

VI.

BAVLI PESAHI CHAPTER SIX

FOLIOS 65B-73B

6:1

- A. These matters regarding the Passover sacrifice override [the prohibitions of] the Sabbath:
- B. (1) slaughtering it, (2) tossing its blood, (3) scraping its entrails, and (4) burning its [sacrificial] pieces of fat.
- C. But roasting it and rinsing its entrails do not override [the prohibitions of] the Sabbath.
- D. Carrying it [to the Temple], bringing it from outside to inside the Sabbath limit, and cutting off a wen which is on it do not override [the prohibitions of] the Sabbath.
- E. R. Eliezer says, “They do override [the prohibitions of the Sabbath].”

6:2

- A. Said R. Eliezer, “Now is it not logical [that these, too, should override the prohibitions of the Sabbath]?”
- B. “Now if slaughtering, which is prohibited under the category of labor, overrides [the prohibitions of] the Sabbath, these, which are [prohibited only] by reason of Sabbath rest [relying not upon the Scriptural prohibition of actual labor] — should they not override [the prohibitions of] the Sabbath?”

- C. Said to him R. Joshua, “A festival day will prove [to the contrary. On festival days it is permitted to prepare necessary food (Exo. 12:16). For they permitted work to be done on that day which is normally prohibited by reason of labor, but it is prohibited to do on that day [other actions] which are prohibited [merely] by reason of Sabbath rest.”
- D. Said to him R. Eliezer, “Now what is the meaning of this, Joshua? How shall proof be derived from that which is an optional deed for that which is an obligatory one?”
- E. R. Aqiba replied and said, “Sprinkling [purification water on an unclean person] will prove the case. For it is an obligatory deed, and it is normally prohibited by reason of Sabbath rest, and it does not override [the prohibitions of] the Sabbath.
- F. “So you, do not be surprised concerning these matters, for even though they are obligatory deeds, and they are prohibited merely by reason of Sabbath rest, they should not override [the prohibition of] the Sabbath.”
- G. Said to him R. Eliezer, “And upon this very fact I base my reasoning.
- H. “Now, if slaughtering, which is prohibited by reason of constituting an act of labor, overrides [the prohibitions of] the Sabbath, sprinkling [purification water on an unclean person], which is prohibited [merely] by reason of Sabbath rest — is it not logical that it [too] should override [the prohibitions of] the Sabbath?”
- I. [66A] Said to him R. Aqiba, “Matters are just the opposite. Now if sprinkling [purification water on an unclean person], which is prohibited by reason of Sabbath rest, does not override [the prohibitions of the Sabbath], slaughtering, which is prohibited by reason of constituting a prohibited act of labor — is it not logical that it, too, should not override [the prohibitions of] the Sabbath?”
- J. Said to him R. Eliezer, “Aqiba, you have uprooted that which is written in the Torah: At the twilight, at its appointed time (Num. 9: 3) — whether this be an ordinary day or the Sabbath.”
- K. He said to him, “Rabbi, bring me an ‘appointed time’ referring to these matters just as ‘appointed time’ refers to the actual act of slaughtering.”
- L. A governing principle did R. Aqiba state, “Any form of labor which it is possible to carry out on the eve of the Sabbath does not override the Sabbath.

M. “Slaughtering, which it is not possible to carry out on the eve of the Sabbath, does override the Sabbath.”

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

- B. **This law was lost by the Sons of Betera. Once the fourteenth of Nisan coincided with the Sabbath. People forgot and didn’t know whether or not the rite of the Passover-offering overrides the restrictions of the Sabbath. They said, “Is there anybody around who knows whether or not the rite of the Passover-offering overrides the restrictions of the Sabbath?”**
- C. **They said to them, “There’s a fellow who has just emigrated from Babylonia, named Hillel the Babylonian, who has served as disciple to the two preeminent authorities of the generation, Shemayya and Abtalion, and who knows whether or not the rite of the Passover-offering overrides the restrictions of the Sabbath.”**
- D. **They sent and summoned him. They said to him, “Do you know whether or not the rite of the Passover-offering overrides the restrictions of the Sabbath?”**
- E. **He said to them, “Do we have only a single Passover in the year that overrides the prohibition of the Sabbath? Aren’t there many more than two hundred Passover-offerings during the year that override the restrictions of the Sabbath?”**
- F. **They said to him, “So how do you know it?”**
- G. **He said to them, “The word ‘in its appointed time’ is stated in connection with Passover, and the same phrase, ‘in its appointed time’ is stated [at Num. 28: 2] in connection with the daily whole-offering. Just as ‘at its appointed time’ stated in connection with the daily whole-offering means that the requirements of the rite override the restrictions of the Sabbath, so the phrase, ‘its appointed time’ stated in regard to the Passover-offering means that the requirements of the rite override the restrictions of the Sabbath.**
- H. **“And furthermore, it is a matter of an argument a fortiori, namely: If the daily whole-offering, violation of the laws of which is not punishable by extirpation, overrides the restrictions of the Sabbath, the Passover, violation of the requirement of which is punishable by extirpation, surely should override the restrictions of the Sabbath.”**

- I. They made him head and appointed him patriarch over them. And he expounded the entire day concerning the laws of the Passover.
- J. He began to subject them to verbal abuse. He said to them, “So what made it happen to you that I should come up from Babylonia and become patriarch over you? It was your own slothfulness, that you didn’t serve as disciple to the two greatest authorities of the generation, Shemayya and Abtalion.”
- K. They said to him, “Lord, if someone forgot and didn’t bring his knife on the eve of the Sabbath, what should he do?”
- L. He said to them, “I heard this law but I forgot it. But leave it to the Israelites: If they’re not prophets, they’re descendents of prophets.”
- M. The next day, someone whose Passover-offering was a lamb stuck the knife in its wool; someone whose Passover-offering was a goat stuck the knife between its horns.
- N. Then he saw the deed and was reminded of the law and said, “This is what I have received as a tradition from Shemayya and Abtalion” [cf. T. [Pisha 4:13](#)].

- I.2** A. The master has said: “The word ‘in its appointed time’ is stated in connection with Passover, and the same phrase, ‘in its appointed time’ is stated [at Num. 28: 2] in connection with the daily whole-offering. Just as ‘at its appointed time’ stated in connection with the daily whole-offering means that the requirements of the rite override the restrictions of the Sabbath, so the phrase, ‘its appointed time’ stated in regard to the Passover-offering means that the requirements of the rite override the restrictions of the Sabbath.”
- B. *So how do we know that the daily whole-offering itself overrides the restrictions of the Sabbath? Should I say that it is because the language, “in its appointed time” is written in that connection? But the language, “in its appointed time” is written in connection with the Sabbath! So you have to say that the cited language has no bearing for him in that context, in which case, here, too, that language ought to bear no compelling meaning for him here, too!*
- C. Rather, said Scripture, “This is the burnt-offering of every Sabbath, beside the continual burnt-offering” (Num. 28:10) — that implies that the daily whole-offering is presented on the Sabbath.

I.3 A. The master has said: **And furthermore, it is a matter of an argument a fortiori, namely: If the daily whole-offering, violation of the laws of which is not punishable by extirpation, overrides the restrictions of the Sabbath, the Passover, violation of the requirement of which is punishable by extirpation, surely should override the restrictions of the Sabbath:**

- B. *But there is the following flaw in the argument:* The distinctive quality of the daily whole-offering is that it is constant and entirely burned up [which traits do not pertain to the Passover]!
- C. *First he told them an argument a fortiori, and then they raised their objection, and then he told them the argument by verbal analogy [which they had to accept].*
- D. *Well, since he had in hand an argument by verbal analogy, what need did he have for the argument a fortiori anyhow?*
- E. *Rather, he answered them in terms of their own position, namely, "Well, with respect to the argument by verbal analogy, which you haven't learned as a tradition, I admit, someone doesn't make up an argument by verbal analogy on his own, but you should surely draw the correct inference from an argument a fortiori, for a person may indeed compose such an argument on his own!"*
- F. *They said to him, "Your argument a fortiori bears a flaw."*

I.4 A. The master has said: **The next day, someone whose Passover-offering was a lamb stuck the knife in its wool; someone whose Passover-offering was a goat stuck the knife between its horns:**

- B. **[66B]** *But lo, what he was doing was performing an act of labor with Holy Things [in having the animal carry the knife]!*
- C. *He did so like Hillel, for it has been taught on Tannaite authority:* They said concerning Hillel the Elder that during all his lifetime no one ever committed sacrilege through an animal designated in advance as a burnt-offering. He would bring the animal as yet unconsecrated to the Temple courtyard and there he would declare it to be sanctified for the stated purpose and put his hands on it and then slaughter it.
- D. *And how could one sanctify the animal for the Passover on the Sabbath day? Haven't we learned in the Mishnah: **They do not declare objects to be sanctified, make a vow of Valuation, declare something to be herem, or raise up heave-offering or tithe. All***

these actions on a festival they have declared [to be culpable]; all the more so [when they are done] on the Sabbath. The sole difference between the festival and Sabbath is the preparation of food alone, [which is permitted on the festival but forbidden on the Sabbath] [M. Bes. 5:2H-J]?

- E. *That rule applies to* obligatory offerings that are not subjected to a fixed time, but in the case of obligatory offerings that are subject to a fixed time, one may sanctify an animal for that purpose. For said R. Yohanan, “On the Sabbath a person may sanctify an animal to serve as his Passover-offering, and on a festival one may do the same for his festal-offering.”
- F. But isn't he driving an animal that is bearing a burden [on the Sabbath, which is forbidden]?
- G. He does so with the back of his hand [in an unusual way].
- H. *Well, even in respect to doing so in an unusual way, while to be sure there is no prohibition that derives from the Torah, there surely is a prohibition that derives from the authority of rabbis?*
- I. *But that's the very point of their question to him:* In respect to something that is permitted on the basis of the law in the Torah, while a consideration of Sabbath rest stands as an obstacle in its path, what is the law on uprooting that obstacle by doing the action in an unusual way when it comes to doing a religious duty?
- J. **He said to them, “I heard this law but I forgot it. But leave it to the Israelites: If they're not prophets, they're descendents of prophets.”**

- I.5**
- A. [With reference to the clause, **He began to subject them to verbal abuse. He said to them, “So what made it happen to you that I should come up from Babylonia and become patriarch over you? It was your own slothfulness, that you didn't serve as disciple to the two greatest authorities of the generation, Shemayyah and Abtalion”**], said R. Judah said Rab, “Whoever behaves arrogantly — if he is a sage, his wisdom departs from him, if he is a prophet, his power of prophecy departs from him.
 - B. “If he is a sage, his wisdom departs from him: This is from Hillel. For the master has said, **He began to subject them to verbal abuse...[then:] “I heard this law but I forgot it. But leave it to the**

Israelites: if they're not prophets, they're descendents of prophets."

- C. "...if he is a prophet, his power of prophecy departs from him: This derives from Deborah: 'The rulers ceased in Israel, they ceased until I arose, Deborah, I arose, a mother in Israel' (Jud. 5: 7), and then, 'Awake, awake Deborah, awake, awake, utter a song' (Jud. 5:12)."

I.6 A. R. Simeon b. Laqish said, "Whoever gets mad — if he is a sage, his wisdom departs from him, if he is a prophet, his power of prophecy departs from him.

- B. "If he is a sage, his wisdom departs from him: This derives from the case of Moses: **'And Moses was angry with the officers of the host, and Moses said to them, Have you saved all the women alive? [Remember, it was they who, in Balaam's departure, set about seducing the Israelites into disloyalty to the Lord that day at Peor, so that the plague struck the community of the Lord]' (Num. 31:14). And it is written, 'And Eleazar the priest said to the men of the army, who had gone out to battle, This is the law of the Torah which the Lord commanded Moses' (Num. 31:22) [Fathers According to Rabbi Nathan I:V.2E-G]. It follows that it had been forgotten by Moses.**

- C. "If he is a prophet, his power of prophecy departs from him: This derives from the case of Elisha: 'Were it not that I regard the presence of Jehoshaphat, king of Judah, I would not look toward you nor see you' (2Ki. 3:14), and then, 'But now bring me a minstrel, and it came to pass, when the minstrel played, that the hand of the Lord came upon him' (2Ki. 3:15)."

