

# XIII

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## BAVLI ZEBAHIM CHAPTER THIRTEEN

### FOLIOS 106A-112A

#### 13:1-2

#### 13:1

- A. He who outside [the Temple courtyard] [both] slaughters [Holy Things] and offers up [Holy Things] is liable [on both counts, namely:] for the act of slaughtering and is liable for the act of offering up.
- B. R. Yosé the Galilean says, “[If] inside [the Temple courtyard] he slaughtered [the animal], but outside [the Temple courtyard] he offered it up, he is liable.
- C. “[If] he both slaughtered outside and offered up outside, he is free [of liability for the offering up].
- D. “For he has offered up outside only something which [in any event] is invalid. [Having been slaughtered outside, it could not have been offered inside anyhow].”
- E. They [= A] said to him, “Also: He who slaughters inside and offers up outside, since he took it outside, has invalidated it [and so too consistency would require at B].”

#### 13:2

- A. An unclean person who ate either unclean Holy Things or clean Holy Things, is liable.
- B. R. Yosé the Galilean says, “An unclean person who ate clean [Holy Things] is liable. But an unclean person who ate unclean [Holy Things] is free [of liability].
- C. “For he ate only something [of Holy Things] which [in any event] is unclean.”
- D. They [= A] said to him, “Also: The unclean person who ate clean [Holy Things], since he touched it, has rendered it unclean.”
- E. And a clean person who ate unclean [Holy Things] is free of liability on that count, for he is liable only on account of the contamination of the body.

- I.1** A. [With reference to the rule, **he who outside the Temple courtyard both slaughters Holy Things and offers up Holy Things is liable on both counts, namely: for the act of slaughtering and is liable for the act of offering up:**] *there assuredly is no problem with deriving the prohibition against offering up an offering outside of the Temple courtyard, since both the penalty and the admonition against doing the act are explicitly contained in the Written Torah:*
- B. the penalty: “And does not bring it to the door of the tent of meeting...even that man shall be cut off from his people” (Lev. 17: 9).
- C. the admonition against doing the act: “Take heed that you not offer your burnt offerings in every place that you may see” (Deu. 12:13).
- D. *And that accords with what R. Abin said R. Eleazar said, “In any passage in which the language occurs, ‘Take heed that you not,’ the sense is solely to set forth a negative commandment.”*
- E. *But as for the act of slaughtering, while the penalty is explicitly presented in the Written Torah, “Whoever kills an ox and has not brought it to the door of the tent of meeting shall be cut off from his people” (Lev. 17: 3-4), but as to the admonition against doing so, where do we find it in Scripture?*
- F. Scripture has said, “And they shall no more sacrifice their sacrifices unto the satyrs” (Lev. 17: 7).
- I.2.** A. *But that statement is required to make the point of R. Eleazar, who has said, “How on the basis of Scripture do we know that one who sacrifices a beast to Mercury [Hermes] is liable [even though that is not the normal manner of worshipping Mercury]? As it is written, ‘And they shall no more sacrifice their sacrifices unto the satyrs’ (Lev. 17: 7). Now since this cannot pertain to worship of the ordinary kind, since it is written, ‘how did these nations serve their gods’ (Deu. 12:30), apply it to worship that is not the ordinary kind.”*
- B. *Said Rabbah, “You should identify as exegetically consequential in the verse at hand both the phrase, ‘they shall not sacrifice,’ and the phrase, ‘they shall no more.’”*
- C. *Nonetheless, the clause still is required for yet another purpose, in line with that which has been taught on Tannaite authority:*
- D. Thus far, the passage to the verse, “And they shall no more sacrifice” (Lev. 17: 3-6) addresses the sacrifices that one designated as holy when the high places were forbidden and offered up when the high places still were forbidden, for **[106B]** lo, the penalty is stated explicit, “and has not brought it to the door of the tent of meeting....” And how do we know that this is forbidden? “Take heed that you not offer your burnt offerings in every place that you may see” (Deu. 12:13). From that point [Lev. 17: 7] onward, subject to discussion are sacrifices that one designated as holy when the high places were permitted, but that were actually offered up at the point at which they were forbidden, for the language is, “...so that the children of Israel may bring their sacrifices when they sacrifice” (Lev. 17: 5), that is, sacrifices that I had formerly permitted.
- E. “In the open field.” this teaches you that one who slaughters an offering at a high place when the high places are forbidden is regarded by Scripture as though he had offered it in the open field.

- F. “Even that they may bring them to the Lord” (Lev. 17: 7) — this represents the commandment involving an affirmative action.
- G. Whence do we find the counterpart of a negative commandment?
- H. From the verse, “And they shall no more sacrifice....”
- I. Might one think that, in any event, one might be subjected to the sanction of extirpation?
- J. Scripture states to the contrary, “This shall be their statute for ever for them throughout their generations” (Lev. 17: 7 — “this” is their statue, but nothing else is theirs. [Freedman: it is subject only to an affirmative and a negative commandment, but not to extirpation. Thus the negative commandment applies to sacrifices consecrated when the high places were permitted, but we have no explicit negative commandment in respect to those consecrated when the high places were forbidden.]
- K. Rather, said Rabin, “We derive the besought rule by an argument a fortiori: if where Scripture did not impose the penalty of extirpation [that is, where the sacrifice had been designated as holy when the high places were permitted, and we have a negative commandment but no penalty of extirpation, as just now proven], Scripture nonetheless has stated the admonition, in a case in which Scripture did specify a penalty, is it not logical that there also should be an [implicit] admonition?”

**I.3.** A. Said Rabina to R. Ashi, “If that mode of argument is acceptable, then were a negative commandment not stated explicitly in the matter of not eating the forbidden fat, it could as well be inferred from an argument a fortiori from the case of carrion, in the following way:

- B. “if concerning eating carrion, in which case Scripture did not inflict the penalty of extirpation, the act is nonetheless subject to a prohibition, is it not reasonable to suppose that a prohibition against eating forbidden fat exists, since Scripture did impose the sanction of extirpation for such an act?”
- C. *He came before Raba, who said to him, “It could not be derived from the case of carrion, because the argument can be refuted in the following way:*
- D. “The distinctive trait of carrion [which yields its more severe rule] is that it imparts uncleanness [but forbidden fat does not impart uncleanness]. And, moreover, the matter of unclean dead creeping things is not relevant, because as for that matter, the operative consideration is that a small bit imparts uncleanness. Nor can the rule be derived from the case of clean creeping things, because the operative consideration there, which does not pertain here, is that the minimum volume for which one is culpable is very small [while in the case of forbidden fat, the minimum standard for culpability is much more substantial]. Nor can the rule derive from the cases of the prohibition of fruit in the first three years of the tree’s growth or fruit deriving from mixed seeds sown in a vineyard, because the operative consideration pertaining to those categories of forbidden edibles is that no benefit from them whatsoever is permitted [while the prohibition

of forbidden fat is only as to eating it, not to selling it or feeding it to the dogs]. Nor can the rule derive from the produce of the Seventh Year, because as to produce of the Seventh Year, the distinctively strict trait is that money received for it is subject to the same prohibitions as the produce itself [which is obviously not the case for forbidden fat]. Nor can the rule derive from the case of food in the status of priestly rations [heave offering], because as to food in the status of priestly rations, it is never permitted by reason of an exception [but always is forbidden to unclean priests, while some forbidden fat is permitted, e.g., that of a non-domesticated animal]. Nor can the rule be deduced from the polythetic traits of them all, because none of them are permitted by reason of an exception [but forbidden fat is, hence is subject to a less stringent rule than all the other comparable items, so no argument a fortiori is possible].”

E. *Said Raba, “If I have a problem, here is my problem: it is in respect to that which we have learned in the Mishnah: [he who transgresses the laws of] Passover (Num. 9:13) and circumcision (Gen. 17:14), among the positive commandments... For those classes of transgressions are people liable, for deliberately doing them, to the punishment of extirpation, and for accidentally doing them, to the bringing of a sin offering, and for not being certain of whether or not one has done them, to a suspensive guilt offering (Lev. 5:17)]*[M. Ker. 1:1M. 1:2A-D] — [Freedman: these two entail extirpation, but they are positive commandments, and not keeping them does not necessitate a sin offering]. Now these represent positive commandments, and we may infer a negative commandment in this case from the case of one who leaves over anything of the Passover offering [which is a negative commandment]. If the one who leaves over meat of the Passover offering, for whom a specific penalty has not been specified, still is subject to an admonition, then in the case of the Passover offering and the rite of circumcision, where Scripture did prescribe a penalty, is it not logical that there should be an implicit admonition as well?”

F. *Said R. Ashi, “When I reported this matter in the presence of R. Kahana, he said to me, ‘The conception really cannot derive from the matter of leaving over Passover meat, for there is the following challenge to the argument: the exceptional trait of leaving over meat of the Passover offering is that there is no remedy for the offense, but will you say that there is no remedy in connection with the Passover offering, which can be made up if neglected? [Hence no implicit negative injunction is to be inferred from the one case to the other.]”*

**I.4.** A. But is it possible to impute an implicit admonition through an argument a fortiori in any event? For even within the position of him who maintains that it is entirely proper to produce penalty for the violation of the law on the basis of

an argument, nonetheless, it is not possible to impute an implicit admonition through an argument a fortiori in any event!

