

VI

BAVLI TRACTATE BEKHOROT CHAPTER SIX

FOLIOS 37A-43A

6:1

- A. On account of these blemishes do they slaughter the firstling:
- B. (1) [If] its ear is damaged in the gristle but not in the skin [ear lobe]; (2) [if] it is slit, even though there is no loss of substance; (3) [if] it has a hole as big as a vetch, or (4) [if] it is dried up.
- C. What is the meaning of 'dried up'?
- D. Any which, if pierced, does not produce a drop of blood.
- E. R. Yosé b. Meshullam says, 'So dried up that it crumbles.'
- I.1 A. *Why [should the defects that are catalogued blemish a firstling]? Does not Scripture state, 'Lame or blind' (Deu. 15:21) [these are blemishes on account of which one may eat the firstling, implying that no other defects are taken into account]?*
- B. *It is further written, 'And if there be any blemish therein' (Deu. 15:21) [which would encompass more than only lameness or blindness].*
- C. *Then why not say, 'And if there be any blemish therein' (Deu. 15:21) constitutes an encompassing rule, and the clause 'Lame or blind' (Deu. 15:21) particularizes that encompassing rule, so that you have an encompassing rule and a particularization*

thereof, with the consequence that encompassed within the general principle are only the cases that are specified in the particularization? *Therefore if the beast is lame or blind, it is available for eating, but otherwise it is not.*

- D. ‘Any ill blemishes’ (Deu. 15:21) serves as a reiteration of the encompassing rule, with the result that we have an encompassing rule, a particularization of an encompassing rule, and a reversion to the encompassing rule. You then draw an analogy only by appeal to the particularizations, with the result that, just as the particularizations refer to blemishes that are blatant and do not revert to their former condition, so any blemishes that are blatant and do not revert to their former status [serve for the same purpose].
- E. *Might I say: just as in the particularizations, we deal explicitly with blemishes that are blatant and that prevent the beast from performing its normal labor and that do not revert to their former condition, so all blemishes that are blatant and that prevent the beast from performing its normal labor and that do not revert to their former condition are covered by the law?*
- F. *But then why have we learned in the Mishnah: [If] its ear is damaged in the gristle but not in the skin [ear lobe]? Rather, the language, ‘Any ill blemishes’ (Deu. 15:21) serves as amplificatory wording.*
- G. *If so, then any blemishes that are not blatant also should be considered blemishes that suffice to permit slaughtering the beast?*
- H. *But then why have we learned in the Mishnah: Its front teeth [incisors] which are damaged, or worn down, and the back ones [molars] which are uprooted [M. 6:4]? [37B] — when they are uprooted, they are blemishes, but not when broken off or leveled to the gum [which are only hidden blemishes]?*
- I. *What we require are ‘Any ill blemishes’ (Deu. 15:21), which is not the case when the teeth are not uprooted.*
- J. *If so [that ‘any’ serves as augmentative language], then why not include a transient, as much as a permanent, blemish?*
- K. *But then why have we learned in the Mishnah: but not in the skin [ear lobe]?*
- L. *The exclusion of a transient blemish is based on an argument from logic: now if we do not redeem an animal that has been sanctified for the altar [but become unfit for use on the altar] by reason of a transient blemish, shall we slaughter a firstling on that account?*
- M. *For it has been taught on Tannaite authority:*
- N. ‘And if it be any unclean beast, of which they may not bring an offering [then the man shall bring the animal before the priest, and the priest shall value it as either

good or bad; as you the priest value it, so shall it be; but if he wishes to redeem it, he shall add a fifth to the valuation]' (Lev. 27:11) —

- O. it is concerning blemished beasts that are to be redeemed that Scripture speaks.
- P. You say that it is concerning blemished beasts that are to be redeemed that Scripture speaks. But perhaps it speaks only of unclean beasts.
- Q. When Scripture says, 'And if it is an unclean animal, then he shall buy it back at your valuation' (Lev. 27:27), lo, Scripture covers the case of the dedication of [the value of] an unclean animal [for the upkeep of the Temple house, and as we see, that also requires valuation in the redemption process]. So how shall I interpret, 'And if it be any unclean beast, of which they may not bring an offering [then the man shall bring the animal before the priest, and the priest shall value it as either good or bad; as you the priest value it, so shall it be; but if he wishes to redeem it, he shall add a fifth to the valuation]' (Lev. 27:11)? It is concerning blemished beasts, indicating that they are to be redeemed.
- R. Might one suppose that they are to be redeemed because of a transient blemish?
- S. Scripture is explicit, 'of which they may not bring an offering,' thus referring to one that is not offered at all, therefore excluding this one, which may not be offered today but which can be offered tomorrow.
- U. And if you prefer, I shall explain, [a transient blemish does suffice, so] what value is there in the specification 'Lame and blind'? That means that the blemishes must be permanent ones.

II.1 A. [if] it is slit, even though there is no loss of substance:

- B. *Our rabbis have taught on Tannaite authority:*
- C. **The split [of the ear, M. Bekh. 6:1B2] in any measure at all damages [the ear].**
- D. **And as to the ear [if it is damaged, M. Bekh. 6:1B2] whether by man or naturally — [it is blemished].**
- E. *Does that yield the inference that if the split ear is brought about by nature, it is not a blemish such that the animal is invalidated as a firstling?*
- F. Rather: the split of the ear in any measure at all damages the ear, and as to the split and the cut in the ear, whether by man or naturally — it is blemished.
- G. **What is the sort of damage [to which reference is made]? Any on which one puts his finger and it catches.**

III.1 A. [if] it has a hole as big as a vetch:

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

- C. To what extent is it to be perforated [so that a hole in the ear constitutes a blemish, M. Bekh. 6:1B3]?
- D. A hole the size of a vetch [M. Bekh. 6:1B3]. R. Yosé bar Judah says, 'It should dry up [at least] to the extent of a lentil.'
- E. How much [should it dry and be deemed a blemish [M. Bekh. 6:1B4]?
- F. R. Yosé b. Hammeshullam says, 'So that it crumbles.'
- G. And their opinions are so close as to be identical.
- H. *Whose opinions? Shall I say the opinions of the initial Tannaite authority and R. Yosé b. Hammeshullam? There is a considerable difference between them! Rather, the opinions of the initial Tannaite authority and R. Yosé b. R. Judah.*
 - I. *But does Yosé take the view that a blemish may be merely a hole the size of a lentil, but not less than the size of a lentil? Then note the contrary evidence deriving from this verse:*
 - J. 'Scripture states, 'an awl' (Deu. 15:17).
 - K. 'I know only that an awl is sufficient for boring the ear of the slave. How do I know that sufficient also would be a prick, thorn, borer, or stylus?
 - L. 'Scripture states, 'Then you shall take' (Deu. 15:12) — including everything that can be taken in hand,' the words of R. Yosé b. R. Judah.
 - M. Rabbi says, 'Since the verse says, 'an awl,' we draw the conclusion that the awl is made only of metal, and so anything that is used must be metal.'
 - N. *At the end it is further stated:*
 - O. Said R. Eleazar, 'R. Yudan b. Rabbi would expound as follows: 'when they pierce the ear, they do it only through the ear-lobe.' Sages say, 'A Hebrew slave of the priestly caste is not subjected to the boring of the ear, because that thereby blemishes him.'
 - P. *Now if you hold that the boring is done only through the ear-lobe, then the Hebrew slave of the priestly caste cannot be blemished thereby, since we bore only through the top part of the ear [and in any event, boring makes a blemish, and Yosé takes the view that even a needle's point, a smaller hole than a lentil's size, constitutes maiming]!*
 - Q. *Said R. Hana bar Qattina, 'There is no contradiction, the one speaks of slaughtering the firstling outside of the Temple [for the validation of which a big hole is required], the other of disqualifying [an animal for use on the altar, and even a needle's hole does that].'*

IV.1 A. [Supply: **As large as a vetch:**] *what is the definition of a vetch?*

B. Said R. Sherabayya, ‘An Indian one.’

IV.2. A. R. Hoshai asked R. Huna the Elder, ‘Must the hole be so large that the vetch can go in and come out easily, or may it be only so large as to hold a vetch?’

