

IV

BAVLI TRACTATE YOMA CHAPTER FOUR

FOLIOS 39A-46B

4:1

- A. He shook the box [with the lots] and brought up the two lots.
- B. On one was written, “For the Lord,” and on one was written, “For Azazel.”
- C. The prefect was at his right, and the head of the ministering family [father’s house] at his left.
- D. If the lot “for the Lord” came up in his right hand, the prefect says to him, “My lord, high priest, raise up your right hand.”
- E. If the one “for the Lord” came up in his left hand, the head of the ministering family says to him, “My lord, high priest, raise up your left hand.”
- F. He put them on the two goats and says, “For the Lord, a sin offering.”
- G. R. Ishmael says, “He did not have to say, ‘Sin offering,’ but only ‘For the Lord.’”
- H. And they respond to him, “Blessed is the name of the glory of his kingdom forever and ever.”
- I.1.** A. [He shook the box with the lots:] Why was it necessary for him to **shake the box with the lots**?
- B. *It was so that he not form the intention to take a particular one [but would have to rely on chance].*
- I.2.** A. Said Raba, “The box was made of wood, and it was secular, and it could hold no more than the two hands at the mouth.”
- B. *Objected Rabina, “There is no problem understanding the detail that it could hold no more than the two hands at the mouth: that is so that he not form the intention to take a particular one [but would have to rely on chance]. But why should it be secular? Let it be sanctified.”*
- C. *If that were the case, it would be a utensil for the sacred service that is made out of wood, and we do not make a utensil for the sacred service out of wood.*
- D. *Well, then, why not make out out of silver or why not make it out of gold?*
- E. The Torah has shown consideration for the resources of Israel.

- II.1 A.** [Supply: On one was written, “For the Lord,” and on one was written, “For Azazel.” The prefect was at his right, and the head of the ministering family at his left. If the lot “for the Lord” came up in his right hand, the prefect says to him, “My lord, high priest, raise up your right hand.” If the one “for the Lord” came up in his left hand, the head of the ministering family says to him, “My lord, high priest, raise up your left hand.”] *The procedure set forth in our Mishnah-passage is not in accord with the Tannaite authority behind the following statement:*
- B. R. Judah says in the name of R. Eliezer, “The prefect of the priests and the high priest put their hands into the box. If the lot [“for the Lord”] comes up in the hand of the high priest, then the prefect of the high priest says to him, ‘My Lord, High Priest, raise up your right hand,’ and if it comes up in the right hand of the prefect of the priests, the head of the court says to the high priest, ‘Say your word’ [“a sin offering for the Lord”].”
- C. *Now why should not the prefect of the priest speak to him?*
- D. *Since the lot had not come up in his hand, he might feel uncertain about doing so.*
- E. *Now what is at issue between the formulation of the rule in our Mishnah-passage and that in the cited Tannaite complement?*
- F. *The one authority takes the view that the right hand of the prefect of the priests is superior to the left hand of the high priest, and the other Tannaite authority takes the view that they are of equal importance.*

- II.2.** A. *And who is that Tannaite authority [the one behind our anonymous Mishnah-paragraph], who differs from R. Judah?*
- B. *It is R. Hanina Prefect of the Priests, for it has been taught on Tannaite authority:*
- C. R. Hanina, prefect of the priests says, “Why does the prefect of the priests at his right? So that, should some blemish disqualify the high priest, the prefect will enter and take up the task of service in his stead.”

Anthology on Simeon the Righteous

Because the first of the following compositions in the composite on Simeon the Righteous refers to the lot’s coming up in the right hand and indicates that that is a good omen, the entire composite is now inserted.

- II.3.** A. *Our rabbis have taught on Tannaite authority:*
- B. Throughout the forty years that Simeon the Righteous serves as high priest, the lot would always come up in the right hand. From that time onward, sometimes it would come up in the right hand, sometimes it would come up in the left hand.
- C. And during that same span of time the crimson thread would turn white. From that time, sometimes it would turn white, sometimes it would not turn white.
- D. **So long as Simeon the Righteous was alive, the Western lamp remained permanently lit. When he died, they went and found that it had gone out. From that time forward, sometimes they find it extinguished, and sometimes lit [T. *Sot.* 13:7A-B].**

- E. [In Tosefta's wording:] **So long as Simeon the Righteous was alive, the altar fire was perpetual. When they arranged it in the morning, it would flame up continually during the entire day. And they would offer on it daily whole offerings and additional offerings and their drink offerings. And they did not add to it more than two loads of wood with the daily whole offering of twilight, solely so as to carry out the commandment of adding wood, as it is said, "The fire on the altar shall be kept burning on it, it shall not go out, the priest shall burn wood on it every morning" (Lev. 6:12). After Simeon the Righteous died, however, the power of the altar fire grew weak. For even after they had laid it out in the morning, they did not refrain from adding wood to it all day long [T. **Sot. 13:7C-D**].**
- F. [In Tosefta's wording:] **So long as Simeon the Righteous was alive, the Two Loaves and the Show Bread were blessed. The Two Loaves were divided on *Aseret* [Pentecost] to the priests, and the Show Bread on the festival to all the watches [delete: and to the men of that watch]. And some of them ate and were sated, while others ate and left bread over. And no one got more than an olive's bulk. But when Simeon the Righteous died, the Two Loaves and the Show Bread were no longer blessed. So the modest priests kept their hands off the bread, and while the gluttons divided it up among themselves, (but) each did not receive more than a bean[*'s lump of bread*] [T. **Sot. 13:7E-G**].**
- G. There was the case of someone who grabbed his share and the share of his fellow, so they called him **[39B]** "grasper" until the day he died.
- H. *Said Rabbah bar Shila, "What verse of Scripture sustains that epithet? 'O my God, rescue me out of the hand of the wicked, out of the grasp of the unrighteous and the man who grabs' (Psa. 71: 4)."*
- I. *Raba said, "It is from the following verse: 'Learn to do well, seek justice, strengthen those from whom people have grabbed things' (Isa. 1:17) — strengthen those from whom people have grabbed things, and not those who did the grabbing."*

II.4. A. *Our rabbis have taught on Tannaite authority:*

- B. In the year in which Simeon the Righteous died, he said to them that in that year he would die.
- C. They said to him, "How do you know?"
- D. He said to them, "Every Day of Atonement, appears to me an old man dressed in white and cloaked in white, who enters with me and goes forth with me [to and from the Holy of Holies], while this year an old man appeared to me dressed in black and cloaked in black, who went in with me but did not come out with me."
- E. After the Festival of Tabernacles, he fell ill for seven days, and then he died. His brothers the priests refused to pronounce the divine name when bestowing the priestly benediction.

II.5. A. *Our rabbis have taught on Tannaite authority:*

- B. Forty years before the destruction of the sanctuary, the lot did not come up in the right hand, and the thread of crimson never turned white, and the westernmost light never shone, and the doors of the courtyard would open by themselves,

- C. until Rabban Yohanan b. Zakkai rebuked them. He said, “Temple, Temple, why will you yourself give the alarm [that you are going to be destroyed? You don’t have to, because] I know that in the end you are destined to be destroyed. For Zechariah b. Eldo has already prophesied concerning you: ‘Open your doors, Lebanon, that fire may devour your cedars’ (Zec. 11: 1).”

II.6. A. Said R. Isaac b. Tablai, “How come it is called ‘Lebanon’? Because its rites whiten the sins of Israel [and the word for white uses the same consonants as the word for Lebanon].”

- B. Said R. Zutra bar Tobiah, “Why is it called ‘forest,’ in line with the verse, ‘The house of the forest of Lebanon’ (1Ki. 10:21)? To tell you, just as the forest produces sprouts, so the Temple produces sprouts.”

- C. For said R. Oshaia, “When King Solomon built the house of the sanctuary, he planted within it all kinds of trees of golden delights. These produced their fruit in due season, and as the winds caressed them, the fruit would fall of the trees: ‘May his fruits rustle like Lebanon’ (Psa. 72:16). But when the gentile [troops] entered the Temple, the fruits withered: ‘And the flower of Lebanon languishes’ (Nahum 1: 4). But the Holy One, blessed be he, is going to restore them: ‘It shall blossom abundantly and rejoice, even with joy and singing, the glory of Lebanon shall be given to it’ (Isa. 35: 2).”

III.1 A. **He put them on the two goats and says, “For the Lord, a sin offering.” R. Ishmael says, “He did not have to say, ‘Sin offering,’ but only ‘For the Lord.’” And they respond to him, “Blessed is the name of the glory of his kingdom forever and ever.”**

- B. *Our rabbis have taught on Tannaite authority:*

C. **Ten times that day he pronounces the Divine Name, [Bavli’s wording:] three in the first confession, three in the second confession, three in connection with the he-goat that is sent away, and one in connection with the lots [T. Kip. 2:2E].**

- D. And when he spoke the Name, his voice was heard in Jericho.

- E. And Rabbah bar bar Hana, “From Jerusalem to Jericho is ten parasangs, and the sound of turning the hinges of the Temple doors could be heard throughout eight Sabbath limits. The goats in Jericho would sneeze from the fragrance of the incense. The women in Jericho did not have to put on perfume, because of the fragrance of the incense. A bride in Jerusalem did not have to adorn herself because of the fragrance of the incense.”

- F. Said R. Yosé b. Dilgai, “Father had goats on the mountains of Mikhmar, and they would sneeze because of the fragrance of the incense.”

