

I

BAVLI TRACTATE SHEBUOT CHAPTER ONE

FOLIOS 2A-14A

1:1-7

1:1

- A. Oaths are of two sorts, which yield four subdivisions [on account of each of which one may be liable on one distinct count].
- B. Awareness of [having sinned through] uncleanness is of two sorts, which yield four subdivisions [on account of each of which one may be liable on one distinct count].
- C. Transportation [of objects from one domain to the other] on the Sabbath is of two sorts, which yield four subdivisions [on account of each of which one may be liable on one distinct count].
- D. The symptoms of the presence of the skin disease [negaim] are of two sorts, which yield four subdivisions [on account of each of which one may be liable on one distinct count].

1:2

- A. In any case in which there is awareness of uncleanness at the outset and awareness [of uncleanness] at the end but unawareness in the meantime — lo, this one is subject to bringing an offering of variable value.
- B. [If] there is awareness [of uncleanness] at the outset but no apprehension [of uncleanness] at the end, a goat which [yields blood to be sprinkled] within [in the Holy of Holies], and the Day of Atonement suspend [the punishment],
- C. until it will be made known to the person, so that he may bring an offering of variable value.

1:3

- A. [If] there is no apprehension [of uncleanness] at the outset but there is apprehension [of uncleanness] at the end,
- B. a goat which [yields blood to be sprinkled] without [on the outer altar], and the Day of Atonement effect atonement,
- C. as it is said, “Beside the sin offering of atonement” (Num. 29:11).

- D. For that which this [goat, prepared inside] makes atonement, the other [the goat prepared outside] makes atonement.
- E. Just as the goat prepared inside makes atonement only for something for which there is certain knowledge, so that which is prepared outside effects atonement only for something for which there is certain knowledge.

1:4

- A. And for that [uncleanness] for which there is no awareness [of uncleanness] either at the beginning or at the end,
- B. “the goats offered on festivals and the goats offered on new months effect atonement,” the words of R. Judah.
- C. R. Simeon says, “The goats offered on festivals effect atonement but not the goats offered on new months.
- D. “And for what do the goats offered on new months effect atonement? [2B] For a clean person who ate something unclean.”
- E. R. Meir says, “The atoning effects of all goats are the same: for imparting uncleanness to the sanctuary and its Holy Things.”
- F. R. Simeon did say, “The goats offered on the new months effect atonement for a clean person who has eaten something unclean.
- G. “And those of the festivals effect atonement for a case in which there is no awareness [of uncleanness] either at the beginning or at the end [of the sequence of events].
- H. “And those of the Day of Atonement effect atonement for a case in which there is no awareness [of uncleanness] at the beginning but there is apprehension [of uncleanness] at the end” [= M. 1:3] .
- I. They said to him, “What is the law as to offering up this one [set aside for the Day of Atonement] on the occasion of the other [the new month]?”
- J. He said to them, “Let them be offered up.”
- K. They said to him, “Since their power of effecting atonement is not the same, how may one be offered on the occasion suitable for the other?”
- L. He said to them, “All of them are offered up to effect atonement for imparting uncleanness to the sanctuary and its Holy Things.”

1:5

- A. R. Simeon b. Judah says in his name, “Goats offered up on the new months effect atonement for a clean person who has eaten something unclean [= M. 1:4D] .
- B. “Added to them are those of the festivals, which effect atonement for a clean person who has eaten something unclean, and for the case in which there is no apprehension [of uncleanness] either at the beginning or at the end [= M. 1:4C] .”
- C. “Added to them are those of the Day of Atonement, which effect atonement for a clean person who has eaten something unclean, for a case in which there is no apprehension [of uncleanness] either at the beginning or at the end, and for a case in which there is no apprehension [of uncleanness] at the beginning

but in which there is an apprehension [of uncleanness] at the end [= M. 1:3].”

- D. They said to him, “What is the law as to offering up this one on the occasion of the other?”
- E. He said to them, “Yes.”
- F. They said to him, “If so, let those [set aside for use on] the Day of Atonement be offered up on the new months.
- G. “But how are those of the new months going to be offered on the Day of Atonement, to effect atonement which does not apply to them [an unclean person who ate something clean or went into the sanctuary]?”
- H. He said to them, “All of them are offered up to effect atonement for imparting uncleanness to the sanctuary and its Holy Things.”

1:6

- A. And for a deliberate act of imparting uncleanness to the sanctuary and its Holy Things, a goat [whose blood is sprinkled] inside and the Day of Atonement effect atonement.
- B. And for all other transgressions which are in the Torah —
- C. the minor or serious, deliberate or inadvertent, those done knowingly or done unknowingly, violating a positive or a negative commandment, those punishable by extirpation and those punishable by death at the hands of a court,
- D. the goat which is sent away [Lev. 16:21] effects atonement.

1:7

- A. [It effects atonement] all the same, for Israelites, priests and the anointed priest.
- B. What is the difference between Israelites, priests, and the anointed priest?
- C. But: The blood of the bullock effects atonement for priests for imparting uncleanness to the sanctuary and its Holy Things.
- D. R. Simeon says, “Just as the blood of the goat which is [sprinkled] inside effects atonement for Israelites,
- E. “so the blood of the bullock effects atonement for priests.
- F. “Just as the confession said over the goat which is sent forth effects atonement for Israelites,
- G. “so the confession said over the bullock effects atonement for priests.”

- I.1** A. *Now that the Tannaite authority has completed his presentation of tractate Makkot, why does he turn to the study of tractate Shebuot?*
- B. *It is because, in the earlier tractate, it is stated as a Tannaite teaching: For [cutting off the hair of] the head, he is liable on two counts, one for each side of the head. [3A] For cutting off the beard, he is liable on two counts for one side, two counts for the other side, and one count for the lower part [M. Mak. 3:5D-E], what we are dealing with is a single action on account of which one may incur liability on two or more counts. So it was quite natural to proceed with other cases of a single action on account of which one may incur liability on two*

counts, thus: Oaths are of two sorts, which yield four subdivisions [on account of each of which one may incur liability on one count].

- I.2.** A. *And how come the Tannaite framer of our passage has spelled out all of the instances in which a single action involves liability on two counts, each of which further imposes liability, hence on four counts, while when he treated the Sabbath, in the context of the laws of transporting objects on the Sabbath from private to public domain, and when he treated the tractate of Negaim, dealing with the shades that connote the presence of the skin ailment, he did not spell out matters in this same manner?*
- B. *Say: the rules governing oaths and classifications of uncleanness are treated together in Scripture [at Lev. Chapter Five], and they are affines, since in both cases, the one who violates the law brings an offering of variable value. So the Tannaite framer of our passage deals with the two of them together, and, once he has spelled out those two, he presents also the rest as well.*
- I.3.** A. *How come [we see when we contrast M. 1:1 with M. 1:2 that] the framer of the passage commences with the laws of oaths but then in his exposition begins by treating the laws of uncleanness?*
- B. *Since the laws of uncleanness are only a few, he completes that matter to begin with, then he proceeds to go over the matter of oaths, concerning which many rules are in hand.*

II.1 A. Oaths are of two sorts, which yield four subdivisions:

- B. **Two sorts:** “By an oath, I shall eat,” “by an oath, I shall not eat,”
- C. **which yield four subdivisions:** “I ate, I did not eat.”

III.1 A. Awareness of [having sinned through] uncleanness is of two sorts, which yield four subdivisions:

- B. **Awareness of [having sinned through] uncleanness is of two sorts:** awareness of having been unclean and eaten Holy Things, awareness of having been unclean and entered the Temple [having forgotten his being unclean in both cases];
- C. **which yield four subdivisions:** awareness that he had eaten Holy Things while he was unclean [having forgotten it was holy while eating it]; and awareness that it was the Temple that he had entered while he was unclean [having forgotten that it was the Temple when he entered the building].

IV.1 A. Transportation [of objects from one domain to the other] on the Sabbath is of two sorts, which yield four subdivisions:

- B. **Transportation [of objects from one domain to the other] on the Sabbath is of two sorts:** the transportation from one domain to the other by the poor man, the transportation from one domain to the other by the householder;
- C. **which yield four subdivisions:** the transportation into one domain from the other by the poor man, the transportation into one domain from the other by the householder.

V.1 A. The symptoms of the presence of the skin disease [negaim] are of two sorts, which yield four subdivisions:

- B. **The symptoms of the presence of the skin disease [negaim] are of two sorts:** a white shade like the plaster of the Temple walls, a white shade like snow,

- C. **which yield four subdivisions:** the shade that is secondary to the white shade like the plaster of the Temple walls, the shade that is secondary to the white shade like snow.

The brief entry into the whole now yields to a systematic study of the question of the authority behind the anonymous, therefore authoritative, rule. We treat all four principal topics as a single statement.

V.2. A. *Who is the authority behind our Mishnah's rule?*

- B. *It is neither R. Ishmael nor R. Aqiba.*
- C. It cannot be R. Ishmael, for has he not said, "[While our Mishnah's rule encompasses oaths taken as to the past tense,] one may incur liability for a false oath only if it is framed in the future tense"?
- D. It also cannot be R. Aqiba, for has he not said, "One is liable only if he is unaware that he is unclean while he is eating holy food or entering the Temple, but he is not liable if he forgets that it is the Temple that he has entered or Holy Food that he has eaten while he is unclean"?
- E. *Well, if you want, I can show you that it is R. Ishmael, and if you want, I can show you that it is R. Aqiba.*
- F. *If you want, I can show you that it is R. Ishmael:* of the four classifications of oaths, there are two on account of which one becomes liable to punishment, and there are two on the basis of which one does not incur liability.
- G. *and if you want, I can show you that it is R. Aqiba:* of the four classifications of the violation of the rule against uncleanness, there are two on account of which one becomes liable to punishment, and there are two on the basis of which one does not incur liability.
- H. ...on the basis of which one does not incur liability! **[3B]** *But lo, the Tannaite framer of the passage has set matters out by analogy to the symptoms of the presence of the skin disease [negaim] are of two sorts, which yield four subdivisions! Just as in that matter, all four shades classify the victim as unclean, so that he has to present an offering, so here too [in the matters of oaths or uncleanness], all the classifications must be equal in imposing the requisite of an offering!*
- I. *In point of fact, the authority before us really is R. Ishmael, and where R. Ishmael does not impose liability to an offering should one take a false oath, it has to do with an oath phrased in the past tense, in which case one does not have to present an offering, if he violates his law unwittingly], but he still is not exempt from the penalty of a flogging if he violates the oath deliberately.*
- J. *And this accords with the position of Raba, for said Raba, "Explicitly the Torah has treated a false oath in the same classification as a vain oath [that is, one that obviously is null]. Just as a vain oath is taken concerning something that has happened in the past [and is untrue as soon as it is stated, and one is flogged on account of such an oath] so a false oath about what has happened in the past is penalized by a flogging."*

V.3. A. *Now there is no problem with the case of an oath, "I have eaten," "I have not eaten," in which instance one is guilty and is flogged if he has taken a false oath. That is in line with what Raba said, "The case of one's saying, 'By an oath, I shall*

not eat,' who then ate, involves the violation of a negative commandment that involves a concrete deed [and such a one is flogged]." *But in the case of one who took an oath, "I shall eat," but did not eat, why is there a flogging? Here we have a negative commandment that does not involve a concrete deed!*

- B. *R. Ishmael takes the view that on account of violating a negative commandment in which no concrete deed is involved, one is flogged.*

The exposition of Ishmael's position vis à vis Raba's principle is now complete, but a further problem is introduced, subordinate to the foregoing and not required for the purpose at hand. The interrupted discussion is resumed below, taking account of the result of what follows.

- C. *If that is the case, then we find a contradiction between two statements of R. Yohanan. For said R. Yohanan, "The decided law accords with the unattributed statement of the Mishnah," [which accords with Ishmael's position that on account of violating a negative commandment in which no concrete deed is involved, one is flogged], and yet it has been stated: [if someone said,] "by an oath, today I shall eat this loaf of bread," both R. Yohanan and R. Simeon b. Laqish say, "He is not flogged." [And here we certainly have a negative commandment in which no concrete deed is involved, since at stake is what the man has not done.] R. Yohanan said, "He is not flogged," because what we have here is a negative commandment that does not involve a concrete deed, and on account of a negative commandment that does not involve a concrete deed, no flogging is administered. R. Simeon b. Laqish said, "He is not flogged," since here we have admonition that is subject to doubt, and admonition that is subject to doubt is not classified as an admonition.*

- D. *R. Yohanan turned up another Mishnah-rule not assigned to a particular authority [and therefore authoritative, and it is one that conforms to his position].*

- E. *Which one could that be? Can it be this one: [He who breaks the bone of a Passover offering which is in a state of cultic cleanness — lo, this person receives forty stripes.] But one who leaves over [any part] of a Passover offering which is in a state of cultic cleanness and one who breaks a bone of a Passover offering which is in a state of cultic uncleanness do not receive forty stripes [M. Pes. 7:11D-F]? But then, while there is no problem in explaining why he who breaks the bone of an unclean Passover lamb is not flogged, since it is written, "You shall not break a bone thereof" (Exo. 12:46), which speaks of a clean but not of an invalid Passover lamb, why should the one who leaves over a portion of a clean Passover lamb not be flogged? It must be that he has transgressed a negative commandment not involving a concrete deed, which would then indicate that a negative commandment not involving a concrete deed is not subject to sanction! [And that is the unattributed, therefore authoritative, statement of the Mishnah with which Yohanan concurs.]*

- F. *But on what basis do you assume that the law is formulated within the position of R. Jacob, who indeed has maintained that in the case of violating a negative commandment in which no concrete deed is involved, no flogging is administered. Perhaps it represents the position of R. Judah, and the operative consideration is exegetical, namely, since the Scripture has presented a positive commandment*

following a negative commandment, *there is no flogging, but otherwise it would have been punishable by flogging? For it has been taught on Tannaite authority:*

G. “And you shall let nothing remain of it until the morning, and that which remains of it until the morning you shall burn with fire” (Exo. 12:10):

H. “Scripture comes to set forth an affirmative commandment after a negative one, so as to indicate that on that account, one does not incur flogging,” the words of R. Judah.

I. R. Jacob says, “That is not the pertinent consideration here, but rather because we deal with a negative commandment that does not involve the commission of an actual deed, and in the case of any negative commandment that does not involve a concrete deed, flogging is not incurred.”

G. *Rather, this is the unattributed, therefore authoritative, Mishnah-paragraph that he turned up: “[He who states the language,] ‘By an oath! I will not eat this loaf of bread!’ By an oath! I will not eat it!’ and then ate it — [4A] one is liable only on a single count. And this is the rash oath, on account of the deliberate violation of which one is liable to a flogging, and on account of the inadvertent violation of which one is liable to an offering of variable value” [M. Shabuot 3:7A-E].* Thus: And this is...on account of the deliberate violation of which one is liable to a flogging, and on account of the inadvertent violation of which one is liable to an offering of variable value, but one who said, “I shall eat,” but did not eat is not flogged!

