

IV.

BAVLI MEILAH CHAPTER FOUR

FOLIOS 15A-18A

4:1

- A. Things consecrated for the altar join together with one another [for making up the requisite quantity — a perutah's worth — to be subject to] the law of sacrilege,
 - B. and to impose liability on their account for transgression of the laws of refuse, remnant and uncleanness.
 - C. Things consecrated for the upkeep of the house join together with one another [in regard to sacrilege].
 - D. Things consecrated for the altar and things consecrated for the upkeep of the house join together [for making up the quantity to be subject to] the law of sacrilege.
- I.1.** A. *One is constrained to note, since it is taught as part of the Tannaite formulation, Things consecrated for the altar and things consecrated for the upkeep of the house in which case, the one represents the sanctification of the corpus itself and the other the sanctification of the value, even so, join together [for making up the quantity to be subject to] the law of sacrilege, should there be any question that things consecrated for the altar and things consecrated for the upkeep of the house join together [for making up the quantity to be subject to] the law of sacrilege?*
- B. *The reason for the formulation in the present fashion is that the Mishnah proceeds to state, and to impose liability on their account for transgression of the laws of refuse, remnant and uncleanness. Those considerations do not apply to things that have been consecrated for the upkeep of the Temple house. That is why they are treated in separate rubrics. [What is dedicated to the altar and what is dedicated to the Temple do not join together when it comes to liability on their account for transgression of the laws of refuse, remnant and uncleanness.]*
- I.2.** A. Said R. Yannai, “Clearly people are liable for sacrilege only in connection with what has been consecrated for the upkeep of the Temple house or for misappropriating burnt offerings alone. *What is the basis in Scripture?* Scripture says, ‘If a soul commit a trespass and sin through ignorance in the holy things of

the Lord' (Lev. 5:15), and that refers to things that have been consecrated solely for the Lord, which are subject to the laws of sacrilege, but what has been sanctified to the altar contain components that belong to the priests and components that belong to the owner [sacrifier].”

- B. *We have learned in the Mishnah: Things consecrated for the altar join together with one another [for making up the requisite quantity — a perutah's worth — to be subject to] the law of sacrilege.*
- C. *That is by reason of the ruling of rabbis [not of the Torah].*
- D. *We have learned in the Mishnah: Most Holy Things which one slaughtered in the south [side of the altar — the laws of sacrilege apply to them [M. 1:1A].*
- E. *That is by reason of the ruling of rabbis [not of the Torah].*
- F. *We have learned in the Mishnah: He who derives benefit from an animal designated as a sin offering does not commit sacrilege unless he brings a blemish upon the animal, but if the animal is dead, he commits sacrilege as soon as he derives any benefit from it whatsoever [M. 5:1].*
- G. *That is by reason of the ruling of rabbis [not of the Torah].*
- H. *But is it not by reason of the law of the Torah? For it has been taught on Tannaite authority:*
- I. Rabbi says, “‘All fat is the Lords' (Lev. 3:16) — this serves to encompass the forbidden fat of the Lesser Holy Things under the law of sacrilege.”
- J. *That is by reason of the ruling of rabbis [not of the Torah].*
- K. *But lo, a verse of Scripture is set forth in evidence!*
- L. *That is just a pretext.*
- M. But lo, said Ulla said R. Yohanan, “Animals designated as Holy Things that died [not through a proper rite of slaughter] are exempt from the law of sacrilege by the rule of the Torah.” *Now concerning what category of things is this statement made? Should I say, it refers to things that have been consecrated for the upkeep of the Temple house? Then even though they have died, should they be exempt from sacrilege? [Surely they have some value.] Even the dedication of the value of a rubbish heap for the upkeep of the Temple should yield something of value that is subject to sacrilege. So surely reference must be made to things that have been sanctified to the altar, and these are subject to the laws of sacrilege, even after they die, in accord with the authority of Scripture [as against Yannai's view].*
- N. *Rather, this is what the household of R. Yannai meant to say: “From this particular verse of Scripture, the laws covering things that have been consecrated for the upkeep of the Temple house have been derived, but the laws covering things that have been consecrated for the altar have not been derived.”*

I:1 explains the wording of the Mishnah-rule, and No. 2 proceeds to its own problem.

