

# IV.

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## BABYLONIAN TALMUD

### ARAKHIN

## CHAPTER FOUR

### FOLIOS 17A-19A

#### 4:1

- A. [17A] [The estimate of] ability to pay [is made in accord with the status of] the one who vows [Lev. 27:80].
- B. And [the estimate of] the years [of age is made in accord with the status of] the one [whose Valuation] is vowed.
- C. And [when this is according to] the Valuations [spelled out in the Torah], it is in accord with the status [age, sex] of the one whose Valuation is pledged.
- D. And the Valuation [is paid in accordance with the rate prescribed] at the time of the pledge of Valuation.
- E. [The estimate of] ability to pay [is made in accord with the status of] the one who vows: How so?
- F. A poor man who pledged the Valuation of a rich man gives the Valuation required of a poor man.
- G. And a rich man who pledged the Valuation of a poor man gives the Valuation required of a rich man.

#### 4:2A-E

- A. But in the case of offerings, [the rule] is not so.
- B. Lo, [if] one said, “The [obligation to bring] the offering of this person with skin disease (mesora’) is incumbent on me,” if the person with the skin ailment (mesora’) was poor, he brings the offering of a poor man. [If the mesora’ was] rich, he brings the offering of a rich one.
- C. Rabbi says, “I say, ‘Also in the case of Valuations the rule is so.
- D. “And on what account does the poor man who pledged the Valuation of the rich man give the Valuation of a poor man? Because the rich man [under such circumstances, in any case] owes nothing.

- E. **“But a rich man who said, ‘My Valuation is incumbent on me,’ and a poor man heard and said, ‘What this one has said is incumbent on me [too],’ he [the poor man] gives the Valuation of the rich one.”**

We commence with the scriptural basis for a clause of the Mishnah.

**I.1 A. The estimate of ability to pay is made in accord with the status of the one who vows [M. 4:1A]:** *that is in line with what is written [in Scripture], “According to the means of him who took the vow shall the priest value him” (Lev. 27: 8).*

B. But is it the case that [payment according to the] years of his age is assessed only in respect to the one [whose worth has been] vowed? Is it not the case that it is only with regard to the one who has been subject to valuation? [Why then use the language of “vow” [at M. 4:1B] when that language is inappropriate and inapplicable?]

C. *Since the framer of the passage has stated, The estimate of ability to pay is made in accord with the status of the one who vows*, he also framed matters in respect to the assessment of years in the language of one concerning whom the vow is taken [rather than using the correct wording, the one concerning whom the pledge of Valuation is taken].

**II.2 A. The estimate of ability to pay is made in accord with the status of the one who vows: How so? A poor man who pledged the Valuation of a rich man gives the Valuation required of a poor man [M. 4:1E-F]:**

B. *What is the scriptural basis for this rule? As Scripture has said, “According to the means of him who took the vow.”*

C. *The All-Merciful thus had made the matter dependent upon the means of the one who took the vow.*

**III.1 A. But in the case of offerings, the rule is not so. Lo, if one said, “The obligation to bring the offering of this person with a skin ailment (mesora’) is incumbent on me,” if the person with the skin ailment (mesora’) was poor, he brings the offering of a poor man [M. 4:2A-8B].**

B. *But is that the case even though the one who took the vow was rich? [Surely not!]*

C. “And if he is poor” (Lev. 14:21) is what the All-Merciful has stated, and this man is not poor!

D. Said R. Isaac, “[The rule speaks of a case in which] the one who took the vow was poor.”

E. *But perhaps the intent of the All-Merciful was to show mercy to the victim himself, but not to the one who took a vow in his regard, for has it not been written, “...if he is poor...”!*

F. Said R. Adda bar Ahba, “[When Scripture states,] ‘And his means not suffice,’ it serves to encompass the one who takes the vow. But if the one who took a vow were rich, *in such a case he would have to bring the offerings required of a rich man.*”

G. If that is so, why then does the Mishnah-passage state, **But in the case of offerings, the rule is not so?**

H. **[17B]** *The one [M. 4:1E-F] refers to a person afflicted with the skin disease who was poor, and to one who took a vow concerning him who also was poor, and the*

