SPEAKS ONLY OF [SIN-OFFERINGS] WHICH ARE EATEN, FOR IT IS SAID, IN A HOLY PLACE SHALL IT BE EATEN,⁹ YET BOTH THOSE WHICH MAY BE EATEN AND THE INNER [SACRIFICES]¹⁰ NECESSITATE WASHING, FOR IT IS SAID, [THIS IS] THE LAW OF THE SIN-OFFERING:¹¹ THERE IS ONE LAW FOR ALL SIN-OFFERINGS. THE BLOOD OF A DISQUALIFIED SIN-OFFERING DOES NOT NECESSITATE WASHING, WHETHER IT HAD A PERIOD OF FITNESS OR DID NOT HAVE A PERIOD OF FITNESS.

WHICH HAD A PERIOD OF FITNESS? ONE [WHOSE BLOOD] WAS KEPT OVERNIGHT, OR WAS DEFILED, OR WAS TAKEN OUT [OF THE TEMPLE COURT]. WHICH DID NOT HAVE A PERIOD OF FITNESS? ONE WHICH WAS SLAUGHTERED [WITH THE INTENTION OF EATING IT]¹² AFTER TIME OR WITHOUT BOUNDS; OR WHOSE BLOOD WAS RECEIVED BY UNFIT PERSONS.

GEMARA. IF THE BLOOD OF A SIN-OFFERING SPURTED, etc. If there is one law for all sin-offerings, even a bird sin-offering too [should be included]. Why then was it taught: You might think that the blood of a bird sin-offering requires washing; therefore it states, This is [the law of the sin-offering]?¹³ —

Said Resh Lakish on Bar Kappara's authority. Scripture saith, shall [the sin-offering] be slaughtered:¹⁴ thus the Writ speaks [only] of those which are slaughtered.¹⁵ Yet say rather that the Writ speaks [only] of those which are eaten, as it is written, 'in a holy place shall it be eaten', but not inner [sin-offerings]? — The Divine Law included [them by writing] 'the law of'.¹⁶ If so, even a bird sin-offering too [is included]? — The Divine Law expressed a limitation in 'this is'. And why do you prefer it thus?¹⁷ — It is logical to include animal inner sin-offerings, because: it is an animal; it is slaughtered in the north;¹⁸ [its blood is] received in a vessel;

(1) For that is Biblically forbidden.

(2) For though he intentionally extinguishes it, yet his work is not needed per se (v. n. 6.), and R. Simeon permits such.

(3) E.g., when one carries out a corpse on Sabbath into the street. He does not really want the corpse in the street, but merely wants it out of the house. Every case of extinguishing except that of a wick to make it easier for subsequent relighting, falls within this category, since with this exception extinguishing is always negative. R. Judah forbids such, and R. Simeon permits it.

(4) Hence he permits the unintentional extinguishing on the altar, but forbids the unintentional extinguishing of a burning piece of wood.

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- (5) On the pavement of the Temple court; but it must not be taken out.
- (6) Lev. VI, 23. The accents are disregarded in this rendering. In Pes. 24b the verse is interpreted to mean that all sacrifices which must be eaten in the Temple court when fit, must be burnt in the same place if unfit; and the same applies to this wine.
- (7) Probably a proverbial expression, denoting emphasis and certainty.
- (8) Lev. VI, 20: And when there is sprinkled of the blood thereof upon any garment, thou shalt wash that whereon it was sprinkled in a holy place.
- (9) Ibid. 19.
- (10) The sin-offerings slaughtered in the inner sanctuary (Hekal); these may not be eaten; v. Lev. IV, 1-12; 13-21.
- (11) Ibid. VI, 18; this is the superscription of the present passage containing this law of washing.
- (12) Or sprinkling its blood.
- (13) 'This is' is a limitation, implying, only what is enumerated in the section.
- (14) Ibid.
- (15) I.e., with shechitah, whereas a bird requires Melikah.
- (16) One law for all.
- (17) Why apply the extension to inner sin-offerings and the limitation to birds, and not the reverse?
- (18) Rashi reads, and Bah emends accordingly: it is slaughtered; it requires the north.

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[its blood is sprinkled on] the horn; with the finger; on the edge [of the horn]; and it is an offering made by fire.¹ On the contrary, include rather the bird sin-offering, because it is an outer [offering], like itself, and is eaten, like itself? — Those [points of similarity] are more.

R. Joseph said, Scripture saith, [The priest]... shall eat it:² this one shall he eat, but not another; thus the Writ excluded of those which are eaten.³ Then what is the purpose of 'this is'?⁴ — If not for 'this is' I would say that 'shall eat it' is the style of Scripture;⁵ hence this informs us [otherwise]⁶ Rabbah said, Scripture saith, and when there is sprinkled [yazze]h: hence the Writ speaks of those which are sprinkled.⁷

But surely we learnt: **THOUGH SCRIPTURE SPEAKS OF [THE SIN-OFFERINGS] WHICH ARE EATEN?**⁸ — This is what [the

Tanna] means: Although Scripture speaks of [the sin-offerings] which are eaten, that is only in respect of scouring and rinsing,⁹ but in respect to washing, 'and when there is sprinkled [yazze]h' is written.¹⁰ If so, [instead of saying **BOTH THOSE WHICH MAY BE EATEN AND THE INNER [SIN-OFFERINGS]**, he should say. Both the inner [sin-offerings] and those which may be eaten? — Learn, both the inner [sin-offerings] and those which may be eaten. If so, the bird sin-offering too [is included]?¹² — The Divine Law expressed a limitation in 'this is'. If so, an outer [sin-offering] too is not [included]? — The Divine Law expressed an extension in 'the law of'. And why do you prefer it thus? — It is logical to include an animal sin-offering, because: it is an animal; it is slaughtered in the north; [its blood is] received in a vessel; [its blood is sprinkled on] the horn; with the finger; on the edge [of the horn]; and it is an offering made by fire. On the contrary, include the bird sin-offering, since it requires haza'ah, like itself?¹³ — Those [points of similarity] are more.

R. Abin asked: What if one took the blood of a bird sin-offering within¹⁴ by its neck?¹⁵ Is its neck like a service vessel,¹⁶ and so it [the sacrifice] is disqualified; or perhaps it is like an animal's neck, while the Divine Law said, [And every sin-offering], whereof any of the blood [is brought into the tent of meeting... shall be burnt with fire],¹⁷ [implying] of its blood, but not of its flesh!¹⁸ —

Come and hear: If it [the bird] struggled, entered within¹⁹ and then returned,²⁰ it is fit. Hence, if, however, [the priest] took it in, it is disqualified.²¹ Then according to your reasoning, when it is taught in connection with most sacred sacrifices, If it struggled and entered the south²² and then returned, it is fit; [will you infer], but if he [the priest] carried it out [of the north into the south] it is disqualified?²³ Rather, this is required where it went without; so there too, it is required where it went without.²⁴

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R. Abin asked: What if the blood [of the bird-offering] poured out on to the pavement,²⁵ and one collected it? [Do we say that] the Divine Law merely did not demand²⁶ a service vessel,²⁷ and therefore one collects it and it is fit;²⁸ or perhaps, in its case the Divine Law actually disqualified a service vessel, and therefore one collects it, but it is disqualified?²⁹ —

Said Raba, Come and hear: You might think that the blood of a bird sin-offering necessitates washing; therefore ‘this is’ is stated. Now, if you think that in its case the Divine Law actually disqualified a service vessel, I can infer this since it was disqualified in the air-space of a vessel!³⁰ — **Said R. Huna son of Joshua:** [The text is necessary] where one presses the garment³¹ to its neck.³²

Levi asked Rabbi:³³ What if it spurted from one garment on to another garment?³⁴ [Do we say,] It was rejected from the first garment in respect of washing,³⁵ or not? — That is indeed a question, he replied. It does need washing, on either alternative: if one can collect [the blood] and it is fit [for sprinkling], then this is fit.³⁶ While if it is collected and disqualified,³⁷ I agree with R. Akiba who maintained [that] if it had a period of fitness and was then disqualified, its blood necessitates washing.

- (1) I.e., the emurim are burnt on the altar. The inner sin-offering has all these in common with the outer, whereas the bird sin-offering is unlike the outer in all these respects.
- (2) Lev. VI, 19.
- (3) ‘It’ sing., implies that the passage speaks only of one of the sin-offerings which may be eaten; hence the bird sin-offering is excluded.
- (4) Since you already have a limitation in ‘it’.
- (5) Not a limitation at all.
- (6) Now that we know from ‘this is’ that a limitation is intended, ‘shall eat it’ teaches that the limitation concerns those which are eaten.
- (7) Haza'ah, from which yazzeh is derived, is written only in connection with the inner sin-offerings, but not in connection with the outer sin-offerings, where Zarak is written (both haza'ah and Zerikah denote sprinkling, but the latter implies with more force than the former). Hence the Writ refers primarily to inner sin-offerings, and it is the

outer sin-offerings which are included by ‘the law of’, implying one law for all.

(8) Which shows that it refers primarily to outer sin-offerings.

(9) V. Lev. VI, 21.

(10) Emended text (Sh.M.).

(11) The more obvious should be mentioned first, and according to Rabbah that is the inner sin-offering.

(12) If yazzeh shows that inner sin-offerings are primarily meant, the same should apply to a bird sin-offering, as this word is written in connection with it too.

(13) Sc. like the inner sin-offering.

(14) Into the Hekal.

(15) Not in a service-vessel; but its neck was taken within and ipso facto the blood too. Is the sacrifice disqualified under the law forbidding the blood of an outer sin-offering to be taken within (v. Lev. VI, 23), or not?

(16) Since no service vessel is required in its case, the blood being sprinkled straight from the throat, the throat itself may take the place of a service vessel.

(17) Ibid., 23.

(18) Only when the blood alone is taken in, sc. in a service vessel, is the sacrifice disqualified, but not when it is taken in by means of the flesh.

(19) Into the Hekal.

(20) I.e., its head was nipped near the Hekal, and in its death struggles it entered therein.

(21) This assumes that only when it entered itself is it fit.

(22) The south side of the Temple court; it was killed in the north.

(23) Surely not, for no barrier divided the north from the south, to disqualify a sacrifice if its blood was carried from one into the other.

(24) Do not infer that if one carried it out it is unfit (that is obviously incorrect), but that if it struggled and went out of the Temple court, even if it returned, it is disqualified. Similarly, the bird remains fit only if it struggled and entered within; but if it struggled out of the Temple court, it is disqualified. No deduction, however, is to be made where one carried the bird within.

(25) Of the Temple court.

(26) Lit, ‘make it need.’

(27) The bird's throat counting as such.

(28) Just as when the blood of an animal-offering is spilt from the service vessel in which it was received.

(29) For sprinkling, for Scripture insisted that it must be sprinkled direct from the throat.

(30) As soon as the blood enters the airspace above the garment it is technically received in a vessel (a garment ranks as a utensil or vessel) and is disqualified for sprinkling. Consequently the garment need not be washed, for only blood fit for

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sprinkling necessitates washing. What need then is there of a text?

(31) Lit., 'vessel.'

(32) So that the blood did not enter the air-space above the garment at all. Even then it need not be washed.

(33) Emended text (Sh.M.).

(34) This refers to the blood of an animal sin-offering.

(35) When it fell on the first garment it became unfit for sprinkling, since it must be washed out, and therefore the second garment does not need washing.

(36) Although it should be washed out of the first garment, yet as long as this was not done, it is fit for sprinkling, just as though it had fallen on to the pavement; and so fit blood spurted on to the second garment.

(37) For further sprinkling.

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Rami b. Hama asked R. Hisda: What if it spurted on to an unclean garment?¹ R. Huna the son of R. Joshua observed: Since he asks thus, you may infer that he holds that if it had a period of fitness and was disqualified, its blood does not necessitate washing. [Nevertheless his question is:] is that only when they come consecutively, but not when they come simultaneously; or perhaps there is not difference?² —

He [R. Hisda] replied: This is a controversy of R. Eleazar and the Rabbis, in accordance with Rabbah's view, and as explained by Abaye. For it was taught: R. Eleazar said: If the water of lustration³ was defiled, it cleanses [an unclean person],⁴ for lo, we sprinkle [the water of lustration] upon a niddah.⁵ Now Rabbah observed: R. Eleazar said this in accordance with the thesis of R. Akiba, his teacher, who maintained that when the vessel [containing the water of lustration] is carried over an unclean place, it is as though it rested there.⁶ For we learnt: If a man stood on the outer side of an oven, and a reptile was in the oven, and he put forth his hand to the window, took a flask, and carried it across the oven,⁷ R. Akiba declares it unclean, while the Rabbis declare it clean. Now, they disagree in this: R.

Akiba holds that it is as lying,⁸ while the Rabbis hold that it is not as lying [thereon].

But Abaye raised an objection: [It was taught:] R. Akiba admits that in the case of sprinkling, if one carried it over an unclean earthen vessel or over an unclean couch or seat, it is clean,⁹ for nothing defiles above as below¹⁰ save as much as an olive of a corpse and other things which defile through overshadowing,¹¹ which includes a leprous stone!¹² Rather said Abaye: All agree that it is not as though it lay thereon, but here they differ in this: R. Akiba holds that we enact a preventive measure, lest it lay thereon;¹³ while the Rabbis hold that we do not enact a preventive measure. But R. Akiba admits in the case of sprinkling,¹⁴ for since it has gone out, it has gone out.¹⁵ Now, wherein do R. Eleazar and the Rabbis disagree?¹⁶ —

Said Abaye: They disagree as to whether we draw an analogy between previous defilement and contemporary defilement: one master holds that we draw an analogy,¹⁷ and the other master holds that we do not draw an analogy.¹⁸ Raba said: All hold that we do not draw an analogy; but here they disagree in this: R. Eleazar holds that sprinkling requires a [minimum] standard, and sprinklings combine; while the Rabbis hold that sprinkling does not require a [minimum] standard.¹⁹

THE BLOOD OF A DISQUALIFIED SIN-OFFERING, etc. Our Rabbis taught: [And when there is sprinkled] of the blood thereof²⁰ [that means,] of the blood of a fit [sacrifice], but not of the blood of a disqualified [one].²¹ R. Akiba²² said: If it had a period of fitness and was [subsequently] disqualified, its blood necessitates washing; if it did not have a period of fitness and was disqualified ab initio, its blood does not necessitate washing. Whereas R. Simeon maintained: In both cases its blood does not necessitate washing. What is R. Simeon's reason? — 'Thereof' is written,²³ and 'of the blood thereof' is written:²⁴ one [excludes] where it had a period of fitness, and

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the other excludes where it did not have a period of fitness.²⁵ And R. Akiba?²⁶ — ‘Thereof’ excludes terumah.²⁷ R. Simeon, however, is consistent with his view, for he maintained: Lesser sacrifices do not necessitate scouring and rinsing, and how much the more terumah!²⁸

MISHNAH. IF [BLOOD] SPURTED [DIRECT] FROM THE [ANIMAL'S] THROAT ON TO A GARMENT, IT DOES NOT NECESSITATE WASHING; FROM THE HORN OR FROM THE BASE [OF THE ALTAR], IT DOES NOT NECESSITATE WASHING. IF IT POURED OUT ON TO THE PAVEMENT AND [THE PRIEST] COLLECTED IT, IT²⁹ DOES NOT NEED WASHING. ONLY BLOOD WHICH WAS RECEIVED IN A VESSEL AND IS FIT FOR SPRINKLING NECESSITATES WASHING.

GEMARA. Our Rabbis taught: You might think that, if [the blood] spurted from the throat on to the garment, it necessitates washing; therefore it states, ‘and when there is sprinkled [etc.]’: I ordered thee [to wash the garment] only when [the blood] is fit for sprinkling.³⁰ Another [Baraita] taught: You might think that, if it spurted from the horn or from the base, it requires washing, therefore it states, ‘and when there shall be sprinkled’: that excludes this [blood], which was already sprinkled.

IF IT POURED OUT ON TO THE PAVEMENT, etc.

(1) Whereby the blood was defiled, and so disqualified for sprinkling. Do we regard it as though it were defiled before it touched the garment, and hence does not necessitate washing; or perhaps the defilement of the blood and the obligation to wash the garment came simultaneously?

(2) He asks only if it fell on an unclean garment; hence he holds that if the blood was defiled before it fell, thus having been fit and then become disqualified, it certainly does not necessitate washing. But his question is whether that is only where these came consecutively, i.e., first the blood was disqualified and then it spurted on to the garment; or does it hold good even when both are simultaneous?

(3) Running water mixed with the ashes of the red heifer; this was sprinkled on a person defiled through the dead as a purificatory rite; v. Num. XIX.

(4) Just as though it had not been defiled.

(5) If a niddah was defiled through the dead, thereby becoming doubly unclean, both as a niddah and as one defiled by the dead, we besprinkle her with the water of lustration, while she is still a niddah, and the subsequent immersion counts for both forms of uncleanness, since we do not find Scripture ordering her first to perform immersion as a niddah and then to be besprinkled and repeat her immersion on account of her defilement through the dead. Now, as the water of lustration touches her, it is defiled itself through contact with a niddah, and yet it cleanses her. Now the analogy is apparently faulty, for here the defilement of the water and its sprinkling upon the woman are simultaneous, whereas R. Eleazar speaks of a case where the water was defiled first. Rabbah proceeds to explain why R. Eleazar regards it nevertheless as a true analogy.

(6) And unclean.

(7) An oven stood near a wall, in which was a window with a flask containing water of lustration; inside the oven lay a reptile, which made it unclean. A man, standing on the outer side of the oven, took the flask from the window, and in taking it to himself naturally carried it above the oven, through the air-space.

(8) On the oven, and is therefore defiled by it.

(9) I.e., if the water of lustration was sprinkled upon an unclean person, and in its passage passed over unclean vessels, etc., it remains clean.

(10) Nothing defiles anything above, passing through its air-space, as when it is below, actually touching it.

(11) Lit. ‘tent’. This is a technical expression denoting defilement caused by the defiler being under the same covering (technically called a tent) as the defiled. E.g., everything in a room containing a corpse, or as much as an olive of a corpse, is unclean through being under the same covering as the corpse.

(12) All things, both animate and inanimate, smitten with leprosy, defile through overshadowing. — Now, an oven unclean through a reptile does not defile through overshadowing. Hence this contradicts Rabbah's statement that R. Akiba holds there too that the air-space above an article defiles the water of lustration just as though it touched it.

(13) We declare this vessel unclean, lest one think that even if it actually lay on the oven it is still clean. Sh.M. emends: lest one lay it (thereon). — Thus the vessel (and, of course, its contents) are only Rabbinically unclean, but clean by Scriptural law.

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(14) Where not the vessel but the water itself passed through the air-space of something unclean, as it was sprinkled.

(15) Since the water leaves the priest's hand as he sprinkles it, we need not fear that he will place the water on the oven.

(16) Above, when R. Eleazar draws an analogy with a niddah, which the Rabbis reject.

(17) Sc. R. Eleazar: he draws an analogy with niddah, where the defilement is contemporary, i.e., simultaneous (v. n. 10. p. 446).

(18) Therefore if water of lustration was defiled before, it does not cleanse. — Similarly, when blood of an animal sin-offering spurts on to an unclean garment, R. Eleazar will rule that it must be regarded as unclean (hence disqualified for sprinkling) even before it spurted, and therefore the garment need not be washed. The Rabbis, however, who reject this view, will rule that it must be washed. This then is the answer to Rami b. Hama's question, sc. that it is dependent on Tannaim.

(19) V. supra 80a. Now, the first sprinkling does not contain the minimum standard, and so does not count as sprinkling; nevertheless it is defiled when it falls on the niddah. Hence at the next sprinkling, which is to combine with the first, the first is already unclean. Therefore it is a case of previous defilement, and is completely analogous to sprinkling with defiled water of lustration. The Rabbis, however, maintain that sprinkling does not require a minimum standard, and so the first counts as sprinkling; hence defilement and sprinkling are simultaneous, and no inference can be drawn in respect of previous defilement. — The R. Eleazar here is R. Eleazar b. Shammu'a, a disciple of R. Akiba; the R. Eliezer supra 80a, who maintains that sprinkling does not require a minimum standard, is R. Eliezer b. Hyrcanus.

(20) Lev. VI, 20.

(21) 'Thereof' is a limitation.

(22) Marginal emendation, R. Jacob.

(23) In v. 22, after the law of scouring and rinsing in v. 21: Every male among the priests may eat thereof.

(24) These are two limitations.

(25) Marginal emendation.

(26) How does he explain the second limitation?

(27) If terumah is boiled in a pot, it does not need scouring and rinsing.

(28) Hence no limitation is required in respect of terumah.

(29) The garment on which it fell.

(30) I.e., received in a vessel.

Zevachim 93b

Why do I need this too?¹ — He states the reason: What is the reason that **IF IT Poured out on to the pavement AND [THE PRIEST] COLLECTED IT, IT DOES NOT NEED WASHING?** — Because **ONLY BLOOD WHICH WAS RECEIVED IN A VESSEL AND IS FIT FOR SPRINKLING NECESSITATES WASHING. FIT FOR SPRINKLING.** What does this exclude? — It excludes the case where one received less than is required for sprinkling in one vessel and less than is required for sprinkling in another vessel.² For it was taught: R. Halafta b. Saul said: If he sanctified less than is required for sprinkling in one vessel, and less than is required for sprinkling in another vessel,³ he has not sanctified it.⁴ Now it was asked: How is it with blood? Is it a traditional law,⁵ and we cannot learn from a traditional law,⁶ or perhaps, what is the reason there? Because it is written, and a clean person shall take [hyssop,] and dip it in the water;⁷ so here too it is written, And [the priest] shall dip [his finger] in the blood?⁸ —

Come and hear, for R. Zerika said in R. Eleazar's name: In the case of blood too he does not sanctify it. Raba said, It was taught: And [the priest] shall dip:⁹ but not sponge up; in the blood:⁹ there must be sufficient blood for dipping from the beginning; [and sprinkle] of the blood:⁹ of the blood specified in this passage.¹⁰ Now, it is necessary to write both 'and he shall dip' and 'in the blood'.¹¹ For if the Divine Law wrote 'and he shall dip' [only], I would say, even where there is insufficient for dipping in the first place; therefore the Divine Law wrote 'in the blood'. And if the Divine Law wrote 'in the blood' [only], I would say that he may even sponge it up; therefore the Divine Law wrote, 'and he shall dip'.¹² What does 'of the blood specified in this passage' exclude? —

Said Raba: It excludes the [blood] remaining on his finger.¹³ This supports R. Eleazar. For R. Eleazar said: The [blood] remaining on his

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finger is unfit. Rabin son of R. Adda said to Raba: Your disciple said in R. Amram's name: It was taught: If [the priest] was sprinkling, and [the blood of] the sprinkling spurted out of his hand,¹⁴ [and this happened] before he had sprinkled, it needs washing; after he had sprinkled, it does not need washing. Surely this is what he means: [If it happened] before he finished sprinkling, it needs washing; after he finished sprinkling, it does not need washing.¹⁵ — No: this is what he means: before the sprinkling had left his hand, it necessitates washing; after it had gone forth from his hand, it does not need washing.¹⁶

Abaye raised an objection to him: When he finished sprinkling,¹⁷ he wipes his hand on the body of the heifer.¹⁸ Thus, only if he finished, but not if he had not finished!¹⁹ — Said he to him: When he finished, he wiped his hand on the body of the heifer; before he finished, he simply wiped his finger. Now, when he finishes, it is well: he wipes his hand on the body of the heifer, as it is said, And the flesh shall he burn in his sight, [her skin, and her flesh, and her blood... shall be burnt].²⁰ But on what does he wipe his finger?²¹ — Said Abaye: On the edge of the bowl, as it is written, Wipers [cleansers] of gold.²²

MISHNAH. IF [THE BLOOD] SPURTED ON TO THE SKIN, BEFORE IT WAS FLAYED, IT NEED NOT BE WASHED; [IF IT SPURTED] AFTER IT WAS FLAYED, IT MUST BE WASHED: THESE ARE THE WORDS OF R. JUDAH. R. ELEAZAR SAID: [IT NEED NOT BE WASHED] EVEN [IF IT SPURTED] AFTER IT WAS FLAYED. ONLY THE PLACE OF THE BLOOD NEEDS WASHING.²³ AND WHATEVER IS ELIGIBLE TO CONTRACT UNCLEANNESS,²⁴ AND IS FIT FOR WASHING, WHETHER A GARMENT, A SACK, OR A HIDE, MUST BE WASHED. THE WASHING MUST BE IN A HOLY PLACE;²⁵ THE BREAKING OF AN EARTHEN VESSEL MUST BE IN A HOLY PLACE; AND THE SCOURING AND RINSING OF A BRAZEN VESSEL MUST BE IN A HOLY PLACE.²⁶ IN THIS THE SIN-OFFERING IS

MORE STRINGENT THAN [OTHER] SACRIFICES OF HIGHER SANCTITY.

GEMARA. How do we know it? — Because our Rabbis taught: [And when there is sprinkled of the blood thereof upon] a garment:²⁷ I know it only of a garment: whence do I know to include the skin, after it is flayed? Because it says, thou shalt wash that whereon it was sprinkled.²⁸ You might think that I include the skin [even] before it was flayed: therefore it states, ‘a garment’: as a garment is an article eligible to contract uncleanness, so everything that is eligible to contract uncleanness [is included]:²⁹ these are the words of R. Judah. R. Eleazar said: ‘A garment’: I know it only of a garment; whence do I know to include a sack

- (1) It is included in the first ruling.
- (2) Then they were combined in one vessel, and some blood spurted on a garment; that garment does not need washing. Thus the Mishnah means. Only blood which was fit for sprinkling when it was received in a vessel; here, however, it was not fit then.
- (3) This refers to the water of lustration, which was sanctified for its purpose by being mixed with the ashes of the red heifer.
- (4) For he must sanctify as much as is required in one vessel.
- (5) In the case of the water of lustration. — A traditional law is one handed down by tradition, and not learnt directly or by inference from Scripture.
- (6) In respect of other cases.
- (7) Num. XIX, 18. The def. art. implies, in the water mentioned above, sc. the water sanctified for lustration; conversely it implies that the water when sanctified was sufficient for dipping, i.e., sprinkling.
- (8) Lev. IV, 6.
- (9) Ibid.
- (10) This is explained anon.
- (11) Emended text (Sh.M.).
- (12) For notes v. supra 40b.
- (13) He must not sprinkle with the blood left on his finger, but must dip his finger into the blood for each of the seven sprinklings.
- (14) On to a garment. — This refers to inner sin-offerings.
- (15) That implies that if blood which remained on his finger after one of the sprinklings spurted on to a garment, it must be washed. As a corollary, that remaining blood must be fit for sprinkling, for only

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such necessitates washing. Hence this contradicts R. Eleazar.

(16) I.e., he had dipped his finger into the blood: now, if this blood spurted off his finger before he had sprinkled it, it necessitates washing; if after, it does not, precisely because it is then the residue of the blood.

(17) The blood of the red heifer; v. Num. XIX, 4.

(18) For the blood must be burnt together with the body.

(19) Yet if he does not wipe it, he is using this blood for the next sprinkling—there were seven in all.

(20) Num. XIX, 5.

(21) Between the sprinklings. He cannot wipe it on the body, as he would soil his finger through hairs sticking to it.

(22) Ezra. 1, 10; cf. supra. 25a.

(23) But not the whole skin.

(24) V. discussion infra.

(25) In the Temple court.

(26) V. Lev. VI, 21: But the earthen vessel wherein it (sc. the flesh of a sin-offering) is sodden shall be broken; and if it be sodden in a brazen vessel, it shall be scoured, and rinsed in water.

(27) Lev. VI, 20.

(28) This is a repetition, and intimates extension.

(29) After a skin is flayed it can be put to use as it is, without further dressing; therefore if its owner expressly intended to use it thus, it is technically a utensil, and subject to defilement. Before it is flayed, however, it cannot be put to use, and cannot become unclean.

Zevachim 94a

and all kinds of garments?¹ Because it says, ‘thou shalt wash that whereon it was sprinkled’. You might think that I can include a skin after it was flayed? Therefore it says, ‘a garment’: as a garment is an article which contracts uncleanness, so everything which contracts uncleanness [is included].² Wherein do they differ?³ —

Said Abaye: They differ about a cloth less than three [fingerbreadths square].⁴ He who says [that it must be] eligible, this too is eligible, for if [its owner] desires, he can intend it [for use]. But he who maintains, anything which contracts uncleanness, this at all events cannot contract uncleanness.⁵ Raba said, They disagree over a garment which [its owner] intended to embroider.⁶ He who maintains [that it must be] eligible, this too is

eligible, for if [its owner] desires, he can abandon his intention. He however who maintains, anything which can contract uncleanness: now at all events it cannot contract uncleanness. Others state,⁷ Raba said: They disagree about an [untrimmed] hide which he intended to trim.⁸ He who maintains [that it must be] eligible, this too is eligible; he however who maintains, anything which can contract uncleanness, this however cannot contract uncleanness until he trims it. And it was taught even so: R. Simeon b. Menassia said: A hide which [its owner] intended trimming is clean⁹ until he trims it.

ONLY THE PLACE OF THE BLOOD NEEDS WASHING. How do we know it? — For our Rabbis taught: You might think that if [the blood] spurted on part of the garment, the whole garment must be washed. Therefore it states, ‘[thou shalt wash] that whereon it was sprinkled’: I ordered thee [to wash] only the place of the blood.

WHATEVER IS ELIGIBLE TO CONTRACT UNCLEANNESS. This anonymous teaching agrees with R. Judah.¹⁰

AND FIT FOR WASHING excludes a vessel which requires scraping.¹¹

WHETHER A GARMENT, SACKCLOTH, OR HIDE. Are we to say that a skin can be washed? But the following contradicts this: If dirt is upon it, one wipes it off with a rag; if it is of leather [skin], water is poured over it until it disappears.¹² — Said Abaye, There is no difficulty: one agrees with the Rabbis; the other agrees with ‘others’.¹³ For it was taught: A garment and sackcloth are washed;¹⁴ a vessel and a skin are scraped; others maintain: A garment, sackcloth, and skin are washed; while a vessel is scraped. With whom does the following statement of R. Hiyya b. Ashi agree, [viz.:] I stood many times before Rab, and dabbled his shoes with water?¹⁵ With whom? With the Rabbis.¹⁶ Raba observed: Does anyone maintain that skin is not washable? Surely it is written, And the

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garment, or the warp, or the woof, or whatsoever thing of skin it be, which thou shalt wash!¹⁷

Rather said Raba: The Scriptural text and our Mishnah refer to soft [skins], whereas they disagree about hard [skins].¹⁸ But surely R. Hiyya b. Ashi said: I stood many times before Rab, and dabbled his shoes with water?¹⁹ — They were of hard [leather], and [he acted] in accordance with the Rabbis. Subsequently Raba said: My statement was incorrect. Are we to say that the text refers [only] to soft [skins]? Does it not refer [even] to foresters' apparel which comes from overseas,²⁰ yet the Divine Law states that it must be washed?²¹ Rather said Raba: Leprosy,²² since it breaks out in the article itself, moistens it and softens it.²³ Raba observed: If I have a difficulty, it is this:

- (1) Garments made of any materials. A garment usually was of wool.
- (2) A garment contracts uncleanness whether its owner intends to use it or not; hence the hide, even after it is flayed, is not included, because it does not contract uncleanness, but can only be made to contract uncleanness, by the owner's intention to use it.
- (3) What garment is merely eligible to become unclean, though at present it cannot become unclean?
- (4) This is the smallest piece which counts technically as a 'garment'. A smaller piece ranks as a garment only if the owner intends to use it.
- (5) Without its owner's intention. Hence if the blood spurted on such a cloth, in R. Judah's opinion it must be washed, but not in R. Eleazar's.
- (6) I.e., even a larger piece of cloth, but which has not yet been used, because its owner had expressed his intention to embroider it first. This counts as unfinished, and hence not a 'garment'; nevertheless, if the owner expressly abandons his intention, it becomes a 'garment'. Thus it is eligible, but cannot contract uncleanness at present.
- (7) Marginal addition.
- (8) 'Uzba is anything used as a rug or mat or tablecloth; it is generally of hide, but sometimes of cloth. Now, if one intended to use it for such purpose, it immediately ranks as a utensil, even before it is trimmed, and hence can be defiled. But if he intended trimming it, it cannot become unclean until he either trims it or abandons his intention.
- (9) I.e., it cannot become unclean.

(10) Though its author is not named, we know from the Baraita that it is R. Judah's view. — When an individual's view is stated anonymously in the Mishnah, it is generally the halachah.

(11) E.g., a wooden vessel, whence it may be impossible to wash out the blood. This does not need washing at all but scraping.

(12) This treats of the Sabbath, when washing garments is forbidden as a prohibited labor. Dirt on a cushion may be wiped off with a cloth, but not with water, as this constitutes washing. Water, however, may be poured over skin, for that is not regarded as washing. Thus skin is not technically subject to washing.

(13) 'Others' generally refers to it. Meir; Hor: 13b.

(14) If the blood of a sin-offering spurts upon them.

(15) On the Sabbath.

(16) Who hold pouring water over skin (or leather) is not washing.

(17) Lev. XIII, 58.

(18) E.g., leather.

(19) It is now assumed that they were of soft leather.

(20) It was manufactured of hard leather.

(21) Scripture does not limit itself but writes, or whatsoever thing of skin it be.

(22) To which the passage refers.

(23) Any leather garment. — Hence the text refers even to hard leather; our Mishnah refers to soft; while the controversy is in respect of hard.

Zevachim 94b

pillows and bolsters are soft, yet we learnt: 'If it is of leather, water is poured over it until it disappears'?¹ — Rather said Raba: All washing without rubbing is not called washing. And as to R. Hiyya b. Ashi's statement, I stood many times before Rab and dabbled his shoes with water; dabbling is [permitted], but not rubbing. [Now, our Mishnah treats] either of soft [skins], and it agrees with all; or of hard ones, and it agrees with 'others'. If so, [let water be poured] even [over] a garment too?² — In the case of a garment, soaking it [in water] constitutes its washing. Now, Raba is consistent with his view. For Raba said: If one threw a scarf into water, he is culpable;³ if one threw linseed into water, he is culpable. As for a scarf, it is well, [as] he thereby washes it. But what is the reason In the case of linseed? And should you say, because he causes it to grow;⁴ if so, the same applies to wheat and barley too?-This

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[linseed] emits mucus.⁵ If so, the same applies to [undressed] hides?⁶ — There he kneads.⁷

Raba lectured: It is permitted to wash a shoe on the Sabbath. Said R. Papa to Raba. But surely R. Hiyya b. Ashi said: I stood many times before Rab, and dabbed his shoes with water for him. Thus, only dabbing [is permitted], but not washing? Subsequently Raba appointed an interpreter before him and lectured:⁸ What I told you was an error; but in truth, dabbing is permitted but washing is forbidden.

THE WASHING MUST BE IN A HOLY PLACE, etc. How do we know it?—Because our Rabbis taught: Thou shalt wash in a holy place:⁹ from this we learn that the washing must be in a holy place.¹⁰ How do we know that earthen vessels must be broken? Because it says, But the earthen vessel wherein it is sodden shall be broken.¹¹ How do we know that brazen vessels must be scoured and rinsed? Because it says, And if it be sodden in a brazen vessel, it shall be scoured and rinsed in water.¹²

IN THIS THE SIN-OFFERING IS MORE STRINGENT, etc. And is there nothing else:¹³ surely there is the fact that its blood enters within?¹⁴ — This refers to outer sin-offerings.¹⁵ But outer sin-offerings too [have a peculiar stringency, viz.] if their blood entered within, they are disqualified? — This is in accordance with R. Akiba, who maintained: All bloods which enter the Hekal to make atonement are disqualified.¹⁶ Yet there is the fact that they make atonement for those who are liable to kareth? — This refers to the sin-offering for the ‘hearing of the voice’ or ‘oath of utterance’.¹⁷ Yet there is the fact that they require four sprinklings? — This agrees with R. Ishmael who maintained: All blood requires four sprinklings. But there is the fact that [the sprinklings must be] on the four horns? — Yet on your reasoning, surely there are the horn, the finger, and the edge?¹⁸ Rather, [the Tanna] mention one out of two or three stringencies.

MISHNAH. IF A GARMENT¹⁹ WAS CARRIED OUTSIDE THE HANGINGS,²⁰ IT MUST RE-ENTER, AND IT IS WASHED IN A HOLY PLACE. IF IT WAS DEFILED WITHOUT THE HANGINGS²¹ ONE MUST TEAR IT,²² THEN IT RE-ENTERS, AND IS WASHED IN A HOLY PLACE. IF AN EARTHEN VESSEL WAS CARRIED OUTSIDE THE HANGINGS, IT RE-ENTERS AND IS BROKEN IN A HOLY PLACE. IF IT WAS DEFILED WITHOUT THE HANGINGS, A HOLE IS MADE IN IT, THEN IT RE-ENTERS AND IS BROKEN IN A HOLY PLACE. IF A BRAZEN VESSEL WAS CARRIED OUTSIDE THE HANGINGS, IT RE-ENTERS AND IS SCOURED AND RINSED IN A HOLY PLACE. IF IT WAS DEFILED OUTSIDE THE HANGINGS, IT MUST BE BROKEN THROUGH,²³ THEN IT RE-ENTERS AND IS SCOURED AND RINSED IN A HOLY PLACE.

GEMARA. To this Rabina demurred. [You say,] ONE MUST TEAR IT: Surely the Divine Law speaks of a ‘garment’, and this is not a garment?²⁴ — He leaves enough of it [untorn] to be used as an apron.²⁵ But that is not so, for surely R. Huna said: They learnt this²⁶ only if one did not leave enough to be used as an apron [untorn], but if one left enough to be used as an apron, it is [technically] joined?²⁷

- (1) Supra in connection with the Sabbath.
- (2) Why must the dirt be wiped off only with a rag?
- (3) For washing on the Sabbath, to which this refers.
- (4) In the water. Thus it is a form of sowing, and for this he is culpable.
- (5) Thin threads of mucus ooze from these seeds when they are put into water, which fastens them together.
- (6) From these too a mucus issues in water.
- (7) When the mucus causes the linseed to stick together, it is a kind of kneading, for which he is culpable. But kneading is inapplicable to hides.
- (8) The Rabbis gave their public lectures through interpreters (Amora).
- (9) Lev. VI, 20.
- (10) Emended text (Sh.M.).
- (11) Ibid. 21.
- (12) Ibid.—In each case the question is: how do we know that these things must be done in a holy place? The answer is, by reading ‘in a holy place’ with what follows, as well as with what precedes, thus: and in a holy place shall the earthen vessel...

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be broken (and) a brazen vessel... be scoured and rinsed; v. Sifra a.l.

(13) In which the sin-offering is more stringent.

(14) In the inner sanctuary (Hekal), which feature is absent from other most sacred sacrifices.

(15) Whose blood was not taken into the Hekal.

(16) V. supra 81b.

(17) V. Lev. V, 1. 4 seq. — Kareth is not incurred for these even if they are committed deliberately.

(18) The blood of the sin-offering must be applied with the finger, on the horn, and on the edge of the horn. In all these too it is more stringent than other most sacred sacrifices.

(19) Which needed washing through the blood.

(20) I.e., outside the Temple court.

(21) In which condition it cannot re-enter, because nothing unclean may be taken into the Temple court.

(22) It ceases to be a garment, and thereby ceases to be unclean.

(23) I.e., a very large hole made in it. Metal vessels do not lose their uncleanness through a small hole.

(24) Scripture orders the garment to be washed, which implies that it must be a garment when it is washed.

(25) He does not tear it right across, but leaves the width of an apron (or duster) untern. Since the greater part of it is torn it ceases to be unclean; nevertheless, since so much is left untern, it is still technically a garment.

(26) That a garment loses its uncleanness when it is torn.

(27) And remains unclean.

Zevachim 95a

That is by Rabbinical law [only].¹

IF AN EARTHEN VESSEL WAS CARRIED OUTSIDE, etc. But the Divine Law spoke of a 'vessel', and this is not a vessel? — The hole is only large enough for a little root.²

IF A BRAZEN VESSEL... IT MUST BE BROKEN THROUGH, etc. But then it is not a vessel? — He hammers [the hole] together.³ Resh Lakish said: If the [priest's] robe became unclean,⁴ one must take it in less than three [fingerbreadths] square at a time, and wash it, because it is said, That it [the robe] be not rent.⁵ R. Adda b. Ahabah objected: Thick [garments] and soft [unwoven garments] are not subject to the law of three [fingerbreadths] square?⁶ -They count,

because of the parent [piece].⁷ But surely it requires seven substances, for R. Nahman said in Rabbah b. Abbuha's name: The blood of the sin-offering and the appearance of leprosy require seven substances; whereas it was taught: But that urine may not be taken into the Temple?⁸

(1) As a preventive measure, lest one does not tear the greater part of it. but Scripturally it is clean, and here the Rabbis waived this measure in order that the precept of washing may be fulfilled.

(2) Of a plant to push through. That suffices to make it clean, but not deprive it of the status of a vessel.

(3) Having broken it through, whereby it became clean, he then hammers the hole together, which makes it a vessel again.

(4) Outside the Temple court.

(5) Ex. XXVIII, 32. Hence it cannot be torn, as the Mishnah states. Therefore less than three fingerbreadths square of it must be insinuated into the Temple court at a time, as then it does not count as an unclean garment.

(6) They cannot be unclean unless they are three handbreadths square. Now, the robe was of thick cloth; why then cannot one take in three handbreadths square at a time?

(7) As they are not separate pieces, but part of the whole robe, even three fingerbreadths square counts technically as a garment.

(8) This is a difficulty according to the Mishnah: A garment on which the blood of a sin-offering spurted, as well as a garment which showed symptoms of leprosy, which must also be washed, needs the application of seven substances to cleanse it, viz., tasteless saliva, the liquid exuded by crushed beans, urine, natron, lye, Cimolean earth, and ashleg (v. Sanh. Sonc. ed. p. 330). How then can it be washed in the Temple Court, seeing that urine must not be brought there?

Zevachim 95b

And should you say that one mixes it in with the seven substances¹ and applies them all at once; surely we learnt: If they were not applied in their order,² or if they were all applied simultaneously, it is of no avail? And should you say that he mixes it up in one of the substances; but surely we learnt [that] he must rub the stain three times with each [substance]? — Rather, he mixes it up in

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tasteless saliva, for Resh Lakish said: There must be tasteless saliva with each one.

MISHNAH. WHETHER ONE BOILED THEREIN OR Poured boiling [FLESH, ETC.] INTO IT, WHETHER MOST SACRED SACRIFICES OR LESSER SACRIFICES, [THE POT] REQUIRES SCOURING AND RINSING. R. SIMEON SAID: LESSER SACRIFICES DO NOT NECESSITATE SCOURING AND RINSING.

GEMARA. Our Rabbis taught: [But the earthen vessel] which it is boiled in it.³ I know it only when one boiled [the flesh] therein; how do I know it when one poured boiling [flesh] therein? Because it says, which [it is boiled] in it. [shall be broken].⁴ Rami b. Hama asked: What if one suspended [the flesh] in the air-space of an [earthen] oven?⁵ Is the Divine Law particular about boiling and absorbing; or perhaps, [it is particular] about boiling [even] without absorbing?⁶ —

Said Raba, Come and hear: **WHETHER ONE BOILED THEREIN OR Poured boiling [FLESH] INTO IT!**⁷ — We do not ask about absorbing without boiling;⁸ we ask about boiling without absorbing: what is the law?

Come and hear, for R. Nahman said in Rabbah b. Abbuha's name: The Temple oven was of metal.⁹ Now, if you think that [only] boiling and absorbing [necessitates] breaking, let it be an earthen one?¹⁰ — Since there were the remainders of meal-offerings, which were baked in the oven, so that there is boiling and absorbing,¹¹ we must make it of metal. A certain oven was greased with fat. [Thereupon] Raba b. Ahilai forbade for all time¹² the bread [baked therein] to be eaten even with salt, lest one come to eat it with kutah.¹³ An objection is raised: One must not knead dough with milk, and if he does knead it, the whole loaf is forbidden, because it leads to sin.¹⁴ Similarly, one must not grease an oven with fat, and if he does grease it, all the bread [baked therein] is forbidden until the oven is refired. This is a refutation of Raba b. Ahilai. [It is indeed] a refutation.

Rabina said to R. Ashi: Now since Raba b. Ahilai was refuted, why did Rab say: pots must be broken on Passover?¹⁵ Rab maintained that there¹⁶ a metal one is meant. Alternatively, it may be an earthen oven: this [the oven] is fired from the inside;¹⁷ while the other [the pot] is fired on the outside. Then let us burn it [the pot] from within? — He would spare it, lest it break [burst].¹⁸ Therefore a tiled pan,¹⁹ since it is burnt from without,²⁰ is forbidden.²¹

(1) The urine is not brought in separately, but mixed (lit. 'swallowed') with the other substances. Then it is not noticeable, and can be taken into the Temple.

(2) As enumerated in n. 11, p.458,

(3) Lev.VI, 21.

(4) Rashi: 'shall be broken' coming immediately after 'in it' indicated that every vessel shall be broken if anything of the sin-offering is absorbed in it, even if it had not actually been boiled in it. If boiling flesh is placed in the vessel, the vessel must absorb some of it.

(5) Thus boiling or cooking it.

(6) The flesh is thus cooked, but the oven absorbs nothing of it. Does Scripture mean that only a vessel in which it is boiled and which thereby absorbs some of it must be broken; or perhaps it must be broken even when it does not absorb?

(7) Thus even if one thing only happened to the vessel (i.e., it absorbed but was not used for actual boiling), it must be broken or scoured and rinsed. Presumably boiling without absorbing is the same.

(8) That obviously necessitates breaking, since absorption is the principal reason for the whole law. For after the time allowed for the consumption of this flesh, the absorbed matter becomes Nothar (v. Glos.), which is forbidden, and it will impart its flavor to any other flesh that is subsequently boiled in it, unless it is scoured and rinsed. (Scouring and rinsing are not efficacious for earthen vessels, for which reason they must be broken.)

(9) It is assumed that the reason is that it should not have to be broken.

(10) For the flesh was not actually placed in the area, but cooked (or roasted) in it on a spit. — Their ovens were open on top.

(11) Baking is technically the same as boiling.

(12) Even if the oven should be fired and burnt through again.

(13) A preserve consisting of sour milk, bread-crusts and salt (Jast.). The bread of course receives the flavor of the fat, and must not be eaten with anything containing milk or a milk product.