4:2A-B

- A. [15B] **Five components in a burnt offering join together [to form the requisite volume for liability to sacrilege]: (1) the meat, (2) the forbidden fat, (3) the fine flour, (4) the wine, and (5) the oil.**

B. And six in the thank offering [join together]: (1) the meat, (2) the forbidden fat, (3) the fine flour, (4) the wine, (5) the oil, and (6) the bread.

I.1. A. *R. Huna repeated the Tannaite version to Raba in this language: Five components ever join together [to form the requisite volume for liability to sacrilege]:*

B. *He said to him, “Did you say, Five components ever join together? And lo, the Tannaite formulation goes on, And six in the thank offering [join together]: (1) the meat, (2) the forbidden fat, (3) the fine flour, (4) the wine, (5) the oil, and (6) the bread.”*

C. *He said to him, “Repeat the Tannaite formulation as burnt offering instead of ever.”*

I.2. A. *There is a Tannaite formulation as follows, for our rabbis have taught as a Tannaite formulation:*

B. **A burnt offering and its sacrificial parts join together with one another to form the requisite volume to impose liability for offering up outside the Temple and to impose liability on account of that volume because of violation of the laws of refuse, remnant, and uncleanness [T. Me. 1:28B] — thus the rule applies to burnt offerings but not to peace offerings.**

C. *Now there is no problem with regard to burning portions of a burnt offering outside of the Temple, for a burnt offering is supposed to be wholly burned up on the altar, so it may legitimately join together to reach the volume required for liability, but the meat of a peace offering is not entirely burned up on the altar, so its meat would not join together to reach the requisite volume for liability. But with respect to the laws of refuse, remnant, and uncleanness, there is a problem. For why should meat and sacrificial portions of peace offerings not join together to form the required volume, since we have learned in the Mishnah: All forms of refuse join together. All forms of remnant join together [M. 4:3A-B]?*

D. *Rather, say the rule in the following formulation: A burnt offering and its sacrificial parts join together with one another to form the requisite volume of an olive's bulk so that the blood may be tossed in its behalf. And, since they join together to form the requisite volume for the blood to be tossed, so they join together to impose liability to violation of the laws of sacrilege.*

E. *And who is the Tannaite authority behind this statement? It is R. Joshua, for it has been taught on Tannaite authority: R. Joshua says, “All the sacrifices that are mentioned in the Torah of which there remained an olive's bulk of meat and an olive's bulk of fat — the priest sprinkles the blood on its account. If there remained only a half olive's bulk of meat or a half olive's bulk of fat, he does not toss the blood on its account. And in the case of a burnt offering, even if there is a half olive's bulk of meat or a half olive's bulk of fat, one tosses the blood on its account, because in any event all of it is suitable for burning. And in the case of a meal offering, if there did not remain of the sacrifice a half olive's bulk of meat or a half olive's bulk of fat, even if the whole meal offering in its entirety remains available, one does not sprinkle the blood on its account. As to the Passover, if there is an olive's bulk for*

each and every participant, one tosses the blood, and if not, one does not toss the blood” [T. Zeb. 4:3A-F].

- F. *What place does the meal offering have in that statement?*
- G. Said R. Pappa, “It speaks of a meal offering presented with drink offerings.”
I:1 works on the wording of the Mishnah-rule. No. 2 develops the analysis of yet another Tannaite rule relevant to the Mishnah’s problem.

4:2C-D, 4:3A-B

4:2C-D

- C. **(1) Heave offering, and (2) heave offering of tithe, and (3) heave offering of tithe of demai, and (4) dough offering, and (5) first fruits join together**
- D. **to impose a prohibition and to impose liability to the added fifth on their account.**

4:3A-B

- A. **All forms of refuse join together**
 - B. **All forms of remnant join together.**
 - I.1 A. **[(1) Heave offering...dough offering, and first fruits join together :]** *What accounts for treating dough offering and first fruits as part of a single classification with heave offering?*
 - B. *All of them are classified as heave offering, as it is written for dough offering: “From the first of the baker’s pan you shall offer dough as a heave offering” (Num. 15:20);*
 - C. *and first fruits, as has been taught on Tannaite authority: “The heave offering of your hand” (Deu. 12:17) refers to first fruits.*
 - D. *But the other items on the last require no explanation.*
- The Talmud asks a necessary question of Mishnah-clarification.

