

VI.

BABYLONIAN TALMUD TRACTATE KERITOT CHAPTER SIX

FOLIOS 23B-28B

6:1

- A. He who brings a suspensive guilt offering, and is informed that he did not commit a sin —
- B. if this was before it was slaughtered,
- C. “it [the animal] goes forth and pastures among the flock,” the words of R. Meir.
- D. And sages say, “It is set out to pasture until it is blemished, then it is sold, and its proceeds fall [to the Temple treasury] as a freewill offering.”
- E. R. Eliezer says, “It is offered up.
- F. “For if it does not come on account of this sin, lo, it comes on account of some other sin” [M. 6:3].
- G. If after it was slaughtered he is [so] informed,
- H. the blood is to be poured out.
- I. And the meat goes forth to the place of burning.
- J. [If the man is informed after] the blood is [properly] tossed, the meat is to be eaten.
- K. R. Yosé says, “Even if [he is informed while] the blood is in the cup, it is to be tossed, and the meat is to be eaten.”

6:2

- A. An unconditional guilt offering is not subject to the foregoing rule.
- B. If [the man is so informed] before it is slaughtered, it goes forth and pastures in the flock.
- C. [If the man is so informed] after it has been slaughtered, lo, this is to be buried.
- D. [If the man is so informed after] the blood has been tossed, the meat goes out to the place of the burning.
- E. The ox which is stoned is not subject to the foregoing rule.

- F. If [it turns out that the ox has not killed a man] before it is stoned, it goes forth and pastures in the flock.
- G. [If it turns out that the ox has not killed a man] after it is stoned, it is available for benefit.
- H. The heifer whose neck is broken is not subject to the foregoing rule.
- I. If [the murderer is found] before its neck is broken, it goes forth and pastures in the flock.
- J. [If the murderer is found] after its neck is broken, it is buried in its place.
- K. For on account of a matter of doubt did it come in the first place. It has made atonement for its matter of doubt and goes its way [having served its purpose].

I.1 A. *What is at issue [at M. 6:1A-F]?*

- B. *R. Meir takes the view that, since the man does not require the offering, he does not [validly] consecrate it [so his initial act of consecration of the beast was not absolute, but conditional: so long as the doubt existed, the offering is holy; now that the doubt has been resolved, the animal reverts to its original condition and therefore is once more unconsecrated].*
- C. *And sages maintain that, since his heart moves him, he made the decision to consecrate the beast [as a final and unconditional action].*

I.2 A. *A Tannaite statement:*

- B. *The argument between R. Meir and rabbis applies whether the man learned that he actually had sinned or whether the man learned that he actually had not sinned.*
- C. *The argument concerns a case in which the man learned that he had sinned, so as to show you the full extent of the position of R. Meir, who holds that even though the man finds out that he has sinned, since he did not know that fact when he designated the animal as the sacrifice, the beast may now simply go out to pasture among the flock.*
- D. *The argument concerns a case in which the man had not found out whether or not he had sinned, so as to show you the full extent of rabbis, who hold that even though he has found out that he did not sin, since when he designated the animal as a sacrifice, he did not know that fact, it was his heart that compelled him to action, and therefore he reached the decision to sanctify the beast [unconditionally].*

I.3 A. Said R. Sheshet, “R. Meir concedes to sages [24A] in the case of one who designated two animals as guilt offerings to make certain [that if one died or was lost, the other would be offered instead], and who then attained atonement through one of them, that the second one is put out to pasture until it is blemished and then it is sold, with the proceeds falling for the purchase of a free-will offering.

- B. *“What is the operative consideration [that makes him concede that the designation of the other beast is effective, while in the case at hand he treats the beast as unconsecrated]? R. Meir differs from sages only because the man has not shown his intention to respond to his heart’s promptings, but here, where only one animal is required of him for designation, why has he designated two? It was because he was thinking that if one of the beasts should be lost, he would be*

atoned for by the other. Now in this case, since it is perfectly evident that he is moved by his heart's promptings, since that is the case, he has made the decision to consecrate the beast [without reservations of any kind]."

- I.4.** A. Said R. Judah said Rab, "Sages concede to R. Meir in the case of a suspensive guilt offering, which was brought on the basis of evidence of witnesses who later on were shown to have formed a conspiracy, that that beast is put out to pasture among the flock [and has in no way been consecrated].
- B. *"What is the operative consideration [that lead them to concede that the designation of the beast in this case is simply null]? Rabbis differ with R. Meir only in a case in which the farmer has designated the beast on his own volition, in which case we say that his heart prompted him to do so [without equivocation]. But in a case in which it was by reason of the testimony of witnesses that he designated the beast, the farmer did not propose to depend upon the testimony of the witnesses, for he can have been thinking, 'Perhaps others will come along and demonstrate that these are in fact a conspiracy.'"*
- C. *Raba raised an objection, "The ox which is stoned is not subject to the foregoing rule. If [it turns out that the ox has not killed a man] before it is stoned, it goes forth and pastures in the flock. [If it turns out that the ox has not killed a man] after it is stoned, it is available for benefit. Now how can we imagine such a case? If we say that two witnesses came along and said, 'It has killed a man,' and two others came along and said, 'It has not killed a man,' how come you pay attention to the latter group? Pay attention to the former group? Rather, is it not that we deal with a conspiracy of witnesses, and along the same lines, when we speak of a suspensive guilt offering, it is a conspiracy of witnesses — and sages really do differ even here!"*
- D. *Said to him Abayye, "And perhaps in the case of the ox that is to be done, we may imagine such a case as follows: the person who is supposed to have been killed came along on his own two feet. Along these same lines with regard to the suspensive guilt offering, it would be a case in which the remaining piece was ultimately identified as to its status [and it was now confirmed as forbidden fat, in which case the other piece, which the man had eaten, was not forbidden fat]. But in a case in which one has designated a beast for the purpose of a suspensive guilt offering by reason of the testimony of witnesses, the law may be different."*
- E. *There is a dispute as follows:*
- F. A suspensive guilt offering that was presented on the basis of evidence of witnesses later on proved to have formed a conspiracy —
- G. R. Eleazar says, "Lo, this is in the status of a meal offering that was brought by reason of jealousy."
- H. *For it has been taught on Tannaite authority:*
- I. If the witnesses against a woman turn out to have been a conspiracy, the meal offering that has been set aside in her behalf goes forth as utterly unconsecrated.
- J. [Responding to F,] R. Yohanan said, "The beast is put out to pasture until it is blemished, and then it is sold, and the proceeds fall for the purchase of a freewill-offering."

- K. *But should R. Yohanan not compare the case to the disposition of the meal-offering brought for jealousy? They are not comparable. The meal offering of jealousy is not offered for atonement, but to clarify whether or not the woman is guilty; but the suspensive guilt offering is offered for atonement. Since we take for granted that the man's heart is what has moved him, we assume that he has resolved to dedicate the beast unconditionally.*

Acquiring Ownership of Abandoned Property: When Does the Owner Give Up Hope of Recovering the Property and So Relinquish Title to it?

We now pursue in its own terms the secondary issue just now raised en passant, then the principle that is involved: ownership of an abandoned beast.

- I.5.** A. Said R. Keruspedai said R. Yohanan, "In the case of an ox that was to be stoned, the witnesses against which have been shown to have formed a conspiracy, whoever takes possession of the beast has acquired title to it [for the owner is assumed to have abandoned his title to the beast, having despaired of deriving any further benefit from it]."
- B. *Said Raba, "It stands to reason that the operative consideration for R. Yohanan would derive from a case in which they had said to him that his cow had been fucked [by someone unnamed]. But if they had said to him that he himself personally had fucked his cow, since he knows that he certainly has not fucked the cow, he assuredly does not propose to renounce ownership of the cow, but will go and find witnesses [to prove the conspiracy of witnesses to be lying]."*
- C. *And how does this differ from that which Rabbah bar Aiti said R. Simeon b. Laqish [said], "In the case of a city that has been convicted of having been enticed to idolatry, the witnesses against which have been shown to have formed a conspiracy — whoever seizes possession of objects in it has acquired title to them"?*
- D. *[The difference is this:] since the city that has been convicted of having been enticed to idolatry forms an entire community of persons, each one of them thinks, "Though I did not sin, others might have sinned," and therefore he renounces ownership of his property. But here, since the entire matter depends upon the view of a single individual, he assuredly knows that he did not fuck the cow, and he will go to the trouble of finding witnesses [to clear himself].*
- I.6.** A. Said R. Simeon b. Laqish, "He who gives a gift to his fellow, and the other says, 'I don't want it' — whoever takes possession of the object has acquired title to it."
- B. *And how does this ruling differ from the case concerning which said Rabbah bar Abbuha said R. Sheshet, and some say, said R. Abbahu said R. Sheshet, "The recipient of a gift who said after the gift came into his hand, 'This gift is null, it is cancelled, I don't want it' — his statement is confirmed. [If he said,] 'It is null, it is no gift,' he has said nothing"?*

[24B] *For is it not the case that the meaning of “his statement is confirmed” is that the gift returns to the original owner?*

- C. *Not at all. “His statement is confirmed,” so he too has not gained title to the object, and whoever takes possession of the object has acquired title to it.*
- D. *An objection was raised: He who says to his fellow, “I have no claim whatsoever on this field,” “I have nothing to do with it,” “My hands are removed from it,” has said nothing at all. Now the statement, “My hands are removed from it” is equivalent to, “I don’t want it,” and it has been taught, “He has said nothing whatsoever.” [So how does the formulation here differ from the one at B?]*
- E. *That case is different, for while he has removed himself from having a claim on the field, he has not removed himself from the substantive ownership of the field.”*
- F. *An objection was raised: He [a priest] who [in contemplation of death] writes over his property to others, and among them were slaves [who, by reason of the owner’s status, had the right to eat priestly rations], and the recipient said, “I don’t want them,” if the second master was a priest, the slaves nonetheless have the right to eat priestly rations. Rabban Simeon b. Gamaliel says, “Once he has said, ‘I don’t want them,’ the heirs of the dying man have forthwith acquired title to them [and since they are not priests, the slaves may no longer eat priestly rations].”*
- G. *Now as to the position of Rabban Simeon b. Gamaliel, there is no problem, since he takes the view that when a man gives a gift, it is in the assumption that it will be accepted from him, but if it is not accepted, then it will go back to the original owner. [The heirs now get the slaves.] But as to the initial authority, if, when the beneficiary says, “I don’t want it,” it is the fact that whoever takes possession of the object has acquired title to it, in this case, when the second party said, “I don’t want them,” they fall into the caste of non-priests, and do non-priests eat priestly rations?*
- H. *He is of the view that he who declares his slave to be ownerless property — the slave goes free, but requires a writ of divorce [manumission] from his master, and he is further of the view that one who is denied a writ of divorce from his master continues to eat priestly rations [and in this case, it is the second party who has freed the slave, and he is in the priestly caste, so the slave remains in the priestly caste].*

The position of Eliezer is now set forth in its own terms.