- G. Said R. Hiyya bar Abin said R. Joshua b. Qorha, “An elder told me, ‘Once I was walking to Shiloh and I sniffed the incense from the its walls.’”

Rules Governing the Rite of Drawing Lots for the Goats: Is Casting Lots Essential to the Rite?

III.2. A. Said R. Yannai, “Taking up a lot from the box is essential to the rite, but putting it on the bullock’s head is not essential to the rite.” [Jung: this view considers the

service of the high priest dependent on the decision of the lots, the decisive factor being the lots and not the formal putting of the lot on the animal's head.]

- B. And R. Yohanan said, "Even taking up the lot is not essential to the rite."
- C. *Now, within the thesis of R. Judah who has said, "Rites that are performed in the white garments outside the Holy of Holies are not indispensable," there is no argument; this rite too is not essential.*
- D. *Where the dispute becomes plausible, it is within the position of R. Nehemiah. The authority who holds that it is essential accords with R. Nehemiah, and the authority who holds that it is not essential holds that it is not essential. He will maintain that [Nehemiah's position pertains to] a rite of service, but the taking up of the lot is not a rite of service.*
- E. *There are those who say, within the limits of the position of R. Nehemiah, who has said, "It is essential," there is no dispute that it is essential. Where they dispute, it is within the position of R. Judah. The one who has said that it is not essential accords with the position of R. Judah, and the one who says that it is essential maintains that the present case is exceptional, since a Tannaite authority has stated in connection with the verse of Scripture, "on which the lot fell" (Lev. 16:9, 10) that, since that phrase occurs two times [the rite is indispensable].*
- F. *An objection was raised: It is a religious duty to cast lots, but if one has not cast lots, the rite is still valid. Now, with respect to the version that you have set forth, Now, within the thesis of R. Judah who has said, "Rites that are performed in the white garments outside the Holy of Holies are not indispensable," there is no argument; this rite too is not essential, there is no problem. For lo, who is the authority behind that formulation? It obviously must be R. Judah. [40A] But if you take the position of the version of the dispute that states, within the limits of the position of R. Nehemiah, who has said, "It is essential," there is no dispute that it is essential. Where they dispute, it is within the position of R. Judah. The one who has said that it is not essential accords with the position of R. Judah, and the one who says that it is essential maintains that the present case is exceptional — who will be the authority behind the present rule?*
- G. *Repeat the Tannaite formulation: it is a religious duty to put the lots on the head of the bullock.*
- H. *Come and take note: It is a religious duty to cast lots and to recite the confession. If he did not cast lots or not recite the confession, the rite is still valid. [Casting the lots is dispensable, as against the position of Yannai (Jung).]*
- I. *And should you maintain, here too, read "to place the lot on the bullock's head," then note what follows: R. Simeon says, "If one did not cast lots, the rite is still valid. If he did not confess, the rite is invalid." Now what is the meaning of, If one did not cast lots? If one should maintain that in no way did he put the lot on the bullock's head, then that would yield the inference that R. Simeon takes the position that the casting of lots is indispensable to the rite, while it has been taught on Tannaite authority, "If one of them died, he brings its fellow, without first of all having a lottery [to choose which of the beasts that are available serves one purpose, which the other," the words of R. Simeon. [It follows that he takes the position that a living beast that is consecrated cannot be removed for ever*

from sacred use, and that having a lottery [to choose which of the beasts that are available serves one purpose, which the other is not required.]

- J. *R. Simeon didn't know what sages meant when they said, "if he did not cast lots," and this is therefore what he meant to say to them: if by casting lots, you mean, literally do so, I disagree with you on one put, but if by casting lots, you mean, putting the lots on the animal, then I disagree with you on two counts.* [Jung: if you mean the casting of lots, I dispute only your stand touching confession, agreeing with you that the casting of lots is not indispensable, but if you mean the placing of the lots on the head, but the casting of the lots you regard as indispensable, then I disagree with you on two counts; you hold casting indispensable, I do not; you hold confession not indispensable, I consider it indispensable.]
- K. *Come and take note:* With respect to the sprinkling of the blood within the veil, sprinkling the blood of the bullock is indispensable for the service of the he-goat to be valid, but the service of the he-goat is not indispensable for the service of the bullock to be valid. [Jung: the order of the service prescribed in Lev. 16 for the bullock and the he-goat which is offered within is as follows: first, confession over the bullock, then casting lots over the he-goats, then the second confession, over the bullock, then slaughtering the bullock, then bringing the spoon and fire pan into the holy of holies, then burning incense, then sprinkling of blood of the bullock on the mercy seat, then confession over and slaughtering of the he goat, then sprinkling of the he goat's blood on the mercy seat, then sprinkling of the blood of the bullock on the veil, separating the Holy, from the Holy of Holies, then sprinkling of the blood of the he-goat on the veil, then mixing together the blood of the he-goat and the bullock and applying the mixture on the golden altar. Here the rule is laid down that if he performed any one of the rites in connection with the he-goat before such of the bullock as should have preceded it, that rite is invalid and must be performed again in its proper order. If he performed any of the rites in connection with the bullock before such of the he-goat as should have preceded it, the rite is not invalid.] *Now, there is no problem with the rule that the regular rites of the bullock are indispensable for the he-goat, so that if the high priest gave precedence to the he-goat over the bullock, he has done nothing valid. But what can the rule possibly mean that the service of the he-goat in proper sequence is not indispensable to the bullock? Should one suppose that it means, if he sprinkled the blood of the bullock in the Holy Of Holies before sprinkling the he-goat's blood within the veil? But Scripture says, "statute" [and this refers to the rites performed within the veil, and anything irregular is invalid]. So does it not mean that if he sprinkled the blood of the bullock within, before casting the lots, it is valid? And since the order of actions is not indispensable, does it not follow that the casting of lots itself is not indispensable?*
- L. *No, what happened is, he sprinkled the blood of the bullock on the altar before he sprinkled the blood of the he-goat in the Holy of Holies* [Jung: he performed mixing the blood of the he-goat and bullock and applying the mixture to the golden altar before he performed the sprinkling of the he-goat on the veil]. *And this represents the position of R. Judah, who has said, "Rites that are performed outside, in the white garments, are not indispensable."*

- M. *But doesn't the formulation state, with regard to the sprinklings inside [Jung: whereas this irregularity in connection with the bullock concerned a service performed outside the Holy of Holies]?*
- N. *Rather, whose position is represented here? It is that of R. Simeon, who has said, "The casting of lots is not indispensable."*
- O. *And if you prefer, I shall say, in point of fact, it is the position of R. Judah, and granting that the order of actions is not indispensable, the casting of lots itself is indispensable.*
- P. *And both authorities are consistent with positions expressed in other contexts, for it has been taught on Tannaite authority:*
- Q. **[40B] "He shall bring forth the live goat before the Lord to make atonement over him" (Lev. 16:20).**
- R. **How long is it required to be kept alive?**
- S. **"Until [Tosefta's wording: 'he finishes making atonement for the holy' (Lev. 16:20)] the blood of its fellow-sacrifice is sprinkled," the words of R. Judah.**
- T. **R. Simeon says, "Until the time of confession" [T. Kip. 3:12J-L].**
- U. *Now what is at issue here? It is in line with that which has been taught on Tannaite authority:*
- V. *"'To make atonement over him' — Scripture speaks of atonement through the blood rite, and so Scripture says, 'And when he has made an end to atoning for the holy place' (Lev. 16:20) — just as in the latter passage, reference is made to atonement through the blood rite, so here, it is atonement through the blood rite," the words of R. Judah.*
- W. *R. Simeon says, "'...to make atonement over him' — Scripture speaks of atonement through words [namely, recitation of the confession]."*
- X. *[Reverting to the question with which we began:] Come and take note: [He shook the box [with the lots] and took up two lots (M. Yoma 4:1A), one in his right hand and one in his left. If it [the one for the Lord] came up in his right hand, all the Israelites were joyful. But if it came up in his left hand, all Israelites were not joyful.] His disciples asked R. 'Aqiba, "What about changing it from the left hand to the right?" He said to them, "Don't give the heretics a chance to ridicule you" [T. Kip. 2:10A-B]. So the operative consideration is, Don't give the heretics a chance to ridicule you. But if it were not for that consideration, they would indeed be permitted to change hands. And yet you say that casting of lots is indispensable, but if the left hand has dictated the use of the beast [for the Lord, even before the lot was put on the he goat], how can we return it?*
- Y. *Said Raba, "This is the sense of the statement: if the lot came up in the left hand, what is the rule about returning it and the he-goat to the right hand? He said to them, "Don't give the heretics a chance to ridicule you."*
- Z. *Come and take note: if Scripture said, "The goat upon which the lot is," [that is, it has been there for some time], I should have said he must put it on it. Therefore Scripture says, "on which it fell," meaning, once it has fallen upon it, he does not have to put it on its head. Now for what purpose can that have been? Should I*

say that it was as a religious duty, which would imply that putting the lots is not even a religious duty? That is hardly likely. Rather, doesn't it refer to the matter of indispensability, yielding the inference that casting of lots is indispensable, but placing the lot on the head of the beast is dispensable?