4:3C-D

- C. **All forms of carrion join together.**
- D. **All forms of creeping things join together.**
- I.1 A. **[All forms of carrion join together:]** Said Rab, [16A] “This rule is repeated only with respect to the matter of uncleanness, but as to the issue of the requisite volume to be prohibited for eating, meat from clean animals and meat from unclean animals are classified separately and do not join together.”
- B. And Levi said, “Even as to eating as well, they do join together [to form the requisite volume].”
- C. And R. Assi said, “Meat from clean animals and meat from unclean animals are kept in distinct classification [each being prohibited for its own special reason].”
- D. *There are those who state that [Assi] differs from Rab [and maintains that pieces of meat prohibited on diverse counts do not join together],*
- E. *and there are those who state that [Assi] does not differ from Rab [but concurs with him that meat prohibited under diverse counts joins together, e.g., meat from a clean and an unclean animal join together to form the requisite volume for*

uncleanness, deriving as they do from carrion; but they will not join together when it comes to forming a volume sufficient to be prohibited for eating, since only one comes from an animal that is prohibited (Haas)].

- F. [Those who maintain that Assi and Rab concur that meat prohibited under diverse counts joins together, e.g., meat from a clean and an unclean animal join together to form the requisite volume for uncleanness] *object* [to those who hold that Assi differs from Rab [and maintains that pieces of meat prohibited on diverse counts do not join together, on the basis of the following:] The meat] of a dead cow and that of a living camel [the one permitted, the other forbidden] do not join together [to form the requisite volume of meat to bring about liability for eating forbidden meat]. Lo, if meat derives from them both when they are dead, however, it will join together for that purpose. *And that presents a contradiction to the opinion of R. Assi [as represented by the stated version of matters]!*
- G. *Say:* in the case of a limb taken from animals of both classifications while they are alive, the meat will join together to form the requisite volume. *And which authority stands behind that conception? It is* R. Judah, who has said, “The prohibition against cutting a limb from a living beast applies even to animals that are classified as unclean.” *But if the two of them are dead, what is the rule?* The meat from the one does not join together with the meat from the other.
- H. *If so, then how come the Tannaite authority rush to formulate the rule in the language,* The meat] of a dead cow and that of a living camel [the one permitted, the other forbidden] do not join together [to form the requisite volume of meat to bring about liability for eating forbidden meat]? *For, after all, even if the meat derives from both of them when they are dead, the pieces of meat will not join together to form the requisite volume. And furthermore it has been taught on Tannaite authority:* a half olive’s bulk of meat cut from a living cow and a half olive’s bulk of a camel cut when it has died do not join together, but a half olive’s bulk of a cow and a half olive’s bulk of a camel, whether both of the beasts are alive or dead, do join together. [Haas: now if you take the second clause to mean that the meat joins together no matter what,] *the opening clause contradicts the concluding clause. Rather, does not the rule yield the inference, meat deriving from both of them when they are dead does join together?*
- I. *R. Assi may say to you, “Lo, the Tannaite authority behind that formulation of the rule takes the position, ‘A prohibition may take effect even in a case in which a prior prohibition already is in effect.’”* [Both pieces of meat are subject to a single prohibition as carcasses, even though they derive from animals that are in different categories from another perspective; the prohibition in common takes effect. But Assi maintains that that is not the rule, which is why the meat from the two distinct sources cannot join together.]

II.1 A. [16B] [All forms of creeping things join together:] Said R. Judah said Rab, “On account of eating an olive’s bulk of creeping things one is flogged. *What is the scriptural basis of that statement? The word ‘eating’ is stated in Scripture with reference to those items.*”

- B. *But has not R. Yosé b. R. Hanina stated as a Tannaite rule in the presence of R. Yohanan, ““So you shall set apart clean beasts from unclean, the unclean bird from the clean. You should not draw abomination upon yourselves through beast or*

bird or anything with which the ground swarms, which I have set apart for you to treat as unclean' (Lev. 20:25). Scripture commences by reference to eating and concludes by reference to uncleanness. [That yields the following proposition:] just as the requisite volume for imparting uncleanness is a lentil's bulk, so the requisite volume for incurring a penalty for violating the prohibition of eating is a lentil's bulk" [not an olive's bulk]? *And R. Yohanan praised him for that statement! Surely that presents a contradiction to the statement of Rab.*