II.1 A. R. Eliezer says, “It is offered up. For if it does not come on account of this sin, lo, it comes on account of some other sin:”

- B. *As to R. Eliezer, what need does he have to invoke the conception that **lo, it comes on account of some other sin?** Lo, said R. Eliezer that a suspensive guilt offering may be presented as a free will offering [and that explanation suffices in the present context]!*
- C. *For we have learned in the Mishnah: **R. Eliezer says, “A man vows a suspensive guilt offering any day and any time he wants.”***

- D. *Said R. Ashi, “R. Eliezer here addresses what they said to him in that particular context, for we have learned in the Mishnah: **But they say to me, ‘Wait until you enter the realm of doubt.’**”*

The premise of the following rule is tested against the premise of an intersecting rule, and the apparent conflict of premises requires attention.

III.1 A. If after it was slaughtered, he is [so] informed, the blood is to be poured out. And the meat goes forth to the place of burning.

- B. *Here it is taught on Tannaite authority, **And the meat goes forth to the place of burning**, from which it follows that unconsecrated beasts that are slaughtered in the Temple court are to be burned up. But an objection may be raised from the following: **An unconditional guilt offering is not subject to the foregoing rule. If [the man is so informed] before it is slaughtered, it goes forth and pastures in the flock. [If the man is so informed] after it has been slaughtered, lo, this is to be buried.** [Which is it, then, burning or burial?]*
- C. *Said R. Eleazar, “There is a disjuncture, and the one who repeated this passage did not repeat that one.”*
- D. *[There is a different way of solving the problem, namely, by showing that the passages are to be distinguished in context.] Said Rabbah, “Now are you proposing to counterpoise the unconditional guilt offering against the suspensive guilt offering? As to the unconditional guilt offering, since the man turns out not to require it, he does not consecrate it, but in the case of the suspensive guilt offering, since his heart has moved him to designate the beast for that purpose, he decides to consecrate it without conditions. But if there is a contradiction, it involves the unconditional guilt offering in contradiction to the rule governing the unconditional guilt offering. For it is taught, **lo, this is to be buried**, and now let me point to the further clause at the end, **[If the man is so informed after] the blood has been tossed, the meat goes out to the place of the burning.** Here certainly is a disjuncture, and the one who repeated this passage did not repeat that one.”*
- E. *R. Ashi said, “[The unconditional guilt offering is not deemed consecrated at all] because it appears to be a disqualified offering [and that is why it is buried].”*

The next clause of the Mishnah is subjected to analysis, with an explanation given for the rule.

IV.1 A. [If the man is informed after] the blood is [properly] tossed, the meat is to be eaten.

- B. *Why should this be so? Has the man not in the interim come to certainty [in which case, the offering came by reason of doubt, and there is no longer any doubt, so the sacrifice is unfit and the meat should be forbidden (Porusch)]?*
- C. *Said Raba, “Said Scripture, ‘Though he did not know it, and he shall be forgiven’ (Lev. 5:18) — but this one had no firm knowledge at the moment at which he was being forgiven [through the offering of the beast].”*

Yosé’s ruling is explained, with the principle identified and set forth.

V.1 A. R. Yosé says, “Even if [he is informed while] the blood is in the cup, it is to be tossed, and the meat is to be eaten.”

- B. *In the view of R. Yosé, why should the blood be tossed? Lo, you have a case in which he has reached certain knowledge at the moment at which he is being forgiven!*
- C. *Said Raba, "R. Yosé concurs with R. Simeon, who has said, 'Any blood that is going to be tossed is regarded as though it were actually tossed.'"*
- D. *But I might say that R. Simeon takes the view that he does only in connection with that which is going to be tossed. But this blood is not going to be tossed at all [since the sacrificer in the meantime has learned that the sin he thought he committed in fact was permitted, so the offering is unconsecrated]!*
- E. *In the West they said, "R. Yosé takes the position that the utensils that are used for the sacrificial rite consecrated what was to begin with unfit to be offered [so the fact that the blood is in the utensil confirms that the offering from which the blood derives is consecrated]."*

The next clause of the Mishnah is supplemented with a case not covered by the Mishnah's formulation but relevant to its problem and principle.

VI.1 A. An unconditional guilt offering is not subject to the foregoing rule. If [the man is so informed] before it is slaughtered, it goes forth and pastures in the flock. [If the man is so informed] after it has been slaughtered, lo, this is to be buried. [If the man is so informed after] the blood has been tossed, the meat goes out to the place of the burning.

- B. *It has been stated:*
- C. *As to the heifer the neck of which is to be broken [to atone for a neglected corpse] — at what point is use of the heifer designated for that purpose forbidden for any other purpose but the specified one [so when does the designation take effect]?*
- D. *R. Hamnuna said, "While it is still alive."*
- E. *Raba said, "After the neck has been broken."*
- F. *Now there is no problem with Raba's view, for the beast is forbidden from the moment at which an actual deed is done to it. But within the position of R. Hamnuna, from what specific moment is it prohibited to utilize the beast?*
- G. **[25A]** *Said R. Yannai, "I have heard a time omit in that matter, but I forgot it."*
- H. *His colleagues undertook to rule, "It is from the moment that it is brought down to the rough valley [where it is going to be killed] that it is unfit for further use."*
- I. *Said R. Hamnuna, "On what basis do I make the ruling that I do? It is because we have learned in the Mishnah: **He who slaughters a cow to be burned for purification water, an ox that is to be stoned, or a heifer whose neck is to be broken [none of which is eaten by the priests] — R. Simeon declares exempt from punishment for violating the prohibition against slaughtering it and its offspring in one day, and sages declare liable [M. Hul. 5:3C-E].** Now, from my viewpoint, in that I say, 'it is while the beast is yet alive,' it is in that matter that R. Simeon and rabbis differ, for R. Simeon takes the view that an act of slaughter that is inappropriate as to its specified purpose is not classified as an act of slaughter, while rabbis hold that an act of slaughter that is not appropriate nonetheless is classified as an act of slaughter. But if you hold that the moment of prohibition comes after the breaking of the neck, on what basis has R. Simeon declared the man exempt [from having violating the rule of slaughtering the*

*mother and the offspring on the same day], since it is an appropriate act of slaughter? And if you should say that R. Simeon maintains that slaughtering nonetheless is valid in the case of the heifer the neck of which is to be broken, surely we have learned in the Mishnah: **What is valid as a mode of killing in the case of the red cow is invalid in the case of the calf whose neck is to be broken, what is valid in the case of the calf whose neck is to be broken is invalid in the case of the cow [M. Hul. 1:6A-B].*** If the red cow is slaughtered, it is valid, but if the heifer is slaughtered, it is invalid; if the heifer is slaughtered by having the neck broken, it is valid, if it is slaughtered, it is invalid.”

- J. *[Raba] remained silent. After he left, he said, “But why did I not answer him: R. Simeon still takes the view that slaughtering is a valid method with respect to the heifer the neck of which is to be broken?”*
- K. *[But if he had said that,] R. Hamnuna would have replied to you, “The Tannaite authority then should not have ignored the view that slaughtering is a valid mode of putting the heifer the neck of which is to be broken, when you might have said, ‘that is the opinion of R. Simeon.’” [Porusch: if this view were tenable, it would have been mentioned in the Mishnah.]*
- L. *Said Raba, “On what basis do I make the ruling that I do? It is because we have learned in the Mishnah: **The heifer whose neck is broken is not subject to the foregoing rule. If [the murderer is found] before its neck is broken, it goes forth and pastures in the flock.*** Now if you say that the prohibition takes effect while it is still alive, then why is it the case that **it goes forth and pastures in the flock?** Lo, it has been prohibited while it was yet alive!”
- M. *Then repeat the Mishnah in this language: “If, before it was ready for the breaking of the neck....”*
- N. *But then note what follows: **[If the murderer is found] after its neck is broken, it is buried in its place.***
- O. *Then repeat the Mishnah in this language: “If, after it was ready for the breaking of the neck....”*
- P. *But then note what follows: **For on account of a matter of doubt did it come in the first place. It has made atonement for its matter of doubt and goes its way [having served its purpose].***
- Q. *Now if it was prohibited while it was still alive, then it has not yet effected atonement for the matter that was subject to doubt. [Porusch: If the second clause is to be interpreted that the heifer should be buried if the murderer was found after it had been brought to the rough valley even though it was still alive, the argument for this ruling would be meaningless, since the ceremony of atonement, that is, the breaking of the neck, had not yet taken place.]*
- R. *In point of fact, what we have is a conflict among Tannaite versions, for it has been taught on Tannaite authority:*
- S. *With respect to rites carried on within the Temple, reference is made to a sacrifice that renders a person fit to enter the Temple or community and also a sacrifice that effects atonement, and with respect to rites carried on outside of the Temple, reference is made to a sacrifice that renders a person fit to enter the Temple or community and also a sacrifice that effects atonement. Just as with respect to rites*

carried on within the Temple, a sacrifice that renders a person fit to enter the Temple or community is treated in the same way as a sacrifice that effects atonement, so with respect to rites carried on outside of the Temple, a sacrifice that renders a person fit to enter the Temple or community is treated in the same way as a sacrifice that effects atonement. [Porusch: in respect to the moment of their prohibition: as the bird of the leper, which qualifies the leper to enter the Temple, is forbidden for use in its lifetime, so also the heifer the neck of which is to be broken is forbidden for use while it is yet alive. This Tannaite version then accords with the position of Hammuna, while our Mishnah's rule has been shown to concur with Raba's position.]

The point at issue is spelled out at I.1. I.2 then proceeds to spell out the considerations operative for each party. Nos. 3, 4, then expand on the matters introduced at I.2. No. 5 takes up a detail introduced at No. 4, and No. 6 works on the general interest of No. 5 in the renunciation of ownership of property. While the whole seems somewhat run-on, in fact Nos. 5, 6 serve as footnotes for prior materials, and, in a kind of writing in which footnotes are not an available option, the best mode of introducing complementary materials is simply to tack them on at the end. II.1 provides a minor gloss. III.1 presents a close analysis of the formulations of the Mishnah-paragraph concerning the disposition of animals designated as guilt offerings but not required for that purpose. IV.1, V.1 add minor glosses, both of them solid and good answers to important questions of substance. VI.1 provides a fine exposition of all of the laws around the heifer whose neck is broken, and the picture of the Mishnah is complete; the exposition falls between a mere commentary and an ambitious exposition of principles; the Mishnah's language is read with care, but the discussion moves beyond the limits of exegesis. It is in fact a wide-ranging and important analysis, showing the deepest implications of the rather limited rule before us.