*other [M. 4:2A-B] serves to exclude the case of a person afflicted with the skin disease who was rich, and the person who took the oath concerning him was poor.*

- I. *You might have entertained the view that one might say, Since he was included, he was included for all purposes. [Jung, p. 101, n. 5: “One might have assumed that since on the basis of the Scriptural ‘And his means suffice not,’ we include the poor man vowing a poor leper’s sacrifice in the consideration due to a poor man’s dedicating a rich man, that therefore we might extend the same consideration even to a poor man’s vowing a rich leper’s sacrifice, therefore we need the exclusive meaning of, ‘If he be too poor,’ i.e., only a poor leper’s sacrifice is reduced, but a rich leper’s sacrifice, even if vowed by a poor man, is not reduced.”]*
- J. *Thus we are informed that that is not the case.*
- K. [To amplify:] *Since we find in the case of Valuations that a poor man who pledged the Valuation of a rich man pays the Valuation owing by a poor man, we might have assumed that the same rule applies here.*
- L. *Accordingly, Scripture states, “If he is poor....”*
- M. *And in the view of Rabbi, who has said, “**I say, Also in the case of Valuations, the rule is so**” [M. 4:2C], here too we follow the obligation applying to the man in question [who is subject to the vow of Valuation, not the one who took the vow], there is no need for a verse of Scripture to exclude that possibility. So how shall we interpret that verse?*
- N. *It serves as an exclusion.*
- O. *What does it serve to exclude?*
- P. *It serves to exclude the case of one afflicted by the skin ailment who was poor, while the one who took the oath concerning him was rich.*
- Q. *I might have reached the conclusion that, since Rabbi has said that we assess matters in terms of the obligation pertaining to the person [subject to the vow of Valuation], here too the rule would be the same. Thus we are informed [that that is not the case].*

When Scripture speaks of an ability to pay, it refers to the person who has to make the payment, the one who vows. When Scripture speaks of the age, it refers to the age concerning whom the vow is made, M. 4:1B, or the age or sex of the one whose Valuation is pledged, C. When a Valuation is pledged and the person to be valued passes into another age category, D, the Valuation is owed as of the time of the pledge. Since B and C repeat one another [as M. 4:4 will show], the purpose clearly is to give us four remarkably succinct rules, built on the roots NDR and ‘RK, respectively. The explanation, E-G, poses no problem of interpretation. M. 4:2A explicitly links M. 4:2 to M. 4:1E-G; then M. 4:2F-G— M. 4:3 (below) provide their own expansion of M. 4:1E-G, followed by their expected secondary development in terms of Temple-offerings. Accordingly, we have a rather elaborate double-expansion of M. 4:1E-G. The point of M. 4:2A-B is that while, in the case of Valuations, the estimate of the ability to pay is made in accord with the status of the one who makes the vow, in the case of offerings, it is made in accord with the status of the one who owes the offering, not the one who vows to pay it. This is spelled out at B. Rabbi then wishes to reject M. 4:1A and to impose the same rule as applies for offerings. His reasoning is spelled out at D-E.

When the matter of Valuations is similar to that of offerings, there is no difference in the applicable rule. The Talmud, for its part, systematically cites and glosses units of the Mishnah-paragraph, providing a scriptural basis for each rule. Only unit III takes up matters of analysis of the operative principles at hand.

#### 4:2F-4:3

#### 4:2F-G

- F. [If] he was poor and got rich, or rich and grew poor, he gives the Valuation of a rich man.
- G. R. Judah says, “Even if he was poor and got rich and then became poor again, he gives the Valuation of a rich man.”

#### 4:3

- A. But in the case of offerings, the rule is not so.
- B. Even if his father [is about to] die and leave him ten thousand,
- C. [even if] his ship was at sea and [about to] arrive with ten thousand,
- D. the sanctuary has no claim whatsoever on them.

We begin with systematic scriptural glosses to the Mishnah’s successive statements.

