

I.

Bavli Abodah Zarah Chapter One

Folios 2A-22A

1:1

- A. [2A] Before the festivals of gentiles for three days it is forbidden to do business with them.
- B. (1) To lend anything to them or to borrow anything from them.
- C. (2) To lend money to them or to borrow money from them.
- D. (3) To repay them or to be repaid by them.
- E. R. Judah says, "They accept repayment from them, because it is distressing to him."
- F. They said to him, "Even though it is distressing to him now, he will be happy about it later."

I.1 A. Rab and Samuel [in dealing with the reading of the key word of the Mishnah, translated festival, the letters of which are 'aleph daled, rather than 'ayin daled, which means, calamity]:

- B. *one repeated the formulation of the Mishnah as, "their festivals."*

- C. *And the other repeated the formulation of the Mishnah as “their calamities.”*
- D. *The one who repeated the formulation of the Mishnah as “their festivals” made no mistake, and the one who repeated the formulation of the Mishnah as “their calamities” made no mistake.*
- E. *For it is written, “For the day of their calamity is at hand” (Deu. 32:15).*
- F. *The one who repeated the formulation of the Mishnah as “their festivals” made no mistake, for it is written, “Let them bring their testimonies that they may be justified” (Isa. 43: 9).*
- G. *And as to the position of him who repeats the formulation of the Mishnah as “their festivals,” on what account does he not repeat the formulation of the Mishnah to yield, “their calamities”?*
- H. *He will say to you, “‘Calamity’ is preferable [as the word choice when speaking of idolatry].”*
- I. *And as to the position of him who repeats the formulation of the Mishnah as “their calamities,” on what account does he not repeat the formulation of the Mishnah to yield “their festivals”?*
- J. *He will say to you, “What causes the calamity that befalls them if not their testimony, so testimony is preferable!”*
- K. *And as to the verse, “Let them bring their testimonies that they may be justified” (Isa. 43: 9), is this written with reference to gentiles? Lo, it is written in regard to Israel.*
 - L. *For said R. Joshua b. Levi, “All of the religious duties that Israelites carry out in this world come and give testimony in their behalf in the world to come: ‘Let them bring their witnesses that they may be justified’ (Isa. 43: 9), that is, Israel; ‘and let them hear and say, It is truth’ (Isa. 43: 9) — this refers to gentiles.”*
- M. *Rather, said R. Huna b. R. Joshua, “He who formulates the Mishnah to refer to their calamities derives the reading from this verse: ‘They that fashion a graven image are all of them vanity, and their delectable things shall not profit, and their own witnesses see not nor know’ (Isa. 44: 9).”*

A Theology of Gentile Idolatry: Its Origins and its Implications for Holy Israel

- I.2** A. R. Hanina bar Pappa, and some say, R. Simlai, gave the following exposition [of the verse,] “They that fashion a graven image are all of them vanity, and their delectable things shall not profit, and their own witnesses see not nor know”

(Isa. 44: 9)]: “In the age to come the Holy One, blessed be He, will bring a scroll of the Torah and hold it in his bosom and say, ‘Let him who has kept himself busy with it come and take his reward.’ Then all the gentiles will crowd together: ‘All of the nations are gathered together’ (Isa. 43: 9). The Holy One, blessed be He, will say to them, ‘Do not crowd together before me in a mob. But let each nation enter together with **[2B]** its scribes, ‘and let the peoples be gathered together’ (Isa. 43: 9), and the word ‘people’ means ‘kingdom’: ‘and one kingdom shall be stronger than the other’ (Gen. 25:23).”

B. *But can there be a mob scene before the Holy One, blessed be He? Rather, it is so that from their perspective they not form a mob, so that they will be able to hear what he says to them.*

C. [Resuming the narrative of A:] “The kingdom of Rome comes in first.”

D. *How come? Because they are the most important. How do we know on the basis of Scripture they are the most important? Because it is written, “And he shall devour the whole earth and shall tread it down and break it into pieces” (Gen. 25:23), and said R. Yohanan, “This Rome is answerable, for its definition [of matters] has gone forth to the entire world [Mishcon: ‘this refers to Rome, whose power is known to the whole world’].”*

E. *And how do we know that the one who is most important comes in first? It is in accord with that which R. Hisda said.*

F. For said R. Hisda, “When the king and the community [await judgment], the king enters in first for judgment: ‘That he maintain the case of his servant [Solomon] and [then] the cause of his people Israel’ (1Ki. 8:59).”

G. *And how come? If you wish, I shall say it is not appropriate to keep the king sitting outside. And if you wish, I shall say that [the king is allowed to plea his case] before the anger of the Holy One is aroused.”*

H. [Resuming the narrative of C:] “The Holy One, blessed be He, will say to them, ‘How have you defined your chief occupation?’

I. “They will say before him, ‘Lord of the world, a vast number of marketplaces have we set up, a vast number of bathhouses we have made, a vast amount of silver and gold have we accumulated. And all of these things we have done only in behalf of Israel, so that they may define as their chief occupation the study of the Torah.’

- J. “The Holy One, blessed be He, will say to them, ‘You complete idiots! Whatever you have done has been for your own convenience. You have set up a vast number of marketplaces to be sure, but that was so as to set up warehouses in them. The bathhouses were for your own pleasure. Silver and gold belong to me anyhow: “Mine is the silver and mine is the gold, says the Lord of hosts” (Hag. 2: 8). Are there any among you who have been telling of “this,” and “this” is only the Torah: “And this is the Torah that Moses set before the children of Israel’ (Deu. 4:44).” So they will make their exit, humiliated.
- K. “When the kingdom of Rome has made its exit, the kingdom of Persia enters afterward.”
- L. *How come? Because they are second in importance. And how do we know it on the basis of Scripture? Because it is written, “And behold, another beast, a second, like a bear” (Dan. 7: 5), and in this connection R. Joseph repeated as a Tannaite formulation, “This refers to the Persians, who eat and drink like a bear, are obese like a bear, are shaggy like a bear, and are restless like a bear.”*
- M. “The Holy One, blessed be He, will say to them, ‘How have you defined your chief occupation?’
- N. “They will say before him, ‘Lord of the world, We have thrown up a vast number of bridges, we have conquered a vast number of towns, we have made a vast number of wars, and all of them we did only for Israel, so that they may define as their chief occupation the study of the Torah.’
- O. “The Holy One, blessed be He, will say to them, ‘Whatever you have done has been for your own convenience. You have thrown up a vast number of bridges, to collect tolls, you have conquered a vast number of towns, to collect the corvée, and, as to making a vast number of wars, I am the one who makes wars: “The Lord is a man of war” (Exo. 19:17). Are there any among you who have been telling of “this,” and “this” is only the Torah: “And this is the Torah that Moses set before the children of Israel” (Deu. 4:44).’ So they will make their exit, humiliated.
- P. *But if the kingdom of Persia has seen that such a claim issued by the kingdom of Rome did no good whatsoever, how come they go in at all?*
- Q. *They will say to themselves, “These are the ones who destroyed the house of the sanctuary, but we are the ones who built it.”*
- R. “And so it will go with each and every nation.”

- S. *But if each one of them has seen that such a claim issued by the others did no good whatsoever, how come they go in at all?*
- T. *They will say to themselves, "Those two subjugated Israel, but we never subjugated Israel."*
- U. *And how come the two conquering nations are singled out as important and the others are not?*
- V. *It is because the rule of these will continue until the Messiah comes.*
- W. "They will say to him, 'Lord of the world, in point of fact, did you actually give it to us and we did not accept it?'"
- X. *But how can they present such an argument, since it is written, "The Lord came from Sinai and rose from Seir to them, he shined forth from Mount Paran" (Deu. 33: 2), and further, "God comes from Teman" (Hab. 3: 3). Now what in the world did he want in Seir, and what was he looking for in Paran? Said R. Yohanan, "This teaches that the Holy One, blessed be He, made the rounds of each and every nation and language and none accepted it, until he came to Israel, and they accepted it."*
- Y. *Rather, this is what they say, "Did we accept it but then not carry it out?"*
- Z. *But to this the rejoinder must be, "Why did you not accept it anyhow!"*
- AA. Rather, "this is what they say before him, 'Lord of the world, did you hold a mountain over us like a cask and then we refused to accept it as you did to Israel, as it is written, "And they stood beneath the mountain" (Exo. 19:17).'"
- BB. And [in connection with the verse, "And they stood beneath the mountain" (Exo. 19:17),] said R. Dimi bar Hama, "This teaches that the Holy One, blessed be He, held the mountain over Israel like a cask and said to them, 'If you accept the Torah, well and good, and if not, then there is where your grave will be.'"
- CC. "Then the Holy One, blessed be He, will say to them, 'Let us make known what happened first: "Let them announce to us former things" (Isa. 43: 9). As to the seven religious duties that you did accept, where have you actually carried them out?'"
- DD. *And how do we know on the basis of Scripture that they did not carry them out? R. Joseph formulated as a Tannaite statement, "'He stands and shakes the earth, he sees and makes the nations tremble' (Hab. 3: 6): what did he see? He saw the seven religious duties that the*

children of Noah accepted upon themselves as obligations but never actually carried them out. Since they did not carry out those obligations, he went and remitted their obligation.”

EE. *But then they benefited — so it pays to sin!*

FF. Said Mar b. Rabina, [3A] “What this really proves is that even when they carry out those religious duties, they get no reward on that account.”

GG. *And they don't, don't they? But has it not been taught on Tannaite authority:* R. Meir would say, “How on the basis of Scripture do we know that, even if it is a gentile, if he goes and takes up the study of the Torah as his occupation, he is equivalent to the high priest? Scripture states, ‘You shall therefore keep my statutes and my ordinances, which, if a human being does them, one shall gain life through them’ (Lev. 18: 5). What is written is not ‘priests’ or ‘Levites’ or ‘Israelites,’ but rather, ‘a human being.’ So you have learned the fact that, even if it is a gentile, if he goes and takes up the study of the Torah as his occupation, he is equivalent to the high priest.”

HH. Rather, what you learn from this [DD] is that they will not receive that reward that is coming to those who are commanded to do them and who carry them out, but rather, the reward that they receive will be like that coming to the one who is not commanded to do them and who carries them out anyhow.

II. For said R. Hanina, “Greater is the one who is commanded and who carries out the religious obligations than the one who is not commanded but nonetheless carries out religious obligations.”

JJ. [Reverting to AA, CC:] “This is what the gentiles say before him, ‘Lord of the world, Israel, who accepted it — where in the world have they actually carried it out?’

KK. “The Holy One, blessed be He, will say to them, ‘I shall bear witness concerning them, that they have carried out the whole of the Torah!’

LL. “They will say before him, ‘Lord of the world, is there a father who is permitted to give testimony concerning his son? For it is written, “Israel is my son, my firstborn” (Exo. 4:22).’

MM. “The Holy One, blessed be He, will say to them, ‘The Heaven and the earth will give testimony in their behalf that they have carried out the entirety of the Torah.’

NN. “They will say before him, ‘Lord of the world, the Heaven and earth have a selfish interest in the testimony that they give: ‘If not for my covenant with day and with night, I should not have appointed the ordinances of Heaven and earth’ (Jer. 33:25).”

OO. *For said R. Simeon b. Laqish, “What is the meaning of the verse of Scripture, ‘And there was evening, and there was morning, the sixth day’ (Gen. 1:31)? This teaches that the Holy One, blessed be He, made a stipulation with all of the works of creation, saying to them, ‘If Israel accepts my Torah, well and good, but if not, I shall return you to chaos and void.’ That is in line with what is written: ‘You did cause sentence to be heard from Heaven, the earth trembled and was still’ (Psa. 76: 9). If ‘trembling,’ then where is the stillness, and if ‘stillness,’ then where is the trembling? Rather, to begin with, trembling, but at the end, stillness.”*

PP. [Reverting to MM-NN:] “The Holy One, blessed be He, will say to them, ‘Some of them may well come and give testimony concerning Israel that they have observed the entirety of the Torah. Let Nimrod come and give testimony in behalf of Abraham that he never worshipped idols. Let Laban come and give testimony in behalf of Jacob, that he never was suspect of thievery. Let the wife of Potiphar come and give testimony in behalf of Joseph, that he was never suspect of ‘sin.’ Let Nebuchadnezzar come and give testimony in behalf of Hananiah, Mishael, and Azariah, that they never bowed down to the idol. Let Darius come and give testimony in behalf of Daniel, that he did not neglect even the optional prayers. Let Bildad the Shuhite and Zophar the Naamatite and Eliphaz the Temanite and Elihu son of Barachel the Buzite come and testify in behalf of Israel that they have observed the entirety of the Torah: “Let the nations bring their own witnesses, that they may be justified” (Isa. 43: 9).’

QQ. “They will say before him, ‘Lord of the world, Give it to us to begin with, and let us carry it out.’

- RR. “The Holy One, blessed be He, will say to them, ‘World-class idiots! He who took the trouble to prepare on the eve of the Sabbath [Friday] will eat on the Sabbath, but he who took no trouble on the even of the Sabbath — what in the world is he going to eat on the Sabbath! Still, [I’ll give you another chance.] I have a rather simple religious duty, which is called “the tabernacle.” Go and do that one.’”
- SS. *But can you say any such thing? Lo, R. Joshua b. Levi has said, “What is the meaning of the verse of Scripture, ‘The ordinances that I command you this day to do them’ (Deu. 7:11)? Today is the day to do them, but not tomorrow; they are not to be done tomorrow; today is the day to do them, but not the day on which to receive a reward for doing them.”*
- TT. Rather, it is that the Holy One, blessed be He, does not exercise tyranny over his creatures.
- UU. *And why does he refer to it as a simple religious duty? Because it does not involve enormous expense [to carry out that religious duty].*
- VV. “Forthwith every one of them will take up the task and go and make a tabernacle on his roof. But then the Holy One, blessed be He, will come and make the sun blaze over them as at the summer solstice, and every one of them will knock down his tabernacle and go his way: ‘Let us break their bands asunder and cast away their cords from us’ (Psa. 23: 3).”
- WW. But lo, you have just said, “it is that the Holy One, blessed be He, does not exercise tyranny over his creatures”!
- XX. *It is because the Israelites, too — sometimes [3B] the summer solstice goes on to the festival of Tabernacles, and therefore they are bothered by the heat!*
- YY. But has not Raba stated, “One who is bothered [by the heat] is exempt from the obligation of dwelling in the tabernacle”?
- ZZ. *Granting that one may be exempt from the duty, is he going to go and tear the thing down?*
- AAA. “Then the Holy One, blessed be He, goes into session and laughs at them: ‘He who sits in Heaven laughs’ (Psa. 2: 4).”
- BBB. Said R. Isaac, “Laughter before the Holy One, blessed be He, takes place only on that day alone.”

- CCC. *There are those who repeat as a Tannaite version this statement of R. Isaac in respect to that which has been taught on Tannaite authority:*
- DDD. R. Yosé says, "In the coming age gentiles will come and convert."
- EEE. *But will they be accepted? Has it not been taught on Tannaite authority:* Converts will not be accepted in the days of the Messiah, just as they did not accept proselytes either in the time of David or in the time of Solomon?
- FFF. Rather, "they will make themselves appear to be converts, and they will put on phylacteries on their heads and arms and fringes on their garments and a mezuzah on their doors. But when they witness the war of Gog and Magog, he will say to them, 'How come you have come?' They will say, "'Against the Lord and against his Messiah.'" For so it is said, 'Why are the nations in an uproar and why do the peoples mutter in vain' (Psa. 2: 1). Then each one of them will rid himself of his religious duty and go his way: 'Let us break their bands asunder' (Psa. 2: 3). Then the Holy One, blessed be He, goes into session and laughs at them: 'He who sits in Heaven laughs' (Psa. 2: 4)."
- GGG. Said R. Isaac, "Laughter before the Holy One, blessed be He, takes place only on that day alone."
- HHH. But is this really so? And has not R. Judah said Rab said, "The day is made up of twelve hours. In the first three the Holy One, blessed be He, goes into session and engages in study of the Torah; in the second he goes into session and judges the entire world. When he realizes that the world is liable to annihilation, he arises from the throne of justice and takes up a seat on the throne of mercy. In the third period he goes into session and nourishes the whole world from the horned buffalo to the brood of vermin. During the fourth quarter he laughs [and plays] with leviathan: 'There is leviathan, whom you have formed to play with' (Psa. 104:26)." [This

proves that God does laugh more than on that one day alone.]

- III. Said R. Nahman bar Isaac, “With his creatures he laughs [every day], but at his creatures he laughs only on that day alone.”

I.3 A. Said R. Aha to R. Nahman bar Isaac, “From the day on which the house of the sanctuary, the Holy One blessed be He has had no laughter.

- B. *“And how on the basis of Scripture do we know that he has had none? If we say that it is because it is written, ‘And on that day did the Lord, the god of hosts, call to weeping and lamentation’ (Isa. 22:12), that verse refers to that day in particular. Shall we then say that that fact derives from the verse, ‘If I forget you, Jerusalem, let my right hand forget her cunning, let my tongue cleave to the roof of my mouth if I do not remember you’ (Psa. 137: 5-6)? That refers to forgetfulness, not laughter. Rather, the fact derives from this verse: ‘I have long held my peace, I have been still, I have kept in, now I will cry’ (Isa. 42:14).”*

I.4 A. [Referring to the statement that during the fourth quarter he laughs [and plays] with leviathan,] *[nowadays] what does he do in the fourth quarter of the day?*

- B. He sits and teaches Torah to kindergarten students: “Whom shall one teach knowledge, and whom shall one make understand the message? Those who are weaned from the milk? (Isa. 28:19).

- C. *And to begin with [prior to the destruction of the Temple, which ended his spending his time playing with leviathan], who taught them?*
- D. *If you wish, I shall say it was Metatron, and if you wish, I shall say that he did both [but now does only one].*
- E. And at night what does he do?
- F. *If you wish, I shall say that it is the sort of thing he does by day;*
- G. *and if you wish, I shall say, he rides his light cherub and floats through eighteen thousand worlds: “The chariots of God are myriads, even thousands and thousands [shinan] (Psa. 68:17). Read the letters translated as thousands, shinan, as though they were written, she-enan, meaning, that are not [thus: “the chariots are twice ten thousand less two thousand, eighteen thousand (Mishcon)].*
- H. *And if you wish, I shall say, he sits and listens to the song of the Living Creatures [hayyot]: “By the day the Lord will command his loving kindness and in the night his song shall be with me” (Psa. 42: 9).*

The Critical Importance of Torah-Study for the Salvation of Israel, Individually and Collectively

- I.5** A. Said R. Levi, “To whoever stops studying the words of the Torah and instead takes up words of mere chatter they feed glowing coals of juniper: ‘They pluck salt-wort with wormwood and the roots of juniper are their food’ (Job. 30: 4).”
- B. Said R. Simeon b. Laqish, “For whoever engages in study of the Torah by night — the Holy One, blessed be He, draws out the thread of grace by day: ‘By day the Lord will command his loving kindness, and in the night his song shall be with

me' (Psa. 42: 9). Why is it that 'By day the Lord will command his loving kindness'? Because 'in the night his song shall be with me.'"

C. *Some say*, said R. Simeon b. Laqish, "For whoever engages in study of the Torah in this world, which is like the night, — the Holy One, blessed be He, draws out the thread of grace in the world to come, which is like the day: 'By day the Lord will command his loving kindness, and in the night his song shall be with me' (Psa. 42: 9). [Supply: Why is it that 'By day the Lord will command his loving kindness'? Because 'in the night his song shall be with me.']"

I.6 A. Said R. Judah said Samuel, "*What is the meaning of the verse of Scripture*, 'And you make man as the fish of the sea and as the creeping things, that have no ruler over them' (Hab. 1:14)? Why are human beings compared to fish of the sea? To tell you, just as fish in the sea, when they come up on dry land, forthwith begin to die, so with human beings, when they take their leave of teachings of the Torah and religious deeds, forthwith they begin to die.

B. "Another matter: just as the fish of the sea, as soon as dried by the sun, die, so human beings, when struck by the sun, die."

C. *If you want, this refers to this world, and if you want, this refers to the world to come.*

D. *If you want, this refers to this world, in line with that which R. Hanina [said]*, for said R. Hanina, "Everything is in the hands of Heaven except cold and heat: 'colds and heat boils are in the way of the froward, he who keeps his soul holds himself far from them' (Pro. 22: 5)."

E. *And if you want, this refers to the world to come, in accord with that which was stated by R. Simeon b. Laqish.* For said R. Simeon b. Laqish, "In the world to come, there is no Gehenna, but rather, the Holy One, blessed be He, brings the sun out of its sheathe and he heats the wicked but heals the righteous through it. The wicked are brought to judgment by **[4A]** it: 'For behold, the day comes, it burns as a furnace, and all the proud and all who do wicked things shall be stubble, and the day that comes shall set them ablaze, says the Lord of hosts, that it shall leave them neither root nor branch' (Mal. 3:19).

F. "'It shall leave them neither root' — in this world; 'nor branch' — in the world to come.

- G. “‘but heals the righteous through it’: ‘But to you that fear my name shall the sun of righteousness arise with healing in its wings’ (Mal. 3:19). They will revel in it: ‘And you shall go forth and gambol as calves of the stall’ (Mal. 3:20).”
- H. [Continuing B, above:] “Another matter: just as with the fish of the sea, whoever is bigger than his fellow swallows his fellow, so in the case of human beings, were it not for fear of the government, whoever is bigger than his fellow would swallow his fellow.”
- I. *That is in line with what we have learned in the Mishnah:* **R. Hananiah, Prefect of the Priests, says, “Pray for the welfare of the government. For if it were not for fear of it, one man would swallow his fellow alive” [M. Abot 3:2A-B].**

God Favors Holy Israel over the Gentiles, Because the Former Accept, Study, and Carry Out the Torah and the Latter Do Not. Therefore at the End of Days God Will Save Israel and Destroy Idolatry

- I.7** A. *R. Hinena bar Pappa contrasted verses of Scripture: “It is written, ‘As to the almighty, we do not find him exercising plenteous power’ (Job. 37:23), but by contrast, ‘Great is our Lord and of abundant power’ (Psa. 147: 5), and further, ‘Your right hand, Lord, is glorious in power’ (Exo. 15: 6).*
- B. “But there is no contradiction between the first and second and third statements, for the former speaks of the time of judgment [when justice is tempered with mercy, so God does not do what he could] and the latter two statements refer to a time of war [of God against his enemies].”
- I.8** A. *R. Hama bar Hanina contrasted verses of Scripture: “It is written, ‘Fury is not in me’ (Isa. 27: 4) but also ‘The Lord revenges and is furious’ (Nah. 1: 2).*
- B. “But there is no contradiction between the first and second statements, for the former speaks of Israel, the latter of the gentiles.”
- C. *R. Hinena bar Pappa said, “‘Fury is not in me’ (Isa. 27: 4), for I have already taken an oath: ‘would that I had not so vowed, then as the briars and thorns in flame would I with one step burn it altogether.’”*
- I.9** A. *That is in line with what R. Alexandri said, “What is the meaning of the verse, ‘And it shall come to pass on that day that I will seek to destroy all the nations’ (Zec. 12: 9) —*
- B. “‘Seek’ — seek permission from whom?

C. “Said the Holy One, blessed be He, ‘I shall seek in the records that deal with them, to see whether there is a cause of merit, on account of which I shall redeem them, but if not, I shall destroy them.’”

I.10 A. *That is in line with what Raba said, “What is the meaning of the verse, ‘Howbeit he will not stretch out a hand for a ruinous heap though they cry in his destruction’ (Job. 30:24)?*

B. “Said the Holy One, blessed be He, to Israel, ‘When I judge Israel, I shall not judge them as I do the gentiles, for it is written, “I will overturn, overturn, overturn it” (Eze. 21:32), rather, I shall exact punishment from them as a hen pecks.’

C. “Another matter: ‘Even if the Israelites do not carry out a religious duty before me more than a hen pecking at a rubbish heap, I shall join together [all the little pecks] into a great sum: “although they pick little they are saved” (Job. 30:24) [following Mishcon’s rendering].’

D. “Another matter: ‘As a reward for their crying out to me, I shall help them’ (Job. 30:24) [following Mishcon’s rendering].”

I.11 A. *That is in line with what R. Abba said, “What is the meaning of the verse, ‘Though I would redeem them, yet they have spoken lies against me’ (Hos. 7:23)? ‘I said that I would redeem them through [inflicting a penalty] on their property in this world, so that they might have the merit of enjoying the world to come, “yet they have spoken lies against me” (Hos. 7:23).’”*

I.12 A. *That is in line with what R. Pappi in the name of Raba said, “What is the meaning of the verse, ‘Though I have trained [and] strengthened their arms, yet they imagine mischief against me’ (Hos. 7:15)?*

B. Said the Holy One, blessed be He, I thought that I would punish them with suffering in this world, so that their arm might be strengthened in the world to come, “yet they have spoken lies against me” (Hos. 7:23).”

God’s Judgment and Wrath, God’s Mercy and Forgiveness

I.13 A. *R. Abbahu praised R. Saфра to the minim [in context: Christian authorities of Caesarea], saying that he was a highly accomplished authority. They therefore remitted his taxes for thirteen years.*

B. *One day they came upon him and said to him, “It is written, ‘You only have I known among all the families of the earth; therefore I will visit upon you all your iniquities’ (Amo. 3: 2). If one is angry, does he vent it on someone he loves?”*

- C. *He fell silent and said nothing at all. They wrapped a scarf around his neck and tortured him. R. Abbahu came along and found them. He said to them, "Why are you torturing him?"*
- D. *They said to him, "Didn't you tell us that he is a highly accomplished authority, but he does not know how to explain this verse!"*
- E. *He said to them, "True enough, I told you that he was a master of Tannaite statements, but did I say anything at all to you about his knowledge of Scripture?"*
- F. *They said to him, "So how come you know?"*
- G. *He said to them, "Since we, for our part, spend a lot of time with you, we have taken the task of studying it thoroughly, while others [in Babylonia, Safra's place of origin] do not study [Scripture] that carefully."*
- H. *They said to him, "So tell us."*
- I. He said to them, "I shall tell you a parable. To what is the matter comparable? To the case of a man who lent money to two people, one a friend, the other an enemy. From the friend he collects the money little by little, from the enemy he collects all at once."

