

XII

BAVLI ZEBAHIM CHAPTER TWELVE

FOLIOS 98B-106A

12:1

- A. (1) A priest who has immersed and awaits sunset to complete his purification rite [= a tebul-yom] and one whose atonement is not yet complete do not share in Holy Things, eating them in the evening.
 - B. (2) a priest who has suffered a bereavement may touch [Holy Things] but does not make offerings and does not share [in Holy Things], eating them in the evening.
 - C. (3) Blemished [priests], whether suffering permanent blemishes or temporary blemishes, share and eat [in Holy Things in the evening], but they do not offer up [sacrifices].
 - D. (1) And whoever [except for C] is not fit for the [sacrificial] service does not share in the meat.
 - E. (2) And whoever does not have [a portion of] the meat has no portion in the hides [Lev. 7: 8],
 - F. even [a priest who is] unclean at the time of the tossing of the blood but clean at the time of the burning of the fat does not share in the meat, as it is said, “He among the sons of Aaron who offers the blood of peace offerings and fat shall have the right thigh for a portion” (Lev. 7:33).
- I.1** A. [99A] *What is the scriptural source of this ruling?*
- B. *Said R. Simeon b. Laqish, “It is because Scripture has said, ‘The priest who offers it for a sin offering shall eat it’ — the priest who offers the sin offering shall eat, and the one who does not do so may not eat.”*
 - C. *But is this an encompassing generalization [sufficient to support all cases, not only the one of the sin offering]? Surely there is the priestly watch [that comes to Jerusalem for a given term every year], which does not actually carry out the sin offering but nonetheless eats its share of the meat!*
 - D. *“What we meant to say was, the priest who is suitable to offer the sin offering...”*
 - E. *Lo, there is the case of the minor, who is not suitable to present a sin offering, but nonetheless eats the meat!*

- F. *Rather, what is the sense of 'shall eat it'? It is, he shall receive a share in it. Thus: the priest who is appropriate to offer the sin offering shall have a share in it, and the one who is not do so may not have a share in it.*
- G. *But lo, there is the case of the blemished priest, who is not appropriate to present the sin offering, but who has a share in the meat!*
- H. *As to the blemished priest, it is Scripture itself that has extended the rule to cover him: "Every male among the priests may eat thereof" (Lev. 6:22) — encompassing a blemished priest.*
- I. *But might I not say, "Every male among the priests may eat thereof" (Lev. 6:22) — encompassing a priest who has immersed on the selfsame day and awaits sunset to complete the rite of purification?*
- J. *It is more reasonable that the intent is to extend the law to a blemished priest, because he has the right to eat the meat [which a priest who has immersed on the selfsame day and awaits sunset to complete the rite of purification may not do, being unclean].*
- K. *To the contrary! It is more reasonable that the intent is to extend the law to a priest who has immersed on the selfsame day and awaits sunset to complete the rite of purification, for by sunset he will be eligible to eat the meat and perform the rites!*
- L. *But at this moment, nonetheless, he is not eligible to do so!*
- M. *R. Joseph said, "Now take note! What is the sense of 'he shall eat it'? It means, 'he shall take a share therein.' But then why should Scripture not have written, 'he shall share therein,' rather than the emphatic, 'shall eat'? It is so that you may draw this conclusion: he who is fit to eat the meat takes a share therein, and he who is not fit to eat the meat does not take a share therein."*

I.2. A. *R. Simeon b. Laqish raised this question: "In the case of a blemished priest who is also unclean, what is the law as to his taking a share in the meat? Since he is not suitable for making the offering but the All-Merciful nonetheless has extended the law to him permitting him to eat the food, there is no difference, since what difference does it make to me whether he is unclean or blemished? Or perhaps, if he is suitable to eat the food, he takes a share in it, and if he is not suitable to eat the food, he does not take a share in it?"*

- B. *Said Rabbah, "Come and take note of the following: **A high priest offers sacrifices while he is a mourner but does not eat the meat of the offering in the evening [T. Zeb.11:3A]. Does that not settle the question?"***
- C. *That settles the question.*

I.3. A. *R. Oshaia raised this question: "As to an unclean priest, does he have a share in the sacrifices presented by the community? Do we say that 'it is the one who presents the sin offering' of which Scripture spoke, and this one too can offer a sin offering in behalf of the community when in a state of uncleanness, if everybody is then unclean, or perhaps the principle is, if he is suitable to eat the food, he takes a share in it, and if he is not suitable to eat the food, he does not take a share in it?"*

- B. *Said Rabina, "Come and take note of the following: **A high priest offers sacrifices while he is a mourner but does not eat the meat of the offering in***

the evening [T. Zeb.11:3A]. *Does that not settle the question that we require enforcement of the principle, if he is suitable to eat the food, he takes a share in it, and if he is not suitable to eat the food, he does not take a share in it?"*

C. *That settles the question.*

II.1 A. a priest who has suffered a bereavement may touch [Holy Things]:

- B. **a priest who has suffered a bereavement may touch [Holy Things]? *In contradiction, the following is to be considered:*** A priest who has suffered a bereavement and one who has not yet carried out his purification rites have to immerse in connection with Holy Things.
- C. *Said R. Ammi said R. Yohanan, "There is no contradiction. The one rule [that of our Mishnah-paragraph] speaks of a case in which he has immersed, the other rule speaks of a case in which he has not immersed."*
- D. *So if he immersed, what difference does that make? Lo, the status of bereavement reverts nonetheless [so why should that make any difference]? For Rabbah bar R. Huna has said, "If someone who has suffered a bereavement immerses, the status of a bereaved person reverts in any event."*
- E. *There still is no contradiction! In the one case he became careless [about keeping from uncleanness, since he could not officiate in any event (Freedman)], in the other case, he did not become careless.*
- F. *But if one became careless about avoiding uncleanness, he has to be sprinkled on the third and seventh days [as though he had contracted corpse uncleanness in his spell of inadvertence]! For said R. Yustai b. R. Matun said R. Yohanan, "If one became careless about avoiding uncleanness, he has to be sprinkled on the third and seventh days."*
- G. *There still is no contradiction! In the one case he became careless about corpse uncleanness, in the other case, he did not become careless about contracting uncleanness from a dead creeping thing.*
- H. *But uncleanness contracted from a dead creeping thing still is uncleanness of the highest order and requires, at the end of the purification rite and immersion, the setting of the sun as well to complete the process of purification. Furthermore, even food in the status of heave offering he may not eat [without a purification process]!*
- I. *Said R. Jeremiah, "The law speaks of a case in which he says, 'I kept myself alert against anything that would make me unclean, but not against anything that would make me unfit [the former requiring sunset to complete the purification rite, the latter not; the former disqualifying one to eat food in the status of heave offering, the latter not].'"*
- J. *But is there such a thing as only partial attentiveness? There is indeed, and so it has been taught on Tannaite authority:*
- K. **If the basket was still on his shoulder [99B] and a shovel was in it, and the man said, "and the man said, "I was attentive to the basket, but I was not attentive to the shovel," the basket is clean, and the shovel unclean [T. Toh.8:13C-D].**
- L. *But won't the shovel impart its uncleanness to the basket?*
- M. *A utensil does not impart uncleanness to another utensil.*

- N. But will not the shovel impart uncleanness to what is in the basket?
- O. *Said Raba, "This is the sense of the statement: It is a case in which the man said, 'I kept it from something that imparts uncleanness but I did not keep it from something that renders it invalid.'"*
- P. *So the matter ultimately reached R. Abba bar Mammal, who said to them, "Didn't they hear what R. Yohanan said Rabbi said, namely, 'He who eats heave offering that is unclean in the third remove is forbidden to eat any more heave offering, but he may nonetheless touch heave offering [thus his touch does not affect heave offering and rendering it unfit for eating].' Therefore it is as to eating that rabbis have imposed an exceptional degree of stringency, but as to touching they have not imposed that same exceptionally stringent rule."*

III.1 A. ...and does not share [in, Holy Things], to eat them in the evening:

- B. *Then it is a share that he does not take, but if he is invited to partake by others, he may eat the food anyhow. But in contradiction is the following rule: A bereaved priest immerses and eats the meat of his Passover offering in the evening, but [in line with Lev. 10:19-20] he may not eat the meat deriving from any other offerings." [Freedman: A bereaved priest may not eat the meat of sacrifices, so Lev. 10:19-20. By Scriptural law the status of bereavement pertains to the day on which the death occurred alone, but not to the night; rabbis extended the restrictions to the night as well. Since the Passover offering is scriptural, the prohibition is waived in regard to the night and the bereaved priest may eat the Passover meat. He is not unclean but has to immerse anyhow to show that, until evening the holy meat was forbidden to him, but now it is permitted.]*
- C. *Said R. Jeremiah of Difti, "There is no contradiction. The one speaks of Passover, the other, the rest of the year. In the case of Passover, since the priest may eat the Passover offering, he also may eat other offerings; but during the rest of the year, since he is not eligible for the one [the Passover offering, which is not eaten any other day but Passover], he also is not eligible to eat the other. And what is the meaning of 'he may not eat sacrifices'? It may not eat sacrifices throughout the year."*
- D. R. Assi said, "There is no contradiction. The one rule pertains to someone in which a man suffered a bereavement on the fourteenth of Nisan and was buried on the fourteenth; in the case of the Mishnah's rule, the man suffered the bereavement on the thirteenth of Nisan and buried the deceased on the fourteenth, *for the operative premise here is that the day of burial does not then encompass the night that follows even by the rule of rabbis.*" [Freedman: if the death was on the previous day and the burial on that day, then on the night following the status of bereavement does not apply. So the passage cited in contradiction treats of Passover but not of other days.]

III.2. A. What Tannaite authority takes the view that the status of bereavement on the night following burial is only on the authority of rabbis?

- B. *It is R. Simeon, for it has been taught on Tannaite authority:*
- C. "The law that extends the status of bereavement to the night following burial derives from the authority of the Torah," the words of R. Judah.

- D. R. Simeon says, "The law that extends the status of bereavement to the night following burial derives only not from the teachings of the Torah but only from the authority of scribes. You may know that that is so, for lo, they have said, 'A bereaved priest immerses and eats the meat of his Passover offering in the evening, but [in line with Lev. 10:19-20] he may not eat the meat deriving from any other offerings.'"
- E. *But does R. Simeon really maintain that the law that extends the status of bereavement to the night following burial derives only from the authority of scribes? And has it not been taught on Tannaite authority: A bereaved person may not send his offerings [to be presented in his behalf]. Now does this not mean that he may not do so even on Passover?* [It would then follow that the law that extends the status of bereavement to the night following burial derives from the authority of the Torah.]
- G. *No, it means, he may not do so except on Passover.*
- H. *But has it not been taught on Tannaite authority: R. Simeon says, "The meaning of 'peace offerings' [since the word for peace bears the meaning of whole and complete as well] is that the one may present such an offering only when he is whole, but not when he is in the status of bereavement. How do we know that the same rule applies to thanksgiving offerings? The law encompasses thanksgiving offerings because these are offerings that, like peace offerings, are to be eaten with rejoicing. How do I know that the law encompasses the burnt offering? I encompass under the law the burnt offering as well, because the burnt offering is presented by reason of a vow or as a free will offering, just as is the case with the peace offering. How do I know that the same law applies to the firstling, tithe, and Passover offering? I include under the law the firstling, tithe, and Passover offering, because these are presented not on account of sin, as is the case with the peace offering. How do I know that the law includes the sin offering and the guilt offering? Because the law that pertains to them uses the word 'sacrifice' [so the law covers every classification of offering that is killed by slaughtering in the manner of a sacrifice]. How do I know that the law includes bird offerings, meal offerings, wine, wood, and frankincense? Because the law refers to, 'his offering be peace offerings,' bearing the sense, all offerings that one brings one presents in a condition of wholeness, but not when he is subject to bereavement." So, it follows, [Simeon] includes the Passover in the category of offerings not to be sent by a bereaved person!*
- I. *Said R. Hisda, "The inclusion of Passover is only because of the idiom [that treats as a group firstlings, tithe, and Passover offerings, even though the Passover offering does not belong on this list]."*
- J. *R. Sheshet said, "What is the sense of 'Passover' on the foregoing list? It is the peace offerings that accompany the Passover."*
- K. *If that is the case, then the same point has already been made when the formulation refers to peace offerings!*
- L. *The Tannaite formulation treats peace offerings that are presented along with the Passover offerings and he also covers peace offerings that are brought on their own. For if he did not give the law concerning peace offerings that are presented along with the Passover offering, I might have*

supposed that since the offering is presented along with and on account of the Passover offering, it falls into the classification of the Passover offering itself. So we are informed that that is not the case.