#### I.1 A. If he was poor and got rich [M. 4:2F]:

- B. “According to the means of him who took the vow” (Lev. 27: 8).
- C. Or rich and grew poor [M. 4:2F]:
- D. “According to the means of him who took the vow” (Lev. 27: 8).
- E. R. Judah says, “Even if he was poor and got rich and then became poor again, he gives the Valuation of a rich man” [M. 4:2G]:
- F. *What is the scriptural foundation for the view of R. Judah?* Scripture has stated, “But if he be too poor for your valuation” (Lev. 28: 8).
- G. [The rule applies] only if he remains in his condition of poverty from the beginning to the end [of the transaction].
- H. *[By that same reasoning,] how do you deal with what follows:* “If he be too poor...” (Lev. 14:19, 21). [The one afflicted with the skin-ailment has to bring a guilt-offering, a sin-offering, and a whole offering. The latter two are of variable value, depending on the status of the one who is afflicted and now purified.]
- I. *Would you hold the view that, in this case as well,* the [person securing purification is subject to the offering for a poor person] only if he remains in his condition of poverty from the beginning to the end of the transaction?
- J. *And if you wish to maintain that that is indeed the case, have we not learned* [to the contrary, at M. Neg. 14:11, that we differentiate among the offerings required of the one who seeks purification from the skin-ailment in accord with his condition at the moment at which each of the three required offerings is brought, so that, should his status change, he will bring a different offering in accord with his new status:] **A person who has suffered the skin ailment who brought his offerings as a poor man and suddenly got rich, or a rich man who became poor—**

- K. “all is in accord with [the man’s condition at the moment at which he brought] the purification-offering [among the three that are required],” the words of R. Simeon.
- L. R. Judah says, “All is in accord with [the man’s condition at the moment at which he brought] the guilt-offering.”
- M. *And it has further been taught on Tannaite authority:* R. Eliezer b. Jacob says, “All is in accord with [the man’s condition at the moment at which he brought] the bird-offerings.”
- N. *[By way of reply:] lo, it has been stated in regard to the problem at hand:* Said Rab Judah said Rab, “All three authorities interpret the same verse of Scripture, namely, ‘Whose means do not suffice for what is needed for his purification’ (Lev. 14:32). [The dispute turns on the meaning of the words “what is needed.”]
- O. “R. Simeon maintains the theory that at issue is that which effects purification, *and what is it? It is the purification-offering.*
- P. “R. Judah theorizes that it is the component of the offering which renders him fit once more, *and what might that be? It is the guilt offering.*
- Q. “R. Eliezer b. Jacob takes the position that it is the component that in fact causes the man to return to a condition of cleanness, *and what is that? It is the bird-offering.*”
- R. Rather, why [does Scripture say] “[If] he [be too poor]” (Lev. 14:19, 21)?
- S. *It is according to Rabbi (at M. 4:2F, I-M), as he maintains, and to rabbis, as they do.*
- I.2.** A. But [if he indicates that the person must remain in the same condition throughout the procedure, and if that is not the case, then he does not enjoy the remission accorded to the poor man,] how do you deal with the following, “And he being witness” (Lev. 5: 1). [Does this mean] that he must be a valid witness from the beginning to the end of the process, [or otherwise the rule of Lev. 5: 1 does not apply]?
- B. *And should you say that that is indeed the case, lo, it has been taught in a Tannaite teaching:*
- C. If someone had evidence that he might offer for another party, [which evidence he gained] prior to becoming the man’s son-in-law, and then he became his son-in-law, [or if he acquired the evidence while] he had his sense of hearing, but then was struck deaf, or he could see and then became blind, or he was of sound senses and then became an idiot — lo, this one is invalid [to give testimony]. But if someone had evidence that he might offer for another party, [which evidence he gained] prior to becoming the man’s son-in-law and he then became his son-in-law **[18A]** but afterward [he ceased to be his son-in-law because] the man’s daughter died, [or] if he acquired the evidence while he had his sense of hearing but then was struck deaf and later on regained his sense of hearing, or if he could see and then became blind but regained his sight, or if he was of sound senses and then became an idiot but regained his senses — lo, this one is valid [to give testimony].
- D. This is the operative principle: In the case of anyone who at the outset and at the end was fit [to give testimony], such a one is fit to give testimony [even though at

the intervening time he was not fit]. [This would contradict the supposition proposed just now.]