- AA. *Said Raba, "This is the sense of the statement: if Scripture said, 'The goat upon which the lot is,' I should have said he must leave the lot on the head of the beast until the time of slaughter. Therefore Scripture says, 'on which it fell,' meaning, once it has fallen upon it, he does not have to put it on its head."*
- BB. *Come and take note: "And he shall prepare it as a sin offering" (Lev. 16: 9) — the lot is what designates it for a sin offering, but naming the animal by the high priest by itself does not designate it as a sin offering. For one might have supposed that it is a matter of logic: if in a case in which the casting of a lot has not sanctified the beast, the designation of the beast for its purpose does sanctify the beast, in a case in which the casting of lot sanctifies the beast, surely the designation by the priest should serve perfectly well to sanctify the beast. So Scripture is required to say, "And he shall prepare it as a sin offering" (Lev. 16: 9) — the lot is what designates it for a sin offering, but naming the animal by the high priest by itself does not designate it as a sin offering [Sifra CLXXVII:I] [41A] Now to whom is an anonymous opinion in Sifra assigned? It is assigned to R. Judah. And lo, it is stated as the Tannaite rule, the lot is what designates it for a sin offering, but naming the animal by the high priest by itself does not designate it as a sin offering! It then follows that the casting of lots indeed is indispensable. Does this not then refute the position of him who says that the casting of lots is dispensable?*
- CC. *It surely does.*

- III.3. A. A. *Said R. Hisda, "The status of the two birds presented for bird offerings [one for a sin offering, the other for a burnt offering] is articulated only either at the time that the owner purchases the fowl or at the time that the priest prepares the offering."*
- B. *Said R. Shimi b. Ashi, "What is the scriptural basis for the position of R. Hisda? It is written, 'And she shall take two turtledoves' (Lev. 12:8, one for a burnt offering, the other for a sin offering), 'and the priest shall offer' (Lev. 15:30). Thus it is either at the time that the owner purchases the fowl or at the time that the priest prepares the offering."*
- D. *An objection was raised: "And Aaron shall present the goat upon which the lot fell for the Lord and make it a sin offering" (Lev. 16:9) — the lot is what designates the goat as a sin offering, and mere designation of the classification of the goat is not what turns it into a sin offering, nor does the priest designate it as a sin offering. For one might have argued to the contrary: is it not a matter of logic? if in a case in which the lot does not consecrate an offering for a particular purpose, the designation does consecrate the offering for a particular purpose, in a case in which the lot does consecrate the offering for a particular purpose, is it not a matter of logic that the designation for a given purpose serves also to designate what is offered for a given purpose? For that reason Scripture states, "And Aaron shall present the goat upon which the lot fell for the Lord and make it a sin offering" (Lev. 16: 9) — the lot is what designates the goat as a sin offering, and*

mere designation of the classification of the goat is not what turns it into a sin offering. *Now we see that the Tannaite version treats the designation as equivalent to the casting of the lot. Just as the lot marks a point other than that involved in the purchase of the offering or in the priest's preparation of the offering, so the designation of the offering for one purpose or another may take place also neither at the time of the purchase of the offering nor at the time of the priest's preparation of the offering.*

- E. *Said Raba, "This is the sense of the statement: if in a case in which the casting of the lot does not consecrate the offering for a particular purpose, the owner's designation at the time of purchasing the beasts or the priest's designation at the time of the preparation of the offering does serve to consecrate the offering for a particular purpose, here, in a case in which the casting of the lot does serve to consecrate the beast for a particular purpose, other than at the time of the owner's purchasing of the beast or the priest's preparing the beast, is it not logical that the designation by either the owner at the time of purchase or the priest at the time of preparation should serve to consecrate the beast for a particular purpose? For that reason Scripture states, 'And Aaron shall present the goat upon which the lot fell for the Lord and make it a sin offering' (Lev. 16: 9) — the lot is what designates the goat as a sin offering, and mere designation of the classification of the goat is not what turns it into a sin offering."*
- F. *Come and take note: A poor man who imparted uncleanness to the sanctuary, who designated a pair of birds instead of the lamb that he was to bring, and then who became rich, and then said, "This [money] will be for my sin offering, and that will be for my burnt offering," adds funds to the money assigned for the bird for the sin offering and presents his obligatory offering with that money, but he may not add to the money designated for his burnt offering of a bird and bring his obligatory offering with that money. Now lo, here we have a situation involving neither the moment of purchase by the owner nor the moment of preparation by the priest, and yet it is taught as the Tannaite version, adds funds to the money assigned for the bird for the sin offering and presents his obligatory offering with that money, but he may not add to the money designated for his burnt offering of a bird and bring his obligatory offering with that money.*
- G. *Said R. Sheshet, "But do you really think that the Tannaite teaching is properly corrected? Note that it is taught, 'and then who became rich, and then said...', and lo, R. Eleazar said R. Oshaia said, 'A rich man who imparted uncleanness to the sanctuary, who designated a pair of birds instead of the lamb that he was to bring, and then who became poor, [since the offering was rejected in its initial category, it remains rejected and the birds that were ineligible when he was rich are not now eligible] has not carried out his obligation.' [Since he cannot fulfill his obligation with the poor man's offering of birds, his designation is null, and he should be permitted to use the money as he wants (Porusch)]. So what do you have to say? He had already designated the fowl for their several purposes when he was still poor — and here too, he had already designated the purpose of the offerings when he set apart the money [equivalent to the time of purchase, and the designation accords with Hisda's ruling]."*

- H. *But in the view of R. Haga, who said R. Oshaia said, "He has carried out his obligation," [41B] what is there to be said?*
- I. *Do not read, and said thereupon, but read it as follows: and afterwards he bought and said....*
- J. *But if he thereupon bought, then: "he may add and bring his obligatory sacrifice," so that must mean that he redeems the bird offering. But surely a bird offering cannot be redeemed?*
- K. *Said R. Pappa, "It would be a case in which he purchased one single pigeon. If he bought it for use as a burnt offering, then he adds to the money for his sin offering the money for his new obligatory sacrifice, the burnt offering of fowl becoming a freewill offering; if he bought it as a son offering, he may not add to the money for the burnt offering for the purchase of his new obligatory offering, and the sin offering is left to perish."*

III.4. *A. Reverting to the body of the foregoing: R. Eleazar said R. Oshaia said, "A rich man who imparted uncleanness to the sanctuary, who designated a pair of birds instead of the lamb that he was to bring, and then who became poor has not carried out his obligation." And R. Haga said R. Oshaia said, "He has carried out his obligation."*

- B. *An objection was raised: A poor man brought the offering required of a rich man has carried out his obligation. A rich man who brought the offering required of a poor man has not carried out his obligation. Is this not a refutation of the view of R. Haga, who said R. Oshaia [said, "He has carried out his obligation"]?*
- C. *He will say to you, "The rule pertaining to the person afflicted with sara'at is different, for the All-Merciful has imposed a limitation on the matter when it says, 'This shall be the law of the leper' (Lev. 14: 2)." [It cannot be changed in the manner described at J.]*
- D. *If that is so, then even if a poor afflicted person who brought the offerings required of a rich one should not be held to have carried out his obligations!*
- E. *How is that possible? Surely this is a case encompassed by the expression, "the Torah."*
- F. *And so it has been taught on Tannaite authority: "...Torah..." serves to encompass the case of a poor afflicted person who brought the offerings required of a rich one, indicating that he has fulfilled his obligation.*
- G. *Might one then suppose that even a rich man who brought the offerings required of a poor man should have carried out his obligations? Scripture says, "This..."*
- H. *Then let us infer the very rule from the same usage [that a poor afflicted person who brought the offerings required of a rich one has not carried out his obligation]?*
- I. *Scripture has said, "And if he be poor and his means do not suffice" (Lev. 14:21) — he, the afflicted one, is the one that is subject to the rule, indicating that when he is rich, he cannot carry out his obligation with the offering required of a poor man, but a rich man who defiled the sanctuary*

and who brought what is required of a poor man does thereby carry out his obligation.

I:1-2, II:1-2 go through standard exercises in Mishnah-exegesis. II:3-6 forms a large composite tacked on to the foregoing for the stated reason but formed essentially around its own interests. III:1 introduces a standard amplification of facts. III:2-4 presents a long exercise on a question that amplifies the Mishnah's topic but not the rule before us, asking as it does an independent but certainly relevant question. So the whole is formulated around the Mishnah, but not wholly as Mishnah-exegesis in the familiar, prevailing sense.