- C. *It presents no such contradiction, for the one measure applies when the creeping things are dead, the other when they are alive.*
- D. *Said to him Abbayye, "But lo, Rab makes his statement with reference to a Mishnah-passage, and the language of the Mishnah-passage is explicit in referring to creeping things of both classifications when it says, **All forms of creeping things join together!** That is the case even if they are dead."*
- E. *Said R. him R. Joseph, "Well, now, that's your version of a close reading of the statement [this, not that; here: both this and that]; but Rab made his statement in general terms [which sustain no such close and inclusionary reading]."*

II.2. A. *And R. Yohanan praised him for that statement:*

- B. *An objection was raised to that allegation:*
- C. **The limbs have no limit. Even less than about an olive's bulk from the corpse, and less than about an olive's bulk from carrion, and less than about a lentil of a creeping thing convey their uncleanness [M. Oh. 1:7A-B].** [A dead creeping thing thus conveys uncleanness in any volume at all.] *And said R. Yohanan, "People are flogged on account of them only if the volume is an olive's bulk."*
- D. *Said Raba, "[The measure of the lentil's bulk pertains to creeping things] that are singled out by Scripture" [and Yohanan speaks of all others].*
- E. *Said R. Adda bar Ahbah to Raba, "Well, then, what about the following: in the case of a beast that is singled out by Scripture as not to be eaten, should the same distinction apply?" [Such a distinction in fact is not made, and there are no distinctions as to minimum volume.]*
- F. **[17A]** *He said to him, "When the All-merciful draws an analogy in saying, 'You shall not draw abomination...', [at Lev. 20:25, treating as one and the same clean beast and unclean, unclean bird and clean], that assigns a minimal volume for all in respect to uncleanness, but not in respect to eating."*

The rule of the Mishnah is subjected to amplification by a matched set of propositions deriving from Rab.

4:3E-G

- E. **The blood of a creeping thing and its flesh join together.**
- F. **A general principle did R. Joshua state, "All things that are alike in the [duration of] uncleanness of each and in the requisite measure of each join together.**

- G. “[If they are alike] (1) in [duration of] uncleanness but not in requisite measure, (2) in requisite measure but not in [duration of] uncleanness, (3) neither in [duration of] uncleanness nor in requisite measure,
- H. “they do not join together [to form the volume that is necessary to convey uncleanness].”

I.1 A. [A general principle did R. Joshua state, “All things that are alike in the [duration of] uncleanness of each and in the requisite measure of each join together. [If they are alike] (1) in [duration of] uncleanness but not in requisite measure, (2) in requisite measure but not in [duration of] uncleanness, (3) neither in [duration of] uncleanness nor in requisite measure, they do not join together [to form the volume that is necessary to convey uncleanness:]”] Said R. Hanin said R. Zeira, and so said R. Yosé bar R. Hanina, “‘These are the unclean things’ (Lev. 11:31) — this teaches that [elements of all creeping things, without distinction] join together, even flesh from one creeping thing with that from another, or flesh from one creeping thing with blood from another, whether of the same species or of two different species.”

B. *Said R. Joseph, “There is no contradiction [between that proposition and Joshua’s position at F-H]. The one [Hanina’s statement] speaks of flesh or blood of complete animals, the other [Joshua’s], parts of diverse animals [which do not combine].”*

C. *And on what basis do you maintain that we distinguish the flesh or blood of the complete beast from that of a part of the beast? It is in line with that which has been taught on Tannaite authority: If it was poured out on the pavement and the place was inclined and one overshadowed a part of it, he is clean; if he overshadowed all of it, he is unclean [cf. M. Oh. 3:3]. Now, in that context, what is the meaning of the language, part of it? Should we say that it means, part of the blood? But lo, said R. Hanina said Rabbi, “A quarter-log of blood that one stirred — one remains clean. [The requisite volume is present, but it then derives from more than one animal.]” Is the inference therefore not to be drawn [that we distinguish the blood that derives from one animal from that that derives from two or more]?*

I.2. A. In the city of Rome, R. Matya b. Heresh asked R. Simeon b. Yohai, “How on the basis of Scripture do we know that the blood of dead creeping things is unclean?”