H. *Well now, you have this ruling, which is given anonymously, and that ruling [that our Mishnah-paragraph sets forth], which also is given anonymously. How come he has acted in accord with this anonymous ruling? Let him rather act in accord with the other anonymous ruling!*

I. *Well, in accord with your reasoning, how is it possible that Rabbi himself [who is responsible for the Mishnah as we know it] has formulated the rule anonymously in the one case, and formulated the rule anonymously [in such a different manner] in the other? [He cannot possibly agree with both statements, each of which is formulated as decided law.]*

J. *But to begin with he took the position that in the case of the violation of a negative commandment in which no concrete deed is involved, a flogging is administered, so he framed that rule as the statement of a consensus, and then he took the position that on that account, there is no flogging, so he framed that rule as the statement of a consensus. But the Mishnah, once formulated, was left in place.*

V.4. A. *Now, then, how have you interpreted the passage? It is in accord with R. Ishmael, and, further, the passage speaks of a flogging in connection with a case involving the various shades that classify the appearance of the skin ailment? But then, what can be the occasion for a flogging in such a connection?*

B. *There is of course the flogging on account of removing the mark of the skin ailment, and that is in line with the position that R. Abin said R. Ilai said. For said R. Abin said R. Ilai, “‘In any passage in which in Scripture you find the language, ‘observe,’ ‘lest,’ ‘do not,’ that means an action is prohibited [and subject to a negative commandment only].”*

In our quest for the identity of the authority behind the anonymous Mishnah-composite, we continue to examine the basis for inflicting a flogging; having worked out matters for the oath, we proceed to the Sabbath.

- V.5.** A. *In connection with carrying something from one domain to another on the Sabbath, what is the occasion for a flogging? There, after all, we have a negative commandment that is subject to an admonition concerning the death penalty at the hand of an earthly court, and in any case in which there is a negative commandment that is a negative commandment that is subject to an admonition concerning the death penalty there is no flogging!*
- B. *But that is the very reason that led us to assign the passage to the authority of R. Ishmael, for he is the authority who has said, “In any case in which there is a negative commandment that is a negative commandment that is subject to an admonition concerning the death penalty there is a flogging”!*
- C. *Then were it not for that consideration, should the passage have been read within the framework of the authority of R. Aqiba? [That is not very likely, since there is this simple] problem: the laws covering awareness of uncleanness in our passage do not accord with his position!*
- D. *But have you not said that, even accord to the position of R. Ishmael, the Mishnah-passage has to be read as speaking of a deliberate violation of the law, in which flogging is incurred, and if it were not that R. Aqiba maintains that violation of a negative commandment in which there is the admonition of the death penalty at the hands of an earthly court, flogging is not incurred, then, even if the admonition involving lashes were given, we could as well have interpreted the Mishnah to accord with the position of R. Aqiba and to refer to a flogging [not to an offering].*
- E. *If then [the passage speaks of a deliberate violation of the law and a flogging,] then the language, **Awareness of [having sinned through] uncleanness is of two sorts, which yield four subdivisions**, [which supposedly speaks of violating the law unawares does not fit,] and the language should be, not “awareness” but rather, “admonition against sinning through uncleanness” would be preferable!*
- F. *That poses no problem, the framer of the passage has in mind “awareness of admonitions....”*
- G. *If so, what sense does the language **two sorts, which yield four subdivisions** make? There are only two [Silverstone: warnings against eating Holy Things while unclean, and against entering the Temple while unclean]! Furthermore, as to the formulation, **In any case in which there is awareness of uncleanness at the outset and awareness [of uncleanness] at the end but unawareness in the meantime — lo, this one is subject to bringing an offering of variable value**, how can there be a situation of unawareness, if the Mishnah speaks of willful violation and a flogging? And furthermore, **an offering of variable value is presented** speaks only of a violation of the law unawares!*
- H. *Rather, said R. Joseph, “The authority of the Mishnah-passage is Rabbi, and he takes over the views of both Tannaite authorities. In respect to the matter of unawareness of uncleanness, he presents the position of R. Ishmael, and in regard*

to the matter of oaths, he presents the view of R. Aqiba [and the passage then refers to the unwitting violation of the law].”

We now test the proposition that the Mishnah has been formulated by Rabbi in accord with Rabbi’s own choices on the opinions of Ishmael and Aqiba, which involved selecting the opinion of one in one matter, of the other in another matter.

- I. *Said R. Ashi, “I stated this tradition before R. Kahana, who said to me, ‘Do not imagine that Rabbi presented the rule in accord with the specified Tannaite authorities while he himself did not concur [with what Aqiba says on oaths and Ishmael on uncleanness], but Rabbi is entirely in accord with positions that he himself held explicitly.’”*
- J. *For it has been taught on Tannaite authority:*
- K. **“How on the basis of Scripture do we know that one is liable [of having inadvertently violated the cleanness of the Temple] only in the case of a spell of inadvertence in which, at the outset, one was aware [of being unclean or in the Temple], and, at the end, one was aware [of being unclean or in the Temple], but, in between, one was not aware? Scripture states, ‘It was hidden from him...it was hidden from him...’ two times (Lev. 5: 2, 3),” the words of R. Aqiba.**
- L. **Rabbi says, “Such a proof is not necessary, for lo, Scripture says, [4B] ‘it was hidden from him’ [forgotten by him], which means that to begin with he actually was entirely aware; then Scripture says, ‘and he knows of it,’ and that must refer to his condition at the end of the spell, which indicates that one is liable [of having inadvertently violated the cleanness of the Temple] only in the case of a spell of inadvertence in which, at the outset, one was aware [of being unclean or in the Temple], and, at the end, one was aware [of being unclean or in the Temple], but, in between, one was not aware. So why does Scripture state, ‘It was hidden from him...it was hidden from him...’ two times (Lev. 5: 2, 3)? It is to impose liability both for being unaware of being unclean and also of the Temple or Holy Things” [Sifra LIV:III.7].**
- M. *Thus we have found that, as to the matter of spells of unawareness, Rabbi maintains his own position. In the matter of oaths, where he does not set forth a scriptural foundation of his own for the position spelled out before us, how do we know that he takes the position that **Oaths are of two sorts, which yield four subdivisions [on account of each of which one may be liability on one count]?***
- N. *It stands to reason, for what is the basis for R. Aqiba’s encompassing under liability oaths that refer to the past? It is because he expounds the law in accord with the principle of an encompassing principle and its associated particularization [in which case the encompassing principle is limited by what is covered by the particularization thereof.]” [This matter is spelled out below, at B. Shebuot 26A.]*

We now follow the exposition of what has been taken for granted, which is, Rabbi’s principle of interpretation of the encompassing principle joined with a particularization thereof. The foregoing can have concluded, but sound exposition certainly requires the information that follows.

- O. *Rabbi also expounds the law in accord with the principle of an encompassing principle and its associated particularization, for it has been taught on Tannaite authority:*
- P. Rabbi says, "With anything whatsoever one may redeem a firstborn of a human being, except for notes of indebtedness."
- Q. And Rabbis say, "With anything whatsoever may one redeem a firstborn of a human being, except for slaves, bonds, and real estate."
- R. *What is the scriptural basis for the position of Rabbi?*
- S. *He interprets scriptural evidences of inclusionary and exclusionary usages, as follows:*
- T. "And those that are to be redeemed from a month" (Num. 18:16) — that is an augmentative statement. "According to your estimation of the money" (Num. 18:16) is an exclusionary statement. "You shall redeem" is a further inclusionary statement. Where you have an inclusionary, an exclusionary, and then an inclusionary statement, the net effect is to encompass everything and hence: "With anything whatsoever [one may redeem a firstborn...]."
- U. *What is encompassed? Everything. And what then is excluded in the limitation? "except for notes of indebtedness."*
- V. *And rabbis?*
- W. *They read the same statements as constituting an encompassing rule followed by an exclusionary particularization.*
- X. "And those that are to be redeemed from a month" (Num. 18:16) — that is an encompassing rule. "According to your estimation of the money five selas" (Num. 18:16) is an *exclusionary particularization*. "You shall redeem" forms yet another encompassing rule. Now we have an encompassing rule, an exclusionary particularization, and another encompassing rule. You therefore are limited in forming an analogy to what is covered by the traits of the exclusionary particularization. Just as the exclusionary particularization makes explicit that we deal with something that is portable and that, in itself, is money, so everything that may be used for redeeming the firstborn must be portable and must be itself money. What is excluded then are immovable property, because it is not movable; slaves, since they are comparable to immovable property; and notes of indebtedness, because, though movable, they are not in themselves money.
- Y. *Said Rabina to Maremar, "But does Rabbi really invoke the categories of scriptural evidences of inclusionary and exclusionary usages? Lo, in point of fact, Rabbi too invokes the categories of an encompassing rule followed by an exclusionary particularization. This is in connection with the slave whose ear is pierced. For it has been taught [to the contrary] on Tannaite authority:*
- Z. "Scripture states, 'an awl' (Deu. 15:17). I know only that an awl is sufficient for boring the ear of the slave. How do I know that sufficient also would be a prick, thorn, borer, or stylus?
- AA. "Scripture states, 'Then you shall take' (Deu. 15:12) — including everything that can be taken in hand," the words of R. Yosé b. R. Judah.
- BB. Rabbi says, "Since the verse says, 'an awl,' we draw the conclusion that the awl is made only of metal, and so anything that is used must be metal."

- CC. *And in that connection we have stated, "What is at issue between them? Rabbi invokes the categories of an encompassing rule followed by an exclusionary particularization, while R. Yosé b. R. Judah [5A] interprets the categories of scriptural evidences of inclusionary and exclusionary usages."*
- DD. *Well, that is true, for in general Rabbi invokes the categories of inclusionary and exclusionary usage, but here, it is in accord with the Tannaite authority of the household of R. Ishmael.*
- EE. *For the Tannaite authority of the household of R. Ishmael [stated], "...in the waters, in the waters' (Lev. 11:9) — two times: this does not represent an encompassing rule followed by an exclusionary particularization, but rather, an inclusionary and exclusionary usage."*
- FF. *And rabbis?*
- GG. *Said Rabina, "It is in accord with that which is said in the West: 'In any passage in which you find two encompassing statements adjacent to one another, set an exclusionary particularization between them and interpret them in the line of encompassing statements joined to exclusionary particularizations.'"*
- HH. *[Reverting to our starting point at O:] now that you have said that Rabbi does expound the law in accord with the principle of an encompassing principle and its associated particularization, you must concede that there is a problem in the matter of oaths [Silverstone: for if Rabbi does not expound the law in accord with the principle of an encompassing principle and its associated particularization, he cannot concur with Aqiba, who includes oaths in the past tense]. It must follow, therefore, that in the formulation of our paragraph, while he presents R. Aqiba's view on oaths, that is not, in fact, his own position.*

V.6. A. *Reverting to the body of the prior text:*

- B. **"How on the basis of Scripture do we know that one is liable [of having inadvertently violated the cleanness of the Temple] only in the case of a spell of inadvertence in which, at the outset, one was aware [of being unclean or in the Temple], and, at the end, one was aware [of being unclean or in the Temple], but, in between, one was not aware? Scripture states, 'It was hidden from him...it was hidden from him...' two times (Lev. 5: 2, 3)," the words of R. Aqiba.**
- C. **Rabbi says, "Such a proof is not necessary, for lo, Scripture says, 'it was hidden from him' [forgotten by him], which means that to begin with he actually was entirely aware; then Scripture says, 'and he knows of it,' and that must refer to his condition at the end of the spell, which indicates that one is liable [of having inadvertently violated the cleanness of the Temple] only in the case of a spell of inadvertence in which, at the outset, one was aware [of being unclean or in the Temple], and, at the end, one was aware [of being unclean or in the Temple], but, in between, one was not aware. So why does Scripture state, 'It was hidden from him...it was hidden from him...' two times (Lev. 5: 2, 3)? It is to impose liability both for being unaware of being unclean and also of the Temple or Holy Things" [Sifra LIV:III.7].**
- C. **The master has said, "Scripture says, 'it was hidden from him' [forgotten by him], which means that to begin with he actually was entirely aware:"**

- D. *How is this implied?*
- E. *Said Raba, "Since it is not written, 'and it is hidden from him' [the sense is, it became hidden from him, meaning, he was aware at the beginning]."*
- F. *Said to him Abbaye, "Then how about the usage in connection with the wife accused of infidelity, in which connection it is written, 'And it was hidden from the sight of her husband' (Num. 5:13). Here too, are you prepared to say that to begin with he knew about it? But if he knew about it, will the water actually accomplish the purpose of testing her? But lo, it has been taught on Tannaite authority [to the contrary]!"*
- G. *"And the man shall be free from iniquity, and the woman shall bear her iniquity' (Num. 5:31). [The sense of the foregoing verse of Scripture is that] when the man is free of transgression, the water puts his wife to the test, [and] if the man is not free of transgression, the water does not put his wife to the test.*
- H. *"Furthermore, in regard to the Torah it is written, 'And it is hidden from the sight of all the living and from the birds of the heavens it is kept secret' (Job. 28:21) — does it here too follow that they knew it? Obviously that cannot be the case, for it is written, 'Man does not know the value thereof' (Job. 28:13)!"*
- I. *Rather, said Abbaye, "Rabbi takes the view that knowledge acquired in the household of one's master is classified as knowledge [so if one had learned that one who touches what is unclean becomes unclean, that is deemed awareness to meet the requirement of awareness to begin with, even though at the moment one touched the unclean thing, he did not realize he had become unclean, in which case the condition that there be awareness at the outset is always met (Silverstone)]."*
- J. *Said R. Pappa to Abbaye, But if that is the case, then the formulation, **[If] there is no apprehension [of uncleanness] at the outset but there is apprehension [of uncleanness] at the end**, is difficult to explain, because, after all, will there be anybody who does not have knowledge derived from his master's house?"*
- K. *He said to him, "Well, yes, as a matter of fact, there is such a case: a Jewish child who was taken captive among gentiles [and never got an education at all, but is still subject to the law of the Torah]."*

VI.1 A. Transportation [of objects from one domain to the other] on the Sabbath is of two sorts, which yield four subdivisions:

- B. *There we have learned in the Mishnah: Acts of transporting objects from one domain to another which violate the Sabbath (1) are two, which indeed are four for one who is inside, (2) and two which are four for one who is outside. [How so? If on the Sabbath the beggar stands outside and the householder inside, and the beggar stuck his hand inside and put a beggar's bowl into the hand of the householder, or if he took [something] from inside it and brought it out, the beggar is liable, the householder is exempt. If the householder stuck his hand outside and put [something] into the hand of the beggar, H. or if he took something from it and brought it inside, the householder is liable, and the beggar is exempt. If the beggar stuck his hand inside, and the householder took something from it, or if the householder put something in it and the beggar removed both of them are exempt. If the householder put his hand outside and the beggar took [something] from it, or if the beggar put*

something into it and the householder brought it back inside, both of them are exempt] [M. **Shab. 1:1A-O**].

- C. *Now what differentiates the present case, in which case we are given, **two sorts, which yield four subdivisions**, without further elaboration, from the other case, in which we are given, **Acts of transporting objects from one domain to another which violate the Sabbath (1) are two, which indeed are four for one who is inside, (2) and two which are four for one who is outside?***
- D. *In that other case, in which the principal interest concerns the Sabbath, the framer of the passage has given us the generative classifications and their subdivisions, but here, where the principal focus of interest is not in the Sabbath, we are given the generative classifications but not the subdivisions.*
- E. *And what are the generative classifications? They are the transportation of the object from one domain to the other, and there are only two, the householder, the poor man. Yet our passage reads **two sorts, which yield four subdivisions!** And should you claim that our Mishnah--paragraph means to say that there are two acts of transportation on the Sabbath of an object from one domain to another that are subject to punishment and two that are not, that reading is not possible, since alongside are the shades of color that indicate the presence of the skin ailment, and just as all of those are subject to sanctions, so all of these are subject to sanctions!*
- F. *Rather, said R. Pappa, "In that other passage, in which the principal focus of interest is the Sabbath, the framer of the passage has repeated the cases in which there are sanctions and those in which there are no sanctions, but here, while he has listed the classifications involving sanctions, he has not listed the classifications that do not involve sanctions."*
- G. *But which are the classifications of actions that are subject to sanctions? They are acts of transporting on the Sabbath an object from one domain to the other — and there are only two such types of action [not four]!*
- H. *The sense is, there are two acts of carrying an object out of a given domain and two of carrying an object into a given domain.*
- I. *But lo, the language before us concerns only carrying an object out of a given domain!*
- J. *Said R. Ashi, "The Tannaite framer of the authority classifies bringing an object into a given domain as tantamount to taking an object out of a given domain. And how do we know that fact? **[5B]** Because we have learned in the Mishnah: **he who takes out [transports] an object from one domain to another is liable [M. Shab 7:2L]**. Now are we not dealing here as much with bringing an object into a given domain as much as taking it out? And yet the framer of the passage classifies such an action as "taking out!"*
- K. *But perhaps the sense is to take an object out of private domain into public domain?*
- L. *If so, he could as well have said it explicitly in this language: he who takes an object out of private domain into public domain. What is the point of the language, **from one domain to another?** It must be to encompass bringing in from public domain to private domain, and yet it is classified as taking out. And*

what is the operative consideration? The Tannaite authority covers under the classification of “taking out” every removal of an object from its given place.