- B. *Rather, the matter is in accord with what R. Yohanan said, for he said, "[With reference to the pertinent verses, 'Whoever kills an ox and has not brought it to the door of the tent of meeting' and 'whoever offers up a burnt offering and does not bring it to the door of the tent of meeting,] the word 'bring' occurs in both contexts, so the rule governing bringing in the one case derives from the one presented in the other. Just as in the latter case Scripture did not declare the sanction without an admonition, so in the former case Scripture did not prescribe a penalty without an implicit admonition."*
- C. **[107A]** *Raba said, "It is in accord with R. Jonah, for R. Jonah said, '[With reference to Deu. 12:14, 'There shall you offer up your burnt offerings and there you shall do all that I command you,' encompassing the rites of slaughter in connection with sacrifices], The rule derives from the occurrence of 'there.' Just as in the one case, Scripture did not set forth a penalty without an admonition, so in the other, Scripture did not set forth a penalty without an implicit admonition."*

- I.5. A.** [Reverting to the original problem, **He who outside [the Temple courtyard both slaughters Holy Things and offers up Holy Things is liable [on both counts, namely:] for the act of slaughtering and is liable for the act of offering up** — there assuredly is no problem with offering up, since both the penalty and the admonition against doing the act are explicitly contained in the Written Torah:...But as for the act of slaughtering, while the penalty is explicitly presented in the Written Torah, "Whoever kills an ox and has not brought it to the door of the tent of meeting shall be cut off from his people" (Lev. 17: 3-4), but as to the admonition against doing so, where do we find it in Scripture,] *now that we have found the rule covering the case of the offerings that should be burned inside that were offered up outside of the Temple [instead of inside the Temple courtyard, where they should have been burned,] how do we know the rule covering the case of offerings that should be burned outside of the Temple courtyard and were offered up outside the Temple courtyard?* [These are offerings that were slaughtered outside of the Temple courtyard, which could not be burned inside but only outside, meaning, unfit offerings (Freedman).]
- B. Said R. Kahana, "Said Scripture, 'And you shall say to them' (Lev. 17: 8), meaning, concerning matters just now mentioned you shall speak." [Lev. 17: 3-7 deals with slaughtering sacrifices outside of the Temple, 17:8f. deals with offering up sacrifices outside of the Temple. Both begin with, 'And you shall say to them,' meaning, you shall say about that which has just been mentioned, that is, slaughtering outside; these too are culpable if they are offered outside the Temple courtyard (Freedman).]

- C. *To this proof objected Raba, "But is it written, 'concerning them'? What is written is obviously, 'to them.'*
- D. *"Rather, it is in accord with that which the Tannaite authority of the household of R. Ishmael repeated: 'and you shall say to them' serves to join the two sections [so that the rules of the latter section, that is, involving liability for offering up the sacrifice outside of the Temple courtyard, apply to those mentioned in the prior context, that is, those who slaughter outside of the Temple (Freedman)]."*
- E. And R. Yohanan said, "[With reference to the pertinent verses, 'Whoever kills an ox and has not brought it to the door of the tent of meeting' and 'whoever offers up a burnt offering and does not bring it to the door of the tent of meeting,] the word 'bring' occurs in both contexts, so the rule governing bringing in the one case derives from the one presented in the other. Just as in the there the reference is to offerings that must be burned outside of the Temple court, so here too it refers to those that must be burned outside of the Temple court." [Freedman: as "bringing" in the former section refers to one who slaughters outside, so it does in the latter too.]
- F. *Objected R. Bibi to this line of argument, "And lo, that which we have learned in the Mishnah: **There are thirty-six offenses penalized by extirpation that are listed in the Torah [M. Ker. 1:1A]** — in line with this argument, then, there should be thirty-seven! For there is the case of one who offers up a sacrifice that should be burned inside the Temple courtyard and also there is the case of offering up a sacrifice that should be burned outside of the Temple courtyard."*
- G. *That is a problem.*
- I.6.** A. *Now, with regard to what we have learned in the Mishnah, **He who tosses part of the blood outside is liable [M. 13:6G]**, how on the basis of Scripture do we know that rule [since the proofs up to now have spoken only of slaughtering the animal and offering it up outside of the Temple; but they have not referred to sprinkling]?*
- B. *It derives from that which has been taught on Tannaite authority:*
- C. *"'Blood shall be imputed to that man' (Lev. 17: 4) — that encompasses the one who tosses the blood outside," the words of R. Ishmael.*
- D. R. Aqiba says, "'...or sacrifice' (Lev. 17: 8) serves to encompass the one who tosses the blood [for that is integral to the act of sacrifice]."
- E. *And how does R. Ishmael deal with this same verse, "...or sacrifice" (Lev. 17: 8)?*
- F. *He derives from that reference the division [among components of the sacrificial rite, so that one is liable on a variety of counts, e.g., one is liable for offering up outside of the Temple either a burnt offering or any other sacrifice].*
- G. *And whence does R. Aqiba derive the same proposition?*
- H. *He derives it from, "...and does not bring it to the door of the tent of meeting" ["it" referring to a single action, among many].*
- I. *And R. Ishmael?*
- J. *He requires that verse to make the point that on account of a whole animal one bears liability, but one bears no liability on account of offering up only a piece of an animal.*
- K. And R. Aqiba?



- L. *He derives it from, "to sacrifice it."*
- M. And R. Ishmael?
- N. *One "it" refers to those sacrifices that should be burned inside the Temple court that were made incomplete and offered up outside the Temple court; the other "it" refers to those offerings that should be burned up outside of the Temple court, which one made incomplete and offered up inside the Temple court.*
- O. *And so too it has been taught on Tannaite authority along these lines:*
- P. R. Ishmael says, "Might one suppose that for those sacrifices that should be burned inside the Temple court that were made incomplete and offered up outside the Temple court one should be liable? Scripture says, '...to sacrifice it.' This means, on account of a whole animal one bears liability, but one bears no liability on account of offering up only a piece of an animal."
- Q. And R. Aqiba?
- R. On account of things that should be burned up inside that were made incomplete and offered up outside, one is indeed liable.
- S. **[With reference to our question, He who tosses part of the blood outside is liable (M. 13:6G),** how on the basis of Scripture do we know that rule [since the proofs up to now have spoken only of slaughtering the animal and offering it up outside of the Temple; but they have not referred to sprinkling], and the answer, "Blood shall be imputed to that man" (Lev. 17: 4) — that encompasses the one who tosses the blood outside," the words of R. Ishmael,] *how does R. Aqiba deal with the phrase, "blood shall be imputed"?*
- T. *He assigns it the task of encompassing under the law the act of slaughter [instead of the pinching of the neck] of a bird [that is done outside of the Temple; even though the killing is done improperly, the one who does it as an act of sacrifice is liable].*
- U. *And R. Ishmael derives that same point from the statement, "or who kills" (Lev. 17: 3).*
- V. And R. Aqiba?
- W. *He will tell you, "That is required to indicate that for slaughtering is one liable, but not for pinching the neck." [If outside of the Temple one offers a bird by slaughtering it, he is liable, but if he does so by pinching the neck, which is the way of making an offering of a bird inside the Temple, he is not liable.]*
- X. And R. Ishmael?
- Y. *He derives that fact from "...this is the thing which the Lord has commanded" (Lev. 17: 2).*
- Z. *For it has been taught on Tannaite authority:*
- AA. "What man soever who kills an ox" (Lev. 17: 2) — I know only that the rule pertains to one who slaughters an ox. How do we know that the same rule applies to one who slaughters a bird?
- BB. Scripture states, "or who kills...."
- CC. Might one suppose that one who pinches the neck of a bird outside of the Temple should be liable? For that is a matter of logic. If for the act of

slaughter, which is not the way in which, inside the Temple court, the bird is properly prepared, one is liable, then for pinching the neck, which is the proper way of preparing the bird inside the Temple court, one surely should be liable!

DD. Scripture states, "or who kills...."

EE. Might one suppose that encompass under the law should be one who pinches the neck? For that is a matter of logic. If for slaughtering the bird, which is not a correct mode of offering a bird inside the Temple court, one is liable, for pinching the neck outside of the Temple court, which is the correct manner of killing the bird inside the Temple court, one should surely be liable!

FF. Scripture states, "This is the thing...."

GG. And R. Aqiba?

HH. *He will say to you, "That is required to establish the possibility of an analogy based on verbal intersection."*

- I.7.** A. *As to that which we have learned: he who outside of the Temple takes a handful of meal offering and he who collects the blood of an offering are exempt from liability, how on the basis of Scripture do we know that fact?*
- B. *But what should have made you think that he would be liable [that you think a verse of Scripture is required to show that he is not liable]?*
- C. *From the matter of slaughter. [That is a rite of sacrifice and for doing it outside of the Temple one is liable, so any other rite of sacrifice would be analogous and so subject to penalty.]*
- D. But the particular trait of slaughtering the beast is that it invalidates a Passover offering if it is carried out in behalf of people who cannot eat the meat [which has no bearing on the matters of taking up the handful of the meal offering or receiving the blood].
- E. *Then infer the rule from the matter of sprinkling.*
- F. But the particular trait of sprinkling the blood is that a non-priest who does it is liable to the death penalty.
- G. **[107B]** *Then infer the rule from the two together!*
- H. If so, then the matter may be omitted with reference to the matter of sprinkling and it may be inferred from the combination of the rule governing slaughter and offering up. So, when you say, let it be inferred from the matter of slaughtering, you may argue, as for the matter of slaughtering, the operative consideration is that it is invalid in the case of the Passover offering if done for those who cannot eat the meat. Let it then be inferred from the act of offering up the meat? But the particular consideration is that that the discussion pertains also to the meal offering [and there is no sprinkling involved in meal offering]. *Then put the two together?*
- I. *With all this [endless circle] in mind, that is why a verse of Scripture had to be set forth to encompass the matter of sprinkling, since the inclusion of such a verse of Scripture bears the implication that an inference may not be drawn from the two of them combined [and that form of reasoning is shown not acceptable].*