B. He said to him, ‘I have not heard the answer to this question, *but I have heard a parallel ruling that we have learned in the Mishnah*: **These contaminate through contact and carrying but do not contaminate in the Tent: (1) A bone the size of a barleycorn, and (2) dirt from abroad, and (3) [earth from] a grave area; (4) a limb from the corpse and (5) a limb from a living man which do not have an appropriate amount of flesh; (6) the backbone and (7) the skull which are lacking. How much is a [sufficient] lack in the backbone? The House of Shammai say, ‘Two links.’ And the House of Hillel say, ‘Even one link.’ And in the skull: The House of Shammai say, ‘As much as [a hole made by] a drill.’ And the House of Hillel say, ‘So much that it may be taken from a living man and he would die.’ Of what size of drill did they speak? ‘Concerning the smallest one of physicians,’ the words of R. Meir. And sages say, ‘Concerning the large one of the chamber’ [M. **Oh. 2:3A-M**].**

C. *Now R. Hisda went into session and raised this question: ‘As to the statement, So much that it may be taken from a living man and he would die, how much is that?’ Said to him R. Tahalipa bar Abodimi, ‘This is what Samuel said, ‘As much as a sela.’’ (And it was stated, R. Saфра said, R. Tahalifa said to R. Hisda in the name of Samuel, while R. Samuel b. Judah said, R. Tahalifa cited to R. Hisda a Tannaite formulation reported by Samuel, and your mnemonic is this: R. Samuel b. Judah cited a Tannaite version.) And he said to him, ‘If so, then you have treated the views of the House of Shammai and the House of Hillel as though they were one and the same.’ For we have learned in the Mishnah: [And there are [instances in] which they have spoken of a large measure: ‘A ladleful of corpse mould’ — according to the large ladleful of physicians. ‘And the split bean in leprosy signs’ — like the Cilician split bean. ‘He that eats on the Day of Atonement a large date's bulk’ — the like of it together with its stone. And bags of wine and oil-their measure is according to their large stopper.] ‘And the light hole not made by the power of man’ — its measure is that of a large fist. This is the fist of Ben Battiah. Said R. Yosé, ‘That is the size of a large head of a man.’ ‘And that which is made by the power of man’ — its measure is like the [hole made by] the large drill that lay in the chamber [of the Temple], which is the size of (1) the Italian pondion, (2), or [38A] (3) the hole in a yoke [M. **Kel. 17:12A-L**].’*

- D. *He fell silent.*
- E. Said to him R. Hisda, 'Perhaps what we have learned pertains to the borer and removal of what stopped up the hole [and the hole is larger than a sela, and the House of Shammai and the House of Hillel would differ on the extent to which in the case of a skull the hole is smaller; this would solve Oshaia's query as well (Miller & Simon).'
- F. *And said to him R. Tahalifa, 'Do not say 'perhaps,' but rather, 'certainly it pertains to the borer and removal of what stopped up the hole.' And you can depend upon this, for we accept the evidence of Hezekiah father of Iqqesh. For it has been taught on Tannaite authority:*
- G. 'This testimony was presented by Hezekiah father of Iqqesh in the presence of Rabban Gamaliel in Yavneh, which he stated in the name of Rabban Gamaliel the Elder: 'Among clay utensils, whatever has no inside [that is, whatever is not hollowed out with a receptacle] has no outer parts to be distinguished therefrom. If the inner part has been made unclean, therefore, the outer part is unclean as well. If the outer part is unclean, the inner part is unclean.'
- H. *But did not the All-Merciful make the matter depend on the status of the inside of the clay utensil? For if the receptacle has an inside that receives uncleanness, then the utensil is made unclean, but if it has no utensil, then it does not become unclean.*
- I. *Said R. Isaac bar Abin, 'This is the sense of the foregoing statement: Any clay utensil that has no contained receptacle on the inside, in the corresponding case of a utensil that can be cleaned from uncleanness by being rinsed [by contrast to a clay utensil, which can be cleaned from uncleanness only by being broken] it has no back that is treated as a distinct part of the utensil. Consequently, if the inner part has been made unclean, therefore, the outer part is unclean as well. If the outer part is unclean, the inner part is unclean.'*
- J. *Why make the matter depend upon the clay utensil at all? Why not say very simply, With reference to a utensil that can be cleaned from uncleanness by being rinsed [by contrast to a clay utensil, which can be cleaned from uncleanness only by being broken], any utensil that has no contained space also has no outer parts that can be distinguished therefrom for purposes of distinguishing the one from the other as to uncleanness?*
- K. *By stating matters as he does, the authority behind this formulation informs us that if such a utensil has a contained inner space, then it bears the traits of a clay utensil: just as, in the case of a clay utensil, if the contained space is made unclean,*

the outer parts are made unclean, and if the contained space is not made unclean, the outer parts are not made unclean, so in the case of a utensil that is cleaned of uncleanness through rinsing, if the contained space is made unclean, the outer parts are made unclean, but if the contained space is not made unclean, the outer parts are not made unclean.

- L. *Now there is no problem with respect to that rule so far as it affects clay utensils, since the All-Merciful has made that statement explicit when it refers to 'its inside' [e.g., Lev. 11:34], but as to a a utensil that can be cleaned from uncleanness by being rinsed [by contrast to a clay utensil, which can be cleaned from uncleanness only by being broken], has the All-Merciful made that matter explicit by reference to 'its inside'?*
- M. *If under discussion here were a form of uncleanness that is specified in the Torah, that would indeed be so. But here, with what sort of uncleanness do we deal? It is with uncleanness of liquid, which derives only from the authority of rabbis. For we have learned in the Mishnah: **A utensil, the outer parts of which have been made unclean with unclean liquids — the outer parts are unclean, its inside, its rims, hangers, and handles are clean. [If] its inside is made unclean, the whole is unclean [M. Kel. 25:6D-E].** For according to the law of the Torah food cannot impart uncleanness to a utensil, nor can unclean liquid make a utensil unclean, but the rabbis have declared uncleanness in those matters because of the excretions of a male or female affected by zab-uncleanness [affected with the uncleanness of Lev. 15]. Therefore rabbis declared it to be subject to the uncleanness of a clay utensil, but rabbis did not declare it unclean on its own account by reason of the law of the Torah, since rabbis have made a distinction so as not to burn on account of the uncleanness affecting it food that has been designated as heave-offering and Holy Things.*
- N. *If that were the case, then where the utensil has no contained space, let the same distinction be made [so that where the backside becomes unclean, the inside does not become unclean]?*
- O. *Since rabbis have made such a distinction where there is an inside, it will be quite obvious that, where there is no contained space, the uncleanness derives from the authority of rabbis [on account of which uncleanness food designated as heave offering that has become unclean is not going to be burned].*
- P. *But is a utensil that is cleaned through being rinsed, if it has no inside, susceptible to uncleanness by the authority of the law of the Torah? Does it not have to be comparable to a sack, in that, just as we require that a sack may be subject to*

being carried whether full or empty, to anything that can be carried full or empty [will be subject to uncleanness, since it has the possibility of serving as a receptacle]?

- Q. *At issue are objects that can be used for sitting and lying.*
- R. *If so, the same rule should pertain to the earthenware utensil [by authority of rabbis]?*
- S. The category of uncleanness attaching to objects that can be used for sitting and lying simply does not apply to clay utensils.

IV.3. A. R. Pappa said, '[With reference to the question, *If so, then you have treated the views of the House of Shammai and the House of Hillel as though they were one and the same, in line with the rule, its measure is like the [hole made by] the large drill*], since the language at hand is a **large drill**, it follows that an ordinary drill is smaller than a sela.'

- B. *That poses no problems from the perspective of R. Meir [who says that a physician's drill is meant in reference to the shrinkage in the skull, that is less than a sela, and there is a difference between the two Houses' measurement], but what is there to be said with regard to rabbis?*
- C. For we have learned: **And in the skull: The House of Shammai say, 'As much as [a hole made by] a drill.' And the House of Hillel say, 'So much that it may be taken from a living man and he would die.' Of what size of drill did they speak? 'Concerning the smallest one of physicians,' the words of R. Meir. And sages say, 'Concerning the large one of the chamber' [M. Oh. 2:3A-M].'**
- D. *But does this pose no problem to R. Meir? For this would then be one of the lenient rulings of the House of Shammai and the strict rulings of the House of Hillel, and those that we have learned we accept, and those we have not learned in the Mishnah [at M. Ed. 5:1] we do not accept!*
- E. Said R. Nahman, 'We refer specifically to **the Neronian sela**. A Neronian sela is as large as a large drill, but an ordinary sela is even smaller than an ordinary drill [Miller & Simon: therefore the House of Shammai, requiring a shrinkage in the skull of the size of a borer before it can be exempt from the uncleanness of overshadowing, would be more strict in their ruling than the House of Hillel, who only require the decrease of the size of an ordinary sela, which is even less than the size of an ordinary drill].'

I.1 begins with the fundamental question of exegesis of Scripture that yields the catalogue, since Scripture specifies only a couple of blemishes of consequence. II.1 provides a minor gloss of Tosefta's complement. III.1 does the same. IV:1-3 proceed in their own direction.