I.7 A. Said R. Mani bar Pattish, "Whoever gets mad — even if from Heaven they assign greatness to him, they bring him down. *How do we know this?* It is from the case of Eliab: 'And Eliab's anger was kindled against David, and he said, Why have you come down, and with whom have you left those few sheep in the wilderness? I know your presumptuousness and the naughtiness of your heart, for you are come down that you might see the battle' (1Sa. 17:28). *And when Samuel went to anoint [him], concerning all of the brothers of David,*

it is written, 'neither has the Lord chosen this' (1Sa. 16: 8), but of Eliab it is written, 'But the Lord said to Samuel, don't look on his face or on his height, because I have rejected him' (1Sa. 16: 7). So it follows from the fact that he rejected him that he had favored him until that point."

- I.8** A. *So we have found that the daily whole-offering and the Passover-offering override the restrictions of the Sabbath. How do we know that making those offerings also overrides the restrictions of uncleanness?*
- B. *Say: Just as we derive the rule governing the Passover from the rule governing the daily whole-offering when it comes to the Sabbath, so we may derive the rule governing the daily whole-offering from the rule governing the Passover when it comes to uncleanness.*
- C. *And how in connection with the Passover-offering itself do we know that fact?*
- D. Said R. Yohanan, "Said Scripture, 'If any man of you shall be unclean by reason of a dead body' (Num. 9:10) — an individual is dismissed to observe the second Passover by reason of his uncleanness, but the community as a whole is not dismissed to observe the second Passover by reason of uncleanness, *but they do it on the first time around in a condition of uncleanness.*"
- E. *Said R. Simeon b. Laqish to R. Yohanan, "Why not say: An individual is dismissed to observe the second Passover, but the community has no remedy in respect to either the first Passover or the second Passover?"*
- F. *Rather, said R. Simeon b. Laqish, "It derives from the following: 'Command the children of Israel to send out of the camp every person afflicted with the skin ailment (Lev. 13) and everyone that has an issue and whoever is unclean by corpse uncleanness' (Num. 5: 2) — Scripture could as well have made mention of those unclean with corpse uncleanness and not made mention of those unclean with flux and persons afflicted with the skin ailment (Lev. 13), and I could have constructed the following argument: If those unclean with corpse uncleanness are sent forth, then those afflicted by flux and persons afflicted with the skin ailment (Lev. 13) all the more so! [67A] But there is a time at which those afflicted with flux and persons afflicted*

with the skin ailment (Lev. 13) are sent away, but those unclean by corpse uncleanness are not sent away, and when might that be? It is when the Passover-offering is offered in a state of uncleanness [by the community as a whole].”

- G. *Said Abbayye, “If so, then why not say the following just as well: Let Scripture make reference to the person afflicted by flux and those unclean by corpse uncleanness and not make mention of the person afflicted with the skin ailment (Lev. 13), and I shall say: a person afflicted by flux is sent away, and a person afflicted with the skin ailment (Lev. 13) all the more so? Rather, you have an occasion on which persons afflicted with the skin ailment [Lev. 13] are sent away but those afflicted by flux or corpse uncleanness are not sent away, and when might that be? It is a Passover-offering that is offered in a state of uncleanness. And should you say, well, that’s quite correct, that is the position we do espouse, but haven’t we learned in the Mishnah: **A Passover-offering that was presented in uncleanness — male Zabs, female Zabs, menstruating women, and women unclean by reason of childbirth should not eat from it. But if they ate from it, they are exempt from the punishment of extirpation [M. Pes. 9:4A-C]?!”***
- H. *Rather, said Abbayye, “In point of fact, the rule derives from the verse originally introduced [Num. 9:10], and as to the question [“Why not say: an individual is dismissed to observe the second Passover, but the community has no remedy in respect to either the first Passover or the second Passover?”], if that were the case, then the All-Merciful should have written, ‘If any man of you shall be unclean.’ Why bother to say, ‘by reason of a corpse’? And should you say, the phrase, ‘by reason of a corpse’ comes for this purpose, namely: only one who is unclean by reason of a corpse is dismissed to observe the second Passover, but other unclean persons are not, then, hasn’t it been taught on Tannaite authority: Might one suppose that only those who are unclean with corpse uncleanness and one who was away on a distant journey should observe the second Passover, so how do we know that those afflicted by flux uncleanness and persons afflicted with the skin ailment (Lev. 13) and those who had sexual relations with a menstruating woman should, too? Therefore Scripture says, ‘any man,’ including these as well. Then what’s the*

point of 'by reason of a corpse'? *This is the sense of Scripture: An individual is dismissed to the second Passover, but the community is not dismissed to the second passover, but keep the first Passover in a condition of uncleanness. And when is it that the community keeps the first Passover in a state of uncleanness? When they are unclean with corpse uncleanness, but if it is other forms of uncleanness, then they don't keep it in a state of uncleanness.*"

- I.9** A. Said R. Hisda, "A person afflicted with the skin ailment (Lev. 13) who went into the area of the Temple beyond the barrier that applied to him is exempt from penalty, as it is said, 'he shall dwell solitary, outside of the camp shall be his dwelling' (Lev. 13:46). Scripture has turned the prohibition concerning him into a positive commandment [but only a negative commandment involves flogging]."
- B. *An objection was raised:* A person afflicted with the skin ailment (Lev. 13) who went into the area of the Temple beyond the barrier that applied to him is subject to a flogging of forty stripes; males and females afflicted with flux uncleanness who went into the area of the Temple beyond the barrier that applied to them are subject to a a flogging of forty stripes. **One who is unclean by reason of corpse uncleanness may enter the Levitical camp, and not one unclean with corpse uncleanness alone have they specified, but even the corpse itself, as it is said, "And Moses took the bones of Joseph with him" (Exo. 13:19) — [with him] into the camp of the Levites [T. Kel. B.Q. 1:8C-D].**
- C. *In fact, the conflict between these rules represents a difference among Tannaite authorities, as has been taught on Tannaite authority:*
- D. "'...he shall dwell alone' (Lev. 13:46), bearing the implication that no other unclean person should dwell in the same camp with him. Might one suppose that persons afflicted with flux uncleanness or contaminated with corpse uncleanness are sent away to the same camp? Scripture states, 'that they do not contaminate their camps' (Num. 5: 3) — to designate a camp for

this classification of persons and a camp for that,” the words of R. Judah.

- E. R. Simeon says, “Such a demonstration is hardly required. For Scripture states, ‘Command the children of Israel that they send out of the camp every person afflicted with the skin ailment and everyone who has an issue and whoever is unclean by the dead’ (Num. 5: 2). Now Scripture could as well have stated ‘those who are unclean by the dead’ and not made reference to those afflicted with flux uncleanness, and I might then conclude, if those unclean with corpse uncleanness are sent out, how much the more so those unclean with flux uncleanness. So why is it necessary to make reference to those unclean with flux uncleanness? It is to designate a second and distinct camp for that classification of persons. And if Scripture had made reference only to the person subject to flux uncleanness and not to the skin ailment, I would then say, if those afflicted with flux uncleanness are sent out, how much the more so those with the skin ailment. So why is it necessary to make reference to the person subject to the skin ailment? It is to designate a third and distinct camp for him. And when it says, ‘he shall dwell solitary,’ the upshot is for Scripture to turn the negative commandment into a positive commandment” [and that yields the conflict of Tannaite opinion].

I.10 A. *What trait marks the person afflicted with flux uncleanness as subject to a weightier disability than the person bearing corpse uncleanness?* It is that the uncleanness exudes from his own body. But then, to the contrary, the person suffering corpse uncleanness is subject to a weightier form of uncleanness, since he has to be sprinkled by purification water on the third and seventh day!

- B. Scripture states not “the unclean” but “and whoever is unclean” to encompass one who is unclean even through the mode of uncleanness imparted by a dead creeping thing.

- C. And a person afflicted with flux uncleanness is subject to a weightier form of uncleanness than a person afflicted with the uncleanness of a dead creeping thing. *And what is the aspect that makes his uncleanness weightier? It is as we have said.*
- D. To the contrary, a person afflicted with uncleanness from a dead creeping thing is subject to a more weighty form of uncleanness, for lo, he contracts uncleanness under duress. [Flux uncleanness comes about only if it is natural, but if it is caused under duress, it does not impart uncleanness.]
- E. Say: **[67B]** *To such an extent a person afflicted with flux uncleanness also contracts uncleanness under duress, in line with what R. Huna said, for said R. Huna, “When it comes to the first appearance of flux, one contracts uncleanness even under duress.”*
- F. *What trait marks the person afflicted with the skin ailment as subject to a weightier form of uncleanness than one afflicted with flux uncleanness?* It is that he has to let the hair grow disheveled and has to tear his garments and is forbidden to have sexual relations. But then, to the contrary, the person afflicted with flux uncleanness is subject to a weightier form of uncleanness, because he imparts uncleanness to objects used for sitting or lying upon which he sits or lies, and he impacts uncleanness to clay utensils simply by moving them through the force of his own weight!
- G. Instead of saying “a person afflicted with the skin ailment,” Scripture says, “and every person afflicted with the skin ailment” — which serves to encompass a person subject to a seminal emission.
- H. And a person afflicted with the skin ailment is subject to a much weightier form of uncleanness than a person who has produced semen. *And what is the basis of his weightier subjection to uncleanness? It is as we have stated.*
- I. To the contrary, a man who has had a seminal emission is subject to a more stringent form of uncleanness, since he contracts uncleanness from the most minimal volume of semen.
- J. *He concurs with R. Nathan, in line with that which has been taught on Tannaite authority:*
- K. R. Nathan in the name of R. Ishmael says, “The discharge of flux of a person unclean with flux uncleanness, to constitute a sufficient volume

to impart flux uncleanness, must be enough to stop up the hole of the penis.” But others did not concede his position.

- L. *And he further treats the man who has had a seminal emission as comparable to a person suffering with flux uncleanness (Lev. 15:32).*
- M. *And what purpose is served by the language, “every person afflicted with the skin ailment”?*
- N. *Since the language “every one” is used in connection with one who suffers flux uncleanness, the same language is used in the counterpart passage concerning the person afflicted with the skin ailment.*
- O. *And as to R. Judah, hasn’t R. Simeon given him a good argument [so what is the purpose of the verse cited by him]?*
- P. *He requires the verse utilized by R. Simeon for the following purpose, as has been taught on Tannaite authority:*
- Q. R. Eliezer says, “Might one suppose that, if, when the Passover-offering was presented in uncleanness by reason of corpse uncleanness affecting the majority of the community, those afflicted with flux and with the skin ailment pushed their way through and entered the Temple, they would be liable? Scripture states, ‘They shall put out of the camp every person afflicted with the skin ailment and every one who is afflicted with flux, and whoever is unclean by corpse uncleanness’ (Num. 5: 2). When those who have contracted corpse uncleanness are put out of the sanctuary, those afflicted with flux and with the skin ailment are put out of their camps; when those unclean by corpse uncleanness are not put out, those afflicted with flux and with the skin ailment also are not put out.”