- M. *R. Mari said, "There is no problem here [and Simeon does not contradict himself]. [100A] The one rule speaks of a case in which the bereavement took place on the fourteenth and the burial also on the fourteenth of Nisan, in the other, the bereavement took place on the thirteenth but the burial was on the fourteenth. If the death took place on the fourteenth and the burial on the fourteenth, the condition pertaining on the day on which the death took place encompasses also the following night, and that is on the authority of the Torah, while if the death took place on the thirteenth and the burial on the fourteenth, then the status of bereavement even on the day of burial itself pertains only by reason of rabbinical authority, and the status of bereavement on the night following certainly pertains only by reason of rabbinical authority."*
- N. *Said R. Ashi to R. Mari, "But if so, when it is stated as a Tannaite formulation, 'You may know that that is so, for lo, they have said,' A bereaved priest immerses and eats the meat of his Passover offering in the evening, but [in line with Lev. 10:19-20] he may not eat the meat deriving from any other offerings,' [Judah] could as well have answered him, 'When I made my statement to you, it concerned the situation on the day of the bereavement itself, in which case the law derives from the authority of the Torah, but you have spoken to me concerning the day of burial, which derives from the authority of rabbis.'"*
- O. *That is a problem*
- P. *Abbaye said, "There really is no problem. The one rule speaks of a case in which the bereavement took place prior to midday on the fourteenth of Nisan, the other, after midday on the fourteenth of Nisan. If the death took place prior to midday, when the obligation to present the Passover offering had not yet taken hold, the status of bereavement takes hold. If the death took place after midday, when the man is now subject to the requirement of presenting the Passover offering, the status of bereavement does not take hold."* [Freedman: in both cases the man died on the fourteenth, and Simeon holds that the bereavement imparts its status even on the night thereafter derives from the authority of rabbis. The obligation to offer the Passover offering begins at midday on the fourteenth, If death took place before, the status of bereavement preceded that obligation and the obligation to present the Passover is not operative; the man does not eat the Passover offering that night. If the bereavement took place after midday, then the obligation to eat the Passover offering in the evening has already taken effect.]

III.3. *A. And on what basis do you maintain that a distinction is to be drawn between the situation prevailing prior to midday and that pertaining thereafter? It is in line with that which has been taught on Tannaite authority:*

- B. *"For her he shall contract corpse uncleanness" (Lev. 21: 3) [that is, a priest may contract corpse uncleanness to bury close relations] — that is a religious duty, Consequently, if the priest did not wish to do so, he is deliberately contaminated even against his will.*

- C. There was, furthermore, the case of Joseph the Priest, whose wife died on the eve of Passover, and who did not wish to contract corpse uncleanness in burying her. His brothers the other priests then decided to contaminate him with corpse uncleanness against his will.
- D. *But there is the following contradiction:* “[The person who has taken the Nazirite vow] shall not make himself unclean for his father and for his sister when they die” (Num. 6: 7). What is the point of Scripture here? Lo, if the Nazirite who was a high priest was on his way to slaughter his Passover offering or to circumcise his son [since he could not present the offering if his son was not yet circumcised], and he heard the news that he had suffered a bereavement, might one suppose that he should contract corpse uncleanness in that connection? So you are told, “he shall not make himself unclean.” Might you then think that, just as he may not contract corpse uncleanness for his sister, so he may not contract corpse uncleanness for a neglected corpse that he may stumble across? Scripture states, “and for his sister,” meaning, for his sister he may not contract corpse uncleanness, but he must contract corpse uncleanness for a neglected corpse. *So you must — must you not! — draw the inference that the one rule holds good if the bereavement took place before midday, the other afterward.*
- E. *Why does that necessarily follow at all? Perhaps I may say to you in any event that both rules speak of the case after midday, and the one represents the position of R. Ishmael, the other of R. Aqiba, for it has been taught on Tannaite authority:*
- F. “‘For her he shall contract corpse uncleanness’ (Lev. 21: 3) [that is, a priest may contract corpse uncleanness to bury close relations] — that is optional,” the words of R. Ishmael.
- G. R. Aqiba says, “It is obligatory.”
- H. *It should not enter your mind that that is the case, for the first clause [which forbids the Nazirite to contract corpse uncleanness] also represents the position of R. Aqiba. For it has been taught on Tannaite authority:*
- I. R. Aqiba says, “‘...he shall not come near a dead body’ (Num. 6: 6) — ‘body’ refers to those of outsiders, ‘dead’ to relations. ‘For his father’ he may not contract corpse uncleanness, but he must contract corpse uncleanness to bury a neglected corpse. ‘For his mother’, even if he was both a priest and a Nazirite, only for his mother he may not contract corpse uncleanness himself, but he must contract corpse uncleanness to tend to a neglected corpse. ‘For his brother:’ even if he was both a priest and a Nazirite, only for his brother he may not contract corpse uncleanness himself, but he must contract corpse uncleanness to tend to a neglected corpse.
- J. “‘For his sister:’ — why is this included as well? if he was on the way to slaughter his Passover offering or to circumcise his son before doing so, and he got news that a close relation had died, might one suppose that he should contract corpse uncleanness on that account? ‘He shall not make

himself unclean.’ Might you suppose that, just as he may not contract corpse uncleanness to bury his sister, so he may not contract corpse uncleanness to bury a neglected corpse? Scripture states, ‘and for his sister,’ meaning, [even if he was both a priest and a Nazirite,] only for his sister he may not contract corpse uncleanness himself, but he must contract corpse uncleanness to tend to a neglected corpse.”

- III.4.** A. [100B] *Raba said, “Both statements refer to the period after midday, but there is no contradiction. The one rule speaks of the time [that the bereavement took place after midday but] before they had slaughtered the Passover offering and tossed the blood in his behalf [Freedman: then they must not do so, for he has become a bereaved person and is disqualified], the other rule speaks of the time [that the bereavement took place after midday] after they had slaughtered the Passover offering and tossed the blood in his behalf.” [Then he eats the meat in the evening.]*
- B. *Said R. Ada bar Mattenah to Raba, “After they have slaughtered the beast and tossed the blood in his behalf, what is done is done.” [Freedman: so why is he permitted to eat the meat in the evening any more than that of other sacrifices, seeing that his status as a bereaved person exempts him?]*
- C. *Said to him Rabina, “The eating of the Passover offering’s meat is indispensable to the fulfillment of the rite. That is in line with that which follows from the teaching of Rabbah b. R. Huna.”*
- D. *He said to him, “Pay close attention to what your master [Rabbah b. R. Huna] has said to you.”*

III.5. A. *What is it that Rabbah b. R. Huna had said?*

- B. *It is in line with that which has been taught on Tannaite authority:*
- C. *The day on which one hears of the death of a close relative is equivalent to the day on which the burial actually took place so far as the religious obligations that pertain to the seven and the thirty days of mourning, but, so far as the eating of the Passover offering, it is equivalent to the day on which the bones of one’s parents are collected for secondary burial [and one may eat the Passover offering on the night following that day]. In both instances, one immerses and eats the sacrificial meat in the evening.*
- D. *Now there is an internal contradiction in this formulation, for you have stated, The day on which one hears of the death of a close relative is equivalent to the day on which the burial actually took place so far as the religious obligations that pertain to the seven and the thirty days of mourning, but, so far as the eating of the Passover offering, it is equivalent to the day on which the bones of one’s parents are collected for secondary burial [and one may eat the Passover offering on the night following that day]. Then it follows that, on the day of burial, even in the night thereafter, one may not eat that meat, but then it states, In both instances, one immerses and eats the sacrificial meat in the evening!*
- E. *Said R. Hisda, “What we have is a conflict among Tannaite formulations of the rule.”*

- F. *Rabbah b. R. Huna said, "There is no contradiction between the two rules. In the one case, the person has received the news of his bereavement near sunset, and in the other, he collected the bones near sunset, and so he suffered a bereavement and conducted the burial near sunset. The other rule speaks of the time after sunset."*
- G. *After sunset? Then what has taken place has taken place! [Freedman: how can you then differentiate between the Passover offering and other sacrifices, since the sacrifices may not be eaten on the day on which a priest buries his dead?] Hence it must follow that eating the meat of the Passover offering is an indispensable part of the conduct of the rite."*
- H. *R. Ashi said, "What is the meaning of the language, In both instances, one immerses and eats the sacrificial meat in the evening? It means both in the instance of hearing the news of the bereavement and in the instance of gathering the bones for secondary burial, one performs the rite of immersion and eats the sacrificial meat in the evening."* [Freedman: but not on the evening after burial.]
- I. *But what R. Ashi has said is pure nonsense. For note: the authority is speaking of these matters [the two items mentioned by Ashi], so he should say, "the one and the other." So what he has said is pure nonsense.*

III.6. A. *What is the conflict of Tannaite statements to which reference has been made [by Hisda]? It is as has been taught on Tannaite authority:*

- B. For how long a spell is one in the status of a bereaved person [forbidden to eat sacrificial meat] on his account? The whole day [but not the night following].
- C. Rabbi says, "So long as the corpse has not yet been buried."
- D. *Now what is at issue here? Shall we say that it is the day on which the death takes place? Then does anyone reject the position that it is on the authority of rabbis that the day of death encompasses the night following it? Moreover, the language is, Rabbi says, "So long as the corpse has not yet been buried." So if the corpse has been buried, the man is permitted to eat sacrificial meat. And is there anybody who rejects the sense of the language, "and the end thereof as a bitter day" (Amo. 8:10) [which shows that the prohibitions affecting the bereaved person last the whole day of death inclusive of the time after burial]?*
- E. *Said R. Sheshet, "At issue here is the day of burial."*
- F. *Objected R. Joseph, "Then when it is taught, The day on which one hears of the death of a close relative and the day on which the bones of one's parents are collected for secondary burial — in both instances, one immerses and eats the sacrificial meat in the evening — therefore as to the*

day of burial, one may not eat sacrificial meat even in the evening, with whom shall that statement concur? [Freedman: both Rabbi and rabbis here hold that the evening is permitted.] *Rather, this is how to lay out matters:* For how long a spell is one in the status of a bereaved person [forbidden to eat sacrificial meat] on his account? The whole day [but not the night following]. Rabbi says, ‘So long as the corpse has not yet been buried, but if he has been buried, it is the day alone, not including the night that follows.’”