4:2

- A. **He tied a crimson thread on the head of the goat which was to be sent forth,**
 - B. **and set it up towards the way by which it would be sent out.**
 - C. **And on that which was to be slaughtered [he tied a crimson thread] at the place at which the act of slaughter would be made [the throat].**
 - D. **And he came to his bullock a second time [M. 3:8A] and put his two hands on it and made the confession.**
 - E. **And thus did he say, "O Lord, I have committed iniquity, transgressed, and sinned before you, I and my house and the children of Aaron, your holy people. O Lord, forgive, I pray, the iniquities, transgressions, and sins which I have committed, transgressed, and sinned before you, I, my house, and the children of Aaron, your holy people,**
 - F. **"as it is written in the Torah of Moses, your servant, For on this day shall atonement be made for you to cleanse you. From all your sins shall you be clean before the Lord' (Lev. 16:30)."**
 - G. **And they responded to him, "Blessed is the name of the glory of his kingdom forever and ever."**
- I.1 A.** [And on that which was to be slaughtered he tied a crimson thread at the place at which the act of slaughter would be made (=the throat):] *The question was raised: does the language, And on that which was to be slaughtered he tied a crimson thread at the place at which the act of slaughter would be made, refer to the tying of the red thread or to the placing of the animal?* [Jung: he placed it where it had to be slaughtered.]
- B. *Come and take note of that which R. Joseph set forth as a Tannaite statement: **He tied a crimson thread on the head of the goat which was to be sent forth and set it up** at the gate from which it was to be sent away, **that which was to be slaughtered** at the gate at which it would be slaughtered, so that they should not be confused with one another or be confused with other beasts either. Now, if you maintain that reference is made refer to the tying of the red thread, there is no problem. But if you take the view that reference is made to the placing of the animal, then, granting while it might not be confused with its fellow he-goat, since the one had a strap and the other did not, surely it could be mixed up with the other goats. [Jung: at the place where sacrifices were slaughtered, it could be confused, since it had no distinguishing mark.] So does that statement not yield the conclusion, reference is made refer to the tying of the red thread?*
 - C. *That statement indeed yields that conclusion.*

Three Offerings that Involve Thread: The Goat that is Sent Away, the Red Cow, and the Purification-Rite of the Person Afflicted with the Skin-Ailment. An Anthology

- I.2.** A. Said R. Isaac, “I have heard two threads, one concerning the red cow [that is burned to yield purification-ashes in line with Num. 19], the other concerning the he-goat that is sent forth. One requires a thread of specified length, the other not. *But I don’t know which of the offerings requires the specified length of thread, which not.*”
- B. *Said R. Joseph, “Well, let’s see. The thread of the he-goat, which had to be divided [half to the rock, half between the horns of the goat], must be of a specified length, while the one belonging to the red cow, which did not have to be divided, also did not have to conform to the specified length.”*
- C. *Objected R. Ammi bar Hama, “But the one belonging to the red cow also had to be of a requisite weight [Jung: to fall right into the midst of the burning heifer, so Num. 19:6].”*
- D. *Said to him Raba, “The matter of work is subject to a conflict of Tannaite opinion.”*
- E. *And does the one assigned to the red cow not have to be divided? But, objected Abbaye, “How does he do it? **He bound them together with the ends of the strip of wool and threw [them] into its burning [M. Par. 3:11A].**”*
- F. *Say: with the remnants of the tail of the thread [and the statement then does not have to be read as requiring a division].*
- G. *Said R. Hanin said Rab, “If the cedar wood and scarlet thread were merely caught by the flame, the burning is valid.”*
- H. *By way of objection: If the thread caught fire, another is brought, and the purification water prepared.*
- I. *Said Abbaye, “That is no problem, the one addresses the case of a flame that blazes up, the other of one that merely glows [Jung: in the former case another thread is brought, since it did not come into contact with the fire itself, but not in the latter case].*
- I.3.** A. *Said Raba, “The matter of work is subject to a conflict of Tannaite opinion:”*
- B. *For it has been taught on Tannaite authority:*
- C. *“Why does he wrap [the cedar wood, hyssop, and scarlet thread together, as at Num. 19:6]? It is so that they may form a single bunch,” the words of Rabbi.*
- D. *R. Eleazar b. R. Simeon says, “It is so that there may be sufficient weight to them so that they may fall into the burning of the red cow.”*
- I.4.** A. When R. Dimi came, he said R. Yohanan [said], “I have heard traditions concerning three threads, one assigned to the red cow, one assigned to the goat that is to be sent forth, and one assigned to the person who is healed from the skin ailment [of Lev. 13-14]. The one is to have a weight of ten zuz, the one is to have the weight of two selas, and the one is to have the weight of a shekel. But I can’t distinguished among them.”

- B. *When Rabin came, he explained the matter in the name of R. Jonathan, [42A] “The one used by the red cow is to have the weight of ten zuz, the one of the goat that is sent forth is to have the weight of two selas, and the one of the person afflicted by the skin ailment is to have the weight of a shekel.”*
- I.5.** A. *Said R. Yohanan, “R. Simeon b. Halafta and rabbis differ in the matter of the red cow. One said it is to have the weight of ten zuz, the other said it should have the weight of a shekel. And your mnemonic is: all the same is he who demands much and he who demands little.”*
- B. *Said R. Jeremiah of Difti to Rabina, “It was not concerning the red cow that they argued, but concerning the goat that was to be sent forth. On that very day on which they conducted their dispute, died Rabia bar Qisi, and as a mnemonic to remember the coincidence, they said, ‘[The death of] Rabia bar Qisi atones as does the goat that is sent away.’”*
- I.6.** A. *Said R. Isaac, “I heard rulings concerning two acts of slaughter, one that of the red cow, the other concerning his bullock [the high priest’s], one validly done by a non-priest, the other invalidly done by a none priest, but I don’t know which is which.”*
- B. *It has been stated:*
- C. *As to the act of slaughter of the red cow and his [the high priest’s] bullock —*
- D. *Rab and Samuel —*
- E. *one said, “The red cow — the act [performed by a non-priest] is invalid; his bullock — his act is valid.”*
- F. *The other said, “His bullock — the act is invalid; the red cow — his act is valid.”*
- G. *You may then draw the conclusion that it is Rab who has said, “The red cow — his act is invalid,” for said R. Zira, “The slaughter of the red cow by a non-priest is invalid,” and said Rab in that connection, “‘Eleazar’ and ‘statute’ we have learned in that regard” [Jung: Num. 19:3: “And you shall give her to Eleazar the priest,” (Num. 19:21): “And it shall be a perpetual statute,” so a priest must do the act.]*
- H. *And as to Rab, what makes the difference with respect to the red cow? Is it that the language, “Eleazar” and “statute,” is written in that regard? Well, in connection with the high priest’s bullock, lo, it is written both “Aaron” and “statute” (Lev. 16: 3)!*
- I. *The act of slaughter is not regarded as an act of service [for a layman may do it, so “statute” here does not pertain to the act of slaughter].*
- J. *If so, then the same may be said with regard to the red cow.*
- K. *The case of the red cow is exceptional, since it is classified as Holy Things assigned to the upkeep of the Temple house.*
- L. *All the more so [should a layman be permitted to slaughter the red cow]!*
- M. *Said R. Shisha b. R. Idi, “It is comparable to the inspection of the symptoms of the skin ailment, an act that is assigned to the priesthood but is not part of the Temple rite.”*
- N. *Now from the viewpoint of Samuel, who has said, “His bullock — the act is invalid; the red cow — his act is valid,” what differentiates the case of the high*

priest's bullock? Is it that in that regard is written, "Aaron" and "statute"? Well, in the context of the red cow, lo, it is written, "Eleazar" and "statute"!

- O. *That other case is exceptional, since it is written, "And he shall slay it before him" (Num. 19: 3), meaning, the non-priest does the act of slaughter and Eleazar looks on [and supervises].*
- P. *And Rab[s view of the same verse]?*
- Q. *It means that he should not allow his attention to wander away from the rite.*
- R. *And Samuel — how does he know that he should not allow his attention to wander away from the rite?*
- S. *He derives that fact from the statement, "And the heifer shall be burned in his sight" (Num. 19: 5).*
- T. *And from Rab's perspective, why then should Scripture go and make the same point twice?*
- U. *One refers to close attention to the act of slaughter, the other to close attention to the act of burning the carcass of the red cow.*
- V. *And it is necessary to make the same point of each phase of the rite. For if the all-Merciful had made that statement solely with reference to the act of slaughter, that might have been because it is the commencement of the rite, but as to the burning of the carcass, I might have said that that is not the rule, so it was necessary to make the point a second time. And if the All-Merciful had made that point solely with reference to the burning of the carcass, that might have been because it is at that very moment that the red cow is validated, but as to the act of slaughter, I might have said that close attention was not required. So the reference thereto likewise was required.*
- W. *What phase of the rite then is excluded from the requirement of attentive supervision?*
- X. *Might I say that it is to exclude from the requirement of close supervision the collection of the ash, the drawing of the water for sanctification [mixing with the ash]? [42B] "...the close guard kept over the purification water" is what is written [covering those items, Num. 19:9]!*
- Y. *So what is left outside of the requirement of the close supervision of the priest is tossing the cedar wood, hyssop, and crimson, which are not part of the heifer itself.*

I.7. A. *It has been stated:*

- B. *As to the slaughter of the red cow by a non-priest —*
- C. *R. Ammi said, "The act is valid."*
- D. *And R. Isaac Nappaha said, "It is invalid."*
- E. *Ulla said, "It is valid."*
- F. *And there are those who state that he said, "It is invalid."*

I.8. A. *In support of the position of Rab ["The red cow — his act is invalid,"] objected R. Joshua bar Abba, "I know only that as to sprinkling the purification water, it is invalid when done by a woman as when done by a man; and that it is valid only when done by day. How do I know concerning the slaughtering of the red cow, receiving its blood, sprinkling its blood, burning the red cow, tossing into the*

burning cow the cedar wood, hyssop, and scarlet, that these acts are invalid if done by night? Scripture states, ‘This is the statute of the Torah’ (Num. 19: 2) [a single torah applying throughout]. Might I suppose that I should also encompass under the law the gathering of the ashes and drawing of the water? Scripture says, ‘This...’ [which is exclusionary language]. So come you have extended the rule to cover these actions but limited the law from covering those? The reason is, after Scripture has used inclusionary language, it has used exclusionary language. So should we say, we shall infer the rules governing all aspects of the rite from the law concerning sprinkling the water? Just as sprinkling the water is not valid if done by a woman as by a man and is not valid unless it is done by day, so I include also slaughtering the cow, receiving the blood, sprinkling the blood, burning the heifer, tossing into the burning cow the cedar wood, hyssop, and scarlet thread? Then, since these acts may not be done by a woman, so they may be done only by day. Then I would exclude the gathering of the ashes and drawing of the water for putting in the ashes, and since these may be performed by either man or woman, they also may be done by night.”