I.11 A. The master has said: Instead of saying “a person afflicted with the skin ailment,” Scripture says, “and every person afflicted with the skin ailment” — which serves to encompass a person subject to a seminal emission —

B. *That supports what R. Yohanan said, for said R. Yohanan, “The area of the cellars under the Temple was not consecrated, and a person afflicted with seminal emission is sent outside the two camps [that of the Presence of God, that of the Levites, just as is a person afflicted with flux uncleanness].”*

- C. *By way of objection: One who has had a seminal emission is like one who has touched a dead creeping thing [M. Zab. 5:11A]. Doesn't this mean, with respect to the camps to which they are assigned?*
- D. *No, it refers to their status as to uncleanness.*
- E. *You maintain that it refers to their status as to uncleanness! But, as a matter of fact, in respect to the one, Scripture imputes uncleanness to the evening, while in respect to the other, Scripture imputes uncleanness to the evening [Freedman: just as a man made unclean by a dead creeping thing is sent out from the camp of the Presence of God, so is one afflicted with seminal uncleanness, and neither is unclean for seven days]. So what it must mean is, with respect to the camps to which they are assigned!*
- F. *Not at all, it really does refer to their status as to uncleanness, and thus we are informed that a person suffering seminal uncleanness is in the status of a person made unclean through touching a dead creeping thing; just as uncleanness is contracted from a dead creeping thing through contact, even if it is under duress, so a person made unclean with seminal uncleanness contracts uncleanness even under duress.*
- G. *An objection was raised: [68A] He who has sexual relations with a menstruating woman is like one who is unclean by reason of corpse uncleanness [M. Zab. 5:11B]. For what purpose? Should I say, it is in respect to the uncleanness affecting them, well, this one is subjected by Scripture to uncleanness for seven days, and that one is subjected by Scripture to uncleanness for seven days, so doesn't it make reference to their respective camps, and since the second clause concerns the camp to which that classification of persons is assigned, the first does as well? [Both then are excluded solely from the camp of the Presence of God (Freedman).]*
- H. *What makes you think such a flimsy argument holds? That item stands as is, and this item stands as is.*

- I. *An objection was raised:* A person afflicted with the skin ailment is subject to a weightier rule than a person afflicted with flux uncleanness [the former sent out of all three camps, the latter, out of only two], and a person afflicted with flux uncleanness is subject to a weightier rule than a person afflicted by corpse uncleanness [who is dismissed only from the camp of the Presence of God]. The man afflicted with a seminal emission's uncleanness is excepted, for one who is subject to corpse uncleanness is subject to a weightier form of uncleanness than is he. *Now what is the meaning of ...is excepted? Doesn't it mean, he is excepted from the rule governing the person afflicted with flux uncleanness but is included under the rule of him who is unclean with corpse uncleanness, since one who is unclean with corpse uncleanness is subject to a more strict rule, and yet he is permitted to enter the camp of the Levites?*
- J. Not at all! ...is excepted from the camp of one who has contracted corpse uncleanness but is included in the camp of one afflicted with flux uncleanness; and though one unclean with corpse uncleanness is subject to a weightier form of uncleanness than he is, and while he may enter the levitical camp, *still, we compare the man afflicted with seminal uncleanness to what is in the same category as he is [that is, one afflicted with flux uncleanness]*. [Freedman: So the meaning is: A person afflicted with the skin ailment, a person afflicted with flux uncleanness, and one unclean with corpse uncleanness, follow the rule that the more stringent the uncleanness, the further away he is sent; but a person afflicted with semen uncleanness is excepted, and though his uncleanness is less than that of a person unclean by the dead, he is sent further away, because he must be compared to a person afflicted with flux uncleanness, both being contaminated through discharge from the penis.]
- I.12** *A. A Tannaite authority recited the following Tannaite statement before R. Isaac bar Abdimi: “‘Then he [the man afflicted with seminal emission] shall go outside of the camp’ (Deu. 23:11) — this refers to the camp of the Presence of*

God. 'He shall not come into the camp' (Deu. 23:11) — this refers to the camp of the Levites. On this basis we learn the rule that the person unclean with a seminal emission must go outside of the two camps."

- B. *He said to him, "You haven't yet brought him into the sanctuary, that you now propose to expel him [he can't enter the levitical camp, so he's already outside, so why assume he's inside]!"*
- C. *Another version: "You haven't expelled him, and you're already talking about his coming back in!"*
- D. *"Rather, say: "Then he [the man afflicted with seminal emission] shall go outside of the camp" (Deu. 23:11) — this refers to the camp of the Levites. "He shall not come into the camp" (Deu. 23:11) — this refers to the camp of the Presence of God."*
- E. *Objected Rabina, "Why not say, both this and that speak of the camp of the Presence of God, and the repetition is to make the point that if he acts to the contrary, he violates on that account both a commandment of affirmative action and a negative commandment as well?"*
- F. *"If so, Scripture should say, 'then he shall go outside of the camp' and 'he shall not enter,' but what's the point of 'within the camp'? That bears the implication that he is assigned to another camp [that he has to evacuate as well]."*

II.1 A. Scraping its entrails:

- B. *To what does **scraping its entrails** refer?*
- C. *R. Huna said, "They are to be pierced with a knife [for the shit to fall out]."*
- D. *Hiyya bar Rab said, "Remove the viscous substance of the bowels, which exudes through the knife's pressure."*
- E. *Said R. Eleazar, "What's the verse of Scripture that sustains the position of Hiyya bar Rab? It is written, 'and the waste places of the fat ones shall wanderers eat' (Isa. 5:17)."*
- F. *What's the implication of that verse that is pertinent?*
- G. *It is as is explained by R. Joseph, "And the estates of the wicked shall the righteous inherit."*

- II.2** A. “Then shall the lambs feed as in their pasture” (Isa. 5:17) –
- B. Said Menassayya bar Jeremiah said Rab, “[The letters that make up the word ‘as in their pasture’ are to be read:] ‘as was spoken about them.’”
- C. *What is the meaning of ‘as was spoken about them’?*
- D. Said Abbayye, “‘and the waste places of the fat ones shall wanderers eat’ (Isa. 5:17).”
- E. *Said to him Raba, “Now if it were written, ‘the waste places,’ it would have been quite all right as you state matters, but since the language is, ‘and the waste places,’ this makes a fresh point.”*
- F. *Rather, said Raba, “It is in accord with what R. Hananel said Rab said, for said R. Hananel said Rab, ‘The righteous are destined to resurrect the dead.’ Here it is written, ‘and the waste places of the fat ones shall wanderers eat,’ and elsewhere: ‘then shall Bashan and Gilead feed as in the days of old’ (Mic. 7:14). Bashan refers to Elisha, who came from Bashan: ‘And Janai and Shaphat in Bashan’ (1Ch. 6:12), and ‘Elisha the son of Shaphat is here, who poured water on the hands of Elijah’ (1Ki. 3:11); Gilead refers to Elimah: ‘And Elijah the Tishbite, who was one of the settlers of Gilead, said to Ahab’ (1Ki. 17: 1).” [And Elisha and Elijah resurrected the dead (Freedman).]*

Composite on the Resurrection of the Dead

Inserted in Extension of II:2

- II.3** A. Said R. Samuel bar Nahmani said R. Jonathan, “The righteous are destined to resurrect the dead, as it is said, ‘There shall yet old men and old women sit in the broad places of Jerusalem, every man with his staff in his hand for very age’ (Zec. 8: 4), and, ‘and lay my staff upon the face of the child’ (1Ki. 4:29).”
- II.4** A. *Ulla contrasted these verses: “‘He will swallow up death for ever’ (Isa. 25: 8) and by contrast, ‘for the youngest shall die a hundred years old’ (Isa. 65:20). No problem: the one speaks of Israel, the other, gentiles. And what are gentiles doing in that context at all? ‘And strangers shall stand and*

feed your flocks, and aliens shall be your plowmen and your vine dressers' (Isa. 56: 5)."

- II.5** A. *R. Hisda contrasted these verses:* "“Then the moon shall be confounded and the sun ashamed’ (Isa. 24:23), *and by contrast*, ‘Moreover the light of the moon shall be as the light of the sun, and the light of the sun seven-fold as the light of the seven days’ (Isa. 30:26). *No problem: the one speaks of the world to come, the other, the days of the Messiah.*”
- B. *And from the view of Samuel, who has said, “The only difference between this age and the days of the Messiah is Israel’s subjugation to the kingdoms alone,” what is to be said?*
- C. *Both speak of the world to come, but there is no problem, the one speaks of the camp of the Presence of God, the other, the camp of the righteous.*

- II.6** A. *Raba contrasted these verses:* “‘I kill and I make alive’ (Deu. 32:39) and ‘I wound and I heal’ (Deu. 32:39). [Freedman, p. 613, n. 4, 5: The former implies that one is resurrected just as he was at death, thus with blemishes, and the other implies that at the resurrection all wounds are healed.] Said the Holy One, blessed be He, ‘What I kill I bring to life,’ and then, ‘What I have wounded I heal.’”

- II.7** A. *Our rabbis have taught on Tannaite authority:*
- B. “I kill and I make alive” (Deu. 32:39). Is it possible to suppose that there is death for one person and life for the other, just as the world is accustomed [now]? Scripture says, “I wound and I heal” (Deu. 32:39). Just as wounding and healing happen to one person, so death and then resurrection happen to one person. From this fact we derive an answer to those who say, “There is no evidence of the resurrection of the dead based on the teachings of the Torah.”
- C. Another matter: at the outset, what I kill I resurrect, but then, what I wound, I heal.

III.1 A. Burning its [sacrificial] pieces of fat:

- B. *It has been taught on Tannaite authority:*

- C. Said R. Simeon, “Come and see how valued is a religious duty done at the proper time. For lo, while the burning up of the sacrificial fat, limbs, and fat pieces is validly done the whole night, still, we don’t wait for burning them until nightfall [but start the burning even on the Sabbath].”

IV.1 A. Carrying it [to the Temple], bringing it from outside to inside the Sabbath limit, and cutting off a wen which is on it do not override [the prohibitions of] the Sabbath:

- B. *And by contrast: They cut off a wen [from an animal designated as an offering] in the Temple but not in the provinces. But if it is [done] with a utensil, here and there it is prohibited [to cut off a wen] [M. Er. 10:13E-F].*
- C. R. Eleazar and R. Yosé bar Hanina —
- D. *one said, “Both refer to a soft wen, but there is no conflict, the one refers to removing a wen by hand, the other, with an instrument.”*
- E. *The other said, “Both refer to one that can be removed by hand, but there is no conflict, the one refers to a soft wen, the other to a dry one.”*
- F. *And from the perspective of him who said, the one refers to removing a wen by hand, the other, with an instrument, how come he didn’t say that the one refers to a soft wen, the other to a dry one?*
- G. *He will say to you, “As to one that is dry, it’s permitted to remove that one even with a utensil. How come? Because it just crumbles away.”*
- H. *And from the perspective of him who has said, the one refers to a soft wen, the other to a dry one, how come he didn’t maintain that the one refers to removing a wen by hand, the other, with an instrument?*
- I. *He may say to you, in regard to removing one with a utensil, we have learned in so many words in the Mishnah, But if it is [done] with a utensil, here and there it is prohibited [to cut off a wen].*
- J. *And the other party?*
- K. *The ruling is repeated there because the framer wanted to underline the dispute between R. Eliezer and R. Joshua [in respect to Eliezer’s permitting use of an instrument].*

V.1 A. Said R. Eliezer, “Now is it not logical [that these, too, should override the prohibitions of the Sabbath]? Now if slaughtering, which is prohibited under the category of labor, overrides [the prohibitions of] the Sabbath, these, which are [prohibited only] by reason of Sabbath rest [relying not

upon the Scriptural prohibition of actual labor] — should they not override [the prohibitions of] the Sabbath?” Said to him R. Joshua, “A festival day will prove [to the contrary. On festival days it is permitted to prepare necessary food, Exo. 12:16]. For they permitted work to be done on that day which is normally prohibited by reason of labor, but it is prohibited to do on that day [other actions] which are prohibited [merely] by reason of Sabbath rest.” Said to him R. Eliezer, “Now what is the meaning of this, Joshua? How shall proof be derived from that which is an optional deed for that which is an obligatory one?”

- B. R. Joshua is consistent with opinions held elsewhere, for he has said that rejoicing on the festival also is a religious obligation, for it has been taught on Tannaite authority: R. Eliezer says, “A person has nothing to do on a festival day except either to eat and drink or to sit and study.”
- C. R. Joshua says, “Split the time in half, half of it for eating and drinking and half of it for [study in] the schoolhouse.”
- D. Said R. Yohanan, “Both of them [formulated their views by] interpreting the same passage[s in Scripture]. One verse (Deu. 16: 8) says, ‘[For six days you shall eat unleavened bread; and on the seventh day there shall be] a solemn assembly *to the Lord* your God; [you shall do no work on it].’ And a different verse (Num. 29:35) says, ‘[On the eighth day] a solemn assembly there shall be to you: [you shall do no laborious work].’ How [does one reconcile the two verses, the first of which indicates that the day is devoted *to the Lord* and the second of which states that the day is *to you*, that is, for the Israelites themselves]? [To reconcile the verses] R. Eliezer reasons, ‘Either [one dedicates] all of the day *to the Lord* [in accordance with Deu. 16: 8]; or [one reserves] all of it *to yourselves*, in accordance with Num. 29:35].’ But R. Joshua reasons, ‘Split [the day] in half; half *for the Lord* and half *for you*.’”