- G. *When this matter was stated before R. Jeremiah, he said, “Should an eminent authority such as R. Joseph say something like this? Then shall we suppose that Rabbi took the more lenient position? Surely it has been taught on Tannaite authority: ‘For how long a spell is one in the status of a bereaved person [forbidden to eat sacrificial meat] on his account? So long as the corpse has not been buried, and even from now and for ten days,’ the words of Rabbi. And sages say, ‘The bereavement pertains only to that day alone.’ Rather, this is how to lay out the matter: For how long a spell is one in the status of a bereaved person [forbidden to eat sacrificial meat] on his account? The whole day [but not the night following]. Rabbi says, ‘So long as the corpse has not yet been buried, but if he has been buried, the day of burial takes hold of the night that follows.’”*
- H. *When this matter was presented in the presence of Raba, [he said,] “Since Rabbi took the position that, on the authority of rabbis, the day of burial takes hold of the night that follows, it must also be inferred that on the authority of Scripture itself the day of death takes hold of the night that follows.”*
- I. *But does Rabbi really take the view that on the authority of Scripture [not only of rabbis,] the status of bereavement pertains to the night? And has it not been taught on Tannaite authority:*
- J. *“...and the end thereof as a bitter day’ (Amos 8:10) — by day I am forbidden, by night I am permitted [so the status of bereavement by night derives from Scripture], but, as for the generations to come thereafter, the prohibition applies both by day and by night [and the night following is marked by the status of bereavement, in accord with the authority of Scripture],” the words of R. Judah.*
- K. Rabbi says, “The bereavement by night is a status that derives not from the teachings of the Torah but from the teachings of scribes.”

- L. *In point of fact it derives from the teaching of rabbis [scribes], [101A] but sages reenforced their teachings by imposing a more stringent rule than the one that Scripture has laid down.*

The Disposition of the Priests' Food in a Time of Bereavement: With a Topical Appendix on the Priesthood of Moses

III.7. *A. Our rabbis have taught on Tannaite authority:*

- B. “For so I am commanded [in connection with the meal offering],” “as I commanded [in connection with the sin offering],” “as the Lord commanded [in connection with the peace offering]” (Lev. 10:13, 18, 15) — [These were presented in connection with the consecration of the priesthood by Moses, and Moses instructed the priests to eat them, even though they were unclean, “for so I am commanded” (Freedman)].
- C. “For so I am commanded [in connection with the meal offering]” — in all instances, the commandment was that the priests eat the sacrificial meat assigned to them even though they had just been bereaved [after the death of the sons of Aaron].
- D. “as I commanded [in connection with the sin offering]” — just at the time that the death took place.
- E. “as the Lord commanded [in connection with the peace offering]” (Lev. 10:13, 18, 15) — “It is not on my own authority that I say it.”
- F. *An objection was raised:* on account of the sudden advent of a bereavement the sin offering is burned [and not eaten], and on that account it is said, “And there have befallen me such things as these” [Freedman: three he goats were sacrificed, but only was burned.]
- G. *Said Samuel, “There is no contradiction, for the one represents the view of R. Judah, and R. Simeon the other of R. Nehemiah, as has been taught on Tannaite authority:”*
- H. “On account of a sudden bereavement [the goat] was burned, and therefore it is said, ‘And there have befallen me such things as these,’” the words of R. Nehemiah.
- I. R. Judah and R. Simeon say, “It was because of the advent of corpse uncleanness that it was burned. For if you maintain that it was because of a sudden bereavement [that the goat] was burned, then all three of them ought to have been burned. Furthermore, they would have been able to eat the meat of all three of them in the evening. Furthermore, surely Phineas was with them [and he was not in the status of a bereaved person and could have eaten the meat, so the reason must have been uncleanness and for that reason alone the goat was burned].”
- J. *Raba said, “Both statements represent R. Nehemiah, and there still is no contradiction. The one speaks of Holy Things that were particular to that occasion, the other to Holy Things that were offered on a regular basis.”* [Freedman: Nehemiah holds that the meal offering was to be eaten in a bereavement, in line with “for so I am commanded.: The meal offering was a special sacrifice, permitted by dispensation. The sin offering was the routine New Moon sin offering, since the event happened on a New Moon. Moses erroneously

thought that what he had been told about the meal offering also applied to the sin offering and was therefore angry that it was burned. Aaron pointed out that he might have been told only about the special meal offering, and Moses admitted he was right.]

III.8. A. *How does R. Nehemiah deal with the cited verses of Scripture, and how do rabbis deal with the cited verses of Scripture?*

- B. *This is how R. Nehemiah explains matters:* “Why have you not eaten the sin offering” (Lev. 10:17) —
- C. Said Moses to Aaron, “Has the blood been taken into the innermost sanctum [in which case you were correct for having burned the animal and not eaten it]?”
- D. He said to him, “Lo, its blood was not brought there.”
- E. “Perhaps it has been taken beyond the proper limits?”
- F. He said to him, “It has remained within the sanctuary.”
- G. *“And perhaps you offered the sacrifice while in a state of bereavement and have invalidated it by so doing?”*
- H. He said to him, “Moses, did my sons offer it? I was the one who offered it!”
- I. He said, “Behold, the blood of it was not brought within, and it was in the sanctuary, so you should certainly have eaten it, ‘as I commanded [in connection with the sin offering]’ that they eat it when bereaved.”
- J. He said to him, ““And there have befallen me such things as these, and if I had eaten the sin offering today, would it have been pleased in the sight of the Lord?” Perhaps you have heard the commandment only with respect to the Holy Things that were offered on this particular occasion? For if the ruling had come with respect to Holy Things that are offered regularly, it would have yielded an argument from the case of the beast designated as tithe, which is of lesser weight: if tithe, which is of lesser weight, is subject to the Torah’s statement, ‘I have not eaten thereof in my mourning’ (Deu. 26:14), how much the more so does the same consideration pertain to Holy Things, which are more weighty!”
- K. Forthwith: “And when Moses heard that, it was pleasing in his sight” (Lev. 10:20). He therefore conceded the matter and was not embarrassed to deny, claiming, “I had not heard it.” He said, “I heard it and forgot.”
- L. *How do R. Judah and R. Simeon deal with the cited verses of Scripture?*
- M. *This is how they explain matters:* “Why have you not eaten the sin offering in the holy place” (Lev. 10:17) —
- N. Said Moses to Aaron, “Has the blood been taken into the innermost sanctum [in which case you were correct for having burned the animal and not eaten it]?”
- O. He said to him, “Lo, its blood was not brought there.”
- P. “Perhaps it has been taken beyond the proper limits?”
- Q. He said to him, “It has remained within the sanctuary.”

- R. *“And perhaps you offered the sacrifice while in a state of bereavement and have invalidated it by so doing?”*
- S. He said to him, “Moses, did my sons offer it so that it was invalidated by reason of their bereavement? I was the one who offered it!”
- T. “And perhaps on account of your grief you made some error and it became unclean?”
- U. He said to him, “Moses, is that how you see me? Do you think I would treat disgracefully the Holy Things of Heaven? ‘And there have befallen me such things as these’ and many more still, and still I would never treat disgracefully the Holy Things of Heaven!”
- V. He said, “Behold, the blood of it was not brought within, and it was in the sanctuary, so you should certainly have eaten it, ‘as I commanded [in connection with the sin offering]’ that they eat it when bereaved.”
- W. He said to him, “Perhaps you have heard the commandment only with respect doing so by night? [That is, the offering may be eaten on the night following the day of death (Freedman).] For if the rule concerning doing so by day, it would have yielded an argument from the case of the beast designated as tithe, which is of lesser weight: if tithe, which is of lesser weight, is subject to the Torah’s statement, ‘I have not eaten thereof in my mourning’ (Deu. 26:14), how much the more so does the same consideration pertain to Holy Things, which are more weighty!”
- X. Forthwith: “And when Moses heard that, it was pleasing **[101B]** in his sight” (Lev. 10:20). He therefore conceded the matter and was not embarrassed to deny, claiming, “I had not heard it.” He said, “I heard it and forgot.”
- Y. *But should they not have kept it then and eaten it only in the evening?*
- Z. It was made unclean by accident [not through negligence].
- AA. *As for rabbis, there is no problem, since they can explain why it states, “And if I had eaten the sin offering this day” [the day, not the night, when he could have eaten it]. But from R. Nehemiah’s perspective, why emphasize “this day”?*
- BB. It was an obligation that pertain to that day [Freedman: could I eat the sin offering, a statutory obligation for this day, and not a special sacrifice]?
- CC. *As for R. Nehemiah, there is no problem when Scripture states, “Behold this day have they offered” [Freedman: meaning that it was a statutory and regular offering for that day and therefore might not be eaten in mourning], but as to rabbis, what is the meaning of “Behold this day”?*
- DD. The sense is, “Behold, have they offered? It was I who offered.”

III.9. A. [At 7.1] the master has said, “For if you maintain that it was because of a sudden bereavement [that the goat] was burned, then all three of them ought to have been burned.”

B. *What were the three? The answer is in line with that which has been taught on Tannaite authority:*

- C. “And Moses diligently inquired for the goat of the sin offering” (Lev. 10:16) —
- D. “goat:” this speaks of the goat presented by Nahshon [Num. 7:12-17].
- E. “sin offering:” this refers to the sin offering presented on the eighth day of the consecration rite.
- F. “inquired:” this refers to the goat of the New Moon.
- G. Might you imagine that all three of them were burned?
- H. Scripture states, “and behold, it was burned,” meaning, one was burned, but not all three of them.
- I. [Since the phrase, “diligently inquired” bears the sense of two inquiries,] why did he have to make two inquiries?
- J. He said to them, “How come this sin offering has been burned, while these others are left [to await for evening to be eaten? Why not eat the meat during the day?]” Now do I not know which one of them was burned? When Scripture says, “And he has given it to you to bear the iniquity of the community” (Lev. 10:17), it follows that it was the goat of the New Moon [Freedman: which bears the iniquity of the community by atoning for the defilement of the sanctuary and its Holy Things].

III.10. A. [“For if you maintain that it was because of of a sudden bereavement [that the goat] was burned, then all three of them ought to have been burned:”] *but this was a good answer!*

B. *R. Nehemiah is consistent with views expressed elsewhere, for he took the position that a bereavement did not disqualify the priest from eating offerings that were particular to the occasion.*

III.11. A. The master has said, “Furthermore, they would have been able to eat the meat of all three of them in the evening:”

B. *Was this a good answer?*

C. *He takes the view that the application of the restrictions of bereavement to the night is by the authority of the Torah [so they could not eat the meat in the evening anyhow].*

III.12. A. “Furthermore, surely Phineas was with them [and he was not in the status of a bereaved person and could have eaten the meat, so the reason must have been uncleanness and for that reason alone the goat was burned]:”

B. *Was this a good answer?*

C. *He concurs with the position of R. Eleazar. For said R. Eleazar said R. Hanina, “Phineas was not appointed to the priesthood until he killed Zimri, for it is written, ‘And it shall be unto him and to his seed after him the covenant of an everlasting priesthood’ (Num. 25:13).”*

D. R. Ashi said, “It was not until he had made peace among the tribes: ‘And when Phineas the priest and the princes of the congregation, even the heads of the thousands of Israel that were with him, heard’ (Jos. 22:10).”

- E. *But from the perspective of the other party, is it not written, “And it shall be unto him and to his seed after him the covenant of an everlasting priesthood” (Num. 25:13)?*
- F. *That is stated as a blessing [that he would be made into a priest, but it did not happen until later on.*
- G. *But from the perspective of the other party, is it not written, “And when Phineas the priest and the princes of the congregation, even the heads of the thousands of Israel that were with him, heard” (Jos. 22:10)?*
- H. *That was to assign his rank also to his descendants.*

III.13. A. Said Rab, “Moses, our lord, was high priest and received a share in the Holy Things: ‘It was Moses’s portion of the ram of consecration’ (Lev. 8:29).”