6:3

- A. R. Eliezer says, "A man vows a suspensive guilt offering any day and any time he wants.
- B. "And it is called the guilt offering of the pious."
- C. They said concerning Baba b. Buta that he volunteered a suspensive guilt offering every day,
- D. except for the day after the Day of Atonement.
- E. He said, "By this sanctuary! If they would allow me, I should bring [one even this day]. But they say to me, 'Wait until you enter the realm of doubt.'"
- F. And sages say, "They bring a suspensive guilt offering only for a matter, the deliberate commission of which is subject to the penalty of extirpation, and the inadvertent commission of which is subject to the penalty of a sin offering" [M. 1:2].

6:4

- A. Those who owe sin offerings and unconditional guilt offerings for whom the Day of Atonement passed [without their making those offerings] are liable to bring [the offerings] after the Day of Atonement.

- B. Those who owe suspensive guilt offerings are exempt. [The Day of Atonement has atoned for those transgressions that may or may not have taken place.]
- C. He who is subject to a doubt as to whether or not he has committed a transgression on the Day of Atonement,
- D. even at twilight,
- E. is exempt.
- F. For the entire day effects atonement.

6:5

- A. A woman who owes a bird offering as a matter of doubt, for whom the Day of Atonement passed [without her making said bird offering] is liable to bring it after the Day of Atonement.
- B. For it renders her fit for eating animal sacrifices [and is not expiatory in character].
- C. A sin offering of fowl which is brought on account of doubt,
- D. if after its neck is pinched it is known [that the woman has not actually sinned at all],
- E. lo, this is to be buried.

- I.1** A. *What is the reasoning behind the position of R. Eliezer? If he takes the view that [the suspensive guilt offering] is an obligatory offering, when the sin becomes known, why does he present a sin offering? [Porusch: if the suspensive guilt offering is an expiatory sacrifice, atoning for a sin that might have been committed, then why is a new sacrifice to be offered when the sin becomes known, if the sin has already been atoned for?] It must follow that [in Eliezer's view] it is treated not as an obligatory offering but rather as a freewill offering. [Porusch: he who is troubled by his conscience for possibly having committed a sin is enjoined to present a free will offering; the actual sin if there was one is not expiated.]*
- B. *And in the view of rabbis, it is the burnt offering and the peace offerings that are presented by reason of a vow or a free will offering, but the sin offering and the built offering fall into the classification of obligatory offerings alone. And as to the suspensive guilt offering, this is the reason that the farmer presents such an offering prior to his determining whether or not he actually has committed a sin: it is to provide him with protection, for the Torah has shown mercy for the life [lit.: body] of Israelites. [The Torah permits him to make a suspensive guilt offering, since, if he has committed such a sin and does not atone for it, he is endanger of extirpation; hence this is an act of special grace and is in a category by itself.]*
- C. *Said R. Aha b. Raba to R. Ashi, "But perhaps the suspensive guilt offering is to be classified right along with the burnt offering and peace offerings. Just as burnt offerings and peace offerings are brought by reason of obligation but also may be presented as free will offerings, so too the suspensive guilt offering, which serves to fulfill an obligation, also is presented as a free will offering."*
- D. He said to him, "But as to the burnt offering and peace offerings, the principal trait assigned to them by Scripture is that they are presented as free will offerings, but

as to the suspensive guilt offering, it is as an obligatory offering that Scripture represents it.”

We now explore the implications of the foregoing proposition. Can we present a suspensive guilt offering, in the category of a votive offering, even when extirpation is not the issue at all?

- E. *R. Hiyya repeated as a Tannaite statement in the presence of Raba, [25B] “A suspensive guilt offering is presented on account of the possibility of having eaten carrion.” [Porusch: Eating carrion is punishable by flogging but not extirpation. If one has inadvertently violated the prohibition, he is not subject to a sin offering.]*
- F. *He said to him, “But have we not learned in the Mishnah: **And sages say, “They bring a suspensive guilt offering only for a matter, the deliberate commission of which is subject to the penalty of extirpation, and the inadvertent commission of which is subject to the penalty of a sin offering”?** Now if you follow the view of R. Eliezer that such offerings also may be presented as free will offerings, [then why is it necessary to say that it may be offered for violating a prohibition? Obviously that is the fact, since it may be offered for any reason whatsoever. So your statement is either wrong or self-evident, and in either case is indefensible.]”*
- G. *[In the same captious spirit,] he said to him, “How come you don’t repeat your Tannaite versions [and master them properly]? Many times have I repeated the matter before the master, specifically, Rabbah, and he replied to me, ‘Lo, who is the authority at hand [at E]? It is R. Eliezer, as set forth by ‘those who spoke to him’ [at our Mishnah-paragraph], as we have learned in the Mishnah: **But they say to me, ‘Wait until you enter the realm of doubt.’**” [Hiyya at E then makes the point that this sin may be a prohibition involving flogging and not extirpation (Porusch).]*
- H. *Said Raba, “What is the scriptural basis for the position of **they say to me?** Scripture has said, ‘And does through error any one of all the things that the Lord his God has commanded not to be done, and is guilty’ (Lev. 5:17-19) [so the guilt offering is offered only for a particular transgression].”*
- I. *Said Raba, “What is the reason for the position of rabbis, who say that **one presents a suspensive guilt offering only in the case in which if one had done the deed deliberately, he would be liable to extirpation, and, inadvertently, to a sin offering?** It is that they derive an analogy to a sin offering based on the appearance of the word ‘commandments’ with reference to both matters. There [at Lev. 4:27, with reference to a sin offering] there is an offense for which one is liable to extirpation in the case of a deliberate violation of the law, and to a sin offering in the case of an inadvertent violation of the law, and to a suspensive guilt offering in the case of doubt. So in every case, for which one is liable to extirpation in the case of a deliberate violation of the law, and to a sin offering in the case of an inadvertent violation of the law, and to a suspensive guilt offering in the case of doubt, the same rule applies.”*

We proceed to further rules on the suspensive guilt offering, and these draw us back to our Mishnah-paragraph.

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

- B. Five guilt offerings effect atonement [specifically, those prescribed for sacrilege, Lev. 5:15, robbery, Lev. 5:21, for the leper, 14:12, for violating the espoused slave-girl, 19:20, and for the Nazirite, Num. 6:12], but the suspensive guilt offering does not effect complete atonement.
- C. *Now what is the sense of this statement?*
- D. *Said R. Joseph, "This is the sense of this statement: Five guilt offerings effect complete atonement, but the suspensive guilt offering does not effect complete atonement."*
- E. *But then this is not in accord with the position of R. Eliezer, who has said, "A suspensive guilt offering is presented on account of the possibility of having eaten carrion."*
- F. *Rabina said, "This is the sense of the statement: In regard to five guilt offerings, no other form of offering effects atonement in place of the atonement that they effect. For when the person comes to know that he has actually sinned, he still has to bring the guilt offering, as we have learned in the Mishnah: **Those who owe sin offerings and unconditional guilt offerings for whom the Day of Atonement passed [without their making those offerings] are liable to bring [the offerings] after the Day of Atonement. Those who owe suspensive guilt offerings are exempt.**"*

The next clause of the Mishnah is given an explanation.

II.1 A. **Those who owe sin offerings and unconditional guilt offerings for whom the Day of Atonement passed [without their presenting the required offerings] are liable to bring [the offerings] after the Day of Atonement. Those who owe suspensive guilt offerings are exempt.**

- B. *It is stated on Tannaite authority: **Those who owe sin offerings and unconditional guilt offerings for whom the Day of Atonement passed [without their presenting the required offerings] are liable to bring [the offerings] after the Day of Atonement. Those who owe suspensive guilt offerings are exempt.** Now what is the basis for this ruling?*
- C. *When R. Dimi came, he said that R. Ammi said that R. Hanina said, "Scripture has said, 'And he shall make atonement for the holy place, because of the uncleanness of the children of Israel and because of their transgressions, even all of their sins' (Lev. 16:16). Sins are in the same category as transgressions. Just as transgressions are not atoned for by a sacrifice, so also only those sins that are not subject to a sacrifice are atoned for by the Day of Atonement; but then, sins that are subject to a sacrifice are not atoned for by the Day of Atonement."*
- D. *Said to him Abayye, "And lo, when that verse of Scripture is set forth, it is with reference to the goat of the Day of Atonement that is prepared within the Temple, which does not effect atonement for transgressions of a commandment of which one is uninformed; but the goat that is sent away, which atones also for transgressions of a commandment of the commission of which one is informed, I may claim will atone also for sins that are subject to a sacrifice."*
- E. *Rather, said Abayye, "I derive the proof from the following: 'And he shall confess over him [the goat that is sent away] all the iniquities of the children of Israel and*

all their transgressions, even all their sins' (Lev. 16:21). *Sins are in the same category as transgressions. Just as transgressions are not atoned for by a sacrifice, so also only those sins that are not subject to a sacrifice are atoned for by the Day of Atonement; but sins that are subject to a sacrifice are not atoned for by the Day of Atonement. So Scripture has thereby imposed a limitation on the rule concerning the scapegoat, thus meaning to indicate that it does not atone for sins that are subject to a sacrifice.*"

- F. *Said to him R. Dimi, "And how do you know that when the text speaks of 'transgressions,' it refers to those that are not subject to a sacrifice? Perhaps it refers as much to those that are subject to a sacrifice. For we have learned in the Mishnah: **And four bring [an offering] for [a transgression done] deliberately as they do for [one done] inadvertently. [M. 2:1A]. These bring [an offering for a transgression done] deliberately as for [one done] inadvertently: (1) He who has sexual relations with a bondwoman; and (2) a Nazirite who was made unclean; and (3) for [him who utters a false] oath of testimony, and (4) for [him who utters a false] deposit oath [M. Keritot 2:2A-B].***" [Porusch: the text may allude to these four exceptional instances, thus implying that also transgressions liable to a sacrifice are expiated on the Day of Atonement.]
- G. *[Supporting Abbaye's view], it was stated as follows: when Rabin came, he said R. Yosé said R. Simeon b. Laqish said, "And he shall confess over him [the goat that is sent away] all the iniquities of the children of Israel and all their transgressions, even all their sins' (Lev. 16:21). Sins are in the same category as transgressions. Just as transgressions are not atoned for by a sacrifice, so also only those sins that are not subject to a sacrifice are atoned for by the Day of Atonement; but sins that are subject to a sacrifice are not atoned for by the Day of Atonement."*
- H. *Said to him Abaye, "I also derive the proof from that same verse of Scripture, but R. Dimi presented the challenge to me, 'And how do you know that when the text speaks of "transgressions," it refers to those that are not subject to a sacrifice? Perhaps it refers as much to those that are subject to a sacrifice. For we have learned in the Mishnah: **And four bring [an offering] for [a transgression done] deliberately as they do for [one done] inadvertently. [M. 2:1A]. These bring [an offering for a transgression done] deliberately as for [one done] inadvertently: (1) He who has sexual relations with a bondwoman; and (2) a Nazirite who was made unclean; and (3) for [him who utters a false] oath of testimony, and (4) for [him who utters a false] deposit oath [M. 2:2A-B].***"
- I. *Said to him Rabin, "Most transgressions are not atoned for by offerings."*
- J. *He said to him, "But does the text speak of 'most transgressions'?"*
- K. *Rather, said Abaye, "Evidence derives from the commencement of this verse: 'And he shall confess over him all the iniquities of the children of Israel' (Lev. 16:21). And it has been taught on Tannaite authority: "Iniquities" refers to those deeds that are done deliberately, and so Scripture says, '[He has despised the word of the Lord,] his iniquity shall be upon him' (Num. 15:31).' Now why did the verse at hand further go on to say, 'and all their transgressions, even all their sins'? It serves to establish an analogy between transgressions and sins. Just as*

transgressions are not atonement for by a sacrifice, so also only those sins that are not subject to a sacrifice are atoned for by the Day of Atonement; but sins that are subject to a sacrifice are not atoned for by the Day of Atonement."