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- (14) One might eat it with meat.
(15) For we see that greased ovens (these were generally of earth) can be refired and used, the heat expelling the traces of fat. Then let the pots too be subjected to fire, which would likewise expel the absorbed leaven (it was on account of the absorbed leaven that Rab forbade their use on Passover).
(16) The oven that could be refired.
(17) Which is efficacious to expel absorbed matter.
(18) Hence if he is told to burn it from within; he will burn it from without and think that enough.
(19) A kind of plaque made of tiles and upon which bread was baked.
(20) The coals being under it and the bread on top.
(21) For use on Passover.

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Then why should the pots in the Temple be broken: let them be returned to the kiln?¹ — Said R. Zera: Because kilns are not permitted in Jerusalem.² Abaye retorted: And are then refuse heaps permitted in the Temple court?³ [Abaye, however,] had overlooked what Shemaiah of Kalnebo⁴ recited: The fragments of earthen vessels were swallowed up in their place.⁵ Now, when R. Nahman said in Rabbah b. Abbuha's name, 'The Temple oven was of metal', let it be an earthen one, since it was heated within?⁶ — Since the Two Loaves and the Shewbread⁷ were baked in the oven and were sanctified in the oven, it became a service vessel, and we do not make earthen service vessels.⁸

- (1) Which would expel what they had absorbed.
(2) On account of the smoke.
(3) Sc. of broken potsherds.
(4) Kar-nebo, 'the city of Nebo', conjectured to be Borsippa, Funk, Monumenta, I, p. 299.
(5) Yoma 21a.
(6) And thus what it absorbed of the sacrifices would be expelled.
(7) V. Lev. XXIII, 15-17; Ex. XXV, 30.
(8) Offerings such as meal-offerings, loaves, etc. were sanctified by being placed in service vessels. The Two Loaves and the Showbread, however, were not placed in a service vessel, but were kneaded and shaped outside the Temple court, then brought in and baked in the oven. Thus the oven itself sanctified them, and ipso facto ranked as a service vessel.

Zevachim 96b

And even R. Jose son of R. Judah said only that wooden ones [were permitted], but not earthen ones.¹

R. Isaac the son of R. Judah used to attend Rami b. Hama[^s lectures]. He left him and attended R. Shesheth[^s lectures]. One day he [Rami b. Hama] met him, and observed: The noble² has taken us by the hand, and his scent has come into the hand!³ Because you have gone to R. Shesheth, you are like R. Shesheth!⁴ That was not the reason, he replied. Whenever I asked a question of you, you answered me from reason, [and] if I found a teaching⁵ [to the contrary], it refuted your answer. [But] when I ask a question of R. Shesheth, he answers it from a teaching, so that even if I find a teaching which refutes him, it is one teaching against another.⁶ Said he to him: Ask me a question, and I will answer you in accordance with a teaching.⁷ [Thereupon] he asked him: If one boiled [the sacrifice] in part of a vessel,⁸ does it require scouring and rinsing, or does it not require [them]?⁹ — It does not require them, he replied, by analogy with [the] spurting [of blood].¹⁰ But it was not taught so, he protested?¹¹ — It is logical that it is like a garment, he replied; just as a garment needs washing only in the place of the blood,¹² so a vessel requires scouring and rinsing only in the place of boiling. How can you compare them, he objected: blood does not spread,¹³ whereas boiling spreads.¹⁴

Moreover It was taught: [The] spurting [of blood] is more stringent than scouring and rinsing, and scouring and rinsing are more stringent than spurting. Spurting is more stringent, since [the law of] spurting operates in respect to outer sin-offerings and inner sin-offerings, and it operated before sprinkling,¹⁵ which is not so in the case of scouring and rinsing.¹⁶ Scouring and rinsing are more stringent, in that scouring and rinsing are required for most sacred sacrifices and for lesser sacrifices; [again] if one boiled [the flesh] in part of a vessel, the whole vessel

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requires scouring and rinsing, which is not so in the case of spurting! —

If it was taught, it was taught,¹⁷ he replied. And what is the reason? Scripture says, And if it be boiled in a brazen vessel', which means, even in part of a vessel.

WHETHER MOST SACRED SACRIFICES, etc. Our Rabbis taught: [Scripture saith] A sin-offering;¹⁸ I know it only of a sin-offering; how do I know it of all sacrifices? Because it says, it is most holy.¹⁹ You might think that I include terumah; therefore it says, [Every male among the priests may eat] thereof, which excludes terumah²⁰ these are the words of R. Judah. R. Simeon said: Most holy sacrifices necessitate scouring and rinsing, [but] lesser sacrifices do not necessitate scouring and rinsing, because it is written, 'It is most holy': most holy sacrifices do [necessitate it], but lesser sacrifices do not. What is R. Judah's reason? — Since 'thereof' is necessary to exclude terumah, it follows that lesser sacrifices necessitate scouring and rinsing.²¹ And R. Simeon?²² — He can answer you: 'Thereof' intimates what we said elsewhere.²³ Now, does not terumah necessitate scouring and rinsing? Surely it was taught: You may not boil milk in a pot in which meat was boiled, and if one did, [the milk is forbidden] if it [the meat] could communicate its flavor [to it]²⁴ If one boiled terumah in it, one must not boil hullin in it; and if one did, [the hullin is forbidden] if it [the terumah] could communicate flavor [to it]²⁵ —

Said Abaye: This holds good²⁶ only in respect of what a master said, [viz.]: If one boiled [flesh] in part of a vessel, the whole vessel must be scoured and rinsed; but [in the case of] terumah only the part where it was boiled needs [scouring and rinsing]. Raba said: It holds good only in respect of what a master said: '[It shall be scoured and rinsed] in water', but not in wine; 'in water', but not in a mixture;²⁷ this, however,²⁸ may be [scoured and rinsed] even in wine, even in a mixture.

Rabbah b. 'Ulla said: It holds good only in respect of what a master said: The scouring and rinsing must be in cold water;²⁹ this however is done in hot water.³⁰ That is well on the view that scouring and rinsing must be done in cold [water]; but on the view that the scouring is in hot water and the rinsing in cold,³¹ what can be said?³² , — There is the additional rinsing.³³

MISHNAH. R. TARFON SAID: IF ONE BOILED [FLESH IN A POT] AT THE BEGINNING OF A FESTIVAL, HE CAN BOIL THEREIN DURING THE WHOLE FESTIVAL;³⁴ BUT THE SAGES MAINTAIN: UNTIL THE TIME OF EATING, SCOURING AND RINSING.³⁵ SCOURING [MERIKAH] IS AS THE SCOURING OF A GOBLET;³⁶ AND RINSING IS AS THE RINSING OF A GOBLET. SCOURING AND RINSING ARE DONE IN COLD [WATER].³⁷

(1) V. Suk. 50b.

(2) The alkafta or arkafta was a high Persian dignitary, v. Shebu. (Sonc. ed.) 6b.

(3) A proverbial taunt against those who cultivate high acquaintances, thinking that they are thereby ennobled themselves.

(4) You think that that will give you his reputation!

(5) A Mishnah or Baraitha.

(6) A controversy, and I may still adhere to the first.

(7) I will base my answer on logic, yet you will find a mathnitha to corroborate it.

(8) It was boiled with water, and so it could be boiled as it lay only in part of a vessel. Sh.M. explains that the other part of the vessel was not over the fire.

(9) Sc. the part in which the flesh was not boiled.

(10) When the blood spurts on part of a garment, only that part must be washed.

(11) We do not find a teaching to corroborate this, whereas you said that your answer could be corroborated.

(12) And that is explicitly taught in the Mishnah, supra 93b.

(13) There is no blood at all save where it can actually be seen on the garment.

(14) Even the part where the flesh does not lie absorbs some of it.

(15) Whether the blood be of an outer or an inner sin-offering, it necessitates the washing of the garment; also it applies to blood that spurts before it is sprinkled.

(16) Scouring and rinsing are required for outer sin-offerings only, which are eaten, since Scripture

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continues: Every male among the priests may eat thereof (Lev. VI, 22). For the same reason they are necessary only when the flesh is boiled after the sprinkling, for if boiled before the blood is sprinkled, it may not be eaten.

(17) I must accept it.

(18) Lev. VI, 18 q.v.; this introduces the law of scouring and rinsing, and therefore whatever this verse includes is included in the law of scouring and rinsing.

(19) Ibid. 22. It is explained anon that this includes not only most holy, but also lesser sacrifices.

(20) This limitation applies to all the laws of this section, including that of scouring and rinsing.

(21) For if they did not, then terumah, whose holiness is certainly less than theirs, would obviously not necessitate scouring and rinsing, and the Scriptural limitation would be superfluous.

(22) How does he rebut this?

(23) That only a fit sacrifice necessitates scouring and rinsing, but not an unfit one; v. supra 93a.

(24) If the pot had absorbed so much of the meat that it now would noticeably impart its flavor to the milk.

(25) As in the preceding note. Hence it must be made fit by scalding with boiling water, which expels the absorbed matter (this is called hag'alah), as otherwise whatever is subsequently boiled therein is forbidden to lay Israelites. It is assumed that hag'alah is the same as scouring and rinsing.

(26) This statement that terumah does not necessitate scouring and rinsing.

(27) Of wine and water.

(28) Sc. a vessel in which terumah was boiled.

(29) After hag'alah (v. n. 9, p. 463) is performed, which must be in boiling water, the vessels must be scoured and rinsed in cold water.

(30) I.e., hag'alah alone suffices.

(31) And that nothing else is required.

(32) For scouring in hot water is ordinary hag'alah, and terumah too necessitates that.

(33) Which ordinary hag'alah does not require.

(34) It need not be scoured and rinsed until the end of the festival.

(35) The Gemara explains the meaning of this.

(36) I.e., within and without. Grace after meals was recited over a goblet of wine, and this was first washed and rinsed within and without; v. Ber. 51a.

(37) Var. lec. scouring is in hot water and rinsing is in cold.

in the morning, and go unto thy tents:³ the Writ treats the whole [of the festival] as one morning.⁴ To this R. Ahadboi b. Ammi demurred: Is there no Piggul during a festival, and is there no Nothar during a festival?⁵ And should you say, that indeed is so; surely it was taught, R. Nathan said: R. Tarfon gave this ruling only.⁶ Rather, [the reason is] as R. Nahman said in Rabbah b. Abbuha's name, viz.: Each day effects scalding for the previous one.⁷

BUT THE SAGES MAINTAIN: UNTIL THE TIME OF EATING, etc. What does this mean? — Said R. Nahman in Rabbah b. Abbuha's name: He must wait as long as [the sacrifice] may be eaten, and then scour and rinse it. Whence do we know this? — Said R. Johanan on the authority of Abba Jose b. Abba: It is written, 'It shall be scoured and rinsed';⁸ and it is written, 'Every male among the priests may eat':⁹ what does this proximity intimate?¹⁰ He must wait as long as [the sacrifice] may be eaten, and then scour and rinse it.

SCOURING IS AS THE SCOURING OF A GOBLET; RINSING IS AS THE RINSING OF A GOBLET. Our Rabbis taught: Scouring and rinsing are [done] with cold [water]: these are the words of Rabbi; but the Sages maintain: Scouring is with hot [water], and rinsing is with cold. What is the reason of the Rabbis? — It is comparable to the cleansing [gi'ul] of heathen [vessels].¹¹ And Rabbi?¹² — He can tell you: I do not speak of hag'alah [scalding];¹³ I speak of the scouring and rinsing after hag'alah. And the Rabbis? — If so,¹⁴ let Scripture write either, 'it shall be well scoured', or, 'well rinsed';¹⁵ why say 'it shall be scoured and rinsed'? — To inform you [that] scouring is [done] with hot water¹⁶ and rinsing is [done] with cold. And Rabbi? — If Scripture wrote, 'it shall be well scoured', I would say [that it requires] two scourings or two rinsings; therefore 'it shall be scoured and rinsed' is written to inform you that scouring must be as the scouring of a goblet, rinsing must be as the rinsing of a goblet.¹⁷

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THE SPIT AND THE GRILLE¹ ARE SCALDED IN HOT WATER.²

GEMARA. What is R. Tarfon's reason? — Because Scripture saith, And thou shalt turn

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MISHNAH. IF ONE BOILED SACRIFICES AND HULLIN IN IT, OR MOST HOLY SACRIFICES AND LESSER SACRIFICES; IF THEY WERE SUFFICIENT TO IMPART THEIR FLAVOUR,¹⁸ THE LESS STRINGENT MUST BE EATEN AS THE MORE STRINGENT OF THEM;¹⁹ BUT THEY DO NOT NECESSITATE SCOURING AND RINSING;²⁰ AND THEY DO NOT DISQUALIFY BY TOUCH.²¹ IF [AN UNFIT] WAFER TOUCHED A [FIT] WAFER,²² OR AN [UNFIT] PIECE OF FLESH TOUCHED A [FIT] PIECE OF FLESH,²³ NOT THE WHOLE WAFER OR THE WHOLE PIECE OF FLESH IS FORBIDDEN; ONLY THE PART THAT ABSORBED [OF THE UNFIT] IS FORBIDDEN.

GEMARA. What does this mean?²⁴ — This is what it means: If they were sufficient to impart their flavor, the less stringent must be eaten as the more stringent of them, and they require scouring and rinsing,²⁵ and they disqualify by their touch.²⁶ If they were insufficient to impart their flavor, the less stringent need not be eaten as the more stringent, and they do not necessitate scouring and rinsing, and do not disqualify by their touch. Granted that they do not require [scouring and rinsing] as for most sacred sacrifices, yet they should require [them] as for lesser sacrifices? —

Said Abaye: What does he mean by **THEY DO NOT NECESSITATE?** [As for] most sacred sacrifices; but they do necessitate [them] as for lesser sacrifices. Raba said: This is in accordance with R. Simeon, who maintained: Lesser sacrifices do not necessitate scouring and rinsing. As for Raba, it is well: for that reason he [the Tanna] teaches, **SACRIFICES AND HULLIN, OR MOST SACRED SACRIFICES AND LESSER SACRIFICES.**²⁷ But on Abaye's explanation, why do I need two clauses?²⁸ — They are necessary. For if he taught **SACRIFICES AND HULLIN** [only] I would say, Only hullin can nullify sacrifices,²⁹ as they are not of the same kind; but in the case of **MOST SACRED SACRIFICES AND**

LESSER SACRIFICES, it is not so.³⁰ And if he taught about **MOST SACRED SACRIFICES AND LESSER SACRIFICES** only, I would think that only sacrifices are strong enough to nullify other sacrifices; but hullin I would say is not [strong enough].³¹ Thus both are necessary.

IF AN [UNFIT] WAFER TOUCHED A [FIT] WAFER, etc. Our Rabbis taught: Whatever shall touch [... shall be holy];³² you might think, even if it did not absorb; therefore it says, in the flesh thereof:³³

- (1) On which flesh was roasted.
- (2) V. n. 5. This makes them fit for further use.
- (3) Deut. XVI,7. This means that the Israelite could return home on the morning after the festival.
- (4) I.e., as one day. Since the reason for scouring and rinsing is that what is absorbed of the meat in the pot becomes Nothar, it follows that it cannot become Nothar from the beginning until the end of a festival, as it is all counted as one day.
- (5) If one intends eating the sacrifice after its permitted period of two days, or if flesh is left over after two days, does it not become Piggul or Nothar, although it is still the festival?
- (6) Sc. in respect of scouring and rinsing; but he admits that there can be Piggul and Nothar during a festival.
- (7) Many peace-offerings were sacrificed during the festival, and the boiling of each day's sacrifice expels from the pot what it absorbed the previous day, and thus it does not become Nothar.
- (8) Lev. VI, 21.
- (9) Ibid. 22.
- (10) Lit., 'how is this?' — The second text immediately follows the first.
- (11) In order to expel what they had absorbed. This requires heat, as Scripture says in this connection: Every thing that may abide the fire, ye shall make go through the fire, and it shall be clean (Num. XXXI, 23).
- (12) Why does he not accept this argument?
- (13) That certainly requires hot water.
- (14) If Scripture meant that scouring and rinsing must follow hag'alah, for scouring is not hag'alah itself.
- (15) Lit., shall be scoured, scoured, or, shall be rinsed, rinsed. For if scouring is not hag'alah, it is identical with rinsing (both being in cold water), and Scripture merely means that it must be rinsed twice. Then the same word should be used for each operation.
- (16) I.e., it is hag'alah.
- (17) I.e., once on the outside and once on the inside.

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(18) If the pot had absorbed enough of the former to impart its flavor to the latter; or, if both were boiled together, if the former was sufficient to impart its flavor noticeably to the latter. — If they are both of the same kind, we regard them as though they were two different kinds.

(19) If lesser sacrifices and hullin were boiled, the hullin must be eaten within the precincts of Jerusalem, and for two days only. If lesser sacrifices and most holy sacrifices were boiled in it, the lesser sacrifices must be eaten in the Temple court, on the same day, and by male priests only.

(20) At the end of the shorter period allowed for the consumption of the more stringent, but only at the end of the longer allowed for the less stringent.

(21) If the less stringent became disqualified, they do not in turn disqualify any flesh that touches them.

(22) Of a meal-offering, v. Lev. II, 4.

(23) The latter in each case absorbing from the former.

(24) Why is it not scoured and rinsed at the end of the period allowed for the more stringent?

(25) Accordingly, i.e. at the end of the shorter time.

(26) If the more stringent were unfit while the less stringent were fit, the less stringent become disqualified too and in turn disqualify others just as the more stringent disqualified.

(27) To give an anonymous ruling in accordance with R. Simeon, viz., that lesser sacrifices do necessitate scouring and rinsing.

(28) Seeing that the same principle operates in both.

(29) When the latter do not communicate their flavor to the former.

(30) Even if the former do not impart their flavor to the latter, the whole must be treated with the stringency of the former.

(31) Even if the sacrifice does not impart its flavor to the hullin, the whole must be treated with the stringency of the former.

(32) Lev. VI, 20. 'Holy' means that it is subject to the same restrictions as the flesh of the sacrifice.

(33) Lit. translation.

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[this intimates] that it must absorb [thereof] in its flesh. You might think that if it touched a part of a piece of flesh, the whole of it is unfit. Therefore it says, '[Whatever] shall touch': only that which touches is unfit. How so? The part which absorbed is cut away. '[In] the flesh thereof': but not the tendons, bones, horns or hoofs.¹ 'Shall be holy', to be as itself, so that if it [the sin-offering] is unfit, that

[which touches it] becomes unfit; while if it is fit, it may be eaten [only] in accordance with its stringencies. Yet why so?² let the positive command³ come and override the negative injunction!⁴ — Said Raba, A positive injunction does not override a negative injunction in the Temple. For it was taught: Neither shall ye break a bone thereof.⁵ R. Simeon b. Menassia said: [This refers to] both a bone which contains marrow and a bone which does not contain marrow. Yet why so? let the positive injunction⁶ come and override the negative injunction? Hence you can infer that a positive injunction does not override a negative injunction in the Temple. R. Ashi said: 'Shall be holy' is a positive injunction: thus there are a positive and a negative injunction,⁷ and a positive injunction cannot override a positive and a negative injunction [combined]. We have thus found that a sin-offering sanctifies [whatever touches it] through absorption; whence do we know it of other sacrifices? —

Said Samuel on R. Eleazar's authority: [Scripture saith,] This is the law of the burnt-offering, of the meal-offering, and of the sin-offering, and of the guilt-offering, and of the consecration-offering, and of the sacrifice of peace-offerings.⁹ 'Of a burnt-offering': as a burnt-offering requires a utensil,¹⁰ so all require a utensil. What utensil is meant? If we say, a basin?¹¹ in respect of public peace-offerings too it is written, And Moses took half of the blood, and put it in basins!¹² Rather, it means a knife.¹³ And how do we know it of a burnt-offering itself? — Because it is written, And Abraham stretched forth his hand, and took the knife [to slay his son],¹⁴ and there it was a burnt-offering, as it is written, And offered him up for a burnt-offering in the stead of his son.¹⁵ 'Of a meal-offering': as a meal-offering may be eaten by male priests [only], so all may be eaten by male priests only. Which [are thus inferred]? If the sin-offering and the guilt-offering? [surely] it is explicitly written in connection with them, Every male among the priests may eat thereof!¹⁶ If public peace-offerings? that is

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deduced from a Scriptural extension, [viz.] In a most holy place shalt thou¹⁷ eat thereof; every male may eat thereof:¹⁸ this teaches that public peace-offerings may be eaten by male priests only! — It is a controversy of Tannaim:

- (1) These do not render the flesh that touches them 'holy'.
- (2) Why does the flesh of the fit sacrifice become unfit through absorbing of the unfit?
- (3) Ex. XXIX, 33: and they shall eat those things wherewith atonement was made (sc. the flesh of the sacrifices).
- (4) Forbidding the unfit to be eaten, e.g. in Lev. VI, 23 q.v. It is a general principle that a positive injunction overrides a negative injunction when the two are in conflict.
- (5) Ex. Xli, 46. This refers to the Passover-offering.
- (6) To eat the flesh (which includes marrow), sc. and they shall eat the flesh in that night (Ex. Xli, 8).
- (7) Forbidding the flesh which absorbed the taste of the disqualified sacrifice.
- (8) In the sense stated above.
- (9) Lev. VII, 37. The enumeration of all these together with the single superscription 'this is the law' teaches that they are all assimilated to one another, and the Talmud proceeds to explain in which respect they are so assimilated.
- (10) The Heb. Keli denotes a vessel or a utensil.
- (11) For receiving the blood; and this teaches that a peace-offering too needs a basin. That a burnt-offering requires a basin is inferred from Ex. XXIV, 5f, q.v.
- (12) Ibid. 6. The blood was that of burnt-offerings and peace-offerings. Hence peace-offerings need not be inferred from burnt-offerings.
- (13) A burnt-offering must be killed with a knife (a utensil) and not e.g. with a sharp piece of stone (unfashioned into a utensil), and the text intimates that the same applies to the others.
- (14) Gen. XXII, 10.
- (15) Ibid 13.
- (16) Lev. VII, 6.
- (17) Sc. Aaron.
- (18) Num. XVIII, 10.

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one infers it from this verse, and another infers it from the other. 'Of a sin-offering': as a sin-offering sanctifies through absorption, so all [sacrifices] sanctify through absorption.¹ 'Of a guilt-offering': as a guilt-offering, the fetus and after-birth inside it are not holy, so

all [sacrifices], the fetus and after-birth inside them are not holy.² He holds that the young of sacrifices

become holy when they come into existence,³ and that we infer what is possible from what is not possible.⁴ 'Of the consecration-offering': as the consecration-offering, the remainder thereof was burnt,⁵ and there were no living animals among its remainder;⁶ so all [sacrifices], their remainder is burnt, but living animals are not counted as remainder.⁷ 'Of the... peace-offering': as [parts of] a peace-offering render Piggul, and [parts] are rendered Piggul, so [in] all [sacrifices] [where there are parts which] render Piggul and [parts which] are made Piggul [the law of Piggul applies].⁸

It was taught in a Baraita in R. Akiba's name: 'Of the meal-offering': as a meal-offering sanctifies through absorption,⁹ so all [sacrifices] sanctify through absorption. Now, it is necessary for both 'meal-offering' and 'sin-offering' to be written.¹⁰ For if we were informed [this about] a meal-offering, [I might say that was] because it is soft it absorbs; but [as for] a sin-offering, I would say [that it is] not [so]. And if we were informed about a sin-offering, [I might say] that is because it is solid;¹¹ but a meal-offering I would say is not so. Thus both are necessary. 'Of the sin-offering': as a sin-offering comes of hullin only, and by day, and [its rites must be performed] with his [the priest's] right hand; so every [sacrifice] comes of hullin only, by day, and [its rites must be performed] with his right hand. And how do we know it of a sin-offering [itself]? —

Said R. Hisda, Scripture saith: And Aaron shall present the bullock of the sin-offering, which is his:¹² [that intimates that] it must be his,¹³ and not the congregation's,¹⁴ nor of tithe.¹⁵ [That its rites must be performed] by day is inferred from: in the day that he commanded [etc.]?¹⁶ That is stated unnecessarily. [That its rites must be performed] with his right hand is inferred from Rabbah b. Bar Hanah's [exegesis]? For

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Rabbah b. Bar Hanah said in the name of Resh Lakish: Wherever ‘finger’ and ‘priesthood’ are stated, the right hand only [must be used]?¹⁷ That [too] is stated unnecessarily. Alternatively, he agrees with R. Simeon, who maintained: [Where] ‘finger’ [is stated], priesthood is not required;¹⁸ [but where] ‘priesthood’ [is stated], ‘finger’ is required.¹⁹ ‘Of the guilt-offering’: as the bones of a guilt-offering are permitted, so the bones of every [sacrifice] are permitted.²⁰

Raba said: It is clear to me

(1) This is the answer to the question, how do we know that all sacrifices sanctify through absorption? The rest of the discussion is really irrelevant here.

(2) A guilt-offering was a male, and so there could be no fetus or afterbirth inside it to be holy. From this we learn that the fetus and afterbirth in female sacrifices, e.g. peace-offerings and sin-offerings, are not holy. If then a fetus was found in a sacrifice after it was slaughtered, its heleb (fat) and kidneys are not burnt on the altar as emurim, as in the case of the sacrifice itself.

(3) I.e., when they are born, but not before.

(4) I.e., females from males, though in the latter case the fetus and after-birth are not holy because they do not exist.

(5) V. Lev. VIII, 32, which refers to the consecration-offering.

(6) The consecration-offering was a public sacrifice, and we do not find that two animals were dedicated for the purpose (v. next note), so that one should be a ‘remainder’. Thus only flesh and bread were a remainder, and these alone were burnt.

(7) Whatever remains of a sacrifice after the time allowed for its consumption is burnt (as Nothar). This, however, does not apply to a living remainder. E.g. if a man dedicated an animal for a sacrifice, lost it, dedicated a second, found the first and sacrificed one of them; similarly, if he dedicated two animals in the first instance, so that if one were lost the second would be sacrificed. The other is technically called a remainder, but this remainder is not burnt.

(8) V. supra 28b.

(9) For it is written, whatsoever toucheth them (sc. the meal-offerings) shall be holy (Lev. VI, 11).

(10) The same is written of the sin-offering.

(11) Since the flesh is thick, the grease penetrates deeply into it.

(12) Lev. XVI, 6. E.V. which is for himself.

(13) Purchased at his own expense.

(14) Not bought with public funds.

(15) It must not be an animal of tithe, which is sacred in its own right. Hence it must be hullin.

(16) Lev. VII, 38. This refers to all the sacrifices enumerated in the preceding verse; why then derive it from a sin-offering?

(17) And ‘priesthood’ is stated in connection with each of these sacrifices.

(18) To show that the right hand is meant.

(19) Both are stated in connection with a sin-offering, but only priesthood is stated in connection with the others. Hence they must be inferred from a sin-offering.

(20) Supra 86a.

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that if blood of a sin-offering is below and blood of a burnt-offering is above,¹ it requires washing.² Raba asked: What if blood of a burnt-offering is below and blood of a sin-offering is above? [Does a garment need washing] because of contact,³ and here there is contact;⁴ or perhaps the reason is on account of absorption, and here it did not absorb?⁵ Subsequently he solved it, that it does not require washing.

Raba said: It is clear to me that blood on his garment interposes, but if [its owner] is a slaughterer, it does not interpose.⁶ Grease on a garment interposes, but if [the owner] is a grease merchant, it does not interpose. Raba asked: What if there are blood and grease on a garment? [Why do you ask?] If he is a slaughterer, you can infer [that the immersion is ineffectual] because of the grease; and if he is a grease merchant, you can infer [that it is ineffectual] because of the blood. The question arises only where he is both; [do we say that] he does not object to one, but objects to two; or perhaps he does not object to two either? The question stands over.

CHAPTER XII

MISHNAH. A TEBUL YOM⁷ AND ONE WHO LACKS ATONEMENT⁸ DO NOT SHARE IN SACRIFICES FOR CONSUMPTION IN THE EVENING.⁹ AN ONEN⁷ MAY HANDLE [SACRED FLESH], BUT MAY NOT OFFER,¹⁰ AND DOES NOT RECEIVE A SHARE FOR

ZEVOCHIM – 91b-120b

CONSUMPTION IN THE EVENING. MEN WITH BLEMISHES, WHETHER PERMANENT OR TRANSIENT, RECEIVE A SHARE AND MAY EAT [OF THE SACRIFICES]. BUT MAY NOT OFFER. WHOEVER IS NOT ELIGIBLE FOR SERVICE¹¹ DOES NOT SHARE IN THE FLESH;¹² AND HE WHO DOES NOT SHARE IN THE FLESH DOES NOT SHARE IN THE HIDES. EVEN IF ONE WAS UNCLEAN WHEN THE BLOOD WAS SPRINKLED BUT CLEAN WHEN THE FATS WERE BURNED [ON THE ALTAR], HE DOES NOT SHARE IN THE FLESH, FOR IT IS SAID: HE AMONG THE SONS OF AARON, THAT OFFERETH THE BLOOD OF THE PEACE-OFFERINGS, AND THE FAT, SHALL HAVE THE RIGHT THIGH FOR A PORTION.¹³

(1) First blood of a sin-offering fell on a garment and then blood of a burnt-offering fell upon it. — Only the former necessitates the washing of the garment.

(2) Since the blood of a sin-offering fell actually on the garment and soaked into it.

(3) With the blood of a sin-offering.

(4) The blood of the burnt-offering soaks into the material, and so the second blood does actually touch the garment.

(5) The blood of the sin-offering, for the material is already saturated with the other blood.

(6) An unclean garment must be immersed in a ritual bath (Mikweh) for purification; the ceremony is called immersion. Now, when immersion is performed, no foreign matter may interpose between the article to be purified and the water. Normally, blood is foreign matter, for a person objects to blood on his garment, and it interposes (rendering immersion ineffectual). A slaughterer, however, does not object to blood on his garment, and so it is not regarded as foreign matter and does not interpose.

(7) V. Glos.

(8) V. p. 80, n. 2.

(9) By which time they will be clean.

(10) I.e., perform the sacrificial rites, e.g., sprinkling.

(11) I.e., to perform the sacrificial rites.

(12) The Talmud discusses the obvious contradiction between this and the preceding statements.

(13) Lev. VII, 33. Thus he receives a portion only when he can offer both the blood (i.e., perform the sprinkling) and the fat, but not otherwise. Nevertheless, this text seems irrelevant, as it refers to the thigh only. Sh.M. substitutes, it shall belong

to the priest that sprinkleth the blood of the peace-offerings (ibid. 14).

Zevachim 99a

GEMARA. How do we know it? — Said Resh Lakish, Because Scripture saith, The priest that offereth it for sin shall eat it:¹ the priest who offers for sin² may eat; he who does not offer for sin, may not eat. Yet is this a general rule? surely there is the whole ward, which do not offer for sin, yet they eat?³ — We mean he who is eligible to offer for sin. But lo, a minor is not eligible to offer for sin, yet he eats [thereof]? — Rather, what does ‘Shall eat it’ mean? He shall receive a share therein: he who is eligible to offer for sin, receives a share; he who is not eligible to offer for sin, does not receive a share.⁴ But surely one who is blemished is not eligible to offer for sin, yet he receives a share? — The Divine Law included a blemished [person] [in the privilege of sharing], viz., Every male among the priests. [may eat thereof].⁵ which includes a [priest] with a blemish.⁶ Yet say that ‘every male’ includes a Tebul Yom? — It is logical to include a blemished [priest], since he may eat. On the contrary, one should include a Tebul Yom, since he will be eligible in the evening?⁷ — Nevertheless, he is not eligible at present.

R. Joseph said:⁸ Consider: what does ‘shall eat it’ mean? [Surely] shall share therein. Then let the Divine Law write ‘shall share therein’? why ‘shall eat therein’? That you may infer: he who is fit to eat, shares [therein]; he who is not fit to eat⁹ does not share [in it].¹⁰ Resh Lakish asked: Is a share to be given to a blemished [priest] who is unclean? [Do we say,] Since he is not eligible [to perform the service] and yet the Divine Law included him, it makes no difference, for what does it matter whether he is unclean or blemished? Or perhaps, he who is fit to eat [when the sacrifice is offered] receives a share, [while] he who is not fit to eat does not receive a share? —

ZEVOCHIM – 91b-120b

Said Rabbah, Come and hear: A High Priest can offer [a sacrifice] as an Onen, but he may not eat nor receive a share to eat in the evening.¹¹ This proves that one must be fit to eat [when the sacrifice is offered]. This proves it.¹² R. Oshaia asked: Is a share of public sacrifices given to an unclean [priest]?¹³ Do we say, the Divine Law saith, ‘The priest that offereth it for sin [shall eat it]’, and this one too can offer for sin;¹⁴ or perhaps, he who is fit to eat receives a share, he who is not fit to eat does not receive a share?¹⁵ —

Said Rabina, Come and hear: A High Priest may offer [sacrifices] as an Onen, but he may not eat, nor receive a share to eat in the evening. This proves that he must be fit to eat. This proves it.

AN ONEN MAY HANDLE [SACRED FLESH], BUT MAY NOT OFFER, etc. An Onen may handle [sacred flesh]? Surely the following contradicts it: An Onen and one who lacks atonement need immersion for sacred flesh?¹⁶ — Said R. Ammi in R. Johanan's name: There is no difficulty: here [in the Mishnah] he had performed immersion; there, he had not performed immersion. But what even if he did perform immersion: aninuth¹⁷ returns to him?¹⁸ for Rabbah son of R. Huna said: If an Onen performed immersion, his Aninuth returns to him! — Rather, there is no difficulty: here he dismissed [it] from his mind;¹⁹ in the other case he did not dismiss [it] from his mind. But inattention requires [sprinkling on] the third and the seventh [days]: for R. Justai son of R. Mathun said in R. Johanan's name: Inattention²⁰ requires sprinkling on the third and the seventh [days]!²¹ — There is no difficulty: In the one case he was careless about defilement of the dead;²² in the other he was careless about defilement by a reptile.²³ Defilement of the dead is genuine defilement and requires sunset?²⁴ moreover, even terumah too [should require immersion]?²⁵ —

Said R. Jeremiah: [This law holds good] when he declares, I was on my guard against

anything that would defile me, but not against anything that would disqualify me.²⁶ And is there half watchfulness? — Yes, and it was taught even so: If the basket was still on his head?²⁷

(1) Ibid. VI, 19.

(2) I.e., sprinkles the blood and performs the priestly rites.

(3) The priests were divided into wards, which officiated in rotation, (v. Glos. s.v. Mishmar). Only one of the priests sprinkled the blood of a particular sacrifice, yet the whole of the ward to which he belonged would share it.

(4) A minor accordingly does not receive a share in his own right, but merely eats of another priest's share. — From this we learn that a Tebul Yom and one who lacks atonement do not receive shares.

(5) Lev. VI, 22.

(6) It is shown infra 102a that he is included in respect of sharing, for it is explicitly stated elsewhere that he may eat, viz., He (sc. a blemished priest) may eat the bread of his God, both of the most holy, and of the holy (ibid. XXI, 22). No extension therefore would be required to show that he may eat.

(7) Even to perform the sacrificial rites.

(8) In reply to your question that one should include a Tebul Yom.

(9) When it is actually offered.

(10) Hence it includes a blemished priest, who is fit to eat when it is sacrificed, but not a Tebul Yom, who will not be fit until the evening.

(11) When he ceases to be an Onen.

(12) Hence an unclean blemished priest does not receive a share.

(13) The sacrifices having been offered by clean priests.

(14) For public sacrifices can be offered in uncleanness, if the whole congregation is unclean. Hence, though this priest could not sacrifice just then, yet in general he was eligible for public sacrifices.

(15) He is definitely not fit to eat, for a public sacrifice brought in uncleanness may not be eaten.

(16) Which they may not handle otherwise.

(17) The status of Onen.

(18) Since Aninuth lasts to the end of the first day.

(19) Sc. the care not to become unclean. He paid no attention to this, knowing that he could not officiate in any case.

(20) To ritual cleanness.

(21) From the day that he ceased to be watchful, for he may have been defiled through the dead on that day. Thus mere immersion is insufficient.

(22) He did not even take care to avoid that. Then he needs sprinkling on the third and the seventh days.

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(23) But took care not to be defiled by the dead.

(24) Even after immersion the priest may not eat flesh of sacrifices until sunset, whereas only immersion is required above.

(25) He who is defiled by a reptile may not eat terumah without immersion, whereas immersion is required above only for eating sacred flesh (i.e., of sacrifices, whose sanctity is higher than that of terumah).

(26) 'Defile' means by Scriptural, 'disqualify' by Rabbinical law. The former requires sunset, but the latter requires immersion only. Also, the former disqualifies one in respect of terumah too, but not the latter.

(27) It is not clear to what 'still' refers. It is absent in Tosef. Toh. VIII, whence it is cited in the present passage.

Zevachim 99b

and a shovel was in it, and he declared, 'My mind was on the basket¹ but not on the shovel', the basket is clean, but the shovel is unclean. But let the shovel defile the basket? — One utensil cannot defile another. Then let it defile its contents?² Said Raba: It means that he declared: 'I guarded it from anything which might defile, but not from anything which might disqualify it.'³ The matter was eventually reported⁴ to R. Abba b. Memmel. Said he to them: Have they not heard what R. Johanan⁵ said: He who eats terumah of the third degree may not eat [terumah again], but he may touch [terumah]?⁶ This proves that the Rabbis raised eating to a high degree⁷ but did not raise touch to a high degree.⁸

AND DOES NOT RECEIVE A SHARE FOR CONSUMPTION, etc. He merely does not receive a share,⁹ but may eat if he is invited? Surely the following contradicts it: An Onen performs immersion and eats his Passover-offering in the evening, but [may] not [partake] of [other] sacrifices?¹⁰ — Said R. Jeremiah of Difti: There is no difficulty: the former means on Passover [itself]; the latter, during the rest of the year. On Passover, since he may eat the Passover-offering, he may also eat other sacrifices; during the rest of the year, when he is not fit [for the former],¹¹ he is not fit [for the latter]. And what does 'but [may] not [partake] of [other] sacrifices'

mean? But [may] not [partake] of [other] sacrifices of the whole year.

R. Assi said, There is no difficulty: In the one case the man died on the fourteenth [of Nisan] and was buried on the fourteenth; in the other [sc. our Mishnah], the man died on the thirteenth and was buried on the fourteenth,[for] the day of burial does not embrace the night [that follows] [even] by Rabbinical law.¹² Which Tanna holds that [the law of] Aninuth at night is Rabbinical [only]? — R. Simeon. For it was taught: [The law of] Aninuth at night is Scriptural: these are the words of R. Judah. R. Simeon said: [The law of] Aninuth at night is not Scriptural but of the rulings of the Scribes.¹³ The proof is that they [the Rabbis] said: An Onen performs immersion and eats his Passover-offering in the evening, but [may] not [partake] of [other] sacrifices.¹⁴ Now, does R. Simeon hold [that the law of] Aninuth at night is [only] Rabbinical? Surely it was taught, R. Simeon said: An Onen may not send his sacrifices.¹⁵ Now does that mean, even on Passover? —

No, except the Passover-offering. But it was taught, R. Simeon said: [The designation] 'Peace-offerings' [shelamim] [indicates that] a man may bring [it] when he is whole [shalem]¹⁶ but not when he is an onen. How do I know to include the thanksoffering?¹⁷ I include the thanks-offering, because it is eaten with rejoicing, like a peace-offering.¹⁸ How do I know to include a burnt-offering? I include a burnt-offering, because it is brought as a vow or as a freewill-offering, like the peace-offering. How do I know to include a firstling, tithe, and the Passover-offering? I include firstling, tithe, and the Passover-offering because they are not brought on account of sin, like a peace-offering. How do I know to include the sin-offering and the guilt-offering? Because it says, 'sacrifice'.¹⁹ How do we know to include bird-[offerings], meal-offerings, wine, wood²⁰ and frankincense? Because it says, 'his offering be shelamim': all offerings which he brings, he brings when he is whole [shalem], but does not bring [them] when he is

ZEVOCHIM – 91b-120b

an onen. Thus at all events he includes the Passover-offering? —

Said R. Hisda: The Passover-offering is mentioned en courant.²¹ R. Shesheth said: What does the 'Passover-offering' mean? The Passover peace-offerings.²² If so, it is identical with peace-offerings? — He teaches about peace-offerings which are brought on account of Passover, and he teaches about peace-offerings which are brought independently. For if he did not teach about the peace-offering which is brought on account of Passover, I would argue: Since it comes on account of the Passover-offering,²³ it is like the Passover-offering itself. Hence he informs us [that it is not so]. R. Mari said:

- (1) To guard it from defilement.
- (2) Sc. the food or eatables in the basket.
- (3) 'Defile' means to render an object unclean in the sense that it can render another object unclean (or disqualified) in turn; 'disqualify' means to render an object unfit for use on account of uncleanness, but that object cannot disqualify another object in turn; v. Pes. (Sonc. ed.) p. 62 n. 2 for this and the rest of the passage.
- (4) Lit., 'the matter was rolled about and reached'.
- (5) Var. lec. Jonathan.
- (6) His body becomes, as it were, unclean (or disqualified) in the third degree; he may not eat terumah again without immersion, nevertheless his touch does not render terumah unfit.
- (7) They demanded a high standard of purity for eating.
- (8) And so here too, when we learnt that an onen needs immersion, it means for eating, but not for touching.
- (9) As a right.
- (10) An onen may not eat the flesh of sacrifices (v. Lev. X, 19f). By Scriptural law a man is an onen on the day of death only, but not at night; the Rabbis, however, extended these restrictions to the night too. As, however, the Passover-offering is a Scriptural obligation, they waived their prohibition in respect of the night, and he may eat thereof. He is not unclean, but requires immersion to emphasize that until evening sacred flesh was forbidden to him, whereas now it is permitted.
- (11) Obviously, since the Passover-offering can be eaten only on Passover.
- (12) V. n. 2. That, however, applies only when the person died on the same day too; but if he was merely buried on that day, but died the previous day, there is no Aninuth at all by night.

Accordingly, the passage quoted (from Pes. 91b) treats of Passover itself, and not of the rest of the year.

- (13) I.e., Rabbinical only. On Soferim (scribes) v. Kid. (Sonc. ed.) p. 79, n. 7.
- (14) Whereas if the interdict were Scriptural, he could not partake of the Passover-offering either.
- (15) To be offered on his account.
- (16) The very word for peace-offering, shelamim, indicates that a man must be whole (shalem, sing. of shelamim) — The verse discussed is Lev. III, 6: And if his offering for a sacrifice of peace-offerings, etc.
- (17) In the same limitation.
- (18) V. Deut. XXVII, 7: And thou shalt sacrifice peace-offerings, and shalt eat there; and thou shalt rejoice before the Lord thy God. This precept to rejoice is fulfilled by the eating of either peace-offerings or thanks-offerings, which are called peace-offerings, v. Lev. VII, 11-12.
- (19) Lit., 'a slaughtering'. hence including every slaughtered sacrifice. (A bird was not slaughtered but nipped (Melikah), which explains the question that follows.)
- (20) One who donated wood brought a sacrifice along with it.
- (21) Firstling tithe and the Passover-offering are generally mentioned together, and so it is mentioned here too. But actually it does not apply to the Passover-offering.
- (22) When a large company shared in the Paschal lamb, an additional peace-offering (called Hagigah) was brought and eaten before the Passover-offering.
- (23) To remedy its inadequateness.

Zevachim 100a

There is no difficulty:¹ in the one case the man died on the fourteenth and was buried on the fourteenth; in the other the man died on the thirteenth and was buried on the fourteenth. If the man died on the fourteenth and was buried on the fourteenth, the day of death embraces the night [that follows] by Scriptural law;² if the man died on the thirteenth and was buried on the fourteenth, [Aninuth even on] the day of burial is [only] Rabbinical,³ and it embraces the night [that follows only] by Rabbinical law.⁴

Said R. Ashi to R. Mari: If so, when it is taught, R. Simeon said to him, The proof is that they [the Rabbis] said: An onen performs immersion and eats his Passover-offering in

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the evening, but [may] not [partake] of [other] sacrifices; let him [R. Judah] answer him: I speak to you of the day of death, [when one is an onen] by Scriptural law, whereas you tell me about the day of burial, [when Aninuth is only] Rabbinical? That is a difficulty.

Abaye said, There is no difficulty: In the one case he died before midday [of the fourteenth]; in the other he died after midday. [If he died] before midday, when he had [as yet] no obligation of the Passover-offering, Aninuth falls upon him; [if he died] after midday, when he is subject to the Passover-offering, Aninuth does not fall upon him.⁵ And how do you know that we differentiate between [death] before midday and [death] after midday? — Because it was taught: For her shall he defile himself:⁶ this is obligatory; if he does not wish to, we defile him by force. Now, the wife of Joseph the priest happened to die on the eve of Passover, and he did not wish to defile himself, whereupon his brother priests took a vote and defiled him by force. But the following contradicts it: [He shall not make himself unclean for his father...] and for his sister [when they die]:⁷ why is this stated?⁸ [For this reason:] Behold if he⁹ was on his way to slaughter the Passover-offering or to circumcise his son,¹⁰ and he learnt that a near relation of his had died,¹¹ you might think that he may defile himself; hence you read,¹² ‘he shall not make himself unclean’. You might think that just as he may not defile himself for his sister, so may he not defile himself for an unattended corpse:¹³ therefore it states, ‘and for his sister’: he may not defile himself for his sister, but he must defile himself for an unattended corpse.¹⁴ Hence you must surely infer that one holds good [where the person died] before midday, and the other where he died after midday.¹⁵ Whence [does this follow]? Perhaps I can argue that in truth both refer to after midday, but one agrees with R. Ishmael and the other with R. Akiba. For it was taught: ‘For her shall he defile himself’: this is permissive; these are the words of R. Ishmael.¹⁶ R. Akiba said: It is an obligation!¹⁷ —

You cannot think so, for the first clause of that [Baraita]¹⁸ was taught by R. Akiba. For it was taught, R. Akiba said: [He shall not come near to a body, [to] the dead.¹⁹ ‘Body’ refers to strangers;²⁰ ‘dead’ refers to relations. ‘For his father’ he may not defile himself, but he must defile himself for an unattended corpse.²¹ ‘For his mother’: [even] if he was [both] a priest and Nazirite, only for his mother he may not defile himself, but he must defile himself for an unattended corpse. For his brother’: [even] if he was [both] a High Priest and a Nazirite, only for his brother he may not defile himself, but he must defile himself for an unattended corpse. ‘And for his sister’: why is this stated? If he was on his way to slaughter his Passover-offering or to circumcise his son, and he learnt that a near relation of his had died, you might think that he may defile himself; hence you read, ‘he shall not make himself unclean’. You might think that just as he may not defile himself for his sister, so he may not defile himself for an unattended corpse; therefore it states, ‘and for his sister’: he may not defile himself for his sister, but he must defile himself for an unattended corpse.