- B. *An objection was raised:* “Furthermore, surely Phineas was with them [and he was not in the status of a bereaved person and could have eaten the meat, so the reason must have been uncleanness and for that reason alone the goat was burned].” *But if Rab’s statement were correct, they could as well have argued, “But was not Moses, our Lord, with them!”*
- C. *Perhaps Moses was exceptional, since the Presence of God preoccupied him, for a master has said, “Moses went up early in the morning and came down early in the morning.”*
- D. *And objection was raised:* “He may eat the bread of his God, both of the Most Holy Things and of Holy Things” (Lev. 21:22) — if reference is made to Most Holy Things, what need is there to speak of Lesser Holy Things, and if reference is made to Lesser Holy Things, what reason is there to refer to Most Holy Things? If reference were not made to Lesser Holy Things, I might have said, “Most Holy Things he may eat, for lo, these are permitted to a non-priest to eat, but therefore he may not eat Lesser Holy Things. And if no reference had been made to Most Holy Things, I might have supposed that he should in any event be able to eat Lesser Holy Things, because they are light weight, but Most Holy Things he should not be able to eat. Therefore reference is made to both Most Holy Things and also Lesser Holy Things. *Now in any event this formulation includes the statement, for lo, these are permitted to a non-priest to eat — and therefore does this not include Moses!*
- E. Said R. Sheshet, “No, it speaks of high places, with regard to a non-priest, in the premise that a meal offering may be offered at on the high places.” [Freedman: the meal offer was a Most Holy Thing, and when offered a a high place, where a non priest could officiate, after the handful had been burned on the altar, the residue could be eaten by a non-priest, while in the Temple it belonged only to the priest.]
- F. *An objection was raised:* Who was it who shut up Miriam? If you say that Moses shut her up, well, Moses was a non-priest, **[102A]** and a non-priest has not got the authority to examine the evidence of the presence of the skin ailment [and so to declare a person shut up by reason of the skin ailment]. If you say that it was Aaron who shut her up, Aaron was a relative, and **a relative has not got the authority to examine the evidence of the presence of the skin ailment [M. Neg.2:5]** [and so to declare a person shut up by reason of the skin ailment]. But in

point of fact, it was a special distinction that the Holy One accorded to Miriam at that occasion when he stated, “I am a priest, I will shut her up, I will declare her a confirmed victim of the skin ailment, and I will declare her free of the ailment in due course.” *Now in any event this formulation includes the statement, If you say that Moses shut her up, well, Moses was a non-priest, and a non-priest has not got the authority to examine the evidence of the presence of the skin ailment [and so to declare a person shut up by reason of the skin ailment]!*

- G. *Said R. Nahman bar Isaac, The case of examining the evidences of the presence of the skin ailment is exceptional, for explicit reference is made in context to Aaron and his sons [in the relevant passage of Scripture].”*
- H. *An objection was raised: Elisheba [Aaron’s wife, on the occasion on which the tabernacle was erected] was accorded five occasions for rejoicing more than those accorded to other Israelite women, namely: her levirate brother in law [Moses] was king, her husband, high priest, her son [Eleazar] prefect of the priests, her grandson [Phineas] was the priest anointed for battle, her brother [Nahshon] was prince of his tribe. Yet she was bereaved by the death of her two sons. Now in any event this formulation includes the statement, her levirate brother in law [Moses] was king! So he was king, but he was not high priest!*
- I. *I should say that he was also king [in addition to being high priest]. For there is in point of fact a conflict of Tannaite formulations on the subject:*
- J. “And the anger of the Lord was kindled against Moses” (Exo. 4:14) —
- K. R. Joshua b. Qorhah says, “Every reference to a kindling of anger that is stated in the Torah involves an enduring effect, but there is no enduring effect stated with regard to this one.”
- L. R. Simeon b. Yohai says, “In regard to this occasion also an enduring effect is stated: ‘Is there not Aaron your brother the Levite’ (Exo. 4:14) — but was he not a priest? Rather, this is the sense of the statement: ‘I said you would be a priest and he would be Levite, but now he will be priest and you will be Levite.’”

III.14. A. [Contrary to 13.A, Said Rab, “Moses, our lord, was high priest and received a share in the Holy Things: ‘It was Moses’s portion of the ram of consecration’ (Lev. 8:29),”] and sages say, “Moses was made priest only for the occasion of the seven days of consecration alone.”

- B. And there are those who say, “The priesthood came to an end only for the seed of Moses [but not for him personally], as it is said, ‘But as for Moses the man of God, his sons are named among the tribe of Levi’ (1Ch. 23:14), and further, ‘Moses and Aaron among his priests and Samuel among those who call upon his name’ (Psa. 99: 6).”
- C. *What is the sense of, “and further”?*
- D. Should you say, “It was for all time,” — “and further, ‘Moses and Aaron among his priests and Samuel among those who call upon his name’ (Psa. 99: 6).”

III.15. A. But is it the fact that a lasting effect is stated with regard to each occasion on which “fierce anger” is mentioned in the Torah? Surely it is written, “And he went out from Pharaoh in hot anger” (Exo. 11: 8) — *but he said nothing to him!*

- B. Said R. Simeon b. Laqish, “He slapped his face and left.”

- C. *Did R. Simeon b. Laqish make such a statement? But is it not written, “And you shall stand by the river’s side to meet him” (Exo. 7:15), on which R. Simeon b. Laqish said, “The Holy One, blessed be he, said to Moses, ‘He is a king, and you have to pay him due respect,’ while R. Yohanan said, “‘He is wicked, and therefore you may treat him contemptuously’?”*
- D. *Reverse the attributions.*

III.16. A. Said R. Yannai, “You should always show respect for the government, for it is written, ‘And all these your servants shall come down to me’ (Exo. 11: 8), but he did not make that statement with reference to Pharaoh.”

- B. *R. Yohanan said, “The same proposition derives from the following: ‘And the hand of the Lord was on Elijah, and he girded up his loins and ran before Ahab’ (1Ki. 18:46).”*

III.17. A. Said Ulla, “Moses wanted to be made king, but it was not given to him, for it is written, ‘Do not draw near hither’ (Exo. 32: 5), and the meaning of ‘hither’ is only the kingship, in line with the usage in the following verse, ‘Then David said, Who am I O Lord god...that you have brought me hither’ (2Sa. 7:18).”

- B. *Objected Raba, “R. Ishmael says, ‘Elisheba’s brother in law Moses was king.’”*
- C. *Said Rabbah bar Ulla, “Ulla meant, for himself and also for his descendants [but got it only for himself].”*
- D. *But is it the fact that wherever the word “hither” occurs, it refers also to future generations? Surely it is written in regard to Saul, “Is there yet a man come hither” (1Sa. 10:232), and he had the kingship but his descendants did not!*
- E. *If you like, I shall reply that there was, after all, Ishboshet, and if you prefer, I shall say, Saul was an exceptional case, for in his case the kingship did not remain even for his entire life.*
- F. *That accords with what R. Eleazar said R. Hanina said, “When greatness is assigned to a person, it is to the person and to the descendants for all generations: ‘He withdraws not his eyes from the righteous, but with kings upon the throne he sets them forever’ (Job. 36: 7). But if the person grows arrogant, the Holy One, blessed be he, levels him: ‘And they are exalted...and if they be bound in fetters and be held in cords of affliction’ (Job. 36: 8).”*

IV.1 A. **Blemished [priests], whether suffering permanent blemishes or temporary blemishes, share and eat [in Holy Things in the evening], but they do not offer up [sacrifices]:**

- B. *What is the scriptural source for this rule?*
- C. *It is in line with that which our rabbis have taught on Tannaite authority:*
- D. *“Every male [may eat of it]” (Lev. 6:11, 22, 7: 6) [Lev. 6:11: the meal offering; 6:22, the sin offering; 7:6, the guilt offering] — that augmentative formulation serves to extend the rule to blemished priests.*
- E. *Now for what purpose can that be? If it is as to actually eating, lo, it is in any event stated, “He may eat the bread of his God, both of the most holy and of the holy” (Lev. 21:22). Therefore it can refer only to taking a share in the division [of the Holy Things, as the Mishnah’s rule specifies].*

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

- B. “Every male [may eat of it]” (Lev. 6:11, 22, 7: 6) [Lev. 6:11: the meal offering; 6:22, the sin offering; 7:6, the guilt offering] — that augmentative formulation serves to extend the rule to blemished priests.
- C. *Now for what purpose can that be?* If it is as to actually eating, lo, it is in any event stated, [“He may eat the bread of his God, both of the most holy and of the holy” (Lev. 21:22)]. If it is as to taking a share in the division [of the Holy Things, as the Mishnah’s rule specifies], that too in any event has been stated. *So it must refer to one who to begin with was born blemished.*
- D. For one may argue as follows:
- E. I know that the law pertains only to one who had been unblemished but then blemished. How do I know that the law refers also to one who to begin with was born blemished? Scripture states, “Every male [may eat of it]” (Lev. 6:11, 22, 7: 6).

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

- B. “Every male [may eat of it]” (Lev. 6:11, 22, 7: 6) [Lev. 6:11: the meal offering; 6:22, the sin offering; 7:6, the guilt offering] — that augmentative formulation serves to extend the rule to blemished priests.
- C. *Now for what purpose can that be?* If it is as to actually eating, lo, it is in any event stated, [“He may eat the bread of his God, both of the most holy and of the holy” (Lev. 21:22)]. If it is as to taking a share in the division [of the Holy Things, as the Mishnah’s rule specifies], that too in any event has been stated. And if it be proposed that the law pertains only to one who had been unblemished but then blemished, that too has already been stated.
- D. But one might have proposed that I know only that the law covers a priest suffering a permanent blemished. How do I know that the law extends even to a priest who suffers a transient blemish? Scripture states, “Every male [may eat of it]” (Lev. 6:11, 22, 7: 6).
- E. *But should this not be turned on its head [the transient blemish being the less weighty case]?*
- F. *Said R. Sheshet, “Reverse the sequence of cases of argument.”*
- G. *R. Ashi said, “By no means reverse the sequence of cases of argument. But matters are now as they must be. For you might have imagined that one might frame matters as follows: [102B] the case of the blemished priest is comparable to the case of the unclean person. So long as an unclean person is unclean, he may not eat his share of the meat; so along the same lines, so long as this person is not made whole, he may not eat the meat; hence we are informed that that is not the correct process of analogy.”*

V.1 A. **And whoever is not fit for the service does not share in the meat. And whoever does not have a portion of the meat has no portion in the hides:**

- B. *But does he not? Surely a priest who is blemished is not eligible for performing the service. and yet, as we just have said, he does have a share in the meat! And furthermore, the implication that every priest who is eligible to perform the service receives a share, and yet there is the case of the unclean priest, who is eligible to perform the service in behalf of community sacrifices [under stated*

conditions, e.g., when the entire community is unclean], and yet he does not receive a share!