- M. Said Rabina, “A close reading of the language of the cited passage supports that interpretation, for it says, **Acts of transporting objects from one domain to another which violate the Sabbath (1) are two, which indeed are four for one who is inside, (2) and two which are four for one who is outside.** And then it goes on to explain ‘bringing in’ in this language: [If on the Sabbath the beggar stands outside and the householder inside, and the beggar stuck his hand inside and put a beggar’s bowl into the hand of the householder, or if he took [something] from inside it and brought it out, the beggar is liable].”
- N. That proves the point.
- O. Raba said, “The point of the formulation involving four punishable violations is:] there are two classifications of domain [public and private] in regard to carrying on the Sabbath.”

VII.1 A. The symptoms of the presence of the skin disease [negaim] are of two sorts, which yield four subdivisions:

- B. There we have learned in the Mishnah: **The shades of white that indicate that a spot on the skin is the mark of the skin disease are two, which are four: (1) A bright spot is as bright-white as snow. (2) And secondary to it is [a shade as white] as the lime of the Temple. (3) “And the swelling is [as white] as the skin of an egg. (4) And secondary to it is [a shade as white] as white wool,” the words of R. Meir. And sages say, “(1) The swelling is [as white] as white wool. (2) Secondary to it is [a shade as white] as the skin of an egg” [M. Neg. 1:1].**
- C. Said R. Hanina, “Who formulated the rule concerning the shades of white that indicate that a spot on the skin is the mark of the skin disease? It cannot accord with R. Aqiba’s position. For since R. Aqiba elsewhere lists them in hierarchical order, one above the other by degree of whiteness, with what shade of whiteness can we combine the shade of white like the lime of the Temple? For with which other shade can it be combined? Will it be with a bright spot as bright-white as snow? There is the swelling, which is a degree higher than it that intervenes, so the former is two degrees higher and will not combine. And will you combine it with the swelling? That is not a derivative of the other.”
- D. Yeah, well what about the shade that is compared to the skin of an egg? With what shade will you combine that shade? Will it be with a swelling? There is the the shade like the lime of the Temple, which is a degree brighter than it, that intervenes, since the swelling is two degrees higher. Will you combine it with the lime? It is not of the same classification [deriving as it does from a different generative analogy].
- E. **[6A]** Well, absent the lime of the wall of the Temple, the shade that is like the skin of an egg would pose no problem, for while the skin of an egg is two degrees lower than the swelling, Scripture is explicit in saying, “For the swelling and the scab” (Lev. 14:56), which therefore treats the scab as secondary to the swelling even though it is much lower in brightness. But the shade that is like the lime of the Temple does pose a problem, for with what shade would it combine? So, it

must follow, our Mishnah-passage, which treats the lime-shade as secondary to the bright spot as white as snow, and the skin of the egg as secondary to the swelling, the whole cannot accord with the position of R. Aqiba.

- F. *And where have we heard that R. Aqiba maintains that the colors are to be set forth in a hierarchy of brightness?*
- G. *May we not say that it is in accord with that which we have learned on Tannaite authority:*
- H. **Said R. Yosé, R. Joshua the son of R. Aqiba asked R. Aqiba, saying to him, Why have they said, “The shades of plagues are two which are four?”**
- I. **He said to him, “If not, what should they say?”**
- J. **He said to him, “Let them say, ‘From the white of the skin of an egg and brighter it is unclean, and they join together with one another.’”**
- K. **Said R. Yosé, R. Joshua the son of R. Aqiba asked R. Aqiba, saying to him, “Why have they said, ‘The shades of plagues are two which are four?’”**
- L. **He said to him, “If not, what should they say?”**
- M. **He said to him, “Let them say, ‘From the shade of white like the skin of the egg and brighter is unclean.’”**
- N. **He said to him, “It is formulated as it is so as to teach you that they join together with one another.”**
- O. **He said to him, “Let them say, ‘Anything which is as white as the skin of an egg or brighter is unclean, and they [the colors] join together with one another.’”**
- P. **He said to him, “It teaches that if one is not an expert in them and in their names, he should not examine plagues” [Sifra CCXXIX:I.14, cf. M. Neg. 1:14, T. Neg. 1:1].**
- Q. *[Reverting to C-E’s proposition and showing the relevance of the whole to the problem at hand:] now in formulating his question, Joshua did not propose that they could have said that the shades of white from the skin of an egg and brighter are unclean and combine, and the shades from the lime of the Temple and brighter are unclean and combine, and, since he did not formulate matters in this way, we may then infer that he had heard from R. Aqiba that all of them do combine with the swelling! [Silverstone: rabbis could have said that the specified shades are unclean and combine, without differentiating a derivative for the one from a derivative for the other, that is, the bright spot, the swelling, respectively; hence we may deduce that the swelling has two derivatives, the lime and the white of the skin of the egg, both of which combine with it and each other, and the bright spot is only one degree higher than the swelling and also combines with the swelling, but the bright spot has no derivative; it follows that Aqiba sets them into a hierarchy one above the other].*
- R. *But perhaps R. Aqiba holds that the swelling does combine with its derivative, and the bright spot with its derivative?*
- S. *[Then there is another way to reach the same goal, namely:] in line with R. Hanina’s statement, we may propose that R. Aqiba hierarchises the shades, for said R. Hanina, “A parable: to what may the statement of R. Aqiba be compared? To the case of four glasses of milk. Into one fell two drops of blood, into the*

second, four, into the third, eight, into the fourth, twelve, some say, sixteen. They are all shades of white, but one is in hierarchy brighter than the next.”

- T. *But where in the world have you heard that R. Aqiba takes this view? It is only in the matter of the mark of the skin ailment that is variegated, but in connection with the mark of the skin ailment that is plain, have you heard that he holds such a position? And if you propose to maintain that, as a matter of fact, just as he takes that view in the matter of the mark of the skin ailment that is variegated, so he maintains it with the mark of the skin ailment that is plain, then, in point of fact, have you really heard that he takes the position in the matter of the mark of the skin ailment that is variegated at all? And has it not been taught on Tannaite authority: R. Aqiba says, “The reddishness which is in this and in that is like wine mixed in water. But that of snow is bright as snow, and that of plaster is duller than it” [cf. M. Neg. 1:2C-D].*
- U. **[6B]** *Now if you say, R. Aqiba sets then forth in a hierarchy, with one above the other, then it should be bright spot, then swelling, so he should have said, “White wool [that is, the swelling] is fainter than it.”*
- V. *Say: well, as a matter of fact, that is precisely what he does so, for so it has been taught on Tannaite authority: R. Nathan says, “It is not that R. Aqiba said that the white of the lime is fainter than it, but the white of wool [that is, the swelling] is fainter than it.”*
- W. *And how on the basis of Scripture do we know that the bright spot is the strongest white?*
- X. Said Abbaye, “Said Scripture, “And if the bright spot is white...” (Lev. 13:44) — that is the real criterion of whiteness, and no other shade is so white as that.”

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

- B. A bright spot is deep, and so Scripture says, “And the appearance of the bright spot is deeper than the skin” (Lev. 13: 5), like the appearance of the sun, which is deeper than the shade.
- C. “A swelling” means what is high, in line with this usage: “Upon all the high mountains and upon all the hills that are lifted up.”
- D. ‘A scab’ means what is derivative, and so Scripture says, “And he shall say, ‘Attach me I pray you to one of the offices of the priests’” (1Sa. 2:36).
- E. *Thus we have found that there is what is derivative to a swelling. How do we know that there is a derivative shade for a bright spot?*
- F. Said R. Zira, “We find a reference to ‘white’ with regard to the swelling and we find ‘white’ in the context of the bright spot. Just as when ‘white’ is mentioned with respect to the swelling, there is a derivative, so when ‘white’ is mentioned with the bright spot, there will be a derivative.æ
- G. *In a Tannaite formulation it is taught: Scripture referred to a scab between the swelling and the bright spot [at Lev. 14:56] to tell you that, just as there is a derive for the swelling, so there is one for the bright spot.*

VII.3. A. **And the swelling [is [as white] as the skin of an egg. (4) And secondary to it] is [a shade as white] as white wool:**

- B. *What white wool?*

- C. Said R. Bibi said R. Assi, "Clean wool, shorn of a day old lamb, overed up to be made into a cloak of fine wool."

VII.4. A. *Said R. Hanina, "When rabbis enumerate four shades, to what may this be likened? It is like the case of two kinds and two hyparchs; the king of the one is above the king of the other, the hyparch of the one is above the hyparch of the other."* [Silverstone: the bright spot, king, of lime is higher than the white of the swelling, the king represented by the white of the egg skin; the lime white, the second after this king, namely the bright spot, is higher than the white of the egg skin, the governor of that king, namely, the swelling; accordingly, the order is bright spot, swelling, lime, egg skin.]

- B. *But would this represent a formulation of one above the other?* [That is Aqiba's, not rabbis', way of listing them (Silverstone)!] *Rather: the king of this one is above his own hyparch, and the king of that one is higher than his hyparch [thus: bright spot and lime white; swelling and egg white].*
- C. *R. Adda bar Abba said, "For instance, it is like the king and alqafta, the rufila and the exilarch."*
- D. *But would this represent a formulation of one above the other?* [That is Aqiba's, not rabbis', way of listing them (Silverstone)!] *Rather: the king, the rufila, the alqafta, and the exilarch.*
- E. *Raba said, "For example, King Shapur and Caesar [the former being above the latter]."*
- F. *Said R. Pappa to Raba, "Which of them is superior anyhow?"*
- G. *He said to him, "Do you eat your meals out there in the woods? Go see which one's authority is greater in the world, for it is written, 'It shall devour the whole earth and shall tread it down and break it into pieces' (Dan. 7:23)."*
- H. *Said R. Yohanan, "This refers to Rome, which is liable, for its authority extends over the entire world."*
- I. *Rabina said, "It may be compared to a woolen garment that is new, and a woolen garment that is worn out, or a linen garment that is new, and one that is worn out" [the new ones being whiter, and the new woolen and linen ones are closer to each other in whiteness than are a new and worn out wool garment or linen one; so the two principals are nearer to each other than the principal and derivative of each kind (Silverstone)].*

VIII.1 A. **In any case in which there is awareness of uncleanness at the outset and awareness [of uncleanness] at the end but unawareness in the meantime — lo, this one is subject to bringing an offering of variable value.**

- B. *Our rabbis have taught on Tannaite authority:*
- C. **How [on the basis of Scripture's own evidence] do we know that [in requiring an offering of variable value for uncleanness], Scripture speaks only concerning imparting uncleanness to the sanctuary and its holy things?**
- D. **It is a matter of reason. Scripture has expressed an admonition and also declared the sanction on account of uncleanness [admonition: Num. 5: 2: "Instruct the Israelites to remove from camp anyone with an eruption or a discharge and anyone defiled by a corpse. Remove male and female alike; put them outside the camp, so that they do not defile the camp of those in**

whose midst I dwell;" sanction: Num. 19:13, "Whoever touches a corpse, the body of a person who has died, and does not cleanse himself, defiles the Lord's tabernacle; that person shall be cut off from Israel," and Lev. 22:3: 'Throughout the ages, if any man among your offspring, while in a state of uncleanness, partakes of any sacred donation that the Israelite people may consecrated to the Lord, that person shall be cut off from before me'].

- E. And, further, one is liable to an offering on account of the same uncleanness ["He shall bring as his penalty to the Lord, for the sin of which he is guilty, a female from the flock, sheep, or goat, as a sin offering; and the priest shall make expiation on his behalf for his sin" (Lev. 5: 6)].
- F. Just as the admonition and sanction stated elsewhere on account of uncleanness refer only to imparting uncleanness to the sanctuary and its holy things,
- G. so the offering to which one is liable on account of uncleanness, of which the present passage speaks, refers to the penalty for imparting uncleanness to the sanctuary and its holy things [Sifra LIV:II.6]
- H. *But might I say that food in the status of heave offering [is subject to the same rule, so that if one eats it when unclean, one has to present a sacrifice], since Scripture presented an admonition against eating it while one is unclean and also imposed a sanction for doing so [the death penalty through extirpation]?*
- I. *But we do not have a case [such as this would represent] in which the penalty for doing so deliberately is extirpation, and the penalty for doing so inadvertently is an offering [when the penalty for deliberate sin is extirpation, the penalty for inadvertent sin is a sin offering].*
- J. *Might I not say that that is the rule if the offering is one of fixed value, but [7A] as to an offering of variable value, would be presented, as would be the case on account of violating the oaths of testimony and correct oath taking [Lev. 5: 1: he hears the oath of testimony and was a witness but did not give testimony; Lev. 5: 4: if anyone swear clearly with his lips to do evil or to do good]. [In the case of violating these oaths, if one does so inadvertently, an offering of variable value is presented, even though if one deliberately violated the oath, the penalty would be neither extirpation or death.]*
- K. Said Scripture, "Whatsoever his uncleanness be, by which he becomes unclean" (Lev. 5: 3) — *the word "by which" serves to exclude food in the status of heave offering from the penalties at hand.*
- L. *Perhaps the sense of the word is to indicate that an offering of variable value will not suffice, but an offering of fixed value is required?*

VIII.2. A. Concerning Rabbi, Raba recited, "He draws his water from deep cisterns."

- B. *For it has been taught on Tannaite authority:*
- C. Rabbi says, "I recite the verse: 'If anyone touch any unclean thing, whether it be the carcass of an unclean beast or the carcass of unclean cattle' (Lev. 5: 2). Now why is it necessary to write 'cattle'? It is to yield this point: here we find a reference to unclean cattle, and further on likewise, 'unclean cattle' (Lev. 7:21). Just as in the latter case what is at issue is eating Holy Things while unclean, so here too reference is made to eating Holy Thing while unclean."