- I.8.** A. Said R. Abbahu stated, “If someone both slaughtered and sprinkled [the blood of the sacrifice outside of the Temple], in the view of R. Ishmael, he is liable for only one sin-offering [since the same verse that covers the prohibition for sprinkling outside the court also prohibits slaughtering outside the court].
- B. “In the opinion of R. Aqiba maintains, he is liable for two sin-offerings [on both counts, since the penalty for sprinkling and the penalty for slaughtering outside the Temple court come from different verses].”
- C. Said Abbaye, “Even in the view of R. Aqiba, he is liable for only a single sin-offering, for Scripture has said, ‘There you shall offer your burnt offerings and there you shall do all that I command you’ (Deu. 12:14). *In this way the All-merciful has treated all acts [of the sacrificial rite in the same classification].* [Shachter, *Sanhedrin*, p. 217, n. 10: Hence there is only this one verse which commands that all acts of sacrifice, which includes slaughtering and sprinkling, shall be done in the prescribed fashion. Therefore transgression of both involved only one sacrifice.]”
- D. If someone sprinkled and offered up outside of the Temple, in the opinion of R. Ishmael, he is liable on two counts, and in the opinion of R. Aqiba, he is liable on one count.
- E. Said Abbaye, “Even in the view of R. Aqiba, he is liable on two counts, since Scripture has treated them as distinct actions: ‘there you shall offer up...and there you shall do....’”
- F. If one slaughtered, sprinkled, and offered up, outside of the Temple, all concur that he is liable on two counts.

**I.9.** A. *Our rabbis have taught on Tannaite authority:*

- B. “...or who kills it outside of the camp” (Lev. 17: 3):
- C. Might one suppose that that means, outside of the three camps [in which case he is culpable, but not if it is within one or another of them but in the improper one]?
- D. Scripture states, “...or goat in the camp.”
- E. If “in the camp,” then might one suppose that even if one slaughters a burnt offering at the south side of the altar, he would be liable?
- F. Therefore Scripture states, “or who kills it outside of the camp.”
- G. Just as “outside of the camp” is marked by the fact that it is not an area eligible for the slaughtering of Most Holy Things or indeed for the slaughtering of any Holy Thing, so “in the camp” refers to a place which is not eligible for the slaughtering of any Holy Thing. It follows that the southern side of the Temple court is excluded, since while not fit for slaughtering Most Holy Things, it is fit for slaughtering Lesser Holy Things.

**I.10.** A. Said Ulla, “He who performs an act of sacrificial slaughter on the roof of the Temple is liable, since that area is not suitable for the slaughtering of any Holy Thing.”

- B. *Objected Raba, “If that is the case, then Scripture should say, ‘in the camp or outside of the camp,’ and it will not be necessary to say, ‘to the door of meeting.’ Why then add, ‘and has not brought it to the door of the tent of meeting’? It is obviously to exclude the roof.”*

- C. *But from Raba's perspective, if that is the case, then Scripture should have said only, "to the door of the tent of meeting." Why add, "in the camp" and "outside of the camp"? Surely that is to include the roof [as a locale in which an act of slaughter is culpable].*
- D. *Said R. Mari, "It is to encompass the case in which the entirety of the beast is inside the court except for the throat, which is outside the court."*
- E. *If its throat is outside the Temple court, then it is obvious that one is culpable, for, after all, what is it that the All-Merciful has found of special interest, if it is not slaughtering the beast outside of the Temple courtyard, and this is surely an act of slaughter outside of the Temple courtyard!*
- F. *Rather, what we deal with is a case in which the entirety of the beast is outside the Temple courtyard, while the throat is inside [and one is culpable under such circumstances].*

**I.11.** A. *It has been stated:*

- B. He who at this time [when the Temple of Jerusalem is in ruins] makes an offering outside of the Temple —
- C. R. Yohanan said, "He is liable."
- D. R. Simeon b. Laqish said, "He is exempt from liability."
  - E. R. Yohanan said, "He is liable:" the initial act of sanctification consecrated the Temple for that time and for all time.
  - F. R. Simeon b. Laqish said, "He is exempt from liability:" the initial act of sanctification consecrated the Temple for that time but not for all time.
- G. *May we say that subject to dispute between them is the same issue debated by R. Eliezer and R. Joshua?*
- H. *For we have learned in the Mishnah: Said R. Eliezer, "I heard [that] when they were building the Temple, they made curtains for the Temple and curtains for the courtyard. But [the wall] of the Temple they built outside [of the veil], and that of the courtyard they build inside [the veil]." Said R. Joshua, "I heard (1) that they make offerings even though there is no house [for the Temple altar] And (2) they eat Most Holy Things, even though there are no hangings. And (3) that they eat] Lesser Holy Things and second tithe, even though there is no wall [around Jerusalem]. For the original act of consecration was valid both for its time and for all time to come" [M. Ed. 8:6A-E]. It would then follow that, from the viewpoint of R. Eliezer, the original act of consecration was not valid both for its time and for all time to come.*
- I. *Said Rabina to R. Ashi, "Why so? Perhaps all parties concur that the original act of consecration was valid both for its time and for all time to come, but one authority simply sets forth what he has received as a tradition, and the other sets forth what he has received as a tradition."*
- J. *Then if you should ask, what purpose is served by the curtains in the opinion of R. Eliezer, the answer is, they were simply for privacy.*

**I.12.** A. *It has been stated:*

- B. He who offers up a limb of less a volume than an olive's bulk [of meat] —
- C. R. Yohanan said, "He is liable."
- D. R. Simeon b. Laqish said, "He is exempt from liability."
- E. R. Yohanan said, "He is liable." what is attached to what is taken up to the altar is equivalent to what is taken up in its own right.
- F. R. Simeon b. Laqish said, "He is exempt from liability." what is attached to what is taken up to the altar is not equivalent to what is taken up in its own right.

**I.13.** A. *Raba raised the question, "He who offers up [108A] the head of a pigeon that is not so much as the bulk of an olive, but that is increased to the bulk of an olive by salt — what is the law?"*

- B. *Said Raba of Parzaqayya to R. Ashi, "Is this not the same as the dispute between R. Yohanan and R. Simeon b. Laqish?"*
- C. *Not at all. You may raise the question within the premises of R. Yohanan, and you may raise the question within the premises of R. Simeon b. Laqish.*
- D. *You may raise the question within the premises of R. Yohanan: R. Yohanan takes the position that he does there only in regard to the bone, which is, after all, of the same species as the meat, but not to salt, which is not of the same species as the meat — or perhaps he draws no such distinction?*
- E. *And you may raise the question within the premises of R. Simeon b. Laqish: R. Simeon b. Laqish takes the position that he does in that case only in regard to the bones, because if it separates from the meat, there is no obligation to carry it out to the altar, but not in the present case, where, if the salt separates from the head of the bird, there still is an obligation to take it up to the altar [the piece has to be resalted, in line with Lev. 2:13] — or perhaps he draws no such distinction?*
- F. *The question stands.*

**II.1** A. **R. Yosé the Galilean says, "If inside the Temple courtyard he slaughtered [the animal], but outside the Temple courtyard he offered it up, he is liable. If he both slaughtered outside and offered up outside, he is free of liability for the offering up. For he has offered up outside only something which in any event is invalid. Having been slaughtered outside, it could not have been offered inside anyhow." They said to him, "Also: He who slaughters inside and offers up outside, since he took it outside, has invalidated it and so too consistency would require at B:]"**

- B. Rabbi responded in behalf of R. Yosé the Galilean: "But what explains the rule covering the one who slaughters a sacrifice inside and offers it up outside is that for at least a moment, the procedure was valid. Can you say the same, by contrast, of one who both slaughtered outside and offered up outside? For in that case the procedure was never valid for a single moment!"

- C. R. Eleazar b. R. Simeon responded in behalf of R. Yosé the Galilean: "But what explains the rule covering the one who slaughters a sacrifice inside and offers it up outside is that the sanctity of the altar receives the offering. But can you say the same, by contrast, of one who both slaughtered outside and offered up outside? For in that case the sanctity of the altar has never received the offering!"
- D. *What is at issue between these two distinct justifications for R. Yosé the Galilean's ruling?*
- E. *Said Zeiri, "At issue between them is an act of slaughter done by night."* [Rabbi's explanation of the position at hand would yield the ruling that there is no liability, since there was never a moment at which the action was fit; Eleazar would hold the man culpable, since a sacrifice laid on the altar is not removed (Freedman).]
- F. *Rabbah said, "At issue between them is a case in which the priest received the blood in a secular utensil."* [The sacrifice never had a period of fitness, but the altar would nonetheless receive it, just as with Zeiri's explanation.]