- B. *But if this were proposed as a refutation of the position of Samuel’s view, [“The red cow — his act is valid,”] then how is this a refutation? Should I say that it is along the following lines: since these rites are invalid when done by a woman, they also are invalid when done by a non-priest? But sprinkling the purification water will present an anomaly, since it is invalid when done by a woman but valid when done by a non-priest!*
- C. *Said Abbaye, “This is the effective refutation: As to the exclusion of a woman, what is the operative consideration? It is the reference to ‘Eleazar,’ meaning, him and not a woman. So too, with a non-priest, the same may be drawn: ‘Eleazar,’ meaning, him and not a non-priest.”*
- I.9.** A. Said Ulla, “In the entire section pertaining to the red heifer there are passages that bear the inference of an exception from what is implied in the preceding passage, and there are texts that stand independent of the implications of the context, fore or aft.”
- I.10.** A. “And you shall give it to Eleazar the priest” (Num. 19: 3) — it is assigned to Eleazar the priest, but those that are offered in generations to come do not have to be assigned to Eleazar the priest.
- B. *There are those who then say, ...in generations to come [is assigned to] the high priest.. There are those who then say, ...in generations to come [is assigned to] a common priest.*
- C. *Now there is no problem for the one who says that in generations to come, since we have excluded the high priest, the rite is to be done by an ordinary priest. But from the perspective of him who has said, ...in generations to come [is assigned to] the high priest, how does he know that fact?*
- D. *He derives it from the use of the word “statute” both in connection with the burning of the red cow and in connection with the rite of the Day of Atonement.*
- I.11.** A. “And he shall bring it forth” (Num. 19: 3) — that one should not bring forth another with it, *in line with what we have learned in the Mishnah: [If] the cow did not want to go forth, they do not bring out with it a black one, so that*

they should not say, “They slaughtered a black one.” Nor a red one, so that they should not say, “Two did they slaughter.” R. Yosé says, “Not on this account, but because it is said, ‘[And he shall bring] it [out]’ (Num. 19: 3) — by itself.” [M. Par. 3:7A-D].

- B. *And from the perspective of the first Tannaite authority of the cited passage, lo, is it not written, “it” [meaning, by itself]?*
- C. *Who is the authority behind the anonymous statement in the opening clause of the Tannaite formulation? It is R. Simeon, who derives meaning from the palpable cause of Scriptural law [extending of limiting the law].*
- D. *And what is at issue between the two authorities?*
- E. **[43A]** *At issue between them is a case in which one brought out an ass with the red cow [Jung: the first Tannaite authority would permit doing so, since the presence of the ass could not mislead the people into the assumption that it was the one that was sacrificed, but the other authority would forbid doing so by reason of the “it” — meaning, any other animal].*

I.12. A. “And he shall slay it” (Num. 19: 3) — that he should not slaughter any other animal with it.

I.13. A. “Before him” (Num. 19: 3) —

- B. In Rab’s view, it means that he should not become inattentive in regard to it.
- C. In Samuel, it means that a non-priest should slaughter it, with Eleazar supervising.

I.14. A. “And Eleazar the priest shall take of its blood with his finger” (Num. 19: 4) —

- B. *In Samuel’s view, this is so as to revert the rite to Eleazar [a non-priest having slaughtered the animal].*
- C. In Rab’s view, it represents an exclusionary clause following another such exclusionary clause, and the sole implication of an exclusionary clause following another such exclusionary clause is to bear an inclusive message, in this case, meaning that even an ordinary priest may conduct the rite.

I.15. A. “And the priest shall take cedar wood and hyssop and scarlet” (Num. 19: 4) —

- B. *In Samuel’s view, it means that even a common priest may do so.*
- C. *In Rab’s view, it is necessary to make this point: you might have supposed that since these do not belong to the body of the red cow itself, they do not require the participation of a priest. So we are informed to the contrary.*

I.16. A. “Then the priest shall wash his clothes” (Lev. 19: 7) — in his priestly garments.

I.17. A. “And the priest shall be unclean until evening” (Lev. 19: 7) — he shall be in his priestly garments, in in generations to come.

- B. *That poses no problem to him who has said that in generations to come the rite is done by a common priest. But to him who has said that in generations to come it is done by the high priest, well, since we require that it be done by a high priest, can there be any question that the rite must be done while he is wearing his priestly garments?*
- C. *Indeed so, since a matter that can be derived by an argument a fortiori, Scripture may go to the trouble of specifying in writing nonetheless.*

- I.18.** A. “And a man that is clean shall gather up the ashes of the heifer and lay them up” (Num. 19: 9) — “a man” — that validates participate by a non-priest. “...that is clean” — that validates a woman. “...and lay them up” — it must then be someone with sufficient capacity for understanding to lay them up, excluding one who is dead and dumb, an idiot, or a minor, who do not have sufficient understanding to lay them up.
- B. *There we have learned in the Mishnah: All are suitable for mixing, except for a deaf mute, an idiot, and a child. R. Judah declares fit in the case of the child and declares unfit in the case of the woman and the androgyne M. Par. 5:4D-E].*
- C. *Now what is the scriptural basis for the position of rabbis? It is that it is written, “And for the unclean they shall take of the ashes of the burning of the purification from sin and put upon them running water in a utensil” (Num. 19:17), meaning, those that I have invalidated for you so far as collecting the ashes are invalidated for you so far as mixing the ashes, and those that I have validated for you so far as collecting the ashes are valid for you so far as mixing the water and the ashes.*
- D. And R. Judah?
- E. *If so, Scripture should have said simply, “he shall take.” Why “they shall take”? That formulation bears the sense, It means, even a minor, whom I invalidated for you in the other regard, is valid for you in the present context.*
- F. *And how does he know that a woman is invalid?*
- G. Scripture says, “And he shall put” — he and not she.
- H. And rabbis?
- I. *If the All-Merciful had written, “he shall take...and he shall put,” I might have supposed that the rite was valid only if one person did the taking and another person did the putting. So Scripture has written, “and they shall take.” And if the All-Merciful had written, “they shall take...they shall put...,” I might have supposed that the rite is valid only if two do the taking and two do the placing. So the All-Merciful has written, “And they shall take...and he shall put...,” meaning, even if two take and one puts [the rite is validly performed].*
- J. “And a clean man shall take hyssop and dip it in the water and sprinkled” (Num. 19:18) — to rabbis, means, a man, not a woman; “clean” serves to validate a minor.
- K. And to R. Judah?
- L. “A man” and not a minor, and “clean” validates a woman.
- M. *An objection was raised: All are fit to sprinkle, except for one of doubtful sex, an androgyne and a woman, and a child who is without understanding. The woman helps him [a child who possesses understanding] and he sprinkles, and holds the water for him, and he dips and sprinkles [M. Par. 12:10D-F] — and R. Judah does not here enter a dissenting opinion!*

- N. *Said Abbayye, “Since the master has said, ‘In the entire section pertaining to the red heifer there are passages that bear the inference of an exception from what is implied in the preceding passage, and there are texts that stand independent of the implications of the context, fore or aft,’ he differs in any event.”*

I.19. A. “And the clean person shall sprinkle upon the unclean” (Num. 19:19)

- B. “clean” implies that he was unclean before. That indicates that a person who has undergone the rites of purification and awaits sunset for the completion of the process is valid to officiate at the burning of the red cow.
- C. *Said R. Assi, “When R. Yohanan and R. Simeon b. Laqish examined this passage concerning the red cow, they derived no more than what a fox can turn up out of a ploughed field, but they said, ‘In the entire section pertaining to the red heifer there are passages that bear the inference of an exception from what is implied in the preceding passage, and there are texts that stand independent of the implications of the context, fore or aft.’”*

I.20. A. *A Tannaite authority repeated as a rule in the presence of R. Yohanan, “All acts of slaughter performed by a non-priest are valid except for one pertaining to the red cow.”*

- B. *Said to him R. Yohanan, “Go, repeat as a Tannaite rule in public, [but spare us in the academy your phoney traditions, for it is the simple fact that] we do not find an act of slaughter by a non-priest that is ever invalid.”*
- C. *For R. Yohanan not only declined to pay attention to his own Tannaite authority in this matter, but even to his own master he paid no attention!*
- D. For said R. Yohanan, “n the name of R. Simeon b. Yehosedeq, ‘The act of slaughter of the red cow by a non-priest is invalid,’ but I say, it is valid. We do not find an act of slaughter by a non-priest that is ever invalid.”

II.1 A. **And he came to his bullock a second time and put his two hands on it and made the confession. And thus did he say, “O Lord, I have committed iniquity, transgressed, and sinned before you, I and my house and the children of Aaron, your holy people:”**

- B. *What differentiates the first confession, in which he did not say, “And the children of Aaron, your holy people,” from the second confession, in which he did say, “And the children of Aaron, your holy people”?*
- C. *A Tannaite authority of the household of R. Ishmael: That is the logic of the law: it is better that a person who is innocent should come and attain atonement for one who is still liable, but let not someone who is yet liable come and effect atonement for someone else who is liable.*

I:1 begins with a fine piece of analysis of the language of the Mishnah-paragraph, clarifying its ambiguity. I:2-20 forms a massive exercise in the comparison of rites, such as our tractate’s frames achieve so elegantly. Three rites are deemed comparable, by reason of a shared detail, the rite of the red cow, the purification rite of the person afflicted with the skin ailment, and the sending forth of the he-goat. The exercise concentrates on issues other than those raised in the Mishnah-

paragraph before us, with the composite put together in its own terms and hardly in those required here. What is especially interesting is I:10-19, intended to spell out the generalization, “In the entire section pertaining to the red heifer there are passages that bear the inference of an exception from what is implied in the preceding passage, and there are texts that stand independent of the implications of the context, fore or aft.” II:1 concludes the Mishnah-analysis in a perfunctory way.