I.14 A. *Said R. Abba bar Kahana, "What is the meaning of the following verse of Scripture: 'Far be it from you to do after this manner, to slay the righteous with the wicked' (Gen. 18:25).*

- B. *"Said Abraham before the Holy One, blessed be He, 'Lord of the world! It is a profanation to act in such a way [a play on the Hebrew letters, shared by the words 'far be it' and 'profanation'], 'to slay the righteous with the wicked' (Gen. 18:25)."*
- C. *But is it not [so that God might do just that]? And is it not written, "And I will cut off from you the righteous and the wicked" (Eze. 21: 8)?*
- D. *That speaks of one who is not completely righteous, but not of one who is completely righteous.*
- E. *And will he not do so to one who is completely righteous? And is it not written, "And begin the slaughter with my sanctuary" (Eze. 9: 6), in which connection R. Joseph repeated as a Tannaite version, "Read not 'with my sanctuary' but rather, 'with those who are holy to me,' namely, the ones who carried out the Torah beginning to end."*
- F. *There, too, since they had the power to protest against the wickedness of the others and did not do so, they were not regarded as completely righteous at all.*

- I.15** A. *R. Pappa contrasted verses of Scripture: “It is written, ‘God is angry every day’ (Psa. 7:12) but also ‘who could stand before his anger’ (Nah. 1: 6).*
- B. *“But there is no contradiction between the first and second statements, for the former speaks of the individual, the latter of the community.”*

Balaam, the Prophet of the Gentiles, and Israel; God’s Anger with the Gentiles and with Israel

- I.16** A. *Our rabbis have taught on Tannaite authority:*
- B. *“God is angry every day” (Psa. 7:12), and how long is his anger? It is for a moment. And how long is a moment? The portion 1/53,848th of an hour is a moment.*
- C. *And no creature can determine that moment, except for Balaam that wicked man, of whom it is written, [4B] “who knew the knowledge of the Most High” (Num. 24:16).*
- D. *How can it be that a man who did not know the mind of his animal could have known the mind of the Most High?*
- I.17** A. *And what is the meaning of the statement that he did not know the mind of his animal?*
- B. *When they saw him riding on his ass, they said to him, “How come you’re not riding on a horse?”*
- C. *He said to them, “I sent it to the meadow.”*
- D. *Forthwith: “The ass said, Am I not your ass” (Num. 22:30).*
- E. *He said to it, “Just as a beast of burden in general.”*
- F. *She said to him, “Upon whom you have ridden” (Num. 22:30).*
- G. *He said to it, “Only from time to time.”*
- H. *She said to him, “ever since I was yours (Num. 22:30). And not only so, but I serve you for riding by day and fucking by night.”*
- I. *For here the word “I was wont” is used, and the same letters bear the meaning of bed-mate: “...and she served him as a bed-mate” (1Ki. 1: 2).*
- I.18** A. *And what is the meaning of the statement that he could have known the mind of the Most High?*

- B. For he knew precisely that moment at which the Holy One, blessed be He, was angry.
- C. *That is in line with what the prophet had said to them, “O my people, remember now what Balak king of Moab consulted and what Balaam son of Beor answered him from Shittim to Gilgal, that you may know the righteousness of the Lord” (Mic. 6: 5).*

I.19 A. [“O my people, remember now what Balak king of Moab consulted and what Balaam son of Beor answered him from Shittim to Gilgal, that you may know the righteousness of the Lord” (Mic. 6: 5)]:

- B. Said R. Eleazar, “Said R. Eleazar, “Said the Holy One, blessed be He, to Israel, ‘My people, see how many acts of righteousness I carried out with you, for I did not grow angry with you during all those [perilous] days, for if I had grown angry with you, there would not have remained from Israel a remnant or a survivor.’”
- C. “And that is in line with what Balaam says: ‘How can I curse seeing that God does not curse, and how can I be wrathful, seeing that the Lord has not been wrathful’ (Num. 23: 8).”

I.20 A. And how long is his wrath? It is for a moment. And how long is a moment? The portion 1/53,848th of an hour is a moment.

- B. And how long is a moment?
- C. Said Amemar — others say, Rabina — “So long as it takes to say the word ‘moment.’”
- D. *And how on the basis of Scripture do we know that his wrath lasts for only a moment?*
- E. *As it is written, “For his anger is for a moment, his favor is for a lifetime” (Psa. 30: 6).*
- F. *If you prefer: “Hide yourself for a brief moment, until the wrath be past” (Isa. 26:20).*

I.21 A. *When is he angry?*

- B. *Said Abbaye, “In the first three hours of the day, when the comb of the cock is white.”*
- C. *Isn’t it white all the rest of the day?*
- D. *At other times it has red streaks, but then it has none.*

- I.22** A. *R. Joshua b. Levi — a certain Min would bother him about verses of Scripture. Once he took a chicken and put it between the legs of the bed and watched it. He reasoned, “When that hour comes, I shall curse him.”*
- B. *But when that hour came, he was dozing. He said, “What you learn from this experience is that it is not correct to act in such a way: ‘His tender mercies are over all his works’ (Psa. 145: 9), ‘Neither is it good for the righteous to inflict punishment’ (Pro. 17:26).”*

The Time of God’s Anger in Relationship to the Gentiles and to Israel; The Role of Idolatry in God’s Wrath against the Nations

- I.23** A. *It was taught as a Tannaite version in the name of R. Meir, “[That time at which God gets angry comes] when the kings put on their crowns on their heads and prostrate themselves to the sun. Forthwith the Holy One, blessed be He, grows angry.”*
- I.24** A. *Said R. Joseph, “A person should not recite the Prayer of the Additional Service for the first day of the New Year [the Day of Judgment] during the first three hours of the day or in private, lest, since that is the time of judgment, his deeds may be examined, and his prayer rejected.”*
- B. *If so, then the prayer of the community also should not be recited at that time?*
- C. *The merit [accruing to the community as a whole] is greater.*
- D. *If so, then that of the Morning Service also should not be recited in private?*
- E. *Since at that time the community also will be engaged in reciting the Morning Prayer, the individual’s recitation of the Prayer will not be rejected.*
- F. *But have you not said, “In the first three the Holy One, blessed be He, goes into session and engages in study of the Torah; in the second he goes into session and judges the entire world”?*
- G. *Reverse the order.*
- H. *Or, if you prefer, actually do not reverse the order. For when God is occupied with study of the Torah, called by Scripture “truth” as in “buy the truth and do not sell it” (Pro. 23:23), the Holy One, blessed be He,*

in any event will not violate the strict rule of justice. But when engaged in judgment, which is not called “truth” by Scripture, the Holy One, blessed be He, may step across the line of strict justice [towards mercy].

I.25 A. Reverting to the body of the prior text:

- B. R. Joshua b. Levi has said, “What is the meaning of the verse of Scripture, ‘The ordinances that I command you this day to do them’ (Deu. 7:11)? Today is the day to do them, but not tomorrow; they are not to be done tomorrow; today is the day to do them, but today is not the day on which to receive a reward for doing them”:
- C. Said R. Joshua b. Levi, “All the religious duties that Israelites do in this world come and give evidence in their behalf in the world to come: ‘Let them bring their witnesses that they may be justified, let them hear and say it is truth.’”
- D. “Let them bring their witnesses that they may be justified”: this is Israel.
- E. “Let them hear and say it is truth”: this refers to the gentiles.
- F. And said R. Joshua b. Levi, “All the religious duties that Israelites do in this world come and flap about the faces of gentiles in the world to come: ‘Keep them and do them, for this, your wisdom and understanding, will be in the eyes of the peoples’ (Deu. 4: 6).
- G. “What is stated here is not ‘in the presence of the peoples’ but ‘in the eyes of the peoples,’ which teaches you that they will come and flap about the faces of gentiles in the world to come.”
- H. And said R. Joshua b. Levi, “The Israelites made the golden calf only to give an opening to penitents: ‘O that they had such a heart as this always, to fear me and keep my commandments’ (Deu. 5:26).”

**The Sinful Ancestor of the Messiah
and God’s Forgiveness of Him and of Israel**

- I.26** A. That is in line with what R. Yohanan said in the name of R. Simeon b. Yohai: “David was really not so unfit as to do such a deed [as he did with Beth Sheva]: ‘My heart is slain within me’ (Psa. 109:22) [Mishcon: David’s inclinations had been completely conquered by himself]. And the Israelites were hardly the kind of people to commit such an act: “O that they had such a heart as this always, to fear me and keep my commandments’ (Deu. 5:26). So why did they do it?

- B. “[5A] It was to show you that if an individual has sinned, they say to him, ‘Go to the individual [such as David, and follow his example], and if the community as a whole has sinned, they say to them, ‘Go to the community [such as Israel].’
- C. *And it was necessary to give both examples. For had we been given the rule governing the individual, that might have been supposed to be because his personal sins were not broadly known, but in the case of the community, the sins of which will be broadly known, I might have said that that is not the case.*
- D. *And if we had been given the rule governing the community, that might have been supposed to be the case because they enjoy greater mercy, but an individual, who has not got such powerful zekhut, might have been thought not subject to the rule.*
- E. *So both cases had to be made explicit.*
- I.27** A. *That is in line with what R. Samuel bar Nahmani said R. Jonathan said, “What is the meaning of the verse of Scripture, ‘The saying of David, son of Jesse, and the saying of the man raised on high’ (2Sa. 23: 1)?*
- B. “It means, ‘The saying of David, son of Jesse, the man who raised up the yoke of repentance.’”
- I.28** A. Said R. Samuel bar Nahmani said R. Jonathan, “Whoever does a religious duty in this world — that deed goes before him to the world to come, as it is said, ‘And your righteousness shall go before you’ (Isa. 58: 8).
- B. “And whoever commits a transgression in this world — that act turns aside from him and goes before him on the Day of Judgment, as it is said, ‘The paths of their way are turned aside, they go up into the waste and perish’ (Job. 6:18).”
- C. R. Eliezer says, “It attaches to him like a dog, as it is said, ‘He did not listen to her to lie by her or to be with her’ (Gen. 39:10).
- D. “‘To lie by her’ in this world.
- E. “‘Or to be with her’ in the world to come.”
- I.29** A. Said R. Simeon b. Laqish, “Come and let us express our gratitude to our ancestors, for if it were not for their having sinned, we for our part should never have been able to come into the world: ‘I said you are gods and all of you sons of the Most High’ (Psa. 82: 6). Now that you have ruined things by what you have done, ‘you shall indeed die like mortals’ (Psa. 82: 6).”

- B. *Does that statement then bear the implication, therefore, that if they had not sinned, they would not have propagated? But has it not been written, “And you, be fruitful and multiply” (Gen. 9: 7)?*
- C. *That applies up to Sinai.*
- D. *But in connection with Sinai it also is written, “Go say to them, Go back to your tents” (Exo. 19:15), meaning, to marital relationships. And is it not also written, “that it might be well with them and with their children” (Deu. 5:26)?*
- E. *That speaks only to those who were actually present at Mount Sinai.*
- F. *But has not R. Simeon b. Laqish stated, “What is the meaning of that which is written: ‘This is the book of the generations of Adam’ (Gen. 5: 1)? Now did the first Adam have a book? The statement, rather, teaches that the Holy One, blessed be He, showed to the first Adam each generation and its authoritative expositors, each generation and its sages, each generation and those that administered its affairs. When he came to the generation of R. Aqiba, he rejoiced in the master’s Torah but he was saddened by the master’s death.*
“He said, ‘How precious are your thoughts to me, O God’ (Psa. 139:17).”
- H. *And said R. Yosé, “The son of David will come only when all of the souls that are stored up in the body will be used up: ‘For I will not contend for ever, neither will I be always angry, for the spirit should fall before me and the spirits which I have made’ (Isa. 57:16).” [Mishcon: In the face of the foregoing teachings, how could it be stated that had it not been for the sin of the golden calf, we should not have come into the world?]*
- I. *Do not, therefore, imagine that the sense of the statement is, we should have not come into the world [if our ancestors had not sinned], but rather, it would have been as though we had not come into the world.*
- J. *Does that then bear the implication that, if they had not sinned, they would never have died? But have not the passages been written that deal with the deceased childless brother’s widow and the chapters about inheritances [which take for granted that people die]?*
- K. *These passages are written conditionally [meaning, if people sin and so die, then the rules take effect, but it is not necessary that they take effect unless that stipulation is fulfilled].*

- L. *And are there then any verses of Scripture that are stated conditionally?*
- M. *Indeed so, for said R. Simeon b. Laqish, "What is the meaning of that which has been written, 'And it was evening and it was morning, the sixth day' (Gen. 1:31)? This teaches that the Holy One, blessed be He, made a stipulation with the works of creation and said, 'If the Israelites accept the Torah, well and good, but if not, I shall send you back to the condition of formlessness and void.'"*
- N. *An objection was raised: "O that they had such a heart as this always, to fear me and keep my commandments, that it may be well with them and their children" (Deu. 5:26): it is not possible to maintain that the meaning here is that he would take away the angel of death from them, for the decree had already been made. It means that the Israelites accepted the Torah only so that no nation or tongue would rule over them: "that it might be well with them and their children after them." [Mishcon: How could R. Simeon b. Laqish hold that but for the golden calf worship Israel would have enjoyed physical deathlessness?]*
- O. *[R. Simeon b. Laqish] made his statement in accord with the position of this Tannaite authority, for it has been taught on Tannaite authority:*
- P. R. Yosé says, "The Israelites accepted the Torah only so that the angel of death should not have power over them: 'I said you are gods and all of you are sons of the Most High. Now that you have ruined things by what you have done 'you shall indeed die like mortals' (Psa. 82: 6)."
- Q. *But to R. Yosé also must be addressed the question, has it not been written, "O that they had such a heart as this always, to fear me and keep my commandments, that it may be well with them and their children" (Deu. 5:26)? Goodness is what is promised, but there still will be death!*
- R. *R. Yosé will say to you, "If there is no death, what greater goodness can there ever be?"*
- S. *And the other Tannaite authority — how does he read the phrase, "You shall indeed die"?*
- T. *The sense of "death" here is "poverty," for a master has said, "Four classifications of persons are equivalent to corpses, and these are they: the poor man, the blind man, the person afflicted*

with the skin disease [of Lev. 13], and the person who has no children.

- U. “The poor man, as it is written: ‘for all the men are dead who sought your life’ (Exo. 4:19). *Now who were they? This refers to Dathan and Abiram, and they were certainly not then dead, they had only lost all their money.*
- V. “The blind man, as it is written: ‘He has made me dwell in darkness as those that have been long dead’ (Lam. 3: 6).
- W. “The person afflicted with the skin disease, as it is written: ‘Let her, I pray you, not be as one who is dead’ (Num. 12:12).
- X. “And the person who has no children, as it is written: ‘Give me children or else I die’ (Gen. 30: 1).”

I.30 A. *Our rabbis have taught on Tannaite authority:*

- B. “If you walk in my statutes” (Lev. 26: 3) — the word “if” is used in the sense of supplication, as in the verse, O that my people would hearken to me, that Israel would walk in my ways...I should soon subdue their enemies” (Psa. 81:14-15); “O that you had listened to my commandments, then my peace would have been as a river, your seed also would have been as the sand” (Isa. 48:18).

I.31 A. *Our rabbis have taught on Tannaite authority:*

- B. “O that they had such a heart as this always, to fear me and keep my commandments, that it may be well with them and their children” (Deu. 5:26).
- C. Said Moses to the Israelites, “You are a bunch of ingrates, children of ingrates. When the Holy One, blessed be He, said to you, ‘O that they had such a heart as this always, to fear me and keep my commandments, that it may be well with them and their children’ (Deu. 5:26), they should have said, ‘You give it.’
- D. “They were ingrates, since it is written, ‘Our soul loathes **[5B]** this light bread’ (Num. 21: 5).
- E. “...the children of ingrates: ‘The woman whom you gave to be with me, she gave me of the fruit of the tree and I ate it’ (Gen. 3:12).
- F. “So our rabbi, Moses, gave an indication of that fact to the Israelites only after forty years: ‘And I have led you forty years in the wilderness...but the Lord has not give you a heart to know and eyes to see and ears to hear unto this day’ (Deu. 29:3, 4).”

I.32 A. [“And I have led you forty years in the wilderness...but the Lord has not given you a heart to know and eyes to see and ears to hear unto this day” (Deu. 29:3, 4):]

B. Said Raba, “This proves that a person will fully grasp the mind of his master only after forty years have passed.”

I.33 A. *Said R. Yohanan in the name of R. Benaah, “What is the meaning of the verse of Scripture, ‘Happy are you who sow beside all waters, that send forth the feet of the ox and the ass’ (Isa. 32:20)? ‘Happy are you, O Israel, when you are devoted to the Torah and to doing deeds of grace, then their inclination to do evil is handed over to them, and they are not handed over into the power of their inclination to do evil.*

B. “For it is said, ‘Happy are you who sow beside all waters.’ For what does the word ‘sowing’ mean, if not ‘doing deeds of grace,’ in line with the use of the word in this verse: ‘Sow for yourselves in righteousness, reap according to mercy’ (Hos. 10:12), and what is the meaning of ‘water’ if not Torah: ‘Oh you who are thirsty, come to the water’ (Isa. 55: 1).”

C. As to the phrase, “that send forth the feet of the ox and the ass”:

D. it has been taught by the Tannaite authority of the household of Elijah:

E. “A person should always place upon himself the work of studying the Torah as an ox accepts the yoke, and as an ass, its burden.”

II.1 A. **Before the festivals of gentiles for three days it is forbidden to do business with them:**

B. *Do we impose so considerable a requirement? Have we not learned in the Mishnah: At four seasons in the year does he who sells a beast to his fellow have to inform him [the purchaser, so as to avoid violating the rule against slaughtering the mother and the offspring on the same day], “Its mother did I sell for slaughter, its daughter did I sell for slaughter,” and these are they: (1) On the eve of the last festival day of the festival [of Sukkot; (2) on the eve of the first festival day of Passover; (3) on the eve of Aseret [Shabuot], (4) and on the eve of the New Year. And in accord with the opinion of R. Yosé the Galilean, “Also on the eve of the Day of Atonement in Galilee.” Said R. Judah, “Under what circumstances? When there is no space of time [between sales]. But if there is a space of time [between sales] he does not need to inform him. And R. Judah agrees in the case of one who sells the dam to the bridegroom and the daughter to the bride, that he needs to inform him, for it is certain that*

both will slaughter [them] on the same day [M. Hul. 5:3R-V]. [A single day's notice suffices, so why three days?]

- C. *In that case, in which case the sale is for food, a single day's notice suffices. But here, since the sale is for making an offering, we require three days' notice.*
- D. *But then are three days' notice sufficient in the case of the sale of an animal for an offering? And has it not been taught on Tannaite authority: Questions are received concerning the laws of Passover prior to the Passover festival for a period of thirty days. Rabban Simeon b. Gamaliel says, "Two weeks."*
- E. [These questions are assumed to pertain to disqualifying blemishes affecting Passover offerings, and it follows,] *since in our case, blemishes that disqualify a beast are many, for we may disqualify a beast from serving as an offering even on account of a blemish on the eyelid, we require thirty days; but gentiles, who take account in that same connection only of the lack of a limb, will suffice with three days.*
- F. For, said R. Eleazar, "How on the basis of Scripture do we know that an animal that is lacking a limb may not be used by the children of Noah as a sacrifice? Since it is written, 'Of every living thing of all flesh two of every sort shall you bring into the ark' (Gen. 6:19). The Torah has said, therefore, 'Present as an offering beasts the principal limbs of which still are vital.'"
- G. *But is that verse not required to eliminate from use for an offering a terefah-beast [one mortally wounded, which may not be eaten] indicating that they were not to be [brought into the ark]?*
- H. *The exclusion of a terefah-beast is indicated by the statement, "to keep seed alive" (Gen. 7: 3).*
- I. *That judgment poses no problem to him who maintains that a terefah-beast cannot give birth. [6A] But in the opinion of him who maintains that a terefah-beast cannot give birth, what is there to say?*
- J. Said Scripture, "[you shall bring] with you" (meaning, creatures that are like you [that is, whole in all limbs]).
- K. *But isn't it possible that Noah himself was in the classification of a terefah-creature [in that he may have carried some life-threatening ailment]?*
- L. *Not at all, for in his regard it is written, "perfect" (Gen. 6: 9).*
- M. *But perhaps the reference to "perfect" (Gen. 6: 9) pertains to his deeds?*
- N. *In his regard "righteous" is written as well [and that covers the deeds].*
- O. *But perhaps he was "perfect" in his ways, "righteous" in his deeds?*

- P. *Perish the thought that Noah might have been a terefah-creature in his physical being, for if you should imagine that Noah was a terefah-creature, then would the All-Merciful have instructed him to present creatures like himself and not to offer whole ones?*
- Q. *Then if we derive that rule from the language, “with you” meaning “like you,” what need is there for the reference to “to keep seed alive” (Gen. 7: 3)?*
- R. *Had the rule derived only from the language, “with you” meaning “like you,” I might have thought that reference was made to animals that serve just for company in general, even a superannuated beast, and even a castrated beast [would be fine for the ark]. When Scripture states, “to keep seed alive” (Gen. 7: 3), [it eliminates that possible conception].*

- II.2** A. *The question was raised: does the reference to **three days** mean to include **the festival days** themselves, or is the required span of time exclusive of the festival days themselves?*
- B. *Come and take note: **R. Ishmael says, “Three days before them and three days after them it is prohibited” [M. 1:2].** Now, if you maintain that the sense is the three days include the festival itself, then R. Ishmael must be understood to include the day of the festival both in the preceding and in the following days [Mishcon: in which case the days following would have been given as two, not three].*
 - C. *[Not really —] since he uses the language **three days before**, he also uses the language **three days after them**.*
 - D. *Come and take note: For said R. Tahalipa bar Abdimi said Samuel, “In the opinion of R. Ishmael, Sunday should always be a day that is forbidden [for doing business with gentiles].” [Mishcon: Each Sunday, which is a festival day, with the three preceding and three following days, would rule out the whole week.] Now, if you should imagine that the language of the Mishnah means that the festival day is to be included within the three-day quarantine, there still would be Wednesday and Thursday on which dealing would be permitted!*
 - E. *When the question is raised, it is not directed to R. Ishmael, for there can be no doubt that the period does not encompass the festival days themselves [for the reason just now given]. The question can be directed only to the rabbis.*
 - F. *What is the rule?*
 - G. *Said Rabina, “Come and take note: **These are the festivals of gentiles: (1) Calends, (2) Saturnalia, (3) Cratesis [the commemoration of the empire] [M. 1:3A-B].** And stated R. Hanina bar Raba, “Calends is for eight days after*

the winter equinox, and Saturnalia is kept for eight days prior to the equinox, with the mnemonic, 'you have beset me behind and before' (Psa. 139: 5)."
Now if you maintain that the specified span of three days is inclusive of the festival day itself, then there should be ten days, and not eight [that is, the eight Calends along with the two preceding days, not the three mentioned in the Mishnah].