Once more the Talmud provides a Scriptural basis for the rule of the Mishnah, reading what precedes into the result. Once more we see evidence of a single hand in the composition of the Talmud's Mishnah-commentary's units.

III.1 A. Those who owe suspensive guilt offerings are exempt.

- B. *What is the scriptural basis for this rule?*
- C. Said R. Eleazar, "Scripture has said, 'From all your sins shall you be clean before the Lord' (Lev. 16:30) — this refers to a sin that only the Omnipresent discerns, for which the Day of Atonement atones."
- D. *Said R. Tahalipa, father of R. Huna, in the name of Raba, "The prior problem [26A] no longer has also not got to be worked out in the way in which R. Dimi and Abayye have worked it out. For it may be derived from the following argument: For a sin that only the Omnipresent discerns the Day of Atonement atones. And from that it follows, it is in particular a sin that only the Omnipresent discerns, for which the Day of Atonement atones, but as to one of which one is informed, the Day of Atonement does not atone."*

Sins for Which the Day of Atonement Effects Atonement

The context of the foregoing now defines a sustained composition on the topic at hand.

- ### **III.2. A. And said R. Tahalipa, father of R. Huna, in the name of Raba, "Those who are liable to floggings, upon whom the Day of Atonement has passed, remain liable to their floggings."**
- B. *That is perfectly obvious! What is the difference between that case and the case of those who are obligated to present sin offerings and unconditional guilt offerings?*
 - C. *It might have entered your mind to say that in those cases all that is involved is property, while here, in which the body of the person is itself involved, I might have said that the rule does not apply. So we are informed by him that that is not the case.*
 - D. *But have we not learned in the Mishnah:*
 - E. **...for what is known and for what is not known, an affirmative action and a negative commandment...[the Day of Atonement atones] [M. Shebuot 1:1].** [Violation of a negative commandment is ordinarily penalized with a flogging, so this would appear to contradict the claim that the Day of Atonement does not effect atonement for such a violation.]
 - F. *That forms no contradiction, in the one case the law-violator was subjected to an admonition, in the other case, not. [If there was no admonition, the Day of Atonement effects the remission of the flogging.]*
 - G. *Then how do you deal with the following:*
 - H. *A woman who may or may not have given birth to a viable offspring, over whom the Day of Atonement has passed, should not have to present an offering [which contradicts our Mishnah's rule], for lo, the Day of Atonement will have effected*

atonement in her behalf, since this would fall into the category of a sin concerning which only the Omnipresent is informed.

- I. Said R. Hoshaia, “‘For all your sins...,’ and not ‘for all your occasions of uncleanness’ [which are not matters of sin in any event, thus eliminating the sin offering brought by the woman after she has given birth, which is a purification rite].”
- J. *But from the perspective of R. Simeon b. Yohai, who has said, “The woman after having given birth is in the classification of a sinner,” [so the offering is not for purification at all], what is to be said?*
- K. *When a woman after having given birth brings an offering, it is so as to be permitted to eat Holy Things and not so as to effect atonement that she brings the offering.”*
- L. Said R. Ashi, “We too have learned that point on Tannaite authority: **A woman who owes a bird offering as a matter of doubt, for whom the Day of Atonement has passed [without her making said bird offering] is liable to bring it after the Day of Atonement. For it renders her fit for eating animal sacrifices [and is not expiatory in character].**”
- M. *Then how do you deal with the following case:*
- N. One who may or may not be afflicted with sara’at [the skin ailment mentioned at Lev. 13-14] *should not have to present an offering [which contradicts our Mishnah’s rule], for lo, the Day of Atonement will have effected atonement in his behalf, since this would fall into the category of a sin concerning which only the Omnipresent is informed.*
- O. Said R. Hoshaia, “‘What is written is ‘for all your sins,’ and not, ‘for all your occasions of uncleanness.’”
- P. And lo, said R. Samuel bar Nahmani said R. Yohanan, “On account of seven sins the plagues of sin ailments affect someone [immorality, arrogance, robbery, bloodshed, false oath, slander, and envy].” [So a sin is involved, not merely uncleanness.]
- Q. *When the person afflicted with the skin ailment presents an offering, it is not so as to attain atonement for sin, but so as to be permitted to eat Holy Things.*
- R. *Then how do you deal with the following case:*
- S. A Nazirite who is in doubt whether or not his spell as a Nazirite has been broken by an encounter with uncleanness *should not have to present an offering [which contradicts our Mishnah’s rule], for lo, the Day of Atonement will have effected atonement in his behalf, since this would fall into the category of a sin concerning which only the Omnipresent is informed.*
- T. Said R. Hoshaia, “‘Even all their sins’ is what is written, and not, ‘for all your occasions of uncleanness.’”
- U. And from the viewpoint of R. Eleazar b. Haqqappar, who has said, “The Nazirite is a sinner,” *what is to be said?*
- V. *When the Nazirite presents an offering, it is not so as to attain atonement for sin, but so as to be permitted to take up his vow as a Nazirite in a state of cleanness.*
- W. *Then how do you deal with the following case:*

- X. A woman who may or may not be accused of adultery *should not have to present an offering [which contradicts our Mishnah's rule], for lo, the Day of Atonement will have effected atonement in his behalf, since this would fall into the category of a sin concerning which only the Omnipresent is informed.*
- Y. Said R. Hoshaia, "‘Even all their sins’ is what is written, and not, ‘for all your occasions of uncleanness.’"
- Z. Said Abayye, "Her lover knows the facts of the matter [so this is not a sin known to the Lord alone]."
- AA. Raba said, "When the woman accused of adultery brings an offering, it is so as to clarify whether or not there has been a transgression that she brings it."
- BB. Then how do you deal with the following case:
- CC. [The owner of] a heifer the neck of which is to be broken *should not have to present an offering [which contradicts our Mishnah's rule], for lo, the Day of Atonement will have effected atonement in his behalf, since this would fall into the category of a sin concerning which only the Omnipresent is informed.*
- DD. Said Abayye, "The killer knows the facts of the matter [so this is not a sin known to the Lord alone]."
- EE. Raba said, "Scripture has said, ‘And no expiation can be made for the land for the blood that is shed therein’ (Num. 35:33)." [Porusch: no other means to achieve expiation except by executing the murderer or offering the heifer is available].
- FF. R. Pappa said, "Said Scripture, ‘Forgive your people Israel whom you have redeemed’ (Deu. 21: 8)." [Porusch: even those who came out of Egypt would be liable to bring a heifer, although the Day of Atonement had intervened in the meantime, because the Day of Atonement does not expiate the sin of the unidentified murderer.] So this atonement is appropriate even for those who came forth from Egypt.
- GG. Now that you have said, "For a sin that only the Omnipresent discerns, the Day of Atonement atones," then might I say that, if one should become informed of the matter after the Day of Atonement, he also should not have to present a sin offering?
- HH. Said R. Zeira, "You cannot say so, for Scripture has made reference to the matter of knowledge with reference to the sin offering brought by an individual, and with reference to the prince, and with reference to the community [‘if the sin be known,’ Lev. 4:28, to the private person who sins and is liable to a sin offering; Lev. 4:23 with reference to the prince; and Lev. 4:14 with reference to the community]. [Scripture itself has ruled out the proposal.]
- II. "And it was necessary to specify the same rule in all three instances. [One such explicit statement would not have sufficed; it would have left an ambiguity.] For if Scripture had made reference to the matter only with regard to an individual, I might have supposed that all of the others could not have been derived from the case of the private person, on account of the following objection: the distinctive trait of the individual is that his offering always is a female beast [which is of lesser importance, so the sin of the private person might be regarded as of lesser weight; then only the individual brings the sin offering when he becomes aware of the sin, but the others are liable even when still in doubt, so the language, ‘if it be known,’

has also to be used with reference to the other two cases]. *Then had Scripture made reference to the prince alone, cannot we have derived the rule governing the others from the case of the prince? Not at all: it is not possible to derive the rule governing the individual person from the rule governing the prince, for one may have then raised the following question: the distinctive trait of the prince is that he is not subject to the rule governing the oath taken for refusing to give evidence [Lev. 5: 1, in which case one is liable to present a guilt offering; but that rule applies only to a private person, and the prince is not required to give evidence]. Not only so, but the rule governing the community cannot be derived from the case of the prince, for one can raise the following objection: the distinctive trait of the prince is that his offering may be a female. Then why not have Scripture refer only to the community, and we then might derive the rule governing the individual and the prince from that case? It is because one may raise the following objection: the distinctive trait of the community is that the community as such is liable only in a case in which ignorance of the law is followed by performance of an action in error [so the authorities wrongfully permitted an act that is forbidden by law, and the community did the deed in error] [but this is not the sole category applicable to the prince or the individual].*