4:3-6

4:3

- A. He slaughtered it and received its blood in a basin.
- B. He handed it over to him who would stir it while standing on the fourth terrace of the sanctuary, so that it would not congeal.
- C. He took the fire pan and went up to the top of the altar.
- D. He cleared off coals to either side and scooped up glowing cinders from below.
- E. Then he came down and set it down on the fourth terrace of the courtyard.

4:4

- A. Every day he would scoop out the cinders with a silver fire pan and empty them into a golden one.
- B. But today he would clear out the coals in a gold one, and in that same one he would bring the cinders in[to the inner sanctuary].
- C. On other days he would clear out cinders with one holding four qabs and empty that into one holding three qabs.
- D. But today he would clear them out with one holding three qabs, and in that same one he would bring the cinders in[to the inner sanctuary].
- E. R. Yosé says, “Every day he would clear the cinders out in one holding a seah and empty it into one holding three qabs.
- F. “But today he would clear the cinders in one holding three qabs, and in that same one he would bring the cinders in.”
- G. Every day it was heavy
- H. But today it was light.
- I. Every day its handle was short.
- J. But today it was long.
- K. “Every day it was of yellow gold,
- L. “But today it was of red gold,” the words of R. Menahem.
- M. Every day one would offer up half a maneh of incense at dawn and half at dusk.
- N. But today he would add his two handfuls [of incense].
- O. Every day it was fine.
- P. But today it was the finest of the fine.

4:5

- A. Every day the priests go up on the east side of the ramp and go down on the west.
- B. But today the high priest goes up right in the middle of the ramp and goes down right in the middle.
- C. R. Judah says, “At all times the high priest goes up in the middle and goes down in the middle.”
- D. Every day the high priest sanctifies his hands and feet from the laver.
- E. Today he does it from a golden jug.
- F. R. Judah says, “At all times the high priest sanctifies his hands and feet from a golden jug.”

4:6

- A. “Every day there were four stacks of wood there.
- B. “But today there were five,” the words of R. Meir.
- C. R. Yosé says, “Every day there were three,
- D. “but today there were foul.”
- E. R. Judah says, “Every day there were two. But today there were three.”

I.1. A. while standing on the fourth terrace of the sanctuary:

- B. *But isn't it written in Scripture, “And no man shall be in the tent of meeting” (Lev. 16:17)? [Jung: How then could the priest stir the blood on the fourth terrace in the sanctuary?]*
- C. Said R. Judah, “*Repeat the Tannaite formulation: on the fourth terrace* [Jung:] leading from the sanctuary to the courtyard.”

I.2. A. Our rabbis have taught on Tannaite authority:

- B. “And no man shall be in the tent of meeting” (Lev. 16:17) —
- C. **[44A]** Might one suppose, not even in the Temple court? Scripture states, “in the tent of meeting.”
- D. I know that this rule applies only to the tent of meeting in the wilderness. How do we know that the same rule applies in Shilo and in the eternal house?
- E. Scripture states, “in the whole place” (Lev. 16:17).
- F. I know only that that rule applies in the time of burning the incense. How do I know that it applies also in the time of tossing the blood in the atonement rite?
- G. Scripture states, “...when he comes to atone....”
- H. I know only that that is the rule when he comes in. How do we know that the same rule applies when he goes out?
- I. Scripture states, “until he comes out” (Lev. 16:17).

I.3. A. “And he shall make atonement for himself and for his household and for all the assembly of the house of Israel” (Lev. 16:17) —

- B. Atonement for himself takes precedence over atonement for his house, atonement for his house takes precedence over atonement for his brothers, the priests, and atonement for his brothers the priests takes precedence over atonement for the whole community of Israel.

- I.4.** A. The master has said: I know only that that rule applies in the time of burning the incense. *What is it that implies that rule?*
- B. Said Raba, and so said R. Isaac bar Abdimi, and so said R. Eleazar, “Said Scripture, ‘And he shall make atonement for himself and for his household and for all the assembly of the house of Israel’ (Lev. 16:17) — now what is the form of atonement that is the same for him, his household, his brothers the priests, and the whole house of Israel? One must say, this is the burning of the incense.”
- C. But does the burning of the incense effect atonement?
- D. *Indeed it does, for lo, R. Hanania stated as a Tannaite formulation:* “How on the basis of Scripture do we know that the burning of incense effects atonement? As it is said, ‘And he put on the incense and made atonement for the people’ (Num. 17:12).”
- E. *And so too did the household of R. Ishmael teach as a Tannaite formulation,* “For what does incense atone? It is for gossip. Let what is offered away from public view come and effect atonement for a sin that is committed out of public view.”

- I.5.** A. *There we have learned in the Mishnah:* [Said R. Yosé, “**In five respects the [area] between the porch and the altar is equivalent to the sanctuary, for:] they keep distant from [the area] between the porch and the altar at the time of [offering the] incense.**” [M. **Kel. 1:9G**].
- B. Said R. Eleazar, “That Mishnah-teaching pertains only to the time of the incense offering of the sanctuary, but during the time that the incense offering was offered in the Holy of Holies, *people had to keep away from the sanctuary but not from the space between the hall and the altar.*”
- C. Objected R. Ada bar Ahbah, and some say, Kadi, “R. Yosé says, ‘Just as they keep away from the area between the hall and the altar during the time of the offering of the incense, so do they keep away at the time of the sprinkling of the blood of the bullock of the anointed priest, and of the bullock offered because of an error committed by the congregation, and of the he-goats offered because of idolatry.’ So what is the difference between the sanctuary and the space between the hall and the altar? It is only that from the sanctuary people keep away both during the time of the offering of the incense and not at the time of the offering of the incense, but from the space between the hall and the altar, people keep their distance only in the time of offering the incense. *In any event, however, at the time of offering the incense, they keep away* [Jung: even from the space between the hall and the altar]. And don’t you concur that that means, during the time of the smoking of the incense in the Holy of Holies [refuting Eleazar]?”
- D. No, reference is made to the time of offering the incense in the sanctuary [Jung: but at the time of the incense offering in the Holy of Holies they keep separate only from the sanctuary but not from the space between the hall and the altar].
- E. *If so, then what’s the point of the question,* So what is the difference between the sanctuary and the space between the hall and the altar?

- F. *But are there no other differences of gradation between the two areas? Lo, there is this further point of difference, namely, while from the sanctuary people keep separate whether at the time of the offering of the incense in that area or at the time of the offering of the incense in the Holy of Holies, by contrast, they do not keep out of the area between the hall and the altar except at the time of the offering of the incense of the sanctuary.*
- G. *Lo, that is the very point that the Tannaite formulation makes: It is only that from the sanctuary people keep away both during the time of the offering of the incense and not at the time of the offering of the incense, but from the space between the hall and the altar, people keep their distance only [44B] in the time of offering the incense.*
- H. *But there is also this point of gradation, they keep away from the sanctuary both during the time that sanctification takes place therein [including the sprinkling of the blood] and during the time that the sanctification takes place in the Holy of Holies, while from the space between the hall and the altar they keep out only when the sanctuary is subject to sanctification.*
- I. Said Raba, "In the category of 'keep out' everything is covered in one rule [at M. **Kel. 1:6-9**]."

I.6. A. The master has said: "...so do they keep away at the time of the sprinkling of the blood of the bullock of the anointed priest, and of the bullock offered because of an error committed by the congregation, and of the he-goats offered because of idolatry:" *how in Scripture do we know that fact?*

B. Said R. Pedat, "It derives from the common use of the word 'atonement' as defined in the rite of the Day of Atonement [so that the procedures of that rite apply to those listed above]."

I.7. A. Said R. Aha bar Ahbah, "One may then draw the inference that the gradations of sanctity that differentiate one area from another [that are spelled out at M. **Kel. 1:6-9**, in connection with which we considered Yosé's statement above, 5.A], *derive from the authority of the Torah, and so they have learned them by tradition. For if it should enter your mind that these points of gradation derives only from the authority of rabbis, then what differentiates the area between the hall and the altar, that people should have to keep out for fear that they might enter by accident? By analogy, they should keep away from the whole of the Temple court, lest they accidentally enter in! [So no reasonable argument can account for the gradation, which has, therefore, to come down as sheer tradition].*"

B. *As to the space between the hall and the altar, since there is nothing that partitions the area, the matter is not going to be clearly marked off and discernible, but when it comes to the*

courtyard, since there is the outer altar that forms a partition, the point of partition is clearly going to be discerned.