- H. *The Tannaite framer of the passage regards the whole Calends as a single [protracted] day.*
- I. *Said R. Ashi, "Come and take note: **Before the festivals of gentiles for three days it is forbidden to do business with them.** Now, if you imagine that the specified span of three days is inclusive of the festival day itself, then the Tannaite formulation should be: at the festivals of gentiles for three days.*
- J. *"And should you maintain that the reason that the framer of the passage has formulated it as, **Before the festivals of gentiles for three days,** is to exclude the period after their festivals, then he could as well have worded it as, 'as to the festivals of gentiles, for three days prior....'*
- K. *"It follows that the stated period is exclusive of the festival day itself."*
- L. *That is a decisive proof.*

- II.3** A. *The question was raised: Is the operative consideration for the rule of the Mishnah because of the profit [which Israelites must not make from transactions in the service of idolatry]? Or is it because "you shall not put a stumbling block before the blind" (Lev. 19:14)? [Is the reason for forbidding business transactions prior to idolatrous festivals because profit might yield thanksgiving to idolatry, or perhaps the consideration is that the gentile may not know that idolatry is forbidden anyhow, and Israelites should not be a cause of making the ignorant stumble (Mishcon)?]*
- B. *So what difference does it make?*
 - C. *A case in which the gentile has an animal of his own. If you say that the operative consideration is the prohibition of profit, well here, too, the Israelite makes a profit. If you say that the operative consideration is, "you shall not put a stumbling block before the blind" (Lev. 19:14), then the gentile has an animal of his own [and the Israelite bears no responsibility].*
 - D. *But even if the gentile has a beast of his own, is there no consideration accorded to the principle, "you shall not put a stumbling block before the blind" (Lev. 19:14)? And has it not been taught on Tannaite authority: said R. Nathan, [6B] "How on the basis of Scripture do we know that one should not*

extend a cup of wine to a Nazirite [who is forbidden to drink wine] or a limb cut from a living beast to a child of Noah [who may not eat such meat, and that means, anybody]? Scripture states, “you shall not put a stumbling block before the blind” (Lev. 19:14).” *Now, here, too, even if one did not extend the cup to the Nazirite, still, he could grab it on his own, and yet the one who hands it over still is guilty of violating the rule, “you shall not put a stumbling block before the blind” (Lev. 19:14)!*

E. *But here with what sort of case do we deal? With a case in which the two were on opposite sides of the river [so the one had to help the other]. And the language of the ruling before us supports that interpretation, for the words that are used are, one should not extend a cup of wine, and not, one should not hand over.*

F. *That is a decisive proof.*

II.4 A. *The question was raised: If one did business on those days with a gentile, what is the upshot?*

B. R. Yohanan said, “If one has done business, the proceeds are forbidden.”

C. R. Simeon b. Laqish said, “If one has done business, the proceeds are permitted.”

D. *R. Yohanan objected to the position of R. Simeon b. Laqish: In respect to the festivals of gentiles, if one has done business, the proceeds are forbidden. Does this not mean, if one has done business prior to the festivals?”*

E. *No, it means, if one has done business on those days themselves.*

F. *There are those who say that R. Simeon b. Laqish objected to R. Yohanan, “If on the festival days of idolators, one has transacted business with them the proceeds are forbidden. Thus the proceeds of transactions done on those festival days are forbidden, but the proceeds of transactions carried out prior to their festivals are not forbidden.”*

G. *Not at all. The Tannaite authority by “their festivals” refers to both the one and the other.*

H. *It has been taught on Tannaite authority in accord with the position of R. Simeon b. Laqish: And even though they have said, **It is forbidden to do business with them** [M. 1:1A], under what circumstances? In the case of something which lasts. But in the case of something which does not last, it is permitted. And even in the case of something which lasts, [if] one bought or sold it, lo, this is permitted [T. 1:1C-G].*

- I. *R. Zebid repeated as a Tannaite version of the household of R. Oshaia: Something that is perishable do they sell to them, but they do not buy such a thing from them.*

II.5 A. *On his festival day a certain Min sent a Caesarean denar to R. Judah Nesiah. R. Simeon b. Laqish was in session before him. He said, "What should I do? If I accept it, he will go and give thanks. If I do not accept it, he will be offended."*

B. *Said R. Simeon b. Laqish to him, "Take it and throw it into a well in his very presence."*

C. *He said, "All the more so will he be offended."*

D. *"[No, do it] as if by accident is what I meant to tell you."*

III.1 A. To lend anything to them or to borrow anything from them:

B. *There is no problem understanding why it is forbidden to lend them anything, because that gives them benefit. But as to borrowing from them, that serves to diminish [their capital]?*

C. *Said Abbaye, "We forbid borrowing from them as a precautionary decree against the possibility of lending to them."*

D. *Raba said, "The entire consideration throughout is that he may go and give thanks for the transaction."*

IV.1 A. To lend money to them or to borrow money from them:

B. *There is no problem understanding why it is forbidden to lend them money, because that gives them benefit. But as to borrowing from them, that serves to diminish [their capital]?*

C. *Said Abbaye, "We forbid borrowing from them as a precautionary decree against the possibility of lending to them."*

D. *Raba said, "The entire consideration throughout is that he may go and give thanks for the transaction."*

V.1 A. To repay them or to be repaid by them:

B. *There is no problem understanding why it is forbidden to repay money to them, because that gives them benefit. But as to borrowing from them, that serves to diminish [their capital]?*

C. *Said Abbaye, "We forbid getting repaid by them as a precautionary decree against the possibility of repaying them."*

- D. *Raba said, "The entire consideration throughout is that he may go and give thanks for the transaction."*

V.2 A. *And all the several instances are absolutely required.*

- B. *For if the Tannaite authority had stated the rule only concerning doing business with them, that would be because the operative consideration is that they benefit from the transaction, so they will go and give thanks, but as to borrowing from them, which diminishes them, I might have said that that is acceptable.*
- C. *And if the Tannaite authority had spoken only of borrowing from them, it is because that would involve something of importance to the other [knowing that the Jew needs the object], so he might go and give thanks for that, but as to borrowing money from him, which might cause only anxiety, since he might fear, "My money is not going to come back to me," [I might have supposed that that would be permitted.*
- D. *And if the Tannaite authority were to speak only of the case of lending money, that might be because the other might say, "I can forcibly collect," so he might have a fine reason to give thanks, but to recover money from them, which the lender might never otherwise get back, we might regard that as a source of trouble, in which case he would not give thanks for such a transaction. So all three cases are necessary.*

VI.1 A. **R. Judah says, "They accept repayment from them, because it is distressing to him." They said to him, "Even though it is distressing to him now, he will be happy about it later":**

- B. *Now does R. Judah not accept the principle, "Even though it is distressing to him now, he will be happy about it later"? And has it not been taught on Tannaite authority:*
- C. *R. Judah says, "A woman should not put lime on her face on the intermediate days of a festival, since it makes her ugly." But R. Judah concedes that if the lime can be scraped off during the intermediate days of the festival, she may put it on during those same intermediate days, for **even though it is distressing to her now, she will be happy about it later.**" [There is therefore a contradiction between the two rulings in Judah's name.]*
- D. *Said R. Nahman bar Isaac, "Forget about the laws of the intermediate days of the festival, for all of them fall into the category, '**Even though it is distressing to him now, he will be happy about it later.**'"*

E. *Rabina said, “As to a gentile, so far as getting repaid is concerned, it is always a source of anguish.”*

VI.2 A. *Our Mishnah passage does not accord with the position of R. Joshua b. Qorhah, for it has been taught on Tannaite authority:*

B. **R. Joshua b. Qorha says, “In the case of any loan secured by a bond, one does not accept repayment from [a gentile] [M. 1:1D], But in the case of any loan which is not secured by a bond, one does accept repayment from [a gentile], because one thereby saves the capital from their power” [T. 1:1H-K].**

C. *R. Joseph was in session behind R. Abba, with R. Abba in session facing R. Huna, who, in session, said, “The law accords with R. Joshua b. Qorhah, and the law accords with R. Judah.*

D. *“The law accords with R. Joshua b. Qorhah in the case that we have just stated.*

E. *“And the law accords with R. Judah in the case in which we have learned in the Mishnah: [If he gave wool to a dyer] to dye it red, and he dyed it black, [or] to dye it black, and he dyed it red — [7A] R. Meir says, “[The dyer] pays him back the value of his wool.” R. Judah says, “If the increase in value is greater than the outlay for the process of dyeing, [the owner] pays him back the outlay for the process of dyeing. And if the outlay for the process of dyeing is greater than the increase in the value of the wool, [the dyer] pays him only the increase in value of the wool” [M. B.Q. 9:4G-K].”*

F. *R. Joseph turned his face away: [in disgust, stating,] “Now a statement that the law accords with R. Joshua b. Qorhah was entirely in order. For you might have imagined that one might say, where there is an individual opposed to the majority, the law accords with the position of the majority. Here, therefore, we are informed that the law follows the individual. But why in the world should I have to be told that the decided law accords with the position of R. Judah? That is perfectly obvious. For where you have a dispute and then a statement of the law without attribution to a named authority, the decided law follows the unattributed formulation of the law. Now in point of fact, there is a dispute in Mishnah tractate Baba Qamma, while the law is presented without a named authority behind it in tractate Baba Mesia,*

*for we have learned in the Mishnah: **Whoever changes [the original terms of the agreement] — his hand is on the bottom. And whoever retracts — his hand is on the bottom [M. B.M. 6:2E-H].***

G. And R. Huna?

H. *“The operative consideration here is that there is no such fixed order to Mishnah tractates. For one might claim, quite to the contrary, that to begin with the Tannaite framer of the document first of all gave the law without an assigned authority, and then he presented it as subject to dispute.”*

I. *If so, in the case of any matter where first of all there is a dispute and afterward an unattributed statement of the law, one might claim just as well, there is no such fixed order to Mishnah tractates.*

J. And R. Huna?

K. *When we invoke the principle that there is no fixed order to the Mishnah, that concerns [the contents of] a single tractate, but in respect to two or more tractates, we do invoke that principle.*

L. And R. Joseph?

M. *The whole of the [three principal] tractates of Damages [Baba Qamma, Baba Mesia, and Baba Batra] are classified as a single tractate.*

N. *But if you prefer, I shall say, the reason is that this rule is stated as a final decision, in this language, after all: **Whoever changes [the original terms of the agreement] — his hand is on the bottom. And whoever retracts — his hand is on the bottom [M. B.M. 6:2E-H].***

Other Rulings Involving Joshua b. Qorha

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

- B. One [on the Sabbath day] should not say to his fellow, “Shall we see whether you might stand with me in the evening, [to work at that time, since such a statement represents an impermissible act of engaging a worker on the Sabbath for tasks to be done thereafter].”
- C. R. Joshua b. Qorhah says, “One may say to his fellow, “Shall we see whether you might stand with me in the evening.”
- D. *Said Rabbah bar bar Hana said R. Yohanan, “The decided law is in accord with R. Joshua b. Qorhah.”*

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

- B. He who addresses a question to a sage, who has declared the matter subject to question to be unclean, should not address a question to another sage in hope that he might declare it clean. If he asked a sage, who declared a deed forbidden, he should not address a question to another sage in hope of his declaring the deed permitted.
- C. If there were two sages, one declaring the matter unclean, the other, clean, one declaring the deed forbidden, the other permitting it, if one of them was more eminent than his fellow in wisdom and in age, one must follow his judgment, but if not, he must follow the judgment of the one who gives the more stringent ruling.
- D. R. Joshua b. Qorhah says, “In a matter involving a rule of the Torah, one must follow the judgment of the more stringent of the two opinions, but in a matter involving a ruling on the authority only of scribes, one must follow the opinion of the more lenient of the two opinions.”
- E. *Said R. Joseph, “The decided law is in accord with R. Joshua b. Qorhah.”*

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

- B. **“And in the case of all of them who reneged [after having accepted those obligations] — they are never again accepted in the future,” the words of R. Meir. R. Judah says, “If they reneged in public, they accept them again; if this was done in secret, they do not accept them again.**
- C. There are those who say, if they reneged in secret, they may be accepted again, **[7B]** but if they did so in public, they may not be accepted again.
- D. **R. Simeon and R. Joshua b. Qorhah say, “In either case they accept them again, as it is written, ‘Return, O faithless children’ (Jer. 3:14, 22) [T. Dem. 2:9].**
- E. R. Isaac of Kefar Akko said R. Yohanan said, “The decided law is in accord with that pair.”

I.1 begins with a systematic inquiry into the correct reading of the Mishnah’s word choices. The dispute is fully articulated in balance, beginning to end. The enormous theological composite is treated in Chapter Six. It suffices to say that I.2-33 form a sustained composite on the given theme, Israel and the nations, and so place the law set forth by the entire tractate in a different context from the one that the Mishnah gives. II.1 provides a fine interpretation of the Mishnah’s detail on three days. Its initial intent is to

contrast the rule here with that required elsewhere, II.1.A-B. But the secondary development, Fff., then leads us through a systematic account of the foundation in Scripture for the rule that is introduced in contrast with our own. There can be no doubt that the whole is a single, unitary composition, even though the second component moves along in its own direction. Without F, however, the work on A-E would be complete and fully satisfactory. No. 2 interprets the language of the Mishnah with great precision, identifying an ambiguity and resolving it. No. 3 then takes up another aspect of Mishnah criticism, this time asking about the operative consideration behind the Mishnah's rule. No. 4 furthers the inquiry into the law of the Mishnah by asking about the sanction. No. 5 complements No. 4 with a case illustrating Simeon b. Laqish's position. III.1 provides a reason for the Mishnah's rule. IV.1, V.1 go over the same ground verbatim, and No. 2 explains why this is required. VI.1 amplifies Judah's position and shows that he may well concur with sages in reference to other cases. No. 2 goes on to deal with the decided law, sorting out the several cases in which Mishnah authorities give rules in their own name and determining whose opinion is authoritative. The whole purpose of No. 2 is to work on that one problem. Nos. 3, 4+5 are tacked on to No. 2 for obvious reasons: an extension of rulings in the name of a given authority.

1:2

A. R. Ishmael says, "Three days before them and three days after them it is prohibited."

B. And sages say, "Before their festivals it is prohibited, but after their festivals it is permitted."

I.1 A. Said R. Tahalipa bar Abdimi said Samuel, "In the opinion of R. Ishmael Sunday should always be a day that is forbidden [for doing business with gentiles]." [Mishcon: Each Sunday, which is a festival day, with the three preceding and three following days, would rule out the whole week.]

II.1 A. **And sages say, "Before their festivals it is prohibited, but after their festivals it is permitted":**

B. *Is not the opinion of sages the same as that of the initial Tannaite authority [at M. 1:1A, who has said, **Before the festivals of gentiles for three days it is forbidden to do business with them**]?]*

C. *Whether or not the festival days themselves are excluded is at issue between them. The initial Tannaite authority maintains that those three days, prior to the festivals, exclusive of the festival days themselves, are prohibited, and the rabbis who follow take the view that both they and the festival days themselves as well are encompassed within the count of three days.*

- D. *If you prefer, I shall say that at issue between them is the status of business transactions that have been carried out, with the initial Tannaite authority taking the view that the proceeds of such transactions are allowed, and the latter rabbis maintaining that the proceeds of such transactions are after the fact prohibited.*
- E. *And if you prefer, I shall maintain that at issue is the ruling of Samuel, for Samuel has said, "In the Exile, it is prohibited to do business with them only on the festival day alone [but not for three prior days]." The initial Tannaite authority accepts the view of Samuel, and the later rabbis reject the view of Samuel.*
- F. *And if you prefer, I shall maintain that at issue is the statement of Nahum the Mede, as has been taught on Tannaite authority: **Nahum the Mede says, "One day in the exilic communities before their festival it is prohibited [to do business with gentiles]" [T. 1:1A]. The initial Tannaite authority rejects the view of Samuel, and the later rabbis accept the view of Nahum the Mede.***

II.2 A. *To revert to the body of the prior discussion: **Nahum the Mede says, "One day in the exilic communities before their festival it is prohibited [to do business with gentiles]" [T. 1:1A].***

- B. They said to him, "This statement has been set aside and not stated [as a formulated rule]."
- C. *But do not the later rabbis in point of fact affirm the view of Nahum the Mede?*
- D. *Who are the unidentified rabbis? They are Nahum the Mede himself!*

II.3 A. *It has further been taught on Tannaite authority:*

- B. Nahum the Mede says, "[Israelites] in time of war may sell to [gentiles] a male horse or a superannuated one."
- C. They said to him, "This statement has been set aside and not stated [as a formulated rule]."
- D. *But is there not Ben Beterah, who stands with him? For we have learned in the Mishnah: **[In a place in which they are accustomed to sell small cattle to gentiles, they sell them. In a place in which they are accustomed not to sell [small cattle] to them, they do not sell them. And in every locale they do not sell them large cattle, calves, or foals, whether***

whole or lame. R. Judah permits in the case of lame ones.] And Ben Beterah permits in the case of a horse [M. 1:6A-E].

- E. *Ben Beterah makes no distinction between male and female horses, while he makes such a distinction between male and female horses, in accord with the view of rabbis [in that same Mishnah passage]. But according to rabbis, [who make no such distinction], “This statement has been set aside and not stated [as a formulated rule].”*

II.4 A. *It has further been taught on Tannaite authority:*

- B. Nahum the Mede says, “As to dill, it is subject to tithe whether in the form of seed, leaf, or pod [since in all such forms, they are used as food].”
- C. They said to him, “This statement has been set aside and not stated [as a formulated rule].”
- D. *But lo, there is R. Eliezer, who maintains the same position, for we have learned in the Mishnah: R. Eliezer says, “Dill is subject to the law of tithes [in regard to its] seeds, leaves, and pods.” But sages say, “Nothing is subject to the law of tithes [in regard to both its] seeds and leaves save cress and field rocket alone” [M. Maaserot 4:5G-H].*
- E. *What he means is, the garden variety.*

II.5 A. Said R. Aha bar Minyumi to Abbayye, “A major authority is coming from our locale. In response to everything that he says, they say to him, ‘This statement has been set aside and not stated [as a formulated rule].’”

- B. *He said, “There is one such case in which we do act in accord with his opinion. For it has been taught on Tannaite authority:*
- C. *“Nahum the Mede says, ‘A person may ask for his needs in the paragraph of the Prayer that ends, ‘...who hears prayer.’”*
- D. *He said, “Besides that ruling, for it depends on mighty ropes. For it has been taught on Tannaite authority:*
- E. *“R. Eliezer says, ‘A person asks for his own needs and then says the Prayer, as it is said, “A prayer for the afflicted when he is overwhelmed, then, he pours forth his meditation before the Lord” (Psa. 102: 1). And*

“meditation” means the Prayer, as it is said, “And Isaac went out to meditate in the field at the evening” (Gen. 24:63).’

- F. “R. Joshua says, ‘One first of all should recite the Prayer and then ask for his own needs, as it is said, “I pour out my meditation before him, then declare my own affliction before him” (Psa. 142: 3).’”
- G. *But from the perspective of R. Eliezer, too, is it not written, “I pour out my meditation before him, then declare my own affliction before him” (Psa. 142: 3)?*
- H. *This is the sense of the verse: “I pour out my meditation before him after I have already declared my own affliction.”*
- I. *And as to R. Joshua, how does he understand the verse, “A prayer for the afflicted when he is overwhelmed, then, he pours forth his meditation before the Lord” (Psa. 102: 1)?*
- J. *This is the sense of the verse: ““When is the private prayer for the afflicted’ to be offered? ‘When he has poured forth his meditation before the Lord.”*
- K. *Since the cited verses when read closely conform to the opinion neither of the one master nor of the other, what can be the principle at issue in their dispute?*
- L. *It is in accord with that which has been expounded by R. Simlai.*
- M. For R. Simlai expounded as follows: “A person should always lay out the praise that is owing to the Omnipresent and only then recite the Prayer. *How do we know that fact?* It comes to us from our master, Moses: ‘O Lord God, you have begun to show your servant your greatness...,’ and only then, ‘Let me go over, I ask, and see the good land’ (Deu. 3:24, 25).”
- N. **[8A]** *R. Joshua maintains that we draw an analogy from the example of Moses, and R. Eliezer takes the view that we do not draw an analogy from the example of Moses, for Moses is an exceptional case, for he was exceptionally mighty.*
- O. But sages maintain neither in accord with the opinion of this authority nor in accord with the position of that authority, but a man should ask for what he needs at the blessing that ends with “who hears prayer.”

- II.6** A. Said R. Judah said Rab, “The decided law is that a man should ask for what he needs at the blessing that ends with ‘who hears prayer.’”
- B. *Said R. Judah b. R. Samuel bar Shilat in the name of Rab,* “Even though they have said, ‘a man should ask for what he needs at the blessing that ends with “who hears prayer,”’ still, if he happens to state [his personal meditation] at the end of each and every benediction, along the lines of what is relevant to that particular benediction, that is entirely acceptable.”
- C. Said R. Hiyya bar Ashi said Rab, “Even though they have said, ‘a man should ask for what he needs at the blessing that ends with “who hears prayer,”’ still, if he has someone sick in his household, he may say what he wishes in the blessing concerning the sick; and if he is in need of support, he says so in the blessing concerning the years.”
- D. Said R. Joshua b. Levi, “Even though they have said, ‘a man should ask for what he needs at the blessing that ends with “who hears prayer,”’ still, if he happens to wish to offer some sort of further supplication after reciting the Prayer, even to the extent of the whole Service for the Day of Atonement, he has every right to do so.”

I.1 in this context forms a gloss on the Mishnah’s rule, clarifying its implications. II.1 asks whether or not the Mishnah repeats itself and shows that it does not. Then No. 2 proceeds to compose what we should now call an appendix, that is to say, a considerable analysis of an item in the text, amplifying what is not required for the progress of discourse commenced within the text itself. Nos. 3, 4, 5+6 are tacked on for obvious reasons.

1:3

- A. **And what are the festivals of gentiles?**
- B. **(1) Calends, (2) Saturnalia, (3) Cratesis [the commemoration of the empire],**
- C. **and (4) the emperor’s anniversary, (5) his birthday, “and (6) the day of his death,” the words of R. Meir.**
- D. **And sages say, “In any case of death rites in which there is a burning, there is idolatry, and in which there is no burning, there is no idolatry.”**

- E. (1) On the day on which [a gentile] shaves off his beard and lock of hair, (2) on the day on which he came up safely from an ocean voyage, (3) on the day on which he got out of prison.
- F. And a gentile who made a banquet for his son —
- G. It is prohibited for only that day, and in regard to only that individual alone [to enter into business relationships of any sort, as listed at M. 1:1].

I.1 A. Said R. Hanina bar Raba, “**Calends** is for eight days after the winter solstice, and **Saturnalia** is kept for eight days prior to the same, with the mnemonic, ‘you have beset me behind and before’ (Psa. 139: 5).”

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

- B. When [evening fell,] the first Man saw the world growing dark as the sun set. He thought to himself, “Woe is me! Because I turned rotten, the Holy One, blessed be He, on my account brings darkness to the entire world. This is that death that has been imposed upon me as a sanction by Heaven.”
- C. So he went and sat in a fast and in prayer for eight days. When he noted the winter solstice and saw that the day was growing longer, he said, “This is the way of the world.”
- D. So he went and observed eight days of festivities.
- E. The next year he treated both these and those as festival days, and he set them up for the sake of Heaven, but the [idolators] set them up for the sake of idolatry.
 - F. *Now that poses no problem to the one who maintains that the world was created in Tishri [September], in which case he saw the short days before he saw the longer ones, but from the viewpoint of the one who held that the world was created in Nisan [April], in which he saw the long days as well as the short ones [what sense can be made of the story]?*
 - G. *He had not seen the really short days.*

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

- B. On the day on which the first man was created, when evening fell, [the first Man saw the world growing dark as the sun set], he said to himself, “Woe is me! Because I turned rotten, the Holy One, blessed be He, on my account will turn the entire world to formlessness and void.” This is that death that has been imposed upon me as a sanction by Heaven.”

- C. So he went and sat in a fast and wept all that night, and Eve wept with him.
- D. When the morning star arose, he said, "That is how things are."
- E. He went and built altars and brought an ox whose horns extended beyond its hooves and offered it up as a whole offering [retaining no parts for his own food], as it is said, "And it shall please the Lord better than an ox whose horns extend beyond its hooves" (Psa. 69:32).
- F. And said R. Judah said Samuel, "The ox that the first man offered had a single horn in its forehead, as it is said, 'And it shall please the Lord better than an ox whose horns extend beyond its hooves' (Psa. 69:32)."
- G. *But does not the language "horns" mean that there were two?*
- H. *Said R. Nahman b. Isaac, "The word for horns is spelled defectively."*

I.4 A. *R. Mattenah raised this question: "On the occasion on which Rome celebrates Calends, as to all of the towns round about that are subjugated to her — are they, too, forbidden or are they permitted [for Israelite commerce]?"*

- B. R. Joshua b. Levi said, "On Calends, the prohibition applies to everybody."
- C. R. Yohanan said, "The prohibition applies only to those that worship on that day alone."
- D. *There is a Tannaite teaching in accord with R. Yohanan: On the occasion on which Rome celebrates Calends, even though all of the towns round about that are subjugated to her are subjected to the holiday, still, the prohibition pertains only to those who actually celebrate the festival. As to Saturnalia, Cratesis, the Royal Celebrations, and the day on which a king is proclaimed, the prohibition applies to the period prior to those days, but commerce is permitted afterward. If a gentile gives a banquet for his son, prohibited is only business on that day with that man.*
- E. *Said R. Ashi, "So we, too, have learned in the Mishnah, as it is taught: **On the day on which [a gentile] shaves off his beard and lock of hair, (2) on the day on which he came up safely from an ocean voyage, (3) on the day on which he got out of prison. And a gentile who made a banquet for his son — it is prohibited for only that day, and in regard to only that individual alone.***

F. *“Now there is no problem with reference to **that day**, since the intent is clearly to eliminate the days before and afterward. But why make reference to **that individual alone**? It means to exclude those who are subject to him.”*

G. *That proves the point.*

I.5 A. [With reference to the statement, **And a gentile who made a banquet for his son,**] *it has been taught on Tannaite authority:*

B. R. Ishmael says, “Israelites who live outside of the Land worship idols in all innocence.

C. “How so? A gentile who makes a banquet for his son sends and invites all the Jews in his town. Even though they bring and eat their own food and drink their own wine and take along their own servant who stands over them and pours for them, Scripture regards them as though they had eaten from sacrifices of corpses, as it is said, ‘And they will invite you and you will eat of their sacrifice’ (Exo. 34:15).”