- C. *This is the sense of the statement at hand: fit for eating the meat.*
- D. *But lo, then there is the case of a minor, who is suitable for eating the meat but who does not take a share in the offering.*
- E. *The Tannaite formulation does not include in his statement the opposite, [that all who are fit to eat do take a share (Freedman)].*
- F. *But now that you have gone so far, you may say, To be sure, matters are as we first laid them out [that is, whoever is not eligible for the service..., and not, not eligible to eat...], and if you raise the problem of the unclean priest, he does not mean to deal with that item, and if your problem is the blemished priest, well, as a matter of fact, the blemished priest was encompassed by the law of the Torah in any event.*

VI.1 A. **...even a priest who is unclean at the time of the tossing of the blood but clean at the time of the burning of the fat does not share in the meat:**

- B. *Lo, if he was clean at the time of the tossing of the blood, but unclean at the time of the burning of the fat, he does take a share in the meat.*
- C. *[If that is the implication of our Mishnah's rule,] then the Mishnah-paragraph is not in accord with the position of Abba Saul. For it has been taught on Tannaite authority:*
- D. **[Lo, if a priest was clean at the time of the slaughter and at the time of the tossing of the blood, but at the time of the burning of the fat he was made unclean, lo, this one takes a share of the meat. R. Nehorai says, "Even if he was clean at the time of the tossing of the blood but at the time of the burning of the fat he was made unclean, he does not take a portion in the meat. Under no circumstances does he take a portion of the meat unless he is clean at the time of the slaughter and at the time of the tossing of the blood and at the time of the burning of the fat" (T. Men.13:16A-C)].** Abba Saul says, "Under no circumstances does he receive a share of the meat unless he was clean from the time at which the blood was sprinkled until the time at which the fats were burned, because it is said, 'He among the sons of Aaron who offers the blood of the peace offerings and the fat shall have the right thigh for a portion' (Lev. 7:33) — *bearing the implication that even at the time of the burning of the fat the consideration of cleanness is required.*"

VI.2. A. *R. Ashi raised this question: "If the officiating priest was made unclean in the interim [but was clean by the time the fats were burned — what is the law? We require cleanness at the time of the tossing of the blood and the burning of the fats, and lo, that condition has been met. Or perhaps, the condition is met only if the priest remains clean from the time of the tossing of the blood to the time of the burning of the fat?"]*

- B. *The question stands.*

VI.3. A. *Said Rab, "This argument have we learned from R. Eleazar b. R. Simeon, which he stated in the toilet: 'You may reason in the following manner:*

- B. *"If a priest who had immersed on the selfsame day and awaited sunset for the completion of his purification rite came and said, "Give me a share in the residue of*

the meal offering of an Israelite so I can eat it [this evening],” then [a clean priest] may reply, “If in a place in which you have a valid claim, namely, in your share of the meat of a sin offering, I can dismiss your claim, namely, in your claim for the share of the meat of an Israelite’s sin offering, in a place in which your claim to begin with is weaker, namely, in your own meal offering [for a priest who owes a sin offering may offer it up himself even when his particular priestly watch is not officiating and he retains the meat and the hide, but if he is in the status of one had immersed on the selfsame day and awaited sunset for the completion of his purification rite, he may not offer up his own meal offering, then I surely should be able to dismiss your claim for a share in the meal offering of an Israelite, since, after all, you have no valid claim to a share in your own meal offering!” But the other may reply, “If you have the power to dismiss my claim to a share in the sin offering of an Israelite, that is because, just as I have a strong claim, so you have a strong claim [for just as I can present my own sin offering, so you can present your own, so I have no greater privilege in an Israelite’s sin offering than you do (Freedman)]. But can you dismiss my claim for a share in the meal offering of an Israelite, where, while my claim is not so strong, your claim is not so strong!” The other may reply, “Lo, Scripture says, ‘and every meal offering shall be the priest’s who offers it’ (Lev. 7: 9) — come, offer, and eat. [You cannot offer, since you are in the status of one had immersed on the selfsame day and awaited sunset for the completion of his purification rite].’

C. “[If the priest is in the status of one who had immersed on the selfsame day and awaited sunset for the completion of his purification rite then lays the following claim.] “Give me a share of the meat of an Israelite’s sin offering, so I can have something to eat,” the other may say to him, “If I can dismiss your claim to a share in the Israelite’s meal offering, though I have no special entitlement in the case of my own meal offering, surely I can dismiss your claim for a share in the meat of an Israelite’s sin offering, since I have a greater entitlement to my own sin offering.” But the other may then reply,^j “If you can dismiss my claim to a share in the residue of the meal offering of an Israelite, in which case, just as you have no entitlement, so I have no entitlement, will you be able to dismiss my claim for a share in the sin offering of an Israelite, in which case, just as you have a considerable entitlement, so I have a considerable entitlement?” But the other may reply, “Lo, Scripture says, ‘and every meal offering shall be the priest’s who offers it’ (Lev. 7: 9) — come, offer, and eat. [You cannot offer, since you are in the status of one had immersed on the selfsame day and awaited sunset for the completion of his purification rite].’

D. “[If the priest is in the status of one who had immersed on the selfsame day and awaited sunset for the completion of his purification rite then lays the following claim.] “Give me a share of the breast and the thigh, so that I may have something to eat, the other may say to him, “If I can dismiss your claim to a share in the Israelite’s sin offering, though you have a special entitlement in the case of your own sin offering, surely I can dismiss your claim for a share in the meat of peace offerings [the breast and the thigh], where you have no special entitlement at all.” But the other may then reply, “If you can dismiss my claim to a share in the the Israelite’s sin offering, in which case I have no strong entitlement in regard to a share for my wives and servants [for only the priest, but not his dependents, may

eat that meat], will you be able to dismiss my claim for a share in the breast and thigh, in which case, in which case I have a strong entitlement in regard to a share for my wives and servants? But the other may reply, “Lo, Scripture says, ‘it shall be the priest’s who sprinkles the blood of the peace offerings against the altar’ (Lev. 7:14) — come, sprinkle the blood and eat.” In this way the priest who is in the status of one who had immersed on the selfsame day and awaited sunset for the completion of his purification rite goes his way, carrying in his mind his repertoire of arguments based on leniencies and stringencies, accompanied by a bereaved priest to his right, and a priest who has not yet completed his atonement rites to his left [for the arguments of these classifications too can be dismissed in the same manner].”

- E. *R. Ahai raised the following challenge, “Why cannot the priest who is in the status of one who had immersed on the selfsame day and awaited sunset for the completion of his purification rite then lay the following claim: ‘Give me my share in the meat of a firstling, so I may have something to eat’? The officiating priest may reply, ‘If I can dismiss your claim for a share in the sin offering of an Israelite, even though my own entitlement to a sin offering is weak in that my wives and slaves may not eat a share of it, surely I may dismiss your claim for a share in the meat of a firstling, in which case I have a strong entitlement, since it is wholly my own property [so my wives and slaves may share in the meat].’ But then the other may say to him, ‘If you can dismiss my claim for a share in the sin offering, in which case, just as your entitlement is weak, so my entitlement is weak, will you dismiss my claim for a share in the meat of the firstling, in which case, just as your entitlement is strong, so my entitlement is strong?’ But the other may reply, ‘Lo, Scripture says, [with reference to the firstling], “You shall sprinkle their blood against the altar and make their fat smoke for an offering made by fire and the meat of them shall be yours” (Num. 18:17-18)— come, sprinkle the blood and eat.” [Why did Eleazar b. R. Simeon omit this case? (Freedman)]*
- F. *And the other?*
- G. *Here is the refutation: “Does Scripture say, ‘And the meat of them shall belong to the priest who sprinkles the blood’? Surely what it says is, ‘And the meat of them shall be yours,’ meaning, even another priest’s.”*
- H. *But how can [Eleazar] have done any such thing [laying it all out in a public toilet]? And has not Rabbah bar bar Hannah said R. Yohanan said, “In any place at all may one engage in intellectual speculation except for the bath house and the privy”?*
- I. *Yes, but when the thoughts come willy-nilly, it is an exceptional case.*

12:2-3

12:2

- A. **[103A] Of any [burnt offering], the meat of which the altar has not acquired [e.g., which was invalidated before the blood was tossed] —**
- B. **the priests do not acquire a right to the hide,**
- C. **as it is said, “A man’s burnt offering” (Lev. 7: 8) —**
- D. **a burnt offering which has been burned to the credit of a man.**

- E. A burnt offering which was slaughtered for some purpose other than that for which the beast was originally designated ["not for its own name"], even though it has not gone for the credit of the owner — its hide belongs to the priests [because the altar has acquired its meat].
- F. All the same are the burnt offering of a man and the burnt offering of a woman — their hides belong to the priests.

12:3

- A. The hides of Lesser Holy Things belong to the owner, and the hides of Most Holy Things belong to the priests.
- B. And [this proposition is supported by] an argument a fortiori: now if the burnt offering, the meat of which does not belong to the priests, produces a hide that belongs to them, Most Holy Things, the meat of which does belong to the priests, all the more so should produce hides which belong to them.
- C. The altar itself does not prove the contrary, because it has no portion in the hide under any circumstances.

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

- B. "Any man's burnt offering' (Lev. 7: 8) — excluding the burnt offering deriving from what has been consecrated to the Temple," the words of R. Judah.
- C. R. Yosé b. R. Judah says, "It serves to exclude the burnt offering presented by proselytes."

I.2. A. *What is the meaning of, excluding the burnt offering deriving from what has been consecrated to the Temple?*

- B. Said R. Hiyya bar Joseph, "It excludes a burnt offering that derives from beasts that were left over." [A beast designated as a guilt offering that cannot be offered is a left over; its owner may have died, for example. It is left to graze until blemished, sold, and for the proceeds a burnt offering is purchased for sacrifice when the altar is vacant; it is a public sacrifice. The skin did not belong to the priests because it was not a burnt offering of "any man" but of the community (Freedman).]
- C. *That explanation poses no problem to him who says that the left overs serve for a freewill offering in behalf of the community. But from the perspective of him who maintains that the left over beasts are classified as a free will offering in behalf of an individual, what is to be said?*
- D. *The answer accords with that which Raba said, "The burnt offering' refers to the beast that was to begin with designated as a burnt offering," and here too "the burnt offering" refers to the beast that was to begin with designated as a burnt offering.* ["The priest shall have the skin of the burnt offering" means, a particular one, and that is, an animal consecrated in the first place; a left over was originally consecrated for something else, then excluding a burnt offering that derives from beasts that were left over.]
- E. R. Aibu said R. Yannai [said], "This excludes the hide of a beast that one has designated as a burnt offering and then consecrated for the upkeep of the Temple house." [The beast's value is owing to the Temple repair fund;

the animal then is sold to someone owing such an offering, with the proceeds going for that purpose, and then the animal is sacrificed. The skin would not belong to the priest, for it is not a burnt offering that belongs “to any man.” If the beast itself is deemed to belong to the altar, it is only as to the meat, but the skin does not belong to the altar; but it is subject to the sanctification accruing to what is designated for the upkeep of the house, so this too does not belong to the priest (Freedman).]

F. *There would be no question of that fact from the perspective of him who maintains that the sanctification that takes over things that have been consecrated for the upkeep of the Temple house derives from the authority of the Torah. But even from the perspective of him who holds that that sanctification does not take effect on the authority of the Torah, that fact pertains only to the meat, but as to the hide, the claim of the Temple fund does take over [with the same result].*

G. And so too did R. Nahman say Rabbah bar Abbuha said, “Said R. Hiyya bar Joseph, “It excludes a burnt offering that derives from beasts that were left over.”

H. *Said R. Hamnuna to R. Nahman, “In accord with which authority is this position? It is in accord with R. Judah. But lo, he retracted his position. For it has been taught on Tannaite authority:”*

I. “Six [of the horn-shaped boxes in the Temple available for the collection of funds] were for freewill offerings, for a burnt offering deriving from the left over beasts, the hides of which did not belong to the priests,” the words of R. Judah.

J. Said to him R. Nehemiah, and some say, R. Simeon, “If so, you will have nullified the exegesis of Jehoiada the priest.”