**III.1 A. R. Yosé the Galilean says, "An unclean person who ate clean [Holy Things] is liable. But an unclean person who ate unclean [Holy Things] is free [of liability]. For he ate only something [of Holy Things] which [in any event] is unclean." [They said to him, "Also: The unclean person who ate clean [Holy Things], since he touched it, has rendered it unclean:"]**

- B. *Did the rabbis give a good answer to R. Yosé the Galilean?*
- C. *Said Raba, "In any case in which the priest's own body contracted uncleanness, and only afterward the meat of the offering contracted uncleanness, all parties concur that the priest in context is liable, because the uncleanness of the body in this setting provokes the sanction of extirpation. Where there is a disagreement, it is in the case in which the meat of the offering first became unclean, and then the priest's body became unclean. In that case, rabbis hold, 'We invoke the principle of "since...."' [Specifically, the meat is already forbidden on account of its own status, as unclean. Rabbis still impose the prohibition that a priest who is unclean in his own body still takes effect and is added to the transaction, because it is the more comprehensive. Now, not only is the meat forbidden to the priest, but all the other pieces of meat are forbidden. So we argue, since the prohibition affects the priest for all meat, he also is prohibited by reason of his being unclean for this piece too, even though the meat is forbidden in any event. So he is liable to a sin offering on that count (Freedman).] R. Yosé does not say, 'We invoke the principle of "since...."'"*
- D. *Now, in regard to R. Yosé, granted that he does not say, "We invoke the principle of "since....," let him concede that the uncleanness affecting the priest's body, which is the more severe, should take effect over the uncleanness of the meat of the offering!*
- E. *Said R. Ashi, "What makes you think that the uncleanness affecting the priest's body is the more severe? Perhaps the uncleanness affecting the sacrificial meat is the more severe, since, after all, it cannot be removed by means of immersion in an immersion pool."*

- A. A more strict rule applies to slaughtering [animals designated as Holy Things outside of the Temple] than to offering up [offerings outside of the Temple], and to offering up [offerings outside of the Temple] than to slaughtering.
- B. More strict is [the rule which applies] in the case of slaughtering [animals designated as Holy Things outside of the Temple]:
- C. For one who slaughters [animals designated as Holy Things outside of the Temple] [in behalf of] an ordinary person [instead of God!] is liable.
- D. But one who offers up [offerings outside of the Temple] for [the use, e.g., the eating] of an ordinary person is free.
- E. More strict is [the rule which applies] in the case of offering up [offerings outside of the Temple]:
- F. two who took hold of a knife and slaughtered [with it] are free of liability.
- G. [If] they took hold of a limb and offered it up, they are liable.
- H. “[If] one offered up [offerings outside of the Temple] and went and offered up [again] [offerings outside of the Temple] and went and offered up [again] [offerings outside of the Temple], he is liable [to bring a sin offering] for each and every act of offering up [offerings outside of the Temple],” the words of R. Simeon.
- I. R. Yosé says, “He is liable only for one [act of offering up] [offerings outside of the Temple].”
- J. And he is liable only when he will offer up on the top of the altar [which he has built outside].
- K. R. Simeon says, “Even if he offered up on a rock or on a stone, he is liable.”
- I.1** A. [one who slaughters [animals designated as Holy Things outside of the Temple] [in behalf of] an ordinary person [instead of God] is liable:] *what differentiates the act of offering up a sacrifice outside of the Temple in behalf of an ordinary man instead of God, that one is exempt from liability?*
- B. *It is because it is written, “...unto the Lord” (Lev. 17: 8: “Whosoever offers a burnt offering and does not bring it to the door of the tent of meeting to sacrifice it to the Lord shall be cut off from his people”).*
- C. *With reference to the act of slaughter, “to the Lord” also is specified in Scripture [at Lev. 17: 3: “and whosoever kills an ox and has not brought it to the door of the tent of meeting to present it as an offering to the Lord”].*
- D. *The former is exceptional, for Scripture has used the language, “whosoever,” with reference to offering up such an offering outside of the Temple.*
- E. *But the same usage occurs with reference to the act of slaughter!*
- F. *In the latter case, it is required to make the point that while two who took hold of a knife and slaughtered [with it] are free of liability, if they took hold of a limb and offered it up, they are liable.*
- G. *If that is the case, then why not say that in the former case, the formulation is required to make the point that if two who took hold of a knife and slaughtered [with it], they fully bear liability?*

- H. *That case is different, because Scripture uses the language, “that man,” meaning, one but not two.*
- I. *If so, then with regard to offering up as well, Scripture uses the language, “that man,” meaning, one but not two.*
- J. *That is required [108B] to exclude from penalty acts done inadvertently, under constraint, or in error.*
- K. *If so, there too it should be required for the same purpose, namely, to exclude from penalty acts done inadvertently, under constraint, or in error.*
- L. *The word, “that...,” is written twice [effecting to such exclusions].*
- M. *Then what is the use of “unto the Lord” [stated with regard to slaughtering the animal outside of the Temple]?*
- N. *That is to exclude from the law the case of the goat that is sent out on the Day of Atonement [so if someone slaughtered it outside of the Temple, he is not liable, there being no possibility of slaughtering that one and performing the rites inside of the Temple].*

**II.1. A. More strict is [the rule which applies] in the case of offering up [offerings outside of the Temple]: two who took hold of a knife and slaughtered [with it] are free of liability. [If] they took hold of a limb and offered it up, they are liable:**

- B. *Our rabbis have taught on Tannaite authority:*
- C. *“‘Whosoever’ (Lev. 17: 8 “Whatsoever man,” repeating the word “man” twice) —*
- D. *“What is the point of Scripture here?*
- E. *“The repetition serves to extend the law to the case of **two who took hold of a limb and offered it up**, indicating that **they are liable**.*
- F. *“For one might have argued that the contrary position is the more logical, namely, if it is the fact that **two who took hold of a knife and slaughtered [with it] are free of liability**, even though one who slaughters the beast for a man [rather than God] is liable, then, is it not logical that if **two took hold of a limb and offered it up**, they should not be are liable, since if one offered it up to a man, he would not be liable? Therefore it was necessary for Scripture to state, ‘whosoever,’” the words of R. Simeon.*
- G. *R. Yosé says, ““‘That man’; bears the sense, ‘one, but not two.’ And if so, why does Scripture state, ‘whosoever’? It is merely that Scripture uses language the way ordinarily mortals do.”*
- H. *And R. Simeon?*
- I. *He requires that formulation, “that man,” to exclude from penalty acts done inadvertently, under constraint, or in error.*
- J. *And R. Yosé?*
- K. *He derives that rule from the use of the definite article along with “that.”*
- L. *And R. Simeon?*
- M. *He derives no rule from the use of the definite article along with “that.”*
- N. *Now if R. Yosé holds that Scripture uses language the way ordinarily mortals do in the case of one “whosoever,” in which case Scripture uses language the way ordinarily mortals do in the instance of the other*



“whosoever,” then how does he know that one who slaughters a beast outside of the Temple to a man is liable at all?

- O. He derives that from the verse, “Blood shall be imputed to that man, he has shed blood” (Lev. 17: 5) — even one who slaughters to a man.

**III.1 A. “[If] one offered up [offerings outside of the Temple] and went and offered up [again] [offerings outside of the Temple] and went and offered up [again] [offerings outside of the Temple], he is liable [to bring a sin offering] for each and every act of offering up [offerings outside of the Temple],” the words of R. Simeon. R. Yosé says, “He is liable only for one [act of offering up] [offerings outside of the Temple]:”**

- B. *Said R. Simeon b. Laqish, “The dispute concerns the case of offering up outside of the Temple four or five limbs. For one master takes the view that, when it is written, ‘to sacrifice it,’ the meaning is for the whole of an animal one is liable for making an offering outside of the Temple, but one is not liable for an animal that lacks some of the parts, since the statement refers to a whole animal. The other master takes the position that that statement is set forth in regard to each limb [one is then liable only for offering up a whole limb but not for part of a limb, so each limb singly imposes liability (Freedman)]. And in the case of offering up a single limb [in several portions consecutively] all parties concur that one is liable only only a single count.”*

- C. R. Yohanan said, “The dispute concerns a single limb. *One master takes the view that* if one offers up outside of the Temple limbs that had first been burned inside and so were now incomplete, he is liable, *and the other master takes the view that* if one offers up outside of the Temple limbs that had first been burned inside and so were now incomplete, he is not liable. [Freedman: because if such a limb popped off of the alter, it has to be put back, so it still has to be burned up, even after it has become incomplete, and therefore, if one offers it up outside of the Temple, he performs that act of offering up outside and is liable; consequently each successive offering up of a portion of the same limb entails liability on a single count by itself.] But as to the case of offering up outside of the Temple four or five limbs, all parties concur that the one who does so bears liability on each count separately.”

- D. *This position differs from that of Ulla. For Ulla has said, “All parties concur that for those sacrifices that should be burned inside the Temple court that were made incomplete and offered up outside the Temple court, one is liable. Where there is a dispute it concerns only the case in which one offers up outside of the Temple limbs that had been burned outside of the Temple and so had become incomplete outside of the Temple. One authority maintains that one is not liable, the other, that he is.”*

E. *There are those who represent the matter in this way:*

- F. Said Ulla, “All parties concur that if one offers up outside of the Temple limbs that had been burned outside of the Temple and so had become incomplete outside of the Temple, he is exempt of all liability. The dispute concerns only a case in which sacrifices that should be burned inside the Temple court were made incomplete and offered up outside the Temple

court. One authority takes the view that he is liable, the other, that he is exempt.”

- G. *And the father of Samuel differs with Ulla’s view in the first formulation, for said Samuel’s father, “In accord with whose position do we restore to the altar limbs that had popped off? It is not in accord with the position of R. Yosé.”* [Freedman: for if Yosé held that view, then since they still require offering up inside the Temple court, though when they spring off the altar they are already incomplete, he should also hold that one is liable for offering up outside of the Temple limbs that were incomplete through having been burned inside the Temple court; this proves that, in the opinion of Samuel’s father, Yosé disagrees and holds that one is not liable, even if he offers up outside of the Temple court limbs that were incomplete for having first been burned within the Temple court.]