D. *But might I not say that the cited verse speaks of their actually eating?*

E. *Said Raba, “If that were the intent, Scripture ought to have said, ‘and you shall eat of their sacrifice.’ Why add the language, ‘and they will invite you’? The prohibition applies to the moment of the invitation. Therefore [8B] for the whole thirty days, whether it is stated that the banquet is on the occasion of a wedding, whether it is not stated that the banquet is in connection with a wedding, it is forbidden to participate. From that time onward, if it is made explicit that the banquet is in connection with the wedding, it is forbidden to participate, but if it is not stated that the banquet is in connection with a wedding, it is permitted.”*

- F. *And if the banquet is connected with the wedding, how long is it forbidden to accept such an invitation at all?*
- G. *Said R. Pappa, "For twelve months afterward."*
- H. *And prior to the event, for how long is it prohibited?*
- I. *Said R. Pappa in the name of Raba, "From the moment at which the barley is put into the tub [for the making of beer]."*
- J. *But is it permitted even after twelve months have passed? And lo, R. Isaac b. R. Mesharshayya happened to come to the house of a certain idolator after the span of twelve months after a marriage had passed, but when he heard that they were feasting on account of that event, he refrained from eating there.*
- K. *R. Isaac b. R. Mesharshayya is exceptional, because he is a major authority [and has to set a good example]*

II.1 A. Cratesis [the commemoration of the empire]:

- B. *What is the festival of Cratesis?*
- C. *Said R. Judah said Rab, "It is the day on which Rome took possession of dominion [over Greece]."*
- D. *But has it not been taught on Tannaite authority:*
- E. *Cratesis and also the day on which Rome took possession of dominion [over Greece]?*
- F. *Said R. Joseph, "There were two occasions on which Rome took possession of dominion, once in the time of Cleopatra, Queen of Egypt, and the other time in the days of the Greeks."*

- G. *For when R. Dimi came, he said, "The Romans fought thirty-two battles against the Greeks but could not beat them until they joined up with Israel. And these were the stipulations that they set: if from us come the kings, then from you come the hyparchs; if from you come the kings, then from us come the hyparchs. Then the Romans sent word to the Greeks: 'Up to now we made war with you. Now let us work matters out through reasonable argument. If you have a pearl and a precious stone, which forms the setting for the other?' They sent a reply, 'The pearl for the precious stone.' 'And if you have a precious stone and an onyx, which forms the setting for the other?' 'The precious stone for the onyx.' 'And if you have an onyx and a Scroll of the Torah?' 'The onyx for the scroll of the Torah.' The Romans then replied, "If so, the scroll of the Torah is with us, and Israel is with us." So they gave in.*
- H. *"For twenty-six years the Romans kept their faith with Israel. From that point on, they subdued them.*
- I. *"What was the interpretation of Scripture that supported their policy to begin with, and what was the interpretation of Scripture that sustained it in the end?*
- J. *"To begin with they invoked the verse, 'Let us take our journey and let us go' (Gen. 33:12, Jacob to Esau), and at the end, 'Let my lord pass on before his servant' (Gen. 33:14)."*

The Divisions of Israel's History; the History of the World in its Periods

- II.2** A. *Now do we know that for twenty-six years the Romans kept their faith with Israel. From that point on, they subdued them?*
- B. For said R. Kahana, "When R. Ishmael b. R. Yosé fell ill, Rabbi sent word to him, 'Tell us two or three of the things that you said to us in your father's name.'
- C. "He said to them, 'One hundred and eighty years before the house of the Temple was destroyed, the wicked kingdom took over the dominion over Israel; eighty years prior to the destruction of the Temple the decree was made that the lands of the peoples around the Land of Israel and utensils made out of glass were subject to uncleanness; forty years prior to the destruction of the Temple the sanhedrin went out into exile from the Temple and held its sessions in a stall [on the Temple mount].'"
- D. *For what practical law does such information serve?*

- E. Said R. Isaac bar Abdimi, "It is to indicate that they did not judge cases involving extrajudicial penalties."
- F. *Extrajudicial penalties do you say?* But did not R. Judah say in the name of Rab, "Now may that man be remembered for good, and R. Judah b. Baba was his name, for if it were not for him the laws involving extrajudicial penalties would have been forgotten in Israel."
- G. Would have been forgotten? *Then people could have learned them again!*
- H. Rather: "...the laws involving extrajudicial penalties would have been abolished in Israel. For the wicked kingdom made a decree: 'whoever lays on hands [ordaining judges qualified to invoke extrajudicial penalties] is to be put to death, and whoever has hands laid upon him in that same matter is to be put to death; the town in which the hands are laid is to be uprooted.' Now what did R. Judah b. Baba do? He went and established his session between two high mountains between two large towns between two Sabbath boundaries, specifically, between Usha and Shefaram, where he laid hands on five elders: R. Meir, R. Judah, R. Yosé, R. Simeon, and R. Eleazar b. Shammu'a."
- I. And R. Avia adds the name, "Also R. Nehemiah."
- J. [Resuming H:] "When the [Romans] realized what was going on, he said to them, 'My sons, run!' They said to him, 'My lord, what will become of you?' He said to them, 'Lo, I am positioned before you like a stone that cannot be overturned.' They say that [the Romans] did not leave the spot until they had driven three hundred iron spears into his body and made his corpse like a sieve."
- K. Said R. Isaac, "Do not say 'the laws involving extrajudicial penalties,' but rather, 'it was trying capital cases that came to an end.' *What is the reason? When they realized that murderers had become many, so that they could not be judged properly, they said, 'It is better for us to go into exile from place to place than to declare them guilty, for it is written,* "And you shall do according to the sentence which they of that place which the Lord shall choose shall tell you" (Deu. 17:10), which is to say, it is the location in which the trial takes place that is determinative."

II.3 A. One hundred and eighty years before the house of the Temple was destroyed, [the wicked kingdom took over the dominion

over Israel]: *but was it not a longer span of time than that? Did not R. Yosé b. Rabbi repeat as a Tannaite version, [9A]* “The Persian government lasted for thirty-four years after the building of the Temple; Greek rule lasted one hundred eighty years during the time that the Temple stood; Hasmonean rule was for one hundred three years during the time the Temple stood; the house of Herod ruled for one hundred three years. From that point one should go on counting the years as from the destruction of the Temple. *Thus we see that it was two hundred six years, and yet you say it was one hundred eighty years!*”

- B. *Rather, it was for twenty-six years that the Romans kept faith with Israel and did not subjugate them, and those years are not counted in the period during which Rome was in fact ruling over Israel.”*

II.4 A. Said R. Pappa, “*If a given Tannaite authority has erred about the minor figures [tens and lesser figures] of any year, let him consult a scribe as to [Mishcon:] what is the year according to his reckoning, and let him then add twenty years to that calculation, and he will then have the answer. The mnemonic is: ‘Thus I have been twenty years in your house’ (Gen. 31:41). [Mishcon: If an authority in the year 156 after the destruction of the Temple, that is, 225, is uncertain about the tens and units of the century, he should ask the notary what year it is according to the Seleucid era by which scribes calculate. He will be told 536, which is $156 + 380$, and if he adds 20, he will get 556, the last two figures give him the year [1]56 from the destruction of the Temple, thus the tens and units of his year.]*”

- B. *“If a scribe has erred, in reverse, let him consult a Tannaite authority how he calculates the year, and then deduct twenty years, and he will have the year. The mnemonic is, ‘The scribe deducts, the Tannaite authority adds.’”*

II.5 A. The Tannaite authority of the household of Elijah [stated], “The world will last for six thousand years: two thousand years of chaos, two thousand years of Torah, two thousand years of the time of the Messiah. But because of the abundance of our sins, what has passed [of the foreordained time] has passed.”

B. As to the two thousand years of Torah, *from what point do they commence? If one should say that it is from the actual giving of the Torah [at Mount Sinai], then up to this time there has not been so long a span of time. For if you look into the matter, you find that, from the creation to the giving of the Torah, the years comprise two thousand and part of the third thousand [specifically, 2,448; from Adam to Noah, 1,056; from Noah to Abraham, 891; from Abraham to the Exodus, 500, from the Creation to Exodus and the giving of the law at Sinai, 2,448 years (Mishcon)]. Therefore the period is to be calculated from the time that Abraham and Sarah ‘had gotten souls in Haran,’ for we have learned by tradition that Abraham at that time was fifty-two years old. Now to what measure does the Tannaite calculation deduct? Since the Tannaite teaching is 448 years, you find that from the time that Abraham and Sarah ‘had gotten souls in Haran,’ to the giving of the Torah were 448 years.”*

II.6 A. Said R. Pappa, “If a given Tannaite authority has erred about the minor figures [tens and lesser figures] [in which the Messiah will come], let him consult a scribe as to [Mishcon:] what is the year according to his reckoning, and let him then add forty-eight years to find the answer. Your mnemonic is **[9B]** ‘forty-eight cities’ (Num. 35: 7).

B. “If a scribe has erred, in reverse, let him consult a Tannaite authority how he calculates the year, and then deduct forty-eight years to find the answer. The mnemonic is, ‘The scribe deducts, the Tannaite authority adds.’”

II.7 A. Said R. Huna b. R. Joshua, “One who does not know the year of the Sabbatical cycle of seven years should add one year to

the date of the year since the destruction of the Temple, then ignore the hundreds as Jubilee cycles and convert the rest to Sabbatical cycles of seven years each, having added thereto two years for every complete century. What is left will then give the number of the given year in the current Sabbatical cycle. Your mnemonic [to remind you to add two years for every century] is ‘for these two years has the famine been in the land’ (Gen. 45: 6).” [The Temple was destroyed in the year immediately following a Sabbatical Year, that is, year one of the seven year cycle. So the Sabbatical cycle began on the year preceding the year 1 of the era from the destruction of the Temple (Mishcon).]

- II.8** A. Said R. Hanina, “When four hundred years have passed from the destruction of the Temple, if someone says to you, ‘Buy this field that is worth a thousand denars for a single denar, don’t buy it.’”
- B. *In a Tannaite formulation it was repeated:* From the year 4231 after the creation of the world, if someone says to you, ‘Buy this field that is worth a thousand denars for a single denar, don’t buy it.’”
- C. *What is the difference between these two formulations?*
- D. *The difference is three years, the latter being three years longer.*
- II.9** A. *There was a bond which was dated [10A] six years ahead. Rabbis in session before Raba considered ruling, “This falls into the classification of a postdated bond, and action on it is to be postponed until the time that is specified in it, and the funds cannot be collected.”*
- B. *Said R. Nahman, “The scribe of this document was meticulous, and he took into account the six years of the Greek reign in Elam, which for our part we do not reckon. The date therefore is correct.”*
- C. *For it has been taught on Tannaite authority:*
- D. R. Yosé says, “For six years they ruled in Elam and afterward their dominion extended over the entire world.”
- E. *To this R. Aha bar Jacob objected, “On what basis do you maintain that [in this document] we reckon by the calendar of the Greek empire. Perhaps we reckon by the calendar of the Exodus from Egypt, leaving*

out the first thousand years and giving the years of the next thousand [thus not from the Seleucid era, 380 before the destruction, but from the Exodus, which is 1,380 before the destruction]? Then the document is indeed postdated!"

- F. Said R. Nahman, "In the Exile we reckon only by the kings of Greece alone."
- G. *The other supposed that his intention was merely to dismiss him, but he went out and calculated the matter and he found that it has been taught on Tannaite authority:*
- H. In the Exile we reckon only by the kings of Greece alone.
 - I. *Said Rabina, "Our Mishnah likewise takes that view, for we have learned in the Mishnah: **There are four new years: (1) the first day of Nisan is the new year for kings and festivals; (2) the first day of Elul is the new year for tithing cattle; (3) the first day of Tishri is the new year for the reckoning of years, for Sabbatical Years, and for Jubilees, for planting [trees] and for vegetables; (4) the first day of Shebat is the new year for trees [M. R.H. 1:1A-G].** And we have stated, 'As to the date for kings, what actual law is served by that information?' Said R. Hisda, 'It serves for bonds.' And we have learned in the Mishnah, **the first day of Tishri is the new year for the reckoning of years, for Sabbatical Years.** And we have stated, 'As to the date for reckoning the years, what actual law is served by that information?' Said R. Hisda, 'It serves for bonds.' So it turns out that there is a contradiction as to the dates for bonds. And we have been instructed to repeat: the one refers to the dates of the kings of Israel, the other to the dates of the kings of the gentiles. The calculation of the reign of the kings of the gentiles is from Tishri, and the calculation of the dates of the kings of Israel is from Nisan. So we therefore calculate from Tishri. Now if you should imagine that we calculate from the exodus from Egypt, we should have to calculate from Nisan, not from Tishri [since the event took place in Nisan]. Does that not prove that we calculate in accord with the calendar established by reference to the reigns of the kings of Greece?"*

J. *That proves it.*

III.1 A. And the emperor's anniversary:

- B. *What is the emperor's anniversary?*
- C. Said R. Judah, "It is the day on which the gentile king is raised to the throne."
- D. *And has it not been taught on Tannaite authority: the emperor's anniversary and also the day on which they raise their king to the throne?*
- E. *There is no contradiction, since the one refers to his accession, the other to his son's.*
- F. *But is it the fact that [the Roman's throne is inherited? Is it not accorded through an election?] Do they enthrone a king who was the son of a king? And did not R. Joseph repeat as a Tannaite statement, "Lo, I made you [Rome] small among the nations' (Oba. 1: 2) — in that [the Romans] do not enthrone the son of a king on the royal throne; 'you are greatly despised' (Oba. 1: 2), in that they do not have a language or a script of their own]?"*
- G. *So what is the emperor's anniversary?*
- H. It is his birthday.
- I. *But lo, it has been taught on Tannaite authority: the emperor's anniversary and his birthday!*
- J. *There is no contradiction, since the one refers to his, the other to his son's, birthday.*
- K. *And has it not been taught on Tannaite authority: the emperor's anniversary, his son's anniversary, the emperor's birthday, his son's birthday.*
- L. *So what is the emperor's anniversary?*
- M. It is the day of the king's accession, *but there is no contradiction [such as has already been proposed], for the one refers to his accession, the other to his son's.*
- N. *And should you raise the question deriving from the fact that they do not enthrone a king who was the son of a king, if it is in response to a request of the king himself, they do in fact do so.*
- O. *This would be exemplified by the case of Severus, son of Antoninus, who reigned [in his father's stead, by reason of inheritance].*

Collection of Stories about Rabbi and Antigonus

III.2 A. Said Antigonus to Rabbi, "I want Severus, my son, to reign in my stead, and to declare Tiberias a colony. But while if I should ask for

one of these things, it would be granted to me, two of them would not be carried out."

- B. *Rabbi brought a man and had him ride on the shoulders of another, handed him a dove, and instructed the one who carried him to order the one on his shoulders to free it.*
- C. *The other said, "That bears the inference that this is what he wishes to tell me: ask them to make Severus, my son, king in my stead, and tell Severus to declare Tiberias a colony."*

III.3 A. *He said to him, "Important Roman authorities are giving me trouble."*

- B. *He brought him into a garden. Every day he pulled up a radish, one at a time.*
- C. *The other said, "That bears the inference that this is what he wishes to tell me: kill them one by one, but don't take them all on at once."*
- D. **[10B]** *Then why not tell him in so many words [what to do]?*
- E. *He said, "The important authorities of Rome may hear and persecute me."*
- F. *Then why not say so only in a whisper?*
- G. *Because it is written, "For a bird of the air shall carry the echo" (Qoh. 10:20).*

III.4 A. *He had a daughter, named Gira, who committed a sin. He sent to Rabbi a rocket herb, who replied with coriander. He sent him some leeks, and he sent him lettuce. [Mishcon: This clandestine correspondence, deciphered, reads as follows: my daughter has gone astray; reprove her, or overlook it; shall she be cut off? no, have compassion.]*

III.5 A. *Day by day he would send him gold dust in a leather bag filled with wheat on top, saying, "Carry the wheat to Rabbi."*

- B. *He said to them, "I don't need it, I have enough of my own."*
- C. *He sent word, "Leave it to those who will succeed you, to give to those who will succeed me, for your descendants and those who follow them will reliably hand it over to them."*

III.6 A. *He had a cave that led from his house to the house of Rabbi. Day by day he would bring two slaves, one of whom he killed at the door of Rabbi's house, the other of whom he killed at the door of his own*

house. He said to him, "When I come to you, let no one be found before you."

- B. One day he found R. Hanina bar Hama who was in session. He said, "Did I not say to you, 'When I come to you, let no one be found before you'?"
- C. He said to him, "This is not an ordinary man."
- D. He said to him, "Tell him to arouse the slave who is sleeping at the door and to bring him in."
- E. R. Hanina b. Hama went out but found that the man had been killed. He said, "What should I do? Should I call and say the man is dead? But one should not bring a sad story. Shall I leave him and depart? That would insult the king." So he besought mercy for the man, who was restored to life. He sent him in.
- F. He said, "Now I know that the least among you can resurrect the dead. Still, when I come here, do not let anybody be found with you."

III.7 A. Day by day he would serve Rabbi, bringing him food and drink. When Rabbi wanted to get on his bed, Antoninus would crouch down in front of the bed and say, "Get onto your bed by stepping on me."

- B. He said, "It is not appropriate to treat the monarchy in so humiliating a manner."
- C. He said, "Would that I might be your mattress in the world to come."

III.8 A. [Antoninus] said to him [Rabbi], "Shall I enter the world to come?"

- B. He said to him, "Yes."
- C. He said to him, "But is it not written, 'There shall be no remnant to the house of Esau' (Oba. 1:18)."
- D. "That refers only to one who does the deeds of Esau."
 - E. So, too, it has been taught on Tannaite authority:
 - F. "There will be no remnant to the house of Esau" (Oba. 1:18).
 - G. Might one suppose that that speaks of all members of that house?
 - H. Scripture states, "to the house of Esau," meaning, those who act as Esau acted.
- I. He said to him, "But is it not written, 'There in the nether world is Edom, her kings and all her princes' (Eze. 32:29)?"

- J. He said to him, “‘Her kings’ but not all her kings, ‘her princes’ but not all her princes.”
- K. *So, too, it has been taught on Tannaite authority:*
- L. “‘Her kings’ but not all her kings, ‘her princes’ but not all her princes —
- M. “‘Her kings’ but not all her kings, — but not Antoninus son of Severus;
- N. “‘her princes’ but not all her princes — but not Qetiya‘ah bar Shalom.

III.9 A. *What’s the story about Qetiya‘ah bar Shalom?*

- B. *There was a Caesar who hated the Jews. He said to the influential courtiers, “If somebody has a wart on his foot, should he cut it off and live, or leave it on and be bothered by it?”*
- C. *They said to him, “He should cut it off and live.”*
- D. *Said to them Qetiya‘ah bar Shalom, “First of all, you can’t beat them all, for it is written, ‘For I have spread you abroad as the four winds of the Heaven’ (Zec. 2:10). Now what is the meaning of that verse? If I say that Israel was to be scattered to the four corners of the world, then instead of saying, ‘as the four winds,’ the verse should read, ‘to the four winds.’ So the sense can only be, just as the world cannot exist without winds, so the world cannot exist without Israel. Second of all, they will call you ‘the amputated kingdom.’”*
- E. *He said to him, “You have made a perfectly fine statement. Still, whoever wins out over the king in an argument is thrown into a circular furnace.”*
- F. *When they were holding him and leading him away, a certain Roman noblewoman said, “Woe to the ship that sails without paying the tax.”*
- G. *He seized the head of his foreskin and cut it away and said, “You have paid the tax, you will pass and gain entry.”*

- H. *As they were tossing him into the furnace, he said, "All of my estate is to go to R. Aqiba and his colleagues."*
- I. R. Aqiba came forth and gave the following exposition: "And it shall be to Aaron and his sons' (Exo. 29:28) — half to Aaron, half to his sons."
- J. An echo came forth and said, "Qetiya'ah bar Shalom is designated for the life of the world to come."
- K. Rabbi wept and said, "There is he who acquires his world in a single moment, and there is he who acquires his world in so many years."

III.10 A. *Antoninus served Rabbi [as disciple], Ardaban served Rab.*

- B. *When Antoninus died, Rabbi said, "The bond is cut."*
- C. *When Ardaban died, Rab said, [11A] "The bond is cut."*

III.11 A. *Onqelos son of Qalonymus converted to Judaism. Caesar sent a troop of Roman soldiers after him. He enticed them by reciting verses of Scripture. They converted to Judaism. So again he sent a troop of Roman soldiers after him. He said to them, "Don't say a thing to him."*

- B. *When they had seized him and were going along, he said to them, "May I tell you something that is entirely common? The torchbearer carries a lamp in front of the torchbearer, a torchbearer in front of the duke, the duke in front of the hegemon, the hegemon in front of the Comes. But does the Comes carry the light in front of the people that follow?"*
- C. *They said to him, "No."*
- D. *He said to them, "The Holy One, blessed be He, carried a torch in front of Israel, as it is written, 'And the Lord went before them...in a pillar of fire to give them light' (Exo. 13:21)."*
- E. *So they converted to Judaism.*
- F. *So Caesar sent another troop after him. He said to them, "Don't get involved with him in any way at all."*
- G. *When they had seized him and were going along, he saw a mezuzah that was fixed to a doorpost, and he put his hand on it, and said to them, "What is this now?"*
- H. *They said to him, "You tell us."*

- I. *He said to them, "Under ordinary circumstances a mortal king dwells inside, and his servants guard him outside. But as to the Holy One, blessed be He, his servants are inside and he keeps them from the outside, as it is said, 'The Lord shall guard your going out and your coming in from this time forth and for ever more' (Psa. 121: 8)."*
- J. *They, too, converted to Judaism, and Caesar sent no more troops.*
- III.12** A. "And the Lord said to her, Two nations are in your womb" (Gen. 25:23):
 - B. Said R. Judah said Rab, "Do not read the letters that spell out the word 'nations' in that way, but read them as they bore the vowels to be read 'lords.' This refers to Antoninus and Rabbi,
 - C. "for from their tables never ceased lettuce, radishes, or cucumbers, either summer or winter."
 - D. For a master has said, "Radish helps food dissolve, lettuce helps food to be digested, cucumber expands the intestines."
 - E. But did not the Tannaite authority of the household of Rabbi Ishmael [state], "Why are cucumbers called by that word? Because [the letters that are used can be read to mean that] they are as hard on the body of a person as swords"?
 - F. *There is no contradiction, for that speaks of big ones, but we speak of little ones.*

- IV.1** A. "His birthday, and the day of his death," the words of R. Meir. And sages say, "In any case of death rites in which there is a burning, there is idolatry, and in which there is no burning, there is no idolatry:"
- B. *Is it to be inferred, then, that R. Meir takes the view that there is no distinction to be drawn between a death followed by an immolation of articles and one in which there is no immolation of articles, with idolatry being practiced in either case? Therefore the immolation of articles on its own is not a mark of idolatry?*
- C. *And then is it to be inferred that, from the viewpoint of rabbis, the burning of articles at a funeral does mark an act of idolatry? Then what about that which has been taught on Tannaite authority: They may make a burning of objects on the occasion of the death of kings, and this does not fall into the classification of that which is prohibited as "the ways of the Amorites" [T. Shab. 7:18]? Now if we classify such an action as idolatrous,*

then how could immolation of objects be permitted? Is it not written, “And in their statutes you shall not go” (Lev. 18: 3)?

- D. *Rather, all parties concur that a mere act of immolation of objects in connection with a funeral is not classified as “a statute” of theirs that is idolatrous. It is merely a mark of the importance of the deceased. Then what is at issue here? Meir takes the view that there is no distinction to be drawn between a funeral that is accompanied by an immolation of objects and one that is not accompanied by an immolation of objects. In either case, there is worship of idolatry. Rabbis maintain, by contrast, that in the case of a funeral at which there is an immolation of objects, that is an important occasion to them, so on such an occasion they do worship idolatry, but if there is no immolation of objects, that is not an important occasion to them, so they do not serve idolatry then.*

IV.2 A. *Returning to the body of the foregoing passage: They may make a burning of objects on the occasion of the death of kings, and this does not fall into the classification of that which is prohibited as “the ways of the Amorites,” for it is said, “You shall die in peace and with the burnings of your fathers...so shall they burn for you” (Jer. 34: 5). And just as they mark the death of kings by burning a pyre, so they mark the death of patriarchs by burning a pyre. But they do not do so for ordinary folk.*

- B. *And what is it that they burn on the pyre when kings die? His bed and the things that he would use.*
- C. *There is the case of Rabban Gamaliel the Elder, who died, and of Onqelos, the proselyte, who burned a pyre for him of a value of more than seventy minahs [T. **Shab. 7:18**].*
- D. *But did you not just say, And what is it that they burn on the pyre when kings die? His bed and the things that he would use?*
- E. *The sense is, articles that had the value of seventy minahs.*
- F. *But do they not burn anything else? And has it not been taught on Tannaite authority: They hamstring horses on account of the death of kings, and this is not prohibited as one of the “ways of the Amorites” [T. **Shab. 7:19A-B**]?*
- G. *Said R. Pappa, “This refers to the horse on which he rode.”*
- H. *But then are clean animals not included? Has it not been taught on Tannaite authority: Any mutilation which is subject to violation of*

the rules of terefah is forbidden, but which does not render the beast terefah is permitted. What kind of mutilation does not render the beast terefah? If a beast's hind legs were cut off above the knee [M. Hul. 4:6]. And what kind of mutilation is not subject to violation of the rules of terefah? [11B] If a beast's hind legs were cut off below the knee [M. Hul. 4:6] [T. Shab. 7:20A-D].