- V.2** A. Said R. Eleazar, “All concur with respect to Pentecost *that we do require* ‘for you’ *as well*. *How come?* It is the day on which the Torah was given.”
- B. Said Rabbah, “All concur with respect to the Sabbath *that we do require* ‘for you’ *as well*. *How come?* ‘And you shall call the Sabbath a delight’ (Isa. 58:13).”
- C. Said R. Joseph, “All concur with respect to Purim *that we do require* ‘for you’ *as well*. *How come?* ‘Days of feasting and gladness’ is written in that regard (Est. 9:22).”

V.3 A. Mar b. Rabina: the entire year he would sit in a fast, except for Pentecost, Purim, and the eve of the Day of Atonement.

- B. *Pentecost*: it is the day on which the Torah was given.
- C. *Purim*: “Days of feasting and gladness” is written in that regard (Est. 9:22).
- D. *And the eve of the Day of Atonement*: in line with what *Hiyya bar Rab of Difti* stated as a *Tannaite* formulation: “It is written, ‘And you shall afflict your souls, on the ninth day of the month at evening’ (Lev. 23:32). Now do people fast on the ninth of the month? Do they not fast on the tenth of the month? But the passage serves to tell you the following: Whoever eats and drinks on the ninth of the month is regarded by Scripture as if he had fasted on the ninth and the tenth.”

V.4 A. R. *Joseph*: on the day of *Pentecost*, he would say, “Make for me a third-grown calf.”

B. He explained, “If it weren’t for this day, [what would I be? for] how many *Josephs* are there out there in the marketplace.”

V.5 A. R. *Sheshet*: every thirty days he would review his learning and would stand and lean at the side of the doorway and say, “Rejoice, O my soul, rejoice, O my soul, for you I have recited Scripture, for you I have repeated *Tannaite* statements!”

B. Well, now, can this be true? But didn’t R. Eleazar say, “[Great is the Torah, for] were it not for the Torah, the heaven and the earth could not endure: ‘Thus says the Lord, but for my covenant by day and night, I would not have appointed the ordinances of heaven and earth’ (Jer. 33:25).”

C. When, to begin with, someone commences the work, it is with his own soul that he does the work.

V.6 A. Said R. *Ashi*, “In line with what R. *Eliezer* has said, namely, rejoicing on a festival is optional, there is the following refutation of his argument: If on a festival, when labor that is optional is permitted [for example, slaughtering an animal, which yields meat to eat and that is a source of rejoicing], labor that is forbidden by means of Sabbath rest that accompanies the act is not permitted, then, on the Sabbath, on which only labor required for carrying out a religious duty is permitted, doesn’t it stand to reason that one should permit alongside those acts that would otherwise be forbidden by reason of Sabbath rest?”

B. [69A] And R. *Eliezer*?

C. *An act otherwise prohibited by reason of Sabbath rest that is now required for the doing of a religious duty takes on greater consequence [and while such an act would not be permitted on a festival, it would override the restrictions of the Sabbath when needed to carry out a religious duty].*

V.7 A. *It has been taught on Tannaite authority:*

B. **Said R. Eliezer, “Now from my perspective, if the things required for the doing of a religious duty override the restrictions of the Sabbath, for example, after the act of slaughter, *in which case the religious duty has already been done*, shouldn’t the things that are required for the doing of a religious duty prior to the doing of the duty, for example, the act of slaughter, also override the restrictions of the Sabbath?”**

C. **Said to him R. Aqiba, “Now from my perspective, if the things required for the doing of a religious duty override the restrictions of the Sabbath, for example, after the act of slaughter, that is because the act of slaughter itself has overridden the restrictions of the Sabbath. But will you say that the things required for the act of slaughter prior to the act of slaughter should override the restrictions of the Sabbath, at which point, the act of slaughter itself will not have overridden the restrictions of the Sabbath?”**

D. **“Another matter: Perhaps the offering will turn out to be invalid, in which case, one will turn out to have profaned the Sabbath retrospectively” [T. Pisha 5:1].**

E. *If that is the argument, then as to slaughtering the animal itself, too, one shouldn’t slaughter it, by reason of the same argument, namely: Perhaps the offering will turn out to be invalid, in which case, one will turn out to have profaned the Sabbath retrospectively.*

F. *Rather, he first gave him this second argument, which the other refuted, and then he said, Now from my perspective, if the things required for the doing of a religious duty override the restrictions of the Sabbath....*

VI.1 A. **R. Aqiba replied and said, “Sprinkling [purification water on an unclean person] will prove the case. For it is an obligatory deed, and it is normally prohibited by reason of Sabbath rest, and it does not override [the prohibitions of] the Sabbath. So you, do not be surprised concerning these matters, for even though they are obligatory deeds, and they are**

prohibited merely by reason of Sabbath rest, they should not override [the prohibition of] the Sabbath.”

- B. *It has been taught on Tannaite authority:*
- C. Said to him R. Eliezer, “Aqiba! Have you now refuted me by reference to an act of slaughter? May your death come about through an act of slaughter.”
- D. He said to him, “My lord, do not make atonement in the time of judgment [and say that my death will atone for my sins, that is, do not be angry with me]. This is what I have received from you as a tradition: sprinkling the water of purification is prohibited only by reason of the consideration of Sabbath rest, and therefore will not override the prohibitions of the Sabbath.”

VI.2 A. *Well, now, since he himself had taught him the rule, how come he reversed himself?*

- B. *Said Ulla, “When R. Eliezer taught it to him, he taught him sprinkling with respect for food in the status of priestly rations, [on the Sabbath an unclean priest may not go through the rite of purification so as to eat that food], and doing so for the sake of eating priestly rations does not override the restrictions of the Sabbath. When R. Aqiba refuted him, too, he refuted him by reference to sprinkling for the sake of eating food in the status of priestly rations, and that is a religious duty, usually forbidden as what is forbidden merely by reason of Sabbath rest; but R. Eliezer supposed the refutation was by appeal to sprinkling for purification for the Passover-offering [and he maintains that is permitted on the Sabbath, to make sure the person can carry out his obligation].”*
- C. *Objected Rabbah, “R. Aqiba replied and said, ‘Sprinkling [purification water on an unclean person] will prove the case. For the seventh day after contracting uncleanness for this man coincides with the Sabbath and on the eve of Passover, for it is a religious duty that the man has to do [and the sprinkling permits him to carry out that duty], and only what is forbidden by reason of Sabbath rest stands in the way, and yet, that sprinkling does not override the restrictions of the Sabbath.’ [So it is quite explicit that Aqiba maintains that sprinkling even for the sake of the Passover doesn’t override the restrictions of the Sabbath.] So R. Eliezer assuredly taught him about sprinkling in connection with the Passover, and, since he had taught it to him, how come R. Eliezer rebutted him in this way?”*

- D. *R. Eliezer had forgotten what he himself had taught, and R. Aqiba came along to remind him of his tradition.*
- E. *So let him say it to him in so many words?*
- F. *He considered that it was not proper for him to do it that way.*
- G. *Now, as to sprinkling, what is the reason that it does not override the restrictions of the Sabbath? Note: it really is mere handling [but no act of servile labor] — so why not allow it to override the restrictions of the Sabbath on account of the Passover sacrifice!*
- H. Said Rabbah, “It is a precautionary decree, lest one take it and transport it for four cubits in public domain.”
- I. *And from the perspective of R. Eliezer, let him do it, since R. Eliezer has said, “Things that are required for carrying out a religious duty override the restrictions of the Sabbath”?*
- J. *Say: That is the rule when the man himself is suitable for doing the religious duty and the religious duty is incumbent on him; here, the man himself is not suitable for doing the religious duty, so the obligation is not incumbent on him.*

- VI.3** A. Said Rabbah, “From the perspective of R. Eliezer that a person who cannot carry out the religious duty is not subject to the obligation to do so, if there is a healthy infant, one may heat the water for him to heal him and circumcise him on the Sabbath, *since it is fit for him*; if the infant is sickly, one may not heat the water for him to heal him and circumcise him, *since it is not fit for him*.” [Freedman: But that distinction pertains only to Eliezer’s position; according to Aqiba, it would be forbidden under all circumstances, just as sprinkling is forbidden.]
- B. *Said Raba, “But if he’s healthy, why does he need the hot water for healing at all?”*
 - C. Rather, said Raba, “Everyone is classified as sickly when it comes to circumcision, both in the instance of a healthy baby and in the instance of a sick one, one may not heat hot water for him to strengthen him and circumcise him on the Sabbath [it has to be heated the prior day], *since it’s not fit for him*.”
 - D. *Abbaye objected, ““An uncircumcised man who did not circumcise himself by the eve of Passover is subject to the penalty of extirpation,” the words of R. Eliezer. But lo, even though the man himself is unfit,*

still he maintains that he is subject to the penalty of extirpation. Therefore, the obligation is personal [to the man, if he can be made fit; so sprinkling him from uncleanness also should override the restrictions of the Sabbath, since the man himself is liable to make himself fit (Freedman)].”

- E. *Said Rabbah, “R. Eliezer takes the position: The Passover-offering may not be slaughtered, and the blood of such may not be sprinkled, on behalf of a person who has been made unclean through contact with a dead creeping thing, [69B] and wherever an individual must offer the second, and not the first, Passover by reason of uncleanness, then the community as such keeps the first Passover-offering in a state of uncleanness. And whatever is obligatory for the community is obligatory for an individual, and whatever is not obligatory for the community is not obligatory for an individual. Now, as to uncircumcision, if in the case of the entire community’s being uncircumcised, we say to them, ‘Go, circumcise yourself and carry out the Passover rite,’ in the case of an individual, too, we say to him, ‘Go, circumcise yourself and carry out the Passover rite.’ And if he is not circumcised and doesn’t carry out the rite, he is penalized with extirpation. As to the matter of uncleanness, if the entire community is unclean, we don’t tell them to postpone the festival but instruct them to carry it out in a situation of uncleanness, in the case of an individual, too, he is exempt from penalty.”*
- F. *Said R. Huna b. R. Joshua to Raba, “But what about the second Passover, in which case there is no consideration of the community as a whole, and yet it is carried out by an individual?”*
- G. *He said to him, “That’s special, for lo, to begin with, the community has already carried out the rite at the first Passover.” [Freedman: But if the community as a whole didn’t sacrifice at the first Passover for some other reason of uncleanness than corpse uncleanness, there is no second Passover for individuals who are unclean through corpse uncleanness.]*
- H. *An objection was raised: Might one suppose that the penalty of extirpation for not carrying out the Passover rite would apply only if the one who didn’t do it was clean and wasn’t on*

a distant journey? How do we know that the same applies to an uncircumcised person or to one who was unclean by reason of the uncleanness of a dead creeping thing or anyone else who was unclean? Because it is said, "And the man who is clean" (Num. 9:10). *Now, since the framer of the passage goes in search of a verse of Scripture to include someone unclean through contact with a dead creeping thing, then he must maintain that the Passover-offering may not be slaughtered, and the blood of such may not be sprinkled, on behalf of a person who has been made unclean through contact with a dead creeping thing. For if he maintained that the Passover-offering may be slaughtered, and the blood of such may be sprinkled, on behalf of a person who has been made unclean through contact with a dead creeping thing, then why does he have to find a verse to make that point, since he is no different from a clean person?* [Freedman: He could have the animal sacrificed by another, and he would be clean in the evening to eat it; so he must hold that a sacrifice cannot be made for him while he is unclean, that is, before he performs immersion, and even so, he incurs extirpation, since he could have immersed]. *Therefore, even though he is not fit for the rite, the obligation remains incumbent upon him to make himself fit, and even though that is not the case in the situation in which the community is involved [the community doesn't have to be sprinkled, but sacrifices in uncleanness], still, that is the rule for the individual.*

- I. *Rather said Raba, "R. Eliezer takes the view: The Passover-offering may be slaughtered, and the blood of such may be sprinkled, on behalf of a person who has been made unclean through contact with a dead creeping thing, and the same rule applies to one who has contracted corpse uncleanness."*
- J. *Well, then, for what purpose is the sprinkling at all? Is it for the eating? But eating the Passover sacrifice is not essential to fulfilling the religious duty of that rite!*
- K. Said R. Adda bar Abba to Raba, "If so, it turns out that the Passover sacrifice may be slaughtered for people

who in point of fact can't eat it! [Without sprinkling, he can't eat any Holy Things!]"