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

L. [Cf. M. **Sheq.6:6D-G**: And on six of them, “for freewill offerings” — as to the freewill offering, what did they do with the money? They purchased burnt offerings. The meat is for the Lord, and the hides belong to the priests.”] This exegesis did Jehoida the High Priest expound, “‘It is a guilt offering, he has certainly been guilty before the Lord’ (Lev. 5:19) — this is the operative principle: whatever is brought because of sin or guilt — with the proceeds burnt offerings are purchased; the meat is for the Lord and the hides go to the priests. Thus it turns out that two Scriptures are fulfilled: ‘He shall bring his guilt offering to the Lord’ (Lev. 5:15), and ‘For a guilt offering for the priest’ (Lev. 5:18). And so it says, ‘The money for the guilt offerings and the money for the sin offerings was not brought into the house of the Lord, it was the priests’” (2Ki. 32:16)” [M. **Sheq.6:6H-K**].

M. *He said to him, “Then how does the master deal with the matter?”*

- N. *He said to him, "We interpret the matter to refer to one who dedicates is property for the upkeep of the Temple house, in accordance with the position of R. Joshua."*
- O. *For we have learned in the Mishnah: He who sanctifies his property and in it were cattle suitable for use on the altar, males and females — R. Eliezer says, "The males are to be sold for those who require burnt offerings, "and the females are sold for those who require peace offerings. And proceeds received for them fall with the value of the rest of the donation for the upkeep of the Temple house." R. Joshua says, "The males themselves are offered up as burnt offerings, and the females are to be sold for those who require peace offerings, and let burnt offerings be presented with their proceeds. And the rest of the proceeds fall for the upkeep of the Temple house." R. Aqiba says, "I prefer the opinion of R. Eliezer to the opinion of R. Joshua. For R. Eliezer is consistent, while R. Joshua has made a distinction." Said R. Pappas, "I heard [a ruling on this subject] in accord with the opinion of each of them: He who sanctifies [his property] on explicit terms follows the opinion of R. Eliezer, and he who sanctifies his property without specification follows the opinion of R. Joshua" [M. Sheq.4:7].*
- P. *Now even within the position of R. Joshua, who takes the view that, when a person consecrates something, without stipulation he intends each thing to go to what is appropriate for its character [e.g., to the altar if it is suitable for the altar, for the upkeep of the Temple house if that is appropriate], that position pertains only to the meat, but as to the hide, it is subjected to the sanctification for the purpose of adding to the funds for the upkeep of the Temple house [and is sold for that purpose, the priests not possessing that hide].*

I.3. A. R. Yosé b. R. Judah says, "It serves to exclude the burnt offering presented by proselytes:"

B. *Said R. Simai bar Hilqai to Rabina, "So is a proselyte not classified as a man!"*

C. He said to him, "It serves to exclude the burnt offering presented by proselyte who then died without heirs."

II.1 A. [Supply: **All the same are the burnt offering of a man and the burnt offering of a woman — their hides belong to the priests:**]

B. *Our rabbis have taught on Tannaite authority:*

C. [All the same are the burnt offering of a man and the burnt offering of a woman — their hides belong to the priests:] "any man's burnt offering." I therefore know that the rule applies to the burnt offering presented by a man. How on the basis of Scripture do I know that the same rule applies to the burnt offering presented by proselytes, women, or slaves?

- D. Scripture states, “the hide of a burnt offering” — serving as an augmentation of the rule.
- E. If so, why does Scripture use the restrictive language, “any man’s burnt offering”?
- F. It is a burnt offering that has gone to the credit of the man, thus excluding the burnt offering that was slaughtered by the officiating priest with the expressed intention of tossing the blood beyond the proper time or outside of the proper location, in which case the priests do not acquire ownership of the hide.
- G. **[A burnt offering which was slaughtered for some purpose other than that for which the beast was originally designated, even though it has not gone for the credit of the owner — its hide belongs to the priests:]** Might I then suppose that I should extend the law even to the sin offering that was slaughtered for some purpose other than that for which the beast was originally designated, since that beast does not go to its owner’s credit, **[103B]** so that the hide should not belong to the priests?
- H. Scripture states, “the hide of the burnt offering” — in any event.
- I. Since Scripture states, “the hide of the burnt offering,” I know only that the priests get the hides of burnt offerings. How do I know that the same applies to the hides of Most Holy Things?
- J. Because Scripture says, “the hide of the burnt offering that he has offered.”
- K. Might one suppose that I should extend the law to Lesser Holy Things?
- L. Scripture refers to “burnt offering,” with the consequence that just as the law pertains to a burnt offering, which is Most Holy Things, so it applies to all Most Holy Things.”
- M. R. Ishmael says, “‘The hide of the burnt offering:’ I know only that the law applies to the hide of the burnt offering. How do I know that the law applies to all Most Holy Things?
- N. “It is a matter of logic, namely, if the burnt offering, to the meat of which the priests have no right of possession, yields the hide to the priests, Most Holy Things, the meat of which is assigned to the priests, surely should yield the hide to the priests as well!
- O. “The altar proves the contrary, for it acquires ownership of the meat but it does not acquire ownership of the hide.
- P. “The distinctive trait of the altar is that it does not acquire to the hide of any animal, but will you say the same of the priests, who do acquire the hides of some animal sacrifices? Since they acquire the hides of some animal sacrifices, they should have the right of ownership of the hides of all of them.”
- Q. Rabbi says, “The entire weight of the text is required by us only with regard to the hide of a burnt offering alone. For in every case the hide is disposed of along with the meat, for example: in the case of the bullocks that are to be burned and the goats that are to be burned, the meat is burned and the hide with them. As to the sin offering, guilt offering and peace offerings in behalf of the community, these are priestly emoluments: if they wish, they can flay them, and if they do not want to, then they can eat them along with the hide. Lesser Holy Things belong to the owners: if they wish, they can flay them, and if they do not want to, then they can eat them along with the hide. But alone of the burnt offering it is said: ‘And he

shall flay the hide off the burnt offering and cut it into its pieces' (Lev. 1: 6). So you might have imagined that the priests will not acquire the ownership of the hide, and therefore Scripture has to say, 'even the priest shall have to himself the hide of the burnt offering that he has offered,' excluding the priest who has immersed on the selfsame day and awaits sunset for the completion of the purification rite, the priest who has not yet completed his atonement rite, and the priest who has been bereaved on that very day. You might have supposed that these too, while having no right to the meat, which is to be eaten, do have a right to the hide, which is not eaten. Therefore it is necessary for Scripture to state, 'it shall be his,' thus excluding the priest who has immersed on the selfsame day and awaits sunset for the completion of the purification rite, the priest who has not yet completed his atonement rite, and the priest who has been bereaved on that very day."

- II.2.** A. [With reference to II.1.B-L:] *how come the initial Tannaite authority does not present a logical argument [but prefers to adduce his proof on the foundation of Scripture]?*
- B. *Would Scripture have taken the trouble of setting forth explicit a proposition that can be derived by an argument a fortiori?*
- C. *And how does R. Ishmael interpret the verse, "which he has offered"?*
- D. *That verse would exclude the priest who has immersed on the selfsame day and awaits sunset for the completion of the purification rite, the priest who has not yet completed his atonement rite, and the priest who has been bereaved on that very day.*
- E. *Why can't he prove that from "it shall be his"?*
- F. *R. Ishmael is consistent in his position on the exegesis of that verse, for said R. Yohanan in the name of R. Ishmael, "'It shall be his' is stated in the context of the burnt offering, and 'it shall be his' is stated in the context of a guilt offering. Just as in the one case, the bones are permitted, so in the other, the bones are permitted. Now that must be redundant, for otherwise, such an analogy could be dismissed: what makes the rule pertinent to the guilt offering is that its meat is available for eating. Hence 'it shall be his' is superfluous and available for the present purpose."*

12:4

- A. **All Holy Things [burnt offering, sin offering, guilt offering] which suffered an invalidity before they were flayed —**
- B. **their hides do not belong to the priests.**
- C. **[If an invalidity was incurred] after they were flayed, their hides belong to the priests.**
- D. **Said R. Hananiah, Prefect of the Priests, "In all my days I never saw a hide taken out to the place of burning."**
- E. **Said R. Aqiba, "From his statement we learn: 'he who flays the firstling [which was blemished and slaughtered] [that is, it was disqualified even before flaying] and it turns out to be terefah — the priests make use of its hide.'"**

F. And sages say, “‘We have not seen’ is no proof. But:

G. “It goes forth to the place of burning.”

I.1 A. Of any [burnt offering], the meat of which the altar has not acquired [e.g., which was invalidated before the blood was tossed] — the priests do not acquire a right to the hide — and that is the case even though the hide was flayed before the blood was sprinkled.

B. *Who stands behind that position?*

C. *It is R. Eleazar b. R. Simeon, who has said, “The blood does not propitiate on behalf of the hide on its own.” [If the meat is disqualified after the hide is flayed, so that the sprinkling does not propitiate in connection with the meat, not rendering the meat permitted, the sprinkling also does not propitiate in behalf of the hide, so the priests cannot have it (Freedman)].*

D. *But then note what is coming in context: All Holy Things [burnt offering, sin offering, guilt offering] which suffered an invalidity before they were flayed — their hides do not belong to the priests. [If an invalidity was incurred] after they were flayed, their hides belong to the priests!*

E. *This accords with the position of Rabbi, who has said, ““The blood does propitiate on behalf of the hide on its own.” [If the meat is disqualified after the hide is flayed, so that the sprinkling does propitiate in connection with the meat, rendering the meat permitted, the sprinkling also does not propitiate in behalf of the hide, so the priests can have it .]*

F. *Does it follow, then, that the earlier formulation accords with R. Eleazar b. R. Simeon, and the later, with Rabbi?*

G. *Said Abbaye, “If the latter formulation accords with Rabbi, the former also accords with Rabbi. But Rabbi concedes that flaying is not carried out prior to the sprinkling of the blood.” [Freedman: though the blood propitiates on behalf of the hide on its own, he concedes it is very unusual for the hide to be by itself when the blood is sprinkled, since flaying is ordinarily done afterwards, so the preceding Mishnah-paragraph assumes that the hide was not stripped before the sprinkling; if it was, the hide would belong to the priests, even though the altar has not acquired the meat.]*

H. *Raba said, “Since the initial rule follows the principle of R. Eleazar b. R. Simeon, the concluding one also follows the view of R. Eleazar b. R. Simeon. [104A] But what is the meaning of, before they were flayed and after they were flayed? It is, before it is eligible to be flayed and after it is eligible to be flayed.” [Freedman: if it is disqualified before sprinkling, then the skin does not belong to the priests even after flaying. If it is disqualified after sprinkling, then even though it was not yet flayed, the hide belongs to the priests.]*

I.2. A. *What is the substance of this reference to the positions of Rabbi and R. Eleazar b. R. Simeon?*

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

C. **Rabbi says, “The blood propitiates for the hide even when the hide is by itself. And when the hide is with the meat, if a cause of invalidation took place, whether this is before the sprinkling of the blood or after the sprinkling of the blood, lo, the hide falls into the classification of the meat.”**

D. **R. Eleazar b. R. Simeon says, “The blood does not propitiate for the hide when the hide is by itself. And if when the hide is with the meat, a cause of invalidation of the offering took place, if this was prior to the sprinkling of the blood, lo, the hide is in the classification of the meat, and if it was after the sprinkling of the blood, so that for a single moment the meat has been propitiated for, then the beast should be flayed and the hide is assigned to the priests” [cf. T. [Zeb.11:10-11](#), in different wording].**

I.3. A. *May one propose that at issue is what is under debate in the dispute of R. Eliezer and R. Joshua:*

B. “And you shall offer your burnt offerings, the meat and the blood” (Deu. 12:27) —

C. **R. Joshua says, “If there is no blood, there is no meat, and if there is no meat, there is no blood.” [If the one is made unclean, the other is invalid.]**