- I. *R. Pappa interpreted the statement to speak of a calf that was used to draw the coach of the king.*

V.1. A. On the day on which [a gentile] shaves off his beard and lock of hair:

- B. *The question was raised: Is the sense of the statement, On the day on which [a gentile] shaves off his beard and lock of hair, the day of the shaving of the beard when the lock of hair is left, or the annual shaving of the beard when the lock of hair is removed?*
- C. *Come and take note that each is made articulate in a Tannaite formulation: The day of shaving one's beard when the lock of hair is left; the day of shaving one's hair and of removing the lock of hair as well.*

Other Festivals of Idolatry

- V.2** A. Said R. Judah said Samuel, "They have yet another [festival] in Rome, once in seventy years. They bring a healthy man and make him ride on a cripple, and clothe him in the garments of the first Adam, and they put on his head the scalp of R. Ishmael, and hang around his neck pieces of fine gold weighing four zuz. They pave the marketplaces [through which the procession passes] with onyx stones. They proclaim before him, 'The reckoning of the ruler is wrong. [Here is] the brother of our lord, the imposter. Let anyone who sees it see it; whoever does not see it now will never see it. What good is the treason of the traitor and the lie of the liar?' And this is how they conclude: 'Woe to this one when the other will arise.'"
- B. Said R. Ashi, "Their own mouth makes the wicked stumble. *If they had said, 'Our lord's brother the imposter,' that would have carried out what they meant; but when they say, 'The brother of our lord, the imposter,' it may mean that it is their lord himself that is the imposter.*"
- V.3** A. Now, why does not the Tannaite authority of our Mishnah paragraph not include this festival in his catalogue?
- B. *What he takes into account is only the festivals that are observed year by year. Festivals that are not observed year by year he does not take into account.*

V.4 A. *These are all Roman festivals. What about the Persian ones?*

B. *They are Mutardi, Turyaskai, Muharne kai, Muharin.*

C. *These are the festivals of the Romans and the Persians. What about the Babylonian ones?*

D. *They are Muharne kai, Aknayata, Bahnani, and the tenth of Adar.*

V.5 A. Said R. Hanan bar R. Hisda said Rab, and some say, said R. Hanan bar Raba said Rab, "There are five permanent temples to idolatry, and what are they? the house of Bel in Babylonia, the house of Nebo in Kursi, Tarata in Mapug, Zerifa in Ashkelon, Nishtra in Arabia."

B. *When R. Dimi came, he said, "They added to the list the market day in En Beki and Nidbakah of Akko." Some say, "The Nitbara of Akko."*

C. *R. Dimi of Nehardea reversed the order: "The market day of Akko, the Nidbakah of En Beki."*

D. *Said R. Hanan bar R. Hisda to R. Hisda, "What is the meaning of the statement that they are permanent?"*

E. *He said to him, "This is what the father of your mother said, 'They are permanent means that regularly throughout the year rites are carried on therein.'"*

V.6 A. Said Samuel, "In the Exile the prohibition applies solely to the actual day of their festival alone."

B. *But is even the day of their festival itself forbidden? Did not R. Judah permit R. Barona to buy wine, and R. Giddal to buy wheat, on the festival of the Tai [Arabs]?*

C. *The festival of the Tai is exceptional, in that it is not permanent [but observed only occasionally].*

I.1 explains the language of the Mishnah. No. 2 then amplifies No. 1's reference to the equinox; No. 3 is part of the same prior thematic composition. No. 4 then turns to the exposition of the law, raising a secondary question pertinent to the expansion of the Mishnah. No. 5 draws upon Tannaite material to enrich the rule of the Mishnah. II.1 provides information for the clarification of the occasions to which the Mishnah refers. As is often the case, the Mishnah requires only part of the information that the Talmud gives, but the entire composition of the Talmud serves for the clarification of the Mishnah's statement. No. 2, of course, is a complement to No. 1. Nos. 3, 4, 6, 7, 8, 9 are appendices to No. 2. III.1 explains the reference of the Mishnah. Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 complement the foregoing with pertinent examples, information on subjects mentioned at the outset, and other marginally relevant information, such as we should place in footnotes. IV.1 investigates the implications of Meir's statement. No. 2 then is a complement to No. 1, a footnote on an important fact adduced for the purposes of the

discussion of No. 1, then expanded in its own right. V.1 clarifies the language of the Mishnah and thereby produces a clearer picture of the law. No. 2 proceeds to supplement the Mishnah's list with a further catalogue of gentile festivals. No. 3 then comments on the facts provided by No. 2, in relationship to the Mishnah passage before us. No. 4 further supplements the Mishnah's information. No. 5 then is tacked on for obvious reasons. No. 6 goes over familiar ground.

1:4A-F

- A. A city in which there is an idol —
- B. [in the area] outside of it it is permitted [to do business].
- C. [If] an idol was outside of it, [in the area] inside it is permitted.
- D. What is the rule as to going to that place?
- E. When the road is set aside for going to that place only, it is prohibited.
- F. But if one is able to take that same road to some other place, it is permitted.

I.1 A. A city in which there is an idol — [in the area] outside of it it is permitted [to do business]:

- B. *What is the meaning of outside of it?*
- C. Said R. Simeon b. Laqish in the name of R. Hanina, "For example, the bazaar of Gaza."
 - D. *And there are those who say, R. Simeon b. Laqish asked R. Hanina, "What is the status of the bazaar of Gaza?"*
 - E. He said to him, "Have you never gone to Tyre in your life, and seen an Israelite and a gentile [12A] putting pots on the same stove, and yet sages did not object?" [Mishcon: so also there is no objection to be raised against doing business with idolators in the bazaar merely because of the festival held in Gaza nearby.]

I.2 A. *What is the meaning of the phrase, and yet sages did not object?*

- B. *Said Abbaye, "[Sages did not take into account] the possibility of the Israelite's eating carrion meat. We do not maintain that it is possible that the Israelite turned away and the gentile threw into the pot carrion meat. Along the same lines, the sages did not take account of the possibility of doing business with the proceeds of idolatry."*

- C. *Raba said, "What is the meaning of the phrase, 'and yet sages did not object'? They did not take account of the prohibition of cooking by a gentile. Along the same lines, the sages did not take account of the possibility of doing business on the day of their festival."*
- D. *Rabbah bar Ulla said, "Sages did not take into account the consideration of splashing, and along the same lines sages did not take account of the possibility of doing business on the days prior to the festival day."*

II.1 A. What is the rule as to going to that place? [When the road is set aside for going to that place only, it is prohibited. But if one is able to take that same road to some other place, it is permitted]:

- B. *Our rabbis have taught on Tannaite authority:*
- C. "As to a town in which an idol is being worshipped, it is forbidden to go into it, nor from it to some other town," the words of R. Meir.
- D. And sages say, "So long as the road leads only to that place, it is forbidden. But if the road does not lead only to that place, it is permitted."
- E. If while someone is in front of an idol, he got a splint in his foot, he should not bend over to remove it, because he looks as though he is bowing down to the idol. But if it does not look that way, he is permitted to do so.
- F. If his money got scattered in front of an idol, he should not bow down to pick it up, because he looks as though he is bowing down to the idol. But if it does not look that way, he is permitted to do so.
- G. If a spring flows in front of an idol, one should not bend down to drink, because he looks as though he is bowing down to the idol. But if it does not look that way, he is permitted to do so.
- H. One should not put his mouth on the mouth of human figures which serve as fountains in towns in order to drink water, because he may appear to be kissing the idol.
- I. Along these same lines, one should not put one's mouth on a water pipe to drink from it, for fear of danger.
 - J. *What is the meaning of "if it does not look that way"?*
 - K. *Should one propose that he is not seen by third parties, has not R. Judah said Raba said, "In any case in which sages have imposed a prohibition for appearance' sake, then even if one is in the innermost*

chambers, such an action still is forbidden.” *Rather, the meaning I should say of “it does not look that way” is, “it does not look as though he is bowing down to an idol.” Then it is permitted.*

- L. *And the several cases all had to be articulated. For if the Tannaite authority had listed only the case of the thorn, I should have supposed that the reason is that it is possible to walk away from the idol and then to take it out, but as to the case of the coins, in which it is not possible to collect them elsewhere, I might say that that is not the rule. And if the Tannaite authority had specified the case of the money, which represents resources, I might have held that in that case the rule is that one may not recover the money, but in the matter of the thorn, in which case it is a matter of pain, I might have said that he will not impose the same restriction. And if the authority had made explicit the prohibition in these two cases, in which instances there is no consideration of danger, I might have thought that it is specifically here that the prohibition applies. But in the case of a spring, in which case there is danger, since one might die of thirst, I might have supposed that the prohibition does not apply. Accordingly, all three specific instances had to be specified.*
- M. **[12B]** *Why then did I require the specification of the rule against putting one’s mouth on the mouth of the statue?*
- N. *It was because the framer of the passage wished to repeat as part of the Tannaite formulation the parallel matter: Along these same lines, one should not put one’s mouth on a water pipe to drink from it, for fear of danger.*
- O. *What danger?*
- P. *The possibility of swallowing a leech.*

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

- B. A person should not drink water from rivers or pools with his mouth directly or with one hand, and if he does so, his blood will be upon his head, for fear of danger.
- C. *What danger?*
- D. *The possibility of swallowing a leech.*
- E. *That supports the view of R. Hanina, for R. Hanina said, “He who swallows a leech on the Sabbath may heat water [to drink to kill the leech].”*

- F. There was the case of someone who on the Sabbath swallowed a leech, and R. Nehemiah permitted him to have water heated.
- G. *In the interim?*
- H. *Said R. Huna b. R. Joshua, "Let him sip vinegar."*
- I. *Said R. Idi bar Abin, "Someone who swallowed a wasp cannot live. But let him drink a quarter-log of strong vinegar, perhaps he will survive for enough time to set his house in order."*

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

- B. A person should not drink water by night, and if he does so, his blood is on his head, for it is a source of danger.
- C. *What danger?*
- D. *The danger of Shabriri [a demon that brings on nightblindness].*
- E. *But if he is thirsty, then what is he to do?*
- F. *If there is someone else there with him, he should wake him up and say, "I'm thirsty for water." If not, let him knock with the lid on the jug and say to himself, "You [stating his name] son of [stating his mother's name] — your mother has warned you to guard yourself against Shabriri, briri, riri, iri, ri, such as rule in blind utensils."*

I.1 gives a concrete example for a detail of the Mishnah. No. 2 clarifies an entry within No. 1. II.1 then complements the Mishnah's rule with further Tannaite materials, which are then analyzed in the familiar manner: why all these cases to say the same principle? Nos. 2, 3 do the same, and are tacked on for obvious reasons.

1:4G-I

- G. **A town in which there is an idol,**
- H. **and there were in it shops which were adorned and shops which were not adorned —**

I. this was a case in Beth Shean, and sages ruled, “Those which are adorned are prohibited, but those which are not adorned are permitted.”

- I.1** A. Said R. Simeon b. Laqish, “This ruling has been repeated only with reference to shops that are decorated with garlands of roses and myrtle, in which case the Israelite enjoys the benefit of the good smell, but if the shops are decorated with fruit, one may go into them.
- B. *“What is the basis in Scripture for this rule? ‘Nothing of that which has been devoted shall cleave to your hand’ (Deu. 13:18) — thus to derive pleasure is forbidden, [13A] but to give benefit is permitted.”*
- C. And R. Yohanan said, “Even if they are decorated only with fruit, they also are forbidden. This is by an argument a fortiori: If it is forbidden to derive benefit from the smell, should it not be forbidden to confer benefit?”
- D. *An objection was raised on the strength of the following:* R. Nathan says, “On a day on which the tax in support of idolatry is remitted, they announce, saying, ‘Whoever will take a wreath and place it on his head and on the head of his ass in honor of the idol will have his taxes remitted, but if not, his tax will not be remitted’ — as to a Jew who happens to be located there, what should he do? If he puts a wreath on, he will turn out to derive benefit [from the odor of the wreath that is credited to the idol]. If he does not put on a wreath, he will also turn out to confer benefit on the idol [since he will have to pay the tax]. On this basis, they have said, ‘he who does business in a market dedicated to an idol — a beast [that he purchases] is to be disabled, fruit, clothes, or utensils are to be allowed to rot, money or metal utensils are to be disposed of in the Salt Sea.’ What is the meaning of ‘disabled’? Hamstrung.”
- E. *In any event, it is stated as a Tannaite formulation,* “If he puts a wreath on, he will turn out to derive benefit [from the odor of the wreath that is credited to the idol]. If he does not put on a wreath, he will also turn out to confer benefit on the idol [since he will have to pay the tax].” [So how can Simeon b. Laqish, who has said, “to derive pleasure is forbidden, but to give benefit is permitted,” maintain that it is permitted to confer benefit on idols?]
- F. *Said R. Mesharshayya b. R. Idi, “R. Simeon b. Laqish adopts the theory that rabbis differ from R. Nathan, and [he would maintain,] ‘I concur with those rabbis who differ from him. R. Yohanan takes the view that there is no such disagreement with the position of R. Nathan.’*
- G. *But lo, it has been taught on Tannaite authority:*

- H. [Israelites] may go to a fair of gentiles and buy from them beasts, slave boys and slave girls, houses, fields, and vineyards, and write deeds and deposit them in their archives, because thereby what one does is rescue [property] from their hands. And if one was a priest, he contracts the corpse uncleanness that inheres in the lands outside of the Holy Land so as to go to court with them and have a complaint issued against them. And just as he may contract corpse uncleanness by setting foot outside of the Land, so he contracts corpse uncleanness in a graveyard.
- I. *Do you really imagine that he may do so in a graveyard as well? That is a form of uncleanness that is decreed by the Torah. Rather, he may do so in a grave area, which is unclean only by decree of rabbis.*
- J. [Continuing H:] He may furthermore contract corpse uncleanness [in the manner just described] for the purpose of studying the Torah or of marrying a wife.
- K. Said R. Judah, “Under what circumstances is that permitted? In a case in which he cannot find any alternative for studying but going abroad. But if he can find an alternative for studying without going abroad, then he may not contract corpse uncleanness by doing so.”
- L. R. Yosé says, “Even if he can find an alternative for studying without going abroad, he may still contract corpse uncleanness [to study with a teacher of his choice who lives overseas] for someone may not have the merit of learning to good effect from a random master [but only from a particular one].”
- M. Said R. Yosé, “There was the case of Joseph the Priest, who followed his master to Sidon to study the Torah,” and said R. Yohanan, “The decided law is in accord with the position of R. Yosé.”
- N. *What follows from all of this is that there is disagreement with R. Nathan [who has said that one may not purchase a thing at a market for the honor of idolatry, and Yohanan knew that fact and expressed an opinion on it].*
- O. R. Yohanan will say to you, “In point of fact, there really is no contrary opinion, nor does the cited passage contradict that position. Here we speak of a purchase from a dealer, who has to pay such a tax, the other case, to purchasing from a householder, from whom the tax is not collected.”
- I.2** A. A master has said, “...a beast [that he purchases] is to be disabled”:
- B. *But lo, there is the consideration of causing pain to living creatures!*

C. Said Abbaye, “Said Scripture, ‘You shall hamstring their horses’ (Jos. 11: 5).”

I.3 A. Said a master, “What is the meaning of ‘disabled’? Hamstrung”:

B. *An objection was raised: People at this time [with the Temple in ruins] are not to sanctify or declare herem or vow the value of anything, and if one has sanctified or declared herem or vowed the valuation of something — a beast [that he pledges in this way] is to be disabled, fruit, clothes, or utensils are to be allowed to rot, [13B] money or metal utensils are to be disposed of in the Salt Sea.’ What is the meaning of “disabled”? The beast is to be locked up and left to starve to death.*

C. *Said Abbaye, “That case is exceptional, since the consideration of treating in a disrespectful way [e.g., by hamstringing] things that have been consecrated is taken into account.”*

D. *Then why not slaughter the beast?*

E. *That may produce a violation of the law [since somebody may eat it].*

F. *So why not just cut it in two [so it cannot be eaten anyhow]?*

G. Said Abbaye, “Said Scripture, ‘You shall break down their altars and hew down the graven images of their gods...you shall not do so to the Lord your God’ (Deu. 12:3-4).”

H. Raba said, “The operative consideration is that it would appear as though one has made a blemish on Holy Things.”

I. “...appear as...”! *But one actually does so!*

J. *That would be a consideration when the house of the sanctuary was standing, in which case the beast can have been offered up. But now that the beast in any event cannot be offered up, there is no objection.*

K. *But then, in any event, you would have a case of inflicting a blemish upon a blemished animal, and, even though the animal was not suitable for being made into an offering, that is forbidden?*

L. *While, to be sure, the animal as to its body is not suitable, as to its value, it is suitable [for purchasing another offering with the proceeds], but our case [when an animal has been sanctified, even though there is no Temple for making the sacrifice] is exceptional,*

since neither the value of the beast nor the beast itself is going to be used for an offering.

- I.4** A. *R. Jonah came upon R. Ilai who was standing at the gate of Tyre and said to him, "It has been taught as a Tannaite formulation: ...a beast [that he purchases] is to be disabled. What is the rule as to a slave? As to an Israelite who is a slave, there can be no question, of course. But as to a gentile slave, what is to be done?"*
- B. *He said to him, "What sort of question troubles you anyhow? It has been taught on Tannaite authority: As to gentiles and [Israelites who are] shepherds of small cattle [which one should not raise in the Land of Israel], they are to be neither raised up out of, nor thrown into, a pit. [Along these same lines, nothing is to be done to the gentile slave acquired in a process that has conferred benefit upon idolatry or that has given benefit to an Israelite by reason of idolatry.]"*
- I.5** A. *Said R. Jeremiah to R. Zira, "It has been taught as a Tannaite statement: [Israelites] may go to a fair of gentiles and buy from them beasts, slave boys and slave girls. Does this refer only to an Israelite slave, or perhaps it speaks even of a gentile slave?"*
- B. *He said to him, "It stands to reason that it refers only to an Israelite slave, for if it referred to a gentile slave, what need would he have of a slave in that classification?"*
- C. *When Rabin came, he said in the name of R. Simeon b. Laqish, "Even a gentile slave [may be purchased under these conditions], for he will bring him under the wings of the Presence of God."*
- D. *Said R. Ashi, "So how could the consideration of 'bringing under the wings of the Presence of God' pertain to cattle?! Rather, the operative consideration is that one thereby removes from the domain of gentiles those that are permitted [beasts, then taken away from use for idolatry, or Israelite slaves] and here too, it is permitted for the same consideration."*
- I.6** A. *R. Jacob bought sandals [at such a fair], R. Jeremiah bought bread.*
- B. *One said to the other, "Fatherless child! Would your master have done so?"*
- C. *He replied to him, "Fatherless child! Your master himself indeed has done so?"*

- D. *But both of them had bought these things of householders, and each thought that the other had purchased from a merchant.*
- E. *For said R. Abba b. R. Hiyya bar Abba, "The teaching pertains only to a purchase from a merchant, from whom the tax is collected, but as to purchasing from a householder, from whom no tax is collected, it is permitted."*
- F. *Said R. Abba b. R. Hiyya bar Abba, "If R. Yohanan had been there on the spot where taxes were collected even from householders, he would have forbidden making such a purchase."*
- G. *Then what had they done to make such a purchase?*
- H. *They bought the objects from a householder who did not permanently reside in that place [and so was not liable to the tax].*

I.1 clarifies the application of the law of the Mishnah. Nos. 2, 3, 4, 5, 6 form a footnote to No. 1. The net effect is to supply a vast amplification of the law of the Tosefta, with the Mishnah clarified only in a simple way.

1:5

- A. **What are the things that are forbidden to sell to gentiles?**
- B. **(1) fir cones, (2) white figs, (3) and their stalks, (4) frankincense, and (5) a white cock.**
- C. **R. Judah says, "It is permitted to sell him a white cock among other cocks.**
- D. **"And when it is all by itself, one cuts off its spur and sells it to him,**
- E. **"for they do not offer to an idol one which is lacking [a spur]."**
- F. **And as to everything else, [if] they are left without specification [as to their proposed use], it is permitted, but [if] they are specified [for use for idolatry], it is prohibited.**
- G. **R. Meir says, "Also fine dates, Hasab dates, and Nicolaus dates it is prohibited to sell to gentiles."**

I.1 A. [14A] What is the definition of fir cones?

- B. Pine wood.
- C. *An objection was raised on the basis of the following: They have added to the list [of items subject to the Sabbatical Year law] Alexandrian nuts, fir cones, a kind*

of figs, white figs. *Now if you take the view that fir cones are classified as pine wood, does pine wood have any connection with the Sabbatical Year at all? And has it not been taught on Tannaite authority:* This is the governing principle. Whatever has a perennial root is subject to the law of the Sabbatical Year, and whatever has no root is not subject to the law of the Sabbatical Year.

D. *Rather, said R. Safra, "They are in point of fact fruit of the cedar."*

E. *So, too, when Rabin came, he said, "Said R. Eleazar, 'They are fruit of the cedar.'"*

II.1 A. White figs:

B. Said Rabbah bar bar Hana said R. Yohanan, *"They are figs that are white."*

III.1 A. And their stalks:

B. Said Rabbah bar bar Hana said R. Yohanan, "What is taught is not 'and' but 'with their stalks.'"

IV.1 A. Frankincense:

B. Said R. Isaac said R. Simeon b. Laqish, "Clear frankincense."

IV.2 A. *It has been taught as a Tannaite statement: And of any one of them, one would sell them a bundle. And how much is a bundle? R. Judah b. Beterah says, "In the case of frankincense, it is no less than three manehs" [T. A.Z. 1:21A-C].*

B. *But should we not take account of the possibility that he will go and sell it to others, who will offer up the incense?*

C. *Said Abbaye, "We are meticulous about not [placing a stumbling block] before [the blind], but we are not particular about making it possible for a third party to do so."*

V.1 A. And a white cock:

B. *Said R. Jonah said R. Zira said R. Zebid, and some repeat the matter as, said R. Jonah said R. Zira, "[If a gentile asks,] 'Who has a cock,' it is permitted to sell a white cock to him. If he asks, 'Who has a white cock?' it is forbidden to sell one to him."*

C. *We have learned in the Mishnah: R. Judah says, "It is permitted to sell him a white cock among other cocks." Now under what circumstances does that rule apply? If one should say that it is a case in which he has said, "Who has a white cock? Who has a white cock?" then even a white cock among other*

cocks one may not sell to him. Rather, is it not a case in which he has said, "Who has a cock, who has a cock"? And even so, in the opinion of R. Judah, if it is a cock among other cocks, then one may do so, but if not, one may not do so, while in the opinion of the initial Tannaite authority, even if it is among other cocks, one still may not sell it to him.

- D. *Said R. Nahman bar Isaac, "With what sort of case do we deal here? With one in which he has said, 'this and that...', [meaning, he was asking for various kinds of cocks." [Mishcon: Hence Judah forbids the sale, since it was specified by the idolator; the other rabbis hold that, since it was specified by the idolator, it may not be sold even among others. When the idolator asks for cocks without specifying any color, both Judah and the opposition permit the sale of a white one. There is thus no difference of opinion between the Mishnah and the view of Zira.]*
- E. *So, too, it has been taught on Tannaite authority: Said R. Judah, "Under what circumstances [do the stated prohibitions apply]? When [the pagan] said to him, 'Sell me this white cock,' without further specification. But if he said to him, "This and that," it is permitted. And even if a gentile said, "This cock," if he explained to him that it is because he is sick or it is for a banquet for his son, lo, this is permitted" [T. A.Z. 1:21J-K].*
- F. *But have we not learned in the Mishnah: And a gentile who made a banquet for his son — it is prohibited for only that day, and in regard to only that individual alone [to enter into business relationships of any sort, as listed at M. 1:1] [M. 1:3G]? So far as that day and that man are concerned, however, it is prohibited to make such a sale!*
- G. *Said R. Isaac bar R. Mesharshayya, "The rule before us pertains to a routine celebration [but not to the events specified in the Mishnah's statement]."*
- H. *We have learned in the Mishnah: And as to everything else, [if] they are left without specification [as to their proposed use], it is permitted, but [if] they are specified [for use for idolatry], it is prohibited. What is the meaning of "left without specification" and what is the meaning of "specified"? If one should propose that what is left without specification is when the man has said, "white wheat," and what is specified is when the man has said, "for the purposes of idolatry," [14B] then it is hardly necessary to state that what has not been subjected to a specific statement may be sold, nor is it required to specify that what has been specified for idolatrous purposes may not be sold. So we must say that "left without specification" he says for*

wheat, it is permitted to sell it to him, but “if he specified” means that he asks for white wheat, and this is forbidden. And this would then bear the implication that in the case of a cock, it is forbidden to sell him such a thing even when the man has specified no further, improper intent!

- I. *Indeed, when the man made his request without further specification, it does mean that he has asked for white wheat, and “specified” means he says it is for idolatry. Still, it is necessary to articulate that “specified” refers to that case, for otherwise we might have thought that the man does not really require the white wheat for idolatry, but since he is very much devoted to idolatry, he thinks that everybody else feels the same way, so he says, “Let me say it that way, so they may happily give it to me.” Therefore it is necessary to state that that is forbidden anyhow.*

V.2 A. R. *Ashi raised the question, “If someone asks, ‘Who has a mutilated white cock,’ what is the law as to selling him a healthy white cock? Do we say that, since he has specified that he wants a mutilated one, it is not for the purposes of idolatry that he wants it? Or perhaps he is really just practicing deceit?*

- B. *“And if you say that he is really just practicing deceit, then what is the law if someone asks, ‘Who has a white cock?’ and when they give him a black one he takes it, or when they give him a red one, he takes it, what is the law? Is it that he does not really require it for purposes of idolatry? Or perhaps he is really just practicing deceit?”*

C. *The question stands.*

VI.1 A. R. **Meir** says, **“Also as to fine dates, Hasab dates, and Nicolaus dates it is prohibited to sell them to gentiles”:**

- B. *Said R. Hisda to Abimi, “We have learned that the tractate Abodah Zarah that [was learned] by Abraham, our father, contained four hundred chapters, but we have learned as our Mishnah only five chapters, yet we do not know what we say even in regard to these! And what is the contradiction [that I have in mind]? It is taught on Tannaite authority in our Mishnah, **R. Meir** says, “Also as to fine dates, Hasab dates, and Nicolaus dates it is prohibited to sell them to gentiles. So it is only fine dates that we must not sell to them, but bad dates we may sell. Yet we learned as well: They do not sell them [any] produce [whatsoever] as yet unplucked. But one may sell it one it has been harvested [M. 1:8D-E].”*

- C. *He said to him, “What is the meaning of ‘fine dates’? The dates of a fine palm tree.”*

D. *And so said R. Huna, "The produce of a good palm."*

VI.2 A. ...Hasab dates:

B. *this is a species of dates called Qisba.*

VI.3 A. ...and Nicolaus dates:

B. *When R. Dimi came, he said R. Hamam bar Joseph [said], "It is Quriti dates."*

C. *Said Abbayye to R. Dimi, "We have learned in the Mishnah, ...and Nicolaus dates, and we don't know what that is, and you then tell us that it is the same as Quriti dates, but we don't know what that is either, so what good have you done for us anyhow?"*

D. *He said to him, "This is what good I have done for you: if you were to go to the Land of Israel and ask for Nicolaus dates, no one would know what you wanted, but if you asked for Quriti dates, people will know and show you what they are."*

The construction overall provides a line-by-line gloss of the Mishnah paragraph. I.1, II.1, III.1, IV.1, V.1, VI.1 simply define matters, clarifying either the language of the Mishnah or how its rule is to be applied. No. 2 extends the foregoing. The effect of the glossing at VI.1 is to clarify the language of the Mishnah, though this is accomplished through the harmonization of passages that appear to conflict; Nos. 2, 3 form minor glosses.