- E. *The cited case is different, for Scripture has said, "...or if he saw [and was placed under oath] but he did not utter it, then he shall bear his iniquity" (Lev. 5: 1). Accordingly, the All-Merciful has made the matter depend upon seeing [at the outset] and telling [at the end], and lo, [in the cases outlined above,] these [matters] are indeed present. [The intervening span is of no account.]*
- F. *In that case, why does Scripture state, "[If] he being a witness"?*
- G. *It accords with that which has been taught on Tannaite authority: If one a bunch of people standing, and those who were witnesses [for] his [case] were among them, and he said, "I impose an oath upon you people, if you have evidence to give in my behalf, that you come and give evidence in my behalf," —*
- H. *Is it possible to suppose that [all of them] would be liable for the oath at hand?*
- I. *Scripture says, "If he being a witness" (Lev. 5: 1). [The oath applies only to specified persons but not to an amorphous group.]*
- J. *And lo, the man has not specified which of the persons are to serve as his witnesses.*
- K. *Is it possible to maintain that even if the man had said, "Whoever [knows testimony to serve in my behalf," without specifying whom he means], [the oath would still be valid?]*
- L. *Scripture states, "And he being a witness..."*
- M. *So lo, he must single them out. [A definite person must be specified as the witness who is to be subjected to the oath of testimony.]*

**II.1. A. But in the case of offerings, the rule is not so. Even if his father is [about to] die and leave him ten thousand [M. 4:3A-B]:**

- B. *[If that is the case], he is a rich man!*
- C. *Said R. Abbahu, "I might say [the Mishnah passage means that the father] was going to leave him ten thousand [but had not yet done so]."*
- D. *But that is self-evident.*
- E. *[Indeed. We deal with a case] in which the father was dying [but had not yet died].*
- F. *What ruling would you make in such a case?*
- G. *Most of those who are dying actually do die.*
- H. *Thus we are informed [that we do not decide on the basis of that supposition, but until the man actually has received his inheritance upon the father's death, we do not categorize him as a rich man].*

**III.1 A. [Even if] the ship was at sea and about to arrive with ten thousand [M. 4:3C]:**

- B. *[If that is the case], he is a rich man!*
- C. *Said R. Hisda, "We deal with a case in which the man had rented, or hired out his boat to others."*
- D. *But then there is the rental payment, [so he is not poor]?*

- E. *Rental payments do not fall due until the end [of the period of rental, so while the boat is at sea, the rental payment is not owing and the man cannot be said to enjoy the ownership of what is owing in due course].*
- F. *But you may derive the fact that he is rich because of his ownership of the boat, all by itself.*
- G. *Lo, in accord with whose view is the passage at hand [which denies we take account of his ownership of the boat in assessing the man's worth]? It accords with R. Eliezer.*
- H. *For we have learned on Tannaite authority: **R. Eliezer says, "If he was a farmer, they must leave him his yoke of oxen, and if he was an ass-driver, they must leave him his ass" [M. Ar. 6:3].** [Jung, p. 105, n. 1: Just as the farmer's yoke of oxen are his tools wherewith he earns his living, just as the ass-driver's ass for that reason may not be taken in pledge, so is this man's boat a tool wherewith he earns his living and must not be taken either.]*

M. 4:2F develops M. 4:1F-G. If a man was poor and got rich (M. 2: 1), or rich and grew poor, we impose the more stringent status. Judah does not differ; he simply extends the rule. Then M. 4:3 again differentiates Valuations from offerings. If a man was poor and he got rich (B, C), he fulfills his obligation with the original offering required of him at the moment at which he presented it. The Talmud first glosses, then expands upon, the Mishnah-passage.