- D. *So we have found the rule governing eating Holy Things while unclean. How do we know the rule governing entering the sanctuary while one is unclean?*
- E. Said Scripture, “She shall touch no Holy Thing nor come into the sanctuary” (Lev. 12: 4). *The sanctuary is thus treated as comparable to Holy Things.*
- F. *If that is the case, then might I say that food in the status of heave offering [is subject to the same rule, so that if one eats it when unclean, one has to present a sacrifice], for Scripture has said, “She shall touch no Holy Things” which includes food in the status of heave offering?*
- G. Said Scripture, “Whatsoever his uncleanness be, by which he becomes unclean” (Lev. 5: 3) — *the word “by which” serves to exclude food in the status of heave offering from the penalties at hand.*
- H. *Perhaps the sense of the word is to exclude the sanctuary [not heave offering at all]?*
- I. *It is more reasonable to suppose that it is not the Temple that is excluded, since the same penalty, extirpation, applies if one when unclean deliberately enters the Temple or eats Holy Things]?*
- J. *To the contrary, we should not exclude food in the status of heave offering, since, as in the case of Holy Things, the act in violation of the law is actually eating the food while unclean [but in the case of the Temple, the violation of the law consists in entering the space]!*
- K. Rather, said Raba, “Why is it that Scripture speaks on three separate occasions [Lev. 22: 3: ‘whoever it is who approaches Holy Things when unclean, that soul shall be cut off,’ Lev. 7:20: ‘Anyone who eats of the meat of the sacrifice of peace offerings when unclean...that soul shall be cut off,’ Lev. 7:21: ‘When anyone shall touch any unclean thing...and eat of the meat of the sacrifice of peace offerings...that soul shall be cut off’] of extirpation for eating peace offerings [classified as Holy Things] when one is unclean? One serves to set forth the encompassing rule, the second serves as a particularization of the foregoing, and the third speaks of uncleanness specified without further definition by the Torah. [Silverstone: Lev. 7:21 teaches that the punishment of extirpation is incurred for deliberate violation of the law, that is, eating Holy Things while unclean; the unwitting transgression would involve an offering of variable value. Since we already know that the unwitting eating of Holy Things while one is unclean is punishable by an offering of variable value, we apply the superfluous reference to extirpation to show that it is the punishment for the deliberate violation of the rule. If one enters the Temple while unclean, one is punished, if the deed is deliberate, by extirpation, and if it is inadvertent, by an offering of variable value.] Now I do not know to what that makes reference, but one must then say, it is to eating Holy Things while unclean. But since that is hardly required to make that point, concerning imparting uncleanness to Holy Things, *since that point has been proven by Rabbi*, you may make use of that reference to deal with imparting uncleanness to the sanctuary.”
- L. *But that is required in accord with R. Abbahu’s point, for said R. Abbahu, “Why is it that Scripture speaks on three separate occasions [Lev. 22: 3: ‘whoever it is who approaches Holy Things when unclean, that soul shall be cut off,’ Lev. 7:20: ‘Anyone who eats of the meat of the sacrifice of peace offerings when*

unclean...that soul shall be cut off;’ Lev. 7:21: ‘When anyone shall touch any unclean thing...and eat of the meat of the sacrifice of peace offerings...that soul shall be cut off’] of extirpation for eating peace offerings [classified as Holy Things] when one is unclean? One serves to set forth the encompassing rule, the second serves as a particularization of the foregoing, and the third refers to things [such as incense] that are not to be eaten [which one deliberately eats while unclean; he is then penalized by extirpation].”

- M. And from the perspective of R. Simeon, who maintains that if one in a state of uncleanness eats that that are not ordinarily eaten, he is not punished by extirpation?
- N. *The additional reference to extirpation is required to prove that sin offerings that are offered on the inner altar are included under the law [if one in a state of uncleanness deliberately eats meat of such offering, he is subject to extirpation, and if the act is inadvertent, to an offering of variable value]. For it might have entered your mind to say, since R. Simeon says, “Any [offering, the blood of which is] not [sprinkled] on the outer altar, as in the case of peace offerings — they are not liable on its account because of [transgression of the laws of] refuse” [M. Zeb. 4:4E], there should likewise be no liability by reason of violating the law against uncleanness. So we are informed that that is not the case.*
- O. [Now that we know the meaning of the third reference to extirpation, how do we know that an unclean person who enters the Temple] has [o present an offering of variable value?] *Said Nehardeans in the name of Raba, “Why is it that Scripture speaks on three separate occasions [Lev. 22: 3: ‘whoever it is who approaches Holy Things when unclean, that soul shall be cut off;’ Lev. 7:20: ‘Anyone who eats of the meat of the sacrifice of peace offerings when unclean...that soul shall be cut off;’ Lev. 7:21: ‘When anyone shall touch any unclean thing...and eat of the meat of the sacrifice of peace offerings...that soul shall be cut off’] of extirpation for eating peace offerings [classified as Holy Things] when one is unclean? One serves to set forth the encompassing rule, the second serves as a particularization of the foregoing, and the third speaks of uncleanness specified without further definition by the Torah. [Silverstone: Lev. 7:21 teaches that the punishment of extirpation is incurred for deliberate violation of the law, that is, eating Holy Things while unclean; the unwitting transgression would involve an offering of variable value. Since we already know that the unwitting eating of Holy Things while one is unclean is punishable by an offering of variable value, we apply the superfluous reference to extirpation to show that it is the punishment for the deliberate violation of the rule. If one enters the Temple while unclean, one is punished, if the deed is deliberate, by extirpation, and if it is inadvertent, by an offering of variable value.] Now I do not know to what that makes reference, but one must then say, it is to eating Holy Things while unclean. But since that is hardly required to make that point, concerning imparting uncleanness to Holy Things, since that point has been proven by Rabbi, you may make use of that reference to deal with imparting uncleanness to the sanctuary.”*
- P. *But that additional reference to “uncleanness” is required; since Scripture had to make reference also to an extra “extirpation” to make possible the point set forth*

by R. Abbahu, so it had also to insert the extra reference to “uncleanness,” for without it, the phrase would have been meaningless.

- Q. Rather, said Raba, “The fact that an unclean person who inadvertently enters the Temple has to present an offering of variable value derives from the verbal analogy established by the recurrence of the word ‘his uncleanness.’ Here it is written, [7B] ‘his uncleanness’ [Lev. 5: 3: ‘If he touch the uncleanness of man, whatever his uncleanness be’], and elsewhere it is written, ‘He shall be unclean, his uncleanness is yet upon him’ (Num. 19:13). Just as in the latter case, what is at issue is imparting uncleanness to the sanctuary, so here, reference is made to imparting uncleanness of his sanctuary.”
- R. Then what is served by the expression “by which”?
- S. It serves to encompass under the law one who eats the carcass of a clean bird [and enters the Temple or eats Holy Things; such a person also must present an offering of variable value.]
- T. But you have said that “by which” in fact is exclusionary!
- U. The very fact that it is exclusionary makes it superfluous. It is written, “Or if he touch the uncleanness” (Lev. 5: 3) meaning, only what imparts uncleanness by contact is subject to the offering of variable value, but not what does not impart uncleanness by contact. Then it is written “by which” which bears the sense of an exclusionary clause, and where you have one exclusionary clause following another, the effect is augmentative.

IX.1 A. [If] there is awareness [of uncleanness] at the outset but no apprehension [of uncleanness] at the end, a goat which [yields blood to be sprinkled] within [in the Holy of Holies], and the Day of Atonement suspend [the punishment], until it will be made known to the person, so that he may bring an offering of variable value:

We now have a Tannaite proof out of Scripture for the stated proposition, bearing in its wake its own extensive talmud.

- B. Our rabbis have taught on Tannaite authority:
- C. “...thus he shall make atonement for the holy place, because of the uncleannesses of the people of Israel and because of their transgressions, all their sins; and so shall he do for the tent of meeting, which abides with them in the midst of their uncleannesses (Lev. 16: 5):”
- D. “I find here the occasion to encompass uncleanness of three categories.
- E. “First is the uncleanness deriving from idolatry, as it is said, ‘[And I will set my face against that man and will cut him off from among his people because he gave of his offspring to Molech] and so defiled my sanctuary and profaned my holy name’ (Lev. 20: 3).
- F. “Second is the uncleanness deriving from sexual miscegenation, as it is said, ‘You shall keep my charge not to engage in any of the abhorrent practices that were carried on before you, and you shall not defile yourselves through them’ (Lev. 18:30).
- G. “Third is the uncleanness deriving from murder, as it is said, ‘You shall not defile the land in which you live, in which I myself abide, for I the Lord abide among the Israelite people’ (Num. 35:34).

- H. “Might one suppose that for any and all these forms of uncleanness this goat should effect atonement?”
- I. “Scripture says, ‘...because of [some of] the uncleannesses,’ but *not* all of them.
- J. “Just as we find that Scripture has distinguished from the rule governing all forms of uncleanness the matter of imparting uncleanness to the sanctuary and its holy things [since, we recall, at Lev. 5: 2, we single out imparting uncleanness to the cult and assign as expiation an offering of variable value, even though in all other matters, the expiation is through an offering of fixed value, so Lev. 4: 1],
- K. “here too we should distinguish only the matter of imparting uncleanness to the sanctuary and its holy things,” the words of R. Judah.
- L. R. Simeon says, “The passage itself settles the matter, for it is said, ‘...he shall make atonement for the holy place, because of the uncleannesses of the people of Israel,’ meaning, uncleanness affecting the sanctuary.
- M. “Might one suppose that for any and every act of uncleanness pertaining to the sanctuary this goat should atone?”
- N. “Scripture says, ‘because of the uncleannesses of the people of Israel and because of their transgressions,’ and since are treated as equivalent to transgressions.
- O. “Just as transgressions are not liable to a sacrifice, so sins in this verse are those that are not liable to a sacrifice [excluding those where knowledge of the facts of the matter occurs at the end, where an offering of variable value is presented].
- P. “And how do we know that only when there is awareness at the outset but not at the end does the goat serve to suspend the penalty [but the goat does not atone for the sin in which there is no knowledge at the outset, though it is also not liable for a sacrifice]?”
- Q. “Because Scripture says, ‘even all their sins,’ meaning, sins for which a sin offering may ultimately be presented” [that is, sins that may be atoned for by a sin offering, which is where there is knowledge at the outset but not at the end, and later on, when one becomes aware of what has happened, he presents such an offering; but where there is no knowledge at the outset, there is no occasion for a sacrifice to be presented (Silverstone)] [Sifra CLXXX:I.1-4].

IX.2. A. A master has said: “...thus he shall make atonement for the holy place, because of the uncleannesses of the people of Israel and because of their transgressions, all their sins; and so shall he do for the tent of meeting, which abides with them in the midst of their uncleannesses (Lev. 16: 5): I find here the occasion to encompass uncleanness of three categories. First is the uncleanness deriving from idolatry, as it is said, ‘[And I will set my face against that man and will cut him off from among his people because he gave of his offspring to Molech] and so defiled my sanctuary and profaned my holy name’ (Lev. 20: 3). Second is the uncleanness deriving from sexual miscegenation, as it is said, ‘You shall keep my charge not to engage in any of the abhorrent practices that were carried on before you, and you shall not

defile yourselves through them' (Lev. 18:30). Third is the uncleanness deriving from murder, as it is said, 'You shall not defile the land in which you live, in which I myself abide, for I the Lord abide among the Israelite people' (Num. 35:34):"

- B. *Now as to the matter of idolatry, what would such a case be? If the action was deliberate, then the death penalty is incurred; if it was inadvertent, he presents a sacrifice [Num. 15:27; so what need is there for the goat prepared at the inner altar on the Day of Atonement to atone for idolatry]?*
- C. *We deal with a case in which the man has done the act deliberately, but was not properly admonished, or has done it inadvertently, but has not yet become aware of what he has done.*
- D. **[8A]** *As to the matter of sexual miscegenation, what would such a case be? If the action was deliberate, then the death penalty is incurred; if it was inadvertent, he presents a sacrifice [so what need is there for the goat prepared at the inner altar on the Day of Atonement to atone for that sin]?*
- E. *We deal with a case in which the man has done the act deliberately, but was not properly admonished, or done it inadvertently, but has not yet become aware of what he has done.*
- F. *As to murder, what would such a case be? If the action was deliberate, then the death penalty is incurred; if it was inadvertent, he is to go into exile [so what need is there for the goat prepared at the inner altar on the Day of Atonement to atone for idolatry]?*
- G. *We deal with a case in which the man has done the act deliberately, but was not properly admonished, or done it inadvertently, but has not yet become aware of what he has done, or where he is not subject to exile at all.*

IX.3. A. A master has said: "Might one suppose that for any and all these forms of uncleanness this goat should effect atonement? Scripture says, '...because of [some of] the uncleannesses,' but *not* all of them. Just as we find that Scripture has distinguished from the rule governing all forms of uncleanness the matter of imparting uncleanness to the sanctuary and its holy things [since, we recall, at Lev. 5: 2, we single out imparting uncleanness to the cult and assign as expiation an offering of variable value, even though in all other matters, the expiation is through an offering of fixed value, so Lev. 4: 1], here too we should distinguish only the matter of imparting uncleanness to the sanctuary and its holy things," the words of R. Judah:

- B. *To what is reference made in the language, Just as we find that Scripture has distinguished from the rule governing all forms of uncleanness the matter of imparting uncleanness to the sanctuary and its holy things?*
- C. *It is that the person who inadvertently violates the laws of uncleanness in regard to the Temple and its Holy Things presents an offering of variable value [while for other inadvertent sins an offering of fixed value is presented].*
- D. *But what about idolatry, and, as to the differentiation, the one who sins presents a she goat and not a lamb?*

- E. *Said R. Kahana, "The differentiation here serves to provide a lenient penalty [the offering of variable value, while this is a differentiation that imposes a strict penalty [the she-goat is an expensive offering and must be presented]."*
- F. *What about the woman after childbirth, in which case she is differentiated in being able to present an offering of variable value [Lev. 12:6-8, so why should the goat presented at the inner altar not atone for her, if the Day of Atonement takes place before she has presented her sacrifice, and she need not do so]?*
- G. *Said R. Hoshaia, "...all their sins' (Lev. 16:16) [the goat on the inner altar atones for sins,] not for 'all their uncleanness."*
- H. *And from the perspective of R. Simeon b. Yohai, who has said, "The woman after childbirth also is classified as a sinner," what is there to be said?*
- I. *Well, R. Simeon is consistent, for he maintains, "From the passage that pertains to that case itself the rule is deduced" [Silverstone: he does not exclude a woman after childbirth because of the phrase "all their sins" but from its own text he deduces that the goat presented at the inner altar atones only for the sin of uncleanness connected with the Temple and its Holy Things].*
- J. *And what about the one who is cleared of the skin ailment [who also presents an offering of variable value, Lev. 14:10-32]?*
- K. *Said R. Hoshaia, "...all their sins' (Lev. 16:16) [the goat on the inner altar atones for sins,] not for 'all their uncleanness."*
- L. *And from the perspective of R. Samuel bar Nahmani, who has said, "It is for seven classifications of sin that the skin ailment afflicts a person," what is there to be said?*
- M. *There it is the skin ailment itself that atones for the sinner, and the purpose of the offering is only to permit him to rejoin the congregation.*
- N. *And what about the Nazirite who has suffered uncleanness, who is accorded a differentiation in that he presents turtledoves or young pigeons [Num. 6: 9-10]?*
- O. *Said R. Hoshaia, "[He is not a sinner, but the meaning of the clause is this:] '...all their sins' (Lev. 16:16) [the goat on the inner altar atones for sins,] not for 'all their uncleanness."*
- P. *And from the perspective of R. Eleazar Haqqappar, who has said, "The one who takes the vow of the Nazirite is also a sinner," what is to be said?*
- Q. *He concurs with the view of R. Simeon, who has said, "From the passage that pertains to that case itself the rule is deduced" [from its own text he deduces that the goat presented at the inner altar atones only for the sin of uncleanness connected with the Temple and its Holy Things].*

IX.4. A. A master has said: **R. Simeon says, "The passage itself settles the matter, for it is said, '...he shall make atonement for the holy place, because of the uncleannesses of the people of Israel,' meaning, uncleanness affecting the sanctuary. Might one suppose that for any and every act of uncleanness pertaining to the sanctuary this goat should atone? Scripture says, 'because of the uncleannesses of the people of Israel and because of their transgressions,' and since are treated as equivalent to transgressions. Just as transgressions are not liable to a sacrifice, so sins in this verse are those that are not liable to a sacrifice [excluding those where knowledge of the facts of**

the matter occurs at the end, where an offering of variable value is presented]:

- B. *Does R. Simeon give a good proof?*
- C. *Well, R. Judah may say to you, “‘and he shall make atonement’ is required to indicate that, just as the high priest performs the rite in the Most Holy Place, so he must perform the rite in the Temple proper.”*
- D. *And R. Simeon?*
- E. *“That derives from ‘and so he shall do’ (Lev. 16:16).”*
- F. *And R. Judah?*
- G. *“If it were to derive from that phrase, I might have supposed that he has to present another bullock and goat to be presented outside of the Temple veil. So we are informed to the contrary: [the language, ‘and he shall make atonement for the holy place’ means, he shall use the same bullock and goat; ‘and so shall he do’ means, he shall repeat the rite outside of the veil].”*
- H. *And R. Simeon?*
- I. *“‘and so shall he do for the tent of meeting’ covers the whole story.”*

IX.5. A. A master has said: **“Might one suppose that for any and every act of uncleanness pertaining to the sanctuary this goat should atone? Scripture says, ‘because of the uncleannesses of the people of Israel and because of their transgressions,’ and since are treated as equivalent to transgressions. Just as transgressions are not liable to a sacrifice, so sins in this verse are those that are not liable to a sacrifice [excluding those where knowledge of the facts of the matter occurs at the end, where an offering of variable value is presented]:”**

- B. *And what might be the one that is excluded?*
- C. *It is a case in which there was awareness at the outset and awareness at the end.*
- D. *But such a person is subject to presenting an offering of variable value! [Silverstone: why do we require the deduction to exclude such a sin from the atonement effected by the goat offered at the inner altar?]*
- E. *Well, as a matter of fact, it is necessary to cover a case in which the facts of the matter became known to the law-violator, but only near sunset on the eve of the Day of Atonement [so an offering of variable value cannot be presented, since such an offering is presented only in day time]. It might have entered your mind to say that in the interim, until he presents his sacrifice, the offering presented at the inner altar [8B] should suspend the sin, and so we are informed that that is not the case.*

IX.6. A. A master has said: **“And how do we know that only when there is awareness at the outset but not at the end does the goat serve to suspend the penalty [but the goat does not atone for the sin in which there is no knowledge at the outset, though it is also not liable for a sacrifice]? Because Scripture says, ‘even all their sins,’ meaning, sins for which a sin offering may ultimately be presented:”**

- B. **how do we know: — what is troubling him?**

- C. *This is what is troubling him: once you have said, **Just as transgressions are not liable to a sacrifice, so sins in this verse are those that are not liable to a sacrifice**, might I not then say, just as subject to the statement are transgressions that never become liable to a sacrifice, so sins are the ones that never become liable to a sacrifice — and which ones are they? They are the ones in which there is no awareness at the beginning but there is awareness at the end. But where there is awareness at the beginning of the spell but not at the end, since, when later on awareness does come to hand, he is liable to present an offering, let us say that in that context the goat offered on the inner altar should not keep the sin in suspense! And should you say, where there is no awareness at the beginning but there is awareness at the end of the process, the goat offered on the outer altar along with the Day of Atonement atones [Silverstone, so we know that the goat offered at the inner altar does not atone, and therefore, it will atone for the sin where there is knowledge at the beginning but not at the end, so what is the problem?], it might have entered my mind to say, we should reverse matters [so that the goat offered at the inner altar should atone for the sin where there is no awareness at the beginning but there is at the end, because it never becomes liable for a sacrifice; and the goat offered at the outer altar should hold in suspense the sin in which there is knowledge at the beginning but not at the end (Silverstone)]. On that account, **said Scripture, “even all their sins,” meaning, sins for which a sin offering may ultimately be presented.** [Silverstone: the goat offered on the inner altar holds in suspense those sins where there is knowledge at the beginning but not at the end].*
- D. *But then why should the offering not effect a complete atonement [instead of merely holding the sin in suspense until the offering is presented]?*
- E. *If Scripture had said, “And he shall make atonement of their transgressions and of their sins,” matters would have been as you have proposed. But now that it is written, “of their transgressions, even all their sins,” the meaning is that held in suspense are sins for which a sin offering may ultimately be presented.*
- F. *But if it does not atone, then why bother to suspend it at all?*
- G. *Said R. Zira, “It is to indicate that should he die [before effecting atonement], he dies without sin.”*
- H. *Said to him Raba, “If he dies, then it is the death that wipes away the sin.”*
- I. *Rather, said Raba, “It is to protect him from suffering [until he brings the offering].”*

- X.1** A. **[If] there is no apprehension [of uncleanness] at the outset but there is apprehension [of uncleanness] at the end, a goat that [yields blood to be sprinkled] without [on the outer altar], and the Day of Atonement effect atonement, as it is said, “Beside the sin offering of atonement” (Num. 29:11). For that for which this [goat, prepared inside] makes atonement, the other [the goat prepared outside] makes atonement. Just as the goat prepared inside makes atonement only for something for which there is certain knowledge, so that which is prepared outside effects atonement only for something for which there is certain knowledge:**
- B. *Since the goats prepared on the inner altar and the outer altar are treated as comparable, let the goat prepared at the inner altar atone for its own case [the*

one in which there is knowledge at the beginning and not at the end] and also for that for which the outer goat atones [which is the case in which there is no knowledge at the beginning but there is at the end], with the result that there would be atonement even where the goat to be prepared at the outer altar was not presented [e.g., by reason of a shortage of goats]?

- C. [Speaking of the goat prepared at the inner altar,] Scripture states, “And Aaron shall make atonement upon the horns of it once in the year with the blood of the sin offering of atonement, once in the year shall he make atonement for it” (Exo. 30:10) — the goat effects atonement for one, [9A] but not two, counts of inadvertent guilt.
- D. *Then let the goat prepared at the outer altar atone for the sin for which it atones and also for the one for which the goat prepared at the inner altar, with the result that if the uncleanness took place between the offering of the goat at the inner altar and the presentation of the one at the outer altar, atonement would be effected?*
- E. Said Scripture, “ “And Aaron shall make atonement upon the horns of it once in the year with the blood of the sin offering of atonement, once in the year shall he make atonement for it” (Exo. 30:10) — the goat effects atonement for one, but not two, counts of inadvertent guilt.

X.2. A. And from the perspective of R. Ishmael, who takes the view that, when there is no awareness at the beginning of the matter but there is at the end, one must bring an offering of variable value, *for which sin will the goat offered on the outer altar atone?*

- B. It atones for the case in which there is no awareness of the matter either at the outset or the end.
- C. *But for that situation* the goats that are presented on the Festivals and the goats that are presented at the New Moons atone.
- D. *He takes the position of R. Meir, who has said, “The atoning effects of all goats are the same: for imparting uncleanness to the sanctuary and its Holy Things.”*
- E. *Then for what concrete purpose do we find the comparison between the goat prepared at the outer altar and the one prepared at the inner altar?*
- F. Just as the goat prepared at the inner altar does not effect atonement for other transgressions, so the goat prepared at the outer altar does not atone for other transgressions.

XI.1 A. “And for that [uncleanness] for which there is no awareness [of uncleanness] either at the beginning or at the end, the goats offered on festivals and the goats offered on new months effect atonement,” the words of R. Judah:

- B. Said R. Judah said Samuel, “What is the Scriptural basis for the position of R. Judah? Said Scripture, ‘And one goat for a sin offering to the Lord’ (Num. 28:15) — for a sin that is known only to the Lord will this goat atone.”
- C. *But that is required in line with what R. Simeon b. Laqish said, for said R. Simeon b. Laqish, “What differentiates the goat that is offered at the New Moon that explains why in its connection is said, ‘unto the Lord’? It is the the Holy One,*

blessed be he, said, 'This goat will be atonement for me for my having cut down the size of the moon [making it less than the size of the sun].'"

- D. *If that were so, Scripture should have said not "unto the Lord" but "in behalf of the Lord"! And what is the purpose of the language, "unto the Lord"? It is only as we have said.*
- E. *And might I then propose that it is solely for this purpose [and in no way sustains Simeon b. Laqish's idea]?*
- F. *If so, Scripture could as well have said, "a sin offering of the Lord." Why say, "to the Lord"? It is to yield two points.*

XI.2. A. *And might not the same goat effect atonement also even for other sins [known only to the Lord and not to the sinner]?*

- B. *A Tannaite authority of the household of R. Ishmael [stated], "Since the goat presented at the outer altar on the Day of Atonement and the goat presented at the New Moon is at a fixed time, just as the former atones only for uncleanness that has to do with the Temple and its Holy Things, so the goat offered at the new moon atonements only for uncleanness that has to do with the Temple and its Holy Things."*

XI.3. A. *We therefore have found the rule governing goats offered at the New Moon [that is, that they effect atonement for the specified class of sins]. How do we know that the goats offered at the festival atone for the same?*

- B. *And should you say that that likewise follows the presentation of the Tannaite authority of the household of R. Ishmael, one may raise the following question: what is distinctive to the goats that are offered at the New Moon is that it is more frequent [and therefore it atones for the specified class of sin, but the festival goat may not do the same]; what is distinctive to the goat that is offered on the Day of Atonement is that the atonement of that Day is more abundant.*
- C. *And should you say [9B] lo, we have deduced the rule for the goat offered at the New Moon from the one covering the goat offered on the Day of Atonement, but we did not raise any challenges to that deduction, so too let us deduce the rule governing the goat offered at the festival from the rule governing the goat offered on the Day of Atonement, there is this reply: the goat offered on the New Moon is specifically specified in Scripture as covering a sin that is unknown to the sinner [at Num. 28:15], and what we sought in the analogy is simply a hint that only unknown sins connected with the Temple and its Holy Things are in mind. But here one may simply note that the entirety of the law cannot be deduced in that way [there being a refutation for such an argument].*
- D. *Rather, it is in accord with what R. Hama bar Hanina said, namely, "Scripture could have said 'one goat,' but says, 'and one goat.' Here too the text could have said, 'one goat,' but says 'and one goat' [Num. 28:22 for the goat offered at the Passover; Num. 29: 5, for the goat offered at the New Year; Num. 29:16 for the goat offered at Tabernacles, all saying 'and one goat']. In this way, all the goats offered at the several festivals are treated as analogous to the goats offered at the New Moon. Just as the goats offered at the New Moon effect atonement only for sins of which one is unaware either to begin with or at the end [by analogy to the goat offered at the Day of Atonement], so the goats offered at the festivals atone*

only for sins in which there is no awareness of the matter at either the beginning or the end].”

XI.4. A. *The question was raised:* when R. Judah said that the goats offered at the New Moon and festival atone for sins where there is no awareness either at the beginning or at the end, *does this speak only to the case of a sin that will always remain unknown to the sinner, but in the case of a sin that ultimately will become known, that ultimate knowledge classifies the sin as one in which there was awareness at the end, in which case the goat offered at the outer altar on the Day of Atonement together with the Day of Atonement effect atonement for such a sin? Or does the statement include even one that ultimately will become known, though it is not now known, since at this moment in particular it is not one of which the sinner is aware in which case it is classified as a sin that is open only to the Lord?*

B. *Come and take note of that which has been taught on Tannaite authority:*

C. “For sins of which there is no awareness either to begin with or at the end, and for a sin that is not now known but ultimately will become known, the goats offered at the festival and the New Moon effect atonement,” the words of R. Judah.

XII.1 A. **R. Simeon says, “The goats offered on festivals effect atonement but not the goats offered on new months. And for what do the goats offered on new months effect atonement? For a clean person who ate something unclean:”**

B. *Said R. Eleazar said R. Oshaia, “What is the Scriptural basis for the position of R. Simeon? Said Scripture, ‘And it has he given you to bear the iniquity of the congregation’ (Lev. 10:17) — this verse is written in connection with the goats that are offered at the New Moon, and we then produce an analogy based on the use of the word ‘iniquity’ here and in connection with the frontlet of the high priest [Exo. 28:36]. Here we find the word ‘iniquity’ and in that other context the same word occurs [‘and the frontlet shall be upon Aaron’s forehead, and Aaron shall bear the iniquity committed in Holy Things’ (Exo. 28:38)]. Just as in that context the allusion is to uncleanness of the sacrificial meat [but not the uncleanness of the person offering the sacrifice], so here too it speaks of uncleanness of the meat [on account of which the goat offered at the New Moon atones for a clean person who ate unclean sacrificial food].”*

C. Might one then argue, just as there reference is made to offerings, so here too it refers only to offerings [and not the clean person who ate unclean food]?

D. “The iniquity of the congregation” [covering sins committed by people] is stated explicitly.

E. *So since we deduce the rule of the one from the other, then let the goat offered at the New Moon atone for its classification of sin [namely, the clean person who ate unclean Holy Things] and also do the work of the frontlet, with the upshot that there would be acceptance of the unclean offering even when the frontlet is broken?*

F. Scripture says, “the iniquity” (Lev. 10:17) — one transgression does it bear, but it does not bear two.

G. *Well, then, let the frontlet effect atonement both for its own class of sins and also for the class of sins covered by the goats offered at the New Moon! What would be at stake would be uncleanness that took place between the New Moon and the*

coming New Moon [Silverstone: if the goat for the New Moon atones for this kind of sin, then a clean person who ate unclean Holy Things just afterward would have atonement only at the next New Moon; if the frontlet atones, he has it right away]!

- H. Said Scripture, “It has he given to you to bear the iniquity of the congregation,” so it bears that iniquity, but nothing else does.
- I. R. Ashi said, “Here it is written, ‘the iniquity of the congregation’ meaning, ‘congregation’ and not holy things, and there [at Exo. 28:38, in reference to the frontlet] it is written, ‘the iniquity of the Holy Things’ — ‘Holy Things’ and not the congregation.”

XII.2. A. *Thus we have found that the goats that are offered at the New Moon effect atonement in the case of a clean person who inadvertently ate unclean Holy Things. How on the basis of Scripture do we know that the goats that are offered at festivals effect atonement for a case in which there is no awareness of one's having sinned either to begin with or at the end?*

- B. *It is in accord with what R. Hama bar Hanina said, namely, “Scripture could have said ‘one goat,’ but says, ‘and one goat.’ Here too the text could have said, ‘one goat,’ but says ‘and one goat’ [Num. 28:22 for the goat offered at the Passover; Num. 29: 5, for the goat offered at the New Year; Num. 29:16 for the goat offered at Tabernacles, all saying ‘and one goat’]. [10A] In this way, all the goats offered at the several festivals are treated as analogous to the goats offered at the New Moon. Just as the goats offered at the New Moon effect atonement for that which is connected with Holy Things, so the goats that are offered at the festivals atone only for that which is connected with Holy Things.”*
- C. *And should you propose, let the goats offered at Festivals atone for that for which goats offered at the New Moon atones, lo, we have said:*
- D. Said Scripture, “It has he given to you to bear the iniquity of the congregation,” so it bears that iniquity, but nothing else does.
- E. *And if you then should propose, let the atone for that for which the goat offered at the outer altar on the Day of Atonement atones, the answer is negative, as we have said:*
- F. “Once a year shall he make atonement for it” — this form of atonement takes effect only once a year.
- G. *For what, then do the goats offered at the festival atone? If it is for a sin of which there is awareness at the beginning and awareness at the end, is such a sin subject to an offering at all? And if it is for a sin of which there is awareness at the beginning but not at the end, that is covered by the goat that is prepared on the inner altar and the Day of Atonement suspends the punishment. And if it is a sin of which there is no awareness to begin with but there is awareness at the end, that is covered by the goat that is prepared at the outer altar, and the Day of Atonement, which atone for it. So it can atone only for a sin of which there is awareness neither at the outset nor at the end.*

XIII.1 A. R. Meir says, “The atoning effects of all goats are the same: for imparting uncleanness to the sanctuary and its Holy Things:”

- B. *Said R. Hama bar Hanina, “What is the scriptural basis for the position of R. Meir? Scripture could have said ‘one goat,’ but says, ‘and one goat.’ Here too*

the text could have said, 'one goat,' but says 'and one goat' [Num. 28:22 for the goat offered at the Passover; Num. 29: 5, for the goat offered at the New Year; Num. 29:16 for the goat offered at Tabernacles, all saying 'and one goat']. In this way, all the goats offered at the several festivals are treated as analogous to the goats offered at the New Moon, and the conjunction 'and' adds to the preceding subject."