**IV.1 A. And he is liable only when he will offer up the offering on the top of an altar [that he has built for that purpose outside of the Temple]. R. Simeon says, “Even if he offered up on a rock or on a stone, he is liable:”**

- B. *Said R. Huna, “What is the scriptural foundation for the position of R. Yosé? It is written, ‘And Noah built an altar to the Lord’ (Gen. 8:20). [Without having built an altar for that purpose, one does not conduct an at of sacrifice.]”*
- C. *Said R. Yohanan “What is the scriptural foundation for the position of R. Simeon? It is written, ‘So Manoah took the kid with the meal offering and offered it upon the rock onto the Lord’ (Judges 13:19).”*
- D. *And does not the other party also know that it is written, “And Noah built an altar to the Lord”?*
- E. *That makes reference merely to an elevated place in general.*
- F. *And does not the other party also know that it is written, “So Manoah took the kid with the meal offering and offered it upon the rock onto the Lord”?*
- G. *That was an ad hoc ruling.*
- H. *And if you prefer, I shall say that this is the scriptural basis for the position of R. Simeon.*
- I. *It is in line with that which has been taught on Tannaite authority:*
- J. *R. Simeon says, “‘At the altar of the Lord at the door of the tent of meeting’ (Lev. 17: 6) — thus at the door of the tent of meeting there is an altar, but there is no altar at a high place. Therefore: **Even if he offered up on a rock or on a stone, he is liable.**”*
- K. *Is the right formulation, **he is liable**? What it should say is, “he is excluded. [Freedman: “there is no altar at a high place” means, when the high place is permitted; but one is not liable then for making an offering outside of the Temple; so the operative language should be, “this excludes from liability one who offers up an offering on a rock or on a stone.]*
- L. *This is the sense of his statement: therefore, at the time at which the high places are forbidden, **if he offered up on a rock or on a stone, he is liable.**”*

- IV.2.** A. R. *Yosé* b. R. *Hanina* raised the question, “Is the provision of a horn for the altar, a ramp upward, a base, and the square dimensions, indispensable for high places [as they were for the altar in the tabernacle]?”
- B. *Said to him R. Jeremiah*, “*It has been taught on Tannaite authority*: The provision of a horn for the altar, a ramp upward, a base, and the square dimensions is indispensable for high places that were major [and served the community,] but not indispensable for high places that were minor [and served only individuals].”

### 13:4A-C

- A. [109A] All the same are valid Holy Things and invalid Holy Things, the invalidation of which took place inside the sanctuary [M. 9:2], and which one offered up outside —**
- B. the one who does so is liable.**
- C. He who offers up as much as an olive’s bulk of flesh of a burnt offering and of the sacrificial parts outside [the courtyard] is liable.**

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

- B. “Whosoever offers up a burnt offering” (Lev. 17: 8) —
- C. I know only that the law covers offering up outside of the Temple court a burnt offering. How on the basis of Scripture do I know that the law encompasses the sacrificial parts of a guilt offering, the sacrificial parts of a sin offering, the sacrificial parts of Most Holy Things, and the sacrificial parts of Lesser Holy Things?
- D. Scripture says, “...or sacrifice....”
- E. How do I know that the same law covers the handful of meal offering and frankincense and incense, the meal offering presented by the priests, the meal offering of the anointed priest, the one who pours out as a libation offering three logs of wine or three logs of water?
- F. Scripture states, “...and does not bring it to the door of the tent of meeting” (Lev. 17: 9) — on account of whatever is presented at the door of the tent of meeting are people liable on account of a presentation outside of the Temple.
- G. I know only that the prohibition concerns valid Holy Things. How on the basis of Scripture do I know that the law extends to invalid ones, for instance, that which is kept over night, that which is taken outside of the Temple, that which is unclean, that which is slaughtered by the officiating priest with the expressed intention of sprinkling the blood beyond its proper time or eating the meat outside of the proper place, or that the blood of which unfit persons have collected and tossed, or that the blood of which is supposed to be tossed below the red line, which has been tossed above, or the blood of which is supposed to be tossed above the red line, which was tossed below, or the blood of which is supposed to be tossed on the outer altar, which was tossed on the inner altar, or the blood of which was supposed to be tossed on the inner altar, which was tossed on the outer altar, or a Passover offering or sin offering the blood of which was tossed for a classification other than that for which the beast was originally designated?
- H. Scripture states, “and does not bring it to sacrifice,” meaning, on account of whatever is accepted at the door of the tent of meeting are people liable on account of receiving it outside of the Temple.

**II.1 A. He who offers up as much as an olive's bulk of flesh of a burnt offering and of the sacrificial parts outside [the courtyard] is liable:**

- B. *[The specification before us yields this fact:] a burnt offering and its sacrificial parts is covered by the law, but peace-offerings and their sacrificial parts are not covered by the law.*
- C. *This then forms another Tannaite statement of that which our rabbis have taught on Tannaite authority:*
- D. **A burnt offering and its sacrificial parts join together with one another to form the requisite volume to impose liability for offering up outside the Temple and to impose liability on account of that volume because of violation of the laws of refuse, remnant, and uncleanness [T. Me. 1:28B].**
- E. *Now there is no problem in the matter of offering up. The law of joining together would well apply to the burnt offering, since the offering is wholly consumed on the flames of the altar, and that is not so of a peace offering. But how come the distinction would affect also the considerations of refuse, remnant, and uncleanness, for surely we have learned in the Mishnah: **All forms of refuse join together. All forms of remnant join together. All forms of carrion join together. All forms of creeping things join together [M. Me. 4:3A-D].** That yields a contradiction between one rule concerning refuse and another, and a contradiction between one rule concerning remnant [left over] and another.*
- F. *There is no contradiction between one rule concerning refuse and another: the one speaks of meat that has actually been turned into refuse, the other to the intention that imposes the status of refuse upon meat. [Freedman: if one eats half as much as an olive of the meat of a peace offering that is already refuse and the same quantity of its sacrificial parts, he is liable to a sin offering; if one slaughters a peace offering with the intention of doing so, the meat is not rendered refuse, because the meat is to be eaten and the sacrificial parts burned, but an improper intentionality imposes the status of refuse only when it is made in respect to what is eaten or what is burned. They do combine in respect to a burnt offering since the whole of it is burned.]*
- G. *There is no contradiction between one rule concerning remnant [left over] and another: the one rule speaks of what is actually remnant, the other to things that were left over even before the blood was actually sprinkled. [Freedman: in the case of ordinary left over the meat and sacrificial parts, even of a peace offering combine. But if the whole of the animal, except half as much as an olive's bulk of meat and the same bulk of sacrificial parts, was lost or destroyed before the sprinkling of the blood, that is not the case. If this happened with a burnt offering, we would half the requisite volume, an olive's bulk, for the altar to consume; the sprinkling is valid so as to render the meat left over, in the sense that if it is left until after time and then eaten, liability is incurred; in the case of a peace offering, however, there is only half as much as an olive's bulk for the altar to consume and the same for a man to consume, and these do not combine to permit the sprinkling if one did sprinkle, therefore, the sprinkling is not valid to render the whole left over; the same is so of uncleanness.]*
- H. *And whose view does that latter position represent? It is R. Joshua. For it has been taught on Tannaite authority:*

I. R. Joshua says, “All the animal sacrifices that are listed in the Torah of which there remained an olive’s bulk of meat [109B] and an olive’s bulk of fat — one tosses the blood on its account. If there remained a half olive’s bulk of meat and a half olive’s bulk of fat, one does not toss the blood on its account. And in the case of a burnt offering, even if there remained of it only a half olive’s bulk of meat and a half olive’s bulk of fat, one tosses the blood on its account, since the whole of it in any event is suitable for offering up. In the case of a meal offering, even if the whole meal offering is available, but an olive’s bulk of the meat and an olive’s bulk of the fat do not remain, one does not toss the blood on its account. In the case of a Passover offering, if there is an olive’s bulk of meat for each and every person registered for this animal, one may toss the blood, but if not, he may not toss the blood” [T. Pisha 6:3A-I].

J. *What is a meal offering [which produces no blood to sprinkle on the altar!] doing on this list anyhow?*

K. Said R. Pappa, “The point of intersection is the meal offering that is presented with the drink offerings that accompany a sacrifice.” [Freedman: if the meat is lost while the meal offering is in existence, the blood is not to be sprinkled.]