- (1) R. Simeon is not self-contradictory.
- (2) Hence he may not eat of the Passover-offering in the evening.
- (3) He holds that by Scriptural law Aninuth applies only to the day of death.
- (4) And this Rabbinical law is waived in favor of the Passover-offering.
- (5) In both cases the man died on the fourteenth, and R. Simeon holds that the Aninuth of the following night is Rabbinical. Now, the obligation to sacrifice the Passover-offering commences at midday on the fourteenth. Consequently, if death took place before midday, Aninuth preceded the obligation, and this prevents the obligation from becoming operative; therefore he does not eat the Passover-offering in the evening. But if the man died after midday, this person was already under the obligation, therefore he does eat the Passover-offering in the evening.
- (6) Lev. XXI, 3. This refers to a priest, who may not defile himself for the dead, except for certain near relations, e.g., father and mother, etc. ‘Her’ means an unmarried sister, and, according to the Rabbis, his wife (‘his kin that is near to him,’ v. 2).

ZEVOCHIM – 91b-120b

- (7) Num. VI, 7. This refers to a Nazirite.
- (8) If he may not defile himself even for his parents, it is obvious that he may not defile himself for his sister.
- (9) Sc. one who was both a Nazirite and a High Priest.
- (10) So that he could partake of the Passover-offering, which may not be eaten by a man whose son is uncircumcised.
- (11) Lit., 'that a dead had died unto him.'
- (12) Lit., 'say'.
- (13) Heb., meth mizwah, a corpse which it is a duty to bury. If any person, even a High Priest, comes across an unattended corpse, he must defile himself and attend to his burial.
- (14) Thus it is taught here that he must not defile himself but sacrifice the Passover-offering, whereas the first Baraitha teaches that he must defile himself. An obvious difficulty arises here: the first Baraitha refers to a priest, who must defile himself for his near relations, whereas the second treats of a Nazirite who is also a High Priest, who may not defile himself even for his relations. Sh.M. quotes a var. lec., according to which this second Baraitha, though interpreting a passage dealing with a Nazirite, transfers its teaching to an ordinary priest; in which case there is a definite contradiction between the two.
- (15) Cf. p. 479. n. 6.
- (16) Hence the obligation to sacrifice the Passover-offering overrides this permission, and he may not defile himself.
- (17) Yet there may be no difference between death before midday and death after midday.
- (18) Which forbids him to defile himself.
- (19) Num. VI, 6. E.V. to a dead body. R. Akiba however understands the Hebrew as two substantives.
- (20) Lit., 'distant ones'.
- (21) Since 'dead' refers to relations, v. 7 which enumerates these relations is superfluous; R. Akiba explains that each relation enumerated has a particular teaching.

Zevachim 100b

Raba said: Both are meant after midday, yet there is no difficulty: in the one case it was before they had slaughtered [the Passover-offering] and sprinkled [its blood] on his account;¹ in the other it was after they had slaughtered and sprinkled on his account.²

R. Adda b. Mattenah said to Raba: after they slaughtered and sprinkled on his account, what is done is done!³ — Said Rabina to him:

The eating of the Passover-offering is indispensable, [which follows] from Rabbah son of R. Huna's [teaching]. Said [Raba] to him: Pay heed to what your master [Rabina] has told you [R. Adda b. Mattenah].⁴ What was Rabbah son of R. Huna's [teaching]? — It was taught: The day when one learns [of a near relation's death] is as the day of burial in respect of the laws of seven and thirty [days' mourning];⁵ In respect of eating the Passover-offering it is as the day on which the bones [of one's parents] are collected.⁶ In both cases⁷ he performs immersion and eats [of] sacrifices in the evening. Now this is self-contradictory: You say, the day when one learns is as the day of burial in respect of seven and thirty [days' mourning], but in respect of eating the Passover-offering it is as the day when the bones [of one's parents] are collected; whence it follows that as for the day of burial, one may not eat even in the evening; and then you teach, in both cases he performs immersion and eats of sacrifices in the evening?

Said R. Hisda: It is a controversy of Tannaim.⁸ Rabbah son of R. Huna said: There is no difficulty. In the one case he learnt about his bereavement just before sunset, and similarly the bones of his dead were gathered just before sunset, and similarly his relation died and was buried just before sunset. In the other case [these things happened] after sunset.⁹ 'After sunset!' but what has been has been!¹⁰ Hence you must surely infer from this that the eating of the Passover-offering is indispensable.¹¹

R. Ashi said: What does 'both the one and the other' [mean]? It means that both on the day of hearing and on the day of gathering the bones, he performs immersion and eats of the sacrifices in the evening.¹² But this statement of R. Ashi is fiction. Consider: he [the Tanna] is discussing these;¹³ then he should say, 'the one and the other.' Hence it surely follows that it is fiction. Now, what is this controversy of Tannaim?¹⁴ —

ZEVOCHIM – 91b-120b

For it was taught: For how long is he an onen on his account?¹⁵ The whole day.¹⁶ Rabbi said: As long as he is not buried.¹⁷ What are we discussing? Shall we say, the day of death? does anyone reject the view that the day of death embraces the night following by Rabbinical law?¹⁸ Moreover, ‘Rabbi said: As long as he is not buried’; but if he was buried, he is permitted?¹⁹ Does anyone reject [the implication of] And the end thereof as a bitter day?²⁰ —

Said R. Shesheth: [We are discussing] the day of burial. To this R. Joseph demurred: Then when it is taught, He who learns about his bereavement, and he who gathers bones, performs immersion and eats in the evening; whence it follows that as for the day of burial, he may not even eat in the evening; with whom will it agree?²¹ Rather, explain it thus: For how long is he an onen on his account? The whole of that day²² and the [following] night. Rabbi said: That is only as long as he was not buried; but if he was buried, [it is the day] without the [following] night. Now, this was reported before R. Jeremiah, whereupon he observed: That a great man like R. Joseph should say thus! Are we to assume then that Rabbi is more lenient? Surely it was taught: How long is he an onen on his account? As long as he is not buried, even for ten days: these are the words of Rabbi; but the Sages maintain: He observes Aninuth on his account only on that day itself! Rather, explain it thus: How long does he observe Aninuth on his account? The whole of that day without the [following] night. Rabbi maintained: As long as he is not buried, it embraces the [following] night.²³

Now, it was stated before Raba: Since Rabbi maintained that the day of burial embraces the [following] night by Rabbinical law,²⁴ it follows that the day of death embraces the [following] night by Scriptural law.²⁵ Does then Rabbi hold that Aninuth at night is Scriptural? Surely it was taught: ‘Behold, this day [etc].²⁶ I am forbidden by day yet am permitted at night;²⁷ but [future] generations

will be forbidden both by day and by night’:²⁸ these are the words of R. Judah. Rabbi maintained: Aninuth at night is not Scriptural but a law of the Scribes! — In truth, it is Rabbinical.²⁹

- (1) Then they must not do so, for he has become an onen and Scripture disqualified him.
- (2) The main thing that the Baraita teaches then is that he partakes thereof in the evening.
- (3) Why is he permitted to eat thereof in the evening, any more than of other sacrifices, seeing that his Aninuth exempts him? On Abaye's explanation this difficulty does not arise. For he explains that the person died after midday, but before the offering was slaughtered on his behalf. Now, since the obligation to sacrifice preceded his Aninuth and is therefore still in force, if he is forbidden to eat of it in the evening, he will refrain from sacrificing at all; therefore the Rabbis waived their prohibition. But there is nothing to fear if his relation died after the sacrifice was offered, and so he should still be forbidden.
- (4) His answer is correct.
- (5) One must observe deep mourning for seven days after the burial of a near relation, during which time he must not work, bathe, or wear his shoes. A lighter mourning is observed for thirty days after burial, such as not putting on new garments or attending festivities. If a person learns of such a relation's death within thirty days, he must observe the seven and the thirty days' mourning from the day that he learnt it.
- (6) A man may eat of the Passover-offering on the evening following the day when his parents' bones were collected; v. Pes. 92a.
- (7) This can only mean, on the day of burial or on the day that the bones are collected. It cannot mean on the day of hearing and on the day of collecting, for the reason explained anon.
- (8) The two clauses represent the views of different Tannaim.
- (9) He may eat of sacrifices, and all the more so of the Passover-offering, if his relation died, etc. before sunset; hence the evening is the night following his Aninuth, and he holds that in this respect the day does not embrace the night following even by Biblical law. He may not eat on the evening of burial where he died after sunset, so that it is not the evening following the day of burial, but the evening of burial itself (the corpse will be buried either that same evening or on the next day).
- (10) How can you then differentiate between the Passover-offering and other sacrifices, seeing that sacrifices may not be eaten on the day of burial? That certainly should apply to the Passover-offering too.

ZEVOCHIM – 91b-120b

- (11) For that reason they permitted it in the evening, because neglect to eat of it entails kareth (v. Glos.).
- (12) But not on the evening after burial.
- (13) Sc. the two mentioned by R. Ashi.
- (14) To which R. Hisda alluded above.
- (15) To be forbidden to partake of sacrifices.
- (16) This is now assumed to mean without the night following.
- (17) V. Sem. IV, 14.
- (18) Surely not!
- (19) On the same day.
- (20) Amos VIII, 10. From this the Rabbis deduce (M. K. 21a) that the interdict of Aninuth lasts the whole day of death, even after burial.
- (21) Both Rabbi and the Rabbis hold that the evening is permitted.
- (22) Of burial.
- (23) This then is the controversy alluded to by R. Hisda.
- (24) Obviously by Rabbinical law only, for Aninuth even on the day of burial itself is Rabbinical only.
- (25) Just as Aninuth on the day of death is Scriptural.
- (26) Lev. X, 19. Aaron was explaining why he had not eaten of the sin-offering offered on the day of his consecration, viz., because he had lost two sons on that day.
- (27) Since there were no other priests to eat thereof.
- (28) Thus Aninuth on the night following is Scriptural.
- (29) Sc. the law of Aninuth on the night after the day of death.

Zevachim 101a

but the Sages made their law even stricter than Scripture.¹ Our Rabbis taught: ‘For so I am commanded’; ‘as I commanded’; ‘as the Lord hath commanded’;² ‘For so I am commanded’ that they should eat it during their bereavement [Aninuth]; ‘As I commanded’, when it happened;³ ‘As the Lord commanded’, I did not bid you [to do this] on my own authority. But the following contradicts it: [The sin-offering] was burnt on account of Aninuth, for which reason it is said, [And there have befallen me] such things as these?⁴ —

Said Samuel, There is no difficulty: one agrees with R. Nehemiah, the other with R. Judah and R. Simeon. For it was taught: They burnt it because of Aninuth; therefore it is stated,

‘such things as these’: these are the words of R. Nehemiah. R. Judah and R. Simeon maintained: It was burnt because of defilement, for if because of bereavement, they should have burnt the three.⁵ Another argument: they would have been fit to eat them in the evening.⁶ Another argument: surely Phinehas was with them!⁷ Raba said: Both agree with R. Nehemiah, yet there is no difficulty: one refers to special ad hoc sacrifices, and the other to regular sacrifices.⁸ Now, how does R. Nehemiah explain these texts, and how do the Rabbis⁹ explain these texts? —

R. Nehemiah explains it thus: ‘Wherefore have ye not eaten etc?’¹⁰ ‘Perhaps’, said Moses to Aaron, ‘its blood entered the innermost sanctuary?’¹¹ ‘Behold, the blood of it was not brought [into the sanctuary within]’, he answered. ‘Perhaps it passed without its barrier?’¹² he suggested. ‘It was in the sanctuary’, he replied. ‘And perhaps ye offered it in bereavement, and thus disqualified it?’ ‘Moses’, replied he, ‘did they, [my sons] offer it: I offered it?’¹³ Thereupon he exclaimed, ‘Behold, the blood of it was not brought within, and it was in the sanctuary,¹⁴ then ye should certainly have eaten it, as I commanded, [viz.,] that they should eat it in their bereavement.’ Said he to him: ‘And there have befallen me such things as these, and if I had eaten the sin-offering to-day, would it have been pleasing in the sight of the Lord? perhaps you heard thus¹⁵ only about the special sacrifices? For if [you would apply it] to the regular sacrifices, [you may argue] a minori from tithe, which is of lesser holiness,¹⁶ [that it is not so]. For if the Torah said of tithe, which is of lesser holiness, I have not eaten thereof in my mourning,¹⁷ how much the more does it apply to sacrifices, which are more holy?’¹⁸ Forthwith, and when Moses heard that, it was pleasing in his sight.¹⁹ He admitted [his error], and Moses was not ashamed [to excuse himself] by saying, ‘I had not heard it’, but said, ‘I heard it and forgot. How do R. Judah and R. Simeon explain these verses? —

ZEVOCHIM – 91b-120b

They explain it thus: ‘Wherefore have ye not eaten the sin-offering’: perhaps the blood entered the innermost sanctuary? ‘Behold, the blood of it was not brought into the sanctuary within’, he replied. Perhaps it passed without its barrier? It was in the sanctuary, was his answer. And perhaps ye offered it in bereavement, and thus disqualified it? Moses, replied he, did they offer it, that bereavement should disqualify? I offered it. And perhaps ye were negligent through your grief, and it was defiled? Moses, he exclaimed, am I thus in your eyes, that I would despise Divine sacrifices? ‘And there have befallen me such things as these’, and even many more, yet would I not despise Divine sacrifices. If then, said he, ‘behold, the blood of it was not brought within, and it was in the sanctuary, then ye should certainly have eaten it, as I commanded’, [viz.] that they should eat it in their bereavement! Perhaps you heard thus only of the night,²⁰ he suggested; for if [you would apply it to] the day, [you may argue] a minori from tithe, which is of lesser holiness, [that it is not so]. For if the Torah said of tithe, which is of lesser holiness, ‘I have not eaten thereof in my mourning’, how much the more does it apply to sacrifices, which are more holy! Forthwith, ‘and when Moses heard that,

(1) Lit., ‘strengthened their words more than did Scripture.’ Thus, while Scripture prescribes Aninuth only on the day of death, the Rabbis decreed Aninuth on the day of burial and on the night following.

(2) Lev. X, 13. 18. 15. The first refers to the meal-offering, the second to the sin-offering, and the third to the peace-offering. These three were brought at the consecration of Aaron and his sons into the priesthood, and Moses ordered them to eat them, adding, For so I am commanded, etc.

(3) Sc. the death of Nadab and Abihu. He then told them that they were still to eat the sacrifice.

(4) Sc. the death of my children. Now, Moses admitted that they had acted rightly (v. 19); evidently then he had not been instructed that they were to eat it in bereavement.

(5) Three he-goats were sacrificed, yet only one was burnt.

(6) R. Simeon holds that Aninuth does not extend to the following evening by Scriptural law at all. And even R. Judah, who maintains that it does, admits that on that occasion it did not (supra 100b).

(7) He was not an onen, and could have eaten it. Hence the sin-offering must have become defiled, and on that account only was it burnt.

(8) Lit., ‘of the hour... of generations’. R. Nehemiah holds that the meal-offering was to be eaten in bereavement, as it is written, ‘for so I am commanded’. Now, that meal-offering was a special sacrifice, and was permitted by a special dispensation. The sin-offering, however, was the ordinary New Moon sin-offering (this happened on New Moon). Moses erroneously thought that what he had been told about the meal-offering also applied to the sin-offering, and was therefore angry that it was burnt. Aaron, however, pointed out that he might have been told only about the special meal-offering, and Moses then admitted that he was right.

(9) Sc. R. Judah and R. Simeon.

(10) Lev. X, 17.

(11) I.e., into the Hekal, in which case you rightly burnt it.

(12) I.e., outside the Temple court.

(13) He renders v. 19: And Aaron spoke unto Moses: Behold, have they this day offered their sin-offering, etc.? Surely I offered it, and I, being the High priest, was permitted to do so.

(14) He thus renders v. 18.

(15) Sc. that I should eat in spite of my bereavement.

(16) Lit., ‘tithe, which is light’.

(17) Deut. XXVI, 14.

(18) Lit., ‘which is heavier’. Emended text (Sh.M.).

(19) Lev. *ibid.* 20.

(20) That the sacrifice is to be eaten on the night following the day of death.

Zevachim 101b

it was pleasing in his sight’. He admitted his error, and Moses was not ashamed [to excuse himself] by saying, ‘I had not heard it’, but, ‘I heard it and forgot.’ But they should have kept it and eaten it in the evening? — It was accidentally defiled.¹ As for the Rabbis, it is well: for that reason it is written, ‘[and if I had eaten the sin-offering] this day.’² But on R. Nehemiah’s explanation, why [did he say] ‘this day’? — [He meant that it was] a statutory obligation of the day.³ As for R. Nehemiah, it is well: for that reason it is written, ‘Behold, this day [have they offered, etc.]’⁴ But according to the Rabbis, what is [the ‘significance of] ‘Behold, this day’?⁵ — This is what he meant: Behold, have they offered?’ It was I who offered.⁶

ZEVOCHIM – 91b-120b

The Master said: 'Then the three should have been burnt.' What were the three? — For it was taught: 'And Moses diligently inquired for the goat of the sin-offering':⁷ 'Goat' alludes to Nahshon's goat;⁸ 'sin-offering' refers to the sin-offering of the eighth day;⁹ '[Moses] inquired' refers to the goat of New Moon.¹⁰ You might think that the three of them were burnt; therefore it says, 'and, behold, it was burnt': one was burnt, but three were not burnt — 'Diligently inquired': why these two enquiries?¹¹ He said to them: 'Why is this sin-offering burnt, and these others lying?'¹² Now, I do not know which one [was burnt]. But when it says, 'And He hath given it to you to bear the iniquity of the congregation',¹³ it follows that it was the goat of New Moon.¹⁴ They said well to him?¹⁵ —

R. Nehemiah is consistent with his view, for he maintained [that] bereavement did not disqualify ad hoc sacrifices.¹⁶ The Master said: 'Then they should have eaten it in the evening.' They said well to him? — He holds that [the law of] Aninuth at night is Scriptural.¹⁷ 'Another argument: surely Phinehas was with them.' They said well to him? —

He agrees with R. Eleazar. For R. Eleazar said in R. Hanina's name: Phinehas was not elevated to the priesthood until he slew Zimri, for it is written, And it shall be unto him, and unto his seed after him, the covenant of an everlasting priesthood.¹⁸ R. Ashi said: Until he made peace between the tribes, for it is said, And when Phinehas the priest, and the princes of the congregation, even the heads of the thousands of Israel that were with him, heard, etc.¹⁹ And as to the others too, surely it is written, 'And it shall be unto him, and unto his seed after him' [etc.]? — That is written as a blessing,²⁰ as to the other too, surely it is written, 'And when Phinehas the priest heard'? — That was to invest his descendants with his rank.²¹

Rab said: Our teacher Moses was a High Priest, and received a share of the holy sacrifices, as it is said, It was Moses' portion of the ram of consecration.²² An objection is raised: 'But was not Phinehas with them?' Now if this is correct, let them argue, But was not our teacher Moses with them? Perhaps Moses was different, because he was engaged by the Shechinah,²³ for a master said: Moses ascended early in the morning and descended early in the morning.²⁴ An objection is raised: He may eat the bread of his God both of the most holy, and of the holy:²⁵ if sacrifices of higher sanctity are stated, why are lesser sacrifices stated; and if lesser sacrifices are stated, why are sacrifices of higher sanctity stated? If lesser sacrifices were not stated, I would say, He may eat only of higher sacrifices, because they were permitted to a zar²⁶ and to them,²⁷ but he may not eat of lesser sacrifices. And if higher sacrifices were not stated I would say: He may eat only of lesser sacrifices, since they are lesser,²⁸ but not of higher sacrifices. For that reason both higher sacrifices and lesser sacrifices are stated. At all events he [the Tanna] teaches, Because they were permitted to a Zar and to them: surely that means [to] Moses?²⁹ —

Said R. Shesheth: No; it refers to the High Places [Bamah], this agreeing with the view that a meal-offering could be offered at the High Places.³⁰ An objection is raised: Who shut Miriam up?³¹ If you say, Moses shut her up, surely Moses was a Zar,

- (1) But not through negligence.
- (2) He stressed that it was only during the day that he could not eat it, but he had intended to eat it that night.
- (3) Could I eat the sin-offering, which is a statutory obligation for this day, and not a special sacrifice? (as supra a.)
- (4) Meaning that it was a statutory and regular offering for that day. and therefore might not be eaten in mourning.
- (5) It is apparently quite irrelevant.
- (6) As supra a.
- (7) Lev. X, 16.
- (8) It was the first of Nisan, and the first day of the consecration ceremonies of the Tabernacle, when

ZEVOCHIM – 91b-120b

Nahshon sacrificed a goat on behalf of the tribe of Judah (Num. VII, 12-17; Seder 'Olam).

(9) Of Aaron's consecration rites.

(10) Thus this verse is made to refer to three sacrifices, not to one.

(11) The emphatic 'diligently' is expressed in Hebrew, as usual, by the repetition of the verb, and hence understood to mean two enquiries.

(12) Waiting for the evening to be eaten: why did you not eat it during the day?

(13) Lev. X, 17.

(14) Which 'bears the iniquity of the congregation' by atoning for the defilement of the sanctuary and the sacrifices, Shebu. 2a.

(15) This reverts to the earlier part of the discussion. Surely the argument that all three should have been burnt, if it was on account of their bereavement, is sound!

(16) Such as the other two were.

(17) Hence they could not eat it in the evening either.

(18) Num. XXV, 13. This was spoken after he had slain Zimri: thus only then was the priesthood conferred upon him.

(19) Josh. XXII, 30; v. whole chapter for the controversy between the two and a half tribes in Transjordan and the rest of Israel, and how it was settled. This is the first time that Phinehas is spoken of as 'the priest'; previously he is always referred to as 'Phinehas the son of Eleazar the son of Aaron the Priest'. Thus Priesthood is ascribed to his forbears, but not to himself.

(20) He was informed that he would be invested with the priesthood, but it was not conferred upon him until later.

(21) Tosaf: a promise that all High Priests would be descended from him.

(22) Lev. VIII, 29.

(23) V. Glos.

(24) During the days preceding Revelation, when he ascended the mountain of Sinai and descended thence to the people.

(25) Lev. XXI, 22. This refers to a blemished priest, who may not officiate, yet may partake of the sacrifices.

(26) V. Glos. Though normally higher sacrifices might be eaten by male priests only, yet we do find an instance where they were permitted to a Zar; the instance(s) is discussed anon. But a Zar was never permitted to eat the priestly portions (viz., the breast and thigh) of lesser sacrifices. — Since then a Zar may sometimes partake of higher sacrifices, it is logical that a blemished priest may always do so.

(27) Sc. the priests.

(28) Their sanctity is not so great.

(29) The only instance found of a Zar eating of higher sacrifices was when Moses received the breast and thigh of the ram of consecration, which

was a higher sacrifice. Thus Moses is counted as a Zar, not as a priest

(30) Infra 113a. The meal-offering was a higher sacrifice, and when offered at the High Places (where a Zar could officiate), after the handful had been burnt on the altar the remainder might be eaten by a Zar, whereas in the Temple this belonged to the priests only.

(31) As a leper; v. Num. XII, 14 seq. Before she could be shut away, the symptoms had to be duly diagnosed as leprous.

Zevachim 102a

and a Zar cannot inspect plagues [of leprosy].¹ If you say that Aaron shut her away, Aaron was a relation, and a relation cannot inspect [leprous] plagues. Rather, the Holy One, blessed be He, bestowed great honor upon Miriam in that moment, and declared, I am a priest: I will shut her away, I will declare her a definite [leper], and I will free her. He teaches at all events, 'Moses was a Zar and a Zar cannot inspect plagues'? —

Said R. Nahman b. Isaac: The inspection of leprosy² is different, because Aaron and his sons are specified in that section. An objection is raised: Elisheba³ had five joys more than the other daughters of Israel:⁴ her brother-in-law [Moses] was a king, her husband was a High Priest, her son [Eleazar] was Segan [deputy High Priest], her grandson [Phinehas] was anointed for battle,⁵ and her brother [Nahshon] was the prince of his tribe; yet she was bereaved of her two sons. At all events he teaches, Her brother-in-law was a king: thus he was a king, but not a High Priest? — Emend, was also a king.

This is dependent on Tannaim: And the anger of the Lord was kindled against Moses.⁶ R. Joshua b. Karhah said: A [lasting] effect is recorded of every fierce anger in the Torah,⁷ but no [lasting] effect is recorded in this instance. R. Simeon b. Yohai said: A [lasting] effect is recorded in this instance too, for it is said, Is there not Aaron thy brother the Levite?⁸ Now surely he was a priest? Rather, this is what He meant: I had said that thou

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wouldst be a priest and he a Levite; now, however, he will be a priest and thou a Levite.

The Sages maintain: Moses was invested with priesthood only for the seven days of consecration. Some maintain: Only Moses' descendants were deprived of priesthood,⁹ for it is said, But as for Moses the man of God, his sons are named among the tribe of Levi;¹⁰ and it says, Moses and Aaron among His priests, and Samuel among them that call upon His name.¹¹ Why [add] 'and it says'?¹² — You might argue that [the first proof-text] is written for [future] generations,¹³ hence it says, however, 'Moses and Aaron among His priests'. Now, is then a [lasting] effect recorded of every fierce anger in the Torah? Surely it is written, And he went out from Pharaoh in hot anger,¹⁴ and yet he said nothing to him? —

Said Resh Lakish: He slapped him and went out. But did Resh Lakish say thus? Surely it is written, And thou shalt stand by the river's brink to meet him,¹⁵ whereon Resh Lakish commented: [The Holy One, blessed be He, said to Moses,] He is a king, and thou must show him reverence;¹⁶ while R. Johanan maintained: [God said to him:] He is a wicked man, therefore be thou insolent toward him? — Reverse it.¹⁷

R. Jannai said: Let the awe of kingship always be upon thee, for it is written, And all these thy servants shall come down unto me,¹⁸ but he did not say it of [Pharaoh] himself.¹⁹ R. Johanan said: It may be inferred from the following: And the hand of the Lord was on Elijah; and he girded up his loins, and ran before Ahab.²⁰

'Ulla said: Moses desired kingship, but He did not grant it to him, for it is written, Draw not nigh halom [hither];²¹ 'halom' can only mean kingship, as it is said, [Then David... said:] 'Who am I, O Lord God... that Thou hast brought me halom [thus far]?²² Raba raised an objection: R. Ishmael said: Her

[Elisheba's] brother-in-law [Moses] was a king? —

Said Rabbah b. 'Ulla:²³ He ['Ulla] meant, for himself and for his descendants.²⁴ Does then 'halom' refer to [future] generations wherever it is written?²⁵ Surely it is written in connection with Saul, Is there yet a man come halom [hither],²⁶ yet only he [enjoyed kingship], but not his seed? — If you wish I can answer that there was Ish-bosheth.²⁷ Alternatively, Saul was different, for it [kingship] did not remain even with him.²⁸ This agrees with R. Eleazar's dictum in R. Hanina's name: When greatness is decreed for a man, it is decreed for him and for his seed unto all generations, for it is said: He withdraweth not His eyes from the righteous; but with kings upon the throne He setteth them for ever.²⁹ But if he becomes arrogant, the Holy One, blessed be He, abases him, for it is said [And they are exalted...] And if they be bound in fetters, and be holden in cords of affliction.³⁰

MEN WITH A BLEMISH, WHETHER TRANSIENT. How do we know this?— Because our Rabbis taught: Every male [may eat of it]:³¹ this includes men with a blemish. In which respect? If in respect of eating, surely it is said elsewhere, He may eat the bread of his God, both of the most holy, and of the holy?³² Hence it means in respect of sharing.³³ Another [Baraitha] taught: 'Every male': this includes men with a blemish. In which respect? If in respect of eating, surely that is already stated [elsewhere]; if in respect of sharing, surely that [too] is already stated?³⁴ Hence [it is required] in respect of a man blemished from birth.³⁵ For I might think: I know it only of an unblemished [priest] who became blemished; how do I know it of a man blemished from birth? Therefore it says, 'Every male'. Another [Baraitha] taught: 'Every male' includes a man with a blemish. In which respect? If in respect of eating, surely it is already stated; if in respect of sharing, surely it is already stated; if in respect of a man blemished from

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birth, surely it is already stated? For I might think: I know it only of a man with a permanent blemish; how do I know it of a man with a transient blemish? Therefore it says, 'Every male'. Surely this should be reversed!³⁶ —

Said R. Shesheth: Reverse it. R. Ashi said: After all, do not reverse it, yet it is necessary. For I might argue,

- (1) V. Lev. XIII, 2.
- (2) Lit., 'the appearance of plagues'.
- (3) Aaron's wife.
- (4) On the day that the Tabernacle was erected.
- (5) He was anointed as the deputy High Priest to lead in battle.
- (6) Ex. IV, 14. The reason for God's anger was Moses' extreme reluctance to go to Pharaoh.
- (7) Wherever it is stated that God's anger was kindled, it left its mark in some way.
- (8) Ex. IV, 14.
- (9) But he remained a priest all his life.
- (10) I Chron. XXIII, 24.
- (11) Ps. XCIX, 6.
- (12) Which implies that the first proof-text is insufficient.
- (13) The first text deals with the status of the people then living, and for that reason Moses himself is not included. Thus it may not prove that he was a priest.
- (14) Ex. XI, 8.
- (15) Ibid. VII, 15.
- (16) Surely then he would not have slapped him.
- (17) Resh Lakish maintained that he was to be insolent toward him, and R. Johanan the reverse.
- (18) Ibid. XI, 8.
- (19) Out of respect for royalty, though he knew that Pharaoh himself would eventually appeal to him (ibid. XII, 30 seq.)
- (20) I Kings XVIII, 46. Thus he showed him respect as a king, in spite of the strong opposition he had always displayed.
- (21) Ex. III, 5.
- (22) 11. Sam. VII, 18. 'Halom'(thus far)there means the kingship.
- (23) Emended text (Sh.M.).
- (24) Moses desired royalty for himself and his descendants, but it was granted only for himself.
- (25) For according to the answer just given, when God said to Moses, 'Draw not nigh halom', He meant that he could not enjoy kingship for future generations.
- (26) 1. Sam. X, 22.
- (27) His son, who did succeed him for a time.
- (28) Even in his own lifetime it was torn from him. But originally it was decreed both for him and for

his descendants, and he lost it only through his own instability.

- (29) Job XXXVI, 7.
- (30) Ibid. 8. This is their punishment if 'they are exalted', i.e., arrogant.
- (31) Lev. VI, 11, 22; VII, 6. These refer to the meal-offering, the sin-offering, and the guilt-offering respectively. The Talmud now interprets each one.
- (32) Ibid. XXI, 22.
- (33) Blemished priests receive a share in their own rights.
- (34) That is deduced from the first 'every male'.
- (35) Lit., 'from the beginning'. — Emended text.
- (36) One would include a non-permanent blemish sooner than a permanent one.

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[he is] like an unclean [person]: as an unclean person may not eat-so long as he is not clean, so may this man not eat so long as he is not made whole;¹ hence it informs us [otherwise].

WHOEVER IS NOT ELIGIBLE, etc. Is he not? surely a [priest] with a blemish is not eligible, yet he receives a share? Moreover [it implies that every] one who is eligible for service receives a share; lo, an unclean [priest] is eligible for the service in public sacrifices, and yet does not receive a share? — He means: who is fit to eat. Lo, a minor is fit to eat, yet does not receive a share? — He does not teach this.² Now that you have arrived at this, [you can say,] After all, it is as we first said:³ if [your difficulty is] on account of an unclean [priest], he does not teach this;⁴ and if [your difficulty is] on account of a [priest] with a blemish: a [priest] with a blemish was included by the Divine Law.⁵

EVEN IF ONE WAS UNCLEAN WHEN THE BLOOD WAS SPRINKLED BUT CLEAN WHEN THE FATS WERE BURNED, HE DOES NOT RECEIVE A SHARE. Hence, if he was clean when the blood was sprinkled but unclean when the fats were burned, he does receive a share. Our Mishnah does not agree with Abba Saul. For it was taught, Abba Saul said: He never receives a share unless he was clean from the time of the sprinkling of the blood until the

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time of the burning of the fats [inclusive], because it is said, He [among the sons of Aaron,] that offereth the blood of the peace-offerings, and the fat, [shall have the right thigh for a portion]⁶ this intimates that even [at] the burning of the fat too [cleanness] is required.

R. Ashi asked: What if he was defiled in between?⁷ Do we require him [to be clean] at the sprinkling and at the burning, and [this condition] is fulfilled; or perhaps he must be clean from the time of the sprinkling until the time of the burning of the fats? The question stands over.

Rabab said: I have the following discussion as a tradition from R. Eleazar son of R. Simeon, which he stated in a privy. You can argue: If a priest, a Tebul Yom, came and demanded: Give me of an Israelite's meal-offering, that I may eat thereof,⁹ one [the clean priest] can answer him: If I can repulse you from an Israelite's sin-offering, though you have a valid right¹⁰ to your own sin-offering, surely I can repulse you from an Israelite's meal-offering, seeing that you have no valid right¹⁰ in your own meal-offering.¹¹ [He can reply:] If you repulse me from an Israelite's sin-offering, that is because just as I have a great privilege, so have you a great privilege;¹² will you repulse me from an Israelite's meal-offering, where just as my own rights are weak, so are your rights weak? [He can answer:] Lo, it says, [And every meal-offering...] shall be the priest's that offereth it:¹³ come, offer, and eat.¹⁴ [If the Tebul Yom demands:] Give me [a share] of an Israelite's sin-offering, that I may eat, he can reply: If I can repulse you from an Israelite's meal-offering, though I have no privileges in my own meal-offering, surely I can repulse you from an Israelite's sin-offering, seeing that I have great privileges in my own sin-offering. He can retort: If you can repulse me from an Israelite's meal-offering, where just as you have no privileges so have I no privileges: will you repulse me from an Israelite's sin-offering, where just as you have great

privileges, so have I great privileges? He can answer: Lo, it says, The priest that offereth it for sin shall eat it:¹⁵ come, offer it for sin, and eat! If [the Tebul Yom] demands Give me [a share] of the breast and the thigh, that I may eat, he can reply: If I can repulse you from an Israelite's sin-offering, though you have great privileges in your own sin-offering, surely I can repulse you from a peace-offering, where your privileges are weak, since you have rights only to the breast and thigh thereof. He can retort: If you can repulse me from a sin-offering, where my rights are weak in respect of my wives and servants,¹⁶ will you repulse me from the breast and thigh, where my rights are strong in respect of my wives and my slaves?¹⁷ He can answer: Lo, it says, It shall be the priest's that sprinkleth the blood of the peace-offerings against the altar:¹⁸ Come, sprinkle and eat. Thus the Tebul Yom departs, bearing his arguments on his head,¹⁹ with an onen on his right and one who lacks atonement on his left.²⁰

R. Ahai raised a difficulty: Let him [the Tebul Yom] demand:²¹ Give me [a share] of a firstling, that I may eat. Because he [the clean priest] can answer: If I can repulse you from an Israelite's sin-offering, though my own privileges in a sin-offering are weak in respect to my wives and slaves, surely I can repulse you from a firstling, where I enjoy great privileges, as it is altogether mine. [He can answer:] If you have repulsed me from a sin-offering, where just as your privileges are weak so are my privileges weak, will you repulse me from a firstling, where just as your privileges are great, so are mine great? [He can retort:] Lo, it says, Thou shalt sprinkle their blood against the altar, and shalt make their fat smoke for an offering made by fire... and the flesh of them shall be thine:²² come, sprinkle, and eat.²³ And the other?²⁴ —

Refute it [thus]: Is it then written, And the flesh of them shall be the priest's who sprinkleth? Surely it is written, And the flesh of them shall be thine, which means even another priest's.²⁵ Now, how might he [R.

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Eleazar son of R. Simeon] do this?²⁶ Surely Rabbah b. Bar Hanah said in R. Johanan's name: One may meditate [on learning] in all places, except in a bath-house and a privy? — It is different [when it is done] involuntarily.

- (1) I would say that Scripture includes only a man with a permanent blemish, because he can never be made whole. But one with a transitory blemish must wait.
- (2) The Tanna does not in fact teach the converse that all who are fit to eat do share therein.
- (3) Viz., whoever is not eligible for the service (not, not fit to eat).
- (4) The Tanna merely teaches that whoever is not eligible for the service does not receive a share, but not the converse.
- (5) Therefore he is an obvious exception.
- (6) Lev. VII, 33.
- (7) And was clean again by the time the fats were burned. — This question is asked on Abba Saul's view.
- (8) Sh. M. emends: Rab.
- (9) In the evening.
- (10) Lit., 'your strength is good... your strength is feeble'.
- (11) A priest liable to a sin-offering, can offer it himself even when his ward (v. p. 473, n. 10) is not officiating, and the flesh and hide then belong to him. Nevertheless, when a Tebul Yom he has no share in an Israelite's sin-offering (i.e., of course, even when his own ward is officiating). On the other hand, a priest has no share even in his own meal-offering. Since a priest's meal-offering is completely burnt (Lev. VI, 16); surely then he has no claim, when a Tebul Yom, to an Israelite's meal-offering.
- (12) Just as I can offer my own sin-offering, so can you offer your own; obviously then I cannot claim any greater privileges in an Israelite's sin-offering.
- (13) Lev. VII, 9.
- (14) But as you cannot offer, being a Tebul Yom, you cannot eat either.
- (15) Ibid. VI, 19.
- (16) Even when I am clean and receive a share, my wives and slaves may not eat thereof.
- (17) They may eat of my share.
- (18) Ibid. VII, 14.
- (19) Lit., 'with his leniencies and stringencies on his head' — his arguments have availed him naught, and he retires crestfallen.
- (20) They too can be similarly repulsed.
- (21) I.e., why did R. Eleazar b. R. Simeon not discuss the case where a Tebul Yom demands a share in a firstling?
- (22) Num. XVIII, 17, 18. This refers to firstlings.
- (23) Why then did R. Eleazar b. R. Simeon omit this? Actually a firstling was not given to the ward

but to any individual priest, to whom the whole of it belonged. R. Ahai nevertheless suggests that the above argument shows that it cannot be given to a priest (e.g. a Tebul Yom) who at the time of giving is not fit to officiate. Since R. Eleazar b. R. Simeon omits this, it follows that he does not accept this view.

(24) R. Eleazar b. R. Simeon: why does he reject this argument?

(25) 'Thine' meaning the priesthood's in general.

(26) Sc. think of all this in a privy.

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MISHNAH. WHENEVER THE ALTAR DOES NOT ACQUIRE ITS FLESH,¹ THE PRIESTS DO NOT ACQUIRE THE SKIN, FOR IT IS SAID, [AND THE PRIEST THAT OFFERETH] ANY MAN'S BURNT-OFFERING [EVEN THE PRIEST SHALL HAVE... THE SKIN]:² [THIS MEANS,] A BURNT-OFFERING WHICH COUNTS FOR A MAN.³ IF A BURNT-OFFERING WAS SLAUGHTERED UNDER A DIFFERENT DESIGNATION, ALTHOUGH IT DOES NOT COUNT FOR ITS OWNER, ITS SKIN BELONGS TO THE PRIESTS. WHETHER [IT BE] A MAN'S BURNT-OFFERING OR A WOMAN'S BURNT-OFFERING, THE SKINS BELONG TO THE PRIESTS.

HE SKINS OF LESSER SACRIFICES BELONG TO THEIR OWNERS. THE SKINS OF MOST SACRED SACRIFICES BELONG TO THE PRIEST, [AS CAN BE INFERRED] A MINORI: IF THEY ACQUIRE THE SKIN OF A BURNT-OFFERING, THOUGH THEY DO NOT ACQUIRE ITS FLESH; IS IT NOT LOGICAL THAT THEY ACQUIRE THE SKINS OF MOST SACRED SACRIFICES, WHEN THEY ACQUIRE THEIR FLESH? THE ALTAR DOES NOT REFUTE [THIS ARGUMENT], FOR IT DOES NOT ACQUIRE THE SKIN IN ANY INSTANCE.⁴

GEMARA. Our Rabbis taught: 'Any man's burnt-offering'; this excludes a burnt-offering of hekdesh;⁵ these are the words of R. Judah. R. Jose son of R. Judah said: It excludes a proselyte's burnt-offering.⁶ What is meant by, 'This excludes a burnt-offering of hekdesh? —

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Said R. Hiyya b. Joseph: It excludes a burnt-offering derived from 'left-overs'.⁷ That is well on the view that 'left-overs were devoted to public sacrifices; but what can be said on the view that 'leftovers' were devoted to private sacrifices?⁸ —

As Raba said [elsewhere], 'The burnt-offering' intimates, the first burnt-offering;⁹ so here too 'the burnt-offering' intimates, the first burnt-offering.¹⁰ R. Aibu¹¹ said in R. Jannai's name: It excludes the case where one dedicates a burnt-offering to the Temple Repair:¹² Now, on the view that the sanctity of Temple Repair seizes [it] by Scriptural law, there can be no question; but even on the view that it does not seize [it] [by Scriptural law], that applies only to the flesh, but it does seize the skin.¹³ R. Nahman in Rabbah b. Abbuha's name also said: It excludes a burnt-offering derived from 'left-overs'. Said R. Hamnuna to R. Nahman: With whom does that agree? with R. Judah?¹⁴ Surely he retracted [from his view]? For it was taught: Six were for votive [offerings], [viz.,] for burnt-offerings brought from [the proceeds of] left-overs, the skins of which [burnt-offerings] did not belong to the priests:¹⁵ these are the words of R. Judah.

Said R. Nehemiah — others say, R. Simeon — to him: If so, you have nullified the teaching of Jehoiada the Priest. For it was taught:¹⁶ This teaching did Jehoiada the priest expound: It is a guilt-offering — he oweth a guilt-offering unto the Lord:¹⁷ whatever comes in virtue of a sin-offering and a guilt-offering,¹⁸ burnt-offerings are purchased therewith: the flesh belongs to the Lord,¹⁹ while the skin belongs to the priests!²⁰ — Said he to him:²¹ Then how does the Master explain it? — I explain it as referring to one who dedicates his property [to Temple Repair], he replied, and it is in accordance with R. Joshua. For we learnt: If one dedicates his property, amongst which were animals eligible for the altar, both males and females, —

R. Eliezer said: The males must be sold for the purpose of burnt-offerings, and the females

must be sold for the purpose of peace-offerings,²² whilst the money [obtained] for them, together with the rest of the estate, falls to the Temple Repair. R. Joshua said: The males themselves must be offered as burnt-offerings, and the females must be sold for the purpose of peace-offerings, and burnt-offerings be brought with the money [obtained] for them.²³ Now, even R. Joshua who maintains that a man divides his consecration,²⁴ that is only in respect of the flesh,²⁵ but the skin is seized [with the sanctity of Temple Repair].²⁶ 'R. Jose son of R. Judah said: It excludes a proselyte's burnt-offering'. Said R. Simai b. Hilkaï to Rabina: Is then a proselyte not a man?²⁷ — It excludes, replied he, a proselyte who died without heirs.²⁸

Our Rabbis taught: 'Any man's burnt-offering': I know it only of a man's burnt-offering;²⁹ how do I know it of the burnt-offering of proselytes,³⁰ women, and slaves? Because it says, The skin of the burnt-offering,³¹ [which is] an extension. If so, why does it say, any man's burnt-offering? [It intimates,] a burnt-offering which has freed a man [of his obligation], and [thus] excludes one which was slaughtered [with the intention of sprinkling its blood] after time or without bounds, [teaching] that the priests have no rights in its skin. You might think that I include³² one which was slaughtered under a different designation, [for] since it does not free its owner,

(1) E.g., if the sacrifice is disqualified before the blood is sprinkled, so that it was never fit for the altar.

(2) Lev. VII, 8.

(3) I.e., its owner has fulfilled his obligation thereby. Only of such does the skin belong to the priest. But if it is disqualified (v. n. 8, p. 496), its owner must bring another.

(4) You might say, Let the altar refute this argument, for the altar acquires the flesh of the burnt-offering but not its skin; similarly, then, the priests may acquire the flesh of most sacred sacrifices, but not their skins. This analogy, however, is faulty, for the altar has no right to the skin of any sacrifice, whereas the skins of burnt-offerings belong to priests.

(5) V. Glos; the meaning is explained anon.

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- (6) The skins of these do not belong to the priests.
- (7) When a guilt-offering cannot be sacrificed, e.g., its owner died, it is left to graze until it is blemished. Then it is redeemed, and a burnt-offering is purchased with the redemption-money. This burnt-offering is sacrificed when there is a scarcity of other sacrifices (hence it was known as the sacrifice for 'the altar's summer fruit'), and ranks as a public sacrifice; hence it was not 'any man's burnt-offering', and its skin did not belong to the priests.
- (8) E.g., the heir of the dead man would bring it as a private sacrifice: why then should the skin not belong to the priest?
- (9) V. Pes. 58b, Sonc. ed. p. 292.
- (10) The def. art. in 'the priest shall have the skin of the burnt-offering' intimates that a particular one is meant, viz., an animal consecrated as such in the first place. A 'left-over', however, was originally consecrated for something else.
- (11) Sh.M. emends: *Ila*.
- (12) Lit., 'one causes a burnt-offering to be seized (with sanctity) for the Temple Repair.' — 'Temple Repair' is a technical term, denoting a thing dedicated for any Temple use except a sacrifice. This animal itself must be sacrificed.
- (13) There are two views on the dedication of a sacrifice to Temple Repair (inferred from a discussion in Tem. 32a bottom, b): (i) This animal is seized with the sanctity of Temple Repair by Scriptural law. Consequently it must be redeemed (the redemption money going to the Temple Repair), and then sacrificed. On this view the skin is certainly not the priest's, for it is not 'the burnt-offering of any man', but one which belongs to Temple Repair. (ii) By Scriptural law this animal cannot be 'seized' with any other sanctity, since it already belongs to God. Yet even this view applies only to the flesh of the offering, which belongs to the altar; but as the skin does not belong to the altar in any case, it is 'seized' with the sanctity of Temple Repair, and does not belong to the priest.
- (14) Who maintains anon that the skin of left-overs is the priest's.
- (15) There were thirteen horn-shaped receptacles in the Temple for various funds. Six of these were for the purpose stated in the text.
- (16) Marginal emendation: we learnt.
- (17) Lev. V, 19. E.V. he is certainly guilty before the Lord. The present rendering, which gives the sense as it is understood here, viz., that the guilt-offering belongs to the Lord, contradicts Lev. VII, 7 q.v., and the text proceeds to reconcile the two verses.
- (18) I.e., if the animals so dedicated cannot be offered as such for any reason; thus they are left-overs. They are left to graze until they are blemished, when they are redeemed, and other animals purchased for sacrifices, as explained.