6:2

- A. (1) The eyelid which is perforated, which is damaged, (3) which is slit.
- B. Lo, [if] in its lid is (1) a cataract, (2) a commingling, (3) a snail-shaped [growth], (4) a snake-shaped [growth], and (5) a berry-shaped [growth.]
- C. What is the meaning of 'commingling'?
- D. The white breaks through the ring and enters the black.
- E. In the case of the black's entering the white, it is not a blemish, for blemishes do not affect the white [of the eye].

I.1 A. [38B] A lid:

- B. *What is the meaning of 'lid'?*
- C. Said R. Papa, 'The eye lid.'

II.1 A. (1) a cataract, (2) a commingling:

- B. *Our rabbis have taught on Tannaite authority:*
- C. **A cataract that causes the eye to sink is a blemish.**
- D. **That which floats on the surface of the eye, and is not sunk into the base of the eye is not a cataract.**
- E. *But has not the exact opposite been taught on Tannaite authority?*
- F. *There is no contradiction, for the one statement refers to the black part of the eye, the other to the white.*
- G. But lo, blemishes do not occur in the white of the eye anyhow!
- H. Rather, one refers to a white spot and the other to a black spot.
- I. For said Rabbah bar bar Hana, 'R. Oshaia of Usha told me, '**A black spot that that causes the eye to sink is a blemish. That which floats on the surface of the eye, and is not sunk into the base of the eye is not a cataract.** A white spot that causes the eye to sink is not a blemish, but if it is floating, it is a blemish. *And there is a mnemonic for this: lightning* [Miller & Simon: an affection of the eye sight caused by lightning which is white and cataract, and similarly the floating white spot in the eye is a disqualifying blemish].'

III.1 A. (3) a snail-shaped [growth], (4) a snake-shaped [growth], and (5) a berry-shaped [growth]:

- B. *The question was raised: 'Is a snail-shaped growth the same as a snake-shaped growth or is the meaning, a snail-shaped growth or a snake-shaped growth?'*
- C. *Come and take note, for* said Rabbah bar bar Hanah, 'R. Yohanan b. Eleazar told me, 'There was a sage [who was a priest] who lived in our neighborhood, R. Simeon b. Yosé Laqonayya by name, and in my entire life I never passed in front of him [so great a man was he]. One time, however, I did pass in front of him. He said to me, 'Sit, my son, sit. This snail-shaped growth is a permanent blemish, on account of which a firstling may be slaughtered, and this is what sages have called 'a snake-shaped growth.' And even though sages have said, 'A man is not allowed to examine the blemishes that affect his own animals,' nonetheless one may teach the law to disciples, and disciples can then concur with him [and make the appropriate ruling].'''
- D. But has not R. Abba said R. Huna said, 'Any disciple of a sage who teaches a law, if the teaching is prior to an actual case, is listened to, but if not, is not listened to.'
- E. *He too came and taught the rule before his own case arose.*

IV.1 A. What is the meaning of 'commingling'? The white breaks through the ring and enters the black:

- B. *Who is the authority of this Mishnah [that a blemish does not disqualify if it is in the white part of the eye]?*
- C. *It is R. Yosé, for it has been taught on Tannaite authority:*
- D. 'If the white of the eye enters the space of the black, or the black, the white, that is a blemish,' the words of R. Meir.
- E. R. Yosé says, 'If the white enters the black space of the eye, lo, this is a blemish. If the black enters the white area, it is not a blemish, for blemishes do not occur in the white of the eye.'
- F. *Said Rab, 'What is the scriptural basis for that rule stated by R. Yosé? As it is written, 'Their eyes bulge from fatness' (Psa. 73: 7), [and the white of the eye] is called 'the fat of the eye,' but not simply, 'their eyes.'''*
- G. *And what is the basis for the position of R. Meir?*
- H. What is the meaning of 'commingling'? Something that disturbs the eye's action.

I.1 simply defines the terms before us; II:1, III.1 make minor glosses of the Mishnah's reading. IV.1 asks about the authority of the Mishnah, meaning both who stands behind the position of the Mishnah given anonymous, and the basis, in Scripture, of that rule.

6:3

- A. (1) A white cataract and (2) rheum which are lasting [constantly drip].
 - B. What is a white cataract that is lasting?
 - C. Any which remained eighty days.
 - D. R. Hanina b. Antigonus says, 'They examine it three times in eighty days.'
 - E. What is rheum that is lasting?
 - F. [If] it ate fresh or dry [fodder] from rain-watered fields, [and the water in the eye remained — this is rheum which is lasting].
 - G. [If it ate] fresh or dry [fodder] from irrigated fields,
 - H. [or if] it ate dry [fodder] and afterward ate fresh [and the water remained in the eyes],
 - I. it is not a blemish —
 - J. unless it ate dry [fodder] after fresh [fodder].
- I.1** A. *Who is the authority of our Mishnah? It is R. Judah, for it has been taught on Tannaite authority:*
- B. 'A cataract which is lasting is one that remains for forty days. Rheum which is lasting — eighty days,' the words of R. Meir.
 - C. And R. Judah [T.: sages] says, 'A cataract which is lasting — eighty days, and rheum which is lasting — eighty days' [T. **Bekh. 4:3**].
- I.2.** A. And what is the definition of cases of permanent cataracts?.
- B. [If] it ate fresh and dry fodder from a rain-watered field, and not fresh and dry fodder from an irrigated field —
 - C. [if] it ate fresh and afterward dry fodder — it counts for it [to signify that this is rheum which is lasting, M. **Bekh. 6:3F**].
 - D. [If it ate] dry fodder and afterward ate fresh, it does not count [to signify that this is rheum which is lasting, M. **Bekh. 6:3H**]. [Under no circumstances does it matter unless it ate dry fodder after fresh.]
 - E. And this must go on for three months.
 - F. *But have we not learned that both kinds of fields come under consideration? [If] it ate fresh or dry [fodder] from rain-watered fields, [and the water in the eye remained — this is rheum which is lasting]. [If it ate] fresh or dry [fodder] from irrigated fields...*
 - G. *The formulation contains a lacuna, and this is the sense of the passage:*

- H. If it ate fresh fodder and dry from a field watered by rain, it is a blemish. If it ate from an irrigated field, it is not a blemish, even if it did not get better. And even in the case of a field watered by rain, if it ate dry fodder and then fresh, it is not a blemish, unless it ate dry fodder after fresh fodder. And this must go on for three months.
- I. *[And this must go on for three months:] Is this true? And has it not been taught on Tannaite authority: R. Idi b. Abin said R. Isaac b. Ashian said 'In Adar and Nisan the beast is fed fresh fodder, in Elul and Tishré, dry' [so the treatment must be for more than three months]?*
- J. *Say rather: in Adar and half of Nisan, fresh fodder; in Elul and half of Tishré, dry fodder.*

- I.3.** A. *The question was raised: Is the fresh fodder given to the firstling to eat for a cure to be in the season of fresh fodder, and is the dry fodder to be in the period of dry, or is the sense that we give the firstling fresh fodder together with dry in the period of fresh fodder?*
- B. *Come and take note: Said R. Idi bar Abin said R. Isaac bar Asian, 'In Adar and Nisan the beast is fed fresh fodder, in Elul and Tishré, dry.'*
- C. *But perhaps the produce of Elul and Tishré is given to the animal to eat in Adar and Nisan.*

I.4. A. *And how much is fed to the beast?*

- B. R. Yohanan in the name of R. Phineas b. Aruba: 'About the volume of a dried fig.'
 - C. *Said Raba, 'The question was raised in the West: is that a dried fig at the first meal, [39A] or at every meal? And if you say, at the first meal, then does it have to be given before the meal or after the meal?'*
 - D. *Before a meal, it does the animal good, like medicine.*
 - E. *And if it is given after the meal, what is the rule? Is it prior to drinking or after drinking?*
 - G. *Prior to drinking it does the animal good, like barley.*
 - H. *And if it is given after the meal, what is the rule? Should the animal be tied or loose?*
 - I. *It is better when the animal is loose.*
 - J. *But if the drink is given when it is tied, do we give it the treatment when it is by itself, or together with another animal?*
 - K. *It does more good when it is together with another animal.*
 - L. *But if it is given by itself, do we give it in the city or in the field?*

- M. *It does more good in the field.*
- N. *But if it is given in town?*
- O. *R. Ashi asked, 'If you will say, it is preferable in the field, then is it all right to give it in a garden adjacent to a field?'*
- P. *Let all these questions stand over.*

II.1 A. R. Hanina b. Antigonus says, 'They examine it three times in eighty days:'

- B. Said R. Nahman bar Isaac, 'And that is on condition that the cure is given three times in the eighty days.'

II.2. A. The question was raised of Phineas, the brother of Mar Samuel, on the part of Samuel, 'If the beast ate and did not get better, is this deemed a blemish retrospectively, or is it only a blemish from this point and onward?'