#### 4:4A-J

- A. [The estimate of] the years [of his age is made in accord with the status of] the one [whose Valuation] is vowed: How so?
- B. A child who pledged the Valuation of an elder gives the Valuation of an elder.
- C. And an elder who pledged the Valuation of a child gives the Valuation of a child.
- D. And [when this is reckoned according to] the Valuation [spelled out in the Torah], it is in accord with the status of the one whose Valuation is pledged: How so?
- E. A man who pledged the Valuation of a woman gives the Valuation of a woman.
- F. And a woman who pledged the Valuation of a man gives the Valuation of a man.
- G. And the Valuation [is paid in accordance with the rate prescribed] at the time of the pledge of Valuation: How so?
- H. [If] one pledged the Valuation of another when the latter was less than five years old, and [that one] passed five,
- I. less than twenty years old and he passed twenty,
- J. he pays in accord with what is required at the time of the pledge of Valuation.

**I.1.** A. *Our rabbis have taught on Tannaite authority:*



- B. You have placed in the same classification vows of worth and Valuations, with regard to [the valuation of] a pearl for the poor,
- C. and with regard to the rule that the value of a limb be judged in accord with its importance. [Jung: If a poor man owned a pearl which is in his place of residence, for lack of demand, is worth but thirty selas, whereas in a large town where there are many buyers, it would be worth fifty, one must assume that it is worth only what the poor man can get for it now, in his place of residence. The poor man who vowed his own valuation would hence not have to pay fifty selas (if he were between twenty and fifty years of age , although the pearl might fetch that price elsewhere. Now the same rule applies to the case of one who said, 'I take it upon myself to pay to the Sanctuary the value of this pearl.' Here too, since we compared valuation to vow of market-value, the vower would have to pay the lower price....]
- D. Is it possible that we should also place in a single classification pledges of Valuation and vows of the actual value [of an object, payable to the sanctuary], so that the donor must pay in accord with the price prevailing at the time he actually pays the funds?
- E. [To forestall that conclusion], Scripture states, "According to your valuation it shall stand" (Lev. 27:17).
- F. One pays only what the object was worth at the time of Valuation, [and not at the time of paying over what he owes, at which point a different value might attach to the object].

The Talmud raises a separate question, based on the comparison of Valuations and vows of value, namely, why we do not invoke the rule of M. 4:4D-F for the case of M. 4:4G-J, that is, treating what is owing as relative to the price at the moment the funds are to be paid, as much as we treat what is owing as relative to the resources of the one who took the vow. The reason that that is not the case is neatly spelled out.

#### 4:4K-R

- K. [If a man pledged the Valuation of a child who on that day had reached his] thirtieth day [he is considered] less than that. [And if the person whose Valuation was pledged reached his] fifth year or twentieth year [he is considered] less than that. [That is, in order to fall into the category of a five year old or twenty year old he must be five years and a day or twenty years and a day.]
- L. As it says, And if it be from sixty years old and upward, if it be a male (Lev. 27: 7).
- M. Lo, we derive the rule for all cases from that applicable to the sixtieth year.
- N. Just as the sixtieth year is deemed equivalent to less than that age, so the fifth year or the twentieth year is deemed equivalent to less than that age.
- O. Is this so? If Scripture has treated the sixtieth year as less than it, it is to impose a more stringent rule. Shall we then treat the fifth year and the twentieth year as less than they, to impose a more lenient rule?
- P. Scripture says, Year ... year ..., for the purposes of establishing an analogy.