- L. He said to him, "For those who in fact can't eat it refers to those who are sick or old, *since they are unfit, but this one in fact is fat but not yet validated.*"

VII.1

A. A governing principle did R. Aqiba state, "Any form of labor which it is possible to carry out on the eve of the Sabbath does not override the Sabbath. Slaughtering, which it is not possible to carry out on the eve of the Sabbath, does override the Sabbath":

- B. Said R. Judah said Rab, "The decided law accords with R. Aqiba."

C. *And so, too, we have learned with reference to the circumcision along these same lines: An encompassing principle did R. Aqiba state, "Any sort of labor [in connection with circumcision] which it is possible to do on the eve of the Sabbath does not override [the restrictions of] the Sabbath, and that which it is not possible to do on the eve of the Sabbath does override [the prohibitions of] the Sabbath" [M. Shab. 19:1D]* And said R. Judah said Rab, "The decided law accords with R. Aqiba."

D. *And both rulings had to be set forth explicitly. For if he had told us the rule only in connection with the Passover-offering, I might have supposed that that is because thirteen covenants were not made in that regard, but as to circumcision, in which thirteen covenants were made, I might have supposed, only there let the preparation for the rite override the Sabbath. And if we had heard the ruling with respect to circumcision, we might have supposed that it is in that case that the rule applies, since it is possible to do the preparations the prior day, so the preparations should not override the Sabbath, since there is no consideration of extirpation; but as for the Passover sacrifice, where there is extirpation, you might have supposed, let the preparation for the rite override the Sabbath. So both rulings are absolutely required.*

6:3

- A. When does one [also] bring a [freewill] festal-offering with it [over and above the Passover-offering]?
- B. When [the Passover-offering] is offered on an ordinary day, [with most people] in a state of cleanness, and [meat of the Passover-offering] is not sufficient [for all registered for it].
- C. But when it is offered on the Sabbath, and [meat] is abundant, and [most people are] in a state of uncleanness,
- D. they do not bring with it a [freewill] festal-offering.

6:4

- A. A festal-offering derives from the flock of sheep or from the herd of oxen, from lambs or from goats, from males or from females.
- B. And it is eaten for two days and the intervening night [to the night of the fifteenth of Nisan].

- I.1** A. [When does one also bring a freewill festal-offering with it over and above the Passover-offering:] *What prior Tannaite rule explains why, all of a sudden, the Tannaite rule should make reference to the festal-offering?*
- B. *The Tannaite rule has stated: Carrying it [to the Temple], bringing it from outside to inside the Sabbath limit, which do not override [the prohibitions of] the Sabbath, so he proceeds to make reference to the festal-offering, which likewise doesn't override the restrictions of the Sabbath, and this is the formulation of the statement: When does one [also] bring a [freewill] festal-offering with it [over and above the Passover-offering]? When [the Passover-offering] is offered on an ordinary day, [with most people] in a state of cleanness, and [meat of the Passover-offering] is not sufficient [for all registered for it].*

- I.2** A. *Said R. Ashi, "That bears the implication: presenting a festal-offering on the fourteenth of Nisan [70A] is not obligatory [B. Hag. 8A: is not a rule that derives from the Torah]. For if it should enter your mind that it is obligatory, then let it be presented on the Sabbath, and let it be presented when the Passover-offering is sufficient for all who are registered for it, and let it be presented in a state of uncleanness."*

I.3 A. *Anyhow, how come it is presented when the meat is insufficient? That is in line with what has been taught on Tannaite authority:*

B. **The festal-offering that is presented with the Passover is eaten first, so that the Passover-offering itself may be eaten in a state of satiation [T. Pisha 5:3E-F].**

II.1 A. **And it is eaten for two days and the intervening night [to the night of the fifteenth of Nisan]:**

B. *Our Mishnah rule is not in accord with Ben Tema, for it has been stated on Tannaite authority:*

C. Ben Tema says, “The festal-offering that is presented along with the Passover-offering — lo, it is in the status of the Passover-offering, and may be eaten only for a day and a night; but the festal-offering that is presented on the fifteenth of Nisan may be eaten for two days and the intervening night. And with the festal-offering of the fourteenth of Nisan one fulfills his obligation for an offering of rejoicing but not the obligation on the count of an additional festival-offering.

D. *What is the scriptural basis for the position of Ben Tema [as to the rule governing the eating of this meat]?*

E. *It is in line with Rab’s Tannaite statement to his son, Hiyya: “Neither shall the sacrifice of the feast of Passover be left unto the morning’ (Exo. 34:25) — ‘the sacrifice of the feast’ — this refers to the festal-offering; ‘of Passover’ — that means what it says; and the All-Merciful has said, ‘...be left unto the morning’ (Exo. 34:25).”*

II.2 A. *The question was raised: From Ben Tema’s perspective, is it eaten roasted or not eaten roasted? Do we say, when the All-Merciful treated it as comparable to the Passover, it was with respect to its being eaten overnight, but not with respect to its being roasted? Or maybe there is no such distinction?*

B. *Come and take note: On this night all must be eaten roasted, and said R. Hisda, “That is the opinion of Ben Tema.”*

C. *That proves the point.*

II.3 A. *The question was raised: From Ben Tema’s perspective, does the animal have to come from the herd or doesn’t it have to come from the herd; does it derive from females or does it not derive from females; does it derive from beasts that are*

two years old, or does it not derive from beasts two years old? *Do we say, when the All-Merciful treated it as comparable to the Passover, it was with respect to its being eaten, but not with respect to these other matters? Or maybe there is no such distinction?*

- B. *Come and take note:* The festal-offering that is presented along with the Passover-offering — lo, it is in the status of the Passover-offering; it derives from the flock and not from the herd; it derives from males and not from females; it derives from beasts a year old but not from those two years old; it may be eaten only for a day and a night; it may be eaten only roasted; it may be eaten only by those who have signed up for it. *Now of whom have you heard who takes this position? It is Ben Tema. That proves that we require all of these rules.*
- C. *That proves the point.*

II.4

- A. *The question was raised:* From Ben Tema's perspective, as to the festal-offering that is presented along with the Passover-offering — is it subject to the prohibition against breaking its bone or is it not subject to the prohibition as to breaking its bone? *[Do we say,] even though, when the All-Merciful treated it as comparable to the Passover, yet the Scripture says, "Neither shall you break a bone thereof" meaning, "thereof, but not of the festal-offering" (Exo. 12:46), or maybe, "thereof" refers to one that is fit but not one that is unfit?*
- B. *Come and take note:* **A knife found on the fourteenth [of Nisan] — one slaughters with it forthwith. [If it is found] on the thirteenth, one immerses it again. And as to a chopper, one way or the other, one immerses again [M. Sheq. 8:3A-D]** [Freedman: Since the bones of the Passover sacrifice must not be broken, even if it was unclean the owner may not have troubled to immerse it on the thirteenth but waited for the fourteenth, to have it in readiness for the use of breaking bones on the following day, to break the bones of the festal-offering of the fifteenth or of the peace-offering of rejoicing]. *Now who is the authority behind this ruling*

[Freedman: which implies that there is no breaking of bones on Passover eve]? *Should we say it is rabbis? Then what will differentiate a slaughtering knife, that we assume it has been immersed? Is it because it is fit for slaughtering the Passover-offering? But then a chopper, too, can be used for breaking the bones of the festal-offering! So it must represent the position of Ben Tema, and it proves that the festal-offering, too, is subject to the prohibition of breaking a bone.*

- C. *Not at all, it represents the position of rabbis, and it is an instance in which the fourteenth of Nisan coincides with the Sabbath [when there is no festal-offering at all].*
- D. *But since the concluding clause states, **[If] the fourteenth coincided with the Sabbath, one slaughters with it immediately. [If the chopper was found] on the fifteenth of Nisan, one slaughters [the beast] with [the chopper] immediately. [If] it was found tied to a knife, lo, this is in the status of [that] knife, [M. Sheq. 8:3E-G], it follows that at the opening clause we are not dealing with the Sabbath at all.***
- E. *Rather, it refers to a case in which Passover-offering produced large portions [so the big animal made it unnecessary to present a festal-offering with it].*
- F. *Well, how do we know that that is the case?*
- G. *Rather, it is a case in which the Passover was presented in a status of uncleanness [and it was not possible to present a festal-offering at all].*
- H. *So in the end, how would people know that fact?*
- I. *Because the patriarch died [and everyone went to the funeral and so contracted corpse uncleanness].*
- J. *So when did the patriarch die? Should we say that he died on the thirteenth? Then why did the owner have to immerse the knife [for the Passover was going to be presented in a state of uncleanness, so the finder shouldn't assume the knife is cultically clean; he can't slaughter a festal peace-offering with it anyhow (Freedman)]? So it must be a case in which the patriarch died on the fourteenth of Nisan. But then what*

distinguishes the knife, which one immerses, from the chopper, which one doesn't immerse?

- K. *Well, the rule is necessary to cover a case in which the patriarch was dying on the thirteenth. In the case of the knife, which is subject to only one matter of doubt [that is, whether the patriarch would die on the fourteenth] is immersed; the chopper, which is subject to two doubts [the former and whether or not a festal-offering would be brought, since it might not be required at all], is not immersed.*

II.5 A. *It has been taught on Tannaite authority:*

- B. Judah b. Doretai took his leave, he and his son, Doretai, and went and settled in the South. He said, "If Elijah should come and say to Israel, 'How come you didn't make a festal-offering on the Sabbath,' what are they going to say to him? I'll be surprised at the two greatest authorities of the generation, Shemayyah and Abtalion, who are eminent sages and eminent public authorities, but who have not instructed Israel: 'The festal-offering overrides the restrictions of the Sabbath.'"
- C. Said Rab, "What is the scriptural basis behind the position of the son of Doretai? 'And you shall sacrifice the Passover to the Lord your God, of the flock and of the herd' (Deu. 16: 2) — but isn't it the fact that the Passover-offering derives only from lambs or goats? So flock refers to the Passover-offering, while herd speaks of the festal-offering, *and the All-Merciful has said*, 'And you shall sacrifice the Passover.'"
- D. *Said R. Ashi, "So are we now leaping to provide a scriptural basis for the position of schismatics? Rather, the verse of Scripture serves for the purpose of the view of R. Nahman. For said R. Nahman said Rabbah bar Abbuha, 'How on the basis of Scripture do we know that what is left over of a Passover-offering is presented on the altar as a peace-offering? Because Scripture has said, "And you shall sacrifice the Passover-offering to the Lord your God of the flock and of the herd" (Deu. 16: 2). Now as a matter of fact, is it not the case that the Passover-offering derives from either lambs or goats [but not from the herd, meaning of larger beasts altogether]? In that case it is shown that what is left over of a Passover-offering is presented for something*

that comes from the flock or from the herd, and what can that be? It can only be a peace-offering.”

- E. *Well, then, from the viewpoint of rabbis, how come it doesn't override the restrictions of the Sabbath? Lo, it is certainly an offering that derives from the community at large?*
- F. Said R. Ilai in the name of R. Judah b. Safran, “Said Scripture, ‘And you shall keep a festival to the Lord seven days in the year’ (Lev. 23:41). Seven? But there are eight! [If the festal-offering is not brought on the first day of the festival, it could be brought on any other day. So on this basis, we find that the presentation of the festal-offering does not override the restrictions of the Sabbath.” [Freedman: Since one of the eight days must be the Sabbath, there are actually only seven days when it can be presented on the feast of Tabernacles.]
- G. When Rabin came, he said, “I said before my masters: ‘Sometimes you may find only six, for instance, if the first day of the festival of Tabernacles [and then the eighth, too] coincided with the Sabbath.’” [Scripture would intimate that fact if the prior inference is accepted.]
- H. *Said Abbaye, “Abin the barren should say such a thing! Eight is impossible, but seven would turn up in most years [so Scripture wouldn't have to cover the possibility of six].”*

II.6 A. Said Ulla said R. Eleazar, “Peace-offerings that one slaughtered on the eve of the festival — one does not discharge with them his obligation either to present an offering of rejoicing or a festal-offering; not offering of rejoicing, because it is written, ‘and you shall sacrifice peace-offerings and rejoice’ (Deu. 27: 7), *meaning, we require that the act of sacrifice [71A] take place in the time of rejoicing, and that condition has not been met;* or a festal-offering, for this is an obligatory sacrifice, and all obligatory sacrifices derive only from unconsecrated animals.”