- B. *What difference does it make?*
- C. *In deciding whether the law of sacrilege applies to the money paid in redemption [if the beast is redeemed within the three months]. If you say that the blemish is retrospective, then the laws of sacrilege apply to the money, but if you say that the blemish is only from now on, then the laws of sacrilege do not apply. What is the law?*
- D. *He recited in his regard, "The lame take the prey" (Isa. 33:23) [and I don't know the answer to your question.]*

I.1 cites a somewhat revised language of Tosefta's version to locate the authority of our passage. No. 2 proceeds with the same task. No. 3 forms a footnote to No. 2. No. 4 continues the basic exposition. II.1, 2 lightly gloss the Mishnah in what is now an entirely familiar manner.

6:4A-B

- A. (1) **Its nose which is perforated,**
 (2) **which is damaged,**
 (3) **which is slit.**
- B. **Its lip (1) which is perforated,**
 (2) **which is damaged,**
 (3) **which is slit.**

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

- B. If the partitions of the nostrils are perforated right through from the outside, this is a blemish; if the perforation is inside, it is not a blemish

II.1 A. Its lip which is perforated, which is damaged, which is slit:

B. Said R. Pappa, 'The outer edge of the lip is what is meant.'

The glosses are light and minor.

6:4C-F

C. (1) Its front teeth [incisors] which are damaged,

(2) or worn down;

D. (3) and the back ones [molars] which are uprooted.

E. R. Hanina ben Antigonus says, 'They do not examine the double teeth backward,

F. 'or even the double-teeth [themselves].'

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

B. What are the double-teeth [M. Bekh. 6:4D3]?

C. Inside from the double-teeth, or from the double-teeth and inside.

D. R. Joshua b. Qepusai says, 'They slaughter the firstling only on account of the incisors.'

E. R. Hananiah b. Antigonus says, 'They do not examine the molars at all' [M. Bekh. 6:4E-F] [T. 4:5].

F. *What is the sense of this statement [What are the double-teeth? Inside from the double-teeth, or from the double-teeth and inside]? And furthermore, what R. Joshua b. Qepusai says is the same as what the initial authority has told us!*

G. *The passage bears a lacuna, and this is the sense of the statement:*

H. What are the double teeth? Inside the molars, including the molars themselves are the inside teeth. Under what circumstances [does the loss of these teeth not constitute a blemish]? When they were broken off or levelled. But if they were pulled out, then the beast is slaughtered [as a blemished firstling].

I. R. Joshua b. Qepusai says, 'The beast is slaughtered only on account of the incisors, but if the molars were pulled out, the beast is not slaughtered, *though loss of those teeth does disqualify [the animal from use on the altar].*'

J. R. Hanina b. Antigonus says, 'No attention at all is paid to the condition of the molars, so that they do not even disqualify [the animal from use on the altar].'

The Theory of Disqualification through Loss of a Limb

We proceed to a theoretical problem resting on the now-established principle that a firstling that suffers the loss of a limb is disqualified.

- I.2.** A. *R. Ahadeboy bar Ammi asked, 'Does the consideration of loss of a limb apply to the animal's innards [e.g., the loss of a kidney or milt (Miller & Simon)], or does the consideration of loss of a limb not apply to the animal's innards?'*
- B. *In what context? If we say, so far as the firstling['s disqualification] is concerned, Scripture states, 'Lame or blind' (Deu. 15:21) [meaning, only blatant defects matter], and if we say it is so far as use on the altar is concerned, Scripture states, 'blind or broken' (Lev. 22:22).*
- C. *'What I am asking concerns not slaughtering or redeeming a beast that has been designated as an offering [for the loss of a limb of the innards does not pertain]. What I am asking concerns disqualifying the animal from the altar. What is the rule? The All-Merciful has said, 'It shall be perfect to be accepted' (Lev. 22:21), so if it is perfect, it is approved, but if it is lacking, it is not, or perhaps, 'It shall be perfect to be accepted' (Lev. 22:21) serves to encompass every possible blemish [even an internal one], and 'there shall be no blemishes therein' means that, just as a blemish must be blatant, so anything that is lacking must be blatant?'*
- D. *Come and take note: 'And the two kidneys' (Lev. 7: 4) [are to be burned on the altar] — and not an animal that has only a single kidney, or an animal that has three kidneys.*
- E. *But, to the contrary, furthermore it has been taught on Tannaite authority:*
- F. *'He shall remove it' (Lev. 7: 4) — that serves to encompass a beast that has only a single kidney.*
- G. *Now all parties concur that a living creature is not formed with only a single kidney, so here we deal with a case in which there definitely was the loss of a kidney.*
- H. *May I say that at issue between the two formulations is this: one authority maintains that a loss of an internal organ is classified as a loss, and the other takes the view that the loss of an internal organ is not classified as a loss?*
- I. *Said R. Hiyya bar Joseph, 'All parties concur that a creature can be formed with only a single kidney, but also that the loss of an internal organ is classified as a loss. But there is no contradiction between these statements. The one speaks of a case in which the beast was born with two kidneys and lost one, and the other*

formulation refers to a beast that was formed to begin with with only a single kidney.'

- J. *But lo, the case of a beast with only a single kidney is treated as comparable to a beast with three of them: just as three kidneys would then have been formed in the beast to begin with, so one kidney would have been formed in the beast to begin with [and even then, the beast is regarded as disqualified]!*
- K. *Rather, here we deal with the issue of whether a creature can be formed with one kidney only. One authority takes the view that a creature can be formed with only one kidney, and the other authority maintains that a creature cannot be formed with a single kidney.*
- L. *But R. Yohanan said, 'All parties concur that a beast cannot be created with a single kidney, and they further concur that the loss of an internal organ is classified as a loss, but there is no contradiction. In the one case we deal with a beast that lost its kidney prior to being slaughtered [on which account it is invalid for use on the altar], and in the other case we deal with a beast that lost its kidney after being slaughtered.'*
- M. *But if the loss was prior to the act of slaughter but before the blood was collected in a utensil for sprinkling on the altar, is the beast then permitted for use on the altar? [39B] And has not R. Zira said Rab said, 'He who slit the ear of a bull and afterward received the blood — it is invalid, as it is said, 'And he shall take of the blood of the bullock' (Lev. 16:14) — the bullock just as it had been prior.*
- N. *Rather, in the one case we speak of the loss of an organ prior to the receiving of the blood, in the other, of the loss of an organ after receiving the blood.*
- O. *But if the loss was after the receiving of the blood, is the beast then permitted for use on the altar? And has it not been taught on Tannaite authority:*
- P. *'Your lamb shall be without blemish, a male of the first year' (Exo. 12: 5) — it must be unblemished and a year old when it is slaughtered. And how do we know that the same rule applies to the time at which the blood is received, taken to the altar, and sprinkled on the altar? 'It shall be..., ' meaning, it must be unblemished and a year old at all points in the rite.*
- Q. *Interpret the passage to refer solely to the fact that the beast must be a year old, and that stands to reason, for it has been taught on Tannaite authority:*
- R. *R. Joshua says, 'As to all sacrificial animals that are listed in the Torah, a piece of meat the size of an olive or a piece of fat the size of an olive of which is left — one sprinkles the blood.'*
- S. *That is decisive proof.*

- T. *But is there some sort of beast that at the time of slaughter is a year old and at the time that the blood is received and conveyed to the altar can be two years old?*
- U. Said Raba, That proves that even the passage of hours [marking the shift from one age to another] will serve as disqualifications in connection with sacrifices.'
- V. *May we say that [the point at issue in the question above — Does the consideration of loss of a limb apply to the animal's innards] represents a dispute among Tannaite authorities?*
- W. 'That which has its stones bruised, crushed, torn, or cut' (Lev. 22:24) — all of them affect the testicles,' the words of R. Judah.
- X. 'in the stones' but not in the penis? Rather: 'also in the stones,' the words of R. Judah.
- Y. R. Eliezer b. Jacob says, 'All of them refers to defects in the penis.'
- Z. R. Yosé says, 'bruised, crushed' also can refer to the testicles, but 'torn, or cut' can refer to the penis, but in the testicles do not constitute a blemish.'
- AA. *Does this not mean that, at issue here is the following point: one authority takes the view that the loss of [or damage to] an internal limb is classified as a loss, and the other authority says, it is not classified as a loss?*
- BB. *But do you really think so? Then what is at issue in R. Yosé's statement? If he takes the view that the loss of an internal limb is classified as a loss, then even the traits of tearing or cutting should apply; and if he holds that the loss of an internal limb is not classified as a loss, then even the traits of being bruised or crushed should not pertain.*
- CC. *Rather, at issue here is whether these are classified as blatant blemishes [since all parties concur that the loss of an internal organ is not classified as a loss]. R. Judah takes the view that if the testicles are bruised or crushed, they are blemished, because the organs afterwards shrink; if they are torn or cut, they are blemished, because they are hanging loose. R. Eliezer b. Jacob maintains that if the testicles are bruised or crushed, they are not blemished, for even if the animal is well, they sometimes shrink; if they are torn or cut, they are not blemished, because even when the animal is well, the testicles sometimes may hang. R. Yosé takes the view that if the testicles are bruised or crushed, they are regarded as blemished, for they are not here now, and if they are torn or cut, they are not blemished, because they are still in evidence.*

Once more we begin with Tosefta's complement, which is analyzed and revised. No. 2 raises a broader theoretical question.