JJ. *[Zeira continues,] "Now, it is clear, that from a single case involving knowledge, one cannot derive the rule. But can one not cover the third case from two of the others? For example, let Scripture not make explicit reference to knowledge with regard to the individual, and then derive the rule governing the individual from the case of the prince and the community? Alas, one may raise the following objection: the distinctive trait of the prince and the community is that neither one can be adjured to give evidence, but will you say that of the individual, who is subject to the requirement of giving evidence? Then why not omit reference to knowledge with respect to the community, and derive the requirement of knowledge from the cases of the individual and the prince for the case of the community? Because one may raise the following question: the distinctive trait characteristic of both the individual and the prince is that they present offerings that are female. But will you say the same rule governing them in connection with the congregation, which never brings a female offering? Then let Scripture not make reference to knowledge with regard to the prince, and derive the rule governing him from the reference to knowledge made with respect to the individual and the community? What then will you raise as an objection? Is it because they are not subject to the oath that adjures to give evidence, and that they are liable only in connection with a case in which ignorance of the law is followed by action in error? Then the individual will prove to the contrary, and if it is on the count that all of the offerings required of that classification are female? Then the congregation will prove to the contrary, for its offering is not female, but still they are liable only when they are subject to knowledge of what they have done. So why was 'knowledge' stated with regard to the prince? Since it is not required for its own purpose, for the rule governing the prince may indeed derive from the combination of the individual and the community, then apply the reference to the case in which the sinner becomes aware of the sin only after the Day of Atonement, which then shows that, in such a case, he must bring a sin-offering."*

- KK. *[Refuting the foregoing demonstration,] Abayye said, “If Scripture had not made reference to ‘knowledge’ with reference to the prince, nonetheless we could not have derived that rule from the joined cases of the individual and the community, for one nonetheless may have raised the following problem: the distinctive trait of the individual and the community is that they are not they are not able to change their statue. But will you say the same [26B] of the prince, whose status can be changed [if he is deposed, so he then becomes a private person once again]?”*
- LL. *Rather, said Abayye, “[The rule that when the person becomes aware of the sin only after the Day of Atonement, having been in doubt before that time, he has to bring a sin offering] derives from the following proof: since an analogy among the passages is made available by the common appearance of the word ‘commandments,’ thus showing that the rules governing the several cases will be analogous, why has Scripture nonetheless made reference three times to the matter of ‘knowledge,’ pertaining to the individual, the prince, and the community? If, as is clear, it is not a matter that refers to these items on their own, since the common reference to ‘commandments’ joins them anyhow, then treat it as pertinent to the case in which one becomes aware after the Day of Atonement that he has sinned, in which case he brings a sin offering.”*
- MM. *Then might I say that it is only the case in which one becomes aware after the Day of Atonement that he has sinned, that he brings a sin offering. It is because the Day of Atonement does not pertain to this particular sin [for it atones for sins in general]. But as to the matter of the suspensive guilt offering, since [like the sin offering of which it forms the counterpart,] that is brought for a specific sin, he receives atonement, so that, when he becomes aware of his sin after he had presented the suspensive guilt offering, then, later on, he does not have to bring a sin offering?*
- NN. *Said Raba, “Said Scripture, ‘If the sin be known to him’ — under all circumstances [whenever the sin becomes known, the sin offering is due].”*
- OO. *Now that you have stated that when the sin is known, he has to bring a sin offering, then on what account is the suspensive guilt offering presented at all? [This is once more Abayye’s question.]*
- PP. *Said R. Zira, “It is so that, should he die, he dies without sin [since the suspensive guilt offering covers that possibility].”*
- QQ. *Raba objected to this explanation, “But when he dies, death wipes away all sin.”*
- RR. *Rather, said Raba, “It is to defend him against suffering [during the period that he is in doubt as to whether or not he has sinned].”*

A case illustrating the next clause of the Mishnah is spelled out.

IV.1 A. A sin offering of fowl which is brought on account of doubt, if after its neck is pinched it is known [that the woman has not actually sinned at all], lo, this is to be buried.

- B. *Said Rab, “Nonetheless, it effects atonement.” [Porusch: Rab interprets the rule to pertain to a case in which the woman has afterwards found out that the birth was normal. She is not liable to a new sacrifice.]*
- C. *If so, then why is it to be buried? [Has it not performed an act of atonement?]*
- D. *It is because it was not guarded [properly from uncleanness].*

- E. *Then when was it not guarded? If it was to begin with, [that the farmer has failed to keep watch over the bird] then was it not alive? And if it was at the end [after it was killed][, then does the priest not guard it? Rather, the Mishnah speaks of a case in which the woman had become aware that she had not produced a viable birth. [She became certain of the negative fact and is exempt from a sacrifice.] The offering should be treated as secular and permitted for use. [But it is not.] What then is the meaning of **lo, this is to be buried**? It is to be buried [not because the law of the torah requires it, but as a protective measure that is made] on the authority of rabbis.*

We backtrack, as is often the case, to provide the information and evidence required for the foregoing discussion. Here we are told the original context of Rab's statement.

- F. *And the statement of Rab was made in this connection:*

- G. A woman who presented a sin offering of fowl in a situation of doubt — if before the neck was pinched, she was informed that she had given birth to a certainly viable offspring, the bird is to be offered unconditionally, for from the same species that she presents an offering in a case in which she is uncertain, she presents an offering in a case in which she is informed of the facts of the matter. [In that case, as Rab has said, the offering has effected atonement and a new offering is not required.]
- H. If after the neck was pinched, she is informed that she has given birth to a viable offspring [and so the offering was not to cover a situation of doubt at all] —
- I. said Rab, "The blood is sprinkled and drained, atonement is effected, and it is permitted to eat the bird."
- J. R. Yohanan said, "It is forbidden to eat the bird, as a precaution, since people might say that when a sin offering of fowl is presented in a state of doubt, it too may be eaten [and that is not the case]."
- K. *Levi repeated a Tannaite version in accord with the view of Rab:* "A woman who presented a sin offering of fowl in a situation of doubt — if after the neck was pinched, she is informed that she has given birth to a viable offspring [and so the offering was not to cover a situation of doubt at all] — the blood is sprinkled and drained, atonement is effected, and it is permitted to eat the bird."
- L. *There is a Tannaite version in accord with the position of R. Yohanan:* "A woman who presented a sin offering of fowl in a situation of doubt — if before the neck was pinched, she was informed that she had not given birth to a certainly viable offspring, the bird reverts to unconsecrated status or may be sold to her fellow-woman [who needs the offering for the same purpose for which it was originally designated]. If before the neck was pinched, she was informed that she had given birth to a certainly viable offspring, the bird is to be offered unconditionally, for from the same species that she presents an offering in a case in which she is uncertain, she presents an offering in a case in which she is informed of the facts of the matter. If after the neck was pinched, she is informed that she has given birth to a viable offspring [and so the offering was not to cover a situation of doubt at all] — the bird is forbidden even as to any benefit at all. **For on account of a matter of doubt did it come in the first place. It has made atonement for its matter of doubt and goes its way [having served its purpose].**"

I.1 asks how the suspensive guilt offering is classified by the authorities of the Mishnah, as obligatory or as voluntary. Eliezer sees it as voluntary, sages, as obligatory; then if the obligation is not present, such an offering is not presented. No. 2 proceeds to analyze a pertinent tradition, once more completing the exposition of the implications of our Mishnah-paragraph. II.1 goes through the labor of finding a scriptural basis for the distinction important to the framers of the Mishnah-paragraph. The proof seems rather protracted, but the result is satisfactory. III.1 pursues the same problem, continuing the foregoing in a strikingly well-crafted passage. No. 2 is attached because of a shared attribution. But at a number of points it is directly relevant to our Mishnah, though clearly, the entire composition has been worked out within its own frame of reference. IV.1 greatly clarifies the context to which our Mishnah's rule pertains, though it does not directly analyze the Mishnah's case in particular.

6:6

- A. **He who sets aside two selas [Lev. 5:15] for a guilt offering and purchased with them two rams [at one sela each] for a guilt offering —**
- B. **if one of them [went up in value so that it now] is worth two selas,**
- C. **let it be offered for his guilt offering.**
- D. **And the second, [which is no longer required, the proper value having been attained in the first of the two,] is set out to pasture until it is blemished, then sold, and its proceeds fall [to the Temple treasury] as a freewill offering [M. Tem. 3:3: that is, in the class of a guilt offering, the owners of which have effected atonement].**
- E. **[If] he [who sets aside two selas for a guilt offering] purchased with them two rams for unconsecrated use, one worth two selas and one worth ten zuz —**
- F. **the one worth two selas is offered for his guilt offering [incurred through the act of sacrilege (E)].**
- G. **And the second is for restitution for his sacrilege.**
- H. **[If] one was for a guilt offering and one was for unconsecrated purposes,**
- I. **if the one for the guilt offering was worth two selas**
- J. **it is offered for his guilt offering.**
- K. **And the second is for restitution for his sacrilege.**
- L. **And let him bring with it a sela and its added fifth. [Porusch: since it was bought with money set apart for a guilt offering, it cannot be used for ordinary purposes, even though it is no longer needed for a guilt offering.]**
- I.1 A. What is the meaning of the one worth two selas is offered for his guilt offering taught at the outset, and, further, and the second is for restitution for his sacrilege.**
- B. *Shall I say that the reference is to the ram that is brought for the guilt offering on account of sacrilege? But then that implies that the added fifth is brought along with the ram, and has it not been written, “and he shall make restitution for that which he has done amiss in the holy thing and shall add the fifth part thereto” (Lev. 5:15) [meaning, two and a half selas], so we see that it is brought together with the restitution of his misappropriation [and not with the ram itself]!*

- C. *And further, the latter clause states as the Tannaite version: [If] one was for a guilt offering and one was for unconsecrated purposes, if the one for the guilt offering was worth two selas, it is offered for his guilt offering. And the second is for restitution for his sacrilege. And let him bring with it a sela and its added fifth. So this passage too bears the implication that the added fifth is brought together with the restitution of his misappropriation.*
- D. *So the meaning of the one worth two selas is offered for his guilt offering taught at the outset, refers to that value that he has [sacrilegiously] enjoyed from property that belongs to the sanctuary, which equals the two selas he had originally designated for the purchase of an animal for his guilt offering and with which he bought two rams for ordinary use. Then the one that was worth two selas he offers as the ram for his guilt offering, and the one that was worth ten zuz he gives as restitution for that for which he benefitted from the sanctuary, and that exactly equals the amount of his misappropriation plus the added fifth. So his guilt offering refers to his misappropriation.*
- E. *But then how have you interpreted his guilt offering in the opening clause? It is his misappropriation. Then I draw your attention to the further statement in the same paragraph: [If] one was for a guilt offering and one was for unconsecrated purposes, if the one for the guilt offering was worth two selas, it is offered for his guilt offering. And the second is for restitution for his sacrilege. And let him bring with it a sela and its added fifth. So here “his guilt offering” refers to the ram for the guilt offering by reason of sacrilege. In that case the opening clause has “his guilt offering” refer to his misappropriation, while [27A] the later clause has “his guilt offering” refer to the ram for his guilt offering by reason of having committed sacrilege! [We therefore find ourselves in the position of imputing to the same word two separate and distinct meanings.]*
- F. *In the first clause, in which case the ram that he bought is exactly equivalent to the principal and the added fifth, the Tannaite authority refers by “his guilt offering” to his misappropriate. But in the later clause, in which the ram that he bought is not precisely the equivalent to the principal and its fifth, when the Tannaite framer uses the language “his guilt offering,” he refers to the ram for his guilt offering for sacrilege, but he must in addition bring with it a sela and its added fifth as restitution.*

*The Theory of Attaining Atonement with the Increase in the Value of
Consecrated Property: may or may not a person gain
atonement through the increase in the value of
consecrated property?*

The Mishnah's case now is turned into a theoretical problem. What happens if the value of beasts has gone up. May one make use of the added value in the way now to be specified? We have a theoretical problem, not generated by the requirement of Mishnah-commentary but made possible by the facts set forth in the Mishnah-paragraph we have now explained.