- (19) It is burnt on the altar.
- (20) But not to the Lord. Now, R. Judah did not answer this, which shows that he accepted it and retracted from his view.
- (21) Sc. R. Nahman to R. Hamnuna.
- (22) If one consecrates an animal fit for the altar to Temple Repair, the animal must be sacrificed. Hence these animals must be sold to those who need them for sacrifices. This selling constitutes redemption, for R. Eliezer holds that everything consecrated for Temple Repair must be redeemed, if it cannot be used itself for that purpose, and the money goes to that fund.
- (23) R. Joshua holds that when a man consecrates property without defining it, whatever is fit for the altar is meant to be sacrificed itself, and not redeemed. But at the same time, the whole of it must be for the altar, just as the whole of anything consecrated to Temple Repair belongs to the Temple Repair Fund. Consequently, males are sacrificed as burnt-offerings on behalf of the person who consecrated them, and not sold to another. Females, however, cannot be similarly sacrificed as peace-offerings, since only a portion of peace-offerings belong to the altar. Therefore they are sold for peace-offerings, and with the money males for burnt-offerings are bought, and the rest of the estate falls to Temple Repair.
- (24) I.e., though he does not specify, he intends each thing for whatever it is fit, whether for the Temple Repair Fund or for the altar.
- (25) I.e., the flesh of the animal belongs to the altar.
- (26) Since skin could be consecrated to the Temple Repair Fund, it belongs to it now too, and not to the priests. This then is what we exclude above.
- (27) Surely he is included in, 'any man's burnt-offering'?
- (28) An ordinary Jew cannot be without an heir, since he must have some relation, however distant. A proselyte, however, loses all relationship with his pre-conversion relations, and so may die without a legal heir. Hence the animal does not belong to 'any man' when it is sacrificed.
- (29) That the skin belongs to the priests.
- (30) Sh.M. (and apparently Rashi) delete 'proselyte.' Var. lec. heathens. — Sacrifices were accepted from non-Jews.
- (31) 'Burnt-offering' is a repetition in the same verse.
- (32) Among those whose skin does not belong to the priests. Var. lec. exclude — sc. from those whose skins belong to the priest — this is preferable.

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the skin does not belong to the priests. Therefore it says, 'the skin of the burnt-offering', [which implies,] at all events. 'The

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skin of the burnt-offering': I know it only of the skin of a burnt-offering; how do I know it of the skin of most holy sacrifices? Because it says, ['the skin of the burnt-offering]¹ which he hath offered.'² You might think that I include lesser sacrifices too: therefore it states, 'burnt-offering': as a burnt-offering is a most sacred sacrifice, so all most sacred sacrifices [are included].³

R. Ishmael said: 'The skin of the burnt-offering': I know it only of the skin of a burnt-offering. How do I know it of the skin of most sacred sacrifices? It is inferred by logic. If the priests have a right to the skin of a burnt-offering, though they have no right to its flesh, is it not logical that they have a right to the skin of [other] most sacred sacrifices, seeing that they have a right to their flesh? Let the altar refute it, for it has a right to the flesh and has no right to the skin? As for the altar, that is because it has no right to part thereof;⁴ but in the case of priests who have a right to part thereof, you must say: since they have a right to part, they have a right to the whole.⁵

Rabbi said: The text bears essentially only upon the skin of a burnt-offering.⁶ For in every instance the skin follows the flesh. [Thus:] the bullocks that are to be burnt and the goats that are to be burnt are burnt and their skin with them. The sin-offering, guilt-offering, and public peace-offerings are the priestly dues: if they wish, they can flay them; if they do not so desire, they can consume them together with their skin.⁷ Lesser sacrifices belong to their owners: if they desire, they can flay them; if they do not desire, they can eat them together with the skin. But of the burnt-offering it is said, And he shall flay the burnt-offering, and cut it into its pieces.⁸ You might thus think that the priests do not acquire its skin; therefore it states, 'even the priest shall have to himself the skin of the burnt-offering which he hath offered'; and this excludes a Tebul Yom, [one who lacks atonement],⁹ and an onen. For you might think that these have no right to the flesh, which is eaten, but they have a right to

the skin, which is not eaten:¹⁰ therefore it states, it shall be his:¹¹ which excludes one who lacks atonement, a Tebul Yom, and an onen. Now, let the first Tanna too deduce it by logic? —

That which may be inferred a fortiori. Scripture takes the trouble of writing it [explicitly]. Now, how does R. Ishmael utilize this text, 'which he hath offered'? — It excludes a Tebul Yom, one who lacks atonement, and an onen. But let him deduce that from 'it shall be his'? —

R. Ishmael is consistent with his view. For R. Johanan said on R. Ishmael's authority: 'It shall be his' is said in connection with a burnt-offering, and 'it shall be his' is said in connection with a guilt-offering: as there its bones are permitted, so here too its bones are permitted. This must be redundant, for if it is not redundant, it can be refuted: as for a guilt-offering, that is because its flesh is permitted! 'It shall be his' is a superfluous text.¹²

MISHNAH. ALL SACRIFICES WHICH BECAME DISQUALIFIED: [IF THIS HAPPENED] BEFORE THEY WERE FLAYED, THEIR SKINS DO NOT BELONG TO THE PRIESTS.¹³ [IF IT OCCURRED] AFTER THEY WERE FLAYED, THEIR SKINS BELONG TO THE PRIESTS. SAID R. HANINA THE SEGAN OF THE PRIESTS:¹⁴ NEVER IN MY LIFE HAVE I SEEN SKIN GO OUT TO THE PLACE OF BURNING.¹⁵ R. AKIBA OBSERVED: WE LEARN FROM HIS WORDS THAT IF ONE FLAYS A FIRSTLING AND IT IS FOUND TO BE TEREFAH,¹⁶ THE PRIESTS HAVE A RIGHT TO ITS SKIN. BUT THE SAGES MAINTAIN: 'I HAVE NEVER SEEN' IS NOT PROOF: RATHER, IT [THE SKIN] MUST GO FORTH TO THE PLACE OF BURNING.¹⁷

GEMARA. [The preceding Mishnah teaches,] Whenever the altar does not acquire the flesh, the priests do not acquire the skin, [which implies,] even though the skin was stripped before the sprinkling [of the blood]. Who is the author of this? R. Eleazar b. R. Simeon,

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who maintained: The blood does not propitiate on behalf of the skin when it is by itself.¹⁸ Then consider the second clause:¹⁹ **ALL SACRIFICES WHICH BECAME DISQUALIFIED: [IF THIS HAPPENED] BEFORE THEY WERE FLAYED, THEIR SKINS DO NOT BELONG TO THE PRIESTS; [IF IT OCCURRED] AFTER THEY WERE FLAYED, THEIR SKINS BELONG TO THE PRIESTS:** this agrees with Rabbi, who maintained: The blood propitiates on behalf of the skin when it is by itself. Thus the first clause agrees with R. Eleazar b. R. Simeon, while the second clause agrees with Rabbi? — Said Abaye: Since the second clause agrees with Rabbi, the first clause too agrees with Rabbi; Rabbi however admits that flaying is not done before sprinkling.²⁰ Raba said: Since the first clause agrees with R. Eleazar b. R. Simeon, the second clause too agrees with R. Eleazar b. R. Simeon. What however is meant by ‘before flaying’

- (1) Sh.M. deletes this.
- (2) This is superfluous, and therefore intimates: all sacrifices which a priest offers.
- (3) But not others.
- (4) As in the Mishnah: in no instance does the skin belong to the altar.
- (5) To the skin of all most sacred sacrifices.
- (6) And does not apply to or is not needed for any other sacrifices.
- (7) I.e., the priests are not bound to flay the animals first. Obviously then the skin is theirs together with the flesh, and no text is required in respect of these.
- (8) Lev. I, 6. Scripture does not state at this stage what is done with the skin.
- (9) Rashak omits bracketed words.
- (10) I.e., while they have no share in the flesh of other sacrifices, since they are not eligible to eat it when they are sacrificed, there seems no reason why they should not share in the skin of the burnt-offering.
- (11) The literal translation of the text quoted is, the skin of the burnt-offering which he hath offered is the priest's; it shall be his. ‘It shall be his’ is emphatic; implying his only, and not any other priest's.
- (12) Supra 86a q.v. notes. Thus he utilizes ‘it shall be his’ for this purpose.
- (13) But are burnt together with the flesh.
- (14) V. p. 401, n. 4.
- (15) Sc. after it was flayed.

(16) Though this disqualification occurred before it was even slaughtered.

(17) Since it was disqualified before it was flayed.

(18) If the flesh becomes disqualified after the animal is flayed, so that the sprinkling does not ‘propitiate’ on behalf of the flesh, i.e., it does not render the flesh permitted, it does not propitiate on behalf of the skin either, i.e., it does not permit the skin to the priests.

(19) Sc. the present Mishnah.

(20) Though the blood does propitiate on behalf of the skin by itself, he admits that it is very rare for the skin to be by itself when the blood is sprinkled, since the flaying is generally done afterwards, in order not to keep the blood so long. Hence the preceding Mishnah assumes that the skin was not stripped before the sprinkling. If, however, it was, the skin would belong to the priests, notwithstanding that the altar did not acquire its flesh.

Zevachim 104a

and ‘after flaying’? — Before it is eligible for flaying and after it is eligible for flaying [respectively].¹ What is this allusion to Rabbi and R. Eleazar b. R. Simeon? —

It was taught: Rabbi said: The blood propitiates on behalf of the skin by itself. But when it is together with the flesh and a disqualification arises in it, whether before or after the sprinkling, it is the same as itself.² R. Eleazar b. R. Simeon maintained: The blood does not propitiate on behalf of the skin by itself. And when it is together with the flesh and a disqualification arises in it before sprinkling, it is the same as itself; [if it arises] after the sprinkling, the flesh has been permitted for a short space of time, [and so] it is flayed, and the skin belongs to the priests.³ Shall we say that they differ on the same lines as R. Eliezer and R. Joshua? For it was taught: And thou shalt offer thy burnt-offerings, the flesh and the blood:⁴ R. Joshua said: If there is no blood there is no flesh, and if there is no flesh there is no blood.⁵ 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].⁶ If so, why is it stated, And thou shalt offer thy burnt-

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offerings, the flesh and the blood? To teach you: just as the blood requires throwing,⁷ so does the flesh require throwing.⁸ Thus you learn that there was a space between the ascent and the altar.⁹ Shall we say that he who maintains that it propitiates¹⁰ agrees with R. Eliezer,¹¹ while he who maintains that it does not propitiate agrees with R. Joshua? —

About the view of R. Eliezer there is no controversy at all.¹² They disagree in reference to R. Joshua. He who maintains that it does not propitiate holds as R. Joshua. While he who maintains that it does propitiate can tell you: R. Joshua rules thus only there, where there is no loss to the priests.¹³ But as for the skin, which would entail a loss to the priests, even R. Joshua admits,¹⁴ by analogy with a fait accompli.¹⁵ For it was taught: If the flesh was defiled or disqualified,¹⁶ 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.¹⁷

SAID R. HANINA THE SEGAN OF THE PRIESTS, etc. Did he not? Surely there are the bullocks which are burnt and the goats which are burnt?¹⁸ — We do not speak of [what is burnt] in pursuance of their prescribed rites.¹⁹ But what when [the sacrifice is disqualified] before it is flayed and before sprinkling?²⁰ — We refer to a stripped [skin].²¹ But there is [a disqualification] after flaying and before sprinkling, according to R. Eleazar b. R. Simeon who maintained [that] the blood does not propitiate on behalf of the skin by itself?²² — R. Hanina agrees with Rabbi.²³ Alternatively, you may even say that he holds as R. Eliezer b. R. Simeon: Rabbi admits that there was no flaying before sprinkling.²⁴ But there is [the case] where it is discovered terefah in its inwards?²⁵ — He holds that where it is found terefah in its inwards, it [the blood] propitiates. This may be proved too, for it teaches, R. AKIBA OBSERVED: WE LEARN FROM HIS WORDS THAT IF ONE FLAYS A

FIRSTLING AND IT IS FOUND TO BE TEREFAH, THE PRIESTS HAVE A RIGHT TO ITS SKIN. This proves it.

What then does R. Akiba inform us?²⁶ — He informs us this, [viz.,] that it is so even in the country.²⁷ R. Hiyya b. Abba said in R. Johanan's name: The halachah is as R. Akiba. But even R. Akiba ruled thus only where an expert had permitted it,²⁸ but not if an expert had not permitted it. [The Talmud however states:] The law agrees with the view of the Sages: [the flesh is buried and the skin is burnt].²⁹

MISHNAH. BULLOCKS WHICH ARE BURNT AND GOATS WHICH ARE BURNT: WHEN THEY ARE BURNT IN PURSUANCE OF THEIR PRESCRIBED RITES, THEY ARE BURNT IN THE ASH DEPOSITORY, AND DEFILE GARMENTS;³⁰ BUT WHEN THEY ARE NOT BURNT IN PURSUANCE OF THEIR PRESCRIBED RITES,³¹ THEY ARE BURNT IN THE PLACE OF THE BIRAH³² AND DO NOT DEFILE GARMENTS.

(1) I.e., before and after sprinkling. If it is disqualified before sprinkling, even after flaying, the skin does not belong to the priests. If it is disqualified after sprinkling, even though it was not yet flayed, the skin belongs to the priests.

(2) Sc. the flesh.

(3) Cf. supra 85a.

(4) Deut. XII, 27.

(5) If either is defiled, the other is unfit for its purpose.

(6) Ibid.

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

(8) On the altar.

(9) V. supra 62b.

(10) The blood propitiates on behalf of the skin after the flesh is disqualified. — Lit., 'it (the skin) is propitiated'.

(11) That the blood is fit (and efficacious) even when there is no flesh.

(12) He certainly disagrees with R. Eleazar b. R. Simeon, since he holds that the blood can be sprinkled even if there is no flesh, and therefore it must be efficacious in permitting the skin.

(13) R. Joshua rules that if there is no flesh there is no blood only in the sense that the owner is not yet freed from his obligation and must bring another sacrifice. Thus this does not involve the priests in loss.

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(14) That the sprinkling of the blood makes it available for the priests. since Scripture ordains that the skin belongs to the priest who offers it, and here the priests have offered it.

(15) As the text proceeds to explain. Sh.M. emends: with (flesh) that went out.

(16) By the touch of a Tebul Yom.

(17) Hence here in the same way the sprinkling permits the skin to the priests.

(18) Their skin was burnt too.

(19) There the burning of the skin (as of the whole animal) is part of the prescribed rites of that particular sacrifice. R. Hanina, however, spoke of sacrifices which were burnt through being disqualified.

(20) There all agree that the skin is burnt.

(21) Whereas in the case just quoted the animal was burnt without being flayed.

(22) So that it must be burnt.

(23) That the blood does propitiate in that case.

(24) V. supra 103b, p. 503, n. 3. R. Eleazar b. R. Simeon would certainly hold the same. Thus though theoretically the skin might be burnt by itself, in practice this never happened.

(25) This was disqualified before sprinkling and flaying, and it is now assumed that both Rabbi and R. Eleazar b. R. Simeon agree that the skin is burnt. (As this terefah would not be discovered until the skin was stripped, the skin would be burnt by itself.)

(26) Since R. Hanina rules thus of all sacrifices, why does R. Akiba tell us this particularly about a firstling?

(27) Lit., 'borders' — a technical term for all places outside Jerusalem. When a firstling becomes blemished, it is slaughtered and eaten outside Jerusalem just like hullin. But Scripture permits nothing else but eating, so that if it dies, the carcass must not be put to any use, but must be buried. If, however, it was found to be terefah (and so cannot be eaten), R. Akiba informs us that since this was discovered after it was flayed, the skin is permitted, just as the skin is permitted in similar circumstances in the Temple.

(28) Before a blemished firstling might be slaughtered for food it had to be examined by an expert, to make sure that the blemish was a permanent one and had not been deliberately inflicted.

(29) Presumably this means that the Talmud rejects the ruling of R. Hiyya b. Abba and rules in accordance with the Sages. Consequently, R. Akiba's inference, being based on R. Hanina's ruling, is likewise rejected. Hence if a firstling is found terefah after it is stripped, the whole of it is forbidden. The flesh is buried, not burnt, for only the flesh of sacrifices which had been brought to the Temple court and there disqualified is burnt. Rashi knows no reason why the skin is burnt, and

suggests that 'the flesh... burnt' should altogether be deleted, and that we simply read: The law agrees with the Sages.

(30) The garments of those who burn it, v. Lev. XVI, 28.

(31) But because they had been disqualified.

(32) Lit., 'the Edifice.' V. Gemara.

Zevachim 104b

IF THEY WERE CARRYING THEM¹ ON STAVES,² [AND] THOSE IN FRONT HAD PASSED WITHOUT THE WALL OF THE TEMPLE COURT WHILE THOSE IN THE REAR HAD NOT [YET] GONE OUT, THOSE IN FRONT DEFILE THEIR GARMENTS, WHILE THOSE IN THE REAR DO NOT DEFILE THEIR GARMENTS, UNTIL THEY GO OUT. WHEN BOTH GO OUT, BOTH DEFILE THEIR GARMENTS. R. SIMEON SAID: THEY DO NOT DEFILE [THEIR GARMENTS] UNTIL THE FIRE IS BURNING IN THE GREATER PART OF THEM.³ WHEN THE FLESH IS DISSOLVED, HE WHO BURNS [IT] DOES NOT DEFILE HIS GARMENTS.⁴

GEMARA. WHAT IS THE BIRAH? — Said Rabbah b. Bar Hanah in R. Johanan's name: There is a place on the Temple Mount called 'Birah'. While Resh Lakish maintained: The whole Temple [House] is called Birah, for it is said, And to build the Birah [Temple], for which I have made provision.⁵

R. Nahman said in Rabbah b. Abbuha's name: There were three ash-pits. There was the large ash-pit in the Temple court: there they burnt most holy sacrifices and emurim of lesser sacrifices which had become disqualified. and the bullocks which were burnt and the goats which were burnt, which had become disqualified before sprinkling. There was a second ash-pit on the Temple Mount: there they burnt the bullocks which were burnt and the goats which were burnt, which had become disqualified after sprinkling. While [those which were burnt] in pursuance of their rites, [were burnt] without the three camps.⁶ Levi recited: There were three ash-pits. There was the large ash-pit in

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the Temple court: there they burnt most holy sacrifices and emurim of lesser sacrifices which had become disqualified, and the bullocks which were burnt and the goats which were burnt, which had become disqualified either before or after the sprinkling. There was a second ash-pit on the Temple Mount: there they burnt the bullocks which were burnt and the goats which were burnt, which had become disqualified after they had gone out.⁷ While [those burnt] in pursuance of their prescribed rites, [were burnt] without the three camps.

R. Jeremiah⁸ asked: Is linah⁹ effective in the case of the bullocks which are burnt and the goats which are burnt?¹⁰ Do we say, Linah is effective only in respect of flesh which can be eaten, but not in respect of these which cannot be eaten; or perhaps there is no difference? —

Said Raba: This question was raised by Abaye, and I solved it for him from the following: And both agree that if he expressed an intention [of Piggul] in connection with the eating of the bullocks and their burning, he has done nothing.¹¹ Surely then, since intention does not disqualify it, Linah too does not disqualify it. — [No]: perhaps only intention does not disqualify it, but Linah does disqualify it.

Come and hear: You trespass in respect of the bullocks which are burnt and the goats which are burnt from the time they are consecrated. Having been slaughtered, they are ready to become unfit through a Tebul Yom and one who lacks atonement, and through linah.¹² Surely that means, Linah of the flesh? No, it means Linah of the emurim.¹³ But since the second clause teaches, You trespass in the case of all when they are in the ash-pit until the flesh is dissolved, it follows that the first clause treats of Linah of the flesh? — What reason have you for supposing this? the second clause treats of the flesh, while the first clause treats of emurim.

Come and hear, for Levi recited:... which had become disqualified after they had gone out.' Does that not mean disqualification through Linah? — No: it means disqualification through defilement or through going out.¹⁴

R. Eleazar asked: Is going out effective in respect of the bullocks that are burnt and the goats that are burnt?¹⁵ Why does he ask?¹⁶ — Said R. Jeremiah b. Abba: His question is asked on the view that 'it is not time yet for them to be carried out' [is a disqualification].¹⁷ Do we say, that applies only to flesh which one is not eventually bound to carry out; but not to these, which must eventually be carried out; or perhaps here too [we argue that] it was not yet time for them to go out? —

Come and hear, for Levi recited: 'which had become disqualified after they had gone out'. Does that not mean disqualification through going out? — No: it means disqualification through defilement or linah.¹⁸

R. Eleazar asked: What of the bullocks which were burnt and the goats which were burnt, if the greater part of them went out through the inclusion of the smaller part of a limb?¹⁹ Do we cast this lesser part of the limb after its greater part, and that indeed has not gone out;²⁰ or perhaps we cast it after the greater part of the animal? — It is obvious that we do not disregard the greater part of the animal and regard the greater part of the limb! Rather [the question arises] where half of it went out, through the inclusion of the greater part of the limb. Do we cast this lesser part of the limb?²¹

(1) Sc. the bullocks or goats.

(2) In order to burn them in pursuance of their rites.

(3) Sc. of the sacrifices. Hence those who leave the animal before the greater part of the carcass is burning, do not defile their garments.

(4) If a person comes to engage in its burning when the flesh is already disintegrated through the fire, he does not defile his garments.

(5) 1. Chron. XXIX, 19.

(6) V. p. 276. n. 6. That was the third ash-pit.

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- (7) Of the Temple court.
(8) Sh.M. reads: Eleazar.
(9) V. Glos.
(10) Does Linah disqualify them, as it does other sacrifices?
(11) V. supra 35a.
(12) V. supra 35b.
(13) Since these require burning on the altar (haktarah), Linah certainly disqualifies them.
(14) It was carried out before the blood was sprinkled; this disqualifies it.
(15) V. preceding note: R. Eleazar asks whether this does disqualify them.
(16) Since they must eventually be carried out, why should he think that they are disqualified if this is done before the sprinkling of the blood?
(17) V. supra 89b.
(18) The Talmud means that when we ask about going out, we can argue that this may refer to Linah, and vice versa.
(19) The greater part of the carcass was carried out, but it was the greater part only because it included the lesser part of a limb, the greater part of which was still within. Rashi: the question is whether that counts as going out, so that the men in front, who had carried that portion out (for the purpose of burning) defile their garments. Tosaf.: the question is whether (assuming that going out disqualifies). this must now be burnt within (v. supra).
(20) Hence the lesser part itself is regarded as still within, and consequently the greater part of the carcass has not gone out.
(21) Which remained within.

Zevachim 105a

after its greater part and that indeed has gone out;¹ or perhaps we cast it after the animal? The question stands over.

Rabbah b. R. Huna recited [this passage] in reference to men. Thus: five men were engaged on it,² three had gone out and two were left [within]. What [is the law]? Do we follow the majority of those engaged on it;³ or perhaps we go by the animal? The question stands over.

R. Eleazar asked: What if the bullocks which were burnt and the goats which were burnt were carried out and then brought back;⁴ do we say, since they [the carcasses] went out, they are unclean; or perhaps, since they returned, they returned?⁵ —

Said R. Abba b. Memmel, Come and hear: IF THEY WERE CARRYING THEM ON STAVES, AND THOSE IN FRONT HAD PASSED WITHOUT THE WALL OF THE TEMPLE COURT WHILE THOSE IN THE REAR HAD NOT [YET] GONE OUT, THOSE IN FRONT DEFILE THEIR GARMENTS. WHILE THOSE IN THE REAR DO NOT DEFILE THEIR GARMENTS. UNTIL THY GO OUT. Now, if you should think that as soon as they go out, they [the garments] are defiled, then let those who are within also be defiled?⁶

Said Rabina:⁷ Now, is that logical?⁸ Surely we require, and after that he may come into the camp,⁹ which is absent. Then in which circumstances does R. Eleazar's question arise?¹⁰ — Where they seized it with crooks.¹¹

Our Rabbis taught: The bullocks [which are burnt], the [red] heifer, and the goat that is sent away;¹² he that leads [the last] away, he who burns them, and he who carries [the first-named] out [of the Temple court], defile their garments. They themselves, however, do not defile garments;¹³ but they defile foodstuffs and liquids: these are the words of R. Meir. But the Sages maintain: The [red] heifer and the bullocks defile foodstuffs and liquids, [whereas] the goat which is sent away does not defile, because it is alive, and a live thing does not defile foodstuffs and liquids. As for R. Meir, it is well, [as his view] agrees with the teaching of the School of R. Ishmael. For the School of R. Ishmael taught: Upon any sowing seed which is to be sown;¹⁴ as seeds, which will not ultimately defile with stringent uncleanness, require a qualification [Heksher], so all which will not ultimately defile with stringent uncleanness require a qualification. Thus the carcass of a clean bird is excluded: since It will eventually defile with stringent uncleanness, it does not require a qualification.¹⁵ But as for the Rabbis, if they accept the teaching of the school of R. Ishmael, even the goat that is sent away too [should defile]; while if they reject it, how do

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they know [that] the [red] heifer and the bullocks [defile foodstuffs]?¹⁶

When R. Dimi came,¹⁷ he said: In the West [Palestine] they said: They need a qualification for defilement from a foreign source.¹⁸

R. Eleazar asked: Can the bullocks which are burnt and the goats which are burnt defile foodstuffs and liquids within [the Temple court] as without?¹⁹ When it lacks going out, is it as though it lacks an action,²⁰ or not? After he asked, he answered it: That which lacks going out is as though it lacked an action.²¹

R. Abba b. Samuel²² asked R. Hiyya b. Abba: According to R. Meir, can as much as an olive of the nebelah of a clean bird defile?²³ When it is lying on the ground, there is no question.²⁴ When one has it in his mouth, there is no question.²⁵ The question arises when one is holding it in his hand.²⁶ [Do we say:] Since it was not yet taken [to his mouth], it is as though it lacked an action,²⁷ or not? [After he asked, he solved it]:²⁸

- (1) And by adding this lesser part, the greater part of the animal has now gone out.
- (2) In carrying out its carcass.
- (3) Hence even those within are regarded as without.
- (4) It is assumed that he asked whether the garments of the men who carried it out are defiled.
- (5) And are regarded as not having gone out at all.
- (6) For the defilement of garments depends on the going out of the carcass, not on that of the men (infra b). Hence those within do not defile their garments only because if the carcass is carried back within, even the garments of the men without remain clean.
- (7) Rashi and BAH read: Raba.
- (8) Do you really think that this proof is valid?
- (9) Lev. XIV, 8. 'After that' means after he washes his garments, which were unclean. This shows that Scripture speaks of one who is without (he cannot come in otherwise), and only then does he defile his garments.
- (10) According to this, it obviously depends on whether the men have gone out.
- (11) While standing outside, the carcass having been carried out once and taken in again. Are the

garments of these men (if they are not the same as those who carried it out the first time) unclean, or not?

(12) V. Lev. XVI, 21 seq.

(13) The carcasses do not defile any garments which they touch.

(14) Lev. XI, 37.

(15) The whole Scriptural passage reads: And if aught of their carcass (sc. of unclean 'swarming things' — Sherazim) fall upon any sowing seed which is to be sown, it is clean. But if water be put upon the seed, and aught of their carcass fall thereon, it is unclean unto you. Thus 'seed' is a foodstuff which requires a 'qualification' to become unclean, viz., water must first fall upon it, and it must be touched by a Sherez (q.v. Glos.). When it is unclean, it can in turn defile only eatables and liquids, but not human beings or utensils or garments; thus its defilement is said to be light, not stringent. The School of R. Ishmael deduces that only such require a 'qualification' before they defile; but those which will defile human beings, etc. do not require any qualification. The carcass (nebelah, q.v. Glos.) of a clean bird (i.e., one permitted for food) defiles the garments of the person who eats it; therefore it does not require a 'qualification'. Now, the red heifer, the goat that is sent away, and the bullocks which are burnt, will eventually defile garments; hence they do not need any qualification. and so defile even while they are alive.

(16) Seeing that Scripture speaks only of garments.

(17) V. p. 301. n. 7.

(18) The School of R. Ishmael meant that whatever will not eventually defile with stringent defilement needs a qualification from a foreign source, i.e., it must first touch a Sherez or nebelah, whereas that which will eventually defile in this manner e.g. the red heifer, need not first touch a Sherez or nebelah, but defiles foodstuffs and liquids automatically. Nevertheless, it must be such as is capable of defiling in general, and we find no instance of a living creature defiling.

(19) According to the foregoing, they defile foodstuffs because they defile with stringent defilement (sc. garments). But that is only (20) Which is necessary before it can defile.

(21) Hence they do not defile foodstuffs within.

(22) Sh. M. emends: R. Abba b. Memmel.

(23) Foodstuffs and liquids. — There is no question on the view of the Rabbis, as they maintain that before anything can defile it must conform to the general laws which govern it, and as much as an olive of this nebelah can defile only when it is in a man's throat. R. Meir, however, holds that whatever can eventually defile with a stringent defilement need not be fit for defilement. Hence on his view the question arises.

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(24) It certainly does not defile, for it may never reach the stage of stringent defilement, as perhaps none will take it in his mouth.

(25) It certainly does defile, for it has already reached that stage.

(26) And about to eat it.

(27) To render it capable of defilement.

(28) Sh.M. deletes bracketed words. Rashi reads: said he to him.

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The fact that it was not yet taken [to his mouth] is not as though it lacked an action. He refuted him: Thirteen laws were stated on the nebelah of a clean bird, and this is one of them: It needs intention¹ and it does not need a qualification² and as much as an egg thereof defiles foodstuffs.³ Surely this is in accordance with R. Meir? —

No: it agrees with the Rabbis. But the first clause teaches, ‘it needs intention and it does not need a qualification² and whom do you know to hold thus? R. Meir. And since the first clause agrees with R. Meir, the second clause agrees with R. Meir? — Why say thus? each is governed by its own conditions.⁴ But the final clause teaches, Shechitah when they go out: hence the question whether they defile foodstuffs whilst they are still within, just as when they are without. or Melikah relieves it, when terefah, from its uncleanness:⁵ now, whom do you know to hold this view?

R. Meir, Then the first and the last clauses agree with R. Meir, while the middle clause agrees with the Rabbis? — Yes: the first and the last clauses agree with R. Meir, while the middle clause agrees with the Rabbis.

R. Hamnuna said to R. Zera: Do not sit down on your haunches until you have told me this law:⁶ on R. Meir's view do we distinguish first and second [degrees of uncleanness]⁷ in the nebelah of a clean bird, or do we not distinguish first and second [degrees]? — Said he to him: Where a thing defiles a human being by touch, we distinguish first and second [degrees] in it; where it does not defile a

human being by touch, we do not distinguish first and second [degrees] in it.⁸

R. Zera asked R. Ammi⁹ b. Hiyya — others say, R. Abin b. Kahana: As to what was taught, When foodstuffs are joined by means of a liquid, they are united in respect of a light uncleanness, but are not united in respect of stringent defilement:¹⁰ do we distinguish first and second [degrees] in their case, or do we not distinguish first and second [degrees] in their case? — Said he to him: Where a thing defiles a human being, we distinguish first and second [degrees] in it; where it does not defile a human being, we do not distinguish first and second [degrees] in it.

WHEN BOTH GO OUT. How do we know it? — Because our Rabbis taught: Elsewhere without three camps is said, whereas here without one camp [is prescribed]?¹¹ It is to teach you: immediately it has gone forth from the first camp, it defiles garments.¹² And how do we know it in the case of that itself?¹³ — Because our Rabbis taught... Even the whole bullock shall he carry forth without the camp:¹⁴ [that means,] without the three camps. You say, without the three camps; yet perhaps it is not so, but rather, without one camp? — When it says in connection with the congregational bullock, without the camp,¹⁵ which is superfluous, since it states, as he burned the first bullock,¹⁶ that prescribes a second camp. When further ‘without the camp’ is stated in connection with the ashes,¹⁷ which is superfluous. since it is already stated, where the ashes are poured out it shall be burnt,¹⁸ it prescribes a third camp.¹⁹

Now, how does R. Simeon employ this ‘without the camp’?²⁰ — He requires it for what was taught: R. Eliezer said: ‘Without the camp’ is stated here, and ‘without the camp’ is stated elsewhere:²¹ as here it means without the three camps, so there it means without the three camps; and as there it means on the east of Jerusalem,²²

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- (1) Before it can defile foodstuffs, one must intend to eat it, (though such eating is not permissible).
- (2) For defiling; v. supra a.
- (3) Now, if it is on the ground, it certainly does need qualification, since one may never eat it. On the other hand, if it is in one's mouth, it does not need intention. Hence it must mean that he is holding it in his hand, and yet only as much as an egg defiles, but not as much as an olive.
- (4) One may agree with the Rabbis, and the other with R. Meir.
- (5) I.e., if it is ritually killed with shechitah or Melikah, but found to be terefah, it does not defile.
- (6) I.e., do not sit down at all.
- (7) V. Pes. Sonc. ed. p. 62, n. 2.
- (8) Hence we do not count it here.
- (9) Sh.M. reads: Abin.
- (10) Rashi: 'If two pieces of nebelah, each half an olive in size, are lying apart, but are joined by a liquid, this liquid unites them to enable them to defile any foodstuff which touches one of them, but does not unite them to defile a human being in the same way. I do not know the reason for this differentiation.' — As much as an olive of the nebelah of a clean animal (but not of a bird) defiles a man by contact.
- (11) 'Elsewhere' means in the case of the bullock brought by the anointed priest or that brought when the whole congregation sins in ignorance; these were burnt without the camp (v. Lev. IV, 12, 21), and it is deduced anon that Scripture means without the three camps. Whereas 'here' in reference to the Day of Atonement it is said: And the bullock of the sin-offering, and the goat of the sin-offering... shall be carried forth without the camp, and they shall burn in the fire their skins, etc. (Lev. XVI, 27). This implies that they are burnt immediately they leave the first camp. In fact, however, they are all alike, for Lev. XII, 21 is applied to the bullock of the Day of Atonement (v. supra 39a); hence the text is assumed to convey a different teaching, as the Gemara explains. — On the 'three camps', v. p. 276. n. 6.
- (12) Sc. of those who are to burn it. But it is not burnt until it has left the three camps.
- (13) Sc. that 'elsewhere' three camps are meant.
- (14) Lev. IV, 12.
- (15) Ibid. 21.
- (16) Ibid. That itself implies without the camp.
- (17) Ibid. VI, 4: and he shall carry forth the ashes without the camp.
- (18) Ibid. IV, 12. This refers to the anointed priest's bullock, which as we already know was burnt without; hence it follows that the place of the ashes was without.
- (19) Each superfluous 'without the camp' intimates an additional camp whence it must be carried out.

(20) Since he maintains that the garments are not defiled until the fire has caught hold of the greater part of the carcass.

(21) In connection with the red heifer, Num. XIX, 3.

(22) Ibid. 4: And Eleazar... shall sprinkle of her blood toward the front of the tent of meeting. The tent of meeting faced east, hence Eleazar would stand still further east and face west. Similarly in the days of the Temple the heifer would be burnt without Jerusalem on the east.

Zevachim 106a

so here too it means on the east of Jerusalem. And according to the Rabbis,¹ where did one burn them? — Even as it was taught: Where were they burnt? On the north of Jerusalem, without the three camps. R. Jose the Galilean said: They are burnt in the place of the ashes.² Raba observed: Who is the Tanna that disagrees with R. Jose the Galilean? —

R. Eliezer b. Jacob. For it was taught: Where the ashes are poured out it shall be burnt: [this intimates] that ashes must be there [first]. R. Eliezer b. Jacob said: It intimates that the ground must slope down.³ Said Abaye to him: Perhaps they disagree whether the ground must slope⁴ ?

Our Rabbis taught: He who burns [the bullocks] defiles [his] garments, but he who kindles the fire does not defile [his] garments, nor does he who arranges the pile defile [his] garments. And what is the definition of 'he who burns'? — He who assists at the time of the burning. You might think that also he [who assists] when they have already been reduced to ashes defiles [his] garments: therefore it states, [And he that burneth] them [shall wash his clothes];⁵ [when he burns] them they defile garments, but when they have become ashes they do not defile garments. R. Simeon said: [When he burns] them they defile [his] garments. but when the flesh is disintegrated they do not defile garments. Wherein do they disagree? — Said Raba: They disagree where it [the flesh] is completely charred.⁶

ZEVOCHIM – 91b-120b

CHAPTER XIII

MISHNAH. HE WHO SLAUGHTERS AND OFFERS UP WITHOUT [THE TEMPLE COURT]. IS CULPABLE IN RESPECT OF SLAUGHTERING AND IN RESPECT OF OFFERING⁷ R. JOSE THE GALILEAN MAINTAINED: IF HE SLAUGHTERED WITHIN AND OFFERED UP WITHOUT, [HE IS CULPABLE];⁸ IF HE SLAUGHTERED WITHOUT AND OFFERED UP WITHOUT, HE IS NOT LIABLE, BECAUSE HE OFFERED UP ONLY THAT WHICH WAS UNFIT.⁹ SAID THEY TO HIM: WHEN ONE SLAUGHTERS WITHIN AND OFFERS UP WITHOUT, IMMEDIATELY HE CARRIES IT OUT, HE RENDERS IT UNFIT.¹⁰ AN UNCLEAN [PERSON] WHO EATS [OF SACRIFICES], WHETHER UNCLEAN SACRIFICES OR CLEAN SACRIFICES, IS CULPABLE.

R. JOSE THE GALILEAN SAID: AN UNCLEAN PERSON WHO EATS CLEAN [SACRIFICES] IS CULPABLE, BUT AN UNCLEAN PERSON WHO EATS UNCLEAN [FLESH OF SACRIFICES] IS NOT CULPABLE. BECAUSE HE ATE ONLY THAT WHICH IS UNCLEAN. SAID THEY TO HIM: WHEN AN UNCLEAN PERSON EATS CLEAN [FLESH], IMMEDIATELY HE TOUCHES IT, HE DEFILES IT.¹¹ A CLEAN PERSON WHO EATS UNCLEAN [FLESH] IS NOT CULPABLE, BECAUSE ONE IS CULPABLE ONLY ON ACCOUNT OF PERSONAL UNCLEANNESS.¹²

GEMARA. As for offering up. it is well: the penalty is written and the interdict¹³ is written. The penalty, for it is written, And bringeth it not unto the door of the tent of meeting [. . . even that man shall be cut off from his people].¹⁴ The interdict, for it is written, Take heed to thyself that thou offer not thy burnt-offerings [in every place that thou seest],¹⁵ and in accordance with R. Abin's dictum in R. Eleazar's¹⁶ name, vis.: Wherever 'take heed', 'lest', or 'not' is stated, it is naught but a negative command. But as for slaughtering, the penalty, it is true, is stated, for it is written, [What man soever... that

killeth an ox...] and hath not brought it unto the door of the tent of meeting [... shall be cut off from among his people];¹⁷ but whence [do we derive] the interdict? —

Scripture saith, And they shall no more sacrifice their sacrifices [unto the satyrs etc].¹⁸ That is required for R. Eleazar's dictum, viz.: How do we know that if one sacrifices an animal to Mercuris¹⁹ he is liable to punishment? Because it is written, 'And they shall no more sacrifice their sacrifices unto the satyrs'. Since this is redundant in respect of normal worship, being derived from, How did these nations serve their gods?²⁰ apply it to abnormal worship [as being punishable]!²¹ —

Said Rabbah: Read in this text, and they shall not sacrifice, and read in it, and they shall no more.²² But it is still required for what was taught: Thus far²³ it speaks of sacrifices which one consecrated when Bamoth were forbidden and offered up when Bamoth were forbidden,²⁴

- (1) Who employ this verse for a different purpose, as above.
- (2) Ashes from the altar must first be placed there, so that they are burnt 'where the ashes are poured out.' — It follows that the first Tanna does not require this.
- (3) Lit., 'poured out', it must be a place where the ashes naturally pour down.
- (4) Possibly R. Eliezer b. Jacob too admits that ashes must first be placed there, but he adds that the place must slope too.
— Abaye's suggestion is unrefuted.
- (5) Lev. XVI, 28.
- (6) It is then disintegrated, yet not ashes. According to R. Simeon, a person who comes to assist in the burning at this stage does not defile his garments, whereas in the opinion of the Rabbis he does.
- (7) A man who wantonly slaughters or offers up a sacrifice without the Temple (by 'offering up' is meant e.g. that he burns it on a block of stone — but v. Mishnah infra 108a — as one would burn it on the altar) incurs kareth. If he does these in ignorance, being unaware that they are forbidden, he is liable to a separate sin-offering on account of each action, as each counts as a distinct transgression.
- (8) Bracketed words are added from the separate edition of the Mishnayoth.

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- (9) One is culpable for offering up without only when it was fit to be offered up within. But this was not, on account of having been slaughtered without.
- (10) Even before he offers it up. Nevertheless he is liable; the same therefore applies when he slaughters without and offers up without.
- (11) Even before he eats it, yet he is culpable.
- (12) Cf. supra 43a.
- (13) Lit., 'the warning'.
- (14) Lev. XVII, 9. This refers to sacrifices.
- (15) Deut. XII, 13: 'Every place that thou seest' means outside the Temple. Thus one text intimates the penalty and another the interdict.
- (16) Var. lec. Ilai's.
- (17) Lev. XVII, 3f.
- (18) Ibid. 7.
- (19) Mercurius, a Roman divinity, identified with the Greek Hermes; also a statue or a way-mark dedicated to Hermes, the patron deity of the wayfarer.
- (20) Deut. XII, 30.
- (21) Hence sacrificing to Mercuris, though not its normal worship (its normal worship consisted of throwing stones at it; v. Sanh. 60b). involves guilt. — Thus the text is required for this!
- (22) I.e., this is really a double injunction, and the first, 'they shall not sacrifice', interdicts sacrificing without, this being the subject of the whole passage.
- (23) The passage until this verse, and they shall no more sacrifice, i.e., Lev. XVII, 3-6.
- (24) I.e., after the Tabernacle was erected. If, however, one consecrated an animal before the Tabernacle was erected, when Bamoth were permitted, there is nothing as yet to show that he is culpable if he slaughters it at a Bamah after it is erected.

Zevachim 106b

since their penalty is stated, [vis.] 'and hath not brought it unto the door of the tent of meeting' [etc.]. whilst whence do we know the interdict? 'Take heed to thyself that thou offer not thy burnt-offerings [etc.].' From here onward¹ it speaks of sacrifices which one consecrated when Bamoth were permitted but offered when they were forbidden, for it is said, To the end that the children of Israel may bring their sacrifices which they sacrifice² [viz.,] sacrifices which I formerly permitted — in the open field:² this teaches you [that] he who sacrifices [slaughters] [at Bamoth] when Bamoth are forbidden, the Writ regards him as though he offered in the open field. 'Even that they may bring them

unto the Lord':² this is a positive injunction.³ Whence have we a negative injunction? From the text, 'And they shall no more sacrifice [etc.].'⁴ You might think that one is punished for it by kareth; therefore it states, This shall be a statute for ever unto them throughout their generations:¹ 'this' is their [statute]. but naught else is theirs!⁵ —

Rather said R. Abin:⁶ [We learn it] a minori: if [Scripture] interdicted where it did not punish [with kareth];⁷ is it not logical that it interdicted where it punished [with kareth]?⁸

Rabina observed to R. Ashi: If so, let a negative injunction not be stated in connection with heleb,⁹ and it could be inferred a minori from nebelah:⁹ if [Scripture] interdicted nebelah, where it did not punish [with kareth]; is it not logical that it interdicted heleb, seeing that it did punish [with kareth]. Then he came before Raba.¹⁰ Said he to him: It could not be inferred from nebelah, because [the argument] can be refuted: As for nebelah, the reason is because it defiles.¹¹ [Nor can it be deduced] from unclean Sherazim [reptiles], [because,] As for unclean Sherazim, the reason is because a small portion defiles.¹² [Nor] from clean sherazim,¹³ [because,] As for clean Sherazim, the reason is because [the standard of] their interdict is very small.¹⁴ [Nor] from 'orlah and kilayim of the vineyard, [because,] As for 'orlah and kilayim of the vineyard, that is because all benefit from them is forbidden.¹⁵ [Nor] from shebi'ith,¹⁶ [because,] As for Shebi'ith, that is because it imposes its own status upon the money received for it.¹⁷ [Nor] from terumah, [because,] As for terumah, that is because it is never exceptionally permitted.¹⁸ [Nor can you deduce it] from all these because they are never permitted exceptionally.

Raba said: If I have a difficulty, it is this: When we learnt, The Passover-offering and circumcision are positive commands,¹⁹ let us infer [a negative injunction in their case] from one who leaves [anything] over [of the Passover-offering]:²⁰ If Scripture interdicted

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in the case of one who leaves over, though it did not prescribe a penalty, is it not logical that it interdicted in the case of the Passover-offering and circumcision, where it did prescribe a penalty?²¹

R. Ashi said: I reported this discussion in R. Kahana's presence. and he told me: [A negative injunction] cannot be inferred from leaving over, because [the argument] can be refuted: as for leaving over, that is because it cannot be repaired;²² will you say [that there is a negative injunction] in the case of a Passover-offer, which can be repaired [if neglected]?²³ But can you assume an interdict by inferring a minori? [For] even on the view that you can punish through inferring a minori, you cannot assume a formal prohibition by inferring a minori! —

Rather, it is as R. Johanan said [elsewhere]. For R. Johanan said: 'Bringing' is inferred from 'bringing':²⁴ as in the latter case [Scripture] did not prescribe a penalty without formally interdicting, so in the former case [Scripture] did not prescribe a penalty without formally interdicting.

(1) From Lev. XVII, 7.

(2) Ibid., 5.

(3) Though the inference is obviously that they may not bring them to the Bamoth but only 'unto the Lord' (i.e. at the Tabernacle), yet since it is expressed affirmatively, the implied interdict counts as a positive injunction.