B. He said to him, “‘And these are the things that are unclean to you’ (Lev. 11:29).” [Haas: there follows a list of creeping things and the phrase, ‘these are unclean for you.’ Since the second phrase refers to the bodies of the creeping things, the first must refer to their blood.]

C. Said his disciples to him, “*The son of Yohai has become a sage.*”

D. He said to them, “This is a well-framed teaching that derives in fact from R. Eleazar b. R. Yosé. For one time the government made a decree that people should not keep the Sabbath or circumcise their sons but must have sexual relations with their wives when they are menstruating. R. Reuben b. Istrobali went and had his hair cut in the Roman manner and went and took his place among them [not being recognized as a Jew]. He said to him, ‘He who has an enemy — does he want him to lose money or get rich?’ They said to him, ‘To lose his money.’

He said to them, 'In that case, let them not work on the Sabbath, so they will become impoverished.' They said to him, 'Well and good,' and he advised them to cancel the decree, and they cancelled the decree.

- E. "Again he said to them, 'He who has an enemy, does he want him to get weak or grow strong?' They said to him, 'Get weak.' He said to them, 'If so, have them circumcise their sons on the eighth day, and they'll get weakened.' They said to him, 'Well and good,' and he advised them to cancel the decree, and they cancelled the decree.
- F. "Again he said to them, 'He who has an enemy — does he want him to increase or decrease in numbers?' They said to him, 'Decrease.' 'If so, let them not have sexual relations with their wives when they are menstruating. They said to him, 'Well and good,' and he advised them to cancel the decree, and they cancelled the decree.
- G. "Then they realized that he was a Jew, so they reinstituted the decrees. They said, 'Who will go and get the decrees cancelled? **[17B]** Let R. Simeon b. Yohai go, since he knows how to make miracles happen.'
- H. "And after him who should go?"
- I. "R. Eleazar b. R. Yosé.
- J. "Said to him R. Yosé, 'If Father Halafta [my father] were alive, could you say to him, 'Hand over your son to be put to death?'
- K. "Said to them R. Simeon, 'If Father Yohai were alive, could you say to him, 'Hand over your son to be put to death?'
- L. *"Said to them R. Yosé, 'I'll go. Should R. Simeon try to bring punishment upon him, I'll be able to protect him.' [Simeon] undertook not to try to bring punishment upon him. But even so, he did bring punishment upon him.*
- M. "[And this is how it happened:] When they were en route, this question was raised for them: 'How on the basis of Scripture do we know that the blood of dead creeping things is unclean?' R. Eleazar b. R. Yosé simply blurted, 'And these are the things that are unclean to you' (Lev. 11:29). R. Simeon said to him, 'From your outburst you are clearly marked as a disciple of a sage. May the son [Eleazar] never go back to the father.]'
- N. "The demon Ben Tamlion came out to meet them: 'By your leave, may I come with you?'
- O. "R. Simeon wept, saying, 'Even a maid in my fathers' household [Hagar] was visited by an angel three times, but me not once. But let a miracle happen.'
- P. *"Ben Tamlion went ahead and took possession of the emperor's daughter. When Simeon got there, he exorcised him, saying, 'Out Ben Tamlion, out Ben Tamlion!' And when he called upon him, he left her. [The emperor] said to them, 'Ask whatever you want to ask,' and he brought them into the archives to take whatever they wanted. They found the decree and took it and tore it up.*
- Q. *"This is that to which R. Eleazar b. R. Yosé referred when he said, 'I saw [the Temple veil] when I was there, and there were on it drops of blood.'"*

I:1, II:1 provide scriptural bases for the Mishnah's rules.

4:4A-E

- A. Refuse and remnant do not join together, because they are of two [different] categories.
- B. The creeping thing and carrion,
- C. and so too, carrion and the flesh of a corpse —
- D. do not join together with one another to impart uncleanness,
- E. even in accord with the lesser of the two of them,

I.1. A. [Refuse and remnant do not join together, because they are of two [different] categories:] said R. Judah said Samuel, “[Refuse and remnant do not join together] solely with respect to imparting uncleanness to the hands, since that derives from a decree of rabbis. But in the matter of joining together to form the minimum requisite volume of food, they do join together [since that is a rule of the Torah].”