6:5

- A. [If] the sheath [of the male organ] is damaged
- B. or the female organ in female beasts in the case of Holy Things.
- C. (1) [If] the tail is damaged at the bone, but not at the joint; or (2) [if] the root-[end] of the tail has a divided bone, or (3) [if] there is a finger's breadth of flesh between one link [of the tail] and the next link.

- I.1 A. Said R. Eleazar, 'If the scrotum was **mutilated**, but not it it was removed; the scrotum, but not the penis.'
- B. *So too it has been taught on Tannaite authority:*
- C. **If the scrotum was mutilated, but not it it was removed; the scrotum, and not the penis.**
- D. Said R. Yosé b. Hammeshullam, 'There was the case of a wolf that ripped off that of one [beast], and it grew back' [T. **Bekh. 4:6**].

- II.1 A. (1) [If] the tail is damaged at the bone, but not at the joint; or (2) [if] the root-[end] of the tail has a divided bone, or (3) [if] there is a finger's breadth of flesh between one link [of the tail] and the next link:
- B. *It was taught by a Tannaite:*
- C. The fingerbreadth of which they have spoken is a fourth of any man's handbreadth.
- D. *For what purpose is that law specified?*
- E. Said Rabbah, 'In connection with the subject of purple blue [for the blue show-fringes]. *For it has been taught on Tannaite authority:*
- F. 'How many threads does one put into the hole of the corner, to form the fringes?
- G. 'The House of Shammai say, 'Four [fingerbreadths].'
- H. 'And the House of Hillel say, 'Three.'
- I. 'And how far must the threads hang down beyond the hem?
- J. 'The House of Shammai say, 'Four.'
- K. 'And the House of Hillel say, 'Three.'
- L. 'And the three fingerbreadths of which the House of Hillel have spoken are measured as one fingerbreadth out of four to a handbreadth of any person.'
- M. [Answering the question of D differently,] R. Huna b. R. Joshua said, 'It serves for the measure of two standard cubits. *For we have learned in the Mishnah: And two cubits were [40A] in the Palace of Shushan, one at the northeastern corner, and one at the southeastern corner. [That one] which was on the northeastern corner was longer than that of Moses by a half-fingerbreadth,*

and that one which was at the southeastern corner was longer than it by a half-fingerbreadth. It comes out that it was longer than that of Moses by a fingerbreadth. And why have they said one larger and one smaller? So that the workers [would] take according to the smaller [measure] and return according to the larger, so that they should not happen to commit sacrilege [M. Kel. 17:9B-F]. *Now what need was there for two standard cubit-measures? One [a half finger's breadth larger than the measure of Moses] was used for measuring gold and silver, the other, a whole finger's breadth larger, was used for building the wall.'*

- N. R. Nahman bar Isaac, and some say, R. Huna bar Nathan [said], 'The exact measurement of a finger's breadth refers to what we have learned in the Mishnah: **[if] there is a finger's breadth of flesh between one link [of the tail] and the next link.'**
- I.1 clarifies the conditions to which the Mishnah's rule pertains. II.1 glosses, then amplifies the gloss.

6:6

- A. **[If] it has no testicles,**
 - B. **or has only one testicle.**
 - C. **R. Ishmael says, 'If it has two pouches, it has two testicles. [If] it has only one pouch, it has only one testicle.'**
 - D. **R. Aqiba says, 'One sets it on its buttocks and squeezes: if there is a testicle there, it ultimately will descend.'**
 - E. **There was the case in which someone squeezed and it did not descend.**
 - F. **And it was slaughtered. And it [the testicle] was found cleaving to the groin.**
 - G. **And R. Aqiba declared the beast permitted, and R. Yohanan b. Nuri prohibited it.**
- I.1** A. *Now if the beast has only one testicle you say [in the Mishnah] that that constitutes a blemish, so if it had none would there be any question [that the Mishnah should be formulated in the language, **If it has no testicles, or has only one testicle**]?*
- B. *There is a lacuna in the passage, and here is the sense: If it does not have two testicles in two pouches, but only one; or if it has two pouches but only one testicle — lo, this is an invalidating blemish.*
 - C. **R. Ishmael says, 'If it has two pouches, one may be certain that it has two testicles. [If] it has only one pouch, it is as if it has only one testicle.'**

D. And R. Aqiba comes along to say, *'We do not invoke the principle that one may be certain of the matter, but one sets it on its buttocks and squeezes: if there is a testicle there, it ultimately will descend.'*

II.1 A. There was the case in which someone squeezed and it did not descend. And it was slaughtered. And it [the testicle] was found cleaving to the groin. And R. Aqiba declared the beast permitted, and R. Yohanan b. Nuri prohibited it:

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

C. Said R. Yosé, 'There was the case: A heifer of the house of Menahem did they set up on its buttocks, and they squeezed it at the testicles, and only one came forth. So it was slaughtered. But then the second one was found cleaving to the groin. And the case came after R. Aqiba, and he declared it valid. And R. Yohanan b. Nuri declared it prohibited.

D. 'Said R. Aqiba to R. Yohanan b. Nuri, 'How long are you going to waste Israelite capital?'

E. 'Said R. Yohanan b. Nuri to R. Aqiba, 'How long are you going to feed carrion to the Israelites?'" [T. Bekh. 4:8].

F. *But was the beast not properly slaughtered?*

G. But what R. Yohanan said was, 'How long are you going to feed terefah-meat to the Israelites?

H. *But there was no prohibition involving terefah-meat here!*

I. Rather, 'How long are you going to permit Israel to eat Holy Things outside the wall of Jerusalem [since an unblemished firstling can be eaten only in Jerusalem, but you have allowed it to be eaten here].'

I.1 provides a close and persuasive reading of the Mishnah's language. II.1 provides and analyzes a Tannaite complement.

6:7

A. A beast with five legs,

B. or which has only three;

C. one the legs of which are closed [not cloven], like those of the ass;

D. and one with a dislocated hip;

E. and one with a deformed hip.

F. What is one with a dislocated hip?

G. That the thigh-bone has slipped [from its socket].

H. And deformed?

I. That one of its hips is higher [than the other].

I.1 A. Said R. Huna, 'The statement, **A beast with five legs**, applies only in a case in which there are too many or too few in front, but if it is the back hooves, *the beast is also classified as terefah*, for any additional limb is classified as though the actual limb had been removed [Miller & Simon: and if the part from the knee upwards is cut off, then the animal is terefah].'

II.1 A. one the legs of which are closed [not cloven], like those of the ass:

B. *Said R. Pappa, 'You need not say that they are both round and not cloven, but even if the feet are round like those of an ass, though not cloven, that is a blemish.'*

III.1 A. and one with a dislocated hip; and one with a deformed hip:

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

C. What is the definition of a dislocated hip, and what is the definition of a deformed hip?

D. A dislocated hip is out of place [but the sinews are not severed], and a deformed hip is an animal with a leg fixed in the loin and another over the loin.

E. *A Tannaite authority [taught]:*

F. What is the definition of an animal with disproportionate limbs and one that has closed hooves?

G. The former has one leg longer than the other, the latter has uncloven feet, like those of an ass or a horse.

I.1 clarifies the Mishnah's rule; the same process proceeds through II.1, III.1. There is a measure of paraphrase throughout.

6:8

- A. [If] a bone in the foreleg is broken,**
- B. or a bone in the hind-leg,**
- C. even if it is not visible.**
- D. These blemishes did Ila list in Yavneh.**
- E. And sages concurred with him.**
- F. And three more did he add.**
- G. They said to him, 'We have not heard these.'**

- H. (1) That [beast] the eye of which is round like that of a man;
(2) and the mouth of which is like that of a pig;
(3) and that, the greater part of fore-tongue of which is removed.

I. And the court which succeeded them said, 'Lo, these are deemed blemishes.'

I.1 A. even if it is not visible:

- B. *Is an invisible trait a blemish at all?*
C. Said R. Pappa, 'It is not visible on its own account, but it is visible in that the animal cannot work properly.'