(4) 'No more' implies that hitherto it was permitted, but from now onwards it is forbidden.

(5) It is subject only to an affirmative and a negative precept, but not to kareth. — Thus the negative injunction applies to sacrifices which were consecrated when Bamoth were permitted, but we have no explicit negative injunction in respect of those consecrated when Bamoth were forbidden.

(6) Sh.M. and Bah emend: Abaye.

(7) Sc. where the sacrifice was consecrated when Bamoth were permitted. As just stated, we have a negative injunction covering that case, but kareth is not involved.

(8) Sc. where the sacrifice was consecrated when Bamoth were already forbidden.

(9) v. Glos.

(10) Rabina and R. Ashi were later than Raba. For that reason the text is amended to Abaye (v. n. 6.). Raba's contemporary.

(11) Whereas heleb does not defile.

(12) As much as a lentil defiles.

(13) Those which do not defile, e.g., a frog or an ant, but which are forbidden as food by a negative interdict.

(14) He who eats as much as a lentil is culpable; whereas no penalty is incurred for eating less than an olive size of heleb.

(15) Whereas heleb is only forbidden as food.

(16) For all these words v. Glos.

(17) Lit., 'it seizes its money.' — If Shebi'ith is sold, the money is forbidden in the same way as itself. That does not apply to heleb, however.

(18) Lit., 'it is not permitted out of its general (interdict).' Terumah is always forbidden to unclean priests, whereas some heleb is permitted, viz., the heleb of a Hayyah (non-domesticated animal, e.g., deer).

(19) It is stated in Ker. 2a that one is liable to a sin-offering for the unintentional violation of all negative injunctions which if deliberately violated involve kareth. These two however, though entailing kareth, are positive precepts, and so their neglect does not necessitate a sin-offering.

(20) This is forbidden by a negative injunction: And ye shall let nothing of it remain until the morning (Ex. XII, 10).

(21) Hence, if such an argument is permissible, they should rank as subject to a negative injunction too. viz., not to neglect them.

(22) Once the flesh is left over, nothing can be done.

(23) By bringing an offering on the Second Passover (v. Num. IX, 9 seq.). Circumcision should be done on the eighth day; yet if not done then, it can be performed at any time subsequently. — Thus so far all the arguments against the assumption of an interdict a minori have been rebutted.

(24) A gezerah shawah between slaughtering and offering up is deduced, based on the fact that 'bringing' is written in connection with both: Slaughtering: What man soever... that killeth an ox... and hath not brought it unto the door of the tent of meeting; offering up: Whatsoever man... that offereth up a burnt-offering or sacrifice, and bringeth it not unto the door of the tent of meeting. — R. Johanan stated this exegesis with respect to another question (v. infra 107a), but the same applies here.

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Raba said, It is as R. Jonah['s exegesis]. For R. Jonah said: 'There' is inferred from 'there':¹ as in the one case, [Scripture] did not

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prescribe a penalty without formally prohibiting, so in the other case [Scripture] did not punish without formally prohibiting.² We have [now] found the case of those which should be burnt within, which were offered up without;³ how do we know the case of those which should be burnt without,⁴ which were offered up without?⁵ —

Said R. Kahana: Scripture saith, And thou shalt say unto them⁶ [which means,] thou shalt say concerning those just mentioned.⁷ To this Raba⁸ demurred: Is it then written, ‘concerning them’: Surely ‘unto them’ is written?⁹ Rather, it is as the School of R. Ishmael taught: ‘And thou shalt say unto them’ combines the sections.¹⁰ R. Johanan said: ‘Bringing’ is inferred from ‘bringing’;¹¹ as there it refers to those [sacrifices] which must be burnt without, so here too it refers to those which must be burnt without. To this R. Bibi demurred: When we learnt, There are thirty-six offences in the Torah which entail kareth: surely there are thirty seven, for there are offering up [a sacrifice which should be burnt within] and offering up [a sacrifice which should be burnt without]?¹² That is indeed a difficulty.

Now, when we learnt: He who sprinkles some of the blood without, is culpable:¹³ how do we know it?¹⁴ — It is inferred from what was taught: Blood shall be imputed [unto that man]:¹⁵ that is to include one who sprinkles [without]: these are the words of R. Ishmael. R. Akiba said: Or sacrifice¹⁶ includes sprinkling. And how does R. Ishmael employ this [phrase] ‘or sacrifice’? — To divide.¹⁷ And whence does R. Akiba know to divide? — He infers it from, and bringeth it not [unto the door of the tent of meeting].¹⁸

And R. Ishmael?¹⁹ — He requires that [‘it’] [for teaching:] One is culpable for [offering up] the whole [animal], but not for [offering up] an incomplete one.²⁰

And R. Akiba?²¹ — He infers it from [the phrase] ‘to sacrifice it’.

And R. Ishmael? — One [‘it’] is in respect of those [sacrifices] which should be burnt within, which were made incomplete and offered up without; the other is in respect of those which should be burnt without, which one made incomplete and offered up without.²² And it was taught even so: R. Ishmael said: You might think that if one made incomplete and offered up without what should be burnt within, he is culpable; therefore it says, ‘to sacrifice it’: one is culpable for [offering up] a whole [animal], but not for [offering up] an incomplete one.

And R. Akiba?²³ — He holds that if one made incomplete and offered up without what should be burnt within, he is culpable.

And R. Akiba: How does he employ this [phrase], ‘blood shall be imputed’? — It includes the shechitah of a bird.²⁴ And R. Ishmael? — He deduces it from, or that killeth.²⁵

And R. Akiba? — He can answer you: He requires that [to teach]: One is culpable for slaughtering [shechitah], but not for nipping [Melikah].²⁶

And R. Ishmael? — He infers it from, This is the thing [which the Lord hath commanded].²⁷ For it was taught: [What man soever...] that killeth [an ox, etc.]: I know it only of slaughtering an animal; how do I know [that] if one slaughters a bird [he is culpable]? Because it says, or that killeth.²⁸ You might think that I also include one who performs Melikah, and that is indeed logical: if one is culpable for shechitah [of a bird], though this is not its correct rite within; is it not logical that one is culpable for Melikah [without], seeing that that is its correct rite within? Therefore it states. ‘This is the thing [etc.]’.

And R. Akiba? — He can answer you: that is required for a gezerah shawah.²⁹ Now, as to what we learnt: He who takes the fistful,³⁰ and he who receives the blood [of a sacrifice

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slaughtered without] is not liable: how do we know it? But whence would you infer that he is culpable?³¹ — From shechitah.³² As for shechitah, the reason may be because it invalidates a Passover-offering [when it is done] on behalf of such who cannot eat it!³³ — Then infer it from sprinkling: as for sprinkling, the reason may be because a lay-Israelite is liable to death on its account!³⁴

- (1) Deut. XII, 14: There shalt thou offer up thy burnt-offerings, and there thou shalt do all that I command thee. 'Do' refers to all rites (including slaughtering) in connection with sacrifices.
- (2) The 'one case' and 'the other case' are 'offering up' and 'doing' respectively (v. preceding note).
- (3) Sc. those which were slaughtered within, so that they should have been burnt (i.e., haktarah) within.
- (4) Sc. which were slaughtered without so that they could not be burnt within but without. 'Burnt' in this connection does not mean haktarah, but the burning of unfit sacrifices.
- (5) That this too makes one liable. For it might be argued that there is no culpability here, since the animal could not be burnt within in any case.
- (6) Lev. XVII, 8.
- (7) Lit., 'the near ones'. (Sh.M. reads: the preceding.) Lev. XVII, 3-7 deals with slaughtering without: vv. 8f. treats of offering up without, and they commence with, 'And thou shalt say unto them' which implies, thou shalt say about them just mentioned, sc. those who slaughter without, that they are also culpable for offering up without.
- (8) Sh.M. reads: Rabbah.
- (9) I.e., אליהם ('alehem), not עליהם ('alehem).
- (10) Sc. vv. 3-7 and vv. 8f. Hence the provisions of the latter section (sc. liability for offering up without) apply to those mentioned in the former (viz., those who slaughter without). — Though this exegesis too infers the law from the same phrase, the method of interpretation is different and retains the correct rendering of 'alehem, unto them.
- (11) V. supra 106b and p. 520, n. 3. Similarly here: as 'bringing' in the former section refers to one who slaughters without, so it does in the latter too.
- (12) The thirty-six as enumerated include offering up without. Now in answer to the question, since they are all enumerated, why is the number stated? The Talmud says that it teaches that if one committed all of them in a single state of ignorance (not knowing that they are forbidden), he is liable to thirty-six sin-offerings. If, however, culpability for offering up without sacrifices which should be burnt without, is inferred by a gezerah shawah from those which should be burnt within, they constitute two separate offences and involve

separate sin-offerings. But in that case they should be enumerated separately there too, and the number given is thirty-seven.

- (13) I.e., even if he made one sprinkling only instead of four.
- (14) For Scripture speaks only of slaughtering and offering up without, but not of sprinkling.
- (15) Lev. XVII, 4.
- (16) Ibid. 8; it refers to offering up without, and 'or' is regarded as an extension.
- (17) To show that one is liable for offering up without either a burnt-offering or any other sacrifice. Without 'or' you would assume that liability is incurred only for offering up both.
- (18) 'It' is singular and so implies one.
- (19) Does he not admit this exegesis?
- (20) From which part is missing. The exact meaning of 'whole' and 'incomplete' is discussed anon.
- (21) How does he know this?
- (22) If 'it' were written once only, I would say that its implication applies only to those which should be burnt without. But as for those which should be burnt within, he is culpable even if he offers up only part, for when a single limb springs off the altar during the burning (haktarah), it must be replaced, which shows that haktarah applies even to part. (The general principle is that the performance of a rite without involves liability when it would count as a proper rite within.)
- (23) Whence does he learn this?
- (24) Though a bird sacrifice requires Melikah, not shechitah, yet if it is slaughtered without (i.e., with shechitah), it involves liability.
- (25) Ibid., 3.
- (26) Thus both are necessary. For from the first I would conclude that even shechitah of a bird involves liability, and all the more Melikah, since that is the correct way of sacrificing a bird. Hence the second teaches that only shechitah involves liability.
- (27) Lev. XVII, 2. This is the superscription to the whole passage, and is emphatic, implying that the law is exactly as stated.
- (28) This is superfluous, as Scripture could say, that killeth an ox... in the camp or without the camp.
- (29) V. Ned. 78a; B. B. 120b.
- (30) Of a meal-offering, without, and does not burn it.
- (31) That you seek a text to show that he is not.
- (32) By analogy: as shechitah is a sacrificial rite and involves culpability if performed without, so it is the same with every sacrificial rite.
- (33) V. supra 4a. But that obviously cannot apply to taking the fistful, or to receiving.
- (34) For performing it. But he is not liable for the other rites.

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— Infer it from both combined.¹ But if so,² let it not be stated in connection with sprinkling, which may be inferred from both [shechitah and offering up] combined. [Thus: when you say,] let it be inferred from shechitah, [you can argue], as for shechitah, the reason is because it is invalid in the case of the Passover-offering [when done] on behalf of such who cannot eat. Let it be inferred from offering up: As for offering up, the reason is because it applies to a meal-offering [too].³ Then infer it from both combined? Rather, for that reason a text is written [to include sprinkling] to intimate that you may not infer from both combined.⁴

R. Abbahu said: If one slaughtered [a sacrifice] and sprinkled [its blood without]: according to R. Ishmael he is liable to one [sin-offering], [whereas] according to R. Akiba he is liable to two.⁵ Abaye said: Even on R. Akiba's view, he is liable to one only, because Scripture saith, There thou shalt offer up thy burnt-offerings, and there thou shalt do all that I command thee:⁶ Scripture thus ranked them as one 'doing' [rite].⁷ If one sprinkled and offered up [without], according to R. Ishmael he is liable to two [sin-offerings], [whereas] according to R. Akiba he is liable to one only.⁸ Abaye said: Even on R. Akiba's view he is liable to two, that being the reason that Scripture divided them, [vis.] 'There thou shalt offer-up... and there thou shalt do'. If one slaughtered, sprinkled, and offered up all agree that he is liable to two.

Our Rabbis taught: [Or that killeth it] without the camp:⁹ You might think [that that means] without the three camps;¹⁰ therefore it states,... or goat, in the camp.⁹ If [you thus stress] 'in the camp', you might think that [even] one who slaughters a burnt-offering in the south is culpable;¹¹ therefore it is stated, or that killeth it without the camp: as 'without the camp' is distinguished in that it is not eligible for the slaughtering of most sacred sacrifices or for the slaughtering of any

sacrifice, so 'in the camp' means in a place which is not eligible for the slaughtering of any sacrifice: hence the south [side of the Temple court] is excluded, for though it is not fit for the slaughtering of most sacred sacrifices, it is eligible for the slaughtering of lesser sacrifices.

'Ulla said: One who slaughters on the roof of the Hekal is culpable, since it is not eligible for the slaughtering of any sacrifice. To this Raba demurred: If so, let Scripture write, 'in the camp or... without the camp', and 'unto the door of the tent of meeting' will not be necessary; what is the purpose of '[and hath not brought it] unto the door of the tent of meeting': surely it is to exclude the roof?¹²

Now according to Raba, if that is so,¹³ let [Scripture] write, 'unto the door of the tent of meeting' [only]: what is the purpose of 'in the camp' and 'without the camp'?¹⁴ Surely that is to include the roof?¹⁵ — Said R. Mari: No: it includes [the case where] the whole of [the animal] is within, but its throat is without.¹⁶ If its throat is without, it is obvious [that one is culpable]; [for] to what does the Divine Law object? to slaughtering without; and this is slaughtering without! — Rather, it includes [the case where] the whole of the animal is without, while its throat is within.¹⁷

It was stated: One who offers up nowadays.¹⁸ R. Johanan maintained: He is culpable;¹⁹ Resh Lakish said: He is not liable. R. Johanan maintained, He is culpable: The first sanctity hallowed it for the nonce and for the future. Resh Lakish said, He is not liable: the first sanctity hallowed it for the nonce, but did not hallow it for the future.²⁰ Shall we say that they differ in the same controversy as that of R. Eliezer and R. Joshua? For we learnt: R. Eliezer said: [I have heard that] when they were building the Temple,²¹ they made curtains for the Temple and curtains for the courts;²² but that they built the Temple [walls] on the outside [of these curtains], whereas they built the courts on the inside [of these curtains].

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R. Joshua said: I have heard that they offered [sacrifices] though there was no Temple; and they ate most sacred sacrifices though there were no curtains, and lesser sacrifices and second tithe though there was no wall,²³ because the first sanctity hallowed it for the nonce and hallowed it for the future.²⁴ Hence it follows that R. Eliezer holds that it did not hallow it [for the future].²⁵

Said Rabina to R. Ashi: Whence [does this follow]? Perhaps all agree that the first sanctity hallowed it for the nonce and hallowed it for the future, and one master reported what he had heard, while the other master reported what he had heard. And should you say. What was the purpose of curtains, according to R. Eliezer? Simply for privacy.

It was stated: If one offers up [a limb] less than an olive [in size],²⁶ but the bone makes it up to an olive,²⁷ R. Johanan maintained: He is culpable; Resh Lakish said: He is not culpable. R. Johanan maintained, He is culpable: that which is attached to what ascends [the altar] is as what is ascends [in its own right]. Resh Lakish said, He is not liable: that which is attached to what ascends is not as what ascends.²⁸

Raba asked: What if one offers up

- (1) Lit., 'from between them' — sc. shechitah and sprinkling, for the refutation that applies to one does not apply to the other. Their only common feature is that they are both sacrificial rites; hence the same law should apply to all other sacrificial rites.
- (2) That such reasoning is permissible.
- (3) But there is no sprinkling in a meal-offering.
- (4) Scripture thus intimates that this reasoning is not permissible in the present instance, Hence it is also not permissible in respect of taking the fistful or receiving, and so no text is required to show that these do not involve liability.
- (5) R. Ishmael infers liability for sprinkling from the phrase, 'blood shall be imputed'. Now, this is actually written in connection with slaughtering; thus we have a single interdict covering both, and the same kareth is written in connection with both.

Hence when he commits both in one state of ignorance, they rank as one offence, and render him liable to one sin-offering only. R. Akiba, however, infers it from 'or a sacrifice', which is written in reference to offering-up. Hence slaughtering and sprinkling are separate interdicts and involve separate sin-offerings.

(6) Deut. XII, 14,

(7) By enumerating 'offer-up' and 'do' separately, it follows that Scripture counts offering up as one act, and all other rites which are 'done' as another single act. Hence they involve one offering only. 'Offer up' means to burn on the altar. The other sacrificial rites (do) comprise slaughtering, receiving the blood and carrying it to the altar, and sprinkling.

(8) The reasoning is similar to that in n. 3, but reversed.

(9) Lev. XVII, 3.

(10) V. p. 276, n. 6. Only then is he culpable.

(11) Since it should be slaughtered on the north side of the Temple court; supra 53b.

(12) For the text implies, only he who does not bring it to the 'tent of meeting' (the Temple court) at all is liable, whereas he who slaughters on the roof has brought it.

(13) That 'unto the door of the tent of meeting' implies any part thereof.

(14) Scripture should simply say: What man soever... killeth an ox... and hath not brought it unto the door of the tent of meeting. This would show that killing anywhere outside the Temple court makes one liable, while killing anywhere inside (e.g. on the roof, or a burnt-offering in the south) does not.

(15) As being a place of culpability.

(16) Even then one is culpable.

(17) Even then one is culpable.

(18) After the destruction of the Temple, when all offering up is without.

(19) If he does it deliberately he incurs kareth.

(20) V supra 60b. On the first view, Jerusalem is still 'the chosen place'; hence the present is technically a time when Bamoth are forbidden, and so there is culpability.

(21) Sc. the second Temple, in the days of Ezra.

(22) Temporarily, until proper walls should be built.

(23) Around Jerusalem.

(24) Hence the sites were holy for their various purposes, though walls and curtains were lacking.

(25) For which reason temporary curtains were necessary to make the site which they enclosed holy.

(26) Sc. the flesh.

(27) If a bone springs off the altar while it is being offered within, it is not replaced; supra 85b; v. also p. 522, n. 8.

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(28) Actually, only the flesh ascends, while the bone ascends too merely because it is attached to the flesh, R. Johanan, holds that the bone nevertheless counts as something which is itself offered up, and therefore in the present case one is culpable. Resh Lakish takes the reverse view.

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the head of a pigeon. which is not as much as an olive, but the salt makes it up to an olive? Said Raba of Parzakia¹ to R. Ashi: Is not that the controversy of R. Johanan and Resh Lakish? —

[No:] You may ask on R. Johanan's view, and you may ask on the view of Resh Lakish. You may ask on R. Johanan's view: R. Johanan gives his ruling only there, in respect of the bone, which is related to the flesh,² but not in the case of salt, which is not related to the flesh; [or perhaps, there is no difference]? You may ask on the view of Resh Lakish: Resh Lakish gives his ruling only there in respect of the bone, because if it parts from it [the flesh], there is no obligation to take it up [on the altar]; but not here, where if it parts, there is an obligation to take it up;³ or perhaps, there is no difference? The question stands over.

R. JOSE THE GALILEAN SAID, etc. Rabbi answered on behalf of R. Jose the Galilean: As for one who slaughters within and offers up without, the reason is because it had a time of fitness; will you say [the same] when one slaughters without and offers up without, where it never had a period of fitness? R. Eleazar son of R. Simeon answered on behalf of R. Jose the Galilean: As for slaughtering within and offering up without, that is because the sanctuary [the altar] receives it;⁴ will you say [the same] when one slaughters without and offers up without, where the Sanctuary does not receive it? ⁵ Wherein do they differ?⁶ — Said Ze'iri: They differ in respect to slaughtering at night.⁷ Rabbah said: They disagree where one received it [the blood] in a non-sacred vessel.⁸

AN UNCLEAN [PERSON] WHO EATS [OF SACRIFICES], WHETHER UNCLEAN SACRIFICES, etc. The Rabbis say well to R. Jose the Galilean? — Said Raba: Where the [priest's] body [first] became unclean, and then the flesh became unclean, none disagree that he is liable, because personal defilement involves kareth. They disagree where the flesh [first] became unclean and then the [priest's] body became unclean : the Rabbis hold, We say Miggo ['since']; whereas R. Jose the Galilean holds: We do not say miggo.⁹ Now according to R. Jose, granted that we do not say Miggo, yet let his personal uncleanness, which is graver, come and fall upon the uncleanness of the flesh?¹⁰ — Said R. Ashi: How do you know that personal uncleanness is more stringent? Perhaps uncleanness of the flesh is more stringent, since it cannot be purified in a mikveh.¹¹

MISHNAH. SLAUGHTERING [WITHOUT] IS MORE STRINGENT THAN OFFERING UP [WITHOUT], AND OFFERING UP [IS MORE STRINGENT] THAN SLAUGHTERING. SLAUGHTERING IS MORE STRINGENT, FOR HE WHO SLAUGHTERS [A SACRIFICE] ON BEHALF OF MAN¹² IS CULPABLE, WHEREAS HE WHO OFFERS UP TO A MAN IS NOT CULPABLE.¹³ OFFERING UP IS MORE STRINGENT: TWO WHO HOLD A KNIFE AND SLAUGHTER [WITHOUT] ARE NOT CULPABLE, [WHEREAS] IF THEY TAKE HOLD OF A LIMB AND OFFER IT UP, THEY ARE CULPABLE.

IF ONE OFFERED UP, THEN OFFERED UP AGAIN, THEN OFFERED UP AGAIN,¹⁴ HE IS CULPABLE IN RESPECT OF EACH [ACT OF] OFFERING UP: THESE ARE THE WORDS OF R. SIMEON. R. JOSE SAID: HE IS LIABLE ONLY TO ONE [SIN-OFFERING]. HE IS LIABLE ONLY WHEN HE OFFERS UP ON THE TOP OF AN ALTAR;¹⁵ R. SIMEON SAID: HE IS LIABLE EVEN IF HE OFFERS UP ON THE TOP OF A ROCK OR A STONE.

GEMARA. Why is offering up to a man [without] different, that it is not culpable?

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[presumably] because unto the Lord is written!¹⁶ Then in the case of slaughtering too, surely ‘unto the Lord’ is written?¹⁷ — There it is different, because Scripture saith, ‘What man soever’.¹⁸ ‘What man soever’ is written in connection with offering up too? — That is required for teaching that when two men offer up a limb, they are liable. If so, [say that] here too it is required for teaching that if two men hold the knife and slaughter, they are liable? — There it is different, because Scripture saith, that [man]:¹⁹ [this implies,] one, but not two. If so, ‘that [man]’ is written in connection with offering up too? — That is required

- (1) V. supra 10b, p. 50, n. 5.
- (2) Lit., ‘which is of the kind of the flesh’.
- (3) If the salt springs off the altar, the piece must be resalted, because it is written, neither shalt thou suffer the salt of the covenant of thy God to be lacking (Lev. II, 13).
- (4) If after being taken out, it is taken in again and offered up on the altar, the altar receives it, and it is not taken down (v. supra 84a).
- (5) If it is offered up on the altar after it was slaughtered without, it must be removed.
- (6) Rabbi and R. Eleazer b. R. Simon.
- (7) According to Rabbi, if one slaughtered a sacrifice within at night and then offered it up, he is not liable, since it never had a period of fitness, for a sacrifice slaughtered at night is unfit. According to R. Eliezer, he is culpable, for if it is laid on the altar, it does not descend.
- (8) The sacrifice is immediately invalid, so it never had a period of fitness; nevertheless, the altar receives it.
- (9) A clean person who eats unclean flesh is not liable to a sin-offering; an unclean person who eats clean flesh is liable. Now, in the latter case posited by Raba the flesh was already forbidden on account of its own uncleanness. Nevertheless the Rabbis hold that the interdict of personal uncleanness can fall upon the first and be added to it, because it is more comprehensive, as now not only is that piece forbidden to him, but all other pieces, and so we argue: since (Miggo) he is interdicted in respect of other pieces, he is also interdicted through his personal uncleanness in respect of this piece too, though that is forbidden in any case. Consequently he is liable to a sin-offering. R. Jose does not accept this argument of Miggo, and holds that since the flesh is already forbidden, his own uncleanness does not count at all, and he is not liable. If, however, he became unclean first, he was already forbidden to eat any flesh on pain of a

sin-offering, simply because the flesh became unclean.

(10) As an additional interdict. For even if a more comprehensive interdict does not fall upon a less comprehensive one, that is only where both are of equal gravity. Here, however, personal uncleanness is more stringent, since it involves a sin-offering, whereas the uncleanness of the flesh does not.

(11) Whereas an unclean priest is cleansed in a Mikweh.

(12) I.e., for lay consumption, not as a sacrifice.

(13) On account of offering up without, though this constitutes idolatry and he is culpable on that account.

(14) Each time part of the same animal. He offered them up in ignorance, but between each offering he became aware that it was forbidden, and then forgot.

(15) I.e., he must first build an altar without and then offer up upon it.

(16) Lev. XVII, 8f: Whatsoever man... offereth up a burnt-offering... and bringeth it not unto the door of the tent of meeting to sacrifice it unto the Lord, even that man shall be cut off from his people. ‘Unto the Lord’ shows that Scripture speaks of one who is offering to God, not to man, and only then does he incur kareth (or, a sin-offering if he acts in ignorance).

(17) Ibid. 3f: What man soever... killeth all ox... and hath not brought it unto the door of the tent of meeting, to present it as an offering unto the Lord.

(18) Heb. ish ish, lit., a man, a man’, The repetition extends the law even to one who slaughters to a human being.

(19) Ibid. and that man shall be cut off from among his people.

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in order to exclude one who acts in ignorance, under constraint, or in error.¹ If so, there too it is required in order to exclude one who acts in ignorance, under constraint, or in error? — ‘That’ is written twice.² Then what is the purpose of ‘unto the Lord’?³ — It is to exclude the goat that is sent away.⁴

OFFERING UP IS MORE STRINGENT, etc.
Our Rabbis taught: A man, a man:⁵ why this [repetition]? To include two who take hold of a limb and offer it up, [and it teaches] that they are liable. For I might argue, is not [the reverse] logical: if two who hold a knife and slaughter are not liable, though when one slaughters to a man he is liable; is it not logical

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that when two take hold [of a limb and offer it up] they are not liable, seeing that one who offers up to a man is not liable? Therefore ‘a man, a man’ is stated: these are the words of R. Simeon. R. Jose said: ‘That [man]’ implies one but not two. If so, why is ‘a man, a man’ stated?—

[Because] Scripture employs human idiom.⁶ And R. Simeon?⁷ — He requires that for excluding one who acts in ignorance, under constraint, or in error. And R. Jose?⁸ — [He infers that] from ha-hu [being written instead of] hu.⁹ And R. Simeon? — He does not attribute any particular significance to¹⁰ ha-hu [as opposed to] hu. Now, according to R. Jose, since [in] this ‘ish ish’ the Torah employs human idiom, in the other ish ish too!¹¹ [we must say that] the Torah employs human idiom; whence then does he know that one who slaughters to a man is liable? — He infers it from, blood shall be imputed unto that man, he hath shed blood: [this implies,] even one who slaughters to a man.¹²

IF ONE OFFERED UP, THEN OFFERED UP AGAIN, etc. Resh Lakish said: The controversy is about four or five limbs, one master holds that the text, to sacrifice it, [which teaches that] a person is liable on account of a whole, but not on account of an incomplete one, is written in connection with the whole animal¹³ the other master holds that it is written in connection with each limb.¹⁴ But in the case of one limb,¹⁵ all agree that he is liable to one [offering] only. But R. Johanan maintained: The controversy is about one limb; one master holds that if one offers up without [limbs] which were [first] burnt within and [thus] became incomplete, he is liable;¹⁶ while the other master holds that he is not liable,¹⁷ But in the case of four or five limbs, all agree that he is liable on account of each limb [separately]. Now, this disagrees with ‘Ulla. For ‘Ulla said: All agree that one is liable if he offers up without [limbs] which were burnt within and [thus] became incomplete. They disagree only where one offers up without [limbs] which were burnt

without and [thus] became incomplete: there one master holds that he is not liable, while the other master holds that he is liable.¹⁸ Others say, ‘Ulla said: All agree that one is not liable if he offers up without [limbs] which were burnt without and [thus] became incomplete. They disagree only where one offers up without [limbs] which were burnt within and [thus] became incomplete: one master holds that he is not liable, while the other master holds that he is liable. Now, Samuel's father disagrees with ‘Ulla's [view] in its first version. For Samuel's father said: In accordance with whom do we replace on the altar [limbs] that spring off? It is not in accordance with R. Jose.¹⁹

HE IS LIABLE ONLY WHEN HE OFFERS UP [ON TOP OF AN ALTAR], etc. R. Huna said, What is R. Jose's reason? — Because it is written, And Noah builded an altar unto the Lord.²⁰ R. Johanan said: What is R. Simeon's reason? — Because it is written, So Manoah took the kid with the meal-offering, and offered it upon the rock unto the Lord.²¹ Now as to the other too, surely it is written, And Noah builded an altar unto the Lord? — That was merely for its elevation.²² And as to the other too, surely it is written, So Manoah took [etc.]? — That was a temporary dispensation.

Alternatively, this is R. Simeon's reason, [viz.,] as it was taught: R. Simeon said: [There is] the altar [of the Lord] at the door of the tent of meeting,²³ but there is no altar at the bamah;²⁴ therefore if one offered up [without] on a rock or on a stone, he is liable. [‘He is liable!’] Surely he should say, [he] is excluded?²⁵ — This is what he means: Therefore if one offers up on a rock or on a stone when Bamoth are forbidden, he is liable.

R. Jose son of R. Hanina asked: As to the horn, the ascent, the base and squareness, are these indispensable at the bamoth?²⁶ — Said R. Jeremiah to him. It was taught: The horn, the ascent, the base and squareness were indispensable at the great bamoth,²⁷ but were not indispensable at minor bamoth.²⁸

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- (1) 'In error' means when he is led into error by another.
- (2) Blood shall be imputed unto that man... and that man shall be cut off. Thus we have two limitations.
- (3) Written in connection with slaughtering.
- (4) On the Day of Atonement, Lev. XVI, 21. A man is not liable for slaughtering that without, because 'unto the Lord' implies that liability is incurred only when it could be sacrificed, and its rites performed, within.
- (5) V. n. 2.
- (6) Where this repetition is quite common.
- (7) Does he not admit the implication of 'that'?
- (8) Whence does he know this?
- (9) Both mean 'that', The longer form implies a further limitation.
- (10) Lit., 'he does not interpret'.
- (11) Sc. in connection with slaughtering.
- (12) That is implied in the emphatic 'he hath shed blood' — no matter to whom.
- (13) One is liable only when he offers up the whole animal; therefore even if he offered up several limbs, he is liable to one offering only, viz., on account of the first, because the animal was still whole then.
- (14) One is liable only when he offers up a whole limb, but not when he offers up part of a limb. Hence each limb imposes a separate liability.
- (15) I.e., if a man offered up one limb in several portions consecutively.
- (16) Because if such a limb springs off the altar, it must be replaced. This shows that it still requires haktarah after it has become incomplete, therefore when one offers it up without, performing haktarah there, he is liable. Consequently, each successive offering up of a portion of the same limb entails a separate sacrifice.
- (17) Save for a whole limb. Therefore when he offers up the limb in several parts, he incurs one offering only.
- (18) The latter holds that 'it' excludes less than the size of an olive, but not an incomplete limb.
- (19) For if R. Jose held thus, then since they still require haktarah within, though when they spring off they are already incomplete, he should also hold that one is liable for offering up without limbs which were incomplete through having been burnt within. This proves that in the opinion of Samuel's father, R. Jose disagrees, and holds that one is not liable, even if he offers up without limbs which were incomplete through having been first burnt within.
- (20) Gen. VIII, 20. This proves that only an altar makes the act one of offering up.
- (21) Judg. XIII, 19.
- (22) To facilitate the act of offering up, but not because an actual altar was necessary.

(23) Lev. XVII, 6.

(24) Only at the door of the tent of meeting was a proper altar required. But when Bamoth were permitted, no proper altar was necessary, and one could sacrifice and offer up on a simple stone.

(25) 'But there is no altar at a Bamah', obviously means when this is permitted. But one is not liable then for offering up without, and so he should have said, this excludes (from liability) one who offers up on a rock or on a stone.

(26) These were indispensable to the altar in the Tabernacle: v. supra 62a.

(27) Sc. at Nob and Gibeon; these were public Bamoth.

(28) Sc. private Bamoth, which individuals built for themselves.

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MISHNAH. IF EITHER VALID SACRIFICES OR INVALID SACRIFICES HAD BECOME UNFIT WITHIN, AND ONE OFFERS THEM WITHOUT, HE IS LIABLE.¹ IF ONE OFFERS UP WITHOUT AS MUCH AS AN OLIVE OF A BURNT-OFFERING AND ITS EMURIM [COMBINED],² HE IS LIABLE.

GEMARA. Our Rabbis taught: [Whatsoever man...] that offereth up a burnt-offering:³ I know it only of a burnt-offering; whence do I know to include the emurim of a guilt-offering, the emurim of a sin-offering, the emurim of most sacred sacrifices and the emurim of lesser sacrifices?⁴ Because it says, '[or] sacrifice'.⁵ Whence do we know to include the fistful, frankincense, incense, the meal-offering of priests, the meal-offering of the anointed priest, and one who makes a libation of three logs of wine or of water?⁶ Because it says, 'And bringeth it not unto the door of the tent of meeting':⁷ whatever comes to the door of the tent of meeting, you are liable on its account [if it is done] without. Again, I know it only of valid sacrifices; whence do I know to include invalid [ones], e.g., [a sacrifice] that is kept overnight, or that goes out, or is unclean, or which was slaughtered [with the intention of being eaten] after time or without bounds, or whose blood was received and sprinkled by unfit persons; or [whose blood] was sprinkled above when it should have been sprinkled below, or below

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when it should have been sprinkled above, or within instead of without, or without instead of within;⁸ or a Passover-offering or a sin-offering which one slaughtered under a different designation? Because it says, ‘And bringeth it not to sacrifice’, [this teaches,] whatever is received at the door of the tent of meeting,⁹ you are liable on its account without.

IF ONE OFFERS UP WITHOUT AS MUCH AS AN OLIVE OF A BURNT-OFFERING [AND ITS EMURIM], etc. Only [of] a burnt-offering and its emurim, but not [of] a peace-offering and its emurim.¹⁰ We have thus learnt here what our Rabbis taught: A burnt-offering and its emurim combine to [make up the standard of] an olive, in respect of offering them up without, and in respect of being liable through them on account of Piggul, Nothar, and defilement.¹¹ As for offering-up, it is well: only a burnt-offering, because it is altogether burnt [Kalil],¹² but not a peace-offering. What however is the reason for Piggul, Nothar, and uncleanness? Surely we learnt: All instances of Piggul combine, and all instances of Nothar combine:¹³ thus the rulings on Piggul are contradictory, and those on Nothar are contradictory? — The rulings on Piggul are not contradictory: one refers to Piggul, the other refers to the intention of piggul.¹⁴ Nor are the rulings on Nothar contradictory: one refers to [actual] Nothar, the other refers to such which were left over before the blood was sprinkled.¹⁵ And who is the author of this? —

R. Joshua. For it was taught: R. Joshua said: [In the case of] all the sacrifices of the Torah of which as much as an olive of flesh or an olive of heleb remains,

- (1) Because if such unfit sacrifices are placed on the altar within they are not removed.
- (2) E.g. half as much as an olive of each.
- (3) Lev. XVII, 8.
- (4) That if one offers up these without, he is liable.
- (5) Ibid. This is an extension.
- (6) This is the smallest measure which constitutes a libation.
- (7) Ibid. 9.
- (8) ‘Within’ and ‘without’ here mean on the inner altar and on the outer altar respectively.

(9) I.e., whatever is not removed from the altar if placed thereon.

(10) The flesh and the emurim of a peace-offering do not combine to make up the standard of an olive.

(11) This is now assumed to mean that one is liable for eating as much as an olive of the flesh and the emurim combined when it is Piggul or Nothar, or if he is unclean.

(12) Hence no distinction is drawn between the flesh and the emurim, and they combine.

(13) Now, Piggul and Nothar apply both to the flesh and to the emurim of a peace-offering (v. supra 43a): hence the two should combine.

(14) If one eats half as much as an olive of the flesh of a peace-offering which is already Piggul and the same quantity of its emurim, he is liable to a sin-offering. If, however, one slaughters a peace-offering with the intention of eating or burning half as much as an olive of the flesh and half as much as an olive of the emurim after time, it does not become Piggul, because the flesh should be eaten and the emurim should be burnt, whereas an illegitimate intention of eating or burning renders a sacrifice Piggul only when it is made in respect of what is eaten or burnt respectively. Such intentions do combine, however, in the case of a burnt-offering, since the whole of it is burnt.

(15) In the case of ordinary Nothar the flesh and the emurim, even of a peace-offering, combine. It is different, however, in the following instance: The whole of the animal, except half as much as an olive of the flesh and the same of the emurim, was lost or destroyed before the sprinkling of the blood. Now, if this happened with a burnt-offering, we would have as much as an olive for the altar's consumption, and therefore the sprinkling is valid to render it Nothar, in the sense that if it is left until after time and then eaten, it entails liability. In the case of a peace-offering, however, there is only half as much as an olive for the altar's consumption and the same for man's consumption: these do not combine to permit the sprinkling. If one did sprinkle, therefore, the sprinkling is not valid to render it Nothar in the above sense. The same applies to defilement.

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he sprinkles the blood. [If there remains] half as much as an olive of flesh and half an olive of heleb, he must not sprinkle the blood. But in the case of a burnt-offering, even [if there remains] half as much as an olive of flesh and half an olive of heleb, he sprinkles the blood, because the whole of it is entirely burnt. While as for a meal-offering, even if the whole of it is

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in existence, he must not sprinkle [the blood]. What business has a meal-offering [here]?¹ — Said R. Papa: [This refers to] the meal-offering of libations which accompanies the [animal] sacrifice.²

MISHNAH. AS FOR THE FISTFUL [OF FLOUR], THE FRANKINCENSE, THE INCENSE, THE PRIESTS' MEAL-OFFERING, THE ANOINTED PRIEST'S MEAL-OFFERING, AND THE MEAL-OFFERING OF LIBATIONS, IF [ONE] PRESENTED AS MUCH AS AN OLIVE OF ONE OF THESE WITHOUT, HE IS LIABLE. BUT R. ELEAZAR³ RULES THAT ONE IS NOT LIABLE UNLESS HE PRESENTS THE WHOLE OF THEM [WITHOUT].⁴ IN THE CASE OF ALL OF THESE, IF THEY WERE OFFERED WITHIN, BUT AS MUCH AS AN OLIVE WAS LEFT OVER AND ONE OFFERED IT WITHOUT, HE IS LIABLE.⁵ IN THE CASE OF ALL OF THESE, IF THEY BECAME SLIGHTLY INCOMPLETE. AND ONE OFFERED THEM WITHOUT, HE IS NOT LIABLE.⁶ ONE WHO OFFERS SACRIFICES TOGETHER WITH THE EMURIM WITHOUT,⁷ IS LIABLE.⁸

GEMARA. Our Rabbis taught: If one burns as much as an olive of incense⁹ without, he is liable; [if one burns] half a peras¹⁰ within he is not liable. Now it was assumed that what does 'not liable' mean? A Zar is not liable;¹¹ [then the difficulty arises] why so? Surely it is haktarah?¹²

Said R. Zera in R. Hisda's name in R. Jeremiah b. Abba's name in Rab's name: What does 'not liable' mean? The community is not liable.¹³

R. Zera said: If I have a difficulty, it is this, viz., Rab's statement thereon [that] here even R. Eleazar agrees; but surely R. Eleazar maintains that this does not constitute haktarah?¹⁴ —

Said Rabbah: In respect of haktarah in the Hekal none disagree.¹⁵ They disagree only in respect of the haktarah within:¹⁶ one master holds, 'his hands full' is particularly meant;¹⁷

while the other master holds [that] 'his hands full' is not meant particularly. But surely, said Abaye to him, 'statute' is written in reference to haktarah within?¹⁸ —

Rather said Abaye: In respect of haktarah within, none disagree. They disagree only in respect of haktarah without: one master holds [that] we learn within from without; while the other master holds that we do not learn [within from without].¹⁹

Raba observed: Seeing that the Rabbis do not learn without from without, can there be a question of [learning] within from without?²⁰ To what is this allusion?²¹ — To what was taught: You might think that if one offers up [without] less than an olive of the fistful [of flour] or less than an olive of emurim, or if one makes libations of less than three logs of wine or less than three logs of water, he is liable: therefore it states, 'to sacrifice [do]': one is liable for a complete [standard], but one is not liable for an incomplete one. Now, less than three logs nevertheless contains many olives, and yet the Rabbis do not learn without from without!²² —

Rather said Raba: [The Mishnah applies to] where e.g., one appointed it

- (1) There is no blood to sprinkle in a meal-offering.
- (2) If the flesh is lost while the meal-offering is in existence, the blood must not be sprinkled.
- (3) So Sh.M.
- (4) Because it is not valid within unless the whole of it is offered. The Rabbis, however, hold that even if as much as an olive is offered within it is valid, provided that the whole of it was available for offering.
- (5) R. Eleazar agrees here, because this would have completed the offering within and made it valid.
- (6) Since offering them within would not have been valid.
- (7) I.e., he offers up the flesh, to which is attached the emurim.
- (8) On account of the emurim.
- (9) Emended text (Sh.M.).
- (10) A peras (half a maneh) of incense was offered twice daily, morning and evening. 'Half a peras' means any quantity less than a peras.
- (11) If a Zar burns less than a peras within he is not liable, though only a priest is permitted to burn it.

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(12) V. Glos. Even with that quantity; and, a Zar who performs haktarah is liable.

(13) They have fulfilled their obligation, though it was less than the standard quantity prescribed.

(14) Why then is the community quit of its obligation?

(15) All agree that the daily haktarah in the Hekal is fulfilled with as much as an olive, because Scripture does not prescribe a quantity for this, the standard of a peras being Rabbinical only. Consequently R. Eleazar admits that if one burns as much as an olive of this without, he is liable; and for the same reason the community is quit of its obligation when as much as an olive is burnt within. Hence the Baraitha, which refers to the daily haktarah, agrees with all.

(16) On the Day of Atonement, which was done in the innermost sanctuary. There a definite quantity is prescribed, viz., 'his hands full' (Lev. XVI, 12).

(17) Not less, and the whole must be taken simultaneously. Hence less does not constitute haktarah on that occasion, and if one burns this without, he is not liable.

(18) Ibid. 34: And this shall be an everlasting statute unto you, to make atonement... once in the year. 'Statute' intimates that everything which is so designated must be carried out exactly as prescribed; further, it applies to all the rites enumerated in the chapter which are performed only 'once in the year', and hence includes haktarah within. How then can anyone maintain that 'his hands full' is not meant particularly?

(19) Abaye too explains that the Baraitha treats of haktarah of the Hekal, while the Mishnah treats of haktarah within. But his premises and reasoning are different. Thus: all agree that a complete haktarah, viz., 'his hands full' is indispensable within. They disagree where one burnt without the Temple as much as an olive of this incense that should have been burnt within, in the innermost sanctuary. One master holds that we learn within from without, i.e. the incense of the innermost sanctuary from the incense of the Hekal: just as one is liable for burning as much as an olive of the latter without, so is one liable for burning as much as an olive of the former without, although that same quantity burnt in its rightful place, sc. the innermost sanctuary, does not constitute haktarah. R. Eleazar, however, holds that we cannot make this inference, precisely because of the difference just noted, Hence when he burns it without he is not liable.

(20) Surely they would not make such an inference.

(21) Where do we find that they do not learn without from without?

(22) They do not say that since as much as an olive of incense burnt without entails liability. the same measure of wine or water offered as a libation without entails liability, though both of these are

'without', i.e., they are rightly offered on the outer altar. The author of this must be the Rabbis, since R. Eleazar holds that one is not liable even when he burns as much as an olive without. (It should be noted that 'without' in the present passage is used with two different meanings:

(i) outside the Temple court altogether. where all offering is forbidden; and (ii) the outer altar in the Temple court, where the daily incense is burnt and the drink-offerings are made.)

Zevachim 110a

in a vessel: one master holds that appointing in a vessel is an act that counts, while the other master holds that it is not an act that counts.¹

Raba said: Now that we have said that there is a view that appointment through a vessel does not count, if one appointed six [logs] for a bullock² and removed four of them and offered them up without, he is liable, since they are fit for a ram.³ If one appointed four [logs] for a ram and removed three of them and offered them up without, he is liable, since they are fit for a lamb. If they [the three logs] were slightly incomplete, he is not liable.⁴ R. Ashi said: The Rabbis do not learn nisuk,⁵ from haktarah, though it is without from without; they do learn haktarah from haktarah, though it is within from without.⁶

IN THE CASE OF ALL OF THESE, IF THEY BECAME SLIGHTLY INCOMPLETE, etc. It was asked: Does incompleteness without count as incompleteness, or does it not count as incompleteness?⁷ Do we say, since it went out, it was disqualified; what is the difference then whether there is less or more?⁸ Or perhaps, only when it goes out and is wholly existent [does it involve liability], but not when it is not wholly existent? —

Said Abaye, Come and hear: R. ELEAZAR RULES THAT ONE IS NOT LIABLE UNLESS HE PRESENTS THE WHOLE OF THEM,⁹ Rabbah son of R. Hanan objected to Abaye: Does the master solve it from R. Eleazar?¹⁰ — I explicitly heard it from a

ZEVOCHIM – 91b-120b

master, he replied: the Rabbis disagree with R. Eleazar only when the whole of it is available; but if it is incomplete, they agree with him. Surely that means, [even] if it became incomplete without? — No: [only] when it became incomplete within.

Come and hear: IN THE CASE OF ALL OF THESE, IF THEY BECAME SLIGHTLY INCOMPLETE AND ONE OFFERED THEM WITHOUT, HE IS NOT LIABLE: does that not mean [even] where it became incomplete without? — No: [only] when it became incomplete within.