D. **R. Eliezer says, “There may be blood, even though there is no valid meat, for it is said, ‘And the blood of your sacrifices shall be poured out against the altar of the Lord your God’ (Deu. 12:27). If so, why is it said, ‘And you shall offer your burnt offerings, the meat and the blood’ (Deu. 12:27)? This is to tell you that just as the blood is presented by being tossed, so the meat is presented by being tossed. So you conclude that there is a space between the ramp on which the priests stood and the altar itself” [T. [Zeb.4:2](#)].**

E. *May we then say that the one who takes the view that the blood propitiates in behalf of the hide after the meat has been disqualified accords with the position of R. Eliezer, and the one who holds that the blood does not propitiate in behalf of the hide after the meat has been disqualified accords with the position of R. Joshua?*

F. *In respect to the position of R. Eliezer there is no disagreement at all [since the position of Eleazar b. R. Simeon is certainly at variance with his position; he holds that the blood can be sprinkled even if there is no meat and therefore the blood must serve to permit the hide to the priests]. Where there is a dispute, it is only within the premises of R. Joshua. He who maintains that propitiation is not effected accords with the view of R. Joshua.*

G. *The one who says that propitiation under the state circumstances will say to you, “R. Joshua takes the position that he does in that context only in connection with the disposition of the meat, in which case, there is no loss to the priesthood. But as to the disposition of the hide, in which case there will be a loss to the priesthood, even R. Joshua will concede that, after the fact [sprinkling of the blood makes the hide permissible to the priests].*

H. *For it has been taught on Tannaite authority: if the meat was made unclean or unfit, or if it was taken outside of the curtains,*

I. R. Eliezer says, “The priest sprinkles the blood.”

J. R. Joshua says, “He does not sprinkle the blood.”

K. But R. Joshua concedes that if he has sprinkled it, it is accepted.

II.1 A. Said R. Hananiah, Prefect of the Priests, “In all my days I never saw a hide taken out to the place of burning:”

- B. Did he never see such a thing? And lo, there are the cases of the bullocks that are to be burned and goats that are to be burned!
- C. *We did not speak of what was to be burned in accord with the religious obligations thereof [but rather where the offering was burned because it was disqualified].*
- D. *But lo, what if the offering id disqualified before flaying and sprinkling [when everyone concurs that the hide is burned]?*
- E. *We spoke of a skin that had been stripped off.*
- F. *And lo, there is the situation that prevails after the flaying of the skin but before the sprinkling of the blood, within the position of R. Eleazar b. R. Simeon, who holds that the blood does not propitiate in behalf of the hide when the hide is by itself!*
- G. *R. Hanina concurs with Rabbi.*
- H. *If you prefer, I shall say that even if you establish that his position is in line with the principle of R. Eleazar b. R. Simeon. Rabbi concedes that there is no flaying prior to the sprinkling of the blood [and that is sufficiently rare so that Hananiah could say he had never seen such a thing].*
- I. *But lo, there is the case in which the beast turns out to be terefah on the basis of the traits of its innards [which are inspected only after flaying, so the hide would be burned by itself, contrary to Haninah’s view that that never happened]!*
- J. *He holds the view that if the beast turns out to be terefah on the basis of the condition of its innards, the offering propitiates. You may note from the formulation that that position is implicit, in light of the following: **Said R. Aqiba, “From his statement we learn: ‘he who flays the firstling [which was blemished and slaughtered] [that is, it was disqualified even before flaying] and it turns out to be terefah — the priests make use of its hide.”***
- K. *That is decisive.*
- L. *But then what point does R. Aqiba make?*
- M. *In his statement he tells us that that is the case even in the provinces. [Freedman: if a firstling is killed and upon inspection is found to be terefah and so cannot be eaten, since this is discovered after it was flayed, the skin is permitted, just as the skin is permitted in similar circumstances in the Temple.]*

II.2. A. Said R. Hiyya bar Abba said R. Yohanan, “The decided law accords with the position of R. Aqiba.

- B. “But even R. Aqiba took the position that he did only if an expert had permitted the use of the firstling because it was suffering a blemish. But if an expert had not done so, then that is not the rule.
- C. *But the decided law is in accord with the position of sages.*

12:5-6

12:5

- A. **Bullocks which are to be burned and goats which are to be burned [M. 5:1-2, Lev. 4: 3, 13-14, 16:9, Num. 15:24],**
- B. **when they are [valid and therefore] to be burned in accord with their requirement [and have not been invalidated], are burned in the place of ashes.**
- C. **And they [who burn them] impart uncleanness to [their] clothing [Lev. 16:28].**
- D. **And if they are [invalid and therefore] not burned in accord with their requirement, they are burned in the Temple precincts.**
- E. **And they do not impart uncleanness to the clothing [of the one who handles them and burns them].**

12:6

- A. **[104B] They would carry them on poles.**
 - B. **[If] the foremost [bearers] went outside the wall, and the latter did not [yet] go outside the wall,**
 - C. **the former impart uncleanness to clothing,**
 - D. **and the latter do not impart uncleanness to clothing-until they [actually] go forth.**
 - E. **[If] both went forth, these and those impart uncleanness to clothing.**
 - F. **R. Simeon says, "These and those [who are to burn the bullocks or goats] do not impart uncleanness to clothing until [they actually do the burning so that] the flame will take hold of their [the carcasses'] greater part."**
 - G. **[When] the meat has been wholly burned [to ashes], the one who burns it no longer imparts uncleanness to clothing [which he wears].**
- I.1** A. **[they are burned in the Temple precincts:] *And what is the definition of the Temple precincts?***
- B. Said Rabbah bar bar Hannah said R. Yohanan, "There is a place on the Temple mountain that is called by that name."
 - C. R. Simeon b. Laqish said, "The entire house is called 'Temple precincts,' as it is said, 'And to build the Temple precincts, for which I have made provision' (1Ch. 29:19)."
- I.2.** A. Said R. Nahman said Rabbah bar Abbuha said, "There are three ash pits. There was a large ash pit in the Temple court, where they burned Most Holy Things and the sacrificial parts of Lesser Holy Things that had been disqualified as well as bullocks that were burned and goats that were burned that had been disqualified before the sprinkling of the blood. There was another ash pit in Temple mount where they burned the bullocks that were burned and the goats that were burned that had been invalidated after the sprinkling of the blood. The ones that had been burned in accord with the religious duty pertaining to them were burned outside of the three camps."

- B. *Levi repeated as a Tannaite statement, "There are three ash pits. There was a large ash pit in the Temple court, where they burned Most Holy Things and the sacrificial parts of Lesser Holy Things that had been disqualified as well as bullocks that were burned and goats that were burned that had been disqualified whether this was before or after the sprinkling of the blood. There was another ash pit in Temple mount where they burned the bullocks that were burned and the goats that were burned that had been invalidated after they had been taken out of the Temple court. The ones that had been burned in accord with the religious duty pertaining to them were burned outside of the three camps."*

Keeping Overnight Bullocks that Are to be Burned: Some Theoretical Problems

- I.3.** A. *R. Jeremiah raised this question: "What is the law as to whether or not being kept overnight affects the bullocks that are to be burned and the goats that are to be burned? [Does keeping them overnight invalidate them as it invalidates other offerings (Freedman)?] Do we take the position that where being kept overnight takes effect concerns meat, that is, something that is eaten, but since these are not subject to being eaten, that is not the case. Or perhaps it makes no difference."*
- B. *Said Raba, "This matter did Abbayye raise, and we solved the problem for him on the basis of the following: And they concur that if the officiating priest expressed the intention, which would impart to them the status of refuse, in connection with eating the bullocks or burning them, he has done nothing [since the bullocks are not eaten or burned]. Does this not mean that since improper intentionality does not take effect, keeping them overnight also does not take effect?"*
- C. *Not at all, perhaps it is the improper intentionality [which does not involve an actual deed] does not take effect, but actually keeping the meat overnight does invalidate the offering.*
- D. *Come and take note: The bullocks that are to be burned and the he-goats that are to be burned are subject to the law of sacrilege from the time that they are sanctified for that purpose. When they are slaughtered, they may become unfit by one who has immersed but awaits sunset for the completion of his purification rite or by one whose atonement rites have not been completed, or by being kept overnight.*
- E. *Does that not mean, "by keeping the meat overnight"?*
- F. *No, it means by keeping overnight the sacrificial parts. [These have to be burned on the altar, and keeping them overnight obviously will render them unfit.]*
- G. *But since the second clause further states, The laws of trespass apply to everything that is in the ash pit until the meat has dissolved, surely it follows that the opening clause likewise refers to keeping overnight the meat of the offering!*
- H. *What makes you think so? The second clause may well speak of the meat, while the first refers to the sacrificial parts.*
- I. *Come and take note: Levi repeated as a Tannaite statement, "...that had been invalidated after they had been taken out of the Temple court..." Does this not mean, that they were kept overnight and so invalidated?*

- J. *No, the invalidation came about by means of being made unclean or by means of being taken outside of the proper area. [Freedman: it was carried out before the blood was sprinkled; this defiles it.]*
- I.4.** A. *R. Eleazar raised the question, “What is the law as to whether being taken out affects the bullocks that are to be burned and the goats that are to be burned? [Does being carried out prior to the sprinkling of the blood invalidate those offerings?]*
- B. *[Since in any event later on they have to be carried out,] what is he asking? [Why should they be disqualified if they are taken out before the blood is sprinkled (Freedman)?]*
- C. *Said R. Jeremiah b. Abba, “It is in regard to the view of him who holds that if it is not time for them to be carried out [but they are carried out nonetheless, is that a source of invalidation]? Do we maintain that that consideration pertains only to meat that is not ultimately going to be carried out as a matter of obligation, but since these have eventually to be carried out, that consideration does not apply? Or do we say that here too, we maintain that it was not yet time for them to be carried out?”*
- D. *Come and take note: Levi repeated as a Tannaite statement, “...that had been invalidated after they had been taken out of the Temple court...” Does this not mean, that they were taken outside and so invalidated?*
- E. *No, the invalidation came about by means of being made unclean or by means of being kept overnight.*
- I.5.** A. *R. Eleazar raised the question, “As to bullocks that are to be burned and goats that are to be burned, the greater part of which went out of the Temple court because the lesser part of a limb was taken out, though the greater part of that limb was left within the Temple courtyard, what is the law? Do we classify this lesser part of a limb along with the greater part, which of course has not gone forth from the Temple court [and therefore the whole is deemed not to have been taken out]? Or perhaps we classify the beast in accord with the status of the greater part of the animal itself?”*
- B. *It is self-evident that we do not classify the status of the greater part of the beast and instead classify matters in terms of the greater part of the limb! Rather, the question concerns the case in which half of the beast is reckoned as having been taken out only when we include the greater part of a limb. [105A] Now do we classify the lesser part of the limb in accord with the status of the greater part, which has indeed gone forth, or perhaps we classify the limb along with the animal overall?*
- C. *The question stands.*
- I.6.** A. *Rabbah b. R. Huna repeated this passage with reference to men who were involved in taking the beast out of the Temple, of which there were five: three had gone out and two left inside. What is the law? Do we follow the status of the majority of the men engaged in the project, or do we classify the status of the men by reference to the location of the animal?*
- B. *The question stands.*