- C. *Said Raba, "That point yields the inference, the sanctity of the hall and the sanctuary forms a single entity. For if you should imagine that they form two differentiated levels of sanctity, then the sanctity of the hall itself derives only from the authority of rabbis, so should we enact a precautionary measure to prevent the violation of what is merely another precautionary measure?"*
- D. *Not at all. The hall and the area between the hall and the altar form a single realm of sanctification. But the sanctuary and the hall form two distinct areas of sanctification.*

II.1 A. ...Every day he would scoop out the cinders with a silver fire pan and empty them into a golden one:

- B. *How come?*
- C. *The Torah took into consideration the capital available to Israel.*

III.1 A. But today he would clear out the coals in a gold one, and in that same one he would bring the cinders into the inner sanctuary:

- B. *How come?*
- C. *So as not to fatigue the high priest.*

IV.1 A. On other days he would clear out cinders with one holding four qabs and empty that into one holding three qabs. But today he would clear them out with one holding three qabs, and in that same one he would bring the cinders into the inner sanctuary. R. Yosé says, "Every day he would clear the cinders out in one holding a seah and empty it into one holding three qabs. But today he would clear the cinders in one holding three qabs, and in that same one he would bring the cinders in:"

- B. *A Tannaite statement:*
- C. *One qab of the embers was scattered [when the priest emptied the coal pan containing four qabs into one containing only three], so he swept the scattered embers into the channel.*
- D. *One Tannaite statement [of the version of C] has qab, and it has further been taught on Tannaite authority, two qabs.*
- E. *Now there is no problem to account for the version that repeats, "one qab," which would accord with what rabbis have said, but as to the one that has "two qabs," that accords with neither rabbis nor R. Yosé [in whose view three qabs would be scattered]!*
- F. *Said R. Hisda, "It stands for the position of R. Ishmael, son of R. Yohanan b. Beroqah, for it has been taught on Tannaite authority: R. Ishmael, son of R. Yohanan b. Beroqah says, 'He brought the cinders in a pan containing two qabs.'"*
- G. *R. Ashi said, "You may even say that the version belongs to R. Yosé, and this is the sense of his statement: Every other day he would take them up in a pan that held a seah of the volume that pertains in the wilderness and he would pour it into one containing three qabs of the volume that pertains in Jerusalem" [Jung: the Jerusalem measure was five qabs, the wilderness one, six, so the difference is a*

sixth; the desert seah has five Jerusalem qabs, and when the priest pours out three, two remain].

V.1. A. Every day it was heavy But today it was light:

- B. *A Tannaite statement:*
- C. Every day it was thick, but today it was thin.

VI.1. A. Every day its handle was short. But today it was long:

- B. *How come?*
- C. So that the arm of the high priest might support it.
- D. *A Tannaite statement:*
- E. “Every day it had no covering [so Jung], today it had a covering,” the words of the Son of the Prefect.

VII.1. A. “Every day it was of yellow gold, But today it was of red gold,” the words of R. Menahem:

- B. Said R. Hisda, “There are seven kinds of gold [to which Scripture refers]: gold, good gold, gold of Ophir, fine gold, spun gold, locked gold, Parvayim gold.
- C. “gold, good gold: as it is written, ‘And the gold of that land is good’ (Gen. 2:12).
- D. “gold of Ophir: *because it comes from Ophir*.
- E. “fine gold: **[45A]** because it is like the shining jewel, paz [so Jung].
- F. “spun gold: because it is spun like a thread.
- G. “locked gold: because when it is opened up for sale, all the other shops are locked up [no one wanting anything but this].
- H. “Parvayim gold: because it resembled the blood of the bullock [par].”
- I. *R. Ashi said, “They are only five, for each one of them falls into the classification of [contains] both gold and good gold.”*
- J. *So too it has been taught on Tannaite authority:*
- K. Every day it was of yellow gold, But today it was of red, and that refers to Parvayim gold, because it resembled the blood of the bullock [par].

VIII.1. A. Every day one would offer up half a maneh of incense at dawn and half at dusk. But today he would add his two handfuls of incense. Every day it was fine. But today it was the finest of the fine

- B. *Our rabbis have taught on Tannaite authority:*
- C. Since Scripture states, “And you shall beat some of it very small” (Exo. 30:36), why was it necessary to say, “beaten small” (Lev. 16:12)?
- D. It is to impose the requirement that it be the finest of the fine incense.

IX.1. A. Every day the priests go up on the east side of the ramp and go down on the west

- B. It is because a master has said, “Every turn that you make in the Temple must be to the right, the east.”

X.1. A. But today the high priest goes up right in the middle of the ramp and goes down right in the middle. R. Judah says, “At all times the high priest goes up in the middle and goes down in the middle.”

- B. *How come?*

C. It is because of the honor that is owing to the high priest.

XI.1. A. Every day the high priest sanctifies his hands and feet from the laver. Today he does it from a golden jug. R. Judah says, “At all times the high priest sanctifies his hands and feet from a golden jug.”

B. *How come?*

C. It is because of the honor that is owing to the high priest.

XII.1. A. “Every day there were four stacks of wood there. But today there were five,” the words of R. Meir. R. Yosé says, “Every day there were three, but today there were four.” R. Judah says, “Every day there were two. But today there were three.”

B. *Our rabbis have taught on Tannaite authority:*

C. “Every day there were two stacks of wood there, but today three, one for the large stack of wood, one for the second stack of wood, and one which they add to the incense which is burned inside,” the words of R. Judah [M. [Yoma 4:6E-F](#)].

D. R. Yosé [Bavli’s wording:] says, “Every day there were three, but today there were four.] R. Yosé adds one for maintaining the big wood pile, one for the second pile, for the incense, one to keep up the fire, and one that was added this day.

E. R. Meir says, “Every day there were four stacks of wood there. But today there were five: one for maintaining the big wood pile, one for the second pile, for the incense, one for [burning up] the limbs and the birds which were not wholly consumed the preceding evening, and one that was added this day” [T. [Kip. 2:11I-K](#)].

XII.2. A. *It follows that all parties concur concerning two. What is the basis in Scripture for that concurrence?*

B. Said Scripture, “It is that which goes up on its firewood upon the altar all night” (Lev. 6: 2) — the large pile. “And the fire of the altar shall be kept burning thereby” (Lev. 6: 2) — the second pile, for the incense.

C. *And as to R. Yosé, how does he derive the rule for a wood pile for keeping up the fire?*

D. *He derives it from the phrase, “And the fire of the altar shall be kept burning thereby” (Lev. 6: 2).*

E. And R. Judah?

F. *That clause serves the purpose of requiring kindling made of splinters of fig wood, for it has been taught on Tannaite authority:*

G. R. Judah would say, “How on the basis of Scripture do we know that the kindling of fig tree splinters must take place only on the top of the altar? Scripture says, ‘And the fire of the altar shall be kept burning thereby’ (Lev. 6: 2).”

H. Said R. Yosé, “How do we know that one has to make a wood pile to keep the fire burning? Scripture says, ‘And the fire of the altar shall be kept burning thereby’ (Lev. 6: 2).”

I. *And how does R. Yosé know that the kindling of fig tree splinters must take place only on the top of the altar?*

- J. *He derives that rule from that passage from which R. Simeon derives it, as has been taught on Tannaite authority:*
- K. *“‘And the sons of Aaron shall lay wood in order upon the fire’ (Lev. 1: 7) — this teaches concerning the kindlings of the fig-tree wood must be done by a priest and in a utensil of service,” the words of R. Judah.*
- L. *Said to him R. Simeon, “Now would it ever enter your mind that a non-priest might draw near the altar? Rather, this teaches you that the kindling of fig tree splinters must take place only on the top of the altar.”*
- M. *And R. Judah?*
- N. *If proof had to derive from that passage, I might have imagined that the priest may stand on the ground and kindle the flame with a bellows, so he informs us to the contrary.*

XII.3. A. *[With reference to Meir’s statement, **one for [burning up] the limbs and the birds which were not wholly consumed the preceding evening,**] how does R. Meir know the rule regarding one for [burning up] the limbs and the birds which were not wholly consumed the preceding evening?*

- B. *He derives that fact from the usage, “And the pile.”*
- C. *And rabbis?*
- D. *They do not derive a lesson from the use of the “and.”*
- E. *And how do rabbis dispose of the limbs and the birds which were not wholly consumed the preceding evening?*
- F. *They put them back onto the large woodpile, for it has been taught on Tannaite authority:*
- G. *How do we know concerning the limbs and the birds which were not wholly consumed the preceding evening [45B] that he lays them out on the altar, and if it cannot hold them all, that he lays them out on the ramp or on the step around the altar, until the great pile is made?*
- H. *Scripture states, “Whereto the fire has consumed the burnt offering of the altar” (Lev. 6: 3).*
- I. *And R. Meir?*
- J. *That verse indicates you may put back there the unconsumed parts of the burnt offering, but you may not put there the unconsumed parts of the incense.*
- K. *For so did R. Hanania bar Minyumi of the household of R. Eliezer b. Jacob state as a Tannaite teaching:*
- L. *“‘And he shall take up the ashes to which the fire has reduced the burnt offering on the altar’ (Lev. 6: 3) means, what was reduced as a burnt offering you put back on the altar, but you do not put back what was consumed as incense.”*

XII.4. A. *In any event all, parties concur that one adds an additional pile on that day. How in Scripture do they know that fact?*

- B. *It derives from the verse, “And the fire,” and even from the perspective of one who does not interpret the use of the “and” to yield a further lesson, one does expound the use of “and the” for that purpose. [Jung: “and the” of “and the fire” bears a further intimation.]*

XII.5. A. *What does “Fire shall be kept burning upon the altar continually” (Lev. 6: 6) mean?*