ONE WHO OFFERS SACRIFICES [etc.]. Why so? surely it interposes?¹¹ — Said Samuel: It means where he turns them over.¹² R. Johanan said: You may even say that he does not turn them over, but the author of this is R. Simeon who maintained: Even if one offers them up on a rock or on a stone, he is liable.¹³ Rab said: One kind is not an interposition for the same kind.¹⁴

MISHNAH. IF THE FISTFUL OF A MEAL-OFFERING WAS NOT [YET] TAKEN, AND ONE OFFERED IT WITHOUT, HE IS NOT LIABLE.¹⁵ IF ONE TOOK OFF THE FISTFUL, THEN REPLACED THE FISTFUL WITHIN IT, AND OFFERED IT WITHOUT, HE IS LIABLE.¹⁶

GEMARA, But why so? let the remainder nullify the fistful?¹⁷ — Said R. Zera: Haktarah is stated in connection with the fistful, and haktarah is stated in connection with the remainder:¹⁸ as in the case of the haktarah stated in connection with the fistful, one fistful does not nullify another;¹⁹ so in the case of haktarah stated in connection with the remainder, the remainder does not nullify the fistful.

MISHNAH. AS FOR THE FISTFUL AND THE FRANKINCENSE, IF ONE OFFERED ONE OF THEM WITHOUT, HE IS LIABLE; R. ELIEZER RULES THAT HE IS NOT LIABLE UNLESS HE OFFERS THE SECOND [TOO].²⁰ [IF ONE OFFERED] ONE WITHIN AND THE OTHER

WITHOUT,²¹ HE IS LIABLE,²² AS FOR THE TWO DISHES OF FRANKINCENSE,²³ IF ONE OFFERED ONE OF THEM WITHOUT, HE IS LIABLE; R. ELIEZER RULES THAT HE IS NOT LIABLE UNLESS HE OFFERS THE SECOND [TOO]. [IF ONE OFFERED] ONE WITHIN AND THE OTHER WITHOUT, HE IS LIABLE.

GEMARA. R. Isaac Nappaha²⁴ asked: Can the fistful permit a proportionate quantity of the remainder?²⁵ does it [the fistful] indeed permit, or does it merely weaken [the prohibition]?²⁶ — On whose view [is this question asked]? If on the view of R. Meir, who maintained, You can render a sacrifice Piggul through half of the mattir,²⁷ it indeed permits it;²⁸ and if on the view of the Rabbis who maintained that you cannot render a sacrifice Piggul through half of the Mattir, it may neither permit nor weaken it?²⁹ — Rather, [the question is asked] on the view of R. Eliezer.³⁰ But R. Eliezer agrees with the Rabbis?³¹ — Rather, [the question is asked] on the view of the Rabbis here:³² does it permit, or does it weaken?³³ The question stands over.

MISHNAH. IF ONE SPRINKLES PART OF THE BLOOD WITHOUT,³⁴

(1) Both the Mishnah and the Baraitha treat of haktarah of the Hekal, where Scripture does not prescribe a fixed quantity. Therefore the Baraitha teaches that he is liable, and R. Eleazar agrees, as Rab stated. The controversy in the Mishnah arises where one appointed the whole peras that was to be burnt (by Rabbinical law) for its purpose by placing it in a vessel. R. Eleazar holds that this appointment is a substantial act, in the sense that if the priest does not burn it all in the Hekal it is not haktarah and the community is not quit of its obligation. Therefore one is not liable for burning it without unless he burns the whole of it. The Rabbis, however, hold that this appointing does not count at all, and so it is the same as any other incense.

(2) I.e., he put six logs of wine in a vessel, to be used for the drink-offering which accompanied the sacrifice of a bullock.

(3) This measure would suffice for a ram, and so he is culpable. If, however, appointment in a vessel counted as a substantial act, he would not be liable unless he offered up the whole six logs without.

ZEVOCHIM – 91b-120b

- (4) Because less than three logs are not fit for anything within.
- (5) The act of offering libations.
- (6) R. Ashi defends Abaye's explanation, and rebuts Raba's objection. — The text is emended.
- (7) If the full standard was taken without (whereby it was immediately disqualified for use within), and then some of it was lost before he offered it up: does it count as incomplete or not?
- (8) Since it is disqualified in any case, and yet one is liable for offering it without, he may also be liable when it becomes short without.
- (9) Thus even if it is taken out whole, there is no liability unless it is offered whole.
- (10) Surely not. For R. Eleazar holds that even if the whole is existent he is not liable unless he offers the whole, whereas the Rabbis hold that if the whole is existent one is liable when he offers as much as an olive. The question is asked on the view of the Rabbis.
- (11) The flesh interposes between the fire and the emurim, and such would not constitute proper offering up within, for the emurim must lie directly on the fire.
- (12) Sc. that the emurim laid on the fire.
- (13) If even a proper altar is not necessary, it is certainly not necessary for the emurim to lie directly on the fire.
- (14) Flesh is the same kind of matter as emurim, and therefore it does not count as an interposition.
- (15) Because in that state it is not fit for offering within either.
- (16) Because in that case, if it is offered within, it is valid; Men. 23a.
- (17) Hence he should not be liable.
- (18) Lev. II: 2: And he shall take thereof his handful... and ... shall make (it) smoke (we-hiktir). Ibid. 11: No meal-offering ... shall be made with leaven, for ye shall make no leaven, nor any honey, smoke (lo taktiru) as an offering made by fire unto the Lord. This is interpreted to mean that one must not burn (haktarah) any portion of the meal-offering whereof part is to be 'an offering made by fire;' hence it applies to the remainder, as part thereof (viz., the fistful) has been taken as 'an offering made by fire'.
- (19) Even if it exceeds it.
- (20) Both must normally be offered before the remainder may be eaten (in the case of a votive meal-offering, to which this refers). Hence the two together are the Mattir (v. Glos.), and R. Eliezer holds that one is liable only when he offers without the whole Mattir.
- (21) In this order.
- (22) Because the second completes it, and had it been offered within, it would have permitted the consumption of the remainder.
- (23) The burning of which permitted the eating of the Showbread.

- (24) Or, the smith.
- (25) V. n. 6, p. 540. If one burned the fistful alone, stating that this was to permit part of the remainder (which he determined beforehand), while the other part was to be permitted by the frankincense, is the first part thus permitted?
- (26) Does the fistful completely permit part, in which case this part is now permitted; or does it merely weaken the prohibition of the whole, while the frankincense finally removes it? in that case it will still be forbidden.
- (27) If the priest declares a Piggul intention at the burning of either the fistful or the frankincense, the offering is Piggul.
- (28) For a sacrifice can be rendered Piggul only through a rite which completely permits it (or at least, a portion thereof), just as sprinkling completely permits an animal sacrifice. R. Meir then must certainly hold that the burning of the fistful permits part of the remainder.
- (29) There is no proof that on their view the burning of the fistful either permits part or even weakens the prohibition of the whole.
- (30) In our Mishnah: since he rules that one is not liable for burning that alone without, it may be that he holds that it permits part only.
- (31) Sc. those who disagree with R. Meir, — I.e., the same difficulty that arises on the view of the Rabbis, sc. that they may hold that it neither permits nor weakens, arises on the view of R. Eliezer.
- (32) In our Mishnah.
- (33) Since they maintain that one is liable for burning the fistful alone without, they must regard the same within as a proper haktarah, even without the frankincense. Hence the question, in respect of what is it haktarah: is it in respect of permitting part, or in respect of weakening the whole?
- (34) E.g., he made one application only; this holds good even in the case of the inner sin-offerings, where all the four applications are indispensable.

Zevachim 110b

HE IS LIABLE. R. ELEAZAR SAID: ALSO HE WHO MAKES A LIBATION OF THE WATER OF THE FESTIVAL, ON THE FESTIVAL, WITHOUT, IS LIABLE.¹ R. NEHEMIAH SAID: IF ONE PRESENTED THE RESIDUE OF THE BLOOD² WITHOUT, HE IS LIABLE.

GEMARA. Raba said: R. Eleazar too agrees in the case of blood.³ For we learnt: R. Eleazar and R. Simeon maintained: From where he left off, there he recommences.⁴

ZEVOCHIM – 91b-120b

R. ELEAZAR SAID: ALSO HE WHO MAKES A LIBATION OF THE WATER OF THE FESTIVAL, ON THE FESTIVAL, WITHOUT, IS LIABLE. R. Johanan said on the authority of R. Menahem of Jotapata:⁵ R. Eleazar ruled thus in accordance with the thesis of R. Akiba, his teacher, who maintained [that] the pouring of water [on the Feast of Tabernacles] is [required] by Scriptural law, For it was taught: R. Akiba said: And the drink-offerings thereof:⁶ Scripture speaks of two drink-offerings, viz., the libation of water and the libation of wine.⁷

Said Resh Lakish to R. Johanan: If so, just as there three logs [are required], so here too three logs [are required], whereas R. Eleazar speaks of THE WATER OF THE FESTIVAL?⁸ [Again,] if so, just as there [there is liability] during the rest of the year, so here too [one should be liable] during the rest of the year, whereas R. Eleazar says [that one is only liable] ON THE FESTIVAL? He, however, had overlooked R. Assi's statement in R. Johanan's name. For R. Assi said in the name of R. Johanan on the authority of R. Nehunia of the valley of Beth Hauran:⁹ Ten Saplings,¹⁰ the Willow,¹¹ and the Water Libation are Mosaic laws from Sinai.¹²

Our Rabbis taught: One who makes a libation of three logs of water on the Feast [of Tabernacles], without, is liable. R. Eleazar said: If he drew it for the sake of the Feast, he is liable. Wherein do they disagree? — Said R. Nahman b. Isaac: They disagree as to whether a standard quantity of water is required.¹³ R. Papa said:

- (1) Special water libations on the altar were made during the Feast of Tabernacles. If one makes a libation without of the water specially drawn for this purpose, he is liable.
- (2) Of these sin-offerings whose blood must be poured out at the base of the altar.
- (3) He accepts the view in the Mishnah, though he disagrees in the case of frankincense.
- (4) V. supra 42a. If the blood is accidentally spilt after the first application, a second animal is slaughtered, and the sprinkling is continued, starting with the second application. Thus the first

application was effective, and therefore if it is made without, it entails liability.

(5) A fortress in Galilee.

(6) Num. XXIX, 31. This refers to the drink offerings which accompanied the animal sacrifices on Tabernacles, R. Akiba stresses the plural 'offerings'.

(7) Hence it is Scriptural, and since it is a Scriptural rite, one is liable for doing it without.

(8) If R. Eleazar based his view on R. Akiba's interpretation, then one should argue: since the rite is learnt from the plural form, 'drink-offerings', the two are alike, and there is no liability for less than three logs without. R. Eleazar, however, merely speaks of THE WATER OF THE FESTIVAL, which may, on one view, be one log (Suk. 48a).

(9) Or, Beth Haurathan. A town in a valley S.E. of Damascus, and a station for announcing the New Moon; cf. Ezek, XLVII, 18; R.H. 22b.

(10) The whole of a plantation fifty cubits square, containing at least ten saplings (the definition of 'saplings' is given in Shebi.I.) may be plowed until the very end of the sixth year (the seventh is the Sabbatical year). In a plantation of older trees tilling must cease at least one month before.

(11) The circuits around the altar with a willow during the Feast of Tabernacles.

(12) Thus not only R. Akiba, but all the Rabbis agree that the Water Libation is Scriptural. As, however, this is a Mosaic tradition, and not directly indicated in Scripture, one is not bound by the analogy of the Wine Libation; hence three logs are not needed. — 'He overlooked' presumably means Menahem of Jotapata, and though R. Johanan cites both statements, the present one may be of later date, when he had rejected Menahem's view (Tosaf.).

(13) The first Tanna holds that it is, and so liability is incurred only for three logs, neither more nor less. R. Eleazar maintains that there is no standard: consequently, this condition of three logs holds good only if the water was specially drawn for libations in the vessel used for the purpose, which held three logs, whereby the vessel appointed the whole of the three logs (cf. supra a top). But if the vessel did not thus appoint it, one is liable even for less. (Tosaf. Rashi explains it otherwise.)

Zevachim 111a

They disagree as to whether libations were offered in the wilderness.¹ Rabina said: They disagree as to whether we learn water libation from wine libation.²

ZEVUCHIM – 91b-120b

Our Rabbis taught: One who makes a libation of three logs of wine without, is liable. R. Eleazar son of R. Simeon said: Provided that he [first] sanctified them in a [service] vessel. Wherein do they disagree? — Said R. Adda the son of R. Isaac: They differ about the overflow of measures.³

Rabbah the son of Raba⁴ said: They disagree as to whether libations were offered at the Bamoth, and in the controversy of the following Tannaim. For it was taught: A private Bamah does not require libations: these are the words of Rabbi. But the Sages maintain: It does require libations.⁵ Now, these Tannaim [disagree on the same lines] as the following Tannaim. For it was taught: ‘When ye are come [etc.]’:⁶ Scripture prescribes [the bringing of] libations at the great Bamah. You say, at the great Bamah: yet perhaps it is not so, but rather at a minor bamah?⁷ When it says, into the land of your habitations, which I give unto you.⁶ surely Scripture speaks of a Bamah in use by all of you: these are the words of R. Ishmael. R. Akiba said: ‘When ye are come’ prescribes libations at a minor Bamah. You say, at a minor Bamah: yet perhaps it is not so, but rather at the great Bamah? When it says, ‘into the land of your habitations,’ Scripture speaks of a Bamah in use in all your habitations.⁸ Now when you analyse the matter, [you find that] on R. Ishmael's view they did not offer libations in the wilderness, while on R. Akiba's they did offer libations in the wilderness.

R. NEHEMIAH SAID: IF ONE PRESENTED THE RESIDUE OF THE BLOOD WITHOUT, HE IS LIABLE. R. Johanan said: R. Nehemiah taught in agreement with the view that [the pouring out of] the residue is indispensable.⁹ An objection is raised: R. Nehemiah said: If one offered the residue of the blood without, he is liable. Said R. Akiba to him: Surely [the pouring out of] the residue of the blood is [but] the remainder of a rite?¹⁰ Let [the burning of] the limbs and the fat-pieces prove it, he replied, which is the

remainder of a rite,¹¹ yet if one offers them up without, he is liable. Not so, said he, If you speak of [the burning of] the limbs and the fat-pieces, that is because it is the beginning of the service; will you say the same of the residue of the blood, which is the end of the service?¹² Now if this is correct,¹³ let him answer him: This too is indispensable? That is indeed a refutation! But now that R. Adda b. Ahabah said: The controversy¹⁴ is about the residue of the inner [sin-offering];¹⁵ but all agree that [the pouring out of] the residue of the outer [sin-offering] is not indispensable, [you can answer thus]: R. Nehemiah spoke [in the Mishnah] of the residue of the inner [sin-offering]; whereas that [Baraita] was taught in connection with the residue of the outer [sin-offerings].¹⁶ If so, let him [R. Nehemiah] answer him: I spoke [only] of the residue of the inner [sin-offerings]? — Rather, he argued on R. Akiba's hypothesis.¹⁷

MISHNAH. IF ONE NIPS A BIRD[-OFFERING] WITHIN AND OFFERS IT UP WITHOUT, HE IS LIABLE; IF ONE NIPS IT WITHOUT AND OFFERS IT UP WITHOUT, HE IS NOT LIABLE.¹⁸ IF ONE SLAUGHTERS A BIRD WITHIN AND OFFERS IT UP WITHOUT, HE IS NOT LIABLE.¹⁹

(1) Both agree that no standard is required, and when the Tanna says three logs he is not exact, for the same applies even to less. (Tosaf. Rashi reverses it; both agree that there is a definite standard, and liability is incurred only for three, not for more or less.) The first Tanna holds that libations were offered in the wilderness. Now, Scripture states, When ye are come into the land of your habitations (sc. Eretz Israel)... and will make an offering by fire unto the Lord... then shall he that bringeth his offering present unto the Lord... wine for the drink-offering (Num. XV, 2 seq.). This implies that libations became obligatory only after they entered Eretz Israel. This cannot mean at the public Bamoth, since these were the same as the Tabernacle in the wilderness, where libations were already offered. Hence it must mean at private Bamoth, and in this respect it was a new obligation, since there were no private Bamoth in the wilderness. At these private Bamoth, however, there were no service vessels to sanctify the wine before use; hence the wine could not require special sanctification. For that reason the first Tanna

ZEVOCHIM – 91b-120b

maintains that even when private Bamoth were subsequently forbidden, and wine and water for libations would first be sanctified in service vessels, yet if one made a libation without even of water not specially drawn and sanctified, he was liable, since there had been a time when unsanctified wine was used for libations. R. Eleazar, however, holds that libations were not offered in the wilderness. Hence 'when ye are come', etc. refers to the Tabernacle at Shiloh, where the wine was first sanctified. Therefore liability is incurred only for wine (or water) specially drawn and sanctified, since we find no instance of unsanctified wine being used.

(2) They agree that libations were offered in the wilderness; therefore the text must refer to private Bamoth, where unsanctified wine was used. But this was only in the case of wine; water libations, however, were offered only at the public Bamoth, and the water was first sanctified. The first Tanna holds that we learn water libation from wine libation: as liability is incurred for offering a libation without even of unsanctified wine, so is it incurred for water not specially drawn. R. Eleazar rejects this analogy and maintains that since only sanctified water was used in libations, liability is incurred only for same.

(3) The brim that floats above the actual vessel. Both hold that sanctification by a service-vessel is required; the Rabbis maintain that the overflow is sanctified, and therefore even if the three logs consisted of such overflow, one is liable, R. Eleazar holds that the overflow is not sanctified, and liability is incurred only for wine that was sanctified in the vessel itself.

(4) Emended text (Sh.M.). Cur. edd, Raba the son of Rabbah.

(5) R. Eleazar b. R. Simeon agrees with Rabbi that there were no libations at a private Bamah, and so we never find them without prior sanctification; the 'first Tanna agrees with the Sages that libations were offered at a private Bamah, and these, of course, were not first sanctified.

(6) Numb. XV, 2.

(7) 'Great' and 'minor' mean public and private respectively.

(8) Hence, a private Bamah.

(9) V. supra 42b. Therefore it is a service and entails liability if done without.

(10) And is not indispensable (v. supra 52a); hence it does not entail liability when done without.

(11) It is not indispensable, for the sprinkling of the blood alone is indispensable.

(12) Surely not.

(13) That R. Nehemiah holds that the pouring out of the residue of the blood is indispensable.

(14) Whether the pouring out of the residue is indispensable or not.

(15) The residue of the blood of sin-offerings which is sprinkled within, in the Hekal.

(16) R. Nehemiah admits that that is not indispensable; hence one who offers it without is not liable.

(17) I maintain that the pouring out of the residue is indispensable. But even if, as you say, it is not, let the burning of the limbs prove that one who offers it without is liable.

(18) Once he nips it without it is nebelah and not fit for offering up within. He is not liable for nipping it without, as stated supra 107a.

(19) Because by slaughtering it within, instead of nipping it, he disqualified it, and therefore it could not be offered up within.

Zevachim 111b

IF ONE SLAUGHTERS [IT] WITHOUT AND OFFERS [IT] UP WITHOUT, HE IS LIABLE.¹ THUS ITS PRESCRIBED RITE WITHIN FREES HIM FROM LIABILITY [IF HE DOES IT] WITHOUT, WHILE ITS PRESCRIBED RITE WITHOUT FREES HIM FROM LIABILITY [IF HE DOES IT] WITHIN. R. SIMEON SAID: WHATEVER ENTAILS LIABILITY WITHOUT, ENTAILS IN SIMILAR CIRCUMSTANCES WITHIN WHEN ONE [SUBSEQUENTLY] OFFERS IT UP WITHOUT; EXCEPT WHEN ONE SLAUGHTERS [A BIRD] WITHIN AND OFFERS [IT] UP WITHOUT.²

GEMARA. Is this ITS PRESCRIBED RITE? Surely it is its inculcating rite?³ — Learn, its inculcating rite.

R. SIMEON SAID, etc. To what does he refer? If we say, to the first clause, [viz.] **IF ONE NIPS A BIRD [SACRIFICE] WITHIN AND OFFERS [IT] UP WITHOUT, HE IS LIABLE; IF ONE NIPS [IT] WITHOUT AND OFFERS [IT] UP WITHOUT, HE IS NOT LIABLE;** whereon R. Simeon observed [that] just as he is liable [when he nips it] within, so is he liable⁴ [when he nips it] without, — then instead of [saying] **WHATEVER ENTAILS LIABILITY WITHOUT,** he should say, 'whatever entails liability within'? And if [he means:] just as one is not liable [when he nips it] without, so is he not liable [when he nips it] within, — then he should say. Whatever does not entail

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liability without does not entail liability within?⁵

Again if he refers to the second clause: IF ONE SLAUGHTERS A BIRD WITHIN AND OFFERS [IT] UP WITHOUT, HE IS NOT LIABLE; IF ONE SLAUGHTERS [IT] WITHOUT AND OFFERS [IT] UP WITHOUT, HE IS LIABLE; whereon R. Simeon observed: Just as one is not liable [when he slaughters it] within, so is he not liable [when he slaughters it] without, — then he should say, Whatever does not entail liability within does not entail liability without? Or again if [he means], just as he is liable [when he slaughters] without, so is he liable [when he slaughters it] within, — surely he teaches, EXCEPT WHEN ONE SLAUGHTERS [A BIRD] WITHIN AND OFFERS [IT] UP WITHOUT?⁶ —

Said Ze'iri: They disagree about the slaughtering of an animal at night, and this is what [the Mishnah] says: Likewise if one slaughters an animal at night, within, and offers it up without, he is not liable;⁷ if one slaughtered [it] at night without and offered [it] up without, he is liable.⁸

R. SIMEON SAID: WHATEVER ENTAILS LIABILITY WITHOUT, ENTAILS LIABILITY IN SIMILAR CIRCUMSTANCES WITHIN WHEN ONE [SUBSEQUENTLY] OFFERS [IT] UP WITHOUT,⁹ EXCEPT WHEN ONE SLAUGHTERS [A BIRD] WITHIN AND OFFERS [IT] UP WITHOUT. Raba said: They disagree about receiving [the blood] in a non-sacred vessel, and this is what it says: Likewise, if one receives [the blood] in a non-sacred vessel within, and offers it up without, he is not liable;¹⁰ if one receives [the blood] in a non-sacred vessel without and offers [it] up without, he is liable.

R. SIMEON SAID: WHATEVER ENTAILS LIABILITY WITHOUT, ENTAILS LIABILITY IN SIMILAR CIRCUMSTANCES WITHIN WHEN ONE

[SUBSEQUENTLY] OFFERS [IT] UP WITHOUT, EXCEPT WHEN ONE SLAUGHTERS [A BIRD] WITHIN AND OFFERS [IT] UP WITHOUT. And now that the father of Samuel son of R. Isaac recited: If one nips a bird within and offers [it] up without, he is liable; if he nips [it] without and offers [it] up without, he is not liable; but R. Simeon rules that he is liable: [you can say that] R. Simeon refers to that case, but read: Whatever entails liability [when it is sacrificed] within and offered up without, entails liability [when it is sacrificed] without.¹¹

MISHNAH. AS FOR A SIN-OFFERING WHOSE BLOOD WAS RECEIVED IN ONE GOBLET, IF ONE [FIRST] SPRINKLED [THE BLOOD] WITHOUT AND THEN SPRINKLED [IT] WITHIN; [OR] WITHIN AND THEN WITHOUT, HE IS LIABLE, BECAUSE THE WHOLE OF IT WAS ELIGIBLE WITHIN. IF THE BLOOD WAS RECEIVED IN TWO GOBLETS AND ONE SPRINKLED BOTH WITHIN, HE IS NOT LIABLE; BOTH WITHOUT, HE IS LIABLE. [IF HE SPRINKLED] ONE WITHIN AND ONE WITHOUT,¹² HE IS NOT LIABLE; ONE WITHOUT AND ONE WITHIN, HE IS LIABLE ON ACCOUNT OF THE ONE WITHOUT, WHILE THE ONE WITHIN MAKES ATONEMENT.¹³ TO WHAT MAY THIS BE COMPARED? TO A MAN WHO SET ASIDE [AN ANIMAL FOR] HIS SIN-OFFERING, THEN IT WAS LOST, AND HE SET ASIDE ANOTHER IN ITS PLACE; THEN THE FIRST WAS FOUND, AND [SO] BOTH ARE PRESENT.

IF HE SLAUGHTERED BOTH OF THEM WITHIN, HE IS NOT LIABLE; BOTH OF THEM WITHOUT, HE IS LIABLE. [IF HE SLAUGHTERED] ONE WITHIN AND ONE WITHOUT, HE IS NOT LIABLE;¹⁴ ONE WITHOUT AND ONE WITHIN, HE IS LIABLE ON ACCOUNT OF THE ONE WITHOUT,¹⁵ WHILE THE ONE WITHIN MAKES ATONEMENT. JUST AS THE BLOOD RELIEVES ITS OWN FLESH, SO DOES IT RELIEVE THE FLESH OF ITS COMPANION [THE OTHER ANIMAL].¹⁶

ZEVOCHIM – 91b-120b

- (1) Both for slaughtering (*supra* 107a) and for offering up (*infra* 119b).
- (2) The Gemara discusses the meaning of this.
- (3) There cannot be a prescribed rite of slaughtering a sacrifice without; rather, this slaughter is the act which inculpates one and makes him liable.
- (4) For offering it up without.
- (5) Emended text (Sh.M.).
- (6) Which makes it obvious that he means something else, since this is stated as an exception.
- (7) This would agree with R. Judah *supra* 84a, q.v., that an animal sacrifice slaughtered at night must be removed from the altar even if placed thereon. Hence it was not fit for offering up within, and so does not entail liability when it is offered up without. — Ze'iri assumes a lacuna in the Mishnah.
- (8) Because in respect of slaughtering without night does not differ from day, since it was eligible to be brought the following day to the 'door of the tent of meeting'.
- (9) For he holds that when it is slaughtered within at night it is not removed from the altar (*ibid.*).
- (10) Cf. n. 2. The same applies here.
- (11) The exception will then refer to an inference that follows from R. Simeon's statement. For one might infer that whatever does not entail liability when it is sacrificed within and offered up without, e.g., if one sacrifices an unfit animal which was disqualified before it came to the Temple — e.g. one with which an unnatural crime had been committed — does not entail liability when sacrificed without and offered up without. An exception to this is the case of a bird; though it does not entail liability when slaughtered within and offered up without, it does entail liability when slaughtered without and offered up without.
- (12) In that order.
- (13) I.e., makes the sacrifice valid.
- (14) For atonement was made with the first, and so the second was not eligible for slaughtering within. For a sin-offering can be brought only when one is liable; after the first was offered, the second was in the position of a sin-offering whose owner dies before it is sacrificed, and is henceforth unfit for sacrificing.
- (15) Since it was eligible then.
- (16) This refers to where he slaughtered both within. The sprinkling of the blood of the first relieves its flesh from liability to trespass (v. p. 405, n. 8.); it also relieves the flesh of the second from the same liability, though the second was unfit.

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GEMARA. As for [sprinkling the blood] without and then sprinkling [it] within, it is

well, because the whole of it was eligible within.¹ But [if he first sprinkled] within and then offered [it] up without, it is [but] the residue?² — This agrees with R. Nehemiah, who ruled: If one offers the residue of the blood without, he is liable. If it agrees with R. Nehemiah, consider the sequel: **IF THE BLOOD WAS RECEIVED IN TWO GOBLETTS: IF ONE SPRINKLED BOTH WITHIN, HE IS NOT LIABLE; BOTH WITHOUT, HE IS LIABLE. [IF HE SPRINKLED] ONE WITHIN AND ONE WITHOUT, HE IS NOT LIABLE.** Surely R. Nehemiah maintained [that] if one offers the residue of the blood without, he is liable? — I will answer you: Which Tanna disagrees with R. Eleazar son of R. Simeon [and maintains that] one goblet renders the other rejected? It is R. Nehemiah.³

TO WHAT MAY THIS BE COMPARED? TO ONE WHO SETS ASIDE [AN ANIMAL FOR] HIS SIN-OFFERING, THEN IT WAS LOST, AND HE SET ASIDE ANOTHER IN ITS PLACE; THEN THE FIRST WAS FOUND [etc.] What is the purpose of [adding]. **TO WHAT MAY THIS BE COMPARED?**⁴ — The author of this is Rabbi, who maintained: If [the first animal] was lost when [the second] was set aside, it must perish.⁵ And this is what it means: This is only if [the first] was lost. If, however, one set aside two [animals for] sin-offerings as surety,⁶ one of these was a burnt-offering from the very outset, in accordance with R. Huna's dictum in Rab's name, viz.: If a guilt-offering was transferred to pasture. and one then slaughtered it without a specified purpose, it is valid as a burnt-offering.⁷ How compare: there, a guilt-offering is a male and a burnt-offering is a male; but a sin-offering was a female?⁸ — Said R. Hiyya of Vastania:⁹ It refers to a ruler's goat.¹⁰

CHAPTER XIV

MISHNAH. IF ONE SLAUGHTERED THE COW OF LUSTRATION¹¹ OUTSIDE ITS APPOINTED PLACE,¹² AND LIKEWISE IF ONE OFFERED

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WITHOUT THE SCAPEGOAT,¹³ HE IS NOT LIABLE, BECAUSE IT SAYS, AND HATH NOT BROUGHT IT UNTO THE DOOR OF THE TENT OF MEETING,¹⁴ [WHICH INTIMATES THAT FOR] WHATEVER IS NOT ELIGIBLE TO COME TO THE DOOR OF THE TENT OF MEETING, ONE IS NOT LIABLE ON ITS ACCOUNT.

[AS FOR] A ROBA', A NIRBA', AN ANIMAL SET ASIDE [FOR AN IDOLATROUS SACRIFICE], AN ANIMAL WORSHIPPED [AS AN IDOL]. A [DOG'S] EXCHANGE, [A HARLOT'S] HIRE, KIL'AYIM, A TEREFAH, AN ANIMAL CALVED THROUGH THE CAESAREAN SECTION,¹⁵ IF ONE OFFERED THESE WITHOUT, HE IS NOT LIABLE, BECAUSE IT SAYS, 'BEFORE THE TABERNACLE OF THE LORD: FOR WHATEVER IS NOT ELIGIBLE TO COME BEFORE THE TABERNACLE OF THE LORD, ONE IS NOT LIABLE ON ITS ACCOUNT.

[AS FOR] BLEMISHED ANIMALS, WHETHER WITH PERMANENT BLEMISHES OR

- (1) When he sprinkled it without, Hence he is liable.
- (2) Which should not entail liability.
- (3) Emended text (Sh.M.). For the allusion v. supra 34b. Hence the blood in the second goblet, according to R. Nehemiah, is not even a residue, and therefore he is not liable.
- (4) What does this analogy teach, for apparently the point is quite clear without it?
- (5) Even if it had been found by the time that the second was sacrificed. (The Rabbis hold that in the latter case it does not perish, but must be left to graze until it receives a blemish, when it is redeemed, and a burnt-offering is brought for the redemption money. If they did not wait for it to become blemished, but sacrificed it as a burnt-offering, it is valid. Therefore if one sacrificed it without he is liable, in the view of the Rabbis.)
- (6) I.e., in case one is lost, the other should be available,
- (7) V. supra 5b. The same applies here, and so if one offers it without, he is liable (cf. the view of the Rabbis in n. 6, p. 550).
- (8) Hence it was not fit for a burnt-offering.
- (9) Or, Astunia (in cur. edd, Justinia), near Pumbeditha, v. Obermeyer, Landschaft, p. 229.

(10) Brought as a sin-offering (v. Lev. IV, 22 seq.). This was a male. If he set aside two, and the second is offered without, it entails liability.

(11) I.e., the red heifer, v. Num. XIX.

(12) Lit. 'vat', 'pit'.

(13) V. Lev. XVI, 21.

(14) Lev. XVII, 4.

(15) V. supra 71a for all these.

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WITH TRANSIENT BLEMISHES, IF ONE OFFERS THEM WITHOUT, HE IS NOT LIABLE.

R. SIMEON SAID: [IF ONE OFFERS] ANIMALS WITH PERMANENT BLEMISHES, HE IS NOT LIABLE; [IF ONE OFFERS] ANIMALS WITH TRANSIENT BLEMISHES, HE VIOLATES A NEGATIVE INJUNCTION. [WITH REGARD TO] TURTLEDOVES BEFORE THEIR TIME AND YOUNG PIGEONS AFTER THEIR TIME.¹ IF ONE OFFERED THEM WITHOUT, HE IS NOT LIABLE.

R. SIMEON SAID: [IF ONE OFFERS] YOUNG PIGEONS AFTER THEIR TIME, HE IS NOT LIABLE; [IF HE OFFERS] TURTLEDOVES BEFORE THEIR TIME, HE VIOLATES A NEGATIVE INJUNCTION. [ONE WHO OFFERS] AN ANIMAL TOGETHER WITH ITS YOUNG [ON THE SAME DAY], AND [ONE WHO OFFERS] BEFORE TIME, IS NOT LIABLE.²

R. SIMEON SAID: HE TRANSGRESSES A NEGATIVE INJUNCTION. FOR R. SIMEON MAINTAINED: WHATEVER IS ELIGIBLE TO COME LATER INVOLVES A NEGATIVE INJUNCTION, BUT DOES NOT INVOLVE KARETH.³ BUT THE SAGES MAINTAIN: WHATEVER DOES NOT INVOLVE KARETH DOES NOT INVOLVE A NEGATIVE INJUNCTION. 'BEFORE TIME APPLIES BOTH TO ITSELF AND TO ITS OWNER.⁴

WHAT IS BEFORE TIME AS APPLIED TO ITS OWNER? IF A ZAB OR A ZABAH, A WOMAN AFTER CHILDBIRTH,⁵ OR A LEPER,⁶ OFFERED THEIR SIN-OFFERING OR THEIR

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GUILT-OFFERING WITHOUT, THEY ARE NOT LIABLE; [IF THEY OFFERED] THEIR BURNT-OFFERINGS OR THEIR PEACE-OFFERINGS WITHOUT, THEY ARE LIABLE.⁷ IF ONE OFFERS UP FLESH OF A SIN-OFFERING, OR FLESH OF A GUILT-OFFERING, OR FLESH OF MOST SACRED SACRIFICES, OR FLESH OF LESSER SACRIFICES, OR THE RESIDUE OF THE 'OMER,⁸ OR THE TWO LOAVES, OR THE SHEWBREAD, OR THE REMAINDER OF MEAL-OFFERINGS; OR IF HE POURS [THE OIL ON TO THE MEAL-OFFERING], OR MINGLES [IT WITH FLOUR], OR BREAKS UP [THE MEAL-OFFERING CAKES], OR SALTS [THE MEAL-OFFERING], OR WAVES IT, OR PRESENTS [IT OPPOSITE THE SOUTH-WEST CORNER OF THE ALTAR], OR SETS THE TABLE [WITH THE SHEWBREAD], OR TRIMS THE LAMPS, OR TAKES OFF THE FISTFUL, OR RECEIVES THE BLOOD. —

[IF HE DOES ANY OF THESE] WITHOUT, HE IS NOT LIABLE. NOR IS ONE LIABLE ON ACCOUNT OF ANY OF THESE ACTS ON ACCOUNT OF ZARUTH,⁹ OR UNCLEANNESS, OR LACK OF [PRIESTLY] VESTMENTS,¹⁰ OR THE NON-WASHING OF HANDS AND FEET.¹¹ BEFORE THE TABERNACLE WAS SET UP BAMOTH WERE PERMITTED AND THE SERVICE WAS PERFORMED BY THE FIRSTBORN; AFTER THE TABERNACLE WAS SET UP BAMOTH WERE FORBIDDEN AND THE SERVICE WAS PERFORMED BY PRIESTS. MOST SACRED SACRIFICES WERE [THEN] EATEN WITHIN THE CURTAINS, AND LESSER SACRIFICES [WERE EATEN] ANYWHERE IN THE CAMP OF THE ISRAELITES.¹²

WHEN THEY CAME TO GILGAL,¹³ BAMOTH WERE [AGAIN] PERMITTED: MOST SACRED SACRIFICES WERE EATEN WITHIN THE CURTAINS, AND LESSER SACRIFICES [WERE EATEN] ANYWHERE. WHEN THEY CAME TO SHILOH,¹⁴ BAMOTH WERE [AGAIN] FORBIDDEN. [THE TABERNACLE] THERE HAD NO ROOF, BUT [CONSISTED OF] A STONE EDIFICE CEILED WITH CURTAINS,

AND THAT WAS THE 'REST' [ALLUDED TO IN SCRIPTURE]:¹⁵ MOST HOLY SACRIFICES WERE EATEN [THERE] WITHIN THE CURTAINS, AND LESSER SACRIFICES AND SECOND TITHE¹⁶ [WERE EATEN] WHEREVER [SHILOH] COULD BE SEEN.

WHEN THEY CAME TO NOB AND TO GIBEON,¹⁷ BAMOTH WERE [AGAIN] PERMITTED: MOST HOLY SACRIFICES WERE EATEN WITHIN THE CURTAINS, AND LESSER SACRIFICES [AND SECOND TITHE]¹⁸ IN ALL THE CITIES OF ISRAEL.

WHEN THEY CAME TO JERUSALEM, BAMOTH WERE FORBIDDEN AND WERE NEVER AGAIN PERMITTED,¹⁹ AND THAT WAS THE 'INHERITANCE'. MOST HOLY SACRIFICES WERE EATEN WITHIN THE CURTAINS,²⁰ AND LESSER SACRIFICES AND SECOND TITHE WITHIN THE WALL [OF JERUSALEM].

ALL SACRIFICES CONSECRATED WHILE BAMOTH WERE FORBIDDEN AND OFFERED WITHOUT WHILE BAMOTH WERE FORBIDDEN, INVOLVE A POSITIVE AND A NEGATIVE INJUNCTION,²¹ AND ONE IS LIABLE TO KARETH ON THEIR ACCOUNT.²²

IF ONE CONSECRATED THEM WHILE BAMOTH WERE PERMITTED, BUT OFFERED THEM WITHOUT WHEN BAMOTH WERE FORBIDDEN, THEY INVOLVE A POSITIVE AND A NEGATIVE INJUNCTION, BUT ONE IS NOT LIABLE TO KARETH ON THEIR ACCOUNT.²³

IF ONE CONSECRATED THEM WHEN BAMOTH WERE FORBIDDEN, AND OFFERED THEM WHEN BAMOTH WERE PERMITTED, THEY INVOLVE A POSITIVE INJUNCTION,²⁴ BUT THEY DO NOT INVOLVE A NEGATIVE INJUNCTION. THE FOLLOWING SACRIFICES WERE OFFERED IN THE TABERNACLE:²⁵ SACRIFICES CONSECRATED FOR THE TABERNACLE: PUBLIC SACRIFICES WERE OFFERED IN THE TABERNACLE, AND

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PRIVATE SACRIFICES WERE OFFERED AT A BAMA^H.²⁶

IF PRIVATE SACRIFICES WERE CONSECRATED FOR THE TABERNACLE, THEY MUST BE OFFERED IN THE TABERNACLE; YET IF ONE OFFERED THEM AT A BAMA^H, HE IS NOT LIABLE. WHEREIN DID THE MINOR BAMA^H AND THE GREAT BAMA^H DIFFER? [IN RESPECT OF] LAYING [OF HANDS]. SLAUGHTERING IN THE NORTH,

- (1) Turtledoves may be sacrificed only after they reach a certain stage; pigeons, only before. V. Hul. 22a.
- (2) 'Before time' is explained anon. An animal may not be slaughtered together with its young on the same day (cf. Lev. XXII, 28). — In the whole passage the reference is to liability or otherwise for slaughtering without. R. Simeon too means that he has transgressed the negative injunction forbidding the slaughtering of sacrifices without, but is not liable.
- (3) And therefore if one does it in ignorance, he is not liable to a sin-offering.
- (4) Whether the animal (or bird) was not yet eligible, or whether its owner was not yet eligible or liable.
- (5) Before the expiration of forty or eighty days; v. Lev. XII, 1-8.
- (6) All these, within the period of their counting; v. Lev. XIV, 1-10; XV, 1-15; 25-30.
- (7) Since these could have been offered as a votive offering within in their name. A sin-offering and a guilt-offering, however, cannot be offered votively.
- (8) After the fistful is taken.
- (9) I.e., the prohibition of a Zar (a non-priest) to officiate in the Temple.
- (10) The priest had to officiate in the special garments prescribed in Ex. XXVIII; if he did not wear them all whilst engaged in any of these, he incurs no liability.
- (11) V. Ex. XXX, 17-21.
- (12) V. p. 276, n. 6.
- (13) After crossing the Jordan and entering the promised land; the Tent of Meeting was then set up at Gilgal, and it remained there during the fourteen years of conquering and allotting the country.
- (14) After the fourteen years.
- (15) Deut. XII, 9: For ye are not as yet come to the rest and to the inheritance, which the Lord your God giveth thee. When they arrived at Shiloh, they had come to that 'rest'. The significance of this is discussed in the Gemara.

(16) Which was to be eaten 'in the place which the Lord thy God shall choose' (ibid. 18).

(17) After Shiloh, the Tabernacle was erected at Nob, and subsequently it was set up at Gibeon.

(18) 'And second tithe' is a var. lec.

(19) Even after the destruction of the Temple.

(20) In the place corresponding to within the curtains of the Tabernacle, viz., in the Temple court.

(21) Lev. XVII, 5: even that they may bring them unto the Lord; this is a positive injunction. Deut. XII, 13: Take heed to thyself that thou offer not thy burnt-offerings in every place that thou seest; this is the negative injunction, and is understood to apply to all sacrifices.

(22) Lev. XVII, 4: And hath not brought it unto the door of the tent of meeting... that man shall be cut off among his people.

(23) V. supra 106b.

(24) Having consecrated them when Bamoth were forbidden, he was subject to the positive injunction, 'even that they may bring them unto the Lord', which means to the Tabernacle. By waiting until the Tabernacle was destroyed, which rendered this impossible, he transgressed that injunction.

(25) When it was at Gilgal, when Bamoth too were permitted.

(26) If animals were consecrated for public or private sacrifices, and the place was unspecified, it is tacitly assumed that the former were meant for sacrifice in the Tabernacle (public sacrifices could be sacrificed only there), and the latter were meant for Bamoth.

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SPRINKLING ROUND ABOUT,¹ WAVING AND PRESENTING,² (R. JUDAH MAINTAINED: THERE WERE NO MEAL-OFFERINGS AT THE BAMA^H). PRIESTHOOD, SACRIFICIAL VESTMENTS, SERVICE VESSELS, A SWEET ODOUR,³ A LINE OF DEMARCATION FOR [THE SPRINKLING OF] THE BLOOD,⁴ AND THE WASHING OF HANDS AND FEET.⁵ BUT TIME, NOTHAR AND DEFILEMENT WERE ALIKE IN BOTH.⁶

GEMARA. What does OUTSIDE ITS APPOINTED PLACE mean? — Resh Lakish said: Outside the place which had been examined for it.⁷ Said R. Johanan to him: But surely the whole of Eretz Israel had been thus examined?⁸ Rather said R. Johanan: It means, e.g., that one slaughtered it within the wall of

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Jerusalem.⁹ But let him explain it [as meaning] that he slaughtered it without the wall, but not opposite the door [of the Hekal], for R. Adda b. Ahabah said: If one did not slaughter it opposite the door [of the Hekal], it is disqualified for it is said, And he shall slay it... and sprinkle [of her blood toward the front of the tent of meeting]:¹⁰ As the sprinkling must be opposite the door, so must its slaughtering be opposite the door? And should you answer that he [R. Johanan] does not assimilate [slaughtering to sprinkling], surely it was stated: (If one did not slaughter it opposite the door, R. Johanan maintained that it was disqualified, [because it says], And he shall slay. . . and sprinkle. Resh Lakish said: It is fit, [because it says, and she shall be brought forth'] without the camp and he shall slay.¹¹ And it was stated likewise:)¹² If one did not burn it opposite the door, — R. Johanan said: It is disqualified; R. Oshaia said: It is fit. R. Johanan said, 'It is disqualified', [because it says,] and he shall burn... and he shall sprinkle.¹³

R. Oshaia said, 'It is fit', because Scripture saith, with her dung [pirshah] it shall be burnt: [that means, in] the place that she departs [poresheth] to death, there must she be burnt!¹⁴ — I will answer you: He [R. Johanan] proceeds to a climax:¹⁵ it goes without saying that [if he slaughters it] without the wall [and not opposite the door] [it is disqualified], because he removed it further [from the Sanctuary]. But even [if he slaughtered it] within the wall, so that he brought it nearer, and I might argue that it is fit, he informs us [that it is not].

The master said: 'Said R. Johanan to him, But surely the whole of Eretz Israel had been thus examined'. Wherein do they differ? — One master holds that the Flood descended in Eretz Israel;¹⁶ while the other master holds that it did not descend [there]. R. Nahman b. Isaac observed: Both interpret the same text, [Viz.:] Son of man, say unto her: Thou art a land that is not cleansed, nor rained upon in the day of indignation.¹⁷ R. Johanan holds:

Scripture speaks rhetorically:¹⁸ O Eretz Israel, how art thou not clean; did then the rain [flood] descend upon thee in the day of indignation? While Resh Lakish holds that it bears its plain sense: Eretz Israel, thou art not clean, [for] did not the rain descend upon thee in the day of indignation?

Resh Lakish refuted R. Johanan: There were courtyards in Jerusalem built on a rock; beneath them was a hollow, on account of graves down in the depths.¹⁹ There they brought pregnant women, and women who had given birth, and there they reared their children for [the service of] the [Red] Heifer.²⁰ And they brought oxen with doors on their backs;²¹ the children sat on them and carried stone goblets,²² which they filled [with water] and then returned to their place!²³ —

Said R. Huna, the son of R. Joshua: They were especially strict in the case of the [Red] Heifer. R. Johanan refuted Resh Lakish: On one occasion they found [human] bones in the Wood Chamber,²⁴ and they desired to declare Jerusalem unclean. Whereupon R. Joshua rose to his feet and exclaimed: Is it not a shame and disgrace to us that we declare the city of our fathers unclean! Where are the dead of the Flood, and where are the dead of Nebuchadnezzar?²⁵ Since he said, 'Where are the dead of the Flood?' he surely meant that they had not been there [in Jerusalem]? — Then on your reasoning, had there been none of the slain of Nebuchadnezzar [there]?²⁶ Rather, they had been, but were removed; so here too²⁷ they had been [in Eretz Israel], but were cleared away. But if they were removed,

- (1) So that the blood touched the four sides of the altar.
- (2) Sc. the meal-offerings, opposite the south-west corner of the altar.
- (3) V. supra 46b.
- (4) Whether it was to be sprinkled above or below.
- (5) All these were required at the public Bamah but not at a private one.
- (6) The prohibition of eating the flesh after time and when unclean, or when it had been rendered Piggul (v. Glos.) through the intention of eating it after time, operated at both.