1:6

A. **In a place in which they are accustomed to sell small cattle to gentiles, they sell them.**

B. **In a place in which they are accustomed not to sell [small cattle] to them, they do not sell them.**

C. **And in no place do they sell them large cattle, calves, or foals, whether whole or lame.**

D. **R. Judah permits in the case of lame ones.**

E. **And Ben Beterah permits in the case of a horse.**

I.1 A. *Does this rule then bear the implication that there is no real prohibition involved, but that it is only a matter of custom, so that where it is customary to prohibit selling them, it is prohibited, and where it is customary to permit selling to them, it is permitted? And an objection is to be raised: They do not leave cattle in gentiles' inns, because they are suspect in regard to bestiality [M. 2:1A-B].*

- B. Said Rab, "In a place in which it is permitted to sell beasts to them, it is permitted to leave them alone together with beasts, and in a place in which it is forbidden to leave them alone with beasts, it also is customarily forbidden also to sell beasts to them [and both passages depend on local custom]."
- C. **[15A]** And R. Eleazar says, "Even in a place in which it is forbidden to leave a gentile alone with a beast, it is permitted to sell the beast to him. *What is the operative consideration?* The gentile is concerned that his beast not be hamstrung."
- D. *And also Rab retracted his ruling, for R. Tahalipa said R. Shila bar Abimi said in the name of Rab, "The gentile is concerned that his beast not be hamstrung."*

II.1 A. And in no place do they sell them large cattle, calves, or foals, whether whole or lame:

- B. *What is the operative consideration here?*
- C. *Granted that we do not take precautions against the possibility of bestiality, we do take account of the consideration of the gentile's making the animal work on the Sabbath.*
- D. *So let him work the beast! Since he bought it, he has acquired title to it.*
- E. *We decree against selling it to gentiles on account of the consideration of his possibly lending it out or renting it out.*
- F. *But if he lends it out or rents it out, still, during that span of time, he owns the beast!*
- G. *Rather, said R. Ammi b. R. Yeba, "It is a decree on account of the possibility of someone's [experimenting in the process of] assessing how much the beast can hold. For on occasions he might sell him the beast close to sunset on the Sabbath evening, and the gentile may say to him, 'Come and let us see how much it can bear,' and when the beast hears the owner's voice, it will walk because of him, and the Israelite wants it to walk, so on the Sabbath he turns out to act as the driver of his loaded-up beast, and he who [not intending to violate the Sabbath] on the Sabbath drives his loaded-up beast is [nonetheless] liable to bring a sin-offering."*
- H. *Objected R. Shisha b. R. Idi, "But, furthermore, does one who hires out the beast acquire title to it? And have we not learned in the Mishnah: **Even in the situation concerning which they have ruled [that they may] rent, it is not for use as a residence that they ruled that it is permitted, because he brings an idol into it.** Now should it enter your mind that one who rents*

thereby acquires title, in this case, if he brings in an idol, he brings it into his own house anyhow!"

- I. *The case of an idol is exceptional, because it is subject to a very strict rule, as it is written, "And you shall not bring abomination into your house" (Deu. 7:26).*
- J. *Objected R. Isaac b. R. Mesharshayya, "But, furthermore, does one who hires out a beast acquire title to it? And lo, we have learned in the Mishnah: **An Israelite who hired a cow from a priest may feed it vetches in the status of heave-offering. But a priest who hired a cow from an Israelite, even though he is responsible for feeding it, may not feed it vetches in the status of heave-offering [M. Ter. 11:9 C-F].** [So title has not been transferred either way.] Now should it enter your mind that one who rents thereby acquires title, in this case, why should he not feed it produce in the status of heave-offering? It is, after all, his cow! Rather, that proves, renting out a beast does not for that interval transfer title to the beast."*
- K. *Now that you have reached the position that renting out the beast does not transfer title, the decree prohibiting sale of large cattle to gentiles is on the counts of both renting out the beast and also because of lending the beast and also because of trying the beast out to see how much of a load it can sustain.*

II.2 A. *R. Ada permitted selling an ass to a heathen through an agent. As for the consideration of trying out the beast to see how much of a load it can sustain, the beast will not know the voice of the agent that it should walk because of hearing it [so that consideration is null]; as to the considerations of lending or hiring it, since the beast is not the agent's, he will not lend the beast nor give it over, lest some fault turn up in it [and it is the agent's task to sell the beast].*

II.3 A. *R. Huna sold a cow to a gentile. Said to him R. Hisda, "How come the master has done this?"*

- B. *He said to him, "I take for granted that he bought the beast to slaughter it for meat."*
- C. **[15B]** *"And on what basis do you reach such a conclusion in a case of this sort?"*
- D. *"It is because we have learned in the Mishnah: **The House of Shammai say, 'During the Sabbatical Year a person may not sell to another a heifer used for ploughing.'** But the House of Hillel permit [one to sell such a heifer] because he [the buyer] may slaughter it [M. Sheb. 5:8A-B]."*

- E. *Said Raba, “Are the two matters really comparable at all? In that case a person is not subject to the religious duty of securing Sabbath rest for his cattle in the Sabbatical Year [so there is no issue of not hiring, lending, or trying out the beast in that connection when a gentile is concerned], while in this case, a person is subject to the religious duty of securing the Sabbath rest for his beast.”*
- F. *Said to him Abbayye, “But is it the fact that in any case in which one is so commanded, is such a sale prohibited? And lo, there is the case of the field, in which instance a person is subject to the religious duty of securing the Sabbath rest for his field, and yet we have learned: **The House of Shammai say, ‘A person may not sell a plowed field in the Sabbatical Year.’ And the House of Hillel permit, because it is possible that he will still let it lie fallow**’ [T. [Shebi. 3:2](#)].”*
- G. *Objected R. Ashi, “And is it the fact that in any case in which a person is not subject to a religious obligation, a deed is permitted in any event [so that one may sell the object to someone who is going to use the object contrary to that religious duty]? And lo, there is the case of utensils, concerning which a person is not subject to a religious duty to secure for them Sabbath rest in the Sabbatical Year, and yet we have learned in the Mishnah: **These are tools which the artisan is not permitted to sell during the Sabbatical Year: (1) a plough and all its accessories, (2) a yoke, (3) a pitchfork, (4) and a mattock. But he [the artisan] may sell: (1) a hand sickle, (2) a reaping sickle, (3) and a wagon and all its accessories. This is the general rule: [as regards] any [tool] the use of which [during the Sabbatical Year] is limited to a transgression — it is forbidden [to sell such a tool during the Sabbatical Year]. [But as for any tool which may be used both for work which is] forbidden and [for work which is] permitted [according to the laws of the Sabbatical Year] — it***

is permissible [to sell such a tool during the Sabbatical Year] [M. **Sheb. 5:6A-G**].”

- H. *Rather, said R. Ashi, “In any case in which there is the possibility of assuming [that the beast will be properly used], we invoke that assumption, even though one is subject to a religious responsibility, but in any case in which there is no possibility of assuming that the beast will not be properly used, we do not invoke that assumption, even though there is no religious responsibility to which one is subject.”*

II.4 A. *Rabbah sold an ass to an Israelite who was suspect of selling large cattle to gentiles. Said to him Abbaye, “How come the master has done such a thing?”*

B. *He said to him, “I sold it to an Israelite.”*

C. *He said to him, “But he is going to go and sell it to a gentile.”*

D. *“Is he going to sell it only to a gentile, but not to an Israelite?”*

E. *He objected on the basis of the following: “In a place in which it is customary to sell small cattle to Samaritans, people do so. If it is not customary to sell small cattle to them, people do not do so. Now what is the operative consideration here? If one should say that it is because they are suspect of bestiality, are they really subject to such a suspicion? And has it not been taught on Tannaite authority: **They do not leave cattle in gentiles’ inns** [M. **2:1A**], even male cattle with men, and female cattle with women, because a male may bring a male [beast] over him, and a female may do the same with a female beast, and it goes without saying, males with women, and females with men. And they do not hand over cattle to their shepherds. And they do not hand a child over to him to teach him reading and to teach him a craft and to be alone with him [T. **A.Z. 3:2**]. But they leave cattle in Samaritans’ inns, even male [cattle] with women, and female [cattle] with men, and female [cattle] with women and it is not necessary to say, males with males and females with females. And they hand over cattle to their shepherds, and they hand over a child to him to teach him reading and to teach him a craft, and to be alone with him. An Israelite girl serves as a midwife and gives suck to the child of a Samaritan woman. And a*

Samaritan woman serves as midwife and gives suck to an Israelite child [T. A.Z. 3:1]. *Therefore they are not suspect of such practices. Furthermore, it has been taught on Tannaite authority: They do not sell them either a sword or the paraphernalia for a sword. And they do not polish a sword for them. And they do not sell them stocks, neck chains, ropes, or iron chains. All the same are the gentile and the Samaritan [T. A.Z. 2:3A-E]. And why not? If I should say that they are suspect of wanting to commit murder, are they actually suspect? But have you not said, But they leave...? Rather, it is because they may end up selling them to gentiles [and this refutes Rabbah's opinion]. And, furthermore, should you maintain that the consideration is that a Samaritan will not carry out an act of repentance while an Israelite will, has not R. Nahman said Rabbah bar Abbuha said, 'Just as they have said that it is forbidden to sell to a gentile, so it is forbidden to sell to an Israelite who is suspect of selling to a gentile'?"*

- F. *[Rabbah then] ran after him for three parasangs, and some say, one parasang along a sand dune, but could not catch up with him [to retrieve what he had sold].*

II.5 A. Said R. Dimi bar Abba, "Just as it is forbidden to sell to a gentile, so it is forbidden to sell to an Israelite mugger."

- B. *What circumstances can be contemplated here? If he is suspect of murdering people, then the rule is obvious, since he is no different from a gentile. And if he is not suspect of murdering people, why not sell to him?*
- C. *In point of fact he has never committed murder, but here with what sort of a case do we deal? It is a case of a thief who is a coward, who may try to save himself [by committing murder].*

II.6 A. *Our rabbis have taught on Tannaite authority:*

- B. They do not sell them shields.
- C. And some say, "They do sell them shields."
- D. *What is the operative consideration for the former position? If one should say that it is because they protect them, if that is the case, then even wheat and barley should not be sold to them!*
- E. Said Rab, **[16A]** "It is not possible [to refrain from selling them food, since this will create hatred]."

- F. *There are those who say, as to not selling them shields, this is the operative consideration: when they have no further weapons left, they use these for killing.*
- G. *And there are those who say, "They do sell them shields," for when they have no weapons left, they run away.*
- H. *Said R. Nahman said Rabbah bar Abbuha, "The decided law is in accord with 'those who say.'"*

II.7 A. *Said R. Adda bar Ahbah, "They do not sell them bars of iron. Why not? Because they hammer weapons of war out of them."*

B. *If so, then one should not sell them even spades and pick axes!*

C. *Said R. Zebid, "At issue are bars of Indian iron."*

D. *And nowadays, that we do sell them to them?*

E. *Said R. Ashi, "It is to the Persians, who defend us."*

III.1 A. **[And in every locale they do not sell them large cattle,] calves, or foals, whether whole or lame:**

B. *It has been taught on Tannaite authority: R. Judah permits doing so in the case of a lame one, which is not subject to healing [M. 1:6D]. They said to him, "Lo, he will put it out to stud, and the mate will give birth" [T. A.Z. 2:3F-G].*

D. *And since he will be put out to stud and the mate will give birth, they will keep the beast.*

E. *He said to them, "You wait until it gives birth. Therefore it will not accept a male [in that condition]."*

IV.1 A. **And Ben Beterah permits in the case of a horse:**

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

C. ***Ben Beterah permits in the case of a horse [M. 1:6D], which does not perform any sort of labor on the Sabbath on account of which they are liable to a sin-offering.***

D. ***But Rabbi prohibits doing so on two counts, on the count of not selling to them weapons of war, and on the count of not selling to them a large beast [T. A.Z. 2:3H-K].***

E. *Now with regard to the consideration of not selling to them weapons of war, there are those trained to kill by trampling. But how come the*

consideration of the prohibition against selling them large cattle applies?

- F. *Said R. Yohanan, "When the horse gets old, it is put to work on the mill and works on the Sabbath."*
- G. *Said R. Yohanan, "The decided law is in accord with the position of Ben Beterah."*

IV.2 A. *The question was raised: As to a fattened ox, what is the law? The question is to be addressed to R. Judah, and the question is to be addressed to rabbis.*

- B. *The question is to be addressed to R. Judah: R. Judah permits selling a maimed horse only in the case of one that is maimed and so cannot ever serve for labor. But this one, which, if kept long enough, may be fit for labor, he might forbid.*
- C. *Or perhaps, even according to rabbis, it is only a maimed one that is ordinarily not intended for slaughter that they forbid; but this one, which is ordinarily intended for slaughter, might they permit?*
- D. *Come and take note, for said R. Judah said Samuel, "Members of the household of Rabbi would offer a fatted ox on their festival day, paying a bribe of 40,000 coins for the privilege of having the gentiles offer it up not on the day of the festival but on the next day; and then, another 40,000 for the concession of their offering it up not alive but slaughtered; and then, another 40,000 for the concession of being freed of having to present it at all." Now what is the operative consideration? Is it not that they wished to avoid its being kept and then worked? [So for this reason a fatted ox may not be sold to gentiles.]*
- E. *And in accord with your reasoning, why introduce the consideration of the privilege of having the gentiles offer it up not on the day of the festival but on the next day, what is the operative consideration? Rather, Rabbi to begin with wanted to get rid of the requirement altogether, but he thought that it would be best to do it stage by stage.*
- F. *And do people hold on to a fatted ox and do work with it?*
- G. *Said R. Ashi, "Said Zebida to me, 'A young bullock when retained can do the work of two.'"*

I.1 works out the harmonization of the premises of two Mishnah paragraphs. II.1 asks about the operative consideration for the Mishnah's rule. We rapidly move into the issue of ownership and transfer of title. Nos. 2, 3 go on to cite precedents. No. 3 then leads us to a rule on another matter altogether, which links to the present case through a supposedly shared principle. No. 4 introduces a case that further amplifies the points

made at Nos. 2, 3. No. 5 complements the general theme introduced at No. 4, and No. 6, 7 carry further the work of supplement through thematically relevant materials, both then to be classified as appendices to footnotes. III.1 and IV.1 cite and analyze the Tosefta's complement to the Mishnah. These, too, have the effect of explaining the considerations behind the Mishnah's rules. No. 2 then extends the analysis of the foregoing materials, a footnote.

1:7

- A. **They do not sell them (1) bears or (2) lions, or (3) anything which is a public danger.**
- B. **They do not build with them (1) a basilica, (2) scaffold, (3) stadium, or (4) judges' tribunal.**
- C. **But they build with them (5) public bathhouses or (6) private ones.**
- D. **[Once] they reach the vaulting on which they set up an idol, it is forbidden [to help build any longer].**

- I.1** A. *Said R. Hanin b. R. Hisda, and some say, said R. Hanan b. Raba in the name of Rab, "To large cattle the same rule applies as to small cattle when it comes to the criterion of struggling, [specifically, that, after slaughter, the animal must show signs of struggling to be fit for food; otherwise we assume it died prior to slaughter and is carrion; the struggle in the case of small cattle must be stretching out and bending back of a leg, in the case of large cattle, one or the other (Mishcon)]. But that is not the case when it comes to selling the beast [which is governed by local custom]. But, for my part, I say that the same is so even in regard to selling: in a place in which it is customary to sell such beasts, they sell them, and if it is customary not to sell such beasts, they do not sell them."*
- B. *We have learned in the Mishnah: **They do not sell them (1) bears or (2) lions, or (3) anything which is a public danger.** Therefore the operative consideration is danger to the public. So if there is no danger to the public, then there is no objection to selling such beasts to them [contrary to Rab's opinion].*
- C. *Said Rabbah bar Ulla, "Our Mishnah deals with a mutilated lion, **[16B]** and that is in accord with the opinion of R. Judah **[R. Judah permits doing so in the case of a lame one, which is not subject to healing (M. 1:6D)]**."*
- D. *Said R. Ashi, "Any lion, so far as actually working with it, is deemed 'mutilated.'"*

E. *An objection was raised from the following: And just as they do not sell them a large domesticated beast, so they do not sell them a large wild beast [M. 1:6B]. And also in a situation in which they do not sell them a small domesticated beast, they do not sell them a small wild beast [T. A.Z. 2:2]. Does this not refute the opinion of R. Hanan b. Raba [who permits doing so if it is customary]?*

F. *It does indeed refute that opinion.*

I.2 A. *Rabina contrasted a Mishnah teaching with a Tannaite teaching external to the Mishnah and he resolved the contradiction: “We have learned in the Mishnah: They do not sell them (1) bears or (2) lions, or (3) anything which is a public danger. The operative consideration, then, is that these constitute a public danger. Lo, if there is no danger to the public, they may sell such beasts to gentiles. And by contrast: And just as they do not sell them a large domesticated beast, so they do not sell them a large wild beast [M. 1:6B]. And also in a situation in which they do not sell them a small domesticated beast, they do not sell them a small wild beast [T. A.Z. 2:2]. Now he further harmonized these two teachings: the Mishnah refers to a mutilated lion, and accords with the view of R. Judah.”*

B. *Said R. Ashi, “Any lion, so far as actually working with it, is deemed ‘mutilated.’”*

C. *R. Nahman objected, “Who is going to tell us that a lion is classified as a large beast? Perhaps it is classified as a small one?”*

D. *R. Ashi subjected our Mishnah paragraph to a close reading and replied to the objection with a refutation: “We have learned in the Mishnah, They do not sell them (1) bears or (2) lions, or (3) anything which is a public danger. The operative consideration, then, is that these constitute a public danger. Lo, if there is no danger to the public, they may sell such beasts to gentiles. And the operative consideration involving a lion is, Any lion, so far as actually working with it, is deemed ‘mutilated.’ But anything else that is fit for labor would not be subject to that prohibition. Does this not refute the opinion of R. Hanan b. Raba?”*

E. *It does indeed refute that opinion.*

I.3 A. *And as to a large wild beast, to what sort of labor is it suited?*

B. *Said Abbaye, “Said Mar Judah to me, ‘At the household of Mar Yohani, they work mills with wild asses.’”*

- I.4** A. *Said R. Zira, “When we were at the household of R. Judah, he said to us, ‘Learn from me the following statement, for I have heard it from a preeminent authority, though I do not know whether it was from Rab or from Samuel:*
- B. *“As to large wild beasts, the same rule applies as to small cattle when it comes to the criterion of struggling, [specifically, that, after slaughter, the animal must show signs of struggling to be fit for food; otherwise we assume it died prior to slaughter and is carrion; the struggle in the case of small cattle must be stretching out and bending back of a leg, in the case of large cattle, one or the other (Mishcon)].’*
- C. *“Now when I came to Qurdeqonia, I found R. Hiyya bar Ashi, who was in session and making the following statement in the name of Samuel: ‘As to large wild beasts, the same rule applies as to small cattle when it comes to the criterion of struggling.’ And I said to myself, ‘That means that it has been stated in the name of Samuel.’*
- D. *“But when I came to Sura, I found Rabbah bar Jeremiah in session and stating the same thing in the name of Rab: ‘As to large wild beasts, the same rule applies as to small cattle when it comes to the criterion of struggling.’ And I said to myself, ‘That means that it has been stated in the name of Rab and it has also been stated in the name of Samuel.*
- E. *“Moreover, when I went up there [to the Land of Israel], I found R. Assi in session and stating, ‘Said R. Hama bar Guria in the name of Rab: “As to large wild beasts, the same rule applies as to small cattle when it comes to the criterion of struggling.”’ I said to him, ‘Do you not take the view, then, that the one who reported this teaching in the name of Rab is Rabbah b. Jeremiah?’*
- F. *“And he said to me, ‘Black pot! Through me and through you will this report be completed [Mishcon: Hama heard it from Rab, and Rabbah heard it reported from Hama].”*
- G. *So it has been stated also: Said R. Zira said R. Assi said Rabbah bar Jeremiah said Rab Hama bar Guria said Rab, “As to large wild beasts, the same rule applies as to small cattle when it comes to the criterion of struggling.”*

II.1 A. **They do not build with them (1) a basilica, (2) scaffold, (3) stadium, or (4) judges’ tribunal:**

- B. Said Rabbah bar Hana said R. Yohanan, “There are three classifications of basilicas: those belonging to gentile kings, those belonging to bathhouses, and those belonging to storehouses.”

- C. Said Raba, "Two of those are permitted, the third forbidden [for Israelite workers to build], and your mnemonic is 'to bind their kings with chains' (Psa. 149: 8).
- D. *And there are those who say*, said Raba, "All of them are permitted [for Israelite workers to build]."
- E. *But have we not learned in the Mishnah: They do not build with them (1) a basilica, (2) scaffold, (3) stadium, or (4) judges' tribunal?*
- F. *Say that that rule applies in particular to* a basilica to which is attached an executioner's scaffold, a stadium, or a judge's tribunal.

The Trial of Eliezer b. Hyrcanus. In the Matter of Minut

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

- B. When R. Eliezer was arrested on charges of Minut [being a Christian], they brought him up to the judge's tribunal to be judged. The hegemon said to him, "Should a sage such as yourself get involved in such nonsense as this?"
- C. He said to him, "I acknowledge the Judge."
- D. The hegemon supposed that he was referring to him, but he referred only to his father who is in Heaven. He said to him, "Since I have been accepted by you as an honorable judge, *demos!* You are acquitted."
- E. When he got to his household, his disciples came to him to console him, but he did not accept consolation. Said to him R. Aqiba, "My lord, will you let me say something to you from among the things that you have taught me?"
- F. He said to him, "Speak."
- G. He said to him, "Perhaps some matter pertaining to Minut has come into your domain [17A] and given you some sort of satisfaction, and on that account you were arrested?"
- H. He said to him, "Aqiba, you remind me! Once I was going in the upper market of Sepphoris, and I found a certain person, named Jacob of Kefar Sakhnayya, who said to me, 'It is written in your Torah, "You shall not bring the hire of a harlot...into the house of the Lord your God" (Deu. 23:19). What is the law as to building with such funds a privy for the high priest?' Now I did not say a thing to him.
- I. "So he said to me, "This is what I have been taught [by Jesus of Nazareth], "For the hire of a harlot has she gathered them, and to the hire of a

harlot they shall return” (Pro. 5: 8). They have come from a filthy place and to a filthy place they may return.’ And that statement gave me a good bit of pleasure, and on that account I was arrested on the charge of being a Christian, so I violated what is written in the Torah: “Remove your way far from her” — this refers to Minut; “and do not come near to the door of her house” (Pro. 5: 8) — this refers to the government” [T. Hul. 2:24].

II.3 A. *There are those who refer “Remove your way far from her,” to Christianity and to the ruling power, and the part of the verse, “and do not come near to the door of her house” (Pro. 5: 8) they refer to a whore.*

II.4 A. And how far is one to keep away?

B. Said R. Hisda, “Four cubits.”

II.5 A. *And how do rabbis [who do not concur with Jacob] interpret the verse, “You shall not bring the hire of a harlot...into the house of the Lord your God” (Deu. 23:19)?*

B. *They interpret it in accord with R. Hisda, for said R. Hisda, “In the end every whore who hires herself out will hire out a man, as it is said, ‘And in that you pay a hire and no hire is given to you, thus you are reversed’ (Eze. 16:34).”*

II.6 A. [Referring to 4.B] *That measurement differs from the opinion of R. Pedat, for said R. Pedat, “The Torah has declared forbidden close approach only in the case of incest: ‘None of you shall approach to any that is near of kin to him to uncover their nakedness’ (Lev. 18: 6).”*

II.7 A. *When Ulla would come home from the household of the master, he would kiss his sisters on their hand.*

B. *Some say, “On their breasts.”*

C. *He then contradicts what he himself has said, for said Ulla, “Even merely coming near is forbidden, as we say to the Nazirite, ‘Go, go around about, but do not even come near the vineyard.’”*

II.8 A. “The horse leech has two daughters: Give, give” (Pro. 30:15) —

B. *What is the meaning of “Give, give”?*

- C. Said Mar Uqba, "It is the voice of the two daughters who cry out from Gehenna, saying to this world, 'Bring, bring.' *And who are they? They are Minut and the government.*"
- D. *There are those who say*, said R. Hisda said Mar Uqba, "It is the voice of Gehenna that is crying out, saying, 'Bring me the two daughters who cry out from Gehenna, saying to this world, 'Bring, bring.'"