- C. *The premise was that each one derived its additional powers of atonement from its fellow* [Silverstone: the Passover goat, Num. 28:22, is mentioned immediately after the goat offered at the New Moon, and it is equated with it, and therefore, like it, atones for a clean person who ate unclean Holy Things; the goat of Tabernacles, Num. 29:16, is mentioned immediately after the goat of the Day of Atonement, equated with it, and like it atones for a case in which there is no knowledge at the beginning but at the end; and the goat of the Day of Atonement is equated with the goat of Tabernacles, so atones like it for a case in which there is no knowledge either at the beginning or at the end. Similarly, all the goats derive the laws from one another, each one from its nearest neighbor in Scripture, the result is that they all equally atone for all things for which they atone on their own].
- D. But has not R. Yohanan said, "Throughout the Torah we infer one rule from another that has itself been derived by inference, except for the matter of consecration, in which we do not derive a rule from another that has itself been inferred"?
- E. *That is no real contradiction, for all may derive its rule from the initial entry* [but deduce from the rule governing the goat of the New Moon the power of atonement for a clean person who ate unclean Holy Things, and the goat of the New Moon may derive from the festival goats the fact that it atones for a case in which there is no awareness either at the beginning or the end, and all may deduce from the goat offered at the Day of Atonement the power to atone for a case in which there is no awareness at the beginning but there is at the end; and the goat of the Day of Atonement may atone from them the rule governing a case in which there is awareness neither at the beginning or at the end (Silverstone)].
- F. *That suffices for every case in which Scripture adds the "and," "and one goat"* [which then adds to the preceding subject and treats the forgoing and the following as equivalent]. *But as to the goat that is offered at Pentecost and at the Day of Atonement, in which case there is no "and," how do we know the rule?*
- G. Rather, said R. Jonah, "Said Scripture, 'These you shall offer to the Lord in your festivals' (Num. 29:39) — all of the festivals are treated as analogous to one another."
- H. *But lo, the New Moon is not classified as a festival!*
- I. *It is so classified as a festival, in line with what Abbayye said, for said Abbayye, "The Tammuz of that Year was fully thirty days, 'He has called a solemn assembly against me to crush my young men' (Lam. 1:15)." [This then treats the New Moon as a festival.] [Silverstone: he intercalated an extra day, making Tammuz thirty days, so that the thirtieth day was proclaimed a New Moon festival, in order to crush my young men, in order that the ninth of Ab would coincide with the date*

that my young men were to be crushed centuries later at the time of the destruction of the Temple.]

XIII.2. A. Said R. Yohanan, “And R. Meir concurs in the case of the goat that is prepared on the inner altar that it does not atone for the sins for which the goat offered at the outer altar on the Day of Atonement, festivals, and New Moon atone, and they do not atone for the sins for which it atones.

- B. “It does not atone for the sins for which they atone: it effects a single atonement, and it does not effect two atonements.
- C. “And they do not atone for the sins for which it atones: Said Scripture, ‘one a year,’ meaning, this form of atonement takes place only once a year.”
- D. *So too it has been taught on Tannaite authority:*
- E. “Concerning a situation in which there is awareness neither at the beginning nor at the end, and for one in which there is no awareness at the beginning but there is at the end, and for one in which a clean person ate unclean Holy Things, the goats that are offered on the festivals and the goats of the New Moons and the goat that is prepared on the outer altar atone,” the words of R. Meir.
- F. *But then he omits reference to the goat that is prepared at the inner altar, and that others atone for the sins for which that offering atone he also omits [the goat offered at the inner altar is not included on his list, and he does not say that the other goats atone for cases in which there is awareness at the outset but not at the end].*

XIV.1 A. R. Simeon did say, “The goats offered on the new months effect atonement for a clean person who has eaten something unclean. And those of the festivals effect atonement for a case in which there is no awareness [of uncleanness] either at the beginning or at the end [of the sequence of events]. And those of the Day of Atonement effect atonement for a case in which there is no awareness [of uncleanness] at the beginning but there is apprehension [of uncleanness] at the end.” They said to him, “What is the law as to offering up this one [set aside for the Day of Atonement] on the occasion of the other [the new month]?” He said to them, “Let them be offered up.” They said to him, “Since their power of effecting atonement is not the same, how may one be offered on the occasion suitable for the other?” He said to them, “All of them are offered up to effect atonement for imparting uncleanness to the sanctuary and its Holy Things:”

- B. *Now there is no problem in understanding why the goats that are offered at the New Moons do not effect atonements for sins for which the goats offered at the Festivals atone, since Scripture says, “it has he given you to bear the iniquity” (Lev. 10:17), meaning, one iniquity it bears, not two.*
- C. *But the goats that are offered at Festivals should atone for the sins for which the goats that are offered on the New Moons atone!*
- D. Scripture says, “it has he given to you to bear iniquity” — it bears iniquity, but none other bears the iniquity.
- E. *There is no problem in understanding why the goats offered on Festivals atone for the sins for which the Day of Atonement atones, for Scripture has said, “Once a year,” meaning, this form of atonement shall take place only once a year.*

- F. *But why should the goat that is offered on the Day of Atonement not effect atonement for the sins for which the goats that are offered on Festivals atone?*
- G. Said Scripture, “one...,” meaning, atonement for one sin does it effect, and it does not effect atonement for two sins.
- H. *But when we find the reference to “one,” it is with regard to the goat that is offered at the inner altar!*
- I. Said Scripture, “One goat for a sin offering beside [10B] the sin offering of atonement” (Num. 29:11), so the goat offered at the outer altar is classified with the goat offered at the inner altar.

XV.1 A. R. Simeon b. Judah says in his name, “Goats offered up on the new months effect atonement for a clean person who has eaten something unclean.

“Added to them are those of the festivals, which effect atonement for a clean person who has eaten something unclean, and for the case in which there is no apprehension [of uncleanness] either at the beginning or at the end. Added to them are those of the Day of Atonement, which effect atonement for a clean person who has eaten something unclean, for a case in which there is no apprehension [of uncleanness] either at the beginning or at the end, and for a case in which there is no apprehension [of uncleanness] at the beginning but in which there is an apprehension [of uncleanness] at the end.” They said to him, “What is the law as to offering up this one on the occasion of the other?” He said to them, “Yes.” They said to him, “If so, let those [set aside for use on] the Day of Atonement be offered up on the new months. But how are those of the new months going to be offered on the Day of Atonement, to effect atonement which does not apply to them [an unclean person who ate something clean or went into the sanctuary]?” He said to them, “All of them are offered up to effect atonement for imparting uncleanness to the sanctuary and its Holy Things:”

- B. *How come the goats that are offered on the New Moons do not effect atonement for the sins for which the goats offered at the festivals atone?*
- C. Scripture says, ““It has he given you to bear iniquity” (Lev. 10:17), meaning, one iniquity does it bear, but not two.
- D. *Then those offered on the festivals also should not atone for the sins for which the goats offered on the New Moon, since the Scripture states, “It has he given,” reading: it bears iniquity, but no other does [so why does Simeon say goats offered on the festival atone for that for which the goats offered on the New Moon atone (Silverstone)!]*
- E. *He does not draw that inference from the word “it.”*
- F. *How come the goats that are offered on the Festival do not atone for the sins for which the Day of Atonement atones?*
- G. Scripture says, “Once in the year shall he make atonement” (Exo. 30:10).
- H. *Then let the goat that is offered on the Day of Atonement also not atone for the classification of sin for which the goats that are offered on Festivals atone? For Scripture says, ““And Aaron shall make atonement on the horns one time”*

(Exo. 30:10) — one time it effects atonement, but it does not effect atonement twice

- I. *If that is the case then let the goats offered on the festival also effect atonement for the sins for which the goat offered on the Day of Atonement atones, since “once in the year” speaks of the goat offered on the inner altar and not the one offered on the outer altar, for Scripture states, “once,” meaning, one time it effects atonement, but it does not effect atonement twice.*
- J. *He does not draw that inference from the word “it.” Why not? When the Scripture states, “And Aaron shall make atonement upon the horns of it once in the year, the horns...” this refers to the inner altar, and it is in that context that we maintain, one time it effects atonement, but it does not effect atonement twice, but with reference to the goat offered at the outer altar, it make effect even atonement even on two counts.*

The following composite concerns whether or not we assume that there is a tacit stipulation of the court that governs in certain situations involving offerings, e.g., when the farmer designated a beast for an offering, his intentionality was governed by a general stipulation that the court is held to have imposed upon all cases. Now the complex is introduced here because, as we shall see, the debate involving Simeon in the Mishnah-paragraph at hand also involves whether or not we invoke a tacit stipulation of the court. But the issue is framed in terms of another tractate altogether, as we see in the opening lines.

- XV.2.** A. Said Ulla said R. Yohanan, “Animals designated for use as daily whole offerings that turn out not to have been required in fulfillment of the obligations of the community may be redeemed when unblemished [Freedman, *Zebahim*: for we assume a tacit stipulation of the court that it is permitted to redeem them even when they are not blemished.]
- B. *In session Rabbah stated this rule.*
 - C. *Said to him R. Hisda, “Who pays any attention to you or to your master, R. Yohanan! For where has the sanctification that inhered in them gone [if a blemish has not disrupted it]?”*
 - D. *He said to him, “Do you really imagine that we do not dismiss the argument, For where has the sanctification that inhered in them gone? But have we not learned in the Mishnah: **The surplus of the frankincense left over from the prior year — what did they do with it? They set it aside for paying the wages of the craftsmen, and after they declare it unconsecrated in exchange for the wages of the craftsmen, they hand it over to the craftsmen as their salary. And they go and buy it back from them with money taken up from the fresh heave offering of the sheqels. If the new funds came in due time, they buy it back with money from the new heave offering of the sheqels, but if not, they buy it back with money from the old [M. Sheq. 4:5]? But how is such a procedure possible? Should we not invoke the argument, where has the sanctification that inhered in them gone?**”*
 - E. *He said to him, “Do you introduce the case of the incense? The case of the incense is exceptional, [11A] since that represents a sanctification of not the thing in itself but only of the value of a thing.” [It is not prepared in a utensil of service, so it is not sanctified. But the animals designated for use as daily whole*

offerings are sanctified as to their body, not merely as to their value, so how can they be redeemed if they are not blemished and so no longer serviceable for the altar?]

- F. *Then the incense should not be rendered invalid by someone who has immersed on that day but not yet witnessed sunset for the completion of his rite of purification. But then, how come it has been taught on Tannaite authority: If it has been placed in the mortar, it is subject to invalidation by someone who has immersed on that day but not yet witnessed sunset for the completion of his rite of purification? And should you claim that that which has been sanctified as to its value may be invalidated by someone who has immersed on that day but not yet witnessed sunset for the completion of his rite of purification, have we not learned in the Mishnah: Meal offerings — the laws of sacrilege apply to them once they have been sanctified. When they have been sanctified in a utensil, they are rendered fit to be made invalid by someone who has immersed on that day but not yet witnessed sunset for the completion of his rite of purification and by one whose rites of atonement have not yet been completed and by being left overnight. When the handful [of the meal offering] has been offered, they are liable on their account because of violation of the laws of refuse, remnant, and uncleanness. [M. Me. 2:8A-C]? So if they have been sanctified in a utensil, then they are subject to invalidation by someone who has immersed on that day but not yet witnessed sunset for the completion of his rite of purification, but if they have not been sanctified in a utensil, then they are not subject to invalidation by someone who has immersed on that day but not yet witnessed sunset for the completion of his rite of purification.*
- G. *Well, if you maintain then that it is sanctified as to itself, not only as to its value, then it should be subject to invalidation if it is left overnight, and yet how come we learn in the Mishnah: The handful, the frankincense, the incense, the meal offerings of priests, and the meal offering of the anointed priest, and the meal offering which accompanies drink offerings — the laws of sacrilege apply to them once they have been sanctified. [When] they have been sanctified in a utensil, they are rendered fit to be made invalid by someone who has immersed on that day but not yet witnessed sunset for the completion of his rite of purification and by one whose rites of atonement have not yet been completed and by being left overnight. And they are liable on their account because of violation of the laws of remnant and because of violation of the laws of uncleanness [M. Me. 2:9A-D]? So if they have been sanctified in a utensil, then they are subject to invalidation by being left overnight, but if they have not been sanctified in a utensil, then they are not subject to by being left overnight.*
- H. *He said to him, “Do you raise the case of the frankincense’s being left overnight? Frankincense is exceptional [in that it is consecrated as to itself, not only as to its value, even though it is prepared in an unconsecrated utensil, but it is not invalidated by being left over night] because it does not change its character throughout the year [so if it is left overnight, it does not change its appearance or lose its freshness the way meat does, but when consecrated in a utensil, it still can*

be invalidated if it is left over night, because everything that is consecrated in a utensil will be invalidated by being kept overnight (Silverstone)].”

- I. *In any event, the question stands: where has the sanctification that inhered in them gone?!*
- J. Said Rabbah, “The court makes a stipulation in its heart concerning frankincense: if it is required, well and good, but if not, then it is sanctified only as to its value.”
- K. *Said to him Abbayye, “But lo, it is the master himself who has said, ‘If one consecrated a male ram for its value, it is deemed consecrated as to its body as well [and it cannot be sold, for the animal may be used as a burnt offering, and it must be used in that way]!’” [After all, it cannot be redeemed, because it is itself fit for the altar; so even if the court made such a stipulation, the daily offerings and incense, which are suitable for the altar, should retain their intrinsic sanctification, and the question still stands: where has the sanctification that inhered in them gone? (Silverstone)]*
- L. *It is still not a problem. It becomes intrinsically holy in a case in which the donor said that it is to be sanctified as to its value, which then is to be used for funds for the purchase of a burnt offering [and the ram itself can serve for that purpose, so it cannot be sold to get money to buy another ram for the same purpose], but if the man said that it was consecrated as to its value so that with the proceeds drink offerings are to be purchased, then it does not become intrinsically holy.*
- M. *Abbayye objected by citing the following: “If on the day of atonement animals designated to serve as the bullock and the goat offered on the inner altar were lost and others designated in their place, [11B] and also the goats to atone for idolatry were lost, with others designated in their stead, [and which turned up after others had been sacrificed], all are left to die,” the words of R. Judah. R. Eleazar and R. Simeon say, “They are put out to pasture until they are blemished, then are sold, and the proceeds go for the purchase of animals for free will offerings, for an animal designated as a sin offering for the community is never left to die” [cf. T. Kip. 3:9]. Now why should this be the rule [that they are left to die or pasture]? Why not maintain, The court makes a stipulation in its heart concerning frankincense: if it is required, well and good, but if not, then it is sanctified only as to its value?”*
- N. *Do you propose to raise the case of animals designated for sacrifices that have gotten lost? They form an exception, for such a case is unusual [on which account courts make no such stipulation].*
- O. *Lo, there is the case of the cow designated for use as the red cow for the preparation of purification-water, [a very rare rite indeed], concerning which it has been taught on Tannaite authority: The cow designated for use in the purification rite may be redeemed on account of any blemish whatsoever; if it died, it may be redeemed; if it was slaughtered, it may still be redeemed; if one found another more beautiful than the designated one, it may be redeemed; if one already had slaughtered it on its wood pile, however, it may not ever be redeemed [T. Par. 2:4B-F]. [Why not maintain, The court makes a stipulation in its heart: if it is required, well and good, but if not, then it is sanctified only as to its value?]*

- P. *The case of the red cow is exceptional, since the sanctification that affects it concerns the upkeep of the Temple house [for which the purification rite is destined; it is not an offering of atonement].*
- Q. *If that is so, then how come it says, **if it died, it may be redeemed; if it was slaughtered, it may still be redeemed; if one found another more beautiful than the designated one, it may be redeemed!** Do we not require the correct bidding process, in connection with redemption, of having it presented for valuation [in line with Lev. 27:11, 12]? [If the beast died or was slaughtered, it cannot be set up and properly evaluated? If it were holy for the altar, that question would not arise, for offerings for the altar when redeemed do not require the process of presentation and valuation (Silverstone)].*
- R. *Lo, who is the authority behind this formulation? It is R. Simeon, who has said, "Things that were sanctified for use on the altar were subject to the rule of being set up for presentation and valuation, while things sanctified for the upkeep of the Temple house [into which category the red cow falls] did not fall under the classification of having to be set up for presentation and valuation."*
- S. *If that really stands for the position of R. Simeon, then I call attention to the concluding part of the same passage: **if one already had slaughtered it on its wood pile, however, it may not ever be redeemed!** But has it not been taught on Tannaite authority: R. Simeon says, "The red cow imparts uncleanness as food, since it had at one point was valid" [T. Par. 7:9]. And in this connection said R. Simeon b. Laqish, "R. Simeon maintained that **if one already had slaughtered it on its wood pile, however, it may be redeemed.**"*
- T. *The red cow is an exceptional case in all, because it is expensive. [The court made a mental stipulation to cover it because of the high costs of getting one.]*

XV.3. A. The master has said, "**if it died, it may be redeemed.**"

B. But are Holy Things redeemed so as to be fed to the dogs?

C. Said R. Mesharshayya, "It is on account of the hide."

D. *So do you really think that a court will go and make a mental stipulation merely because of the hide?*

E. *Said R. Kahana, "People say, 'Even the ear of a camel is worth something.'"*

XV.4. A. [Abbayye] further objected to [Rabbah], "**They said to him, 'What is the law as to offering up this one on the occasion of the other?' He said to them, 'Yes.' They said to him, 'If so, let those [set aside for use on] the Day of Atonement be offered up on the new months. But how are those of the new months going to be offered on the Day of Atonement, to effect atonement which does not apply to them [an unclean person who ate something clean or went into the sanctuary]?' He said to them, 'All of them are offered up to effect atonement for imparting uncleanness to the sanctuary and its Holy Things.'** But why should he not say to them, 'The court makes a mental stipulation in the case of those things'?"