- I.2. A.** *R. Menassia bar Gadda raised the following question: “As to a collection of added fifths [formed in this way: someone made secular use of the two selas that*

he had designated for an offering, then he paid the two selas plus the fifth, adding up to ten zuz; then he made profane use of the two selas, and he did the same thing for four times; on each time he returned the two selas and the added fifth; the extra fifths now add up to two selas on their own right, that is, eight zuz, which is the price of a guilt offering to be brought for sacrilege] — *what is the law as to his obtaining atonement thereby? [Can one take these two selas, which are the accumulation of the fifths on the four prior occasions, and use them to purchase one of the four guilt offerings that he now owes?] Do we say that a man can attain atonement with the increase in the value of consecrated property [if someone bought a ram for a guilt offering for a sela and upgraded it and fattened it or in the interval the price of rams went up, so the ram is now worth two selas]? But here he has gone to the trouble of working to improve the value of the beast, while there, since he took no trouble at all, he cannot obtain atonement with that increase. Or perhaps you may say that a man may not attain atonement with the increase in the value of consecrated property, but that is because he has not designated it for that purpose, but here, in the case of a collection of added fifths, which he has explicitly designated, one may say that he does attain atonement thereby? For, in general terms, the question has been raised: may or may not a person gain atonement through the increase in the value of consecrated property?"*

- B. *Come and take note of the following: **He who sets aside two selas [Lev. 5:15] for a guilt offering and purchased with them two rams [at one sela each] for a guilt offering — if one of them [went up in value so that it now] is worth two selas, let it be offered for his guilt offering. And the second is set out to pasture until it is blemished, then sold, and its proceeds fall [to the Temple treasury] as a freewill offering [M. Tem. 3:3: that is, in the class of a guilt offering, the owners of which have effected atonement]. Does this not mean that he bought it for four zuz and improved its value so that it is now worth eight, and, therefore, it follows that a person may gain atonement through the increase in the value of consecrated property?***
- C. *No, here with what situation do we deal? It is a case in which a shepherd sold it to him at a reduced price [a personal favor, not as an increase in the value of what has been consecrated].*
- D. *Come and take note of the following: he who bought a ram for a sela and fattened it so that it was worth two — it is valid for use as a guilt offering. Does that not yield the inference that a person may gain atonement through the increase in the value of consecrated property?*
- E. *No, the case of fattening the beast is different, for it might actually have cost him eight zuz [in the course of that process].*
- F. *Come and take note of the following: he who bought a ram for a sela, and lo, it is worth two — it is valid for use as a guilt offering, [which must be of the value of two selas, with the result that a person may gain atonement through the increase in the value of consecrated property].*
- G. *Here too it is a case in which he fattened it up.*
- H. *If so, we have nothing other than the earlier case!*

- I. *In the first case he bought it for four and increased its value by four zuz, so in the end it cost him eight zuz; in the latter case he bought a ram for four zuz and fattened it with three zuz, and it is now worth eight.*
- J. *If so, then read the latter clause in this way: let him pay an additional sela to the sanctuary.*
- K. *Lo, it has cost him seven anyhow! [So why does he pay the sanctuary more than a single zuz?]*
- L. *What he has to pay is what makes up the second sela.*
- M. *So anyhow, if you take the view that a person may not gain atonement through the increase in the value of consecrated property, what difference does it make if he pays the sanctuary the difference of a sela? Surely we require that the ram be worth two selas, and that is not happening here! So, rather, the framer of the passage takes the view that a person may gain atonement through the increase in the value of consecrated property.*
- N. *So why does he have to make up the sela at all?*
- O. *The reason that he has to make up the sela is this: it is a precaution, so that people should not say that a ram that is worth less than two selas can effect atonement.*
- P. *And what is the upshot of the matter?*
- Q. *Come and take note of the following: If at the time that the man designated the beast, it was worth a sela, and at the time of the actual rite of atonement, it was worth two selas, he has fulfilled his obligation [Porusch: and this clearly proves that a person may gain atonement through the increase in the value of consecrated property].*
- I.3.** A. *R. Eleazar raised the following question: “May or may not a person may gain atonement through the increase in the value of consecrated property?”*
- B. *Said R. Yohanan, “For how many years did this man grow up among us, and he did not hear the decided law on this question from me!”*
- C. *May one then infer that R. Yohanan has said something pertinent?*
- D. *Indeed so, and he stated it in the context of the following, which we have learned in the Mishnah: **The offspring of a thank offering and its substitute — and he who set aside his thank offering and it was lost, and he designated another in its place and thereafter the lost one was found — they do not require a bread offering, as it is said, “And he shall offer up with the sacrifice of the thank offering” (Lev. 7:12) — the one that is offered as a thank offering requires a bread offering, but its offspring and that which is brought in its place and its substitute do not require a bread offering [M. Men. 7:4D-I].** Now in this connection R. Hanina sent word in the name of R. Yohanan, “They repeated this rule only in connection with the case after atonement had been carried out [with the offering of the mother animal], but if it was before atonement had been carried out, it would have required the bread offering [Porusch: and the young may be offered as the thank offering in fulfillment of his obligation; this is an obvious case of increase in consecrated property, and one may use the increase to carry out one’s obligation].”*

E. *Therefore he is of the view that a person may gain atonement through the increase in the value of consecrated property.*

I.4. A. *R. Eleazar raised the following question: “Are beasts permanently rejected for use on the altar or not? [If a beast was disqualified but then the disqualifying trait was removed, can the animal now be offered?]”*

B. Said R. Yohanan, “For how many years did this man grow up among us, and he did not hear the decided law on this question from me!”

C. *May one then infer that R. Yohanan has said something pertinent?*

D. *Indeed so, and he stated it in the context of the following: “In the case of a beast that belongs to two partners, if one of them consecrated his own half, and then he went and bought the half belonging to the other party and consecrated that part, it is indeed deemed consecrated, but it is not offered up. Still, it has the power to effect an act of substitution [with a secular beast with which it is exchanged], and the beast that is exchanged for it is in the same status.*

E. *Three rules are to be derived from this ruling.*

F. One may deduce, first of all, that a beast that is consecrated can be removed for ever from sacred use [and even though later on they became fit to be offered, they cannot be offered, since they have prior been suspended from use on the altar for some reason].

G. And one may deduce, second, that the consecration of animals that have been dedicated as to their value can be removed.

H. And you may deduce, third, that if to begin with [at the point of its consecration] an animal is removed from sacred use, then the suspension remains valid forever.

I.5. A. *R. Eleazar raised the following question: “If lambs throughout the world went down in price, what is the rule? Do we say that we require ‘your choicest vows’ (Deu. 12:11) [Porusch: by bringing a choice animal, one has surely fulfilled his obligation, since no animal can be bought for the required two sheqels], and that condition has been met here? Or perhaps we require the spending of sheqels, and that condition has not been met here?”*

B. Said R. Yohanan, “For how many years did we grow up together in the house of study, and we have not heard a decided law on that question!”

C. Have we not? But has not R. Yohanan said R. Simeon b. Yohai said, “On what account did the Torah not assign a fixed value for the animal offerings to be presented by those lacking in the completion of the atonement rites [a woman after childbirth, a person who has suffered from the skin ailment of Lev. 13-14]? It is lest the price of lambs go down, and, if a fixed price is set, they will never have a remedy to permit them to eat Holy Things.” [That is then a clear answer to the question that has been raised.]

D. *Then state matters in this language: “We have never taught this law.”*

E. *But lo, R. Zira bar Ada would review his studies every thirty days before [Yohanan]!*

F. *Then state matters in this language: “This law was never requested of him in the house of study.*

- I.6.** A. *Returning to the body of the prior passage:* R. Yohanan said R. Simeon b. Yohai said, “On what account did the Torah not assign a fixed value for the animal offerings to be presented by those lacking in the completion of the atonement rites [a woman after childbirth, a person who has suffered from the skin ailment of Lev. 13-14]? It is lest the price of lambs go down, and, if a fixed price is set, they will never have a remedy to permit them to eat Holy Things.”
- B. *An objection was raised to this statement by Abayye:* “Then what about the following: the sin offering that is presented on account of inadvertently eating forbidden fat should be assigned a fixed value, *since that offering is presented to attain atonement and it is not presented to make one fit to eat Holy Things!*”
- C. *An objection was raised to this statement by Raba:* “Then the guilt offering brought by a Nazirite should be required to conform to a fixed value, *since it is brought for no explicit consideration*, for said R. Yohanan in the name of R. Simeon b. Yohai, ‘You have no offering that is brought for no explicit reason except for the guilt offering that is brought in behalf of the Nazirite.’”
- D. *So it’s a problem.*
- I.1 clarifies the ambiguities of our Mishnah-paragraph’s language. The proof that two distinct usages appear to be in play is compelling, and the reason that the same language speaks of two distinct matters is persuasive. No. 2 then asks a theoretical question that is hardly required in the context of our Mishnah-paragraph in particular. But the insertion is because our Mishnah-paragraph is cited — and its implications then are clarified in an unanticipated context. No. 3 is tacked on because it goes over the same question as No. 2, and Nos. 4, 5, and 6 are part of the formation of No. 3.

6:7

- A. [27B] **He who sets aside his sin offering and dies —**
- B. **his son should not bring it after him [for a sin the son has committed (M. Tem. 4: 1)].**
- C. **Nor should one bring for one sin [a beast set aside in expiation] for another —**
- D. **even [a beast set aside as a sin offering] for forbidden fat which he ate last night should he not bring [as a sin offering] for forbidden fat which he ate today,**
- E. **since it is said, “His offering for his sin” (Lev. 4:28) —**
- F. **that his offering should be for the sake of his [particular] sin.**

The Mishnah-commentary commences with scriptural evidence for the Mishnah’s rule.

- I.1** A. [Supply: **He who sets aside his sin offering and dies — his son should not bring it after him [for a sin the son has committed:]** *what is the scriptural basis for this ruling?*
- B. *It is in accord with that which our rabbis have taught on Tannaite authority:*
- C. “...his offering...” (Lev. 4:23, 28, 32) — with one’s own offering one fulfills his obligation to bring a sin offering, and not with the offering designated for use by his father.