### 13:4D-H, 13:5A

#### 13:4D-H

- D. (1) The handful, and (2) the frankincense, and (3) the incense, and (4) the meal offering of priests, and (5) the meal offering of the anointed priest, and (6) the meal offering which goes along with drink offerings, an olive’s bulk of one of which one offered up outside of the Temple — he is liable.
- E. R. Eleazar declares him free of liability, until he offers up the entire [volume of the meal offering].
- F. And all of them which one offered up inside, and of which one left as residue an olive’s bulk, which one offered up outside —
- G. he is liable.
- H. And all of them which lacked any [of the requisite] amount at all, which one offered up outside — he is free [of liability, since offering them inside is invalid in any event]

### 13:5A

A. He who offers up Holy Things and their [unsevered] sacrificial parts outside is liable.

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

- B. He who burns up an olive’s bulk of incense outside of the Temple is liable; if he burned half of what was actually the requisite volume of incense presented daily, morning and evening, he is not liable.
- C. *In the assumption that the sense of, “he is not liable,” is that a non-priest who did so is not liable, why not? Surely this is an act of offering up the incense!*

- D. *Said R. Zira said R. Hisda said R. Jeremiah bar Abba said Rab, "What is the sense here of 'not liable'? The community as such is not liable [having carried out their obligation, even though less than the normal volume has been offered up]."*
- I.2.** A. *Said R. Zira, "If I have a problem with the foregoing, it is this: it is the implication of Rab's statement in this context that here even R. Eleazar would concur [in light of E]. But surely R. Eleazar takes the position that that is not a valid act of offering up incense [so why should the community not have to make a proper offering]?"*
- B. *Said Rabbah, "As to offering up incense in the inner altar, none differ [that even less than the prescribed volume will do, since Scripture does not prescribe a quantity, so here Eleazar could concur that if one burns as much as an olive's bulk outside the Temple, he is liable, and, for the same reason, the community is free of liability if that much of the incense is burned within; the statement then refers to the daily incense offering]. Where there is a disagreement, it concerns the offering of up incense in the inner sanctum of the Temple [on the Day of Atonement, in which case a specific volume is prescribed at Lev. 16:12].*
- C. *"In this case, one authority maintains, "'His handful" (Lev. 16:12) means that volume in particular [and no less than that volume, and the whole must be taken simultaneously, less then is not an offering of incense, and if one burns this outside of the Temple, no liability if incurred (Freedman)]."*
- D. *"And the other authority holds, "'His handful" (Lev. 16:12) means not necessarily that volume in particular [so less then is an offering of incense, and if one burns this outside of the Temple, liability if incurred]."*
- E. *Said to him Abbayye, "But lo, when the word 'statute' occurs [at Lev. 16:34, "and this shall be an everlasting statute to you, to make atonement once a year," meaning, everything must be done precisely as prescribed], that refers to the burning of incense in the inner sanctum."*
- F. *Rather, said Abbayye, "As to the burning of incense in the inner sanctum, there is no argument. Where there is an argument, it concerns burning incense on the outer altar. One master takes the position that we draw an analogy from what is done at the inner altar for what is to be done at the outer altar, and the other master takes the position that we do not draw such an analogy."*
- G. *Said Raba, "But if rabbis do not draw an analogy from what is done on the outer altar for some other right done at the outer altar, can anyone really suppose that one may draw an analogy from what is drawn at the inner altar for the proper conduct of a rite at the outer altar? [Surely not!]"*
- H. *To what does he make reference?*
- I. *It is in accord with that which has been taught on Tannaite authority:*
- J. *Might one suppose that one is liable who offers up outside of the Temple less than an olive's bulk of the handful of meal offering, or less than an olive's bulk of the meat of the sacrificial part, or if one makes a libation of*



less than three logs of wine or less than three logs of water? To the contrary, Scripture states, “to do [sacrifice]” — one is liable for a complete action, but one is not liable for an incomplete action.

- K. *Now, as a matter of fact, the volume of measure of three logs encompasses many olive’s bulks, and yet the rabbis do not learn the rule governing the action done on the outer altar by analogy from some other action don on the outer altar!* [Freedman: they do not say that since as much as an olive of incense burnt outside entails liability, the same measure of wine or water offered as a libation outside would entail liability, though both of these are done on the outer altar.]
- L. *Rather, said Raba, “The rule pertains to a case in which one has presented it [110A] in a utensil. One authority takes the view that using a utensil constitutes a valid action, the other does not.”* [If one took the entire quantity of incense that was to be burned by placing it in a utensil; Eleazar holds that this is a substantial act in the sense that if the priest does not burn it all inside, it is not an act of offering incense, and the community has to carry out that obligation; so one is not liable for burning it outside unless he burns the whole of it; rabbis maintain that doing so does not count at all, so it is the same as any other incense.]
- M. *Said Raba, “Now from the perspective of him who says that utilizing a utensil is of null effect, if then one set up six logs of wine in a utensil as a drink offering for a bullock but took out four of them and offered them up outside of the Temple, he is liable, since that volume would be fit for a ram. [Freedman: if however putting the oil in a utensil counted as an act of substance, he would not be liable unless he offered up the whole six outside of the Temple.] If, too, he had used a utensil for four logs for a ram and removed three of them and offered them up outside of the Temple, he would be liable, since that volume is fit for a lamb. If the three logs were slightly incomplete, however, he would not be liable.”*
- O. [Following verbatim Freedman’s formulation of the text:] R. Ashi said, *“Rabbis do not draw an analogy for libations from the rule governing offering incense, even though that would represent drawing an analogy governing what is done inside of the Temple from what is done outside. They do, however, draw an analogy from the act of burning the incense for another act of burning the incense, though here, it is tantamount to drawing an analogy for what is done within from what is done outside of the Temple.”*

**II.1 A. And all of them which lacked any [of the requisite] amount at all, which one offered up outside — he is free [of liability, since offering them inside is invalid in any event]:**

- B. *The question was raised: is the lack of a requisite amount deemed consequential in an act performed outside of the Temple as it does in an act performed inside of the Temple? Do we say, since the thing was taken out of the Temple, it was disqualified, so what difference does it make where there is insufficient volume or excess volume? Or perhaps only when the thing is taken out but is wholly in hand*

*is liability incurred, but if it is taken out but not wholly in hand, it does not matter?*

- C. *Said Abbaye, "Come and take note of the following: **R. Eleazar declares him free of liability, until he offers up the entire [volume of the meal offering].** [So only when the thing is taken out but is wholly in hand is liability incurred.]"*
- D. *Said Rabbah b. R. Hanan to Abbaye, "Why does the master have to solve the problem by citing what R. Eleazar has said [when the question has been presented within the premises of the opinion of the anonymous, and therefore authoritative, sages of the same passage]?"*
- E. *He said to him, "I have heard it explicitly stated by a master that rabbis differ from the position of R. Eleazar only when the whole of the thing is in hand, but if the whole of the thing is not in hand, they concur with his position. And surely that means, if the thing lost some of its volume and so became incomplete only when it was outside of the Temple."*
- F. *"Not at all, it means, only if the thing lost some of its volume and so became incomplete only when it was inside of the Temple"*
- G. *"Come and take note: **And all of them which lacked any [of the requisite] amount at all, which one offered up outside — he is free [of liability, since offering them inside is invalid in any event].** Does that not mean, even where it became incomplete outside of the Temple?"*
- H. *"Not at all, it means, only if the thing lost some of its volume and so became incomplete only when it was inside of the Temple"*

### **III.1 A. He who offers up Holy Things and their [unsevered] sacrificial parts outside is liable:**

- B. *Why should that be the rule? Surely there is the consideration of interposition [in that the meat interposes between the fire and the sacrificial parts, and that would mean we do not have a proper offering up of the meat inside the Temple, where the sacrificial parts must lie directly on the fire (Freedman)].*
- C. *Said Samuel, "It is a case in which the man turns them over [to make the sacrificial parts lie on the fire, so that is no problem]."*
- D. *And R. Yohanan said, "You may even maintain that he has not turned them over, but who is the authority behind this rule? It is R. Simeon, who has said, '**Even if he offered up on a rock or on a stone, he is liable.**' [The Temple's rules simply do not apply, and interposition is no consideration.]"*
- E. *Rab said, "Where you have two species of the same kind, there is no interposition in any event."*

### **13:5B-C**

- B. **A meal offering from which the handful had not been taken and which one offered up outside — he is free.**
- C. **[If] he took up the handful and put back the handful, and he offered it up outside, he is liable.**

- I.1** A. *But why should that be the rule? Let the residue nullify the handful [so there should be no liability].*

- B. Said R. Zira, “There is a reference to offering up with regard to the handful of meal offering, and there is a reference to offering up with regard to the residue [at Lev. 2:6, 2:11, respectively]. [Freedman: this is taken to mean that one must not burn any portion of the meal offering part of which is to be made an offering made by fire, to the rule applies to the remainder, as part of the lot, the handful, has been taken as an offering made by fire.] Just as the meaning of the reference to offering up with regard to the handful bears the sense that one handful of the meal offering does not nullify another [even if it is greater in volume], so the reference to offering up with regard to the remainder bears the meaning that the remainder does not nullify the handful.”

### 13:6A-F

- A. **The handful and the frankincense, one of the two of which one offered up outside — he is liable [since either one alone is suitable for offering inside on its own].**
- B. **R. Eleazar declares free of liability unless he offers up the second [as well, M. 13:4E].**
- C. **[If he offered up] one inside [first] and one outside [afterward], he is liable.**
- D. **Two dishes of frankincense, one of which one offered outside—he is liable.**
- E. **R. Eleazar declares exempt unless he offers up the second.**
- F. **[If he offered up] one inside [first] and [then] one outside [afterward], he is liable.**

**I.1** A. *R. Isaac Nappaha raised the question: “As to the handful of meal offering, what is the law on its permitted part of the remainder that is proportionate to it? Does the handful actually effect the permission of the remainder, or does it merely weaken the prior prohibition?” [Freedman: Does the taking of the handful completely permit part, in which case this part is now permitted, or does it merely weaken the prohibition of the whole, while it is the frankincense that finally removes the prohibition? In that case the prohibition still pertains.]*

- B. *In accord with the premise of what authority is this question framed? If it is in accord with the position of R. Meir, who has said, “The improper intentionality that classifies an offering as refuse may take effect through half of that which renders the offering permitted to the priest” [Freedman: If the priest expresses such an intention with regard to either the handful of meal offering or the frankincense, the offering is refuse,] then the handful actually effects the permission of the remainder. [A sacrifice can be rendered refuse only with reference to a rite that completely permits it, just as sprinkling completely permits an animal sacrifice to be enjoyed by the priests. Meir must then hold that burning of the handful permits part of the remainder.]*
- C. *If it is in accord with the position of rabbis, who have said, “The improper intentionality that classifies an offering as refuse may not take effect through half of that which renders the offering permitted to the priest,” then the handful does not effect the permission of the remainder, but it also does not weaken it. [Freedman: on their view the burning of the fistful neither permits part of even weakens the prohibition of the whole.]*