II.9 A. "None who go to her return, nor do they attain the paths of life" (Pro. 2:19):

- B. Now since they never return, how are they going to attain the paths of life anyhow?
- C. *This is the sense of the passage*, "But if they return, they will not attain the paths of life."
- D. *Does that then bear the implication that whoever departs from Minut dies? And lo, there is the case of a certain woman who came before R. Hisda and said to him, "The lightest sin that she ever committed was that her younger son is the child of her older son."*
- E. *And R. Hisda said to her, "So get busy and prepare shrouds."*
- F. *But she did not die. Now since she had said that her lightest sin was that her younger son is the child of her older son, it must follow that she had also gone over to Minut [but she didn't die].*
- G. *That one did not entirely revert, so that is why she did not die [in this world, leaving her to suffer in the world to come].*
- H. *There are those who say, is it only from Minut that one dies if one repents, but not from any other sin? And lo, there is the case of a certain woman who came before R. Hisda, who said to her, "So get busy and prepare shrouds." And she died.*
- I. *Since she said that that was the lightest of her sins, it follows that she was guilty also of Minut.*

II.10 A. *And if one renounces sins other than Minut, does one not die? And has it not been taught on Tannaite authority:*

- B. They say concerning R. Eleazar b. Dordia that he did not neglect a single whore in the world with whom he

did not have sexual relations. One time he heard that there was a certain whore in one of the overseas towns, and she charged as her fee a whole bag of denars. He took a bag of denars and went and for her sake crossed seven rivers. At the time that he was with her, she farted, saying, "Just as this fart will never return to its place, so Eleazar b. Dordia will never be accepted in repentance."

- C. He went and sat himself down between two high mountains and said, "Mountains and hills, seek mercy in my behalf."
- D. They said to him, "Before we seek mercy for you, we have to seek mercy for ourselves: 'For the mountains shall depart and the hills be removed' (Isa. 54:10)."
- E. He said, "Heaven and earth, seek mercy for me."
- F. They said to him, "Before we seek mercy for you, we have to seek mercy for ourselves: 'the Heavens shall vanish away like smoke, and the earth shall wax old like a garment' (Isa. 51: 6)."
- G. He said, "Sun and moon, seek mercy for me."
- H. They said to him, "Before we seek mercy for you, we have to seek mercy for ourselves: 'Then the moon shall be confounded and the sun ashamed' (Isa. 24:23)."
- I. He said, "Stars and constellations, seek mercy for me."
- J. They said to him, "Before we seek mercy for you, we have to seek mercy for ourselves: 'All the hosts of Heaven shall moulder away' (Isa. 34: 4)."
- K. He said, "The matter depends only on me." He put his head between his knees and he wept a mighty weeping until his soul expired. An echo came forth and said, "R. Eleazar b. Dordia is destined for the life of the world to come."
- L. *Now here was a case of a sin [other than Minut] and yet he did die.*
- M. *There, too, since he was so much given over to that sin, it was as bad as Minut.*

- N. [Upon hearing this story] Rabbi wept and said, “There is he who acquires his world in a single moment, and there is he who acquires his world in so many years.”
- O. And said Rabbi, “It is not sufficient for penitents to be received, they even are called ‘rabbi.’”

Idolatry and Lewdness

- II.11** A. *R. Hanina and R. Jonathan were going along the way and came to a crossroads, with one road that led by the door of a temple of idol worship, the other by a whorehouse. Said one to the other, “Let’s go by the road that passes the door of the temple of idol worship, [17B] for in any case the impulse that leads to that in our case has been annihilated.”*
- B. The other said to him, “Let’s go by the road that passes the door of the whorehouse and overcome our impulse, and so gain a reward.”
- C. *[That is what they did.] When they came near the whorehouse, they saw the whores draw back at their presence. The other then said to him, “How did you know that this would happen?”*
- D. He said to him, “‘She shall watch over you against lewdness, discernment shall guard you’ (Pro. 2:11).”

- II.12** A. [As to the verse, “She shall watch over you against lewdness, discernment shall guard you’ (Pro. 2:11),] *said rabbis to Raba, “What is the meaning of the word translated ‘lewdness’? Shall it be ‘the Torah,’ since the word translated lewdness in the Aramaic translation is rendered, ‘it is a counsel of the wicked’ and Scripture has the phrase, ‘wonderful is his counsel and great is his wisdom’ (Isa. 28:29)?”*
- B. *“Then the word should have been written so as to yield ‘lewdness.’ Rather, this is the sense of the verse: ‘against things of lewdness, discernment, the Torah, shall watch over you.’”*

Roman Justice, Jewish Martyrdom

- II.13** A. *Our rabbis have taught on Tannaite authority:*
- B. When R. Eleazar b. Parta and R. Hanina b. Teradion were arrested, R. Eleazar b. Parta said to R. Hanina b. Teradion, “You are fortunate, for you have been

arrested on only one count. Woe is me, that I have been arrested on five counts.”

- C. Said to him R. Hanina, “You are fortunate, for you have been arrested on five counts but you will be saved, while woe is me, for although I have been arrested on only one count, I will not be rescued. For you have devoted yourself to the study of the Torah and also acts of beneficence, while I devoted myself only to the study of the Torah alone.”
- D. *And that accords with R. Huna, for* said R. Huna, “Whoever devotes himself only to the study of Torah alone is like one who has no God, as it is said, ‘Now for long seasons Israel was without the true God’ (2Ch. 15: 3). What is the meaning of ‘without the true God’? It means that whoever devotes himself only to the study of Torah alone is like one who has no God.”
- E. But did he not engage in acts of beneficence as well? *And has it not been taught on Tannaite authority:*
- F. R. Eliezer b. Jacob says, “A person should not hand over his money to the charity box unless it is under the supervision of a disciple of sages such as R. Hanina b. Teradion.”
- G. *While people did place their trust in him, he did not, in fact, carry out acts of beneficence.*
- H. *But has it not been taught on Tannaite authority,* [R. Hanina b. Teradion, who was in charge of the community fund] said to [R. Yosé b. Qisma], “Money set aside for the celebration of Purim got confused for me with money set aside for charity, and I divided it all up for the poor [including my own funds]”?
- I. *Well, while he did carry out acts of beneficence, he did not do so much as he was supposed to have done.*
- J. *They brought R. Eleazar b. Parta and said to him, “How come you have repeated Mishnah traditions and how come you have been a thief?”*
- K. *He said to them, “If a thief, then not a scribe, and if a scribe, then not a thief, and as I am not the one, so I am not the other.”*
- L. *“Then how come they call you ‘rabbi’?”*
- M. *“I am the rabbi of the weavers.”*
- N. *They brought him two coils of wool and asked, “Which is the warp and which is the woof?”*

- O. *A miracle happened, and a she-bee came and sat on the warp and a he-bee came and sat on the woof, so he said, "This is the warp and that is the woof."*
- P. *They said to him, "And how come you didn't come to the temple of idolatry to worship [literally: 'house of destruction']?"*
- Q. He said to them, "I am an elder, and I was afraid that people would trample me under their feet."
- R. *"And up to now how many old people have been trampled?"*
- S. *A miracle happened, and on that very day an old man was trampled.*
- T. *"And how come you freed your slave?"*
- U. He said to them, "No such thing took place."
- V. *One of them was about to get up to give testimony against him, when Elijah came and appeared to him in the form of one of the important lords of the government and said to that man, "Just as miracles were done for him in all other matters, a miracle is going to happen in this one, and you will turn out to be a common scold."*
- W. *But he paid no attention to him and got up to address them, and a letter from important members of the government had to be sent to the Caesar, and it was through that man that it was sent; on the road Elijah came and threw him four hundred parasangs, so he went and never came back.*
- X. *They brought R. Hanina b. Teradion and said to him, "How come you devoted yourself to the Torah?"*
- Y. He said to them, "It was as the Lord my God has commanded me."
- Z. Forthwith they made the decree that he was to be put to death by burning, his wife to be killed, and his daughter to be assigned to a whorehouse.
- AA. He was sentenced to be burned to death, for he [18A] had pronounced the Divine Name as it is spelled out.
- BB. *But how could he have done such a thing, and have we not learned in the Mishnah: All Israelites have a share in the world to come, as it is said, "Your people also shall be all righteous, they shall inherit the land forever; the branch of my planting, the work of my hands, that I may be glorified" (Isa. 60:21). And these are the ones who have no portion in the world to come: (1) He who says, the resurrection of the dead is a teaching which does not derive from the Torah, (2) and the Torah does not come from Heaven; and (3) an Epicurean. R. Aqiba says, "Also: He who reads in*

heretical books, and he who whispers over a wound and says, 'I will put none of the diseases upon you which I have put on the Egyptians, for I am the Lord who heals you' (Exo. 15:26)." Abba Saul says, "Also: he who pronounces the Divine Name as it is spelled out" [M. San. 10:1A-G]!

CC. He did it for practice. *For so it has been taught on Tannaite authority:*

DD. "You shall not learn to do after the abominations of those nations" (Deu. 18: 9) — but you may learn about them so as to understand and to teach what they are.

EE. *Then why was he subjected to punishment?*

FF. It was because he repeated the Divine Name in public.

GG. And why was his wife sentenced to be put to death?

HH. *Because she did not stop him.*

II. On that account they have said: Whoever has the power to prevent someone from sinning and does not do so is punished on account of the other.

JJ. And why was his daughter sentenced to a whorehouse?

KK. For said R. Yohanan, "One time his daughter was walking before the great authorities of Rome. They said, 'How beautiful are the steps of this maiden,' and she forthwith became meticulous about her walk.

LL. *And that is in line with what R. Simeon b. Laqish said, "What is the meaning of that which is written, 'The iniquity of my heel compasses me about' (Psa. 49: 6)? The sins that a person treads under heel in this world surround him on the day of judgment."*

MM. When three of them went out, they accepted the divine decree. He said, "The rock, his work is perfect, for all his ways are justice" (Deu. 32: 4).

NN. His wife said, "A God of faithfulness and without iniquity, just and right is he" (Deu. 32: 4).

OO. His daughter said, "Great in counsel and mighty in deed, whose eyes are open on all the ways of the sons of men, to give everyone according to his ways and according to the fruit of his deeds" (Jer. 32:19).

PP. Said Rabbi, "How great are these righteous. For it was for their sake in particular that these verses, which justify God's judgment, were made ready for the moment of the acceptance of God's judgment."

II.14 A. *Our rabbis have taught on Tannaite authority:*

- B. When R. Yosé b. Qisma fell ill, R. Hanina b. Teradion went to visit him. He said to him, "Hanina, my brother, don't you know that from Heaven have they endowed this nation [Rome] with dominion? For [Rome] has destroyed his house, burned his Temple, slain his pious ones, and annihilated his very best — and yet endures! And yet I have heard about you that you go into session and devote yourself to the Torah and even call assemblies in public, with a scroll lying before you in your bosom."
- C. He said to him, "May mercy be shown from Heaven."
- D. He said to him, "I am telling you sensible things, and you say to me, 'May mercy be shown from Heaven'! I should be surprised if they do not burn up in fire both you and the scroll of the Torah."
- E. He said to him, "My lord, what is my destiny as to the life of the age to come?"
- F. He said to him, "Has some particular act come to hand [that leads you to concern]?"
- G. He said to him, "Money set aside for the celebration of Purim got confused for me with money set aside for charity, and I divided it all up for the poor [including my own funds]."
- H. He said to him, "If so, out of the portion that is coming to you may be the portion that is coming to me, and may my portion come from your portion."
- I. They say: The days were no more than a few before R. Yosé b. Qisma died and all of the leading Romans went to bury him and they provided for him a splendid eulogy. And when they returned, they found R. Hanina b. Teradion in session and devoted to the Torah, having called a public assembly, with a scroll lying before him in his bosom. So they brought him and wrapped him in a scroll of the Torah and surrounded him with bundles of branches and set them on fire. But they brought tufts of wool, soaked in water, and put them on his chest, so that he would not die quickly.
- J. Said to him his daughter, "Father, how can I see you this way?"
- K. He said to her, "If I were being burned all by myself, it would be a hard thing for me to bear. But now that I am being burned with a scroll of the Torah with me, he who will exact punishment for the humiliation brought on the scroll of the Torah is the one who will seek vengeance for the humiliation brought on me."
- L. Said to him his disciples, "My lord, what do you see?"
- M. He said to them, "The parchment is burned, but the letters fly upward."
- N. "You, too — open your mouth and let the fire in [so that you will die quickly]."

- O. He said to them, "It is better that the one who gave [life] take it away, but let a person not do injury to himself."
- P. The executioner said to him, "My lord, if I make the flames stronger and remove the tufts of wool from your chest, will you bring me into the life of the world to come?"
- Q. He said to him, "Yes."
- R. He said to him, "Will you take an oath to me?"
- S. He took an oath to him. Forthwith he made the flames stronger and removed the tufts of wool from his chest, so his soul rapidly departed. Then the other leapt into the flames. An echo came forth and said, "R. Hanina b. Teradion and the executioner are selected for the life of the world to come."
- T. Rabbi wept and said, "There is he who acquires his world in a single moment, and there is he who acquires his world in so many years."

- II.15** A. *Beruriah, the wife of R. Meir, was the daughter of R. Hanina b. Teradion. She said to him, "It is humiliating for me that my sister should be put into a whorehouse."*
- B. *He took a tarqab full of denars and went. He said, "If a prohibited act has not been done to her, then a miracle will happen, and if she has done something prohibited, no miracle will happen to her."*
 - C. *He went and took on the guise of a horseman. He said, "Submit to me."*
 - D. *She said to him, "I am menstruating."*
 - E. *He said to her, "I'll wait."*
 - F. *She said to him, "There are plenty of girls here who are prettier than I am."*
 - G. *He said, "That means the woman has not done anything prohibited, that's what she says to everybody."*
 - H. *He went to her guard and said to him, "Give her to me."*
 - I. *He said to him, "I'm afraid of the government."*
 - J. *He said to him, "Take this tarqab of denars, half as a bribe, the other half for you."*
 - K. *He said to him, "What shall I do when these are used up?"*
 - L. *"Just say, 'Let the God of Meir answer me,' and you'll be saved."*
 - M. *He said to him, [18B] "And who will tell me that that's so?"*

- N. *He said to him, "You'll now see." There were these dogs, who would bite people. He took a stone and threw it at them, and when they were going to bite him, he said, "God of Meir, answer me," and they left him alone.*
- O. *So he handed her over to him. But eventually the matter became known at government house, and when the guard was brought and taken to the gallows, he exclaimed, "God of Meir, answer me."*
- P. *They took him down from the gallows and asked him, "What's going on?"*
- Q. *He told him, "This is what happened."*
- R. *They then incised the likeness of R. Meir at the gate of Rome, saying, "Whoever sees this face, bring him here."*
- S. *One day they saw him and pursued him. He ran from them and went into a whorehouse. Some say he just happened then to see food cooked by gentiles and dipped in one finger and then sucked another [pretending he was a gentile]. Others say that Elijah the prophet appeared to them as a harlot and embraced him (God forbid). So they said, "If this were R. Meir, he would never have done such a thing."*
- T. *He went and fled to Babylonia. Some say, it was because of that incident that he fled to Babylonia, others, it was because of the incident with Beruriah [who committed adultery with one of his disciples].*

The Stadium, the Circus, The Theater

II.16 A. *Our rabbis have taught on Tannaite authority:*

- B. **He who goes to a stadium or to a camp to see the performances of sorcerers and enchanters or of various kinds of clowns, mimics, buffoons, and the like — lo, this is a *seat of the scoffers*, as it is said, "Happy is the man who has not walked in the counsel of the wicked...nor sat in the seat of the scoffers. But his delight is in the Torah of the Lord" (Psa. 1:12). Lo, you thereby learn that these things cause a man to neglect the study of the Torah [T. **A.Z. 2:6A-D**].**
- C. *An objection was raised on the basis of the following: [Following Tosefta's wording:] He who goes up into gentiles' amphitheaters, if he was going about on account of the service of the state's requirements, lo, this is permitted. If one takes account [of what is happening therein], lo, this is forbidden. [He who sits in an amphitheater [e.g., where gladiators are fighting], lo, this one is guilty of bloodshed. R. Nathan permits on two*

counts: because [the Israelite] cries out in order to save the life [of the loser], and because he may give evidence in behalf of a woman [whose husband is killed in the struggle], that she may remarry.] They may go to stadiums because [an Israelite] will cry out in order to save the life of the loser, [and to the performance in a camp on account of the task of preserving order in the province. But if one takes account of what is happening [in the entertainment], lo, this is forbidden] [T. A.Z. 2:7A-I].

D. *So there is a contradiction as to laws on stadiums and there also is a contradiction as to laws on military camps.*

E. *There is in point of fact no contradiction as to the rules governing military camps, for the one speaks of a case in which he conspires with them, the other, where he does not. But there is a contradiction as to the laws on going to stadiums.*

F. *In point of fact it represents a conflict of opinion between two Tannaite authorities, for it has been taught on Tannaite authority:*

G. **One may not go to a stadium because it is a ‘seat of scorners.’**

H. **R. Nathan permits doing so on two counts: because [the Israelite] cries out in order to save the life [of the loser], and because he may give evidence in behalf of a woman [whose husband is killed in the struggle], that she may remarry.]**

II.17 A. *Our rabbis have taught on Tannaite authority:*

B. “People may not go to theaters or circuses for there they ‘make dung’ for idolatry,” the words of R. Meir.

C. And sages say, “In a place in which they ‘make dung’ for idolatry, it is forbidden by reason of suspicion that idolatry is taking place, but in a place in which they do not ‘make dung’ for idolatry, it is permitted.”

D. *What is at issue between these two opinions?*

E. Said R. Hanina, “At issue between them is whether or not to go to do business [and if there is no idolatry sages would not forbid going to the stadium].”

Happy is the man who has not walked in the counsel of the wicked, nor stood in the way of sinners, nor sat in the seat of the scornful

II.18 A. R. Simeon b. Pazzi gave an exposition: “*What is the meaning of the verse, ‘Happy is the man who has not walked in the counsel of the wicked, nor stood in the way of sinners, nor sat in the seat of the scornful’ (Psa. 1: 1)? Since he has not walk in that way, how could he stand there? And since he did not stand there, he surely did not sit among them, and since he did not sit among them, he also could not have scorned! It is to tell you that if one has merely walked in such a way, in the end he will stand, and if he stands, he will end up sitting, and if he sat, he will end up scorning, and if he scorned, in his regard Scripture says, ‘If you are wise, you are wise for yourself, and if you scorn, you alone shall bear the consequence’ (Pro. 9:12).*”

- II.19** A. Said R. Eleazar, “As to him who scoffs, affliction will come upon him: ‘Now therefore do you not scoff, lest your punishment be made severe’ (Isa. 28:22).”
- B. *Said Raba to rabbis, “By your leave, I beg you not to scorn, so that suffering not come upon you.”*
- C. Said R. Qattina, “Whoever scorns will find his sustenance diminished: ‘He withdraws his hand in the case of scoffers’ (Hos. 7: 5).”
- D. Said R. Simeon b. Laqish, “Whoever scorns falls into Gehenna: ‘A proud and haughty man, scoffer is his name, works for arrogant wrath’ (Pro. 21:24), and ‘wrath’ means only Gehenna: ‘That day is a day of wrath’ (Zep. 1:15).”
- E. Said R. Oshaia, “Whoever takes pride falls into Gehenna: “A proud and haughty man, scoffer is his name, works for arrogant wrath’ (Pro. 21:24), and ‘wrath’ means only Gehenna: ‘That day is a day of wrath’ (Zep. 1:15).”
- F. Said R. Hanilai b. Hanilai, “Whoever scoffs brings annihilation upon the world: ‘Now therefore do not be scoffers, lest your affliction be made severe, for an annihilation wholly determined have I heard’ (Isa. 28:22).
- G. Said R. Eleazar, “It is hard, since it starts with ‘afflict’ and ends up with ‘annihilation.’”

II.20 A. R. Simeon b. Pazzi gave an exposition: “‘Happy is the man who has not walked’ — to theaters and circuses of gentiles; ‘nor stood in the way of sinners’ — he

does not attend contests of wild beasts; 'nor sat in the seat of the scornful' — he does not participate in planning such events.

- B. "Might one then say, 'Since I have not gone to theaters or circuses, nor stood in contests of wild beasts, nor sat down to plan such events, I'll just go and enjoy my sleep,' Scripture continues, 'and in his Torah does he meditate day and night.'"

II.21 A. Said R. Samuel bar Nahmani said R. Jonathan, "'Happy is the man who has not walked in the counsel of the wicked': this refers to **[19A]** Abraham our father, who did not walk in the counsel of the men of the generation of the division. For they were wicked, as it is said, 'Come, let us build us a city and a tower with its top in Heaven' (Gen. 11: 4). 'nor stood in the way of sinners': for he did not stand in the locus of the Sodomites, who were sinful: 'Now the men of Sodom were wicked and sinful against the Lord exceedingly' (Gen. 13:13); 'nor sat in the seat of the scornful': for he did not take a seat in the counsel of the Philistines, who were scoffers: 'And it came to pass, after their hearts were merry, that they said, Call for Samson, that he may make us sport' (Jud. 16:25)."

II.22 A. "Happy is the man who fears the Lord" (Psa. 112: 1):

- B. "Happy is the man" but not "happy is the woman"?
- C. Said R. Amram said Rab, "Happy is the person who repents as an adult."
- D. R. Joshua b. Levi said, "Happy is the one who overcomes the impulse to do evil."
- E. "...that delights greatly in his commandments" (Psa. 112: 1):
- F. Said R. Eleazar, "It is a desire for the commandments, and not the reward for keeping the commandments."
- G. *And that is in line with what we have learned in the Mishnah: He used to say, "Do not be like servants who serve the master on condition of receiving a reward, but be like servants who served the master not on condition of receiving a reward" [M. Abot 1:3].*

II.23 A. "But his desire is in the Torah of the Lord" (Psa. 1: 2):

- B. Said Rabbi, "A person can study Torah only in a passage that his heart desires, as it is said, 'But his desire is in the Torah of the Lord.'"
- C. *Levi and R. Simeon b. Rabbi were in session before Rabbi and were expounding a part of Scripture. The scroll was concluded. Levi said, "Let them bring us Proverbs."*
- D. *R. Simeon b. Rabbi said, "Let them bring us Psalms."*

- E. *He forced Levi to agree, and they brought Psalms.*
- F. *When they came to this passage, “But his desire is in the Torah of the Lord” (Psa. 1: 2), Rabbi made an explanation, saying, “A person can study Torah only in a passage that his heart desires.”*
- G. Said Levi, “My lord, you have given us permission to arise [and walk out].”
- H. Said R. Abdimi bar Hama, “Whoever devotes himself to the Torah — the Holy One, blessed be He, carries out his desires, as it is said, “But his desire is in the Torah of the Lord.””
- I. Said Raba, “A person should always study the Torah at a passage that his heart desires, as it is said, ‘But his desire is in the Torah of the Lord.’”
- J. And said Raba, “At the start of this verse, the Torah is called ‘of the Holy One, blessed be He,’ but at the end, it is called his, as it is said, ‘But his desire is in the Torah of the Lord, and in his Torah does he meditate day and night.’”
- K. And said Raba, “A person should always study the Torah and then meditate, as it is said, ‘But his desire is in the Torah of the Lord, and in his Torah’ — and then — ‘does he meditate day and night.’”
- L. *And said Raba, “A person should always study, even though he may forget, yes, even if he does not entirely understand all the words that he studies: ‘My soul breaks for the longing that it has for your ordinances at all times’ (Psa. 119); ‘breaks’ is what Scripture says, but not ‘grinds.’”*
- M. *Raba contrasted these verses: “It is written, ‘upon the highest places’ (Pro. 9: 3); and it is written, ‘on a seat on the high places’ (Pro. 9:14). To begin with the disciple takes any place, but ultimately, a seat. Scripture says, ‘in the top of high places’ (Pro. 8: 2), and then, ‘by the road’ (Pro. 8: 2). Though at first one is in the top in high places, yet ultimately, by the road.”*
- N. *Ulla contrasted verses: “‘Drink waters out of your own well’ (Pro. 5:15), but, ‘and running waters out of your own well’ (Pro. 5:15). At first ‘drink from your well’ and then ‘running waters from your own well’ [Mishcon: drink the knowledge*

drawn from other sources and in time you will become an inexhaustible source of learning].”

- O. *Said Raba said R. Sehora said R. Huna, “What is the meaning of the verse: ‘Wealth gotten by vanity shall be diminished, but he who gathers little by little shall increase’ (Pro. 13:11)? If one makes his Torah study in large bundles, it will diminish, but if he collects it handful by handful, it will increase.”*
- P. *Said Raba, “Rabbis know that fact full well yet ignore it.”*
- Q. *Said R. Nahman b. Isaac, “I have conformed and it did me good.”*
- R. *Said R. Shizbi in the name of R. Eleazar b. Azariah, “What is the meaning of the verse: ‘The lazy man shall not hunt his prey’ (Pro. 12:27)? He who is a clever hunter will not live or have length of days.”*
- S. But R. Sheshet said, “The clever hunter will have prey to roast.”
- T. *When R. Dimi came, he said, “The matter may be compared to the case of a man who was hunting birds. If he breaks the wings of each one in turn, he ascertains that they all will remain his; if not, none will stay with him.”*

II.24 A. “And he shall be like a tree transplanted by streams of water” (Psa. 1:3):

- B. Members of the household of R. Yannai state, “...like a tree transplanted,’ and not ‘like a tree planted....’ Whoever studies the Torah with only a single master never will see a blessing [from his study].”
- C. *Said R. Hisda to rabbis, “I want to tell you something, though I am concerned that you might then abandon me and go somewhere else: ‘Whoever studies the Torah with only a single master never will see a blessing [from his study].’” So they abandoned him and went [into session] before Rabbah.*
- D. *He said to them, “These things pertain only to matters of reasoning, but as to matters of the mastery of tradition, studying with a single master is preferable, so that [19B] one may not confuse the wordings of a given tradition.”*

II.25 A. “By streams of water”:

- B. Said R. Tanhum, “A person should always divide into thirds one’s years of study, a third to be devoted to Scripture, a third to the Mishnah, and a third to the Talmud.”
- C. *But does somebody know how long he will live?*
- D. *“What we meant to say pertains to the days” [each to be divided in the specified manner].*

II.26 A. “That brings forth its fruit in its season and whose leaf does not wither” (Psa. 1: 3):

- B. Said Raba, “‘If he brings forth fruit in its season,’ ‘then its leaf will not wither.’ Otherwise, the verse applies to both the one who learns and the one who teaches are subject to the continuation of the same verse: ‘not so the wicked, but they are like the chaff that the wind drives away’ (Psa. 1: 4).”