- D. Might one suppose that, while one does not fulfill his obligation to present a sin offering through the offering of his father by means of a beast that his father has designated for a minor transgression of the father in regard to a major transgression of the son, or from one designated for a major transgression of the father for a minor transgression of the son [since here the class of sin does not match], but nonetheless one may fulfill one's obligation through an offering set aside by his father for a minor transgression of the father in regard to a minor transgression of the son or a major transgression of the father in regard to a major transgression of the son?
- E. Scripture says, "...his offering..." (Lev. 4:23, 28, 32) —
- F. with one's own offering one fulfills his obligation to bring a sin offering, and not with the offering designated for use by his father.
- G. Might one suppose that, while one may not carry out one's obligation with an animal designated by one's father, even for a minor transgression of the father in regard to a minor transgression of the son or a major transgression of the father in regard to a major transgression of the son, for lo, one does not bring a hair offering for his Naziriteship with a beast that his father has set apart for his own use, but, still, one may carry out one's obligations with money that one's father has set apart, even in regard for a beast to be offered in connection with a minor sin for a major one, or with a major sin for a minor one, for lo, one does indeed bring a hair offering for his Naziriteship with coins that his father has set apart for himself, if the coins have been left without explicit stipulation and not stipulated for the particular offering [e.g., for his sin offering or for his burnt offering]?
- H. Scripture says, "...his offering..." (Lev. 4:23, 28, 32) —
- I. with one's own offering one fulfills his obligation to bring a sin offering, and not with the offering designated for use by his father.
- J. Might one suppose that, while one may not carry out one's obligation with money that one's father has set apart, even in regard for a beast to be offered in connection with a minor sin for a minor one, or with a major sin for a major one, still, one may fulfill one's obligation through an offering that one has set apart for oneself, even if it is with a beast designated on account of a major sin for use in connection with a minor one, or for a minor sin in connection with a major sin?
- K. Scripture says, **"His offering for his sin" (Lev. 4:28) — that his offering should be for the sake of his [particular] sin.**
- L. Might one suppose that, while one may not carry out his obligation with a beast that he has designated for an offering for his own use, even if it is a beast designated for use on account of a minor sin to be used for another minor sin, or a beast designated for use in connection with a major sin for use in regard to another major sin, for lo, if he had designated a beast on account of eating forbidden fat, but presented it on account of eating blood, or set apart in connection with blood and presented it for eating forbidden fat, lo, he has not committed sacrilege and has not effected atonement, still, he may fulfill his obligation through the use of money that he has designated for use for purchase for himself in connection with a minor sin in regard to some other minor sin, or a major sin in regard to some other major sin, or in connection with a major sin in regard to some other, minor sin, or in connection with a minor sin in regard to some other, major sin, for lo, if he

designated for use for himself money in connection with eating forbidden fat, but presented the beast purchased with them in connection with inadvertently having eaten blood, or in respect to blood and presented the beast in connection with forbidden fat, he has committed sacrilege and also has attained atonement?

M. Scripture says, **“His offering for his sin” (Lev. 4:28) — that his offering should be for the sake of his [particular] sin.**

I.2. A. What is the meaning of the phrase, “he has not committed sacrilege and has not attained atonement”?

B. *R. Samuel bar Shimi interpreted the matter before R. Pappa, “This is the sense of the statement: since in this connection he cannot commit an act of sacrilege, he also has not attained atonement, and, on that account, he cannot change the purpose of the animal in some other wise. In the case of money, however, set apart for one purpose but used for another, since he used it for some other purpose, he did incur the sin of sacrilege, and he has to bring a guilt offering on account of sacrilege.*

C. *“Might I say that to begin with he may bring another offering? We are informed that that is not the case.”*

I.1 provides an elaborate amplification of the basic conception presented in the Mishnah-paragraph, and No. 2 clarifies details of the foregoing.

6:8

A. [With funds] consecrated [for the purchase of] a female lamb [as a sin offering], they purchase a female goat.

B. [With funds] consecrated [for the purchase of] a female goat [as a sin offering], [they bring] a lamb.

C. [With funds] consecrated [for the purchase of] a female lamb and a female goat [they purchase] turtledoves or young pigeons (Lev. 5: 7).

D. [With funds] consecrated [for the purchase of] turtle doves or young pigeons [they purchase] a tenth of an ephah [of fine flour, for a meal offering].

E. How so?

F. [If] one set aside [funds] for the purchase of a female lamb or a female goat and then grew poor, he may bring a bird.

G. [If] he grew still poorer, he may bring a tenth of an ephah [of flour].

H. [If] he set aside funds for a tenth of an ephah [of flour] and got rich, he may bring a bird.

I. [If] he got still richer, he may bring a female lamb or a female goat.

J. [If] he set aside a female lamb or a female goat and they were disfigured, if he wants, he may bring a bird with their proceeds.

K. [If] he set aside a bird and it was disfigured, he should not bring a tenth of an ephah with its proceeds,

L. for a bird is not subject to redemption.

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

B. *It is in accord with that which our rabbis have taught on Tannaite authority:*

- C. “And he shall bring...a lamb or a goat for a sin offering” (Lev. 5: 6); “then he shall offer the second for a burnt offering...for the sin which he has committed” (Lev. 5:10); “Thus the priest shall make atonement for him for the sin which he has committed in any one of these things” (Lev. 5:13) — what is the point of Scripture’s statements?
- D. How on the basis of Scripture do we know the following proposition: **[With funds] consecrated [for the purchase of] a female lamb [as a sin offering], they purchase a female goat. [With funds] consecrated [for the purchase of] a female goat [as a sin offering], [they bring] a lamb. [With funds] consecrated [for the purchase of] a female lamb and a female goat [they purchase] turtledoves or young pigeons (Lev. 5: 7). [With funds] consecrated [for the purchase of]turtle doves or young pigeons [they purchase] a tenth of an ephah [of fine flour, for a meal offering]. How so? [If] one set aside [funds] for the purchase of a female lamb or a female goat and then grew poor, he may bring a bird. [If] he grew still poorer, he may bring a tenth of an ephah [of flour]. [If] he set aside funds for a tenth of an ephah [of flour] and got rich, he may bring a bird. [If] he got still richer, he may bring a female lamb or a female goat. [If] he set aside a female lamb or a female goat and they were disfigured, if he wants, he may bring a bird with their proceeds. [If] he set aside a bird and it was disfigured, he should not bring a tenth of an ephah with its proceeds, for a bird is not subject to redemption — how on the basis of Scripture do we know that this is so?**
- E. It is on that account that it is said, “from his sin offering” and “to his sin offering.”
- F. *And it was necessary for Scripture to state the language “from his sin offering” in connection with a lamb or a goat as well as in regard to a bird offering.*
- G. *For if Scripture had made that statement only with respect to money set apart for the purchase of a lamb or a goat, then I might have said that if the money was designated for use for a lamb or a goat and he became poor, then part of the money may be applied to a bird offering, and he brings a bird offering, since a lamb and a bird offering are blood offerings [in that, in both instances, a blood rite is performed], but as to the tenth of an ephah of cereal, since it is not a blood offering, I might have said, if Scripture had not said, “from his sin offering,” in regard to a bird offering, if he set apart money for a pair of birds and he become poor, he may not bring with it the tenth of an ephah, for it is not a blood offering, but he must bring the tenth of an ephah from his own property, while the money that he has set apart shall fall to the fund for free will offerings. Therefore Scripture stated, “from his sin offering” in regard to a bird offering, to make clear to you that with money dedicated to buy a bird offering, he may bring a tenth of an ephah.*
- H. *And why does “to his sin offering” refer also to the tenth of an ephah? It is to teach you that if someone set apart money for a tenth of an ephah of fine flour and before bringing it got rich, he adds to the money and presents a bird; if he got rich, he adds to the coins and brings a she-lamb or a she-goat.*
- I. *And why does Scripture say “to his sin offering” in the context of the tenth of an ephah of fine flour [but not in connection with the bird offering]? If the phrase, “to his sin offering” were used in connection with the bird offering, I might have*

supposed that if one designated coins for his bird offering but then got rich, that is the case in which he is to add to the money and present a she-lamb or a she-goat, because both are varieties of blood=rites, but if he separated coins for a tenth ephah of fine flour and then got rich, if he did not get very rich, then he brings from his own property a bird offering, or, if he became very rich, he must bring from his own property a she-lamb or a she-goat, while the money that he had originally designated is to fall to the fund for freewill offerings. So Scripture has stated, “from his sin offering” in regard to the offering brought by a man when rich and also when poor, and the expression “to his sin offering” is used in connection with the offering brought by someone who is very poor, to teach you the propositions given above.

We proceed to special problems in connection with the Mishnah’s rule about responding to a change in the farmer’s financial situation.

- I.2. A. Said R. Eleazar said R. Oshaia, “A rich man who inadvertently imparted uncleanness to the sanctuary, who consequently designated a pair of birds [28A] instead of the lamb that he was to bring, and then who became poor, since the offering was rejected [in its initial category], it remains rejected [and the birds that were ineligible when he was rich are not now eligible].”
- B. *Said R. Huna b. R. Joshua, “Three rules are to be derived from this ruling. one may deduce, first of all, that a living beast that is consecrated can be removed forever from sacred use [and even though later on they became fit to be offered, they cannot be offered, since they have earlier been suspended from use on the altar for some reason]. And one may deduce, second, that the consecration of animals that have been dedicated as to their value can be removed. And you may deduce, third, that if to begin with [at the point of its consecration] an animal is removed from sacred use, then the suspension remains valid forever.”*
- C. *Objected R. Uqba bar Hama, “He who designates a female as a Passover offering — the beast pastures until it is blemished, then it is sold, and with its proceeds let him bring another beast as a Passover offering. If it gave birth to a male, let the beast be put out to pasture until it is blemished, then it is to be sold, and with the proceeds one brings a Passover offering. R. Simeon says, “The beast itself may be offered as a Passover offering.”[T. Tem. 2:3A-B]. That proves that [from Simeon’s perspective] that a living beast that is consecrated cannot be removed for ever from sacred use.”*
- D. *The household of R. Oshaia reply, “When we take the position that we do, it is in accord with the position of rabbis, for R. Simeon does indeed maintain that a living beast that is consecrated cannot be removed for ever from sacred use; and the requirement of having a lottery [to choose which of the beasts that are available serves one purpose, which the other] is not essential to the conduct of the rite.*
- E. *“For it has been taught on Tannaite authority:*
- F. *““If one of them died, he brings its fellow, without first of all having a lottery [to choose which of the beasts that are available serves one purpose, which the other,’ the words of R. Simeon.*
- G. *“It follows that he takes the position that a living beast that is consecrated cannot be removed for ever from sacred use, and that having a lottery [to choose which*

of the beasts that are available serves one purpose, which the other is not required.”