II.1 A. These blemishes did Ila list in Yavneh. And sages concurred with him. And three more did he add. They said to him, 'We have not heard these:'

- B. *Does this mean to say that it was not usual [for the eyeball to be round]? But in contradiction, we note the following: 'She who produces [an abortion] like a beast, wild animal, or bird, whether unclean or clean, if it is male, she should sit out [the days of uncleanness and cleanness required] for a male. And if female, she should sit out [the days of uncleanness and cleanness required] for a female. And if [the sex of the abortion] is not known, she should sit [out the days of uncleanness and cleanness] for a male and for a female,' the words of R. Meir [M. NID. 3:2G-K]. And said Rabbah b. Bar Hana said R. Yohanan, 'What is the operative consideration in the view of R. Meir? It is that since their [beasts'] eyes are similar to those of a human being.'*
C. *Said R. Joseph, 'There is no contradiction. In the one case, the shape of the black of the eye is meant [which is normally round], in the other, the slit of the eye.'*

III.1 A. and the mouth of which is like that of a pig:

- B. *Said R. Pappa, 'You need not maintain that the mouth must be pointed, besides the lip's being parted, but even if the lip is parted though the mouth is not pointed, the animal is deemed blemished.'*

IV.1 A. and that, the greater part of fore-tongue of which is removed:

- B. *Who is the authority for our Mishnah's rule? It is R. Judah, for it has been taught on Tannaite authority:*
C. And that, the greater part of the tongue has been removed.
D. R. Judah says, 'The greater part of the fore-tongue.'

I.1 clarifies the sense of the Mishnah's statement. II.1 explains why the traits were rejected. III.1 broadens the Mishnah's rule. By identifying the authority, IV.1 sets forth the principle at stake in the Mishnah's law.

6:9A-C

A. **There was a case in which the lower jaw stretched beyond the upper one [= M. 6:8H2].**

B. **And Rabban Simeon b. Gamaliel consulted sages.**

C. **And they said, 'Lo, this is a blemish.'**

I.1 A. *What is the intent of the Tannaite authority who has added the case?*

B. *Since we have learned in the Mishnah, **and the mouth of which is like that of a pig**, and rabbis disagreed with R. Ila [rejecting his additions to the list], we are not told that rabbis differed from R. Ila only when the upper lip was larger than the lower, but if the lower was larger than the upper, lo, this is regarded as a blemish. [40B] Then: **there was a case in which the lower jaw stretched beyond the upper one. And Rabban Simeon b. Gamaliel consulted sages. And they said, 'Lo, this is a blemish.'***

C. *But lo, have we not learned this blemish to apply only to a priest [so how can these be compared]? For we have learned in the Mishnah: **[If] his upper lip stuck out over the lower, or the lower stuck out over the upper, lo, this is a blemish [M. Bekh. 7:5A-C]**?*

D. *With reference to a man it is written, 'What man of the seed of Aaron' (Lev. 22: 4) — among the children of Adam a man must be normally formed, but not with respect to a beast.*

E. *Said R. Pappa, 'There is no contradiction. In the one case there is a bone [the lower jaw protrudes], and in the other case there is no bone [but only the overlapping of the lower lip, a blemish in man, but not in the animal].'*

The purpose of the precedent is explained, I.1.

6:9D-I

D. **The ear of a kid which was doubled up —**

E. **Sages said, 'When it is all a single bone, it is a blemish.**

F. **'And if it not all a single bone, it is not a blemish.'**

G. **R. Hanania b. Gamaliel says, 'The tail of a kid which is like that of a pig,**

H. **'and that which does not have three links [vertebrae] — lo, this is a blemish.'**

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

B. [If] its mouth is closed or its feet joined together — if this is because of lack of space, then it is not a blemish. If it is on account of the bone, it may be slaughtered. [If] its ears are closed with one system of cartilages, it may not be slaughtered. [If they are closed] with two systems of cartilages, it may be slaughtered [T. **Bekh. 4:13A-E**].

II.1 A. R. Hanania b. Gamaliel says, ‘The tail of a kid which is like that of a pig:’

B. *Said R. Pappa, ‘Do not imagine that it has to be both round and thin; even if it is round, though thick, [it is a blemish].’*

III.1 A. **and that which does not have three links [vertebrae]:**

B. Said R. Huna, ‘In the case of a kid, the absence of two vertebrae mark a blemish, but there not; in the case of a lamb, the absence of three vertebrae mark a blemish, but four not.’

C. *An objection was raised: In a kid the absence of one vertebra in the tail is a blemish, two are not; in a lamb, the absence of two vertebrae are a blemish, three are not. Does this not refute the formulation of R. Huna?*

D. *And R. Huna?*

E. *Our Mishnah has misled him. He thought that since the opening clause spoke of a kid, so did the second; but that is not the case. The opening clause speaks of a kid, the next, of a lamb.*

I.1 complements the Mishnah’s rule with the Tosefta’s formulation. II.1 provides a minor gloss. III.1 requires us to reread the Mishnah in a different way from the initial one.

6:10

A. **R. Hanina b. Antigonus says, ‘[If] it has a wart in its eye;**

B. **‘and [if] the bone of its fore-leg was damaged;**

C. **‘and the bone of its hind-leg;**

D. **‘and [if] the bone of the mouth of which is severed;**

E. **and [if] one eye is large and one small,**

F. **and [if] one ear is large and one small —**

G. **‘in appearance [upon visual examination], but not by [actual] measure.’**

H. **R. Judah says, ‘[If] one of its testicles is twice as large as its fellow.’**

I. **And sages did not concur with him.**

- I.1** A. *Does the statement then bear the implication that a wart is a blemish? And an objection was raised from the following formulation of the Mishnah: **These are the ones on account of which they do not slaughter [firstlings] either in the sanctuary or in the provinces: and [a beast] with scurvy; and [a beast] with warts.***
- B. *But do you really think so? Does not Scripture itself refer to ‘or a wart’ (Lev. 22:22)?*
- C. *But there is no contradiction, in the one case warts are on the body, in our Mishnah, on the eye.*
- D. *But since Scripture does not articulate any distinction, what difference does it make to me whether the blemish is in the eye or on the body?*
- E. *Rather, there is no contradiction anyhow. In the one case, the wart has some sort of bone in it, in the other, it has no bone in it; the statement of Scripture refers to one in which there is a bone, and our Mishnah refers to a wart lacking a bone. If the wart is in the eye, it is a blemish, but if it is on the body, it is not a blemish.*
- F. *But if there is no bone in a wart on the body, is that going to disqualify the beast from use on the altar? Is it not then merely a wart? For it has been taught on Tannaite authority: R. Eleazar says, ‘If human being have warts, they are unfit to serve at the altar, if beasts have warts, they are suitable for being offered on the altar.’*
- G. *Rather: in both cases we refer to warts in the eye, but there is no contradiction. In the one case [where a wart is a blemish], it is in the black part of the eye, in the other, the wart is in the white part of the eye.*
- H. *But blemishes will not disqualify if they are located in the white part of the eye.*
- I. *Rather: in both cases we speak of warts in the white part of the eye, but, said R. Simeon b. Laqish, ‘There still is no contradiction. The one speaks of a wart that has hair on it, the other, one that has no hair on it.’*

II.1 A. **and [if] one eye is large and one small:**

- B. *A Tannaite [version states]: ‘large’ as large as one of a calf, ‘small,’ as small as one of a goose.*

III.1 A. **and [if] one ear is large and one small:**

- B. *A Tannaite [version states]: others say, ‘Even if the second is only the size of a bean, the animal is permitted.’*

I.1 compares and harmonizes conflicting views of the matter. II.1 and III.1 lightly gloss.

6:11A-E

- A. The calf's tail which does not reach the knee-joint — [it is a blemish].
- B. Sages said, 'Through the whole period of growth of calves it is so.
- C. 'All the time that they are growing, they grow longer [so the tail always reaches the knee-joint].'
- D. To what joint did they refer?
- E. R. Hanina b. Antigonos says, 'To the joint in the middle of the thigh.'
- I.1 A. [41A] *It was taught on Tannaite authority:* the upper joint, not the lower [knuckle].
- B. And the corresponding part in a camel is obvious.
The gloss is negligible.