- I.7.** A. *R. Eleazar raised this question: “If the bullocks that were to be burned and the goats that were to be burned were carried out but then brought back, what is the law? Do we maintain that once they have gone forth, they have been made unclean, or perhaps, if they have come back, they have come back?”*
- B. *Said R. Abba bar Mammel, “Come and take note: **They would carry them on poles. [If] the foremost [bearers] went outside the wall, and the latter did not [yet] go outside the wall, the former impart uncleanness to clothing, and the latter do not impart uncleanness to clothing-until they [actually] go forth. [If] both went forth, these and those impart uncleanness to clothing.** Now, if you maintain that once they have gone forth, they have been made unclean, then let those who are inside also be unclean”* [for the uncleanness imputed to the garments comes about because the carcass of the beast has gone out, not because the men have gone out. Thus those who are inside do not impart uncleanness to their clothing only because if the carcass is carried back inside, even the clothing of the men outside remains clean (Freedman)].
- C. *Said Rabina, “But does that stand to reason? In point of fact, we require the detail, ‘and after that he may come into the camp’ (Lev. 14: 8), [meaning, after he washes the garments, which were unclean; so Scripture speaks of someone who is outside of the Temple; only then does he make his garments unclean (Freedman)]. Now that condition has not been met.”*
- D. *Rather, how does R. Eleazar’s question pertain? It can only be to a case in which they stood outside, [the carcass having been taken there and then taken back] and seized the carcass with crooks. [Freedman: Are the garments of these men unclean, if they are not the same ones who carried it out the first time?]*

I.8. A. *Our rabbis have taught on Tannaite authority:*

- B. **He who burns the red cow, he who burns bullocks, and he who sends out the goat render clothing unclean.**
- C. **“A cow and bullocks and the goat that is sent forth themselves do not render clothing unclean, but they do render food and liquid unclean,”** the words of R. Meir.
- D. **And sages say, “A cow and bullocks to be burned render food and liquid unclean. A goat that is sent forth does not render even food and liquid unclean, because it is alive, and that which is alive does not render food and liquid unclean”** [T. [Parah7:8A-C](#)].
- E. *Now it is clear that R. Meir accords with the Tannaite authority of the household of R. Ishmael.*
- F. *For lo, the Tannaite authority of the house of R. Ishmael [said], “If anything of their carcass should fall upon any seed that is to be sown’ (Lev. 11:37) — just as what characterizes seed is that it is not destined ever to become unclean with a most severe form of uncleanness and it further requires preparation to become susceptible to uncleanness, so everything that is not destined in the end to be unclean with a most severe form of uncleanness must be prepared so as to become susceptible to uncleanness. This then excludes the carrion of a clean bird, which can in the end contract a most severe form of uncleanness, so that for it to receive uncleanness, it does not have to be subjected to an act of preparation for it to be*

made susceptible to receive uncleanness.” [Freedman: The red cow, the goat that is sent away, and the bullocks in the end will impart uncleanness to garments; they also do not require any sort of preparation, in consequence of which they may impart uncleanness even while they are alive.]

- G. *But from the perspective of rabbis, if they concur with the position of the Tannaite authority of the household of R. Ishmael, then even the goat that is sent away should be subject to the same rule, and if they do not concur with that conception, then even the red cow and the bullocks that are sent away [should not be subject to the rule, so] how do they know that they are?*
- H. *When R. Dimi came, he said, “In the West they say, ‘They require preparation to receive uncleanness from some other source [than their own innate traits].’”*

I.9. A. R. Eleazar raised this question: “As to the bullocks that are to be burned and the goats that are to be burned, what is the rule on their imparting uncleanness to food and drink inside the Temple court as they do outside? When the beast has not yet been taken out, it is as though it has not been subjected to a concrete action [which makes it a source of uncleanness]? Or perhaps the rule is that that is not the case?”

- B. *After he raised the question, he reversed himself and solved the problem: When the beast has not yet been taken out, it is as though it has not been subjected to a concrete action [which makes it a source of uncleanness].”*

I.10. A. R. Abba bar R. Samuel raised the question of R. Hiyya bar Abba, “As to the carrion of a clean bird, in the perspective of R. Meir, what is the law on whether or not it imparts uncleanness when it is of the volume of an olive bulk?” [Freedman: there is no question on the view of rabbis, as they maintain that before anything can defile, it must conform to the general laws that govern, and as much as an olive’s of this particular carrion can defile only when it is in the gullet. Meir holds that whatever can eventually defile with a stringent defilement need not be fit for defilement, and hence this question arises.] *When it is lying on the ground, that is not a problem [since it does not impart uncleanness, for it may never reach the stage of a most severe form of uncleanness, for someone may not eat it at all]. And if someone has it in his mouth, there can be no question [for it does impart uncleanness]. Where the problem arises, it is when the man is holding it in hand. Do we say, since he has it in his hand, what has not yet been put into the mouth is as though it has not yet been acted upon [to make it capable of imparting uncleanness]? Or do we not take that position?”*

- B. **[105B]** *“The fact that he has not yet put it into his mouth is not as though he it has not yet been acted upon.”*

- C. *An objection was raised: **Thirteen matters regarding the carrion of the clean bird: It requires intention and does not require preparation. And (2) it renders unclean with food uncleanness when it is the size of an egg, and (3) [it conveys food uncleanness] when it is the size of an olive in the [eater’s] gullet [M. Toh.13:1A-D].*** [Freedman: now if it is on the ground, it certainly does require preparation, since no one may ever eat the meat; on the other hand, if it is in the mouth, it does not require intentionality, so if one has it in his hand, only as

much as an egg's volume imparts uncleanness, but not so little as an olive's volume]. *Now surely this accords with R. Meir!*

- D. *No, it accords with the view of rabbis.*
- E. *But the first clause specifies, **It requires intention and does not require preparation!** And of whom have you heard who takes that position? It is R. Meir. So since the opening clause sets forth the position of R. Meir, the concluding clause likewise represents the position of R. Meir.*
- F. *Why do you maintain so? The one stands in its terms, the other in its terms.*
- G. *But the concluding clause further states, “**Slaughtering it and wringing its neck render it no longer unclean even if it is terefah,**” the words of R. Meir. R. Judah says, “**They do not render it clean.**” R. Yosé says, “**Slaughtering it renders clean but not wringing its neck**” [M. [Toh.13:1I-K](#)]. *And of whom have you heard to hold that opinion, if not R. Meir [to whom it is attributed]! So do you now suppose that the opening and closing clauses of the rule concur with the thinking of R. Meir, while the middle one is that of Rabbis?**
- H. *Yes indeed, the opening and closing clauses of the rule concur with the thinking of R. Meir, while the middle one is that of Rabbis.*

I.11. A. *Said R. Hamnuna to R. Zira, “Don’t squat down until you have explained this matter to me: in the opinion of R. Meir, do we distinguish between first and second removes of uncleanness when it comes to the carrion of a clean bird, or do we not distinguish between first and second removes of uncleanness when it comes to the carrion of a clean bird?”*

B. *He said to him, “In the case of what imparts a human being through direct contact, there we distinguish between first and second removes of uncleanness, and what does not impart a human being through direct contact, there we do not distinguish between first and second removes of uncleanness. [So here we make no such distinction.]”*

I.12. A. *R. Zira asked R. Ammi bar Hiyya, and some say, R. Abin bar Kahana, “As to that which has been taught on Tannaite authority: when liquid forms a connector between foodstuffs, they regarded as connected in regard to a minor form of uncleanness but not in regard to a major form, do we then distinguish between first and second removes of uncleanness or do we not distinguish between first and second removes of uncleanness?”*

B. *He said to him, “In the case of what imparts uncleanness to a human being there we distinguish between first and second removes of uncleanness, and what does not impart uncleanness to a human being, there we do not distinguish between first and second removes of uncleanness.”*

II.1 A. **[If] both went forth, these and those impart uncleanness to clothing:**

B. *What is the scriptural source of this rule?*

C. *It is in line with that which we have learned on Tannaite authority:*

D. *Elsewhere [in the case of the bullock brought by the anointed priest or when the whole congregation sins inadvertently, which is burned outside the camp, so Lev. 4:12, 21,] Scripture states, “three camps,” [are at issue], while here [in connection to the Day of atonement, Scripture implies at Lev. 16:27 that the*

bullock of the sin offering and goat of the sin offering are burned as soon as they leave the first camp, but all are subject to the same rule, since Lev. 12:21 pertains to the bullock of the day of atonement], so, surprisingly, “one camp” is required. This is to teach you, as soon as it has gone forth from the first camp, the carcass imparts uncleanness to the clothing of those who burn it; but the carcass itself is burned only when it has been taken beyond all three camps.

- II.2.** A. *And how do we know that elsewhere the burning itself takes place outside all three camps?*
- B. *It is in line with that which our rabbis have taught on Tannaite authority:*
- C. “Even the whole bullock shall he carry forth outside the camp” (Lev. 4:12) — outside all three camps.
- D. You maintain that it is outside all three camps. But perhaps it is only outside of one camp?
- E. When Scripture states, “outside of the camp” in connection with the bullock offered in behalf of the community, that is superfluous, since it is explicitly stated, “as he had burned the first bullock” (Lev. 4:21), which means, outside of the camp, meaning, a second camp. When it further says, “outside of the camp” in the context of the ashes, that too is superfluous, since it has already said, “where the ashes are poured out it shall be burned” (Lev. 4:12), so the upshot is that it is to be burned outside of the third camp.

- III.1** A. [R. Simeon says, “These and those [who are to burn the bullocks or goats] do not impart uncleanness to clothing until [they actually do the burning so that] the flame will take hold of their [the carcasses’] greater part”:] *then how does R. Simeon deal with the language, “outside the camp”?* [Freedman: since he maintains that the garments are made unclean only when the fire has caught hold of the carcass.]
- B. *He requires it in line with that which has been taught on Tannaite authority:*
- C. R. Eliezer says, “Here we find the language, ‘outside of the camp,’ and elsewhere [Num. 19:3, in burning the red cow to produce purification-ashes] we find the language, ‘outside of the camp.’ Just as here, it means, outside the three camps, so elsewhere it means, outside of the three camps. Just as in that other context, it is to take place to the east of Jerusalem, [106A] so here it is to take place to the east of Jerusalem.”

- III.2.** A. *Now according to rabbis [who have used the proof-text for another purpose, as we have just seen,] where were they to be burned?*
- B. *The answer is in accord with that which has been taught on Tannaite authority:*
- C. Where were they burned? At the north of Jerusalem, outside of the three camps.
- D. R. Yosé the Galilean says, “In the place of ashes they were burned.”
- E. *Said Raba, “What Tannaite authority differs from R. Yosé the Galilean? It is R. Eliezer b. Jacob, for it has been taught on Tannaite authority:”*
- F. “Where the ashes are poured out, it shall be burned” — the ashes must be there first.
- G. R. Eliezer b. Jacob says, “The ground must slope down [so the pouring out is natural].”

- H. *Said Abbaye to [Raba], "Perhaps they differ only on the issue of whether or not the ground must be sloping down?"*

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

- B. He who burns the bullocks imparts uncleanness to his clothing, but he who lights the fire does not impart uncleanness to his clothing, and he who arranges the wood pile does not impart uncleanness to his clothing.
- C. And who is the one who burns the bullocks imparts uncleanness to his clothing?
- D. It is any one who assists at the moment at which the burning takes place.
- E. Might one suppose that also once the bullocks have been turned into ashes, the clothing still would be made unclean?
- F. To the contrary, Scripture states, "And he who burns them shall wash his clothes" (Lev. 16:28) — when he burns them they impart uncleanness to clothing, but not when they have already turned into ashes.
- G. R. Simeon says, "he burns them they impart uncleanness to his clothing, but when the meat has disintegrated, they do not impart uncleanness to the clothing."
- H. *What is at issue between the two positions?*
- I. *Said Raba, "At issue between them is a case in which the meat is completely charred [but not yet ashes]." [Freedman: In Simeon's view someone who assists at the burning at this stage does not impart uncleanness to his clothing, and in the opinion of rabbis, he does.]*