The introduction of the matter of having a lottery [to choose which of the beasts that are available serves one purpose, which the other now yields further clarification: exactly when does this rite take place?

- I.3.** A. Said R. Hisda, “The status of the two birds presented for bird offerings [one for a sin offering, the other for a burnt offering] is articulated only either at the time that the owner purchases the fowl or at the time that the priest prepares the offering.”
- B. *Said R. Shimi b. Ashi, “What is the scriptural basis for the position of R. Hisda? It is written, ‘And she shall take two turtledoves’ (Lev. 12: 8, one for a burnt offering, the other for a sin offering), ‘and the priest shall offer’ (Lev. 15:30). Thus it is either at the time that the owner purchases the fowl or at the time that the priest prepares the offering.”*
- D. *An objection was raised: “And Aaron shall present the goat upon which the lot fell for the Lord and make it a sin offering” (Lev. 16: 9) — the lot is what designates the goat as a sin offering, and mere designation of the classification of the goat is not what turns it into a sin offering, nor does the priest designate it as a sin offering. For one might have argued to the contrary: is it not a matter of logic? if in a case in which the lot does not consecrate an offering for a particular purpose, the designation does consecrate the offering for a particular purpose, in a case in which the lot does consecrate the offering for a particular purpose, is it not a matter of logic that the designation for a given purpose serves also to designate what is offered for a given purpose? For that reason Scripture states, “And Aaron shall present the goat upon which the lot fell for the Lord and make it a sin offering” (Lev. 16: 9) — the lot is what designates the goat as a sin offering, and mere designation of the classification of the goat is not what turns it into a sin offering. Now we see that the Tannaite version treats the designation as equivalent to the casting of the lot. Just as the lot marks a point other than that involved in the purchase of the offering or in the priest’s preparation of the offering, so the designation of the offering for one purpose or another may take place also neither at the time of the purchase of the offering nor at the time of the priest’s preparation of the offering.*
- E. *Said Raba, “This is the sense of the statement: if in a case in which the casting of the lot does not consecrate the offering for a particular purpose, the owner’s designation at the time of purchasing the beasts or the priest’s designation at the time of the preparation of the offering does serve to consecrate the offering for a particular purpose, here, in a case in which the casting of the lot does serve to consecrate the beast for a particular purpose, other than at the time of the owner’s purchasing of the beast or the priest’s preparing the beast, is it not logical that the designation by either the owner at the time or purchase or the priest at the time of preparation should serve to consecrate the beast for a particular purpose? For that reason Scripture states, ‘And Aaron shall present the goat upon which the lot fell for the Lord and make it a sin offering’ (Lev. 16: 9) — the lot is what designates the goat as a sin offering, and mere designation of the classification of the goat is not what turns it into a sin offering.”*

- F. *An objection was raised:* A poor man who imparted uncleanness to the sanctuary, who designated a pair of birds instead of the lamb that he was to bring, and then who became rich, and then said, “This [money] will be for my sin offering, and that will be for my burnt offering,” adds funds to the money assigned for the bird for the sin offering and presents his obligatory offering with that money, but he may not add to the money designated for his burnt offering of a bird and bring his obligatory offering with that money. *Now lo, here we have a situation involving neither the moment of purchase by the owner nor the moment of preparation by the priest, and yet it is taught as the Tannaite version,* adds funds to the money assigned for the bird for the sin offering and presents his obligatory offering with that money, but he may not add to the money designated for his burnt offering of a bird and bring his obligatory offering with that money.
- G. *Said R. Sheshet, “But do you really think that the Tannaite teaching is properly corrected? Note that it is taught, ‘and then who became rich, and then said...,’* and lo, R. Eleazar said R. Oshaia said, ‘A rich man who imparted uncleanness to the sanctuary, who designated a pair of birds instead of the lamb that he was to bring, and then who became poor, [since the offering was rejected in its initial category, it remains rejected and the birds that were ineligible when he was rich are not now eligible] has not carried out his obligation.’ [Since he cannot fulfill his obligation with the poor man’s offering of birds, his designation is null, and he should be permitted to use the money as he wants (Porusch)]. *So what do you have to say?* He had already designated the fowl for their several purposes when he was still poor — *and here too*, he had already designated the purpose of the offerings when he set apart the money [equivalent to the time of purchase, and the designation accords with Hisda’s ruling].”
- H. *But in the view of R. Haga, who said R. Oshaia said, “He has carried out his obligation,” what is there to be said?*
- I. *Read it as follows:* and afterwards he bought and said....
- J. *An objection was raised:* A poor man brought the offering required of a rich man has carried out his obligation. A rich man who brought the offering required of a poor man has not carried out his obligation. Is this not a refutation of *the view of R. Haga, who said R. Oshaia [said, “He has carried out his obligation”]*?
- K. He will say to you, “The rule pertaining to the person afflicted with sara’at is different, for the All-Merciful has imposed a limitation on the matter when it says, ‘This shall be the law of the leper’ (Lev. 14: 2).” [It cannot be changed in the manner described at J.]
- L. *If that is so, then* even if a poor afflicted person who brought the offerings required of a rich one should not be held to have carried out his obligations!
- M. *How is that possible? Surely this is a case encompassed by the expression, “the Torah.”*
- N. *And so it has been taught on Tannaite authority:* “...Torah...” serves to encompass the case of a poor afflicted person who brought the offerings required of a rich one, indicating that he has fulfilled his obligation.
- O. Might one then suppose that even a rich man who brought the offerings required of a poor man should have carried out his obligations? Scripture says, “This....”

P. *Then let us infer the very rule from the same usage [that a poor afflicted person who brought the offerings required of a rich one has not carried out his obligation]?*

Q. Scripture has said, “And if he be poor and his means do not suffice” (Lev. 14:21) — *he*, the afflicted one, is the one that is subject to the rule, indicating that when he is rich, he cannot carry out his obligation with the offering required of a poor man, but a rich man who defiled the sanctuary and who brought what is required of a poor man does thereby carry out his obligation.

Once more we commence, I.1, with the inquiry into the scriptural source for the statement at hand. No. 2 then introduces a secondary clarification of the implications of the law. No. 3 seems to me to go its own way, and I cannot find any compelling reason to include it here. The composition is cogent within its own terms. I suppose that because it intersects with the theme of designating beasts for various offerings, it was found worthy of juxtaposition in the present context. The reference, at 3.F, to a change in status is a still more appropriate point of intersection. And there is a clear reference at 3.F to the preceding, so the agglutination is fairly routine.

6:9

A. R. Simeon says, “Lambs come before goats in all places [in Scripture].

B. “Is it possible [that the reason is] that they are choicer?

C. “Scripture states, ‘And if [as an alternative] he bring a lamb as his offering for a sin offering’ (Lev. 4:32),

D. “teaching that the two are deemed equivalent.

E. “Turtledoves come before pigeons in all places [in Scripture].

F. “Is it possible [that the reason is] that they are choicer?

G. “Scripture states, ‘A young pigeon or a turtledove for a sin offering’ (Lev. 12: 6),

H. “teaching that the two are deemed equivalent.

I. “The father comes before over the mother in all places [in Scripture].

J. “Is it possible [that the reason is] that the honor owing to the father is superior to the honor owing to the mother?

K. “Scripture states, ‘You shall fear every one his mother and his father’ (Lev. 19: 3),

L. “teaching that the two are deemed equivalent.”

M. But sages have stated:

N. “The father comes before over the mother under all circumstances, because both he and his mother are liable to pay honor to his father.

O. “And so with respect to study of Torah:

P “If the son acquired merit [by sitting and studying] before the master, the master takes precedence over the father under all circumstances,

Q. “because both he and his father are liable to pay honor to his master.”

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

B. Four outcries did the Temple-courtyard cry out.

- C. One: "Remove from here the sons of Eli, Hophni and Phineas, because they have imparted uncleanness to the Temple."
- D. The second cry: "Open the gates, so that Yohanan b. Nidbai, the disciple of Pinqai, may enter, and fill his belly with the Holy Things of Heaven."
- E. They said concerning Ben Nidbai that he would eat four seahs of pigeons [28B] as a dessert for his meal."
- F. They said, "All his days there never was left-over remnant meat in the courtyard [because he would eat it all up]."
- G. The third cry: "Left up your heads, o gates, and let Elishama, son of Pikai, disciple of Phineas, enter in and serve as high priest."
- H. The fourth cry: "Open the gates and remove Issachar of Kefar Barqai from here, for he treats himself with honor but treats with contempt the Holy Things of heaven."
- I. *What would he do? He would wrap silk over his hands and in that way carry out the sacrificial liturgy. [This was fastidiousness that showed contempt for the meat belonging to God.]*
- J. *What became of him?*
- K. *King Yannai and the queen were in session. The king said, "Goat's meat is best," and the queen said, "Lamb's meat is best." They said, "Let us ask Issachar of Kefar Barqai, for he is high priest and himself carries out the rite. They sent for him and asked him, and he replied, "If the goat's meat were the best, then it should be offered as the daily whole offering [but in fact what is offered daily is a lamb]." While he was talking, he waved his hand. The king said, "Since he has waved his hand, let his right hand be cut off." He paid a bribe, so they cut off his left hand instead. When the king heard about it, he ordered, "Cut off his right hand too."*
- L. *Said R. Joseph, "Blessed is the All-Merciful, who paid his due to Issachar of Kefar Barqai in this world."*
- M. *Said R. Ashi, "But he had not learned on Tannaite authority that which we have learned in the Mishnah: **Lambs come before goats in all places [in Scripture]. Is it possible [that the reason is] that they are choicer? Scripture states, 'And if [as an alternative] he bring a lamb as his offering for a sin offering' (Lev. 4:32), teaching that the two are deemed equivalent.**"*
- N. *Rabina said, "Even Scripture too he had not learned to recite, for it is written, 'If he brings a lamb...and if his offering be a goat' (Lev. 3: 7, 12)."*
- I.2.** A. Said R. Eleazar said R. Hanina, "Disciples of sages make peace abundant in the world, as it is said, 'And all your children shall be taught by the Lord, and great will be the peace of your children.'
- B. *"Do not read the letters that spell 'your children' to yield that sense, but rather, read the same letters with vowels that yield, 'those who build you.'"*

The reason for the inclusion of the entire composition at No. 1 comes at the point at which our Mishnah-passage is cited, a further instance of a different theory of agglutination from the one ordinarily in play. No. 2 is tacked on as a conventional conclusion and has no bearing on the Mishnah-paragraph before us.