6:11F-G

- F. On account of these blemishes do they slaughter the firstling.
- G. And invalidated Holy Things are redeemed on their account.
- I.1 A. *What need to I have for a reiteration of the matter? This has already been given its Tannaite formulation to begin with: **On account of these blemishes do they slaughter the firstling** [M. 6:1A].*
- B. *It was necessary to repeat the matter on account of the second clause of the passage before us: **And invalidated Holy Things are redeemed on their account.***
- C. *But this is really self-evident! If on account of these blemishes the firstling may be slaughtered, is there any reason to doubt that the Holy Thing invalidated on their account may be redeemed?*
- D. *Rather, since in the prior case three cases were added, and sages said to Ila, 'We have only heard of those already mentioned,' in the present sequence of rulings, the framer of the passage proceeds to give the opinions of other named authorities. Then he states without mentioned names in reference to the rulings of all named authorities, without qualification as a summary of the whole matter: **On account of these blemishes do they slaughter the firstling. And invalidated Holy Things are redeemed on their account.***
I.1 clarifies the Mishnah's summary-language.

6:12

- A. These are the ones on account of which they do not slaughter [firstlings] either in the sanctuary or in the provinces:
 - B. (1) a white cataract or rheum [in the eye] which are not lasting [by contrast to M. 6:3A];
(2) and back teeth that are damaged but are not uprooted [by contrast to M. 6:4D]; (3) and [a beast] with scurvy; (4) and [a beast] with warts; (5) and [a beast] with lichen [Lev. 22:22]; (6) and an old [beast] [M. Par. 1:2]; (7) and a sick [beast]; (8) and a smelly [beast]; (9) and a beast on which a bestial transgression was committed [M. Zeb. 8:1]; (10) and one which killed a man, according to the testimony of a single witness or according to the testimony of the owner;
 - C. (11) and a beast of doubtful sex; (12) and a beast of double sex —
 - D. neither in the sanctuary nor in the provinces.
 - E. R. Ishmael says, 'There is no greater blemish than that.'
 - F. And sages say, 'It [a beast of double sex] is not deemed a firstling [at all], but it may be sheared and used for labor.'
- I.1** A. [and a beast with scurvy; and a beast with warts; and a beast with lichen (Lev. 22:22):] *are not warts a blemish? Does the Torah not say, 'or a wart' (Lev. 22:22)? is lichen not a blemish? Does Scripture not say, 'scurvy'? For it has been taught on Tannaite authority: Scurvy is the same as psoriasis, warts are the same as Egyptian lichen. And in this regard R. Simeon b. Laqish said, 'Why is it called scurvy? Because it clings to the body to the day of death.'*
- B. *There is no problem with the different meanings attributed to lichen, for here the language refers to the Egyptian kind, and our Mishnah-passage to the kind in general. But there is a problem with respect to the reference to scurvy.*
 - C. *There is no problem with a contradiction between the two approaches to scurvy. The one speaks of moist, the other, dry; the moist heals, the dry does not [and is a blemish].*
 - D. *Does the dry not heal? But has it not been written in Scripture, 'The Lord will smite you with the boil of Egypt and with piles and with scurvy and with itch,' and since the passage refers to 'itch,' which is dry, then scurvy scab must be moist, and yet the verse goes on, 'of which you cannot be healed (Deu. 28:27)?*
 - E. *But there are three kinds, the one of Lev. 22:22 is dry inside and out; the one of our Mishnah is moist inside and out; the one of Egypt is dry inside and moist outside.*

- F. For said R. Joshua b. Levi, ‘The boil that the Holy One, blessed be he, brought on the Egyptians was dry inside and moist outside: ‘and it became a boil breaking forth with blains upon man and beast’ (Exo. 9:10).’

II.1 A. and an old beast; and a sick beast; and a smelly beast:

- B. *What is the source of this ruling? It is in line with that which we have learned on Tannaite authority:*
- C. ‘When any man of you brings an offering to the Lord, you shall bring your offering of cattle from the herd or from the flock’ — excluding the sick, old, or fowl-smelling beast [which are not offered on the altar].
- D. *And it was necessary to exclude all three classifications of beast. For if the Scripture had specified only one, I would say that it is meant to exclude the old animal from use on the altar, and I might have thought that the operative consideration is that it cannot ever recover its former strength, but a sick animal may recover its health, so I might have supposed that that beast is not excluded.*
- E. *And if Scripture had given only one restriction, I might have thought that it is meant to exclude the sick animal, because it is not uncommon for an animal to be sick, but as to an old animal, since that is common, I might have said that that is not the case.*
- F. *And if Scripture had given only two restrictions, I might have thought that excluded are only the cases where the animals are weak, but if it has a bad smell or sight but is not weak, I might have thought that it is not excluded.*
- G. *And if Scripture had excluded the animal with the bad smell or appearance, I might have thought that it is excluded only because it is repulsive, but other animals, which are not repulsive, would not be excluded. So it was necessary explicitly to exclude all three classifications of beasts.*

III.1 A. and a beast on which a bestial transgression was committed:

- B. *What is the source of this ruling? It is in line with that which we have learned on Tannaite authority:*
- C. ‘When any man of you brings an offering to the Lord, you shall bring your offering of cattle] from the herd [or from the flock]’ (Lev. 1:32) — thus excluding the one which has sexual relations with a human being and the one with whom a human being has sexual relations.
- D. ‘When any man of you brings an offering to the Lord, you shall bring your offering of cattle from the herd or from the flock’ (Lev. 1:32) — ‘from the flock’ — this

serves to exclude from use on the altar the one which is set aside [for idolatrous worship].

- E. 'from the flock' — this serves to exclude from use on the altar a goring ox [that killed a man, where the evidence derives only from a single witness; this beast is not stoned to death].
- F. *But these are going to be put to death!*
- G. The reference in our context is to those for which only a single witness is available, or those against which only the owner has given testimony [and these are not going to be put to death].

IV.1 A. and a beast of doubtful sex, and a beast of double sex:

- B. *Now there is no difficulty in understanding why a beast of doubtful sex would be excluded, since it might be a female; and it would be disqualified for use outside of the Temple, since it is a male that is not yet blemished. But as to a beast of double sex, while there is no problem on why it should not be used for the sanctuary, since it might be female, what is the problem about using it in the provinces? Granting that it is male, let it be seen as though it has a depression at the place of the female gentiles, on account of which the farmer may slaughter the animal?*
- C. Said Abbaye, 'Scripture has said, '...or broken or maimed [e.g., a deep incision or an abnormal cavity]...' So the maimed must be comparable to the broken: just as for 'broken' there must be a break in the bone in order to disqualify the beast, so in the case of the maimed, there should be a bone for breakage [but not merely a fleshy part].'
- D. *Raba said, 'Even without the comparison with 'broken,' you could still not maintain that a depression in the flesh part constitutes a blemish. For if you should imagine that it constitutes a blemish, since a master has said, 'A dry scab is the same as psoriasis,' a dry scab is cut into deeper than the surface, for Scripture says, 'And the appearance thereof is deeper than the skin' (Lev. 13:25) — parts that are in the light look deeper than parts in the shadow. So let Scripture specify [at Lev. 22:22)] 'broken' and there would be no requirement to specify 'wart', and I would argue, if a break in the flesh part, which is not repulsive, is regarded as a blemish, how much the more so a wart, which is repulsive? Scripture thus mentions 'wart' indicating that a depression in the flesh part is no blemish.'*

V.1 A. R. Ishmael says, 'There is no greater blemish than that [of a hermaphrodite]:'

- B. *He does not concur with Abbaye, for we do not draw an analogy between the incised part and 'broken.'*
- C. *He also does not concur with Raba, for perhaps a depression in the fleshy part is not a blemish where an incision is not distinguishable, but where it is, we invoke the verse 'ill blemish' (Deu. 15:21) [Miller & Simon: as the kind of an animal that must not be offered in the Temple].*
- V.2. A. **[41B]** *Raba raised the question, 'What premise underlies the position of R. Ishmael? Is it self-evident to him that a hermaphrodite is a firstling male that is blemished, or is it because he is in doubt as to the gender, and permits it to be slaughtered since, if you assume it is a firstling, it is permitted as a blemished one?'*
- B. *What is at stake in the answer to this theoretical question?*
- C. *The upshot is whether one is liable to a flogging on account of shearing or working the beast [since if to begin with it is simply not a firstling, there is no liability, while if it is a firstling that bears a blemish, one would be liable to a flogging for shearing or working the beast].*
- D. *Come and take note: **R. Ilai says in the name of R. Ishmael, 'A hermaphrodite is a firstling male that is blemished.'** That proves that it is self-evident to him that [it is a hermaphrodite is a firstling male that is blemished].*
- E. *But perhaps the basis for permitting it is that since, if you assume it is a firstling, it is permitted as a blemished one [Miller & Simon: though in reality, he has a doubt concerning its gender].*
- F. *Come and take note: 'A male' (Lev. 1: 3) — but not a female. When Scripture further repeats, 'a male,' [at Lev. 1:10, the former with reference to an offering of oxen, the latter, sheep] it is hardly necessary to do so, and why does Scripture say so? The intent is to exclude from the altar a beast lacking clearly defined sexual traits as well as a beast bearing the traits of both genders.*
- G. *Now who is the authority behind this statement? If we say that it is the initial authority of our Mishnah-paragraph, since he treats the hermaphrodite as a case subject to doubt, is there any need for a text to exclude a case of doubt?*
- H. *But if it then is the latter rabbis [**'It [a beast of double sex] is not deemed a firstling [at all], but it may be sheared and used for labor'**], they can have derived the rule for the female, the beast with indefinite traits, and the hermaphrodite, from a single verse of Scripture. For in connection with the law of a firstling, one scriptural text, referring to 'a male,' is all there is, and we derive all of the classifications from there. So why is there need for the further*

reference to 'a male' [to which the cited passage refers]? Clearly it represents the opinion of R. Ishmael.