- Q.** Just as year stated in connection with the sixtieth year is deemed equivalent to less than it, so year stated in connection with the fifth year and the twentieth year are deemed equivalent to less than they, whether this imposes a lenient or a stringent ruling.
- R.** R. Eleazar says, “The foregoing applies so long as they are a month and a day more than the years [which are prescribed].”
- I.1** A. *[The use of the identical words cited at P for the exegetical purpose at hand is because] those [words] are free [for such usage, not serving any other interpretative purpose. That is why we may draw the comparison specified here.]*
- B. *If that were not the case, there would be the possibility of raising such a difficulty as we have raised [at M. 4:4/O]. But, as it happens, Year... year... do prove superfluous, [allowing the deduction specified at P-Q].*
- I.2.** A. May we propose that the Mishnah-rule at hand does not accord with the principle of Rabbi, for if it did, [it would present a contradiction] for has Rabbi not stated, “[When we find the word] ‘up to’ [used in the specification of a rule, e.g., covering age], the usage is inclusive [in which case ‘up to such-and-such a year’ means to include even the first day of that year].”
- B. *For it has been taught in a statement of Tannaite authority: “From the first day until the seventh day” (Exo. 12:15) —*
- C. May one suppose that the count begins from the first day, but does not include the first day, and likewise, goes up to the seventh day, but does not include the seventh day?”
- D. That would be in line with the statement, **[18B]** “From his head to his feet” (Lev. 13:12), in which “from his head” does not include his head, and “to his feet” does not include his feet.
- E. Scripture says, “Until the twenty-first day of the month, at evening” (Exo. 12:18). [Including the statement, “at evening,” indicates that the seventh day is included in the count, likewise the first day. Accordingly, we can demonstrate that the first and seventh day are included in the Passover regulations specified at Exo. 12.]
- F. Rabbi says, “It is not necessary [to provide such a proof]. ‘First’ always means, ‘including the first day,’ and ‘seventh’ includes the seventh day.”
- G. *[No, the proposition that Rabbi does not concur here is not necessarily valid, for] you may even say that Rabbi [is in agreement]. But here the verses of Scripture are in balance.*
- H. *[How so?] Since it is written, “[From a month old even to five years old” (Lev. 27: 6), why was it stated further, “From five years old even to twenty years old” (Lev. 27: 5)? Therefore the verses are in balance [since the fifth and the twentieth years could belong to either of the two periods. Since the meaning of the verses is not determined, it is necessary to invoke the analogy provided at M. 4:4P. But under other circumstances, a framer in accord with Rabbi’s principle would not find it necessary to do so.]*
- I. [Completing the exposition of the materials just now reviewed,] a master has said, “‘His head, not including the head, ‘his feet,’ not including the feet. How do we know [on the basis of Scripture that that is the fact]?”

- J. *“If you wish, I shall state, ‘Because the signs of the skin ailment that appear on the body differ from those that appear on the head [so we have to treat the two parts of the body as separate from one another].’*
- K. *“If you wish, I shall state, [Scripture specifies], ‘As far as the eyes of the priest can see’ (Lev. 13:12). [A given part of the body is defined as a unit by the possibility of what the priest can see at a single glance. He could take in the body all at once, but not including the head or the feet, at which a more detailed inspection, e.g., of the hair of the head, of the space between the toes, would be required].”*

**III.1** A. R. Eliezer says, **“The foregoing applies so long as they are a month and a day more than the years [which are prescribed]” [M. 4:4R].** [From the passing of a month and a day beyond the fifth birthday, the child is in the status of the following span of time — fifth to twentieth — and so on, a qualification of M. 4:4K].

- B. *It was taught on Tannaite authority:* R. Eliezer says, “Here it is said, ‘and upward,’ and there it is said, ‘and upward’ (Num. 3:43). [Any Levite more than a month old, even by one day, was included in the counting].
- C. *“Just as, in the latter case, ‘From a month and one day’ is the meaning, so here too, the meaning is, a month and a day.”*
- D. *May I propose that just as there “one day” so here too “one day” [is the rule]? [Jung: Since here the addition is but one day, perhaps it ought to be exactly alike with the years in the case of valuations.] [Do we limit the argument at hand to the matter of the case before us, namely, the infant, or do we extend the same consideration to all the other cases.]*
- E. *If that were the case, of what value would be the argument by analogy [proposed by M. 4:4P-Q]?*

**III.2.** A. *Our rabbis have repeated on Tannaite authority:*

- B. “The year” stated with reference to Holy Things [animals set aside and sanctified for use in the sacrificial service], dwelling houses in a walled city, the two years of the field of possession, the six years of the Hebrew slave (Exo. 21: 2), [and] the son or daughter, run from day to day [that is, from one day to the corresponding date in the following year. They do not follow the calendar: the count for the second year would not begin on the first of Tishri without regard to the point in the prior year at which the count began.]
- C. How do we know [from Scripture] that that is the case for the assessment of the age of Holy Things?
- D. Said R. Aha bar Jacob, “Scripture has said, ‘A lamb in its first year’ (Lev. 12: 6) — thus its year and not the year as counted out from the creation of the world [at Tishri].”
- E. How do we know [from Scripture] that that is the case with reference to the dwelling houses in a walled city?
- F. For it is written, “Within a whole year from its sale” (Lev. 25:29) — its [year of] sale, and not the year as counted out from the creation of the world.
- G. The two years of the field of possession [during which the original owner may not redeem the field by repurchase]?