- B. *It is required in line with that which has been taught on Tannaite authority:*
- C. “Fire shall be kept burning upon the [outer] altar continually, it shall not go out” (Lev. 6: 6) — this teaches concerning the second wood pile, the one for incense, that it should be located only on the outer altar.
- D. How do we know the rule governing the fire for the coal pan and for the candelabrum? [How do we know that the fire for these is taken from the outer altar?]
- E. It is a matter of logic: there is a reference to “fire” in the context of the incense, and the same in the setting of the coal pan and the candelabrum. Just as in the one case it derives from the outer altar, so here too it derives from the outer altar.
- F. Or why not take this route:
- G. There is a reference to fire in the setting of the incense, and the same with reference to the fire pan and the candelabrum. Just as in the one case, it comes for the altar that is “near to it” [the inner altar, near the outer altar], so the fire for the fire pan and candelabrum should come from the altar that is near to it.
- H. To the contrary, Scripture states, “Fire shall be kept burning upon the [outer] altar continually, it shall not go out” (Lev. 6: 6) — the fire that is to be kept burning continually of which I have spoken to you should derive only from the top of the outer altar.
- I. We have derived the rule governing the fire for the candelabrum. Whence the rule for the fire for the fire pan?
- J. It is a matter of logic. We find a reference to fire in the setting of the fire pan, and we find a reference to fire in the setting of the candelabrum. Just as in the latter case, it derives from the outer altar, so here it derives from the outer altar.
- K. Or why not take this route:
- L. We find a reference to fire in the setting of the incense, and we find a reference to fire in the setting of the fire pan. Just as in the former case, the fire must derive from the altar that is “near it,” so where too, the fire must derive from the altar that is “near it”?
- M. Scripture states in so many words, “And he shall take a censer full of coals of fire from off the altar before the Lord” (Lev. 16:12). Now which is the altar part of which, but not the whole of which, is “before the Lord”? You must say, that is the outer altar.
- N. *And, furthermore, it was necessary for Scripture to make reference to “from off the altar” and it also was necessary for Scripture to make reference to “from before the Lord.” For if Scripture had written, “from off the altar,” I might have imagined, what is the meaning of “altar”? It is the inner altar. So Scripture further wrote, “from before the Lord.” And if Scripture had said only, “from before the Lord,” I might have supposed that it must be, in particular, “from before the Lord,” [46A] but not to one side or to the other [Jung: though it is on the western side of the altar]. Accordingly, both clauses were required.*

XII.6. A. Said R. Eleazar in the name of Bar Qappara, “R. Meir used to say, ‘For any of the limbs of the daily whole offering that were left over a special wood pile is arranged, even on the Sabbath.’”

B. *What does he propose to tell us, since we have in hand the Tannaite formulation in his name: **Every day there were four stacks of wood there. But today there were five: one for maintaining the big wood pile, one for the second pile, for the incense, one for [burning up] the limbs and the birds which were not wholly consumed the preceding evening, and one that was added this day.***

C. Said R. Abin, “The statement was required only to cover the disposition of the invalidated ones [which could not be offered on the altar to begin with, but once put on the altar, they would stay there to be consumed by the fire]. But that applies in particular to those that had been singed by the fire, but if they had not been singed by the fire, then that would not be the rule concerning disposition of them.”

D. *There are those who say, All the same are those that are valid and those that are invalid: if they had been singed by the fire, then that is the rule, but if they had not been singed by the fire, then that would not be the rule concerning disposition of them.*

XIII.1 A. *A Tannaite formulation: **But today there were five:***

B. *Said R. Aha bar Jacob, “It was necessary to add that detail [to Meir’s formulation of the rule]. For it might have entered your mind to suppose that that is the rule only when the Day of Atonement falls on Sunday [immediately after the Sabbath], for the fat pieces of the Sabbath may be offered up on the Day of Atonement, but not in the middle of the week. So we are informed to the contrary [that the same rule pertains on any day on which the holy day falls.]”*

C. *Said Raba, “Who is this one, who doesn’t pay any attention to the quality of his flour. Lo, we have learned as the Mishnah-formulation, **Every day!** [So what’s the point of proving that very fact?]”*

D. *That’s a problem.*

XIII.2. A. *And [when Bar Qappara says, “R. Meir used to say, ‘For any of the limbs of the daily whole offering that were left over a special wood pile is arranged, even on the Sabbath,’”] he differs from R. Huna, who has said, “The continual offering suspends the Sabbath only at its beginning but not at its end.” [Jung: this offering is sacrificed on the Sabbath day, notwithstanding the fact that the labor involved many kinds of work expressly forbidden on that day. But only at the beginning, that is, if the beginning of that sacrifice has to be made on the Sabbath. Of the Friday offering at twilight, however, the limbs must be smoked before the Sabbath; since the offering belongs to Friday, it would be a desecration to continue it on the Sabbath.]*

XIII.3. A. *Reverting to the body of the foregoing: said R. Huna, “The continual offering suspends the Sabbath only at its beginning but not at its end.”*

B. *What is the meaning of ...but not at its end?*

C. R. Hisda said, “It overrides the restrictions of the Sabbath but does not override the restrictions involving cultic uncleanness.”

- D. And Rabbah said, "It overrides the restrictions of cultic uncleanness but it does not override the restrictions of the Sabbath."
- E. *Said Abbaye to Rabbah, "There is a problem for your position and there is a problem for the position of R. Hisda.*
- F. *"There is a problem for your position: What is it that distinguishes the consideration of uncleanness? It is that Scripture suspends the law when it says, 'in its due season' (Num. 28: 2), meaning, even in a condition of uncleanness. But so too with reference to the Sabbath, we find the same language, 'in its due season,' meaning, and even on the Sabbath.*
- G. *"...and there is a problem for the position of R. Hisda: hat is it that distinguishes the consideration of the Sabbath? It is that Scripture suspends the law when it says, 'in its due season,' meaning, even on the Sabbath. But so too with reference to considerations of cultic cleanness, Scripture says, 'in its due season' (Num. 28: 2), meaning, even in a condition of uncleanness."*
- H. *He said to him, "There is no problem of the kind either in my position or in that of R. Hisda.*
- I. *"There is no problem of the kind either in my position: the beginning is comparable to the end, [46B] with the result: just as in the matter of the law of cultic uncleanness, it is suspended at the beginning [Jung: if no clean priest is present to sprinkle the blood, then one who is cultically unclean may do so], so too at the end the considerations of cultic cleanness are suspended; in regard to the Sabbath, since the considerations of the Sabbath are not suspended at the beginning [for the Friday whole offering at twilight has to be offered before the Sabbath, since the blood would be invalid if not sprinkled before sunset], so the same considerations of the Sabbath are not suspended at the end.*
- J. *"...or in that of R. Hisda: the rule that pertains at the end is not comparable to the rule that pertains at the outset; so with respect to the Sabbath, since, so far as a community sacrifice is concerned, considerations of the Sabbath are suspended also at the end of the sacrifice, but with respect to the consideration of cultic uncleanness, since when it comes to a sacrifice of the community cultic cleanness rules are only suspended but not invariably so, the same are suspended only at the beginning, which is essential for atonement, but not at the end, which is not essential for atonement."*

XIII.4. A. [With reference to "Fire shall be kept burning upon the [outer] altar continually, it shall not go out" (Lev. 6: 6),] *it has been stated:*

- B. He who puts out the fire on the fire pan or the candelabrum
- C. Abbaye said, "He is liable."
- D. And Raba said, "He is exempt."
- E. *With respect to putting out the fire on the top of the altar, all concur that he is guilty. What is subject to dispute is only the case of his bringing it down to the ground and putting it out there.*
- F. Abbaye said, "He is liable" — it is fire of the altar.
- G. And Raba said, "He is exempt" — *since he has taken it away, he has taken it away.*

- H. *Then in accord with the opinion of which of the foregoing authorities can the following statement have been made: said R. Nahman said Rabbah bar Abbuha, “He who takes a coal from the altar and puts it out is liable”?*
- I. *In accord with whom? In accord with Abbayye, of course.*
- J. *You may even maintain that it is in accord with Raba. In that case, the coal was not taken away for use in accord with a commandment, but in the present case it was taken away from the altar in accord with the commandment governing its utilization.*
- K. *There are those who say, in a case in which one took it down to the ground and put it out there, there is no dispute that one is not liable. Where there is a dispute, it concerns a case in which he put it out on top of the altar.*
- L. *Abbayye said, “He is liable” — it is fire of the altar.*
- M. *And Raba said, “He is exempt” — since he has taken it away, he has taken it away.*
- N. *But with reference to the following: said R. Nahman said Rabbah bar Abbuha, “He who takes a coal from the altar and puts it out is liable”— in accord with the opinion of which of the foregoing authorities can that statement have been made? It cannot accord with either Abbayye or Raba.*
- O. *In that case, the coal was not taken away for use in accord with a commandment, but in the present case it was taken away from the altar in accord with the commandment governing its utilization.*

I:1-XII.1 follow a simple program of Mishnah-glossing. I:2-7 go their own way, pursuing an interest that is, at least, tangential to I:1. But my analysis of XII-XIII leaves me puzzled, since it is not clear to me that XIII:1 really intends to utilize as its organizing principle a comment on a clause of the Mishnah, and the remainder of XIII:2 to the end strongly suggest that the whole of XIII really forms a continuation of XII:2-6’s amplification of the Tannaite complement introduced at the head of that composite. A case can be made for that reading of matters; but then there are other problems in explaining the character of the protracted composite. Here, then, we have one of the remarkably few passages of the Bavli in which the governing principle that the Bavli is organized principally as a commentary to the Mishnah and secondarily as an extension of that commentary does not fully explain what we have in our hands. But I can think of no other principle of organization to account for what is before us.