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(7) Examined to see that there was no hidden grave under it. Only in such a place might it be slaughtered.

(8) V. infra.

(9) Whereas it was to be slaughtered without, Num. XIX, 3.

(10) Ibid. 3f. This would correspond to opposite the door of the Hekal.

(11) Which implies anywhere outside the camp.

(12) Sh.M. deletes the bracketed passage.

(13) Actually the order is reversed: And Eleazar...shall sprinkle of her blood toward the front of the tent of meeting seven times, and he shall burn the heifer. This proximity denotes assimilation: the blood must be sprinkled and the flesh burnt in the same place. — Thus R. Johanan does assimilate two actions stated in proximity, and the same must apply to slaughtering and sprinkling. (Or, he states this explicitly, if the bracketed passage is retained in the text.)

(14) I.e., where her last death-struggles take place. In her struggles she may move away from the spot opposite the door of the Hekal.

(15) Lit., 'he states, "it is not necessary".'

(16) So the bones of many dead sunk in the earth; hence it is not purified.

(17) Ezek. XXII, 24.

(18) Lit., 'indeed wonders.'

(19) In case there were unknown graves below, the hollow prevented the defilement from striking upward and rendering unclean what was in the courtyard.

(20) These children, who would thus be rigidly guarded from defilement, besprinkled the priest who burnt the Red Heifer.

(21) These doors likewise interposed between the defilement of a possible lost grave and the children who sat on them. This was done when they left the courtyards and went to the Pool of Siloam to draw water for mixing with the ashes of the Red Heifer.

(22) A vessel of stone cannot become unclean.

(23) This proves that Eretz Israel was not regarded as clear of lost graves.

(24) Where the wood was kept for the altar.

(25) They are found elsewhere, but not here.

(26) Of course there were, as many were slain when he captured Jerusalem.

(27) In respect of the dead of the Flood.

Nebuchadnezzar?' Surely then, since the latter were [in Eretz Israel], the former too were there? — Why say thus? each had its own state.²

Resh Lakish refuted R. Johanan: Whatsoever was in the dry land, died:³ according to my opinion that the Flood descended to Eretz Israel, it is well: for that reason they died. But on your view, why did they die? — Because of the heat, in accordance with R. Hisda. For R. Hisda said: With hot passion they sinned, and by hot water they were punished. [For] here it is written, And the water cooled;⁴ whilst elsewhere it is said, Then the king's wrath cooled down.⁵

Others state, R. Johanan refuted Resh Lakish: Whatsoever was in the dry land, died. On my opinion that the Flood did not descend to Eretz Israel, it is well: for that reason is it called dry land. But on your view, what is the meaning of 'dry land'? — The place which was originally dry land. And why does he specify 'dry land'?⁶ — In accordance with R. Hisda. For R. Hisda said: In the generation of the Flood the decree [of destruction] was not decreed against the fish in the sea, because it says, 'Whatsoever was in the dry land died', but not the fish in the sea. On the view that the Flood did not descend there, it is well: thus the re'em⁷ stayed there. But on the view that it did descend, where did it stay?⁸ —

Said R. Jannai: They took the young [of the re'em] into the Ark. But surely Rabbah b. Bar Hanah said: I saw a sea re'em, one day old, which was as big as Mount Tabor. And how big is Mount Tabor? Forty parasangs.⁹ Its neck, stretched out, was three parasangs; the place where its head rested was a parasang and a half. It cast a ball of excrements and blocked the Jordan! —

Said R. Johanan: They took its head [only] into the Ark. But a master said: The place where its head rested was three parasangs? — Rather, they took the tip of its nose into the Ark. But surely R. Johanan said: The Flood

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then they were removed!¹ — Granted that they had been cleared away from Jerusalem, they had not been cleared away from the whole of Eretz Israel. Others state, Resh Lakish refuted R. Johanan: 'Where are the dead of the Flood; where are the dead of

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did not descend in Eretz Israel?¹⁰ — He explains [it thus] on the view of Resh Lakish. But the Ark plunged up and down?¹¹ —

Said Resh Lakish: They tied its horns to the Ark.¹² But surely R. Hisda said: The people in the generation of the Flood sinned with hot passion, and with hot water they were punished?¹³ — And on your view, how could the Ark travel [at all]?¹⁴ Moreover, how did Og king of Bashan stand?¹⁵ Rather, a miracle was performed for it [the water], and it was cooled at the side of the Ark. Now according to Resh Lakish, even granted that the Flood fell upon Eretz Israel, surely, however, none [of the dead] were left there. For Resh Lakish said: Why was it [Babylon] called Mezulah? Because all the dead of the Flood were dumped [niztallelu] there? And R. Johanan said: Why was it called Shinar? Because all the dead of the Flood were shaken out thither [nin'aru lesham]? — Yet it was impossible that some should not have cleaved [remained]. R. Abbahu said: Why was it called Shinar? — Because it shakes out its wealthy men [mena'ereh 'ashirim].¹⁶ But we see that there are [wealthy people there]? — They do not last three generations.

R. Ammi said: He who eats earth of Babylon is as though he ate the flesh of his ancestors.¹⁷ It has also been learnt likewise: He who eats earth in Babylon is as though he ate the flesh of his ancestors. Some say, It is as though he ate of abominations and creeping things.¹⁸

THE SCAPEGOAT. [Is it not eligible to come to the door of the tent of meeting?] Surely the following contradicts it: Or sacrifice [Korban];¹⁹ I might understand even sacred things of the Temple Repair,²⁰ which are designated Korban, as it says, And we have brought the Lord's Korban [offering].²¹ Therefore it states, and bringeth it not unto the door of the tent of meeting: [the law applies only to] what is eligible to come to the door of the tent of meeting; hence sacred things of Temple Repair, which are not thus eligible,²² are excluded.²³ I might think that I exclude

these, which are not eligible, but I do not exclude the scapegoat that is sent away, which is eligible to come to the door of the tent of meeting;²⁴ therefore it states, [to sacrifice it] unto the Lord, which excludes the scapegoat, as that is not dedicated to the Lord? — There is no difficulty: the one means before the casting of lots;²⁵ the other means after the casting of lots. After the casting of lots too there is still the confession?²⁶ — Rather, said R. Mani, there is no difficulty: The one means before confession; the other means after confession.

A ROBA' AND A NIRBA'. But this too I may infer from 'unto the door of the tent of meeting'?²⁷

- (1) In any case then Eretz Israel is free from lost graves.
- (2) The latter had been in Eretz Israel, and cleared out, but the former were never there.
- (3) Gen. VII, 22.
- (4) Ibid. VIII, 1. E.V. abated.
- (5) Est. VII, 10. In both cases the root שָׁךְ is used, giving them the same meaning, and proving that the water was hot when it descended. — This heat spread to Eretz Israel.
- (6) Obviously all land where people lived was dry before the Flood.
- (7) A huge animal, too large to enter the Ark.
- (8) That it was able to survive the flood.
- (9) A Persian mile, nearly four English miles. — This passage occurs in a series of 'tall' stories by Rabbah b. Bar Hanah related in B. B. 73a seq., which were probably veiled allegories on the political and social conditions of the time.
- (10) Hence he needs no explanation at all.
- (11) And this would cause the re'em to slip out and drown.
- (12) To secure it.
- (13) It would have been scalded.
- (14) Since its seams were caulked with pitch, why did not the pitch dissolve in the hot water and leave the Ark unseaworthy?
- (15) According to legend he was such a giant that he escaped from the Flood (Nid. 61b). Why wasn't he scalded by the hot water?
- (16) People cannot be wealthy there.
- (17) Who died there.
- (18) V. Shab. 113b.
- (19) Lev. XVII, 8.
- (20) V. p. 74 n. 7.

ZEVOCHIM – 91b-120b

(21) Num. XXXI, 50. The verse continues: of jewels of gold, armlets, etc.; hence it obviously refers to sacred things of Temple Repair.

(22) Because only blemished animals can be consecrated for Temple Repair, and such are not eligible for a sacrifice.

(23) If one slaughtered these without as a sacrifice, he is not culpable.

(24) As we do not know which will be sacrificed and which will be sent away, until the lots are cast.

(25) To determine which shall be sacrificed and which sent away; V. Lev. XVI, 8. At that stage it is eligible to come to the tent of meeting.

(26) Which is made over that goat, v. *ibid.* 21. That was made within.

(27) Why does the Mishnah quote a different proof-text here?

Zevachim 114a

As for a *roba'* and a *nirba'*, it is well: It is conceivable [that the other proof-text is required] where one first consecrated them and then bestiality was committed with them.¹ But as for an animal set apart [for idolatrous worship] and an animal worshipped [as an idol], no man can forbid that which does not belong to him?² —

This refers to lesser sacrifices, and in accordance with R. Jose the Galilean, who maintained that lesser sacrifices are their owner's property.³ For it was taught: [If any one sin] and commit a trespass against the Lord [... then he shall bring his guilt-offering]:⁴ this is to include lesser sacrifices, because they are his [the individual's] property:⁵ this is the view of R. Jose the Galilean. Therefore [the second proof-text is required for] *roba'* and *nirba'*, because immorality is involved.⁶ [It is required for] a [harlot's] hire, the price [of a dog], *kil'ayim*, and an animal calved through the caesarean section, in the case of the young of consecrated animals [sacrifices]; [because] he holds: The offerings of sacred animals are sacred from birth.⁷

BLEMISHED ANIMALS... AN ANIMAL TOGETHER WITH ITS YOUNG, etc. Now, they are all necessary.⁸ For if he taught about blemished animals [only], I would say that the

reason is that they are repulsive,⁹ but as for turtledoves, which are not repulsive, I would say that they agree with R. Simeon. While if he taught about turtledoves, I would say that the reason is because they were not rejected after having been eligible; but as for blemished animals which were eligible but became rejected, I would say that R. Simeon agrees with the Rabbis.¹⁰ And if he taught about these two, I would say that the reason is because their disqualification is intrinsic; but as for an animal and its young, where the disqualification comes from without,¹¹ I would say that the Rabbis agree with R. Simeon. Thus [all three] are necessary.

FOR R. SIMEON MAINTAINED, etc. What is R. Simeon's reason? — Said R. Ela in the name of Resh Lakish: Because Scripture saith, Ye shall not do after all that we do here this day, [every man whatsoever is right in his own eyes]:¹² Moses spoke thus to Israel: When ye enter the [Promised] Land, ye shall offer votive [sacrifices],¹³ but ye shall not offer obligatory offerings. Thus Gilgal in comparison with Shiloh was premature, and Moses said to them, Ye shall not do.¹⁴

Said R. Jeremiah to R. Zera: If so,¹⁵

(1) Now, when it was consecrated, it was fit to come to the door of the tent of meeting and therefore the text, 'and hath not brought it', etc. may not exclude this case; for the first text might mean that if an animal was eligible when it was consecrated and then one slaughtered it without, he is liable, even if it was not eligible when it was slaughtered; hence the Mishnah quotes the other proof-text, 'to present it as an offering unto the Lord before the Tabernacle of the Lord'. This definitely excludes whatever is not actually fit to be offered.

(2) The Mishnah must mean that the animal had been set apart before it was consecrated, for once it is consecrated it belongs to God, and it cannot be forbidden by any man's act, viz., dedicating it for an idolatrous sacrifice or worshipping it. But in that case the first proof-text is sufficient.

(3) Hence they can be forbidden even after they are consecrated, and the Mishnah treats of such a case.

(4) Lev. V. 21. The trespass referred to is false repudiation of liability on oath.

(5) If one swears falsely that he did not vow a peace-offering, which is of lesser sanctity, he brings

ZEVOCHIM – 91b-120b

a guilt-offering. Though this law does not apply to sacred property (deduced from, 'and deal falsely with his neighbor' *ibid.*), the phrase 'against the Lord' shows that it does apply nevertheless even where there is an element of sanctity, *viz.*, in the case of lesser sacrifices, and thus teaches that these count as the individual's property.

(6) For which reason they are disqualified even if bestiality is committed after they were consecrated.

(7) As stated above, the second proof-text is necessary only if the animals were eligible when consecrated, and in these that is possible only in the case of the young of consecrated animals, which were disqualified before birth by being promised as a harlot's hire or the exchange of a dog: when one came to sacrifice their mother, they would come to the door' too. It cannot arise in the case of the animals themselves, for if they were consecrated and then given as a harlot's hire, this second act is invalid (*Tem.* 30b) and they remain fit. Whilst if they were first a harlot's hire and then consecrated, the law is deduced from the first proof-text. The same applies to the other cases, *viz.*, *kil'ayim*, etc. Again, if these young become sacred even before birth, the act of subsequently giving them as a harlot's hire, etc. would not disqualify them, just as it does not disqualify the mother. Therefore he must hold that they are sacred only from birth. — Several words are omitted from the text, in accordance with Rashi and *Sh.M.*

(8) The controversy between R. Simeon and the Sages must be taught in all three instances.

(9) Therefore the Rabbis hold that he is not liable for slaughtering them without.

(10) That he is not liable.

(11) It is not intrinsic and only due to an accident of time, *viz.*, that they are both slaughtered on the same day.

(12) *Deut.* XII, 8.

(13) *Lit.*, 'which are right (or pleasing) in your eyes'.

(14) The *Sifre* applies the text to their first fourteen years in Eretz Israel, when the Tabernacle was at Gilgal. These years were spent in conquering and sharing the land, and so one could apply to them the words, for ye are not as yet come to the rest... which the Lord your God giveth thee (*ibid.* v. 9). This is what Moses said to them: At present, when we are travelling about with the Tabernacle and Bamoth are forbidden, all sacrifices can be offered. But in the years of conquest and division, before ye are come to the 'rest', 'Ye shall not do after all that we do here this day,' *viz.*, offer obligatory offerings, but only 'every man whatsoever is right in his eyes,' *i.e.*, votive sacrifices. Thus the statutory offerings were premature at Gilgal, (and would have to wait until they came to Shiloh), and Moses forbids their sacrifice at the Bamoth by a negative injunction, 'Ye shall not do.' From this E. Simeon

infers that the premature sacrifice of all animals at the Bamoth, *i.e.*, before they become eligible, is forbidden by a negative injunction.

(15) That those at Gilgal are premature.

Zevachim 114b

one should even be flagellated too?¹ Why did R. Zera say: Scripture transmuted it into a positive command?² — Perhaps that is only according to the Rabbis,³ but in the view of R. Simeon, that indeed is so.⁴ R. Nahman b. Isaac said: Within, at Gilgal, was like without in comparison with Shiloh.⁵

Rabbah said: R. Simeon's reason is as it was taught: R. Simeon said: How do we know that one who sacrifices his Passover-offering at a private Bamah when Bamoth were prohibited, violates a negative command? Because it is said, 'Thou mayest not sacrifice the Passover-offering [within one of thy gates]'.⁶ You might think that it is also thus when Bamoth were permitted;⁷ therefore it is stated, 'within one of thy gates': I have told you [that he violates a negative injunction] only when all Israel enter through one gate.⁸ Now when is this thus? If we say, after midday,⁹ let him even incur kareth too!¹⁰ Hence It must surely mean before midday!¹¹ — No: in truth it means after midday, but it means when Bamoth were permitted. But surely he says, 'When Bamoth were prohibited'? — He means when the Bamah was forbidden for that [sacrifice], but permitted for another.¹²

BEFORE TIME, etc. Are these then subject to guilt-offerings? — Said Ze'iri: Include a leper amongst them.¹³

THEIR BURNT-OFFERINGS AND THEIR PEACE-OFFERINGS. And are these subject to peace-offerings? — Said R. Shesheth: Learn a Nazirite [in the Mishnah]. According to Ze'iri, the Tannaim [explicitly] included it:¹⁴ according to R. Shesheth, the Tannaim did not include it.¹⁵ R. Hilkiah b. Tobi said: They learnt it¹⁶ only [when he sacrifices it] for its own sake. But [if he sacrifices it] under a different designation¹⁷ he is culpable, since it is eligible, under a different designation,

ZEVOCHIM – 91b-120b

within.¹⁸ If so, let him also be culpable [when he slaughters it] for its own sake, since it was eligible, under a different designation, within? — It lacks abrogation.¹⁹ To this R. Huna demurred: Is there anything which [when slaughtered] for its own sake is not fit, yet [when slaughtered] under a different designation is fit?²⁰ — Is there not? Surely

(1) Sc. one who slaughters an animal prematurely within. For the public Bamah at the Tabernacle of Gilgal, which was the Tent of Meeting of the wilderness, naturally ranked as within, yet Scripture said 'Ye shall not do'. — The transgression of a negative injunction is punished by flagellation.

(2) V. Hul. 80b. If, however, 'Ye shall not do' applies to such, we have a negative command.

(3) As they do not relate 'Ye shall not do' to premature slaughtering.

(4) One would be flagellated.

(5) It counts as without since obligatory sacrifices might not be offered there. Thus even R. Simeon admits that he is not flagellated, for now we find the negative injunction only in connection with slaughtering without, but not in connection with slaughtering within.

(6) Deut. XVI, 5.

(7) For even then private Bamoth were permitted only for votive sacrifices, but not for obligatory sacrifices like the Passover-offering, which were sacrificed at the public Bamoth.

(8) I.e., when there is a central sanctuary; but when Bamoth were permitted there was no central sanctuary. The verse is understood thus: 'Thou mayest not sacrifice the Passover-offering' at a private Bamah when all Israel enter through 'one of the gates'.

(9) On the fourteenth of Nisan.

(10) And not merely flagellation, (v. n. 1.), since it can then be received within.

(11) When it is premature. Thus a sacrifice slaughtered prematurely without, under its correct designation, entails the violation of a negative prohibition.

(12) It was forbidden for the Passover-offering, but permitted for a burnt-offering and peace-offering (i.e., votive offerings). This then is what he means: You might think that this is so even when it (the Passover-offering) may be sacrificed at a Bamah, viz., before midday, when it can be offered as a peace-offering; therefore it says, 'in one of thy gates'. I have told... 'at one gate, viz., at the public Bamah, to slaughter their Passover-offerings, which is after midday.

(13) I.e., 'guilt-offering' is mentioned only in connection with the leper, who is also enumerated. Rashi, in the Mishnah, deletes 'leper'.

(14) Sc. leper, in the Mishnah.

(15) 'Leper' is absent in the version of the Mishnah, nevertheless it must be added, on the assumption that the text of the Mishnah is defective.

(16) That when a leper prematurely sacrifices his guilt-offering without he is not culpable.

(17) E.g., as a burnt-offering.

(18) For all sacrifices slaughtered under a different designation are fit, except the Passover-offering and the sin-offering.

(19) Before it can be eligible, its name as a guilt-offering must be abrogated, and as long as this was not done it is not eligible.

(20) For although all sacrifices slaughtered under a different designation are fit, that is surely only when they are fit if slaughtered for their own sake.

Zevachim 115a

a Passover-offering, though not fit [if slaughtered] during the rest of the year under its own designation, is nevertheless fit [if slaughtered] under a different designation! — A Passover-offering during the rest of the year is a peace-offering.¹ Shall we say that the following supports him [R. Hilkiyah]? [It was taught:] You might think that I also exclude² a burnt-offering which is premature in relation to its owner,³ or a Nazirite's guilt-offering and a leper's guilt-offering;⁴ therefore it says, an ox', [implying] in all cases; 'or lamb', [implying, in all cases; or goat', [implying] in all cases. Thus he omits a sin-offering. Now what are we discussing? If we say, [when it is sacrificed] in its time,⁵ why particularly a guilt-offering; even a sin-offering too [entails liability]? Hence it must mean [when it is] not [sacrificed] in its proper time; and in which [case]? If we say, [when he sacrifices it] for its own sake, why is he liable for a guilt-offering?⁶ Hence it must surely mean [when he sacrifices it] under a different designation!⁷ — In truth it means in the proper time and under a different designation, and this is in accordance with R. Eliezer, who maintained: We assimilate the guilt-offering to the sin-offering; and he teaches the derived case, and the same law applies to the principal case.⁸

ZEVOCHIM – 91b-120b

Come and hear: You might think that I include a burnt-offering which is intrinsically premature⁹ and a sin-offering [which is premature] either intrinsically or through its owners;¹⁰ therefore it says, And hath not brought it unto the door of the tent of meeting': Whatever is not eligible to come to the door of the tent of meeting, you are not liable on its account. But [the Tanna] omits a guilt-offering. Now what are we discussing? If we say, [when it is sacrificed] for its own sake, let him not be liable in the case of a guilt-offering too?¹¹ Hence it must surely mean [when one does] not [sacrifice it] for its own sake!¹² — This agrees with R. Eliezer, who assimilates the guilt-offering to the sin-offering; and he teaches the principal case [the sin-offering], and all the more [does it apply to] the derived case.

Come and hear, for when R. Dimi came,¹³ he said: The school of Bar Liwai taught: You might think that I also exclude a burnt-offering which is premature through its owner, and a Nazirite's guilt-offering and a leper's guilt-offering [etc.]. Now, he [the Tanna] thus infers that one is liable, but I do not know how he infers it. Said Rabina: [The reference is:] 'an ox', in all cases; 'a sheep', in all cases; 'a goat', in all cases. But he omits a sin-offering. And what are we discussing [etc.]?¹⁴ What difficulty is this?¹⁵ Perhaps [it is to be explained] as you stated [in the previous discussion]? — Said R. Nahman [b. Isaac]: Because this teaching of the school of Bar Liwai contradicts what Levi taught, viz.: As to a Nazirite's guilt-offering and a leper's guilt-offering, if one slaughtered them under a different designation they are valid, but do not free their owners of their obligations. If one slaughtered them before they were due from their owners, or if they were two years old when they were slaughtered, they are unfit.¹⁶ [And R. Dimi answered:]¹⁷ There is no difficulty: In the one case [he slaughtered it] for its own sake; in the other it was not [slaughtered] for its own sake.¹⁸

R. Ashi pointed out a contradiction between our Mishnah and the Baraita,¹⁹ and he reconciled them; one means [where he slaughters it] for its own sake;²⁰ the other [where he does] not [slaughter it] for its own sake. Shall we say that this refutes R. Huna? — R. Huna can answer you: The case we discuss here is that of one who set aside two [animals for] guilt-offerings, as security,²¹ so that one of them was a burnt-offering from the outset,

- (1) Hence when one slaughters it as such, he is slaughtering it for its own sake.
- (2) From the implication of the text, 'and hath not brought it unto the door', etc.
- (3) E.g. one brought by a leper or a woman after childbirth before they were fit.
- (4) Disqualified for some other reason. — I might think that these do not entail liability when sacrificed without, since they were not eligible within.
- (5) And for its own sake.
- (6) Since it is not eligible within.
- (7) Thus what is not fit within under its own designation is fit under a different designation.
- (8) R. Eliezer maintains that a guilt-offering too is disqualified if slaughtered under a different designation, which he infers from the sin-offering (supra 10b), which is thus the principal instance of such disqualification. The Baraita teaches that nevertheless when one slaughters it under a different designation without, he is liable. The reason is because even after he abrogated its name as a guilt-offering, he could still slaughter it within without any specific purpose, when it would count as a valid guilt-offering and free its owner of his obligation. Hence at the time that he slaughtered it without, under a different designation, it was fit for slaughtering within. The same law applies to the sin-offering too, this being the leading case of unfitness, as explained. This must be in accordance with R. Eliezer, because the Rabbis maintain that a guilt-offering is valid when slaughtered under a different designation. Hence it is fit to be received within, and no special text is necessary for showing that he is culpable.
- (9) E.g., if one sacrifices it before it is eight days old.
- (10) E.g. a leper's and a Nazirite's sin-offering, sacrificed before it is due. — I might think that if one sacrifices these without, he is liable.
- (11) Since it is not eligible.
- (12) Thus this supports R. Hilkiyah and refutes R. Huna.
- (13) V. p. 46, n. 1.

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(14) The reasoning then follows as above. — The text is in some disorder, and the emendations of Sh.M. and Margin have been adopted.

(15) Why do you cite this to refute R. Huna?

(16) Hence, if slaughtered without under such conditions, they do not entail liability, in accordance with the general rule that what is unfit within does not entail liability without. Thus it contradicts the earlier teaching.

(17) Sh.M. deletes bracketed words.

(18) The school of Bar Liwai means that he is culpable if he slaughtered it under a different designation; while Levi teaches that they are unfit (and hence entail no liability without) when slaughtered for their own sake. (Accordingly, the two clauses of Levi's teaching do not deal with the same circumstances.) Now, since R. Dimi opposed these two Baraithas, he must have known that the former too applies where the guilt-offering is slaughtered prematurely, and thus it refutes R. Huna. (R. Huna presumably rejects this reasoning.)

(19) Our Mishnah states that one is not liable in the case of a leper's guilt-offering, whereas the Baraitha states that one is.

(20) Then he is not liable.

(21) In case one is lost, the other should be sacrificed.

Zevachim 115b

this agreeing with R. Huna's dictum in Rab's name, viz.: If a guilt-offering was transferred to pasture and one then slaughtered it without a specified purpose, it is valid as a burnt-offering.¹

ONE WHO OFFERS UP THE FLESH OF A SIN-OFFERING [. . . WITHOUT, IS NOT LIABLE]. Our Rabbis taught: How do we know that he who offers up the flesh of a sin-offering, or the flesh of a guilt-offering, or the flesh of most sacred sacrifices, or the flesh of lesser sacrifices, or the remainder of the 'omer, or the two loaves, or the Showbread, or the residue of meal-offerings, [without], is not liable? Because it says, '[Whatsoever man... that offereth] a burnt-offering': as a burnt-offering is eligible for offering up,² so everything which is eligible for offering up [on the altar entails liability].³ How do we know that also he who pours [the oil on the meal-offering], or mingles [it with flour], or breaks up [the meal-offering cakes], or salts [the

meal-offering], or waves [it], or presents [it opposite the south-west corner of the altar], or sets the table [with the Showbread], or trims the lamps, or takes off the fistful, or receives the blood, without, is not liable? Because it says, 'that offereth a burnt-offering or sacrifice': as offering up completes the service, so everything that completes the service [entails liability].⁴

BEFORE THE TABERNACLE WAS SET UP [etc.] R. Huna's son of R. Kattina sat before R. Hisda, and recited [the text], And he sent the young men of the children of Israel, [who offered burnt-offerings, and sacrificed peace-offerings of oxen unto the Lord].⁶ Said he to him: Thus said R. Assi: And then they ceased.⁷ Now, he thought to refute him from our Mishnah, when he heard him teach in R. Adda b. Ahaba's name: The burnt-offering[s] which Israel sacrificed in the wilderness did not require flaying and dismembering; whereupon he refuted him from a Baraitha, which had a bearing upon the whole [of his teaching]. For it was taught: Before the Tabernacle was set up Bamoth were permitted and the service was performed by the firstborn, and all were eligible to be offered, viz., animals, beasts, birds, male and female, unblemished or blemished; clean, but not unclean;⁸ and all offered burnt-offerings, and the burnt-offering[s] which Israel offered in the wilderness required flaying and dismembering; and gentiles are permitted to do thus in these days?⁹ It is a controversy of Tannaim. For it was taught: And let the priests also, that come near to the Lord, sanctify themselves:¹⁰

R. Joshua b. Karhah said: This intimated the separation of the first born.¹¹ Rabbi said: This intimated the separation of Nadab and Abihu.¹² On the view that this meant the separation of Nadab and Abihu, it is well: hence it is written, This is that the Lord spoke, saying, 'Through them that are near unto Me I will be sanctified'.¹³ But on the view that it meant the retirement of the firstborn, where was [this warning] indicated?¹⁴ In the text,

ZEVOCHIM – 91b-120b

And there I will meet with the children of Israel; and [the Tent] shall be sanctified by My glory [bi-kebodi]:¹⁵ read not bi-kebodi, but bi-keboday [My honored ones]:¹⁶ this the Holy One, blessed be He, said to Moses, but they did not know [its meaning] until the sons of Aaron died.¹⁷ When the sons of Aaron died, he [Moses] said to him: ‘Oh my brother! Thy sons died only that the glory of the Holy One, blessed be He, might be sanctified through them’.¹⁸ When Aaron thus perceived that his sons were the honored ones¹⁹ of the Omnipresent, he was silent, and was rewarded for his silence, as it is said, And Aaron held his peace.²⁰ And thus it says of David, Be silent before the Lord, and wait patiently [hith-holle] for Him:²¹ though He casts down many slain [halalim] of thee, be silent before Him. And thus it was said by Solomon, [There is...] a time to keep silence, and a time to speak:²² sometimes a man is silent and is rewarded for his silence; at others a man speaks and is rewarded for his speaking.

And this is what R. Hiyya b. Abba said in R. Johanan's name: What is meant by the text, Awful is God out of thy holy places [mi-mikdasheka]?²³ Read not mi-mikdasheka but mimekuddasheka [through thy consecrated ones]: when the Holy One, blessed be He, executes judgment on His consecrated ones, He makes Himself feared, exalted, and praised. [To return to the original discussion:] Yet the burnt-offering is a difficulty?²⁴ —

It is a controversy of two Tannaim. For it was taught, R. Ishmael said: The general laws were stated at Sinai,²⁵ while the details were stated at the Tent of Meeting.²⁶ R. Akiba said: The general laws and the details were stated at Sinai, repeated in the Tent of Meeting, and a third time in the plains of Moab.²⁷

The master said: ‘All were eligible to be offered’. How do we know this? — Said R. Huna, Because Scripture saith: And Noah builded an altar unto the Lord, and took of every clean animal [behemah] and of every clean fowl, [and offered burnt-offerings on the

altar].²⁸ Animal [behemah] and fowl [bear] their plain meaning; beast [Hayyah] is included in animal [behemah].

(1) Supra 5b, 112a. Hence if he slaughtered one of these without as a burnt-offering (presumably, even before the other had been sacrificed as a guilt-offering), it counts as having been slaughtered for its own sake, and therefore he is liable.

(2) The whole of it is offered up on the altar.

(3) These, however, were eaten and not offered up on the altar.

(4) None of these do so, as they are followed by another rite. On the other hand, by the same reasoning he who offers libations or burns incense or the fistful removed from a meal-offering, without, is liable.

(5) Bah and Sh.M. emend: Hana.

(6) Ex. XXIV, 5. The ‘young men’ were the firstborn, not priests, and the occasion was when Moses built an altar at the foot of Mount Sinai (ibid. v. 4).

(7) This was the last time that the firstborn performed the sacrificial service, though it was nearly a year before the Tabernacle was set up.

(8) Only clean animals, etc., i.e., those which may be eaten, could be offered.

(9) Non-Jews might still offer at Bamoth ‘in these days’, after the building of the Temple.

(10) Ex. XIX, 22. This was immediately before Revelation, while the incident cited above took place immediately after Revelation.

(11) By ‘priests’ the firstborn are meant here, as it was they who ‘came near the Lord’ to perform sacrifices, and the verse now separated them and forbade them to approach the mountain.

(12) Not the firstborn but actual priests are meant, viz., Nadab and Abihu, who became priests at Sinai. — Thus Rabbi holds that henceforth only the children of Aaron might act as priests, while R. Joshua b. Karhah maintains that the service was still performed by the firstborn.

(13) Lev. X, 3. I.e., God had warned them previously, in the verse under discussion.

(14) The priests had never been warned.

(15) Ex. XXIX, 43.

(16) This requires only a change of punctuation.

(17) God intimated that when He would ‘meet with the children of Israel’, i.e., at the consecration of the Tabernacle, He would be sanctified through His honored ones (the priests), but they did not understand the allusion.

(18) This is what God had meant. — Emended text (Sh.M.).

(19) Or, the favored ones. Lit., ‘the known ones’.

(20) Lev. X, 3. The reward was that God subsequently spoke specially to him, v. 8.

(21) Ps. XXXVII, 7.

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(22) Ecc. III, 7.

(23) Ps. LXVIII, 36.

(24) For it states that it did require flaying and dismembering.

(25) E.g., an altar of earth thou shalt make unto Me, and shalt sacrifice thereon thy burnt-offerings, and thy peace-offerings (Ex. XX, 21).

(26) E.g., that the burnt-offering was to be flayed and cut up. Hence until the Tent of Meeting was set up, burnt-offerings were not flayed and dismembered.

(27) I.e., in Deuteronomy (v. Deut. I, 5).

(28) Gen. VIII, 20.

Zevachim 116a

‘Males and females, unblemished and blemished animals’: this excludes an animal lacking a limb, which might not [be sacrificed]. For R. Eleazar said: How do we know that [an animal or bird] lacking a limb was forbidden to the children of Noah?¹ Because it says, ‘And of every living thing of all flesh’:² the Holy One, blessed be He, said to Noah: Bring [into the Ark] animal[s] whose chief limbs are alive.³ But perhaps that was to exclude a terefah? — That is inferred from to keep seed alive.⁴ That is correct on the view that a Terefah cannot give birth; but on the view that a Terefah can give birth, what can be said? — Surely Scripture said, ‘[to keep them alive] with thee’: [this means] those that are like thee.⁵ But perhaps Noah himself was trefah?⁶ — ‘Whole’ [Tamim] is written of him.⁷ Perhaps that means, whole in his ways?⁸ — ‘Righteous’ is written of him.⁹ But perhaps [it means that he was] whole in his ways and righteous in his actions? — If you should think that Noah himself was Terefah, could the Merciful One say to Noah, Take in [only] such as are like thee, [but] do not take in whole [animals]?¹⁰ Now, since we infer it from ‘with thee’, what is the purpose of ‘to keep seed alive’? — You might think that ‘with thee’ meant merely for companionship, [so they might be] even aged or castrated. Therefore [‘to keep seed alive’] informs us [that it is not so].

[The master said:] ‘Clean, but not unclean’. Were there then clean and unclean [animals]

at that time?¹¹ — Said R. Samuel b. Nahmani in R. Jonathan's name: [It means] of those with which no sin had been committed.¹² How did he [Noah] know?¹³ — As R. Hisda said. For R. Hisda said: He led them past the Ark; those which the Ark accepted were certainly clean; those which the Ark rejected were certainly unclean. R. Abbahu said: Scripture saith, ‘And they that went in, went in male and female’:¹⁴ [that means,] that they went in of their own accord.¹⁵

The master said: ‘And all offered burnt-offerings’. Only burnt-offerings, but not peace-offerings? Surely it is written, and sacrificed peace-offerings of oxen?¹⁶ — Say rather, all offered burnt-offerings and peace-offerings. But it was taught: But not peace-offerings, save only burnt-offerings? — That is in accordance with the view that the Children of Noah did not offer peace-offerings.¹⁷ For it was stated, R. Eleazar and R. Jose b. Hanina [disagree]. One maintained: The Children of Noah offered peace-offerings; while the other maintained: They did not. What is the reason for the view that the Children of Noah did offer peace-offerings? — Because it is written, And Abel, he also brought of the firstlings of his flock and of the fat [heleb] thereof.¹⁸ What thing is it whose ‘fat’ [heleb] [only] is offered on the altar, but the whole of it is not offered on the altar? Say, that is a peace-offering.

What is the reason of the view that the Children of Noah did not offer peace-offerings? — Because it is written, Awake, O north, and come, thou south:¹⁹ [this means,] Awake, O people whose rites [were performed] in the north, and come, O people, whose rites [will henceforth be performed] in the north and the south.²⁰ But as to this master, surely it is written, ‘of the fat thereof’? — That means, of their fat ones.²¹ And as to the other master, surely it is written, ‘Awake, O north [etc.]’? — That refers to the ingathering of the exiles.²²

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But surely it is written, And Moses said: 'Thou must also give into our hands sacrifices [Zebahim] and burnt-offerings, that we may sacrifice unto the Lord our God?²³ — [He demanded] Zebahim for food and burnt-offerings for sacrifice.²⁴ But surely it is written, And Jethro, Moses' father-in-law, took a burnt-offering and sacrifices unto the Lord?²⁵ — That was written after the giving of the Torah [Revelation].²⁶ That is well on the view that Jethro came after Revelation; but on the view that Jethro came before Revelation, what can be said? For it was stated: The sons of R. Hiyya and R. Joshua b. Levi [disagree]: one [side] maintains: Jethro came before Revelation; while the other maintains: Jethro came after Revelation! — He who maintains that Jethro came before Revelation holds that the Children of Noah sacrificed peace-offerings.

This is a controversy of Tannaim: Now Jethro, the priest of Midian, heard:²⁷ what news did he hear that he came and turned a proselyte? R. Joshua said: He heard of the battle with the Amalekites, since this is immediately preceded by,²⁸ And Joshua discomfited Amalek and his people with the edge of the sword.²⁹ R. Eleazar of Modim³⁰ said: He heard of the giving of the Torah and came. For when the Torah was given to Israel the sound thereof travelled from one end of the earth to the other, and all the heathen kings were seized with trembling in their palaces, and they uttered song,³¹ as it is said, And in his place all say: 'Glory'.³² They all assembled by the wicked Balaam and asked him: What is this tumultuous noise that we have heard: perhaps a flood is coming upon the world, for it says, The Lord sat enthroned at the flood? — The Lord sitteth as King for ever, he replied: the Holy One, blessed be He, has already sworn that He will not bring [another] flood upon the world.³³ Perhaps, they ventured, He will not bring a flood of water, yet He will bring a flood of fire, as it is said, For by fire will the Lord contend?³⁴ He has already sworn that He will not destroy all flesh, he assured them. Then what is the sound of this tumult that we

have heard? He has a precious treasure in His storehouse, which was hidden by Him nine hundred and seventy-four generations before the world was created,³⁵ and He has desired to give it to His children, as it is said, The Lord will give strength unto His people.³⁶ Forthwith they all exclaimed, The Lord will bless His people with peace.³⁶

R. Eleazar said: He heard about the dividing of the Red Sea, and came, for it is said, And it came to pass, when all the kings of the Amorites heard [. . . how that the Lord had dried up the waters of the Jordan before the children of Israel] ;³⁷ and Rahab the harlot too said to Joshua's messengers [spies]: For we have heard how the Lord dried up the water of the Red Sea.³⁸ Why is, 'neither was there spirit in them any more written in the first text, whereas in the second it says, 'neither did there remain [stand] any more spirit in any man'?

(1) As sacrifices. 'Children of Noah' is a technical term denoting all people before the Revelation at Sinai, and all non-Israelites who did not accept the Torah after Revelation. In the present discussion even Israelites technically ranked as Children of Noah, until the laws of sacrifices as stated in Leviticus became operative.

(2) Gen. VI, 19.

(3) I.e., not missing. — Of these animals Noah subsequently sacrificed.

(4) Ibid. VII, 3. A terefah, however, cannot give birth, and so cannot keep seed alive.

(5) Not Terefah.

(6) Perhaps he suffered from a disease or organic disturbance which in the case of an animal would render it Terefah.

(7) Gen. VI, 9. E.V. whole-hearted.

(8) Modest and patient.

(9) Which includes that.

(10) That is obviously absurd.

(11) Before the Torah was given.

(12) Those which had mated only with their kind.

(13) Which were clean and which unclean.

(14) Ibid. VII, 16.

(15) In their respective pairs, seven of the clean and two of the unclean.

(16) Ex. XXIV, 5.

(17) V. n. 7, p. 571, on 'the children of Noah'. But Ex. XXIV, 5 was after Revelation.

(18) Gen. IV, 4.

(19) S. S. IV, 16.

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(20) The burnt-offering was slaughtered on the north side of the altar; the peace-offering, on any side. He renders: Awake, O nation who hitherto, as Children of Noah, could only sacrifice on the north side of the altar (hence, burnt-offerings) and now, by accepting the Torah, come as a people who can sacrifice in the north and the south. — Cf.

Gen. Rab. XXII, 5 (Sonc. ed. p. 183.)

(21) Sc. the best.

(22) It is a summons to the north and the south to bring in their exiles.

(23) Ex. X, 25. This was said before Revelation, and since 'burnt-offerings' are specifically mentioned, 'sacrifices' must mean peace-offerings.

(24) The answer renders Zebahim animals for slaughtering, not sacrifices.

(25) Ibid. XVIII, 12.

(26) Although it is written before. — It is a principle of exegesis that the Torah is not necessarily in chronological order

(Pes. 6b).

(27) Ex. XVIII, 1.

(28) Lit., 'since it is written at the side thereof'.

(29) Ibid. XVII, 13.

(30) The native place of the Hasmoneans, fifteen miles N. W. of Jerusalem.

(31) Of reverence to God.

(32) Ps. XXIX, 9. E.V. 'and in His temple, etc.

(33) For He could only be a King (over His creatures) for ever as long as mankind existed. Hence He could not destroy them.

(34) Isa. LXVI, 16.

(35) Cf. Gen. Rab. I, 10 (Sonc. ed. p. 10); Cant. Rab. V, 11 (Sonc. ed. p. 243 and n. 3. a.l.).

(36) Ps. *ibid.* 11. — The Torah is the strength of Israel.

(37) Josh. V, 1. As 'heard' here refers to the drying up of waters, it has a similar connotation in connection with Jethro.

(38) Ibid. II, 10.

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— [She meant that] they even lost their virility. And how did she know this? — Because, as a master said, There was no prince or ruler who had not possessed Rahab the harlot. It was said: She was ten years old when the Israelites departed from Egypt, and she played the harlot the whole of the forty years spent by the Israelites in the wilderness. At the age of fifty she became a proselyte. Said she: May I be forgiven as a reward for the cord, window, and flax.¹

The master said: 'And gentiles are permitted to do thus in these days'. How do we know it? — Because our Rabbis taught: Speak unto the children of Israel:² the children of Israel are enjoined against [sacrifices] slaughtered without, but gentiles are not enjoined against [sacrifices] slaughtered without. Therefore each one may build himself a Bamah and offer thereon whatever he desires. R. Jacob b. Aha said in R. Assi's name: It is forbidden to assist them or act as their agents.³ Raba observed: Yet we may instruct them.⁴ [This happened with] Ifra Hormiz, mother of King Shabur,⁵ who sent an offering to Raba, with the request, Offer it up in honor of Heaven. Said Raba to R. Safra and R. Aha b. Huna: Go, fetch two young men [non-Jews] of like age, seek a spot where the sea has thrown up alluvial mud,⁶ take new [unused] twigs,⁷ produce a fire with a new flint, and offer it up in honor of Heaven.

Said Abaye to him: In accordance with whom [do you give these instructions]? In accordance with R. Eleazar b. Shammua'? For it was taught, R. Eleazar b. Shammua' said: As the altar must not have been used by a layman [for secular purposes], so the wood must not have been used by a layman. But surely R. Eleazar b. Shammua' admits in the case of a bamah?⁸ For it was taught: One text says, So David gave to Ornan for the place six hundred shekels of gold by weight;⁹ whereas it is written, So David bought the threshing-floor and the oxen for fifty shekels of silver;¹⁰ how can these be reconciled? He collected fifty [shekels] from each tribe, which amounted to six hundred [in all].

Rabbi said on the authority of Abba Jose b. Doseithai: [He bought] the oxen, wood, and site of the altar for fifty, and [the site of] the whole Temple for six hundred. R. Eleazar b. Shammua' said: [He bought] the oxen, wood, and site of the altar for fifty, and [the site of] the whole Temple for six hundred,¹¹ for it is written, And Araunah said unto David: 'Let my lord the king take and offer up what seemeth good unto him; behold the oxen for

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the burnt-offering, and the threshing instruments [morigim] and the furniture of the oxen for the wood'.¹² And Raba? — He can answer you: There too they were new.¹³

What are morigim? — Said 'Ulla: A bed of turbel. What is a bed of turbel? — Said Abaye: 'A goat with hooks', with which the threshers thresh.¹⁴ Abaye said: Which text [proves this meaning]? — Behold, I make thee a new threshing-sledge [morag] having sharp teeth; [thou shalt thresh the mountains, etc.].¹⁵

Raba¹⁶ read out [Scripture] to his son, and opposed texts to each other: It is written: 'So David gave to Ornan, etc.'; whereas it is also written, 'So David bought, etc.' How can these be reconciled? He collected fifty from each tribe, which totaled six hundred. Yet the texts are still contradictory, for there it was silver and here it was gold? — Say rather: He collected silver to the value [weight] of six hundred [shekels of] gold.

LESSER SACRIFICES WERE EATEN ANYWHERE IN THE CAMP OF THE ISRAELITES. R. Huna said: [This means,] wherever the Israelites were, but there was no camp.¹⁷ R. Nahman refuted R. Huna: Were there no camps in the wilderness? Surely it was taught: Just as there were camps in the wilderness, so there was a camp in Jerusalem. From [the walls of] Jerusalem to the Temple Mount was the camp of the Israelites; from the Temple Mount to the Gate of Nicanor¹⁸ was the Levitical camp; beyond that was the camp of the Shechinah, and that corresponded to [the place within] the curtains in the wilderness! — Say rather, wherever the camp of the Israelites was.¹⁹ That is obvious? — You might say, it is disqualified through having gone out. Therefore he informs us [otherwise]. Yet say that it is indeed so? — Scripture saith, Then the tent of meeting shall set forward:²⁰ even when it sets forward, it is still the 'tent of meeting'.²¹

It was taught, R. Simeon b. Yohai said: Yet another place was there, [viz.] the Women's

Court,²² and no penalty was imposed on its account.²³ But at Shiloh there were only two camps. Which was absent? — Said Abaye:²⁴ It is logical that there was certainly the Levitical camp; for if you should think that there was no Levitical camp,

(1) For hiding them in flax, and then letting them down by a cord through a window (ibid. 6, 15).

(2) Lev. XVII, 2.

(3) In sacrificing without.

(4) How to sacrifice.

(5) Of Persia.

(6) Which has dried and can be used as an altar.

(7) Or, chips. (10) He held that an altar must never have been used for a secular purpose; similarly the wood must not be fragments of utensils, and the flint, etc. must likewise never have been used for secular purposes. Hence he told them to seek virgin soil caused by the drying of alluvial mud. — They would then instruct the young men how to offer the sacrifice.

(8) That the wood may have been used previously for something else.

(9) I Chron. XXI, 25.

(10) II Sam. XXIV, 24.

(11) On the present version the views of R. Eleazar b. Shammua' and Rabbi are identical. Sh.M. emends: 'How can these be reconciled? (He bought) the site of the altar (only) for fifty, and (the site of) the whole Temple for six hundred.