B. *"But are you not speaking of R. Simeon? And R. Simeon does not take the view at all that a court makes a mental stipulation of such a sort, for said R. Idi bar Abin said R. Amram said R. Yohanan, 'Daily whole offerings which turn out not*

to have been required in fulfillment of the obligations of the community in the opinion of R. Simeon may not be redeemed when they are unblemished; in the opinion of sages they may be redeemed when unblemished [Freedman, *Zebahim*: for we assume a tacit stipulation of the court that it is permitted to redeem them even when they are not blemished. Simeon rejects this assumption and holds they cannot be redeemed.]”

- XV.5.** A. *And by the way, who are these rabbis who differ from R. Simeon in this matter [and maintain that such a mental stipulation is made by the court]?*
- B. *Shall we say they are the rabbis who are behind the law governing incense? But incense is exceptional, [12A] because it is not in the classification of what can be put out to pasture. And shall we say that it is rabbis in the context of the red cow? But the red cow is exceptional, because it is expensive. So it can only be the rabbis of the Mishnah-paragraph before us, who took issue with him in this matter!*
- C. *But on what basis do you maintain that it is R. Judah [“the goats offered on festivals and the goats offered on new months effect atonement,” the words of R. Judah. R. Simeon says, “The goats offered on festivals effect atonement but not the goats offered on new months. And for what do the goats offered on new months effect atonement? For a clean person who ate something unclean,” thus concurring with Simeon that the goats do not atone equally for everything but differs in maintaining that the court makes a mental stipulation that the goats can substitute for one another]? This is what in your conception he proposes to say to him: “There is no problem from my perspective, since I maintain that the court makes a mental stipulation, so the goat that is designated for use on a given day may be offered on another, but from your perspective, in denying that the court makes a mental stipulation, one should the goat be set apart for one day be offered on another?” Now, in fact, maybe it is R. Meir, [The atoning effects of all goats are the same: for imparting uncleanness to the sanctuary and its Holy Things] and this is what he means to say to him: “There is no problem from my perspective, since I maintain that all the goats serve to effect atonement equally, on which account a goat designated for use on one day may be offered on another day. But from your perspective, in denying that all goats effect atonement equally, why should the goat designated for one day be offered on another? [So who can be the rabbis who differ from R. Simeon and maintain that the court does make a mental stipulation (Silverstone)?]*
- D. *Well, as a matter of fact, R. Yohanan had a tradition: Daily whole offerings which turn out not to have been required in fulfillment of the obligations of the community in the opinion of R. Simeon may not be redeemed when they are unblemished; in the opinion of sages they may be redeemed when unblemished.*
- E. *According to R. Simeon, who does not take the view that the court makes a mental stipulation that animals designated for daily whole offerings which turn out not to have been required in fulfillment of the obligations of the community may not be redeemed, what is done with the beasts?*
- F. *Said R. Isaac said R. Yohanan, “They use them for offerings at the time at which the altar is otherwise vacant.”*

- G. Said R. Samuel bar R. Isaac, “But R. Simeon concurs that goats that are designated for use for a sin offering are not themselves presented as offerings on the occasion on which the altar is left vacant, but only their proceeds are used to purchase such offerings. *For here, in the matter of the animal designated as a daily offering but not used, the beast was originally consecrated for a burnt offering and it remains a burnt offering as to its actual disposition, but in the case of the beast designated for a sin offering, the animal was, after all, initially consecrated for a sin offering and is now to be offered as a burnt offering. That is why it is not offered up in itself, as a precautionary decree dealing with the situation that pertains after the owner has achieved atonement, to take account of what can happen prior to the owner’s having achieved atonement [lest the beast be offered up improperly].*”
- H. Said Abbaye, “So too we have learned: ‘If on the day of atonement animals designated to serve as the bullock and the goat offered on the inner altar were lost and others designated in their place, and also the goats to atone for idolatry were lost, with others designated in their stead, [and which turned up after others had been sacrificed], all are left to die,’ the words of R. Judah. R. Eleazar and R. Simeon say, ‘They are put out to pasture until they are blemished, then are sold, and the proceeds go for the purchase of animals for free will offerings, for an animal designated as a sin offering for the community is never left to die’ [cf. T. [Kip. 3:9](#)]. *Now why should that be the case that they are offered? After all, they themselves may serve as a burnt offering! But that surely yields the inference that we make a precautionary decree dealing with the situation that pertains after the owner has achieved atonement, to take account of what can happen prior to the owner’s having achieved atonement [lest the beast be offered up improperly].*”
- I. Said Raba, “So too we have learned: [If after the casting of the lots on the two goats of the Day of Atonement, it died, let one get another mate and cast lots for them as at the outset. And he says, “If the one belonging to the Lord died, then this one upon which the lot, ‘For the Lord’ has come up is to stand in its stead. And if the one which was for Azazel has died, this one upon which the lot, ‘For Azazel,’ has come up will stand in its stead.”] And the second one is to be put out to pasture until it is blemished, and then it is sold, and the money received for it is to fall to a freewill offering. For a sin offering of the community is not left to die [M. [Yoma 6:1G-K](#)]. *Now why should that be the case? After all, they themselves may serve as a burnt offering! But that yields the inference that we make a precautionary decree dealing with the situation that pertains after the owner has achieved atonement, to take account of what can happen prior to the owner’s having achieved atonement [lest the beast be offered up improperly].*”
- J. Said Rabina, “So too we have learned: A guilt offering, the owner of which died, or the owner of which effected atonement [with another animal], is set out to pasture until it suffers a blemish. Then it is sold. And the proceeds are to fall [to the Temple treasury] as a freewill offering. R. Eliezer says, “Let it be left to die.” R. Eleazar says, “Let him purchase with its proceeds a burnt offering” [M. [Tem. 3:3L-N](#)]. *But lo, the beast itself may serve as a burnt*

offering! But that yields the inference that we make a precautionary decree dealing with the situation that pertains after the owner has achieved atonement, to take account of what can happen prior to the owner's having achieved atonement [lest the beast be offered up improperly]."

K. *That proves it.*

XV.6. A. *So too it has been taught on Tannaite authority:*

B. What is it that they present from the surplus of money set apart for offerings from the community? **[12B]** It is a dessert, like white figs, for the altar.

C. But is it not written, "For any leaven or honey you shall not offer up as smoke as an offering made by fire to the Lord" (Lev. 2:11)?

D. *R. Hanina repeated as a Tannaite statement:* "[These burnt offerings as a dessert for the altar] as white figs are a dessert for people."

XV.7. A. Expounded R. Nahman b. R. Hisda, "For the purpose of providing an offering during the time that the altar would otherwise be vacant, use may not be made of a burnt offering of a bird."

B. *Said Raba, "What rank absurdity!"*

C. *Said R. Nahman bar Isaac to Rabbi, "What's so absurd? I am the one who told it to him, and it was in the name of R. Shimi of Nehardea. For said R. Shimi of Nehardea, 'Offerings that are surplus are used for purchase of offerings in behalf of the congregation, and a burnt offering made of a bird cannot serve as a burnt offering for the congregation.'"*

XV.8. A. *So too Samuel concurs with what R. Yohanan said, for said R. Judah said Samuel, "In the case of offerings in behalf of the community, the knife is what classifies their purpose [that is, the moment of slaughtered]."* [Silverstone: before they are slaughtered, they may be designated for some other purpose from the one for which they were originally meant, e.g., from regular burnt offerings to those offered at the time the altar is otherwise vacant; according to rabbis, who hold that the court has the power to make a mental stipulation, the surplus of regular offerings may be redeemed unblemished and later repurchased and sacrificed as regular offerings in the coming year].

B. *So too it has been taught on Tannaite authority:*

C. R. Simeon concedes in the case of a goat, that if it is not offered for one festival, it may be offered for the New Moon, and if it is not offered for the New Moon, it may be offered for the Day of Atonement, and if it is not offered for the Day of Atonement, it may be offered for another festival, and if it is not offered for one festival, it may be offered for some other festival, for to begin with it has been designated only to effect atonement on the outer altar. [This proves: "In the case of offerings in behalf of the community, the knife is what classifies their purpose, that is, the moment of slaughtered."]

XVI.1 A. **And for a deliberate act of imparting uncleanness to the sanctuary and its Holy Things, a goat [whose blood is sprinkled on the altar that is] inside and the Day of Atonement together effect atonement.**

B. *What is the scriptural basis for this rule?*

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

- D. “And he [the goat offered at the inner altar] shall make atonement for the holy place, because of the uncleanness of the children of Israel, and because of their transgressions, even all their sins” (Lev. 16:16) —
- E. “transgressions:” this refers to acts of rebellion, and so Scripture says, “The king of Moab has rebelled against me” (2Ki. 3: 7), “Then did Libnah revolt at the same time” (2Ki. 8:22).
- F. “their sins” (Lev. 16:16) — this refers to sins done inadvertently, in line with the usage, “If any one shall sin through error” (Lev. 4: 2).

XVII.1 A. **And for all other transgressions which are in the Torah — the minor or serious, deliberate or inadvertent, those done knowingly or done unknowingly, violating a positive or a negative commandment, those punishable by extirpation and those punishable by death at the hands of a court, the goat which is sent away [Lev. 16:21] effects atonement:**

- B. [Now why does the Mishnah’s framer repeat himself? For:] **Minor** is the same as **violating a positive or a negative commandment**,
- C. **serious** is the same as **those punishable by extirpation and those punishable by death at the hands of a court**.
- D. **those done knowingly** is the same as **deliberate**, or **done unknowingly** is the same as **inadvertent**!
- E. *Said R. Judah, “This is the sense of the passage: ‘for all other transgressions which are in the Torah, the minor or serious, those done knowingly or done unknowingly, — those done unknowingly, whether he was aware that he may or may not have done the deed or was not aware of that fact. And what are the minor transgressions? Violating a positive or a negative commandment. And what are the serious ones? Those punishable by extirpation and those punishable by death at the hands of a court.’”*

XVII.2. A. *As to the violation of a positive commandment, what would be such a case? If the man had not repented, [then of what value was the scapegoat, since] it is written, “The sacrifice of the wicked is an abomination” (Pro. 21:27)? But if he had repented, then what need did he have of the scapegoat, since repentance on any day is as good as any other, for it has been taught on Tannaite authority: If someone violated a positive commandment but repented, he does not move from the spot before he is forgiven!*

- B. Said R. Zira, **[13A]** “We deal with a case in which he stands firm in his rebellion, and the rule accords with the position of Rabbi.”
- C. *For it has been taught on Tannaite authority:*
- D. Rabbi says, “For all of the transgressions that are listed in the Torah, whether one has repented or not repented, the Day of Atonement attains atonement, except for one who breaks the yoke [of the kingdom of heaven from himself, meaning, denies God] and one who treats the Torah impudently, and the one who violates the physical mark of the covenant. In these cases if one has repented, the Day of Atonement attains atonement, and if not, the Day of Atonement does not attain atonement.”
- E. *What is the scriptural basis for the position of Rabbi?*
- F. *It is in line with that which has been taught on Tannaite authority:*

- G. “Because he has despised the word of the Lord”: This refers to one who is without shame in interpreting the Torah.
- H. “And broken his commandment”: This refers to one who removes the mark fleshly arks of the covenant.
- I. “That soul shatter utterly be cut of “Be cut off” — before the Day of Atonement. “Utterly” — after the day of atonement.
- J. Might one suppose that that is the case even if he has repented?
- K. Scripture says, “his iniquity shall be upon him” (Num. 15:31) — I say that the Day of Atonement does not effect atonement only when his iniquity is still upon him. [Silverstone: it is only for these three sins that the Day of Atonement brings no atonement without repentance, but for other sins it brings atonement even without repentance.]
- L. *And rabbis?*
- M. “That soul shatter utterly be cut of “Be cut off” — in this world. “Utterly” — in the world to come.
- N. “his iniquity shall be upon him” (Num. 15:31) — if he repented and died, death wipes away the sin.

XVII.3. A. *But then can you really maintain that the Mishnah accords with the position of Rabbi* [Silverstone: that for all sins except the specified three, the Day of Atonement atones, even without repentance, and the Mishnah, in stating that the scapegoat of the Day of Atonement atones for the transgression of positive precepts, refers to cases of non-repentance, in accordance with Rabbi’s view]? *For lo, since the final clause accords with the position of R. Judah, the opening clause also should be consistent with him. The final clause states, [It effects atonement] all the same, for Israelites, priests and the anointed priest. Now who takes that view? It is R. Judah, [who holds that the scapegoat atones for the priests], from which it must follow that the opening clause likewise represents the position of R. Judah!*

- B. *Said R. Joseph, “It accords with the view of Rabbi, and he concurs with R. Judah [who holds that the scapegoat atones for the priests].”*
- C. *Said to him Abbaye, “But does the master take the position that it is Rabbi who concurs with R. Judah, while R. Judah does not concur with Rabbi [so the Day of Atonement atones even without repentance], or do you maintain that just as Rabbi concurs with R. Judah, so R. Judah agrees with Rabbi, but you frame matters in the accepted manner so that the disciple is said to concur with the master?”*
- D. *He said to him, “Indeed so. It is Rabbi who concurs with R. Judah, while R. Judah does not concur with Rabbi [so the Day of Atonement atones even without repentance].”*
- E. *For it has been taught on Tannaite authority:*
- F. **Might one then have supposed that the day will atone for those that repent and also for those that do not repent?**
- G. **It is a matter of logic:**
- H. **The sin offering and the guilt offering atone, and the Day of Atonement atones. Just as the sin offering and guilt offering atone**

only for those that repent, so the Day of Atonement should atone only for those that repent.