- H. For it is written, “According to the number of years of the crops he shall sell to you” (Lev. 25:15). There may be occasions on which a person may have usufruct of three crops in two years.
- I. How do we know [from Scripture] that that is the case for the six years of the Hebrew slave? As it is written, [Six years will he serve, and in the seventh” (Exo. 21: 2). [This reference to the seventh year] implies that there may be times that, in the seventh year of his term of service, he will still be working.
- J. *As to those for the son and the daughter — for what practical purpose do we require this rule?*
- K. Said R. Giddal said Rab, “It is for use in regard to vows of Valuation.”
- L. R. Joseph said, “It is with regard to our study of the chapter that deals with those born through Caesarean section [Jung: In that chapter the age is discussed at which a son or daughter is able to vow.]
- M. *Said Abayye to R. Joseph, “Do you differ [from Rab]?”*
- N. *He said to him, “No. I say one thing, and he says a quite separate one.” [We agree with one another.]*
- O. *That is a reasonable position, for if you maintain the view that the two are in conflict, so that the one who maintains the view that at issue are pledges of Valuation but not considerations raised in the chapter on Caesarean births, has not Rab stated that the practical decision in all cases in the cited chapter involves a full year reckoned from day to day. [So he clearly takes the same view in both categories.]*
- P. *Accordingly, what is the reason that the one who phrased matters in terms of reckoning the years for pledges of Valuation did not frame matters in terms of reckoning the years for the cases specified in the chapter on Caesarean births?*
- Q. *Because [the cases of the son or daughter] are analogous to the cases cited earlier [e.g., the consecrated animals].*
- R. *Just as the one set is written in the Torah, so the other refers to what is written in the Torah [that is, Valuations].*
- S. *And the other party [which makes reference to the cases specified in the chapter on Caesarean births, rather than to the matter of Valuations]?*
- T. *If it should enter your mind that the reference is to matters that are specified in Scripture, then the statement, “With a son or daughter” [19A] should be phrased, “male or female” [as is the case at Lev. 27].*

- III.3.** A. *Why is a female at old age valued at a third, while a man is not even at a third? [A woman under sixty is valued at thirty selas, above sixty, at ten; a man under sixty is valued at fifty selas, over sixty at fifteen selas, less than a third].*
- B. *Said Hezekiah, “People say, ‘An old man in the house is a broken utensil in the house, an old woman in the house is a jewel in the house.’”*

M. 4:4K + L-N form an appendix to G-J, and O-Q challenge the reasoning, but not the conclusion of L-N. Then R forms a further gloss of K. K therefore is the principal addition. A child five years old is deemed less than five; only when the sixth year begins (vs. R) do we charge the Valuation specified in Scripture, and so

with twenty. The proof is at L-N. Scripture is explicit that one must be more than sixty years of age. O-Q indicate that the proposed analogy may not hold and provide a formal proof. Eleazar then states that the fifth, twentieth, and sixtieth years are deemed as equivalent to the preceding ones only for thirty-one days. From that point on, the fifth year is deemed equivalent to the following ones, down through the twentieth, and so for the twentieth and the sixtieth. His qualification, as is clear, goes right back to K and bears no relationship to the intervening materials. Unit I amplifies the exegetical discussion in the Mishnah-paragraph itself. I:2 investigates the relationship between the formulation of the Mishnah-paragraph and principles associated with the name of Rabbi [Judah the Patriarch]. Unit II amplifies Eliezer's position. Unit II.2 then moves from the Mishnah-passage to a more general statement of the same principle. Now we cover a broad range of matters in which we measure by the passage of a year or more. How the year is calculated — whether from the New Year or from the actual anniversary of the event at hand — is specified and then supported on the basis of scriptural evidence. II.3 leaves the present context and raises a more general question about the facts dictated by Scripture. I cannot account for inclusion of the unit of discourse here, though there may be some connection (not perceived by me) to the immediately preceding lemma.