- D. *In point of fact, it is in the context of the position of R. Eleazar* [Freedman: since he rules that one is not liable for burning one alone, it may be that he holds it permits part only].
- E. *But R. Eleazar concurs with rabbis, who have said, “The improper intentionality that classifies an offering as refuse may not take effect through half of that which renders the offering permitted to the priest.”*
- F. *Rather, in point of fact, the question is framed is in accord with the position of rabbis of the present Mishnah-paragraph. Does the handful actually effect the permission of the remainder, or does it merely weaken the prior prohibition?*
- G. *The question stands.*

### 13:6G-I

- G. **He who tosses [even only] part of the blood [on an altar] outside [of the Temple] [110B] is liable.**
- H. **R. Eleazar says, “Also: he who offers the water libation of the Festival [of Sukkot] on the festival [on an altar] outside [of the Temple] is liable.”**
- I. **R. Nehemiah says, “The residue of the blood [of sin offerings of the inner altar (M. 5:1-3)] which one offered up [on an altar] outside [of the Temple] — he is liable.”**
- I.1** A. *Said Raba, “But R. Eleazar concurs on the ruling with respect to blood* [Freedman: though he disagrees in regard to frankincense]. *For it has been taught on Tannaite authority:*
- B. R. Eliezer and R. Simeon say, ‘From the place at which he left us, there he commences.’” [Freedman: since he recommences from where he left off, where the blood was spilled, it shows that what he did do is a complete service; hence the offering can be made refuse on that account, and this refutes Raba’s explanation that sages represent the position of Eliezer.]
- II.1** A. **R. Eleazar says, “Also: he who offers the water libation of the Festival [of Sukkot] on the festival [on an altar] outside [of the Temple] is liable:”**
- B. Said R. Yohanan in the name of R. Menahem of Yudpa’ah, “R. Eleazar made his statement within the premise of R. Aqiba, his master, who has said, ‘The requirement of making a water offering on the Festival derives from the authority of the Torah.’”
- C. *For it has been taught on Tannaite authority:*
- D. R. Aqiba says, “‘and the drink offerings thereof Num. 29:31) — use of the plural indicates that Scripture speaks of two different drink offerings, one being the drink offering of water, the other, the drink offering of wine.’”
- E. Said R. Simeon b. Laqish to R. Yohanan, “Then just as there, [scripturally specified drink offerings], three logs’ volume of liquid are required, so here too, the same volume of water should be required, *but here R. Eleazar states merely, Also: he who offers the water libation of the Festival [of Sukkot] on the festival [on an altar] outside [of the Temple] is liable.* [This can be even a single log, not three.] Furthermore, just as in the other case, the offering is required throughout the year, so here too liability should be incurred for such an

action throughout the year, and not only if one does so in connection with **the water libation of the Festival [of Sukkot] on the festival.**”

- F. *But he had overlooked what R. Assi said, for said R. Assi said R. Yohanan in the name of R. Nehunia of the Valley of Bet Hauran, “The rules covering ten saplings, [As regards ten saplings which are spread out within a seah space — they plough the entire seah space for the saplings’ sake until the New Year of the Sabbatical year (M. Sheb. 1:6A-B)], the willow [carried around the altar during the festival], and the water offering are laws revealed to Moses at Sinai.”*

**II.2.** A. *Our rabbis have taught on Tannaite authority:*

- B. He who pours out as a water libation three logs of water on the Festival of Tabernacles on an altar outside of the Temple is liable.
- C. R. Eleazar says, “If he drew the water for the purpose of the Festival, he is liable.”
- D. *What is at issue between these two positions?*
- E. *Said R. Nahman bar Isaac, “At issue between them is whether a fixed volume for the water libation has been specified.”* [The initial authority says that it has, so liability is incurred only for three logs, no more no less; Eleazar says there is no standard, so the issue is whether the water was especially drawn for a water libation (Freedman).]
- F. *R. Pappa said, [111A] “At issue between them is whether or not libations were presented in the wilderness.”* [The first authority holds that they were, the second, that they were not.]
- G. *Rabina said, “At issue between them is whether or not the rules governing the water libation are drawn by analogy from those governing the one of wine.”*

**II.3.** A. *Our rabbis have taught on Tannaite authority:*

- B. He who pours out as a libation three logs of wine on an altar outside of the Temple is liable.
- C. R. Eleazar b. R. Simeon says, “But that is the case only if the wine has been consecrated by use of a holy utensil of service.”
- D. *What is at issue between these two positions?*
- E. *Said R. Ada bar R. Isaac, “At issue between them is the status of the overflow of the measuring cups.”* [That is the brim that floats above the utensil’s walls; sanctification of the utensil of service is required, and rabbis hold that the overflow is sanctified, and even if the three logs consisted of such overflow, one is liable; Eleazar holds that the overflow is not sanctified; liability is incurred only for the wine sanctified in the utensil itself (Freedman).]
- F. *Raba b. Rabbah said, “At issue between them is whether libations were presented at the high places, and they coincide with the dispute of the following Tannaite authorities, as has been taught on Tannaite authority:*
- G. *“It is not necessary to make drink offerings when presenting sacrifices on a high place belonging to an individual,” the words of Rabbi.*
- H. *“And sages say, ‘It is necessary to make drink offerings when presenting sacrifices on a high place belonging to an individual.’”*

- I. *The foregoing Tannaite authorities, moreover, differ along the lines of the Tannaite authorities that follow, as has been taught on Tannaite authority:*
- J. “‘When you have come’ (Num. 15: 2) — Scripture speaks of imposing the requirement of presenting libations along with offerings presented at the great high place.’ Now you say that it is at the great [public] high place, but perhaps it is at a minor [private] high place? When Scripture states, ‘into the land of your habitations which I give you’ (Num. 15: 2), lo, Scripture speaks of a high place that serves all of you,” the words of R. Ishmael.
- K. R. Aqiba says, “‘When you have come’ (Num. 15: 2) — Scripture speaks of imposing the requirement of presenting libations along with offerings presented at the minor [private] high place.’ Now you say that it is at the minor high place, but perhaps it is at a major high place? When Scripture states, ‘into the land of your habitations which I give you’ (Num. 15: 2), lo, Scripture speaks of a high place that serves all of you in your own habitations at home.”
- L. So when you look at these statements, you must conclude that in the opinion of R. Ishmael they did not offer libations in the wilderness, and in R. Aqiba’s view they did offer libations in the wilderness.

**III.1 A. R. Nehemiah says, “For the residue of the blood [of sin offerings of the inner altar which one offered up on an altar outside of the Temple he is liable:]”**

- B. Said R. Yohanan, “The position of R. Nehemiah’s Tannaite formulation accords with the statement of him who says, ‘The disposition of the residue is an indispensable part of the rite [which is why one who offers it outside is liable].’”
- C. *An objection was raised:* R. Nehemiah says, “As to the residue of the blood that one offered up outside of the Temple courtyard, one is liable.” Said to him [Nehemiah] R. Aqiba, “But is not the disposition of the residue of the blood merely a secondary detail of the religious duty [and not indispensable to the rite]?” He said to him, “Let burning the limbs and fat pieces prove my point, for they too form merely a secondary detail of the religious duty [and not indispensable to the rite], and yet he who offers them up on an altar outside of the Temple is liable on that account.” He said to him, “Not at all. If you have made that point concerning the burning up of the limbs and fat pieces, which come along as the first step in the service, will you say the same of the residue of the blood, which is the final step in the service?” *But if it is correct that Nehemiah concurs that the disposition of the residue is an indispensable part of the rite] then he should be able to say, “But this too is an indispensable component of the rite.”*
- D. *That is an entirely valid refutation.*
- E. *But now that R. Adda bar Ahbah has said, “The dispute concerns the residue of the blood of the sin offering prepared at the inner altar, but as to the residue of the blood of the sin offering that is prepared at the outer altar, all parties concur that pouring out that blood is not an indispensable component of the rite,” you may answer as follows: “When R. Nehemiah took the position that he did [in the*



*Mishnah's rule,] it concerned the residue of the blood of a sin offering prepared at the inner altar, while the cited discourse pertains to the residue of the blood of sin offerings prepared at the outer altar."*

- F. *If that is so, then let R. Nehemiah reply, "But my ruling concerned only the residue of the blood of a sin offering prepared at the inner altar!"*
- G. *He presented his reply within the premise of R. Aqiba. [Freedman: I maintain that the pouring out of the residue is indispensable. But even if it is not, as you maintain, then let the burning of the limbs prove that one who offers it outside is liable.]*