- B. *May we say that the following supports his proposal:*
- C. **“...and you shall have nothing but joy”:**
- D. **This serves to encompass also the last night of the festival in the rejoicing.**
- E. **You say that it serves to encompass also the last night of the festival in the rejoicing. But might one suppose that that is not**

the case, but it should encompass also the first night of the festival in the rejoicing?

- F. **Scripture says, “...nothing” [cf. Sifré Deu. CXLII:III].** That serves to exclude the first night.
- G. *Now what is the operative consideration here? Isn't it because the householder has nothing with which to rejoice [Freedman: since the sacrifice is not offered until the following morning? This supports Ulla's statement that the pace-offering of rejoicing cannot be presented on the eve of the festival].*
- H. *Not at all, it is in line with the Tannaite statement of the operative consideration, which is as follows: Why then encompass the last nights of the festival and exclude the first ones? I encompass the last nights of the festival, [on the days] before which there is an aspect of rejoicing, and exclude the first nights of the festival, [on the days] before which there is no aspect of rejoicing.*
- I. *Objected R. Joseph, “And with the festal-offering of the fourteenth of Nisan one fulfills his obligation for an offering of rejoicing but not the obligation on the count of an additional festival-offering. But why should this be the case? Lo, we require that the act of sacrifice take place at the time of rejoicing, and that condition has not been met!”*
- J. Said R. Idi bar Abin, “The sense is, he delayed and slaughtered it on the fifteenth.”
- K. *Said R. Ashi, “And that surely stands to reason, for if you don't take the view, then who can be responsible for the formulation of our Mishnah paragraph? Can it be be Tema? But in the view of Ben Tema, he certainly has disqualified the offering by keeping it overnight!” [Ben Tema holds that the festal-offering for the fourteenth of Nisan may be eaten only a day and a night, not after the night of the fifteenth, as is the case with the Passover, so he has to have slaughtered it on the fifteenth (Freedman).]*
- L. *That's decisive.*
- M. *Objected Raba, “The recitation of the Hallel Psalms and the rejoicing are for eight [days] [M. Suk. 4:1B]. Now if we require that the act of sacrifice take place at the time of rejoicing, then there will be many*

occasions on which only seven days will be available for this purpose, for example, if the first day of the festival coincided with the Sabbath [when the peace-offering cannot be slaughtered].”

- N. Said R. Huna b. R. Judah, “He makes a rejoicing-offering with the he-goats that are offered on the festivals [Num. 28:22, 30; such public sacrifices being slaughtered on the Sabbath].”
- O. Said Raba, “There are two refutations against that position: First, because the he-goats of the festivals can be eaten raw on the Sabbath but cannot be eaten roasted [since they cannot be cooked on the Sabbath], *and there is no real joy in eating raw meat*; furthermore, priests eat that meat, so with what are Israelites supposed to rejoice!?”
- P. Said R. Pappa, “He rejoices through wearing clean clothes and drinking vintage wine.”

- II.7** A. *When Rabin came*, he said R. Eleazar [said], “With peace-offerings that one slaughtered on the eve of a festival one carries out the obligation of rejoicing on the festival, but he cannot carry out with them his obligation to present a festal-offering —
- B. “one carries out the obligation of rejoicing on the festival: *we don’t require* that the act of sacrifice take place at the moment of rejoicing;
 - C. “but he cannot carry out with them his obligation to present a festal-offering: that involves an obligatory matter, and any beast that meets an obligation may derive only from unconsecrated animals.”
 - D. *An objection was raised:*
 - E. **“...and you shall have nothing but joy”:**
 - F. **This serves to encompass also the last night of the festival in the rejoicing.**
 - G. **You say that it serves to encompass also the last night of the festival in the rejoicing. But might one suppose that that is not the case, but it should encompass also the first night of the festival in the rejoicing?**
 - H. Scripture says, “...nothing” [cf. Sifré Deu. CXLII:III]. That serves to exclude the first night.

- I. *Now what is the operative consideration here? Isn't it because the householder has nothing with which to rejoice [Freedman: since the sacrifice is not offered until the following morning? This supports Ulla's statement that the peace-offering of rejoicing cannot be presented on the eve of the festival].*
- J. *Not at all, it is in line with the Tannaite statement of the operative consideration, which is as follows: Why then encompass the last nights of the festival and exclude the first ones? I encompass the last nights of the festival, [on the days] before which there is an aspect of rejoicing, and exclude the first nights of the festival, [on the days] before which there is no aspect of rejoicing.*
- II.8** A. Said R. Kahana, "How do we know that the sacrificial parts that are to be burned that derive from the festal-offering prepared on the fifteenth of Nisan are invalidated if they are kept overnight? Because it is said, 'Neither shall the fat of my festal-offering remain all night until morning' (Exo. 23:18), *and, nearby, 'the first' is stated, bearing the implication that this 'morning' is the first morning.*"
- B. *Objected R. Joseph, "So the operative consideration is the fact that 'the first' is stated — so if 'the first' were not stated, I should say, what does 'morning' mean? It refers to the second morning [two days and the intervening night being the norm]. But is there a case in which while the meat is invalidated from evening, the sacrificial parts that are to be burned are suitable for burning until morning?" [Freedman: Surely not, for the meat may be eaten only on the day it is slaughtered and on the following, but not the night after that.]*
- C. *Said to him Abbaye, "Why not! Lo, there is the case of the Passover in the view of R. Eleazar b. Azariah, in which instance the meat is invalidated from midnight, but the sacrificial parts are fit to be burned until morning!"*
- D. *Said Raba, "As to R. Joseph, this is what was troubling him: Is there a case in which the Tannaite authority does not require 'first' in regard to the meat, but R. Kahana requires 'first' in regard to the sacrificial parts?" [Freedman: The sanctity of the sacrificial parts that are burned on the altar is greater than that of the meat, which is eaten, and accordingly, the former become unfit more easily than the latter; yet we see presently that the Tannaite authority assumes that "morning" written in connection with the meat must mean the first morning, without recourse to the allusion to "first." Why does*

Kahana require the proximity of “first” in order to establish that “morning” written in connection with the sacrificial parts means the first morning?]

E. *To what is reference made just now?*

F. *It is as has been taught on Tannaite authority:*

G. “Neither shall any of the meat that you sacrifice the first day at evening remain all night until morning” (Deu. 16: 4) —

H. **This teaches concerning the festal-offering presented on the fourteenth of Nisan that it may be eaten for two days and one night. [Sif. Deu. : The morning of the third day, that is, the first night, the intervening day, and the second night, form the period during which the meat must be eaten up.]**

I. **Maybe that’s not true. Is it possible that it is only eaten for one day and one night [up to the second morning, not the third, as specified]?**

J. **When Scripture says, “the first day,” it refers to the second morning [the sixteenth of Nisan].**

K. **But perhaps that’s not true. Maybe it refers to the first morning, and how do I fulfill the rule concerning the festal-offering, which holds that it may be eaten for two days and the intervening night?**

L. **That rule governs all other festal-offerings except this one.**

M. **When Scripture says, “But if the sacrifice of his offering be a vow or freewill-offering” (Lev. 7:16), it teaches concerning the festal-offering of the fourteenth of Nisan, that it may be eaten for two days and one night [Sif. Deut.: referring to a vow, a freewill-offering as well: “or a freewill-offering” (Lev. 7:16), encompassing the festal-offering that is made along with the sacrifice of the beast as a passover.] [That is, two beasts are killed, one as a Passover-offering, the other as an additional festal-offering.] [Sif. Deu. continues: These are to be eaten in the two days. How am I to interpret “...of the first day shall be left until morning”? The morning of the third day [that is, the first night, the intervening day, and the**

second night form the period during which the meat must be eaten up] [cf. Sifré Deu. CXXXI:III].

- N. [Now reverting to the question begun with Joseph's statement,] the master has said, **"Maybe it refers to the first morning."** *But lo, you have said, When Scripture says, "the first day," it refers to the second morning [the sixteenth of Nisan]!*
- O. *This is the sense of the statement:* But perhaps Scripture speaks only of two festal-offerings, the one, the festal-offering presented on the fourteenth, the other, the festal-offering presented on the fifteenth, and the former may not remain until morning, the latter may not remain until morning? *But then he retracts and says, "But it is an established fact for us that there is a festal-offering that may be eaten for two days and the intervening night? If so, to what case does the verse, "But if the sacrifice of his offering be a vow or freewill-offering" (Lev. 7:16), pertain? If it is to the festal-offering of the fourteenth, surely the language is used in that connection concerning a day and a night, and if it is the festal-offering of the fifteenth, the same is the fact! So it must pertain to the festal-offering of the fifteenth, and the whole of the other verse speaks only of the festal-offering of the fourteenth, teaching concerning the festal-offering of the fourteenth that it may be eaten for two days and the intervening night. So the operative consideration is that the language "on the first day until the morning" is included, so that what can be the meaning of "morning"? The second morning. So wherever "morning" is written without further articulation, it refers to the first morning, even if "first" is not stated in context.*

6:5

- A. The [animal designated as] a Passover-offering which one slaughtered under an improper designation on the Sabbath [which coincides with the fourteenth of Nisan] —
- B. one is liable on that account for a sin-offering.
- C. And as to [animals designated for] any other animal-offerings, which one slaughtered for the sake of a Passover sacrifice —
- D. if they are not appropriate [to be offered as a Passover sacrifice], one is liable.
- E. But if they are appropriate [for example, male lambs, to be offered as a Passover sacrifice] —
- F. R. Eliezer declares him liable for a sin-offering.

- G. And R. Joshua declares him exempt.
- H. Said R. Eliezer, "Now if for a Passover-offering, which is permitted when offered under the correct designation — when one offered it under some other [than the correct] designation, he is liable,
- I. "for animal-offerings, which are prohibited when offered under their proper designation — when he offered them under some other designation, is it not logical that he should be liable [to a sin-offering]?"
- J. Said to him R. Joshua, "No. If you have stated the rule in the case of a Passover sacrifice, in which case he has offered it under another, prohibited designation, will you say the same in the case of animal sacrifices, in which case he has offered them under another, permitted designation?"
- K. Said to him R. Eliezer, "The public offerings will prove the matter.
- L. "For they are permitted when offered under the proper designation.
- M. "But he who slaughters [other offerings] under their designation [on the Sabbath] is liable."
- N. Said to him R. Joshua, "No. If you have stated the rule in the case of the sacrificial parts of public offerings, which are subject to a limited number, will you say the same of a Passover-offering, which is not subject to a limited number?"
- O. R. Meir says, "Also: He who slaughters [other animal-offerings] under the designation of sacrificial parts of a public offering is exempt [from liability]."

6:6

- A. If one slaughtered [the Passover sacrifice on the Sabbath] not for the sake of those who may eat it, not for the sake of those who are counted on it, for uncircumcised people, or for unclean people, he is liable.
- B. [If he slaughtered it] for those who may eat it and for those who may not eat it,
- C. for those who are registered with it and for those who are not registered with it,
- D. for those who are circumcised and for those who are uncircumcised,
- E. for those who are clean and for those who are unclean, he is exempt.

- F. [If] he slaughtered it [on the Sabbath] and it turned out to be blemished, he is liable.
- G. [If] he slaughtered it and it turned out to be terefah in its inner parts, he is exempt.
- H. [If] he slaughtered it and then it became known that the owner had withdrawn his hand [from taking a share in it],
- I. or had died,
- J. or had become unclean,
- K. he is exempt,
- L. because he slaughtered it [at a time when it was] permitted [to do so].