- I. No, if you have invoked that rule in the case of the guilt offering and the sin offering, which do not atone for acts deliberately done as they do for acts done unwittingly, will you say the same for the Day of Atonement, which atones for what is done deliberately along with what is done unwittingly?
- J. Since it atones for what is done deliberately along with what is done unwittingly, it should atone both for those that repent and for those that do not repent!
- K. Scripture to the contrary says, “But:” [“And the Lord said to Moses, But on the tenth day of this seventh month is the day of atonement; it shall be for you a time of holy convocation, and you shall afflict yourselves and present an offering by fire to the Lord” (Lev. 23:26-32)] That serves to limit the effect of the Day of Atonement [Sifra: Lo, the Day of Atonement atones only for those that repent] [Sifra CCXXXV:I.1].
- L. Now *who stands behind any unattributed statement in Sifra? It is R. Judah, and here we find that the passage maintains that the Day of Atonement atones for only those who repent, not for those who do not.* [Silverstone: So Judah does not concur with Rabbi.]
- M. *But there is a conflict between one unattributed statement in Sifra and another unattributed statement in Sifra, for so it has been taught on Tannaite authority:*
- N. “holy convocation...for it is a day of atonement...and you shall afflict yourselves and present an offering by fire to the Lord. And you shall do no work on this same day, for it is a day of atonement:” [Why so much repetition?] One might have thought that the Day of Atonement atones only if one has treated it as a day of holy convocation and has afflicted oneself and not done work.
- O. How do we know that even if one has not held a holy convocation, not afflicted oneself, and done work on it, the day on its own effects atonement?
- P. Scripture says, “for it is a day of atonement” — under all circumstances [Sifra CCXXXV:I.1].
- Q. *Said Abbaye, “There is no contradiction, the one version represents the view of Rabbi [the Day atones even for those who do not repent], the other of R. Judah.”*
- R. *Raba said, “Both statements represent the view of Rabbi, but Rabbi concedes that the Day of Atonement does not atone for sins against the Day of Atonement itself, for which the penalty is extirpation. For if you do not take that view, then will Rabbi not hold that there is the penalty of extirpation governing the Day of Atonement itself?”* [Silverstone: if the Day atones for all sins, even those

connected with the Day itself, without repentance, why does Scripture decree extirpation for transgressing the day, since that cannot take effect; obviously Rabbi must make the distinction that Raba has suggested.]

- S. *But why not find such a case?* [Silverstone: Rabbi may hold that the Day atones even for the sin of extirpation that concerns the Day itself, but we can find a case in which extirpation does pertain, namely] *if one has committed a sin at night and then died, in which case the Day of Atonement itself cannot come to effect atonement for him? Rather, say, [13B] does not Rabbi hold that there is extirpation for the daytime of the Day of Atonement?*
- T. *Why not? You can have a case in which he ate a piece of meat that choked him so he died; or he ate it near sunset, so there was hot time for the Day to atone for him.*

XVIII.1 A. [It effects atonement] all the same, for Israelites, priests and the anointed priest. What is the difference between Israelites, priests, and the anointed priest? But: The blood of the bullock effects atonement for priests for imparting uncleanness to the sanctuary and its Holy Things:

- B. *The statement itself bears an obvious contradiction. On the one side, we have, [It effects atonement] all the same, for Israelites, priests and the anointed priest but on the other hand, What is the difference between Israelites, priests, and the anointed priest!*
- C. *Said R. Judah, "This is the sense of the statement: [It effects atonement] all the same, for Israelites, priests and the anointed priest as regards the scapegoat, which effects atonement for other sins. In that respect there is no distinction among them. What then is the difference between Israelites, priests, and the anointed priest? It is that the blood of the bullock effects atonement for priests for imparting uncleanness to the sanctuary and its Holy Things...."*

XVIII.2. A. *And who is the authority for this Mishnah-rule?*

- B. *It is R. Judah, as has been taught on Tannaite authority:*
- C. **"...he shall make atonement for the sanctuary:'**
- D. **"this refers to the inner sanctum.**
- E. **"and he shall make atonement for the tent of meeting:'**
- F. **"this refers to the sanctuary.**
- G. **"and for the altar:' this means what it says."**
- H. **"and he shall make atonement:'**
- I. **"this refers to the courtyards.**
- J. **"for the priests:' this means what it says.**
- K. **"and for all the people of the assembly:'**
- L. **"this refers to the Israelites.**
- M. **"And he shall make atonement:'**
- N. **"this refers also to the Levites.**
- O. **"The law has treated them all the same as subject to a single act of atonement.**

- P. “This teaches that for other sins all of them find atonement through the goat that is sent away,” the words of R. Judah.
- Q. R. Simeon says, “Just as the blood of the goat that is prepared within the temple effects atonement for the Israelites in respect to its contamination of the Temple and its Holy Things, so the blood of the young bull atones for the priests in respect to its contamination of the Temple and its Holy Things. Just as the confession said over the goat that is sent away atones for the Israelites in respect to other sins, so the confession that is said over the young bull atones for the priests in respect to other sins” [Sifra CLXXXVI:II.1-2].

XVIII.3. A. Now in respect to the view of R. Simeon: surely Israelites and priests have been treated in the same category [at the verse cited by R. Judah]!

- B. *[By way of reply:] what is the meaning of the allegation that they are treated in the same category? It is that they all require atonement, but each gains it with his own offering* [Silverstone: the priest with the bullock, the Israelite with the goat].

XVIII.4. A. *What is the scriptural foundation for the position of R. Simeon?*

- B. *It is written, “And he shall take the two goats” (Lev. 16: 7) [the goat offered on the inner altar and the scapegoat].*
- C. *In that way, the scapegoat is treated as analogous to the goat that is prepared at the inner altar.* Just as the goat that is prepared on the inner altar does not effect atonement for the priests for uncleanness that they have brought upon the sanctuary and its Holy Things, for concerning that goat it is written, “The goat of the sin offering that is for the people” (Lev. 16:15), so the scapegoat does not effect atonement for the priests for other sins.
- D. And R. Judah?
- E. *He will say to you, “It is for this purpose that the two are compared: to indicate that they should be equivalent in color, height, and cost.”*

XVIII.5. A. *Who is the Tannaite authority behind the following syllogism, which our rabbis have taught on Tannaite authority:*

- B. “Then he shall kill the goat of the sin offering which is for the people, [and bring its blood within the veil and do with its blood as he did with the blood of the bull, sprinkling it upon the mercy seat and before the mercy seat]” (Lev. 16:15):
- C. for his brothers, the other priests, would not atone through that offering.
- D. And through which one do they atone?
- E. Through the young bull of Aaron [Sifra: of their brother the high priest].
- F. Might one suppose that they do not atone through the young bull of Aaron?
- G. For lo, Scripture does refer to that young bull as his, “which is his”!
- H. Accordingly, will they not have atonement? Yet Scripture says, “He shall make atonement for the priests and for all the people of the congregation” (Lev. 16:33) one must conclude that they *do* have atonement.
- I. Then how do they have atonement?
- J. It is best that their atonement come to them through the young bull of Aaron.

- K. For lo, we find that Scripture has made a distinction in regard to this offering, unlike its treatment of other offerings of its category.
- L. For lo, Scripture says, "...and his house..." (Lev. 16:6: "to make expiation for himself and for his household") [so signifying that more than a single classification of person has atonement through this offering].
- M. And let them not have their atonement through the offering of the community at large, for we find no place in which a distinction is made with respect to the offering of the community at large.
- N. [Sifra's version:] If you like, [I may offer the following, simpler proof of the same proposition:] "Aaron is to offer his own bull as a sin offering, to make expiation for himself and for his household" (Lev. 16: 6) — meaning: and the other priests from his household [Sifra CLXXIX:I.1]. [Bavli: If you like, I shall say, "Scripture says, 'House of Aaron, bless the Lord; house of Levi, bless the Lord; you that fear the Lord, bless the Lord'" (Psa. 135:19, 20).
- O. *Who then is the Tannaite authority behind this composition?*
- P. *Said R. Jeremiah, "It is not in accord with R. Judah, for if it were R. Judah, has he not said, 'Priests attain atonement for other sins through the scapegoat'" [while what is before us says that atonement depends entirely on Aaron's bullock (Silverstone)].*
- Q. *Who then is the Tannaite authority behind this composition?*
- R. *Raba said, "It is R. Simeon, who has said, 'The priests do not effect atonement through the scapegoat.'"*
- S. *Abbaye said, "You may even maintain that it accords with the view of R. Judah, and this is the sense of the matter: Accordingly, will they not have atonement on account of imparting uncleanness to the sanctuary and its Holy Things? Yet Scripture says, "He shall make atonement for the priests and for all the people of the congregation" (Lev. 16:33) one must conclude that they *do* have atonement for other transgressions. And just as it is the fact that they *do* have atonement for other transgressions, so they must have a means of atonement [14A] for imparting uncleanness to the sanctuary and its Holy Things."*
- T. **Then how do they have atonement?**
- U. **It is best that their atonement come to them through the young bull of Aaron.**
- V. For lo, we find that Scripture has made a distinction in regard to this offering, unlike its treatment of other offerings of its category.
- W. For lo, Scripture says, "...and his house..." (Lev. 16: 6: "to make expiation for himself and for his household") [so signifying that more than a single classification of person has atonement through this offering].
- X. And let them not have their atonement through the offering of the community at large, for we find no place in which a distinction is made with respect to the offering of the community at large.
- Y. [Sifra's version:] If you like, [I may offer the following, simpler proof of the same proposition:] "Aaron is to offer his own bull as a sin offering, to make expiation for himself and for his household" (Lev. 16: 6) — meaning: and the other priests from his household [Sifra CLXXIX:I.1]. [Bavli: If you like, I

shall say, “Scripture says, ‘House of Aaron, bless the Lord; house of Levi, bless the Lord; you that fear the Lord, bless the Lord’ (Psa. 135:19, 20).

Z. *And what is the meaning of If you like, I shall say, “Scripture says, ‘House of Aaron, bless the Lord; house of Levi, bless the Lord; you that fear the Lord, bless the Lord’ (Psa. 135:19, 20)?*

AA. If you object that “his house” is what is written, [thus his household, not other priests], I shall say, “Scripture says, ‘House of Aaron, bless the Lord; house of Levi, bless the Lord; you that fear the Lord, bless the Lord’ (Psa. 135:19, 20), showing that all of them are classified together as “his house.”

XVIII.6. A. *Does the phrase, “for the people” [“Then he shall kill the goat of the sin offering which is for the people, and bring its blood within the veil and do with its blood as he did with the blood of the bull, sprinkling it upon the mercy seat and before the mercy seat:” for his brothers, the other priests, would not atone through that offering] serve this purpose? Surely it is required to show that the All-Merciful wants the offering to derive from the funds contributed by the people en mass [while the bullock presented by the high priest derives from his private funds]!*

B. *That is derived from the statement, “And from the congregation of the children of Israel he shall take two goats” (Lev. 16: 5).*

XVIII.7. A. *Does the phrase, “which is his” [Might one suppose that they do not atone through the young bull of Aaron? For lo, Scripture does refer to that young bull as his, “which is his”! Accordingly, will they not have atonement? Yet Scripture says, “He shall make atonement for the priests and for all the people of the congregation” (Lev. 16:33) one must conclude that they do have atonement. Then how do they have atonement? It is best that their atonement come to them through the young bull of Aaron] serve this purpose? Surely it is required in line with that which has been taught on Tannaite authority:*

B. “which is his” — from his own resources he presents the offering, and he does not present it out of the funds of the community.

C. Might one suppose that the reason that he does not present the offering out of the resources of the community is that the community does not attain atonement through it, but he may then present it out of the resources of his brothers, the other priests, since his brothers, the other priests, do attain atonement through it?

D. Scripture states, “which is his.”

E. Might one suppose that while he should not present the offering from the resources of the other priests, but if he did so it is valid?

F. Scripture once more states, “which is his.”

G. That establishes that the detail is indispensable to the proper performance of the rite.

H. *[How then might we imagine that without that statement, we should conclude that atonement by the bullock is limited to the high priest and excluded for other priests?] This is the sense of the Tannaite authority’s problem: how come the priests do not attain atonement with the goat that is paid for by the people? It is because they spend nothing for it: “that is for the people.” Then they also should*

not attain atonement from the goat that is offered by Aaron, since they spend no money on it. So he states, “**Scripture says, ‘House of Aaron, bless the Lord; house of Levi, bless the Lord; you that fear the Lord, bless the Lord’**” (Psa. 135:19, 20), showing that all of them are classified together as “his house.”

XVIII.8. A. Now from the perspective of R. Simeon, we can well understand why there are two references in Scripture to confessions [Lev. 16: 6, 11] and the blood of the bullock [Lev. 16:14], one for the goat that is offered on the inner altar, one for the goat that is offered outside. But from the perspective of R. Judah, why are there two references in Scripture to confessions [Lev. 16: 6, 11] and the blood of the bullock [Lev. 16:14]? One confession and the blood should be sufficient [one for the goat offered on the inner altar, the other for the goat offered on the outer altar].

B. One is for himself, one for his household [Silverstone: he confesses his own sins and then, being innocent, he confesses in behalf of the other priests], in line with that which a Tannaite authority of the household of R. Ishmael [stated:

C. That is the logic of the law: it is better that a person who is innocent should come and attain atonement for one who is still liable, but let not someone who is yet liable come and effect atonement for someone else who is liable.

I.1, 2, 3 engage in what we now call redaction-criticism, explaining the relationship between one tractate and the next in line. II.1-V.1 go through the same exegetical process. No. 2 then proceeds to a fresh program. Nos. 3, 4-5, 6 form a footnote to No. 2. VI.1 provides a first-rate account of the relationship between two Mishnah-passages that go over the same topic. VII.1 goes through this same exercise, now complementing our passage with the parallel elsewhere. No. 2 is a Tannaite complement to the foregoing. No. 3, 4 continues the process of exposition. VIII.1, 2 complements the Mishnah’s rule in the familiar way, finding scriptural foundations for the Mishnah’s rule. No. 2 runs parallel to No. 1. These are genuinely fine compositions throughout. IX.1 presents a familiar complement, augmenting the Mishnah’s rule by placing it into scriptural context. The Sifra’s composition is provided with its talmud at Nos. 2-6. X.1, 2 raise questions subsidiary to the formulation of the Mishnah and generated by it. XI.1 explains the scriptural basis for the position taken by a master in the Mishnah. XI.2-3 then ask secondary questions in amplification of the Mishnah’s rule. No. 4 then presents a secondary question. XII.1 proves from Scripture the distinctive proposition of the Mishnah’s authority. No. 2 runs parallel to the second stage of XI.1. XIII.1 goes through the same process. No. 2 clarifies the position of the Mishnah’s authority. XIV.1 once more tells us the scriptural basis for positions taken in the Mishnah. XV.1 goes through precisely the same exercise. Nos. 2+3-5, 6-7 undertake a massive, irrelevant, speculative inquiry that is tacked on here only because our Mishnah-paragraph supplies an argument. The entire sizable composition in this context is a mere appendix. XVI.1 provides a scriptural basis for the Mishnah’s rule. XVII.1 clarifies the somewhat prolix language of the Mishnah. No. 2 then proceeds to a further amplification of the same statement. No. 3 then carries forward the consequences of No. 2 for the amplification of the Mishnah-paragraph. XVIII.1 undertakes a criticism of the Mishnah’s language. No. 2 asks about the identity of the authority whose opinion is given as official, hence unattributed. The Tannaite complement is then subjected to a sustained analysis in its own terms at Nos. 3, 4, 5-8.