### 13:7

- A. **He who pinches the neck of fowl inside the Temple and offered it up outside the Temple is liable [since pinching the neck is the valid means of slaughtering the bird for sacrificial purposes, and that was correctly done].**
  - B. **[If] he pinched the neck outside the Temple and offered it up outside the Temple, he is free. [Pinching the neck is done only to kill the bird as a sacrifice; since this was done outside of the Temple, it is null.]**
  - C. **[111B] He who slaughters fowl inside the Temple and offered it up outside the Temple is free.**
  - D. **[If] he slaughtered it outside the Temple and offered it up outside the Temple, he is liable.**
  - E. **It turns out that the way of rendering it suitable [= killing the bird as a sacrifice, by pinching the neck] inside the Temple is that which frees it from penalty outside the Temple, and the way of rendering it suitable outside the Temple [= slaughter for eating unconsecrated fowl] is that which frees it from penalty inside the Temple.**
  - F. **R. Simeon says, "Any act for which they are liable [when it is done] outside the Temple, for the like act are they liable [when it is done] inside the Temple and when one offered it up outside the Temple,**
  - G. **"except for him who slaughters inside the Temple and offers up [the bird offering] outside the Temple."**
- I.1** A. *The word-choice, **rendering it suitable**, really bears the meaning, "rendering it such as to impose liability upon the one who does it"!*
- B. *Repeat the Tannaite formulation as, "rendering it such as to impose liability upon the one who does it."*
- II.1** A. **R. Simeon says, "Any act for which they are liable [when it is done] outside the Temple, for the like act are they liable [when it is done] inside the Temple and when one offered it up outside the Temple, except for him who slaughters inside the Temple and offers up [the bird offering] outside the Temple:"**
- B. *To what does he make reference in this statement? If one should say that it is to the opening clause, namely, **He who pinches the neck of fowl inside the Temple and offered it up outside the Temple is liable. [If] he pinched the neck outside the Temple and offered it up outside the Temple, he is free, and in that connection R. Simeon made his statement, that is, just as he is liable when he***

*pinches the neck inside, so he is liable when he does so outside, a better formulation would be not, “Any act for which they are liable [when it is done] outside the Temple,” but rather, “Any act for which they are liable [when it is done] inside the Temple.” If the intent is to say, “just as one is not liable when he pinches the neck outside, so he is not liable when he pinches the neck inside the Temple,” then the language he should use is, “Any act for which they are not liable when it is done outside of the Temple does not entail liability when it is done inside the Temple” [Freedman’s text].*

- C. *Rather, he makes reference to the second part of the rule: **He who slaughters fowl inside the Temple and offered it up outside the Temple is free. [If] he slaughtered it outside the Temple and offered it up outside the Temple, he is liable.** And in that connection R. Simeon made his statement, that is, just as he is not liable when he pinches the neck inside, so he is not liable when he does so outside. But then a better formulation would be, Any act for which they are not liable [when it is done] outside the Temple, for the like act are they not liable [when it is done] inside the Temple and when one offered it up outside the Temple.*
- D. *And, further, if the intent is to say, just as he is liable when he slaughters outside the Temple, so is he liable when he slaughters inside, well, it is in fact stated: **except for him who slaughters inside the Temple and offers up [the bird offering] outside the Temple!***
- E. *Said Zeiri, “At issue between them is an act of slaughter done by night. And this is the sense of the Mishnah’s statement: He who slaughters a beast inside the Temple at night and offered it up outside is exempt. If he slaughtered the beast outside by night and offered it up outside, he is liable. **R. Simeon says, ‘Any act for which they are liable [when it is done] outside the Temple, for the like act are they liable [when it is done] inside the Temple and when one offered it up outside the Temple, except for him who slaughters inside the Temple and offers up [the bird offering] outside the Temple.’**”*
- F. *Raba said, “At issue between them is a case in which the priest received the blood in a secular utensil.” [The sacrifice never had a period of fitness, but the altar would nonetheless receive it], and this is the sense of the matter: And so too, he who receives the blood in a secular utensil inside the Temple and offered it up outside the Temple is exempt. He who receives the blood in a secular utensil outside of the Temple and offered it up outside is liable. **R. Simeon says, ‘Any act for which they are liable [when it is done] outside the Temple, for the like act are they liable [when it is done] inside the Temple and when one offered it up outside the Temple, except for him who slaughters inside the Temple and offers up [the bird offering] outside the Temple.’**”*
- G. *And now that the father of Samuel son of R. Isaac has repeated as a Tannaite statement, “He who pinches the neck of a bird inside the Temple and offered it up outside is liable. He who pinches the bird’s neck outside and offered it up outside is exempt, and R. Simeon declares him liable,” [it must follow that] it was to that case in particular that R. Simeon made reference, and this is how the matter should be repeated as the authoritative statement: Any act for which they are liable [when it is done] inside the Temple, for the like act are they liable [when it is*

done] outside the Temple are people liable when the sacrifice is made outside of the Temple.

### 13:8

- A. A sin offering, the blood of which one received in a single cup, and [the blood of which] one [first] placed [on an altar] outside, and then placed [on an altar] inside, [or placed] [on an altar] inside and then placed [on an altar] outside —
- B. he is liable,
- C. for all of it is suitable to come [to be placed on the altar] inside.
- D. [If] one received its blood in two cups, and placed [the blood of] both of them [on an altar] inside, he is free.
- E. [If he placed] the blood of both of them [on an altar] outside, he is liable.
- F. [If he placed the blood of] one of them [on an altar] inside and [then placed the blood of] one of them [on an altar] outside, he is free [for the latter no longer is suitable to come inside].
- G. [If he placed the blood of] one of them [on an altar] outside and [then] one of them [on an altar] inside,
- H. he is liable for that which he has placed [on an altar] outside, but the one [the blood of which he then placed] [on an altar] inside effects atonement.
- I. To what is the matter to be likened?
- J. To him who separates his sin offering, and it was lost, and he separated another in its place, and afterward the first one turned up, so that, lo, both of them are now available [and he may slaughter either of them].
- K. [If] he slaughtered both of them [on an altar] inside, he [obviously] is free [of liability].
- L. [If] he slaughtered both of them [on an altar] outside, he [obviously] is liable.
- M. [If he slaughtered] one [on an altar] inside and one [on an altar] outside, he is free.
- N. [If he slaughtered] one [on an altar] outside and the other [on an altar] inside, he is liable for the one [the blood of which he placed] he has placed [on an altar] outside, but the one which he sacrifices [on an altar] inside effects atonement.
- O. Just as [the sprinkling of] its blood renders its meat free [from the law of sacrilege], so it renders the meat of its fellow free.
- I.1 A. [112A] *Now as to sprinkling the blood on an altar outside and then going and sprinkling it on an altar inside, there is no problem, for all of the blood was suitable for being sprinkled on the blood inside. But as to a case in which he sprinkled the blood at an altar inside the Temple but offered it up outside, then what he has done outside is with nothing more than residue [and why should he be liable]?*
- B. *What authority stands behind this rule? It is R. Nehemiah, who has said, “For the residue of blood that one has offered up on an altar outside the Temple one is liable.”*

- C. *If it really is R. Nehemiah, then note the concluding clause: [If] one received its blood in two cups, and placed [the blood of] both of them [on an altar] inside, he is free. [If he placed] the blood of both of them [on an altar] outside, he is liable. [If he placed the blood of] one of them [on an altar] inside and [then placed the blood of] one of them [on an altar] outside, he is free [for the latter no longer is suitable to come inside]. But has R. Nehemiah not stated, “For the residue of blood that one has offered up on an altar outside the Temple one is liable”?*
- D. *And which Tannaite authority disagrees with the position of R. Eleazar b. R. Simeon and takes the view that one cup of blood entails the rejection of the other? It is none other than R. Nehemiah. [Reference is made to the following, at B. Zeb. 34B: Earlier it is stated, “And the remaining blood thereof shall he pour out at the base of the altar” (Lev. 4:25), while later on, “And all the remaining blood thereof shall he pour out at the base of the altar” (Lev. 4:30). In the case of a sin offering the blood of which one has received in four cups, how do we know that if the priest applied the blood from each one time on the altar [on the four horns thereof], all of the rest of the blood is poured out at the base of the altar? Scripture states, “And all the remaining blood thereof shall he pour out at the base of the altar” (Lev. 4:30). Then might you suppose that if one made the four applications from a single cup, all the rest of the blood is to be poured out at the base? Scripture states, “And the remaining blood thereof shall he pour out at the base of the altar” (Lev. 4:25). How so? The remaining blood of that cup is poured out at the base, but the blood in the other cups is poured out into the sewer. R. Eleazar b. R. Simeon says, “How on the basis of Scripture do we know that if the priest received the blood of the sin offering in four cups and made all four applications of blood onto the horns of the altar from one of them, all of the rest is poured out at the base? Scripture states, ‘And all the remaining blood thereof shall he pour out at the base of the altar’ (Lev. 4:30).” [Freedman: in Nehemiah’s view, the blood in the second cup is not even a residue and therefore he is not liable.]*

**II.1 A. To what is the matter to be likened? To him who separates his sin offering, and it was lost, and he separated another in its place, and afterward the first one turned up, so that, lo, both of them are now available [and he may slaughter either of them]:**

- B. What need is there for adding, **To what is the matter to be likened?**
- C. *Lo, who is the authority behind this formulation? It is Rabbi, who has said, “If the first beast was lost when the second had been designated, it must be left to die [even if it was found by the time that the second beast had been sacrificed].” This is the sense of the statement at hand: that is the case only if the first was lost. But if one had set aside to animals for sin offerings to make sure that he would have one available should the other be lost, then one of them is a burnt offering to begin with, in line with what R. Huna said Rab said, for said R. Huna said Rab, “If a guilt offering was put out to pasture and one then slaughtered it without specifying its classification, it remains valid as a burnt offering” [Freedman: and the same consideration applies here, so if one offers it up outside of the Temple, in view of rabbis he is liable].*

- D. But are the cases really comparable? In that case, both a guilt offering is a male beast and a burnt offering is a male beast. But a sin offering is a female beast!
- E. Said R. Hiyya of Vastania, “The reference is to the goat presented by a ruler as a sin offering [Lev. 4:22, and that was a male]. [Freedman: if he set aside two such goats, offering the second outside of the Temple involves liability.]