B. *For it has been taught on Tannaite authority:*

C. R. Eliezer says, “‘It shall not be eaten because it is holy’ (Exo. 29:34) means this: ‘Any kind of Holy Things that has been invalidated is subject to a negative commandment as to its being eaten.’”

Scripture proves a point that clarifies our Mishnah’s rule.

4:4F, 4:5

- F. Food which has been made unclean by a Father of Uncleanness and that which has been made unclean by an Offspring of Uncleanness join together to impart uncleanness in accord with the lesser remove of uncleanness of the two of them.

4:5

- A. All foodstuffs join together —
- B. to render the body invalid, at a volume of half a half-loaf of bread;
- C. in the case of food, two meals for an erub [M. **Erub.** 8:21];
- D. in the volume of an olive’s bulk to impart uncleanness as food,
- E. in the volume of a fig’s bulk in connection with removal [from one domain to another on] the Sabbath [M. **Shab.** 7:4],
- F. and in the volume of a date’s bulk [for the volume prohibited for eating] on the Day of Atonement [M. **Yoma** 8:2].
- G. All liquids join together —
- H. to render the body invalid, at a volume of a quarter-log;
- I. and for the mouthful [which it is forbidden to drink] on the Day of Atonement.

I.1. A. [Food which has been made unclean by a Father of Uncleanness and that which has been made unclean by an Offspring of Uncleanness join together to impart uncleanness in accord with the lesser remove of uncleanness of the two of them:] *it has been taught on Tannaite authority:*

B. Said R. Simeon, “Why did they say, ‘Food which is made unclean by a Father of uncleanness and that which is made unclean by an Offspring of

uncleanness join together with one another”? Because it is possible for that which is unclean in the third remove to be made unclean in the second remove. And it is possible for that which is unclean in the second remove to be made unclean in the first remove” [T. **Tohorot 1:1A-B**].

- C. *But can food in the second remove of uncleanness become unclean in the first remove? Lo, that is not possible!*
- D. *Said Raba, “This is the sense of the statement: What is it that causes food to enter uncleanness in the second remove, if not food unclean in the first remove?” [The one is the cause of the other, so we regard them as a single classification for the present purpose.]*
- E. *R. Ashi said, “[The same should be the case for joining together in the third remove, for] food in the first and in the second remove of uncleanness form a single category [in respect to the third remove of uncleanness].”*

The Tosefta’s amplification of the Mishnah-rule is itself subjected to analysis.

4:6A-B

- A. **Orlah fruit and diverse kinds of the vineyard join together.**
- B. **R. Simeon says, “They do not join together.”**

- I.1.** A. **[18A]** *But does R. Simeon require the matter of joining together at all? Has it not been taught on Tannaite authority: R. Simeon says, “Eating any volume at all is sufficient to subject the offender to flogging. The specification of the volume of an olive’s bulk concerned only the matter of [whether or not having done so inadvertently, one is liable to present] a sin-offering”?*
 - B. *Repeat the Tannaite statement as: **They do not** need to **join together**.*
- The clarification of the Mishnah’s wording is at issue.

4:6C-D

- C. **Cloth and sacking, sacking and leather, leather and matting join together with one another.**
- D. **R. Simeon says, “That is because they are suitable to be made unclean as that which is used for sitting [with moshab uncleanness].”**
- I.1.** A. **[Cloth and sacking, sacking and leather, leather and matting:]** *A Tannaite statement: If one cut off a bit of each of the three and made of them a garment suitable for lying that is three handbreadths square or for sitting that is one handbreadth square or as a holder of any size [then it is susceptible to uncleanness].*
 - B. *How come the rule is, as a holder of any size?*
 - C. *Said R. Simeon b. Laqish said R. Yannai, “Because even a small scrap is useful to a weaver.”*
 - D. *A Tannaite statement is repeated as follows: A small scrap is suitable for fig-reapers [to protect their fingers].*

The Mishnah’s rule is clarified by an example.