II.27 A. Said R. Abba said R. Huna said Rab, “What is the meaning of the verse of Scripture: ‘For she has cast down many wounded’ (Pro. 7:26)? This refers to a disciple who has not reached the age of giving decisions and yet gives decisions.

- B. “‘Yes, a mighty host are her slain’ (Pro. 7:26): this refers to a disciple who has reached the age of giving decisions but does not give decisions.
- C. “And what is correct age for giving decisions?
- D. “Forty years.”
- E. *But lo, Raba gave decisions!*
- F. *He was anybody’s equal.*

II.28 A. “And whose leaf does not wither”:

- B. *Said R. Aha bar Ada said Rab, and some say, said R. Aha bar Abba said R. Hamnuna said Rab*, “For even the offhand remarks of disciples of sages requires close study, as it is said, ‘And whose leaf does not wither, and whatever he does shall prosper’ (Psa. 1: 3) [just like the leaves of the tree].”

II.29 A. Said R. Joshua b. Levi, “This matter is written in the Torah, repeated in the Prophets, and further repeated in the Writings: ‘Whoever is devoted to study of the Torah — his property prospers for him.’

- B. “It is written in the Torah: ‘Observe therefore the words of this covenant and do them, that you may make all that you do prosper’ (Deu. 29: 8).

- C. “It is repeated in the Prophets: ‘This book of the Torah shall not depart out of your mouth, but you shall meditate therein day and night, that you may observe to do according to all that is written therein; for then you shall make your ways prosperous and then you shall have good success’ (Jos. 1: 8).
- D. “It is further repeated in the Writings: ‘But his delight is in the Torah of the Lord, and in his Torah does he meditate day and night. And he shall be like a tree planted by streams of water, that brings forth its fruit in its season, and whose leaf does not wither, and whatever he does shall prosper’ (Psa. 1: 3).”

II.30 A. *R. Alexandri proclaimed, “Who wants life? Who wants life?”*

- B. *Everybody came running to him, saying, “Give us life!”*
- C. *He said to them, “Who is the one who desires life and loves days that he may see good therein? Keep your tongue from evil and your lips from speaking guile, depart from evil and do good, seek peace and pursue it’ (Psa. 34:12-15).*
- D. “And should someone say, ‘I have kept my tongue from evil and my lips from speaking guile, so I can go to sleep,’ Scripture states, ‘Turn from evil and do good.’ And ‘good’ means only Torah: ‘For I have given you a good doctrine, do not forsake my Torah’ (Pro. 4: 2).”

III.1 A. **[Once] they reach the vaulting on which they set up an idol, it is forbidden [to help build any longer]:**

- B. Said R. Eleazar said R. Yohanan, “But if he has actually built that part, still, his salary is permitted.”
- C. *That is self-evident, since the cupola falls into the category of things that are used in the service of idolatry [but are not themselves idols], and things that are used in the service of idolatry, whether from the viewpoint of R. Ishmael or from the viewpoint of R. Aqiba, are not forbidden unless they themselves are worshipped.*
- D. *Said R. Jeremiah, “No, it was nonetheless necessary to make that rule explicit, only to address the case of the idol itself. [If an Israelite is working on the idol itself, he still may make use of his salary.]”*
- E. *That explanation poses no problems to the position of him who maintains, “An idol that belongs to an Israelite is forbidden forthwith; but one that belongs to a gentile is forbidden only when it actually will*

have been worshipped.” *But from the perspective of him who maintains, “An idol that belongs to an Israelite is forbidden forthwith,” what is to be said?*

- F. *Rather, said Rabba bar Ulla, “It was necessary to make the rule explicit only to address the issue of the last stroke of work. For what is it that makes the idol suitable for worship? It is the completion. And when is that? It is with the last stroke of work.”*
- G. But the last stroke of work does not have the value of a penny [so why is it taken into account]?
- H. *The point of the ruling, then, is that [Eleazar-Yohanan] take the view that the wage is earned from the beginning to the end of the work [and the worker is entitled to payment cumulatively].*

I.1 asks about the operative consideration of the law, which permits us to contrast our rule’s premise with that operative elsewhere and to show that the two rules are in harmony. No. 2 proceeds along the same lines. Nos. 3, 4 form supplements to Nos. 1, 2. II.1 accomplishes the same purpose, of harmonizing opinions. Because of II.1, II.2 is tacked on, and the entire mass of material on rabbis’ martyrdoms, already in place, was kept together with the illustration of the tribune and why Israelite workers should not join in building such a thing. No. 3, 4, 5, 6 then form footnotes to No. 2 or to one another. No. 7 is a footnote to No. 6. No. 8 then reverts to the general theme of the interplay of the government and Minut. No. 9 then continues the theme of No. 8, which is the return of those who have gone over to Minut and ended up in Gehenna. No. 10 goes forward along the same theme, though with a fresh composition. The issue once more is whether or not one may atone and so die and enter the world to come for the sin of Minut, or whether one has to live out his years and then go to Gehenna. This forms part of a large-scale set of compositions on the common theme at hand. No. 11 proceeds along the line of the established theme: the sin of idolatry compared with other sins. No. 12 is a footnote to No. 11. The general theme of rabbis’ arrests by the Romans explains why the next composition has been included; this brings us back to the interest of No. 2 and marks the end of the secondary expansion of the story about Eliezer. So each large-scale composite that forms a subdivision of the whole commences with a Tannaite formation, followed by a collection of secondary expansions of various kinds. The inclusion of No. 13 then makes sense within the framework of discourse established by No. 2. Nos. 14, 15 provide yet other stories involving Hanina b. Teradion and belong to the same prepared sequence of stories about him. III.1 contributes a clarification of the rule of the Mishnah and its application.

1:8A-F

- A. And they do not make ornaments for an idol:
- B. (1) necklaces, (2) earrings, or (3) finger rings.
- C. R. Eliezer says, “For a wage it is permitted [to do so].”
- D. They do not sell them produce as yet unplucked.
- E. But one may sell it once it has been harvested.
- F. R. Judah says, “One may sell it to him with the stipulation that he will harvest it.”

I.1 A. *What is the scriptural basis for this rule?*

- B. Said R. Yosé bar Hanina, [20A] “It is because Scripture has said, ‘...nor be gracious to them,’ [the letters of which can yield the phrase,] ‘you shall not give them a place to settle on the ground.’”
 - C. *But that clause is required to make this point, which the All-Merciful wishes to set forth: “You shall not admire their grace.”*
 - D. *If that were the case, then Scripture could as well have used the passive tense. Why use the active? That yields two points [the ones of B and C].*
 - E. *Still, the phrase is required to make this point, which the All-Merciful wishes to set forth: “You shall not give them gratuitous gifts.”*
 - F. *If that were the case, then Scripture could as well have used different vowels [which would have yielded that other meaning]. Why use the form we have? That yields three points.*

I.2 A. *So, too, it has been taught on Tannaite authority:*

- B. “...nor be gracious to them”: [the letters of which can yield the phrase,] “you shall not give them a place to settle on the ground.”
- C. Another matter: “...nor be gracious to them”: “you shall not admire their grace.”
- D. Another matter: “...nor be gracious to them”: “You shall not give them gratuitous gifts.”

- I.3** A. *But the matter of whether or not it is permitted to give them gratuitous gifts is subject to a conflict between Tannaite rulings. For it has been taught on Tannaite authority:*
- B. “‘You shall not eat of anything that dies of itself; to the stranger that is within your gates you may give it that he may eat it; or you may sell it to a gentile’ (Deu. 14:21) [“stranger” is one who has renounced idolatry but does not yet observe the food taboos].
- C. “I know only that one may give it to a stranger or sell it to a gentile. How on the basis of Scripture do I know that it may be sold to a gentile? Scripture says, ‘You may give it...or sell it.’ How do we know that you may give it to a gentile? Because Scripture says, ‘You may give it that he may eat it or you may sell it to a gentile.’ So it follows that both giving and selling pertain to both a stranger and a gentile,” the words of R. Meir.
- D. R. Judah says, “Matters are just as they are written out: to a foreigner the food is transferred as a gift, and to a gentile, through sale.”
- E. *But doesn’t R. Meir’s formulation makes perfectly good sense?*
- F. *Now R. Judah may say to you, “If you think that matters are as R. Meir has stated them, then the All-Merciful ought to have written, ‘you shall give it and he may eat, and sell it....’ Why does Scripture say, ‘or sell it’? It is to indicate that matters are just as they are written out.”*
- G. *And R. Meir?*
- H. *The formulation we have indicates that it is a priority to give it away to a stranger rather than sell it to a gentile.*
- I. *And R. Judah?*
- J. *Since in the case of a stranger, you are commanded to keep him alive, and concerning a Canaanite you are not commanded to keep him alive, it is hardly necessary to have a verse of Scripture to tell us to give priority to the stranger.*

- I.4** A. Another statement concerning the clause, "...nor be gracious to them": "You shall not admire their grace."
- B. *This supports the view of Rab, for Rab has said, "It is forbidden to someone to say, 'How beautiful is that gentile!'"*
- C. *An objection was raised:* There is the case involving Rabban Simeon b. Gamaliel, who was on the steps of the Temple mount and saw an unusually beautiful gentile woman and said, "How great are your works, O Lord" (Psa. 104:24).
- D. And so, too, R. Aqiba saw the wife of the wicked Turnus-rufus. He spit and laughed and wept. He spit, for she came from a rancid drop of semen; he laughed, because [he foresaw that] she was going to convert *and he would marry her*; and he wept, *because that beauty would end up consumed in the dirt.*
- E. *And Rab?*
- F. *[In each case] the sage was giving thanks.* For a master has said, He who sees good-looking people says, 'Blessed is he who has created such as these in his world.'

Composite on the Prohibition of Staring in a Lascivious or Otherwise Improper Manner

- I.5** A. *But is it permitted even to look? And an objection is to be raised:* "You shall keep from you every evil thing" (Deu. 23:10) — one should not stare at a beautiful woman, even if she is not married, or at a married woman, even if she is ugly, **[20B]** or at a woman's exquisite clothing; or at male or female asses; or at a pig and a sow; or at fowls when they are mating; even if one is all eyes like the angel of death.
- I.6** A. They say of the angel of death that the whole of him is made up of eyes.

- B. When a sick person is dying, he stands above his pillow, with his sword drawn in his hand, with a drop of gall hanging on it. When the sick person sees it, he trembles and gasps in fright, and the angel then drops the drop into his mouth, and from that drop the sick person dies, from that drop the corpse deteriorates, from that drop the face becomes green.

I.7 A. [In the cases cited above], the woman had just turned the corner [so it was by accident that the sage saw her].

I.8 A. “Or at a woman’s exquisite clothing”:

- B. Said R. Judah said Samuel, “Even if they are spread out on the wall.”
- C. Said R. Pappa, “But that is only if he knows who owns the clothing.”
- D. *Said Raba, “You may derive that fact from the wording, which is, ‘a woman’s exquisite clothing,’ and not ‘exquisite clothing’ [in general].”*
- E. *That proves the point.*
- F. *Said R. Hisda, “That ruling applies only if the clothing had been worn, but if the clothing is new, it does not matter. For if you do not take that position, then how can a woman’s dresses be handed over to a trimmer, who has to look at them?”*
- G. *But in accord with your reasoning, how will you account for the position of R. Judah that, in the case of animals of the same species, one may bring them together for mating by using a tube [to insert the male’s penis into the female’s vagina]? He, too, has to look!*
- H. *The point of course is that at issue is simply doing the work with which he is involved, and here, too, the answer is the same.*

I.9 A. The master has said, “and from that drop the sick person dies”:

- B. Shall we say that this statement differs from the position of the father of Samuel, for said the father of Samuel, “The angel of death told me, *‘If it were not for my respect for the honor owing to people, I would cut the throat of a man as broadly as the throat of an animal’ [so there really is an incision, not merely a drop of bile]’*?”
- C. *Perhaps it is that very drop that cuts into the organs of the throat.*

I.10 A. “From that drop the corpse deteriorates”:

- B. *This supports the view of R. Hanina bar Kahana, for said R. Hanina bar Kahana say the members of the household of Rab, “He who wants a corpse not to deteriorate should turn it over on its face.”*

I.11 A. *Our rabbis have taught on Tannaite authority:*

- B. “You shall keep yourself from every evil thing” (Deu. 23:10): one should not fantasize by day and so produce a nocturnal emission.
- C. *In this connection said R. Phineas b. Yair, “Heedfulness leads to cleanliness, cleanliness leads to cleanness, cleanness leads to abstinence, abstinence leads to holiness, holiness leads to modesty, modesty leads to the fear of sin, the fear of sin leads to piety, piety leads to the Holy Spirit, the Holy Spirit leads to the resurrection of the dead, and the resurrection of the dead comes through Elijah, blessed be his memory [M. Sot. 9:15MM] but piety is the greatest of these, as it is said, ‘Then did you speak in a vision to your pious ones’ (Psa. 89:20).”*
- D. *That differs from the opinion of R. Joshua b. Levi, for said R. Joshua b. Levi, “Humility is the greatest of them all, for it is said, ‘The spirit of the Lord God is upon me,*

because the Lord has anointed me to bring good tidings to the humble' (Isa. 61: 1). What Scripture says is not 'to the pious' but 'to the humble,' so humility is the greatest of these."

II.1 A. They do not sell them produce as yet unplucked. But one may sell it once it has been harvested:

- B. *Our rabbis have taught on Tannaite authority:*
- C. **"They sell a gentile a tree on the stipulation that he will cut it down, but then he must cut it down," the words of R. Judah.**
- D. **And R. Meir says, "They sell to them trees only that have been cut down."**
- E. **"They sell a gentile growth for fodder on the stipulation that he will cut it down, but then he must cut it down," the words of R. Judah.**
- F. **R. Meir says, "They sell gentiles only growth that has been cut down." "They sell a gentile standing grain on the stipulation that he will reap it down, but then he must reap it down," the words of R. Judah.**
- G. **R. Meir says, "They sell gentiles only grain that has been reaped" [cf. T. **A.Z. 2:4E-G**].**
- H. *And all three cases are required. For had we been given the case of the tree, we might have supposed that it is in particular in that case in which R. Meir has made his ruling, since the gentile does not lose by leaving the tree on the ground, so he might leave it so; but in the case of the grain, where he might lose by letting it remain in the soil, we might suppose he would concur with R. Judah. And if we had the case of the tree and the grain alone, we might have supposed that the operative consideration is that it is not self-evident that the gentile benefits by leaving them in the ground, in which case R. Judah permits, but in the case of the growth for fodder, where the gentile benefits by leaving it to grow in the ground, we might have supposed that R. Judah concurs with R. Meir. And if we had the case of the growth alone, we might have supposed that it is only in that case that R. Meir objects, since it serves his interest not to cut the growth, but in the other two cases, he shares the view of R. Judah. So all three cases are necessary.*

II.2 A. The question was raised: What is the rule governing the case of selling a beast on condition that it be slaughtered? In the other cases, the reason that R. Judah permits such an action is that the things are not in the gentile's domain, so

they could not be left there, while cattle, which is in his own domain, might be kept by him without his slaughtering it? Or is there no distinction?

B. Come and take note, for it has been taught on Tannaite authority: "...a beast on the stipulation that he will slaughter it...and he slaughters it," the words of R. Judah.

C. R. Meir says, "They sell to a gentile only one that has been slaughtered."

I.1 opens with a standard exegetical question on the scriptural basis for the Mishnah's law. But the question that is answered is the scriptural basis for M. 1:8G-L: why not rent them houses and the like? No. 2 goes back over the ground of No. 1. Nos. 3, 4 then form footnotes to Nos. 1-2. No. 5, completed at No. 7, is a footnote to No. 4, Nos. 6, 8, to No. 5. Nos. 9, 10 footnote No. 6. No. 11 then continues the exposition of Deu. 23:10. II.1 complements the Mishnah with a further, relevant rule of Tannaite provenience, and then the usual amplification to prove the necessity of all cases is worked out. No. 2 then expands the discussion to a case not touched at No. 1.

1:8G-L

G. "They do not rent them houses in the Land of Israel,

H. "and, it goes without saying, fields. In Syria [21A] they rent houses to them, but not fields.

I. "And abroad they sell them houses and rent them fields," the words of R. Meir.

J. R. Yosé says, "In the Land of Israel they rent them houses, but not fields;

K. "in Syria they sell them houses and rent them fields;

L. and abroad they sell them both the one and the other."

1:9A-D

A. Even in the situation concerning which they have ruled [that they may] rent,

B. it is not for use as a residence that they ruled that it is permitted, because he brings an idol into it,

C. as it is said, "You shall not bring an abomination into your house" (Deu. 7:26).

D. And in no place may one rent him a bathhouse, since it would be called by his [the Israelite's] name [and its use on the Sabbath will be attributed to the Israelite].

I.1 A. *What is the meaning of, and, it goes without saying, fields?*

- B. *If one should propose that there are the twin considerations, first, that one thereby gives him a place of settling on the soil, and further, one removes the produce of that plot from the requirement of tithing, if so, then in connection with houses, two such considerations apply also to houses, first, that one thereby gives him a place of settling on the soil, and further, one removes from that house the requirement of placing a mezuzah on the doorpost!*
- C. *The obligation pertains in the latter case not to the house itself but to the inhabitant.*

II.1 A. In Syria they rent houses to them, but not fields:

- B. *Why is the selling of houses exceptional and not allowed?*
- C. *It is on account of possibly selling them houses in the Land of Israel as well.*
- D. *If that is the operative consideration, then we should also make a decree against renting to them as well.*
- E. *The former itself involves merely a rabbinic decree, and are we going to go and make a decree attached to another decree?*
- F. *But the same argument applies to renting them fields in Syria, which also is a decree tacked on to a decree, and yet we make such a decree.*
- G. *That is by no means in the classification of a decree, for [the Tannaite authority here] takes the view that an area that was conquered only by an individual [but not by the entire nation of Israel] also is classified as part of the initial conquest. Now as to a field, in which two considerations are in play, rabbis made a decree, but as to a house, to which two considerations do not apply [as we saw at I.1], no such decree was made.*

III.1 A. And abroad they sell them houses and rent them fields:

- B. *As to a field, in which two considerations are in play, rabbis made a decree, but as to a house, to which two considerations do not apply, no such decree was made.*

IV.1 A. R. Yosé says, "In the Land of Israel they rent them houses, but not fields":

- B. *What is the operative consideration?*
- C. *As to a field, in which two considerations are in play, rabbis made a decree, but as to a house, to which two considerations do not apply, no such decree was made.*

V.1 A. In Syria they sell them houses and rent them fields:

- B. *R. Yosé takes the view that an area that was conquered only by an individual [but not by the entire nation of Israel] also is not classified as part of the initial conquest. Now as to a field, in which two considerations are in play, rabbis made a decree, but as to a house, to which two considerations do not apply [as we saw at I.1], no such decree was made.*

VI.1 A. And abroad they sell them both the one and the other:

- B. *What is the operative consideration?*
C. *On account of the distance from the Land of Israel, we do not make a precautionary decree.*

VI.2 A. Said R. Judah said Samuel, “The decided law accords with the view of R. Yosé.”

- B. Said R. Joseph, “But that is on condition that he does not make possible a whole neighborhood.”
C. And how many make up a neighborhood?
D. *It was taught on Tannaite authority: A whole neighborhood is no less than three persons.*
E. *But should we not take account of the possibility that, after an Israelite has sold property to a single gentile, he may go and sell part of it to two more?*
F. *Said Abbaye, “We are meticulous about not [placing a stumbling block] before [the blind], but we are not particular about making it possible for a third party to do so.”*

VII.1 A. Even in the situation concerning which they have ruled [that they may] rent, [it is not for use as a residence that they ruled that it is permitted, because he brings an idol into it, as it is said, “You shall not bring an abomination into your house” (Deu. 7:26)]:

- B. *Does that formulation bear the implication that there is a locale in which one may not rent out a house? [21B] Then the anonymous formulation of the rule accords with the position of R. Meir, for if it were in accord with R. Yosé, in point of fact it is permitted to rent out to them in all locales.*

VIII.1 A. And in no place may one rent him a bathhouse, since it would be called by his [the Israelite’s] name [and its use on the Sabbath will be attributed to the Israelite]:

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

- C. **R. Simeon b. Gamaliel says, “In no place may one rent out his bathhouse to a gentile, since it would be called by the Israelite’s name [M. 1:9D], and people will wash in it on the Sabbath” [T. A.Z. 2:9E].**
- D. *But then as to a Samaritan, what is the rule? Is it permitted? But might he not do work in it on the intermediate days of a festival?*
- E. *On the intermediate days of a festival we, too, do work.*
- F. *And as to a field, what is the rule? Is it permitted to rent out a field to a gentile. What is the reason? The gentile is simply working as a sharecropper.*
- G. *Then why not apply the same principle to the bathhouse?*
- H. *People do not ordinarily take over a bathhouse on the terms of a sharecropper.*

VIII.2 A. *It has been taught on Tannaite authority:*

- B. **R. Simeon b. Eleazar says, “In no place may one rent out his field to a Samaritan, since it would be called by the Israelite’s name, and they will perform acts of labor in it on the intermediate days of festival days” [T. 2:9F].**
- C. *But then what is the rule for a gentile? Is it permitted, on grounds that the gentile is working as a sharecropper? Then why not say in the case of a Samaritan, that he, too, carries out a contract [22A] as a sharecropper?*
- D. *The consideration that is important to R. Simeon b. Eleazar does not have the consideration of sharecropping in mind at all. And why is it that in the case of a gentile it is permitted to do so? For we instruct him not to work on the forbidden days, and he obeys.*
- E. *But a Samaritan, if instructed, also will obey!*
- F. *A Samaritan will not obey, for he will say, “I have learned more than you.”*
- G. *If so, then why raise the issue of the field’s being called by the name of the owner, when he could give the reason of “not placing a stumbling block before the blind” (Lev. 19:14)?*
- H. *The intent is to say, for this consideration and yet for another: first of all, because of not placing a stumbling block before a*

blind person, and, furthermore, because of “not placing a stumbling block before the blind” (Lev. 19:14).

VIII.3 A. *Two saffron growers, one a gentile, who took over the field on the Sabbath, the other an Israelite, who took care of it on Sunday, came before Raba. He permitted this partnership.*

- B. *Rabina objected to Raba: An Israelite and a gentile who contracted to farm a field as partners — the Israelite should not say to the gentile, “Take your share on the Sabbath, and I will take mine on a weekday,” and if to begin with they made such a stipulation, it is permitted. But if they came with such an agreement at the final reckoning, in calculating the profit, it is forbidden.* [Mishcon: If the Israelite apportions the profits in respect of the Sabbath to the gentile even without telling him explicitly to work on the Sabbath, it is forbidden, as in the absence of explicit conditions, the assumption is that the gentile is to work in behalf of the Jew on the Sabbath — contrary to Raba’s ruling].
- C. *He turned pale. Then it turned out that the partners had stipulated that condition to begin with [so his ruling was valid anyhow].*

VIII.4 A. *R. Gabiha of Be Katil said, “There were these orlah plants [newly planted trees, the produce of which is forbidden during the first three years after planting]; the gentile then disposed of the produce during the orlah years, and the Israelite, the years in which the produce was permitted. The case came before Raba, who permitted this arrangement.”*

- B. *But lo, Rabina raised an objection to Raba:*
- C. *It was in order to support his ruling* [Mishcon: The statement in Rabina’s citation, that where the prohibition does not extend to the work, the arrangement is permitted, supports Raba’s ruling in regard to produce of orlah trees].
- D. *But lo, he turned pale!*
- E. *That never happened.*

VIII.5 A. *The question was raised: What if there is no stipulated arrangement?*

- B. *Come and take note: If to begin with they made such a stipulation, it is permitted. Lo, if no stipulation was made, it is forbidden.*

C. *Then note the concluding clause:* But if they came with such an agreement at the final reckoning, in calculating the profit, it is forbidden. *Lo, if no stipulation was made, it is permitted.*

D. *From the evidence in hand, there are no implications to be drawn.*

I.1 provides an explanation for a phrase in the Mishnah. But this leads us forthwith into II.1, III.1, IV.1, V.1, VI.1 continue the foregoing, which specifies the operative considerations in the Mishnah's rule. VII.1 shows us how the decided law is determined, which is through a close reading of the premise of the formulation of the Mishnah. VIII.1, 2 introduce the Tosefta's complement to the Mishnah's rule. Nos. 3, 4 provide cases illustrative of the considerations at No. 2. No. 5 then extends the rule.