Rabbi said on the authority of Abba Jose b. Dostai: He collected fifty shekels... (in all). R. Eleazar b. Shammua' said (continuing as in the text)'.¹²

(12) Ibid. 22. Thus he took utensils that had already been used for a secular purpose, and used them as fuel for the altar. — As the Temple was not built until the reign of Solomon, the altar erected here by David was simply a Bamah.

(13) They had never yet been used.

(14) 'Goat with hooks' was the name of a threshing sledge. It was a wooden platform (hence 'bed') studded underneath with sharp pieces of flint or with iron teeth (Jast.).

(15) Isa. XLI, 15.

(16) Sh.M. emends: Rahabah.

(17) This is now assumed to mean that one could eat lesser sacrifices even if he went out of the camp of the Israelites.

(18) The east gate of the Temple court.

(19) If they broke camp and pitched their camp elsewhere, a sacrifice which had been offered at the former site could be eaten in the new site.

(20) Num. II, 17.

(21) V. supra 61b. Hence the camps even in travelling are regarded as camps.

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(22) This did not have the status either of the Temple Mount or of the Temple court.

(23) One was not punished for entering it whilst unclean.

(24) Emended text (Sh.M.). Cur. edd. Rabbah.

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this would result in Zabin and the unclean through the dead being sent out from one camp [only],¹ whereas the Torah said, That they defile not their camps:² [this intimates,] assign a camp for this one and a camp for that one.³ Said Raba to him: What then? there was no camp of the Israelites!⁴ If so, Zabin and lepers would be sent to the same place, whereas the Torah said, He [the leper] shall dwell alone,⁵ [intimating] that no other unclean person may dwell with him? —

Rather, there were all three camps after all; and what is meant by ‘there were only two camps’? In respect of reception.⁶ Hence it follows that in the wilderness the Levitical camp received [an involuntary homicide]? — Yes: and it was taught even so: Then I will appoint thee a place [whither he may flee]:⁷ ‘thee’ [implies] in thy lifetime;⁸ ‘thee a place’ [implies] in thy place;⁹ ‘whither he may flee’: this teaches that they banished [a homicide] in the wilderness; whither did they banish him? To the Levitical camp. From this they deduced that if a Levite committed homicide, he was banished from one district to another;¹⁰ and if he fled to his own [juridical] district,¹¹ his district receives him. Which text [teaches this]? —

Said R. Aha the son of R. Ika: Because he must remain in his city of refuge:¹² [this implies,] in the city which has already provided him with refuge.¹³

WHEN THEY CAME TO GILGAL [etc.]. Our Rabbis taught: Whatever could be vowed or offered as a freewill-offering¹⁴ could be offered at a bamah;¹⁵ what could not be vowed or offered as a freewill-offering¹⁶ could not be offered at a Bamah. A meal-offering and [a sacrifice of] naziriteship¹⁷ were offered

at a Bamah: these are the words of R. Meir. But the Sages maintain: Only peace-offerings and burnt-offerings were sacrificed on behalf of a private individual. R. Judah said: whatever the community and an individual offered in the Tent of Meeting in the wilderness¹⁸ were offered in the Tent of Meeting at Gilgal.¹⁹ What was the difference between the Tent of Meeting in the wilderness and the Tent of Meeting at Gilgal?

[When] the Tent of Meeting in the wilderness [existed], Bamoth were not permitted; [when] the Tent of Meeting at Gilgal [existed], Bamoth were permitted, and one could offer on his Bamah on the top of his roof²⁰ only burnt-offering[s] and peace-offerings. But the Sages maintain: whatever the community offered in the Tent of Meeting in the wilderness they offered in the Tent of Meeting at Gilgal. In both places²¹ only burnt-offering[s] and peace-offerings were offered on behalf of a private individual. R. Simeon said: Even the community offered only Passover-offerings

(1) Viz., the camp of the Shechinah, since both are permitted in the camp of the Israelites (Pes. 67a).

(2) Num. V, 3 q.v.; camps, plural.

(3) Each is sent into a different camp: he who is unclean through the dead is expelled from the camp of the Shechinah but permitted in the Levitical camp, whereas Zabin are expelled from the Levitical camp too.

(4) So that every place outside the Levitical camp had no status at all, and was simply like a field, whither a leper too might repair.

(5) Lev. XIII, 46.

(6) An involuntary homicide took refuge in a city specially designated for that purpose (Ex. XXI, 13; Num. XXXV, 9 seq.). In the wilderness this function was served by the Levitical camp; when they came to Shiloh, the Levitical camp lost that function.

(7) Ex. XXI, 13.

(8) Sc. in Moses' lifetime; hence, in the wilderness.

(9) ‘Thy’ sc. Moses’ — hence, the Levitical camp.

(10) All the forty-eight Levitical cities were cities of refuge. Hence, a Levite who committed involuntary homicide fled from his own city to another Levitical city.

(11) Having committed homicide elsewhere. Rashi however reads (and Sh. M. emends): and if he fled

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within his own district; and explains: if he fled from one quarter to another in his own city.

(12) Num. XXXV, 28.

(13) E.g., in the case of a homicide who fled to a city of refuge, and then again committed homicide in that city, he must remain in this same city. The same therefore applies to a Levite living in that city.

(14) V. supra 2b, p. 2, n. 6.

(15) I.e., at a private Bamah, for statutory offerings were offered at the public Bamah.

(16) Statutory offerings.

(17) These were both votive, since Naziriteship itself was the result of a vow.

(18) I.e., all sacrifices.

(19) Which was a public Bamah.

(20) I.e., at a private Bamah.

(21) Sc. both at public and at private Bamoth.

Zevachim 117b

and statutory offerings for which there is a fixed time. What is R. Meir's reason? — Because Scripture saith, Ye shall not do after all that we do here this day, [every man whatsoever is right in his eyes];¹ Moses spoke thus to Israel: When ye enter the [Promised] Land, ye shall offer votive sacrifices, but ye shall not offer obligatory offerings;² [and] meal-offerings and [sacrifices of] Naziriteship were votive sacrifices. And the Rabbis?³ — There were no meal-offering[s] at the Bamah [at all];⁴ [and the sacrifices of] Naziriteship were obligatory.⁵ Samuel said: They disagree about the sin-offering and the guilt-offering;⁶ but all agree that the burnt-offerings and peace-offerings [of a Nazirite] are votive sacrifices.

Rabbah raised an objection: [The law of] the breast and thigh and the separation of the loaves of the thank-offering⁷ operated at the great [public] Bamah, but did not operate at a minor [private] Bamah; but he [the Tanna] omits the sodden shoulder.⁸ If you say that they disagree about the burnt-offering and the peace-offering, it is well: this agrees with the Rabbis. But if you maintain that they disagree [only] about the sin-offering and the guilt-offering, who is the author of this?

Rather, if stated, it was thus stated: Samuel said: They disagree about the burnt-offering and the peace-offering; but all agree that the sin-offering and the guilt-offering are obligatory, and [so] they were not offered. The master said: 'But the Sages maintain: Whatever the community offered in the Tent, etc.' What is the reason of the Rabbis? — Scripture saith, Every man whatsoever is right in his eyes:⁹ only a man may offer voluntary sacrifices and not obligatory ones; but a community can offer obligatory [sacrifices] too.

(1) Deut. XII, 8.

(2) V. supra 114a.

(3) How do they refute this argument?

(4) For only animal sacrifices were permitted there.

(5) Since the vow of Naziriteship merely meant abstention from wine, grapes, defilement, and cutting the hair. The sacrifices were then imposed upon the vower.

(6) Which a Nazirite brought on the completion of his Naziriteship.

(7) The breast and thigh of peace-offerings, and four loaves out of the forty which accompanied a thanks-offering, belonged to the priest.

(8) Of the Nazirite's peace-offering ram, which likewise was a priestly due, Num. VI, 14, 19. This implies that this was not offered at a private Bamah at all.

(9) Deut. XII, 8. This is the marginal emendation. The text quotes Judg. XVII, 6.

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And R. Judah?¹ — He can answer you: 'Whatsoever is right' is written in reference to 'in his eyes',² but at the great Bamah one could offer even statutory offerings. But surely 'man' is written, and does that not intimate that [only] a man may offer voluntary but not obligatory sacrifices?³ — 'Man' is written to intimate that a Zar is fit.⁴ [The fitness of] a Zar is deduced from, And the priest shall sprinkle the blood on the altar of the Lord [at the door of the tent of meeting]?⁵ — You might say, it requires the sanctification of the firstborn, as originally:⁶ hence it ['man'] informs us [that it is not so]. The Sages are identical with the first Tanna?⁷

ZEVOCHIM – 91b-120b

— Said R. Papa: They differ as to whether libations were offered in the wilderness.⁸

The master said: 'R. Simeon said etc'. What is R. Simeon's reason? — Because it is written, And the children of Israel encamped in Gilgal, and they offered the Passover-offering.⁹ Now that is obvious?¹⁰ Surely then this is what [the text] informs us: they offered only obligatory [sacrifices] similar to the Passover-offering,¹¹ but they did not offer [obligatory sacrifices] which were not like the Passover-offering.¹² And the other?¹³ — It is required for R. Johanan's dictum. For R. Johanan said on R. Bana'ah's authority: An uncircumcised person received sprinkling.¹⁴

A Tanna recited before R. Adda b. Ahabah: The only difference between the great [public] Bamah and the minor [private] Bamah was [in respect of] Passover-offerings and obligatory-offerings which have a fixed time. Said he to him: in accordance with whom was this told to you? In accordance with R. Simeon, who maintained: The only difference between the great Bamah and the minor Bamah was [in respect of] Passover-offerings and obligatory offerings which have a fixed time; and you must make your teaching refer to a statutory burnt-offering,¹⁵ as there is also a votive burnt-offering.¹⁶ For if you would refer to sin-offerings, is there then a votive sin-offering?¹⁷ Yet let him make it refer to an obligatory meal-offering, since there were habitin?¹⁸ — He holds that there were no meal-offering[s] at the Bamah.

WHEN THEY CAME TO SHILOH, etc. Whence do we know it? — Said R. Hiyya b. Abba in R. Johanan's name: one text says, And she brought him unto the house of the Lord in Shiloh;¹⁹ whereas another text says, And He forsook the Tabernacle of Shiloh, the tent which He had made to dwell among men, and it also says, Moreover He abhorred the tent of Joseph, and chose not the tribe of Ephraim.²⁰ How are these reconciled? It had no roof, but stones below and curtains above.²¹

MOST SACRED SACRIFICES [etc.] Whence do we know it? — Said [R. Eleazar in] R. Oshaia[‘s name]: Because Scripture saith, Take heed to thyself that thou offer not thy burnt-offerings in every place that thou seest:²² You may not offer ‘in every place that thou seest’, but you may eat [the sacrifice] ‘in every place that thou seest’. Yet say: in every place that thou seest’ you may not offer,²³ but you may slaughter ‘in every place that thou seest’? — Said R. Jannai: Scripture saith, There shalt thou offer... and there thou shalt sacrifice.²⁴ R. Abdimi b. Hasa²⁵ said, Scripture saith,

(1) How does he justify his view that an individual too could offer obligatory sacrifices at the public Bamah?

(2) I.e., in reference to the private Bamah, which one could erect wherever one chose.

(3) And if this does not apply to the public Bamah too, why is ‘man’ written? Scripture should simply write, Whatsoever is right in his eyes, and since ‘in his eyes’ implies a private Bamah, it is obvious that the limitation applies to an individual only, for the community did not sacrifice at a private Bamah. Hence ‘man’ must teach that this limitation applies to the public Bamah too.

(4) To officiate at a Bamah.

(5) Lev. XVII, 6. The inference is: only ‘at the door of the tent of meeting’ must a priest sprinkle the blood; but at a Bamah a Zar (lay-Israelite) too could officiate.

(6) Though priests are not necessary, yet we require the firstborn, who officiated originally.

(7) The first Sages (referred to as the first Tanna) say that only peace-offerings and burnt-offerings were offered on behalf of an individual, which implies that the community could offer obligatory sacrifices; while the second Sages (referred to as ‘the Sages’) likewise maintain that whatever the community could offer at the Tent of Meeting in the wilderness, they could offer at the Tent of Meeting at Gilgal (which was a public Bamah), but that a private individual could offer only peace-offerings and burnt-offerings both at a public and at a private Bamah. Thus their views are identical.

(8) Supra 111a, q.v. The first Sages hold that libations were not offered in the wilderness, and therefore they merely teach that peace-offerings and burnt-offerings were permitted at the Bamah. The second Sages hold that libations were offered in the wilderness, and so they teach: whatever the community had to offer in the wilderness, sc. libations, they also had to offer at Gilgal.

ZEVOCHIM – 91b-120b

(9) Josh. V, 10. Cur. edd. read: And the children of Israel offered the Passover-offering in Gilgal.

(10) That they had to sacrifice the Passover-offering: why then does Scripture state it?

(11) I.e., those which must be offered at a fixed time.

(12) E.g., sin-offerings.

(13) The Rabbis: how do they explain the verse?

(14) If an uncircumcised person becomes unclean through the dead, he is besprinkled and becomes clean (v. Num. XIX, 17 seq.), and may then handle sacrifices. He learns this from the present text, 'and they offered the Passover-offering'. Now, the majority of them had been uncircumcised in the wilderness (Josh. V, 5): according to the Talmud (Yeb, 71b) they were circumcised on the eleventh of Nisan (the first month); many of them were unclean through the dead, their parents having died in the wilderness right up to the time of their crossing the Jordan into Eretz Israel. If they had not been besprinkled whilst yet uncircumcised, they would not be clean, for two sprinklings were necessary, and if the first were on the eleventh, the second would be on the fifteenth (v. Num. a.l.), whereas they had to sacrifice on the fourteenth.

(15) Viz., the daily and additional burnt-offerings (v. Num. XXVIII-XXIX); these are the 'obligatory offerings which have a fixed time' which you mean, but the statutory sin-offerings of festivals could not be offered there.

(16) Which could be offered at a private Bamah only.

(17) Surely not. For the passage must mean that apart from Passover-offerings R. Simeon includes only those obligatory offerings of which there were also votive offerings. For if he meant all obligatory offerings which have a fixed time, he should simply mention them, and not the Passover-offering at all, since that too is an obligatory offering with a fixed time. Hence this is what he means: The only difference between the public and the private Bamoth was in respect of the Passover-offerings, which were offered at the former but not at all at the latter, while as for other sacrifices which were offered at both, the difference is that at the private Bamah only votive offerings were offered, whereas at the public Bamah statutory offerings which have a fixed time were also offered. — The text is emended; v. Marginal Gloss.

(18) A sort of cake (v. Lev. VI, 13 seq.; the actual word occurs in I Chron. IX, 31 where it is rendered, things that were baked on griddles). These were statutory daily offerings, and as there were also votive meal-offerings, these too fulfilled the conditions required by R. Adda b. Ahabah.

(19) I Sam. I, 24.

(20) Ps. LXXVIII, 60, 67. Thus it is called a 'house' in Samuel, but 'tent' in Psalms.

(21) Thus it partook partly of the nature of a house, and partly of the nature of a tent. — Cur. edd. add: 'And that was the rest': this is deleted by Sh. M.

(22) Deut. XII, 13. This means when they will have come to the rest' (v. 9) sc. Shiloh, and 'in every place that thou seest' is understood to mean: in every place whence the Tabernacle at Shiloh can be seen.

(23) 'Offer' in its limited sense means to burn the emurim on the altar.

(24) Deut. XII, 14. Lit., 'do' (so E.V.). — Thus it must be 'sacrificed' (slaughtered) and 'offered' in the same place.

(25) Sh. M. emends: Hama.

Zevachim 118b

'And there was Ta'anith [the lamenting of] Shiloh', which means the place which made whoever saw it mourn for the sacrifices which he ate there.¹

R. Abbahu said: Scripture saith, Joseph is a fruitful vine, a fruitful vine through the eye:² [this means,] let the eye which would not feed upon and enjoy that which did not belong to it,³ be privileged to eat [of sacrifices] as far as it can see. R. Jose son of R. Hanina quoted: 'And the desire of him that dwelt in hatred':⁴ [this means,] let the eye that did not desire to enjoy that which did not belong to it, be privileged to eat [sacrifices] among those that hated it.⁵

It was taught: When they said, [As far as the eye could] see, they meant: [from] wherever one could see [the Tabernacle] without anything interposing. R. Simeon b. Eliakim observed to R. Eleazar: Give me an example. Said he to him: E.g., the synagogue of Maon.⁶ R. Papa said: When they said, 'see', they did not mean that one must see the whole of it, but that one must see part of it. R. Papa asked: What of [a place whence] one could see [the Tabernacle] whilst standing, but not when sitting? R. Jeremiah asked: What [of a place where] if one stood on the edge of the valley one could see [it], but when he sat in the valley he could not see [it]? The questions stand over.

ZEVUCHIM – 91b-120b

When R. Dimi came [from Palestine], he said: The Shechinah rested on Israel in three⁷ places: in Shiloh, in Nob and Gibeon,⁸ and in the Eternal House;⁹ and in all of these it rested [on Israel] only in the portion of Benjamin, for it is said, He covereth him all day:¹⁰ all ‘coverings’ will be naught elsewhere but in Benjamin's portion. Abaye went and told this to R. Joseph. Said he to him: Kaylil¹¹ had but one son, and he is not ‘finished’.¹² Surely it is written, And He forsook the tabernacle of Shiloh; and it is written, Moreover He abhorred the tent of Joseph, and chose not the tribe of Ephraim?¹³ — Said R. Adda [b. Mattenah]: What is his difficulty? perhaps the Shechinah was in Benjamin's portion, while the Sanhedrin¹⁴ was in Joseph's portion,¹⁵ as we find in the Eternal House that the Shechinah was in Benjamin's portion, whereas the Sanhedrin was in Judah's portion? How compare? replied he. There the territories [of Judah and Benjamin] were contiguous; but were they contiguous here?¹⁶ — They were indeed contiguous, even as R. Hama son of R. Hanina said:¹⁷ A strip issued from Judah's portion and entered Benjamin's portion, and on this the altar was built. The righteous Benjamin grieved thereat every day, [wishing] to absorb it;¹⁸ so here too a strip issued from Joseph's portion into Benjamin's portion, and that is the meaning of Taanath-Shiloh.¹⁹ This is a controversy of Tannaim: ‘He covereth him’; this alludes to the first Temple; ‘all the day’, to the second Temple; ‘and He dwelleth between his shoulders’, to the days of the Messiah.²⁰ Rabbi said: ‘He covereth him’, alludes to this world;²¹ ‘all the day’, to the days of the Messiah; ‘and He dwelleth between his shoulders’, to the World to Come.

Our Rabbis taught: The duration of the Tent of Meeting in the wilderness was forty years less one; the duration of the Tent of Meeting at Gilgal was fourteen years, [viz.,] the seven [years] of conquest and the seven of division.²² The duration of the Tent of Meeting at Nob and Gibeon [combined] was fifty-seven years. Thus for Shiloh was left three hundred and seventy less one. ‘The duration of the Tent of

Meeting in the wilderness was forty less one.’ How do we know it? — Because a master said: In the first year²³ Moses made the Tabernacle; in the second the Tabernacle was set up, and Moses sent out the spies. ‘That of Gilgal was fourteen years, [viz.,] the seven [years] of conquest and the seven of division.’ How do we know it? — Because Caleb said: Forty years old was I when Moses the servant of the Lord sent me from Kadesh-barnea to spy out the land; and I brought him back word as it was in my heart; and it is written, and now, lo, I am this day fourscore and five years old.²⁴ How old was he when he crossed the Jordan? Seventy eight years;²⁵ and he said, ‘[I am this day] fourscore and five years old’: thus [you have] seven years for the conquest. And how do we know the seven years of division? — I can say, since the conquest took seven [years], the dividing too took seven years. Alternatively, because [otherwise] we cannot explain [the verse] In the fourteenth year after that the city was smitten.²⁶

‘The Tent of Meeting at Nob and Gibeon lasted fifty-seven years. How do we know it? — Because it is written, And it came to pass, when he made mention of the ark of God, [that he fell from off his seat... and died].²⁷ Now it was taught: When Eli the priest died, Shiloh was destroyed and they repaired to Nob; when Samuel the Ramathite died, Nob was destroyed and they went to Gibeon. And it is written, And it came to pass, front the day that the ark abode in Kiriath-jearim, that the time was long, for it was twenty years; and all the house of Israel yearned after the Lord.²⁸ These twenty years [were made up as follows]: Ten years during which Samuel ruled alone,²⁹ one year that Samuel and Saul ruled [together],³⁰ two years that Saul reigned,³¹ and the seven which David reigned [in Hebron],

(1) Before the Tabernacle was destroyed. There is no such text in the Bible. Rashi suggests, and Sh.M. cites as a var. lec., Josh. XVI, 6: And the border turned about eastward unto Ta’anith-Shiloh. — He treats Ta’anith as an adjectival substantive, the lamenting of, from Anah to lament (cf. ta’aniah in Isa. XXIX, 2: and there shall be mourning

ZEVOCHIM – 91b-120b

(ta'aniah), and explains it as in the text, and thus infers that sacrifices could be eaten wherever the Tabernacle at Shiloh could be seen.

(2) Gen. XLIX, 22. E.V. by a fountain. — Shiloh was in Ephraim's (i.e., Joseph's) territory.

(3) Potiphar's wife.

(4) Deut. XXXIII, 16. By a play on words **סנה** is connected with **שנאה** hatred. E.V.: And the good will of Him that dwelt in the bush. The verse refers to Joseph.

(5) Sc. in the territories surrounding Shiloh, which belonged to the other tribes whose ancestors had hated Joseph. — Presumably 'as far as the eye could see' would embrace the borders of these territories. — This interpretation, of course, is merely aggadic and is not the actual source of the law.

(6) In Judea. From there one would have an uninterrupted view of the Tabernacle at Shiloh — The text is emended.

(7) Marginal emendation; four.

(8) These were two separate places, but they are generally coupled, which probably explains why cur. edd. read 'three', treating these as one.

(9) The Temple in Jerusalem.

(10) Deut. XXXIII, 12. — This refers to Benjamin.

(11) Rashi suggests that this was the name of Abaye's father.

(12) That one son — Abaye — is but half-baked — he has not mastered his studies.

(13) Ps. LXXVIII, 60, 67. The comparison of these two verses shows that the Tabernacle was in Ephraim's portion, not Benjamin's.

(14) The religious and civil court; v. Sanh. 2a.

(15) He assumes that the Sanhedrin had its seat in or by the Tabernacle, and that the verses in Psalms refer to the forsaking by the Divine Presence (Shechinah) of this Sanhedrin.

(16) Did Joseph (Ephraim) and Benjamin have a common boundary at Shiloh?

(17) In reference to the Temple at Jerusalem.

(18) V. supra 53b.

(19) Josh. XVI, 6; v. supra. He now suggests that it means: (Benjamin's) mourning for Shiloh, that it was in Joseph's territory.

(20) On this view only the two Temples were in Benjamin's territory. but not the Tabernacles at Shiloh and elsewhere.

(21) Wherever the Shechinah rested in this world, i.e., in both Temples and in all Tabernacles, it was in Benjamin's territory.

(22) Dividing the land among the tribes.

(23) Of the Exodus.

(24) Josh. XIV, 7, 10. — 'This day' means when they started dividing the country.

(25) Since the spies were not sent out at the beginning of the second year, but some months later.

(26) Ezek. XL, 1. According to the Talmud ('Ar. 12a), this was a jubilee year, while the Release years (Shemittoth) and Jubilee years did not commence until the land had been divided. The calculation is then as follows: The Temple was built four hundred and eighty years after the Exodus, which was four hundred and forty years after their entry into Eretz Israel. The Temple stood four hundred and ten years, making a total of eight hundred and fifty years from their entry until its destruction, which is thirty-seven Jubilees. Deducting fourteen years for conquest and division, as these did not count for Jubilee, we find that it was destroyed fourteen years before a Jubilee year, and therefore the fourteenth year after its destruction was a Jubilee year. (The Talmud deduces that this was a Jubilee year independently of this calculation.)

(27) I Sam. IV, 18. This refers to Eli the priest.

(28) Ibid. VII, 2. The Ark was placed in Kiriath-jearim when it returned from the land of the Philistines, where it had been four months.

(29) As judge.

(30) I.e., Saul ruled with the advice of Samuel. Sh.M. reads: the eleven years that Samuel ruled, and deletes one... together'.

(31) V. Ibid. XIII, 1. Rashi maintains that the first year, when he ruled with Samuel, is not counted.

Zevachim 119a

for it is written, And the days that David reigned over Israel were forty years: seven years reigned he in Hebron, [and thirty and three years reigned he in Jerusalem].¹ Now of Solomon it is written, And he began to build... in the fourth year of his reign.² Thus three hundred and seventy less one was left for Shiloh.³

WHEN THEY CAME TO NOB AND GIBEON, etc. How do we know it? — Because our Rabbis taught: For ye are not as yet come to the rest and to the inheritance, [which the Lord your God giveth thee]:⁴ 'to the rest' alludes to Shiloh, 'inheritance' alludes to Jerusalem. Why does Scripture separate them?⁵ In order to grant permission between one and the other.⁶

Resh Lakish said to R. Johanan: If so,⁷ let [the Mishnah] teach second tithe too?⁸ — As for tithe, he replied, the implication of 'there' is derived from 'there' [written] in connection

ZEVOCHIM – 91b-120b

with the Ark:⁹ since there was no Ark [at Nob and Gibeon],¹⁰ there was no tithe either. If so, the Passover-offering and [other] sacrifices are the same, for we learn the meaning of ‘there’ [in their case]¹¹ from ‘there’ [written] in connection with the Ark: since there was no Ark, these too were not [offered]? — Who has told you [this]? he replied: R. Simeon,¹² who maintained that even the community could only offer Passover-offerings and obligatory offerings which have a fixed time,¹³ but obligatory offerings for which there was no fixed time might not be offered at either place. Now, animal tithe is an obligatory offering without a fixed time, and corn tithe is assimilated to animal tithe. Hence it follows that in R. Judah's view [second tithe] is offered?¹⁴ — Yes. For surely R. Adda b. Mattenah said: Second tithe and animal tithe were eaten in Nob and Gibeon [only], in R. Judah's opinion. Yet surely a birah [Divine residence] was required?¹⁵ — Did not R. Joseph recite: There were three Divine residences, [viz.,] at Shiloh, [at] Nob and Gibeon,¹⁶ and [at] the Eternal House? He [R. Joseph] recited it, and he explained it: [These were] in respect of second tithe, and in accordance with R. Judah.

WHEN THEY CAME TO JERUSALEM, etc. Our Rabbis taught: For ye are not as yet come to the rest and to the inheritance: ‘rest’ alludes to Shiloh; ‘inheritance’, to Jerusalem. And thus it says, My inheritance is become unto Me as a lion in the forest; and it says, Is My inheritance unto Me as a speckled bird of prey?¹⁷ this is R. Judah's opinion.

R. Simeon said: ‘Rest’ alludes to Jerusalem; ‘inheritance’, to Shiloh, as it is said, This is My resting-place forever; here will I dwell, for I have desired it; and it says, For the Lord hath chosen Zion; He hath desired it for His habitation.¹⁸ On the view that ‘rest’ alludes to Shiloh, it is well: hence it is written, ‘to the rest and to the inheritance’.¹⁹ But on the view that ‘rest’ alludes to Jerusalem while ‘inheritance’ alludes to Shiloh, [Moses] should say, ‘to the inheritance and to the rest’? —

This is what he said: Not only have ye not reached the ‘rest’ [Jerusalem]; you have not even reached the ‘inheritance’ [Shiloh].

The school of R. Ishmael taught: Both [words] allude to Shiloh;²⁰ R. Simeon b. Yohai said: Both allude to Jerusalem.²¹ It is well on the view that ‘rest’ alludes to

(1) I Kings II, 11.

(2) II Chron. III, 2. The period of Nob and Gibeon is calculated from the time that the Ark was taken to Kiriath-jearim until Solomon began building the Temple. Thus we have 20 and 33 (which he reigned in Jerusalem) and 4 = 57.

(3) The Temple was consecrated four hundred and eighty years after the Exodus. The figure three hundred and sixty-nine is arrived at by deducting the forty years in the wilderness, the fourteen at Gilgal, and the fifty-seven of Nob and Gibeon.

(4) Deut. XII, 9.

(5) Why is each enumerated separately?

(6) For the text refers to the permissibility of Bamoth at Gilgal, and teaches: until when may each man sacrifice what is ‘right in his own eyes’ (v. 8 — sc. at the Bamoth)? until you come to the rest, i.e., to Shiloh, and then Bamoth will be forbidden. Now, if they were to remain permanently forbidden, Scripture need say nothing more. By adding ‘and to the inheritance’ it intimates that when they come to Jerusalem Bamoth will again be forbidden, and thus implies that they were permitted between the destruction of the Tabernacle at Shiloh and the consecration of the Temple in Jerusalem.

(7) That the time between — sc. when the Tabernacle was at Nob and Gibeon — was completely permitted.

(8) That it must be eaten at Nob and Gibeon only, seeing that the sanctity of Shiloh was completely departed.

(9) Tithe, Deut. XIV, 23: And thou shalt eat before the Lord thy God, in the place which He shall choose to cause His name to dwell there, the tithe of thy corn, etc.; Ark, Ex. XL, 3: And thou shalt put there the ark of the testimony. The use of ‘there’ in both cases implies that they are connected.

(10) But first at Kiriath-jearim and then in the city of David.

(11) Deut. XII, 7: and there ye shall eat-this refers to the sacrifices enumerated in v. 6.

(12) The Mishnah which implies that second tithe might be eaten anywhere is in accordance with R. Simeon.

(13) For that reason he maintains that firstlings and animal tithes, which did not have a fixed time, were not brought there; and therefore it was

ZEVOCHIM – 91b-120b

unnecessary to bring corn tithes there either, since the two are assimilated. (Though the two are not really alike: whereas the law of firstling and animal tithes was not operative, and these could not be brought at Nob and Gibeon or anywhere else, second tithes need not be brought at Nob and Gibeon, but might be eaten anywhere.)

(14) I.e., it must be eaten only at Nob and Gibeon.

(15) They were to be eaten 'before the Lord your God', which implies a structure in the nature of a Temple or Tabernacle.

(16) Which are counted as one.

(17) Jer. XII, 8-9. In both verses 'inheritance' means Jerusalem.

(18) Ps. CXXXII, 14, 23.

(19) In correct chronological order.

(20) Yet even so, Bamoth were permitted after the destruction of the Sanctuary at Shiloh, for he holds that they were permitted even after the destruction of the Temple at Jerusalem (cf. Meg. 10a).

(21) Hence Bamoth were not forbidden until the Temple was built.

Zevachim 119b

Shiloh [and] 'inheritance' to Jerusalem; or the reverse; hence it is written, 'to the rest and to the inheritance'. But on the view that both allude to Shiloh or both allude to Jerusalem, he should say, 'unto the rest and inheritance'?¹ That is a difficulty.

On the view that both allude to Shiloh it is well: 'rest' means when they rested from conquest, while [it is called] 'inheritance' because there they divided their inheritance, as it is said, And Joshua cast lots for them in Shiloh before the Lord; and there Joshua divided the land unto the children of Israel according to their divisions.² But on the view that both allude to Jerusalem, 'inheritance' is well, as it means the eternal inheritance; but why is it called 'rest'? — It was the place where the Ark rested, as it is written, Arise, O Lord, unto Thy resting-place, Thou, and the ark of Thy strength.³ On the view that both allude to Jerusalem, but that [during the period of] Shiloh Bamoth were permitted, it is well; hence it is written, So Manoah took the kid with the meal-offering, and offered it upon the rock unto the Lord⁴. But on the view that both allude to Shiloh, and Bamoth were [then] forbidden, how [say], 'and offered it upon the

rock unto the Lord'?⁵ — It was a special dispensation.⁶

The school of R. Ishmael taught as R. Simeon b. Yohai, who maintained: Both allude to Jerusalem. And your token is, One man attracted [many] men.⁷

ALL THE SACRIFICES, etc. R. Kahana said: They learnt this only of shechitah. But for offering up⁹ one incurs kareth too. What is the reason? Because Scripture saith, And thou shalt say unto them¹⁰ [which means,] thou shalt say concerning those just mentioned.¹¹ To this Rabbah demurred: Is it then written, 'and thou shalt say concerning them';¹² surely, 'and thou shalt say unto them' is written?¹³ Moreover It was taught: R. Simeon stated four general rules about sacrifices: If he consecrated them when Bamoth were forbidden and slaughtered and offered [them] up when Bamoth were forbidden, without, they are subject to a positive and a negative injunction, and entail kareth. If he consecrated them when Bamoth were permitted and slaughtered and offered [them] up when Bamoth were forbidden, without, they are subject to an affirmative and a negative injunction, and do not entail kareth.¹⁴ If he consecrated them when Bamoth were forbidden, and slaughtered and offered them up without when Bamoth were permitted, they are subject to an affirmative precept,¹⁵ but not to a negative precept. If he consecrated them when Bamoth were permitted and slaughtered and offered [them] up when Bamoth were permitted, he is not liable to anything at all.¹⁶

AND THE FOLLOWING SACRIFICES... LAYING [OF HANDS], etc. Laying [of hands] [is not practiced at a private Bamah] because it is written... before the Lord, and he shall lay his hand.¹⁷ Slaughtering in the north, because it is written, [And he shall kill it on the side of the altar] northward before the Lord.¹⁸ [Blood] applications round about [the altar], because it is written, And he shall sprinkle the blood round about the altar [that is at the

ZEVOCHIM – 91b-120b

door of the tent of meeting].¹⁹ Waving, because it is written, To wave it for a wave-offering before the Lord.²⁰ Presenting, because it is written, The sons of Aaron shall present it before the Lord, in front of the altar.²¹

R. JUDAH MAINTAINED: THERE WERE NO MEAL-OFFERINGS AT THE BAMAH.

R. Shesheth said: On the view that there were no meal-offerings at the Bamah, there were no bird [-offerings] [either]; on the view that there were meal-offerings at the Bamah there were bird [-offerings] [also]. What is the reason? — [And sacrifice them for] sacrifices [Zebahim];²² ‘Zebahim’, but not meal-offerings; ‘Zebahim’, but not bird [-offerings].

PRIESTHOOD, because it is written, And the priest shall sprinkle the blood [on the altar of the Lord at the door of the tent of meeting].²³

PRIESTLY VESTMENTS, because it is written, [And they — the priestly vestments—shall be upon Aaron, and upon his sons...] to minister in the holy place.²⁴

SERVICE VESSELS, because it is written, [The vessels of ministry], wherewith they minister in the sanctuary.²⁵

A SWEET ODOUR, because it is written, A sweet savor unto the Lord.²⁶

A LINE OF DEMARCATION FOR [THE SPRINKLING OF] THE BLOOD, because it is written, That the net may reach halfway up the altar.²⁷

THE WASHING OF HANDS AND FEET, because it is written, And when they came near unto the altar, they should wash.²⁸

Rami b. Hama said: They learnt it²⁹ only about sacrifices of the great Bamah which were offered at the great Bamah; but no demarcation was required for sacrifices of a minor Bamah which were offered at the great bamah.³⁰ Rabbah raised an objection: [The

laws of] the breast and the thigh, and the separation of the loaves of the thanks-offering, operated at the great Bamah, but did not operate at a minor bamah!³¹ — Say, they are operative in connection with the sacrifices of the great Bamah and are not operative in connection with the sacrifices of a minor bamah.³²

Others say, Rami b. Hama said: They learnt it only when the great Bamah [was essential],³³ but when minor Bamoth [were permitted], even if one sacrificed at the great Bamah, there was no demarcation. Rabbah raised an objection: [The laws of] the breast and the thigh and the separation of the loaves of the thanks-offering operated at the great Bamah, but did not operate at a minor Bamah? — Say, they operate when the great Bamah [was essential], but did not operate when minor Bamoth [were permitted]. Now, he disagrees with R. Eleazar, for R. Eleazar said: If one took a burnt-offering of a minor Bamah within, its barriers receive it in respect of all things.³⁴

R. Zera asked: If one took the burnt-offering of a private Bamah

- (1) Not repeat ‘to’.
- (2) Josh. XVIII, 10. Cur. edd. quote the text rather differently.
- (3) Ps. CXXXII, 8. Cur. edd. quote: And it came to pass when the Ark rested, but there is no such text in the Bible.
- (4) Judg. XIII, 19.
- (5) This was simply a Bamah, which was forbidden.
- (6) That permitted him on that occasion.
- (7) R. Simeon b. Yohai, an individual, won over the school of R. Ishmael to his view. Cf. supra 53b.
- (8) That if one consecrated an animal when Bamoth were permitted and offered it when they were forbidden, he does not incur kareth.
- (9) On the altar, i.e., burning the emurim.
- (10) Lev. XVII, 8.
- (11) V. supra 107a. ‘Those just mentioned’ are those who consecrated the animal when Bamoth were permitted and sacrificed them without when Bamoth were forbidden (v. 7 is thus explained).
- (12) Which would justify this command.
- (13) In Hebrew the difference is in one letter only.
- (14) This explicitly contradicts R. Kahana.

ZEVOCHIM – 91b-120b

(15) I.e., he has violated an affirmative precept; similarly in the other cases.

(16) This last clause is obvious, and probably included merely for the sake of completeness. Tosaf. explains it thus: if one consecrated an animal for a burnt-offering, to be offered at the public Bamah; even if he took it to the precincts of this Bamah, and then took it out and sacrificed it at a private Bamah, he is not liable.

(17) Lev. I, 3f. 'Before the Lord' implies at a public place of sacrifice; similarly the others.

(18) Ibid., 11.

(19) Ibid. 5. Hence 'round about' is required only at 'tent of meeting', I.e., at a public altar.

(20) Ibid. X, 15.

(21) Ibid. VI, 7. This is the reading according to Rashi.

(22) Ibid. XVII, 5. (10) Zebachim denotes sacrifices that are slaughtered (with shechitah). If, then, the word excludes meal-offerings, ipso facto it excludes bird-offerings, since these were killed with Melikah, not shechitah.

(23) Lev. XVII, 6, excluding then a private Bamah.

(24) Ex. XXVIII, 43. 'In the holy place' implies a public sanctuary, but not a private one.

(25) Num. IV, 12.

(26) Lev. I, 9.

(27) Ex. XXVII, 5. From this verse we learn that a line of demarcation is necessary (supra 53a); 'the altar' is a limitation, implying only the altar in the Tabernacle, which was a public sanctuary.

(28) Ex. XL, 32.

(29) That a line of demarcation was necessary at the public Bamah.

(30) Emended text (Sh.M. and margin). 'Sacrifices of the great Bamah... of a minor Bamah' means those which were consecrated for sacrifice at a public or at a private Bamah respectively. 'No demarcation was required' — their blood could be sprinkled above or below the line.

(31) Supra 117b. This implies that these laws operated whenever a sacrifice was offered at a great Bamah, even if it had been consecrated for the small Bamah. The same therefore should apply to the other laws which governed the great Bamah.

(32) As explained in n. 8.

(33) I.e., when private Bamoth were forbidden.

(34) If a burnt-offering which was consecrated for a private Bamah was carried within the precincts of the public Bamah, the barriers of the public Bamah receive it, and all the laws of the public Bamah apply to it. This proves that even sacrifices consecrated for a private Bamah are governed by the laws of a public Bamah in such circumstances. A further corollary is that the laws of the public Bamah hold good at all times, whether private Bamoth were permitted or forbidden. — Rashi explains here that R. Eleazar means that he took the burnt-offering within the precincts of the public

Bamah after it was slaughtered. His interpretation in Me'ilah 3a, however, assumes that it applies before its slaughter too.

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within, and then took it out again, what is the law?¹ do we say, Since it has entered, the barriers [of the public Bamah] have received it; or perhaps, since it has returned, it has returned?² — Is this not the controversy of Rabbah and R. Joseph? For we learnt: If sacrifices of higher sanctity were slaughtered in the south,³ they are subject to trespass.⁴ Now the [scholars] asked: If they ascended [the altar], must they be taken down?

Rabbah maintained: They must be taken down; R. Joseph maintained: They must not be taken down!⁵ — The question arises on both Rabbah's and R. Joseph's views. The question arises on Rabbah's view, [for you can argue:] Rabbah rules thus only in respect of the altar, [for] what is eligible for it, it sanctifies,⁶ and what is not eligible for it, it does not sanctify;⁷ but the barrier may receive it even when it is not eligible for it. Or perhaps, there is no difference? The question arises on R. Joseph's view, [for you may argue:] R. Joseph rules thus only there, since it is one place;⁸ but here, that they are two places,⁹ it is not so. Or perhaps, there is no difference? The question stands over. That which is certain to Rabbah in one direction and to R. Joseph in the opposite direction, was a question to R. Jannai.

For R. Jannai asked: If the limbs of the burnt-offering of a private Bamah ascended the altar¹⁰ and were taken down, what is the law? If the fire has not taken hold of them, there is no question;¹¹ the question arises where the fire had taken hold of them: what then? The question stands over.

It was stated: As for night slaughtering at a private Bamah, Rab and Samuel [disagree]. One maintains: It is valid; the other maintains: It is invalid.¹² Now, they disagree

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on R. Eleazar's [difficulty]. For R. Eleazar pointed out a contradiction between texts. It is written, And he said.' 'Ye have dealt treacherously; roll a great stone unto me this day',¹³ But it is written: And Saul said.' 'Disperse yourselves among the people, and say unto them: Bring me hither every man his ox, and every man his sheep, and slay them here, and eat; and sin not against the Lord in eating with the blood'. And all the people brought every man his ox with him that night, and slew them there.¹⁴ One master answered: one [text] applies to hullin, the other to sacrifices.¹⁵ The other master answered: One refers to the sacrifices of a great bamah,¹⁶ the other refers to the sacrifices of a minor Bamah. It was stated: As for the burnt-offering of a private Bamah, Rab maintained: It does not require flaying and dismembering; while R. Johanan said: It does require flaying and dismembering.

Now, they disagree on R. Jose the Galilean['s dictum]. For it was taught, R. Jose the Galilean said: The burnt-offering[s] which the Israelites sacrificed in the wilderness¹⁷ did not require flaying and dismembering, because flaying and dismembering were required only from [the erection of] the Tent of Meeting and onward. One master holds: From [the erection of] the Tent of Meeting and onward, there was no difference [in this respect] between the great Bamah and the minor Bamah; while the other master holds: At the great Bamah, yes; at the lesser Bamah, no. It was taught in accordance with R. Johanan: In the [following] matters the great Bamah differed from the minor Bamah: Horn, ascent, base, and squareness [were required at] the great Bamah; but there were no horn, ascent, base and squareness at a minor bamah.¹⁸ There were a laver and its base at the great Bamah, but there were no laver and base at a minor Bamah. The breast and the thigh were [waved] at the great Bamah, but there were no breast and thigh at a minor Bamah. In the [following] matters the great Bamah and a minor Bamah were alike: shechitah was required at the great Bamah and at a minor

Bamah; flaying and dismembering were required at the great and at the minor [Bamoth]. Blood permitted, and rendered piggul¹⁹ at the great and at a minor [Bamoth]. [The laws of] blemishes and time²⁰ [operated] at the great and at a minor [Bamah].

BUT TIME, NOTHAR AND DEFILEMENT WERE ALIKE IN BOTH. Our Rabbis taught: How do we know that time operates at a minor Bamah as at a great Bamah? For [you might argue:] the Torah ordered [flesh] that was kept overnight²¹ to be burnt, and [flesh] that went out [of its permitted boundaries] to be burnt:²² just as flesh which went out is fit at a [minor] bamah,²³ so [flesh] which was kept overnight is fit at a [minor] Bamah. But does not [the reverse] follow from birds, a minori:

- (1) Does the law of a public Bamah apply to it, so that it must be taken back and have its breast and thigh waved before the altar, or not? Here too Rashi explains that it was taken within after it was slaughtered.
- (2) And is subject to the laws of a private Bamah only.
- (3) Instead of the north.
- (4) V. p. 176, n. 10. We do not say that since they were slaughtered in the wrong place, it is as though they were simply killed unritually, when they cease to be subject to trespass.
- (5) Emended text (Rashi and Sh.M.). Now, Rabbah who says that they must be taken down holds that these are not the same as other sacrifices which were disqualified in the Sanctuary, but as though they were killed unritually. Thus he holds that the barriers have not received them. Whereas R. Joseph, who rules that they must be taken down, holds that the barriers have received them.
- (6) So that it must not be removed thence, once it is placed thereon.
- (7) And since it is as though it were not ritually slaughtered (in his view), it is not eligible for it.
- (8) It was slaughtered in the Temple court, after all.
- (9) The public and the private Bamoth.
- (10) Of the public Bamah. Rashi apparently explains that the question refers to a burnt-offering consecrated for sacrifices at a public Bamah, which was slaughtered at a private Bamah.
- (11) They certainly must descend.
- (12) Rashi reads: Rab says it is valid; Samuel says: It is invalid.
- (13) I Sam. XIV, 33, q.v. As they were engaged in pursuit of the enemy, this could only have been in

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the nature of a private Bamah, and his emphasis on 'this day' proves that the night was not valid for slaughtering.

(14) I Sam. XIV, 34. R. Eleazar leaves the difficulty unanswered.

(15) The text specifying 'day' applies to sacrifices, which must be slaughtered by day even at a private Bamah.

(16) These must be sacrificed by day. — He would explain then that when Saul specified day, he referred to those who would wait until they could sacrifice at the public Bamah.

(17) Before the Tabernacle was erected.

(18) V. supra 62a.

(19) The sprinkling of the blood permitted the flesh, while a Piggul intention at the sprinkling rendered the sacrifice Piggul.

(20) That a blemish disqualified an animal, and that there was a time limit for the eating of the flesh.

(21) I.e., Nothar, flesh kept after its prescribed period.

(22) This is deduced in Pes. 82a q.v.

(23) Since it had no walls to define its boundaries.

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if time disqualifies birds, though a blemish does not disqualify them;¹ is it not logical that time should disqualify the sacrifices of a minor Bamah, seeing that a blemish does disqualify them? As for birds, the reason is because a Zar is not fit in their case; but in the case of a minor Bamah, where a Zar is fit [to officiate], let time not disqualify. Therefore it states, And this is the law of the sacrifice of peace-offerings,² which makes time at a minor Bamah the same as time at the great bamah.³

(1) V. supra 116a.

(2) Lev. VII, 11.

(3) Sc. a disqualification. 'This is the law', etc. implies that all peace-offerings, wherever offered, are governed by the same law in respect of the contents of that passage. That passage (q.v.) deals with time, Piggul, and defilement.