I.1 A. [72A] [The animal designated as] a Passover-offering which one slaughtered under an improper designation on the Sabbath which coincides with the fourteenth of Nisan — one is liable on that account for a sin-offering. And as to animals designated for any other animal-offerings, which one slaughtered for the sake of a Passover sacrifice — if they are not appropriate to be offered as a Passover sacrifice, one is liable. But if they are appropriate, for example, male lambs, to be offered as a Passover sacrifice — R. Eliezer declares him liable for a sin-offering. And R. Joshua declares him exempt:] *With what situation do we deal? Should I say we deal with a case in which he made a mistake [assuming the animal was designated for a different sacrifice]? Then it would follow that if one in error abrogates the status originally assigned to a consecrated beast [slaughtering the animal for a different purpose from that for which it was designated], the abrogation is effective. So does it deal with someone who deliberately abrogates its status? But then note what follows: And as to [animals designated for] any other animal-offerings, which one slaughtered for the sake of a Passover sacrifice — if they are not appropriate [to be offered as a Passover sacrifice], one is liable. But if they are appropriate [for example, male lambs, to be offered as a Passover sacrifice] — R. Eliezer declares him liable for a sin-offering. And R. Joshua declares him exempt. Now, if we are dealing with someone who deliberately abrogates its status, what difference does it make to me whether or not they are appropriate [for example, male lambs, to be offered as a Passover sacrifice]? [Freedman: Since he deliberately abrogates its designation, he is certainly not erring in thinking that he is performing a*

religious act, so why does Joshua not hold him liable?] *So it obviously speaks of one who errs.*

- B. *But in that case, is it possible that the first clause speaks of one who abrogates the status originally assigned to the beast and the second clause refers to one who errs?*
- C. *Said R. Abin, “Yes, indeed! The first clause speaks of one who abrogates the status originally assigned to the beast and the second clause refers to one who errs.”*
- D. *R. Isaac bar Joseph came across R. Abbahu, who was standing amid a large group of people. He said to him, “So what’s the status of our Mishnah paragraph?”*
- E. *He said to him, “The first clause speaks of one who abrogates the status originally assigned to the beast and the second clause refers to one who errs.”*
- F. *He repeated this formulation from him as a Tannaite formulation forty times, and it seemed to him as if it were just sitting there in his pocket [and would never get lost].*
- G. *We have learned in the Mishnah: **Said R. Eliezer, “Now if for a Passover-offering, which is permitted when offered under the correct designation — when one offered it under some other [than the correct] designation, he is liable, for animal-offerings, which are prohibited when offered under their proper designation — when he offered them under some other designation, is it not logical that he should be liable [to a sin-offering]?”** But if this reading of the Mishnah paragraph were valid, the cases would not be comparable to one another, since, after all, the first clause supposedly speaks of one who abrogates the status originally assigned to the beast and the second clause refers to one who errs.*
- H. *To R. Eliezer, that makes no difference.*
- I. *Well, then, if it makes a difference to R. Joshua, shouldn’t he answer him along such lines [and so show that no such argument is plausible]?*
- J. *This is the sense of what he said to him: According to my view, they really are not comparable, since the first clause speaks of one who abrogates the status originally assigned to the beast and the second clause refers to one who errs. But even from your perspective, it really isn’t so, for **if you have stated the rule in the case of a Passover sacrifice, in which case he has offered it under another, prohibited designation, will you say the same in the case***

of animal sacrifices, in which case he has offered them under another, permitted designation?

- II.1** A. Said to him R. Eliezer, “The public offerings will prove the matter. For they are permitted when offered under the proper designation. But he who slaughters [other offerings] under their designation [on the Sabbath] is liable.” Said to him R. Joshua, “No. If you have stated the rule in the case of the sacrificial parts of public offerings, which are subject to a limited number, will you say the same of a Passover-offering, which is not subject to a limited number”: *Well, then, is that to imply that wherever there is a limit, R. Joshua would hold him liable? And yet there is the case of infants, that are subject to a limit* [in the case that follows, there is a clear limit that only one child is to be circumcised on the Sabbath, and when he circumcises another, his error is inexcusable (Freedman)], *and yet we have learned in the Mishnah:*
- B. **He who had two infants, one to circumcise after the Sabbath and one to circumcise on the Sabbath,**
- C. **and who forgot [which was which] and circumcised the one to be circumcised after the Sabbath on the Sabbath,**
- D. **is liable.**
- E. **[If he had] one to circumcise on the eve of the Sabbath and one to circumcise on the Sabbath,**
- F. **and he forgot and on the Sabbath, circumcised the one to be circumcised on the eve of the Sabbath,**
- G. **R. Eliezer declares him liable to a sin-offering.**
- H. **And R. Joshua exempts him [M. [Shab. 19:4](#)].**
- I. *Said R. Ammi, “Here with what situation do we deal? It is one in which he went ahead and circumcised the one who was assigned to the eve of the Sabbath on the Sabbath [Freedman: when he circumcised the infant whose circumcision was due on the previous day, he had not yet circumcised the other; hence his error arose] when he was rightly preoccupied with the obligation of circumcision on that day. But here, the situation is one in which he first slaughtered the public sacrifices at the outset” [Freedman: so that his subsequent error was unjustified, since he had no preoccupation with any obligation of offering sacrifices at all when he made that error, all permitted sacrifices on that day having been disposed of].*

- J. *If so, then what about the following: R. Meir says, “Also: He who slaughters [other animal-offerings] under the designation of sacrificial parts of a public offering is exempt [from liability]”? Is that so even though he first slaughtered the public sacrifices at the outset? But didn’t R. Hiyya of Ebel Arab teach as a Tannaite statement: Said R. Meir, “R. Eliezer and R. Joshua didn’t differ on the case of one who had two infants, one to circumcise on Friday, the other to circumcise on the Sabbath, who forgot and circumcised the one for Friday on the Sabbath, that he is liable.*
- K. *“Concerning what did they differ? Concerning one who had two infants, one to circumcise after the Sabbath, the other to circumcise on the Sabbath, who forgot and circumcised the one for after the Sabbath on the Sabbath, that R. Eliezer declares him liable to a sin-offering and R. Joshua exempts him.”*
- L. *But is that reasonable? [Freedman: In the first clause Meir holds him culpable when he circumcised both, because he thought it was already time for both, and he first circumcised the infant who was to be circumcised on the Sabbath, which was due for that day, and then the other; he didn’t actually perform a religious duty, but there was no further occasion to be occupied with this one after having circumcised the one belonging to the Sabbath, so he has not erred in the fulfillment of a religious duty. But in the second clause, he is exempt, because he was preoccupied with the infant to be circumcised on the Sabbath but did the other by mistake; he certainly didn’t circumcise both on that day, as he must have known that one was due for the next day So we see that where he has no occasion to be occupied at present with a religious duty, Meir rules him liable.] If R. Joshua exempts him in the second instance, though he is not fulfilling a religious duty, is he going to declare him liable in the first instance, where he is? [Obviously not!]*
- M. *The household of R. Yannai said, “The opening clause involves a case in which he went ahead and circumcised the one to be done on the Sabbath on Friday, [72B] in which case the Sabbath did not have to be overridden; in the second case, the Sabbath was going to be overridden.” Here, too, the Sabbath is surely going to be overridden on account of a community sacrifice!*
- N. *Said R. Ashi to R. Kahana, “But in the first case, too, the Sabbath is going to be overridden in connection with infants in general.”*
- O. *He said to him, “But in connection with this man, that was not the case.”*

III.1 A. And as to [animals designated for] any other animal-offerings, which one slaughtered for the sake of a Passover sacrifice — if they are not appropriate [to be offered as a Passover sacrifice], one is liable. But if they are appropriate [for example, male lambs, to be offered as a Passover sacrifice] — R. Eliezer declares him liable for a sin-offering. And R. Joshua declares him exempt:

B. *Who is the Tannaite authority who draws a distinction between beasts that are appropriate to a given classification of offering and those that are not?*

C. *It is R. Simeon, for it has been taught on Tannaite authority:*

D. “All the same is the rule governing animals designated for any other animal-offerings that are appropriate to be offered as a Passover sacrifice and animals designated for any other animal-offerings that are not appropriate to be offered as a Passover sacrifice, and so, he who slaughters the animal under the designation of a community sacrifice — no liability is incurred,” the words of R. Meir.

E. R. Simeon says, “R. Eliezer and R. Joshua did not differ about animals that are not eligible for a Passover sacrifice, concurring that one who does so is liable. Concerning what do they differ? Concerning a beast that is eligible for a sacrifice as a Passover-offering R. Eliezer declares him liable for a sin-offering. And R. Joshua declares him exempt” [T. **Pisha 5:4**].

III.2 A. Said R. Bibi said R. Eleazar, “R. Meir would decree an exemption from liability even in the case of a calf designated as a sacrifice of a peace-offering that one slaughtered under the designation of a Passover-offering [even though it would be impossible to imagine that a calf could serve for a Passover-offering]!”

B. Said R. Zira to R. Bibi, “But didn’t R. Yohanan say, ‘R. Meir would concede in the case of blemished animals [that there is liability]?’”

C. *He said to him, “The man isn’t involved with blemished animals, he’s involved with this particular calf.”* [Freedman: Having set it aside for an offering, his mind is preoccupied with it, and he might have erred in offering it for another purpose.]

III.3 A. *Raba addressed this question to R. Nahman: “What is the rule in R. Meir’s view if one sacrificed unconsecrated beasts under the designation of a Passover?”*

- B. He said to him, “R. Meir would declare one exempt from penalty even if he sacrificed unconsecrated animals under the designation of a Passover-offering.”
- C. “But didn’t R. Yohanan say, ‘R. Meir would concede in the case of blemished animals [that there is liability]?’”
- D. *“Blemished animals are not going to be confused for the present purpose, but these [animals that haven’t been consecrated] can easily be confused.”*
- E. *So is the operative consideration behind the ruling of R. Meir the fact that the animals may or may not be confused as to the present purpose? But then didn’t R. Bibi say R. Eleazar said, “R. Meir would decree an exemption from liability even in the case of a calf designated as a sacrifice of a peace-offering that one slaughtered under the designation of a Passover-offering [even though it would be impossible to imagine that a calf could serve for a Passover-offering]”? Therefore the operative consideration behind the position of R. Meir is that he was preoccupied with offering the animal!*
- F. *He said to him, “If he is preoccupied, he is exempt, even if the beast cannot be confused for some other purpose than the correct one; if it can be confused, he is exempt, even if he is not preoccupied with sacrificing beasts, and that excludes blemished animals, for these can not be confused, and he obviously is not going to be preoccupied with offering them.”*

III.4 A. *In session, R. Zira and R. Samuel bar R. Isaac, at the hall of R. Samuel bar Isaac’s household, and, in session, they said, “Said R. Simeon b. Laqish, ‘If someone confused a spit containing meat in the status of leftover with a spit of meat that was simply roast meat and ate it, he is liable [to a sin-offering, for he has inadvertently eaten leftover sacrificial meat].’ [Freedman: Eating sacrificial meat is a religious duty in line with Exo. 29:33, so one is liable even if he made a mistake in thinking he was fulfilling a religious duty when he wasn’t.]*

- B. “And R. Yohanan said, ‘If his wife was menstruating and he had sexual relations with her, he is liable; if his deceased childless brother’s widow was menstruating and he had levirate sexual relations with her, he is exempt.’ [The

latter is a religious duty, so one is not liable if he made a mistake in thinking he was fulfilling a religious duty when he wasn't.]"

- C. *There are those who say: In the prior case [Simeon b. Laqish's], all the more so is he liable, since he didn't perform a religious duty at all.*
- D. *There are those who say, in the former case he isn't liable. How come? It is only in such a case [sexual relations with the wife when she was menstruating] that he is liable, since he should have asked, but here, where he couldn't have asked [about the meat on the spit], he isn't liable.*
- E. *And from the perspective of R. Yohanan, how does the relationship with the levirate widow differ? Is it because he has done a religious duty? But in the case of the wife, too, it is a religious duty to have sexual relations [and produce children]!*
- F. *It would have been a case in which she was already pregnant.*
- G. *So anyhow, there is the religious duty involved in bringing the wife sexual pleasure through the marital duty!*
- H. *It deals with a time that was not the occasion for carrying out the religious duty of giving sexual pleasure to the wife.*
- I. *But didn't Raba say, "A man is liable to give his wife pleasure through sexual relations [even at other occasions]"?*
- J. *It was near the fixed time for her period [so he shouldn't have had sexual relations then].*
- K. *If so, then the same would apply also to the levirate widow [when, near her fixed period, there is no religious obligation of sexual relations]?*
- L. *In the case of the widow, he is somewhat reticent, but in the case of his wife, he isn't reticent.*

III.5 *A. In accord with what Tannaite authority does R. Yohanan give his ruling [that one is not liable if he made a mistake in thinking he was fulfilling a religious duty when he wasn't]? Should I say that it is in accord with R. Yosé, as we have learned in the Mishnah: R. Yosé says, "[If] the first day of the*

festival [of Sukkot] coincides with the Sabbath, [if one forgot and brought his lulab out into the public domain, he is exempt [from the obligation to bring a sin-offering], because he brought it out [intending to do what is] permitted [M. Suk. 3:14]? But maybe that case is exceptional, because there really are considerable constraints of time.

- B. *So maybe it is in line with R. Joshua's ruling on sacrifices? But here, too, maybe that case is exceptional, because there really are considerable constraints of time.*
- C. *So perhaps it is in accord with R. Joshua's ruling on the circumcision of the boys? Maybe that case is exceptional, because there really are considerable constraints of time.*
- D. *So it must accord with R. Joshua's ruling on the separation of priestly rations, for we have learned in the Mishnah: [In the case of] a priest who was eating heave-offering, and it became known that he is the son of a divorcée, or of a woman who has undergone the rite of removing the shoe (Deu. 25:10) [and therefore may not eat heave-offering] — R. Eliezer declares [all of these individuals] liable to payment of the principal and [added] fifth [of the heave-offering they unintentionally had eaten as non-priests]. But R. Joshua exempts [M. Ter. 8:1].*
- E. *But maybe that is in accord with R. Bibi bar Abbaye, for said R. Bibi bar Abbaye, "Here we deal with a case of heave-offering on the eve of Passover, in which case there really are considerable constraints of time." Or, also, the case of priestly rations may be exceptional, since it is classified as an act of priestly service and even when performed by a disqualified priest, such an act of priestly service is valid. For we have learned in the Mishnah: [If a priest] was standing and offering sacrifices at the altar, and it*

became known that he is the son of a divorcée or of a woman who has participated in the rite of removing the shoe — R. Eliezer says, “All of the sacrifices which he had [ever] offered on the altar are invalid.” But R. Joshua declares them valid. If it became known that he is blemished — his service [retroactively] is invalid. [M. **Ter. 8:1**]. *And we said, what is the verse of Scripture behind the view of R. Joshua? As it is written, “Bless Lord his substance and accept the work of his hands” (Deu. 33:11) [Lazarus, Makkot to 11B: Moses blesses the Levite tribe for their loyalty at the time of the sin of the golden calf and invokes the blessing of God upon the work of their hands, his service at the altar.]*

- F. *Now, where are priestly rations classified as an act of priestly service?*
- G. *As has been taught on Tannaite authority:*
- H. There was the case involving R. Tarfon, who didn’t come the prior night to the house of study. The next morning Rabban Gamaliel found him. He said to him, “How come you didn’t come to the house of study last night?”
- I. He said to him, “An act of priestly service did I carry out.”
- J. He said to him, “Everything you say is without exception simply astounding! So is there the possibility of a priestly act of service in this time [with the Temple in ruins]? On what basis?”
- K. He said to him, “Lo, Scripture says, **[73A]** ‘I give you the priesthood as a service of gift; and the common man who comes near shall be put to death’ (Num. 18: 7) — so eating priestly rations in the provinces is tantamount to an act of service in the house of the sanctuary.”

- IV.1 A.** If one slaughtered [the Passover sacrifice on the Sabbath] not for the sake of those who may eat it, not for the sake of those who are counted on it, for uncircumcised people, or for unclean people, he is liable. [If he slaughtered it] for those who may eat it and for those who may not eat it, for those who are registered with it and for those who are not registered with it, for those who are circumcised and for those who are uncircumcised, for those who are clean and for those who are unclean, he is exempt. [If] he slaughtered it [on the Sabbath] and it turned out to be blemished, he is liable:
- B. *But that's pretty obvious, since in that case it is unfit, here he is liable, too, [the same principles being involved in both cases]!*
- C. *It is because the Tannaite formulation at the latter clause states, he is exempt, the first clause teaches, he is liable.*
- D. *But that, too, is pretty obvious. Since the offering is valid there, he isn't liable here!*
- E. *Rather, since the Tannaite formulation states, The [animal designated as] a Passover-offering which one slaughtered under an improper designation on the Sabbath [which coincides with the fourteenth of Nisan] — one is liable on that account for a sin-offering, he also introduces the point on if one slaughtered [the Passover sacrifice on the Sabbath] not for the sake of those who may eat it.*
- F. *So what's the point of that item on its own?*
- G. *It's because he wants to set forth the dispute of R. Eliezer and R. Joshua.*

- IV.2 A.** Said R. Huna bar Hinena to his son, “When you go to the presence of R. Zeriqa, ask him the following question: ‘In the opinion of him who says, he who does damage by making a wound is not liable [to a penalty for violating the Sabbath, since violating the Sabbath comes about only when there is a positive result],’ if one who slaughtered the Passover not for the sake of those who are signed up to eat it, he is liable — but what [of positive value] has he accomplished?”
- B. This is what he has accomplished: If the sacrificial parts of the beast were taken up to the top of the altar, they are not to be taken down from there.
- C. [If] he slaughtered it [on the Sabbath] and it turned out to be blemished, he is liable — but what [of positive value] has he accomplished?

- D. He has accomplished a positive result in the case of a beast that has cataracts in the eye [since such a beast is deemed blemished] *in accord with the position of R. Aqiba, who has held, "[In such a case,] if the sacrificial parts of the beast were taken up to the top of the altar, they are not to be taken down from there."*
- E. **[If] he slaughtered it and it turned out to be terefah in its inner parts, he is exempt** — then, if it were exposed, he would have been liable? But then what [of positive value] has he accomplished?
- F. He has accomplished the withdrawal of the beast from the classification of carrion.
- G. *Rabina objected, "Lo, it has been taught on Tannaite authority: He who on the Sabbath, outside of the Temple courtyard, slaughters a sin-offering in honor of an idol is liable on three counts to sin-offerings. But then what [of positive value] has he accomplished?"*
- H. Said R. Avira, "He has accomplished the removal of the beast from the category of the prohibition covering a limb chopped off a living beast."
- V.1 A. [If] he slaughtered it and it turned out to be terefah in its inner parts, he is exempt. [If] he slaughtered it and then it became known that the owner had withdrawn his hand [from taking a share in it], or had died, or had become unclean, he is exempt, because he slaughtered it [at a time when it was] permitted [to do so]:**
- B. Said R. Huna said Rab, "In the case of a beast designated as a guilt-offering that was transferred to the pasture, but that was [not set out but rather] slaughtered for an unspecified purpose, it is deemed valid as a burnt-offering." *Therefore he takes the view that an explicit act of abrogation is not required [to abrogate its status as a guilt-offering]. But if that is the case, then even if it was transferred, the same rule should apply [that is, even if it was slaughtered as a burnt-offering, and its owner died on the spot, the same rule should apply, without an act of abrogation of its prior status.]*
- C. *That is not so, by reason of a precautionary decree, to cover the situation of the animal's being sacrificed even prior to the act of atonement [but once it is put out to pasture, there is no such possibility of confusion (Freedman)]. And on what basis is that statement made? It is from that which we have learned in the Mishnah:*
- D. **A guilt-offering, the owner of which died, or the owner of which effected atonement [with another animal], is set out to pasture until it suffers a**

blemish. Then it is sold. And the proceeds are to fall [to the Temple treasury] as a freewill-offering.

E. R. Eliezer says, "Let it be left to die."

F. R. Joshua [M. Tem. 3:3N: Eleazar] says, "Let him purchase with its proceeds a burnt-offering" [M. Tem. 3:3L-N].

G. *So that may be done only with the proceeds, but not with the beast itself, and it is, by reason of a precautionary decree, to cover the situation of the animal's being sacrificed even prior to the act of atonement.*

H. *That is decisive evidence.*

I. R. Hisda objected to R. Huna, "[If] he slaughtered it and then it became known that the owner had withdrawn his hand [from taking a share in it], or had died, or had become unclean, he is exempt, because he slaughtered it [at a time when it was] permitted [to do so]. [73B] And a Tannaite statement is made in that connection: On a secular day [not the Sabbath] in such a case the beast must be burned immediately. Now, there is no problem if you say that there is a requirement of abrogation of the status of the beast: this is a Passover-offering, and since there is no owner left, it is disqualified in and of itself, and that explains why it has to be burned on the spot. But if you say that there is no requirement of abrogation, then, to begin with [when the owner dies or resigns from ownership of that beast], it is a peace-offering, so on what basis is it disqualified? It is because of some extrinsic factor, for instance, he slaughtered it after the offering of the evening perpetual whole-offering. [Freedman: He would naturally slaughter it thinking it was still a Passover-offering, but a peace-offering has to be slaughtered prior to that offering.] But surely it should have to be disfigured before burning, for it has been taught on Tannaite authority: This is the encompassing rule: In any case in which the grounds for invalidation are intrinsic, the holy thing must be burned forthwith; but if the disqualification is in the blood rite or in the status of the owner, the meat must be left to rot and only then go out to the place of burning.

J. *Rather, don't say Rab's statement in the language, if he slaughtered for an unspecified purpose, it is deemed valid as a burnt-offering, but rather, formulate it as follows: If he slaughtered it for the purpose of a burnt-offering, it is fit. And, obviously, that proves that an articulated act of abrogation is required.*

- K. *And from the perspective of R. Hiyya bar Gameda, who has said, “The following was set forth on the authority of the collegium of sages, who said, ‘It would involve a case in which the beast’s owners were unclean with corpse uncleanness, so being postponed as to their offering to the second Passover,’ then only such a case would require articulated abrogation of the prior status, but, in general, an articulated abrogation of the prior status is not necessary, what is to be said?*
- L. *Rather, said R. Huna b. R. Joshua, “Here with what situation do we deal? It would be a case in which he designated the beast to serve as a Passover-offering prior to noon, and the owner died after noon. Here is a case in which it was suitable for the offering but then rejected, and whatever was once suitable but then rejected cannot be deemed suitable again.”*
- M. *But is that the operative consideration for the position of anyone but Rab? [We needed that case to harmonize Huna’s statement in Rab’s name with the cited passage (Freedman)]. But didn’t Rab himself say, “A living animal is not permanently rejected”?*
- N. *Rather, said R. Pappa, “Lo, who is the authority behind the cited passage? It is R. Eliezer, who has said, ...and so, too, if people slaughtered animals that had been designated for other offerings for the sake of a Passover-offering on the fourteenth of Nisan these offerings are invalid, for the point of disqualification is intrinsic [and that is why no abrogation is needed; it is then automatically a peace-offering, and by slaughtering the beast for a Passover-offering, the man renders it intrinsically unfit, and therefore on weekdays it has to be burned right away (Freedman)].*
- O. *But if it’s R. Eliezer, then he also imposes liability to a sin-offering, for R. Eliezer does not concur that if one errs in a matter of religious duty, he is exempt!*
- P. *Rather, R. Joseph b. R. Salla the Pious explained it before R. Pappa, “Lo, who is the authority behind this rule? It is Joseph b. Honi, for we have learned in the Mishnah: **Yosé b. Honi says, ‘Those [other offerings] which are slaughtered for the sake of the Passover and for the sake of the sin-offering are invalid’ [M. Zeb. 1:2A]. Therefore the invalidity is intrinsic, and that is why it has to be burned immediately; and as to the exemption from liability, he accords with R. Joshua.”***
- Q. *R. Ashi said, “Rab made his statement in accord with the position of R. Ishmael b. R. Yohanan b. Beroqa, for it has been taught on Tannaite authority: **R. Ishmael b. R. Yohanan b. Beroqa says, ‘If***

there is sufficient time in the day to find out whether the owner has delisted himself from the offering or died or become unclean, he is liable [since he should have clarified matters before slaughtering; so this is not a case of erring while doing a religious duty, but erring inadvertently, and he is liable to a sin-offering (Freedman)]. **And the beast should be left to become disfigured and then be taken out to the place of burning'** [T. **Pisha 5:6B**]. *How come? Isn't it because a formal act of abrogation of its prior status is not required?"*

- R. *But on what basis is that the sole possible explanation? Maybe it's because he concurs with the Tannaite authority of the household of Rabbah bar Abbuha, for he said, "Even an animal that has been rendered refuse also has to be left to become disfigured, because we derive the meaning of 'iniquity' from the case of leftover meat." For if you don't say that that is the case, then if the owner has become unclean, what is to be said? For in that case, there certainly has to be a formal act of abrogation of the prior status, for said R. Hiyya bar Gameda, "The following was set forth on the authority of the collegium of sages, who said, 'It would involve a case in which the beast's owners were unclean with corpse uncleanness, so being postponed as to their offering to the second Passover.'" So it is better to go with the solution we gave first: it is in accord with Joseph b. Honi.*