- I. *Now if, further, you maintain that R. Ishmael found it self-evident that a hermaphrodite is a firstling male with a blemish, that is why there was need for a scriptural text to exclude the case of a hermaphrodite anyhow[but if you take the view that he had any doubt as to the classification of the hermaphrodite as to sex, then what need is there to exclude a case in which there already exists a doubt?*
- J. *Nonetheless, the latter rabbis [**'It [a beast of double sex] is not deemed a firstling at all, but it may be sheared and used for labor'**] still may stand behind the cited passage, and with reference to the firstling, Scripture as a matter of fact makes two references, first, 'all the firstling males' (Deu. 15:19), second, 'The males shall be the Lord's' (Exo. 13:12).*

VI.1 A. And sages say, 'It is not deemed a firstling [at all], but it may be sheared and used for labor:'

- B. *Said R. Hisda, 'At issue is the hermaphrodite, but as to the beast of unclear sexual traits, all parties concur that it is subject to doubt and it deemed consecrated by reason of uncertainty [so that it may not be sheared or worked].'*
- C. *Said to him Raba, 'Then what about the following: the law of valuations should apply to a person of unclear sexual traits? [42A] But how come it is taught on Tannaite authority: "Of the male" (Lev. 27: 3) — excluding a person of unclear sexual traits and a hermaphrodite'?*
- D. *Delete the reference to a person of unclear sexual traits.*
- E. *Come and take note: Might one suppose that a person of unclear sexual traits and a hermaphrodite should not be subject to valuation as a man, but let him be subject to valuation as a woman? Scripture states, 'Of the male...and if it be a female' (Lev. 27: 4) — excluding a person of unclear sexual traits and a hermaphrodite.*
- F. *Delete the reference to a person of unclear sexual traits.*
- G. *Come and take note: 'Whether it be male or female' (Lev. 3: 6) — a male beyond doubt, a female beyond doubt, — excluding a person of unclear sexual traits and a hermaphrodite.*
- H. *Delete the reference to a person of unclear sexual traits.*
- I. *Come and take note: 'A male' (Lev. 1: 3) — not a female. When Scripture repeats the same word, 'a male' (Lev. 1:10), for which there is no need, it means to exclude a person of unclear sexual traits and a hermaphrodite.*
- J. *Delete the reference to a person of unclear sexual traits.*

- K. *Come and take note:* Doves that have been worshiped as an idol, devoted for idolatry, used as a harlot's hire or the price of selling a harlot or a bird of unclear sexual traits and a hermaphrodite — all these make garments unclean when the meat from such a bird is located within the esophagus [as does the carrion of a clean bird. [Miller & Simon: if we do not regard the creature of unclear sexual traits as a creature unto itself, why should not the normal method of killing a bird, by pinching the neck, be valid, since the gender of the bird is immaterial?]]
- L. R. Eleazar says, 'A beast of unclear sexual traits and a hermaphrodite do not impart uncleanness to clothing when they are located in the esophagus.' For R. Eleazar would say, 'In any passage of Scripture in which it is stated, 'male and female,' you must exclude from the list a beast of unclear sexual traits and a hermaphrodite. But with reference to fowl, since Scripture never raises the issue of 'male or female' in that case, you need not exclude the bird of unclear sexual traits and a hermaphrodite from such a list.'
- M. *Delete the reference to* a bird of unclear sexual traits and a hermaphrodite.
Come and take note: R. Eleazar says, 'The hybrid, terefah-beast, and a beast born of caesarean section, a beast of unclear sexual traits, and a beast bearing the traits of both genders are not to be consecrated and do not impart consecration.' And in this connection said Samuel, 'They do not become consecrated in a transaction of substitution, and they do not impart consecration in a transaction of substitution.'
- N. *Delete the reference to* a creature of unclear sexual traits.
- O. *Come and take note:* R. Eleazar says, 'There are five classes of beasts that do not become sanctified nor cause sanctification [e.g., in an exchange or an act of substitution] and these are they: the terefah beast, the hybrid beast, a beast born of caesarean section, a beast of unclear sexual traits, and a beast bearing the traits of both genders.'
- P. *And should you say here too, 'Delete the reference to* a creature of unclear sexual traits,' *there would only be four on the list if you do so!*
- Q. *Omit the beast of unclear sexual traits but add the beast that is orphaned [the mother died in childbirth or soon afterward; such a beast may not be offered].*
- R. *May we say that [whether or not the beast is an entirely distinct creature or that it is simply a creature the gender of which is in doubt] is under dispute among the following Tannaite authorities:*
- S. **R. Ilai says in the name of R. Ishmael, 'A beast of double sex is a firstling, but on account of that blemish, it may be slaughtered' [M. Bekh. 6:12E].**

- T. And sages say, ‘Sanctity does not pertain to it at all [since it is not deemed a firstborn *male* at all]. But it is sent forth to pasture in the fold’ [M. Bekh. 6:12F].
- U. R. Simeon b. Judah says in the name of R. Simeon , ‘Lo, it says, ‘Every firstling which will be born in your herd and your flock — the male you shall sanctify to the Lord your God’ (Deu. 15:19) — any passage in which *male* is stated means to exclude from the rule the one of doubtful sex and the one of double sex [= T. 7:7C]’ [T. 4:16].
- V. *And should you say here too, ‘Delete the reference to a creature of unclear sexual traits,’ then R. Simeon b. Judah would be in the same position as rabbis! But is it not the fact that the creature lacking clearly defined sexual traits is at issue between them? For the initial authority takes the view that sanctification does not pertain to it speaks of the hermaphrodite, while the beast of unclear sexual traits is regarded as an animal that is subject to doubt as regard to its gender and therefore it can become holy despite the uncertainty, and R. Simeon b. Judah comes along [42B] to say, ‘A creature lacking defined sexual traits is a creature unto itself and therefore it cannot become sanctified at all.’*
- W. *Not at all! All parties concur that the beast lacking clearly defined sexual traits is not a creature unto itself. What is subject to doubt is whether it is male or female. If it urinates from the spot where the penis is, then all parties concur that it is a male. Where there is a dispute, it is when it urinates in the place where the female organs would be located. One authority takes the view that it is possible that the male organ may have been turned into a female one, while the other authority [Simeon] takes the view that we do not take account of such a possibility.*
- X. *That is in line with the decision that R. Eleazar gave with regard to a beast that urinates in the female organ, holding that it is unconsecrated [and it is a female, there is no concern that the sex has been changed, and the law of the firstling does not apply].*
- Y. *R. Yohanan was astonished about this and asked, ‘Who does not take into consideration the initial Tannaite authority [who holds that a beast lacking defined sexual traits is not slaughtered in the Temple and also not outside, because it is an animal subject to doubt as regard its gender] and who also does not take account of the position of R. Ishmael?’*
- Z. But let R. Yohanan say, ‘Who is the authority who does not take into account the view of the later rabbis of the same Mishnah?’ For R. Hisda

said, 'At issue is the hermaphrodite, but as to the beast of unclear sexual traits, all parties concur that it is subject to doubt and it deemed consecrated by reason of uncertainty [so that it may not be sheared or worked].'

- AA. *R. Yohanan does not concur in R. Hisda's view [and the later authorities of the Mishnah refer also to a creature bearing indistinct sexual traits, which is regarded as a creature unto itself and not a firstling at all].*
- BB. *If he does not concur with R. Hisda, then why does he not simply explain that Ilai follows the view of the latter rabbis who are listed in the Mishnah [and why is he surprised at Ilai's decision, since he only follows those latter rabbis]?*
- CC. *But that is exactly the sense of his statement: 'Who is the authority who ignores the views of two masters [the initial Tannaite authority, Ishmael] and takes the view of only one instead?' And as regards R. Ilai, whose view does he follow?*
- DD. *It is in line with that which was said by R. Simeon b. Laqish: 'The classification of a creature that lacks well-defined sexual traits is deemed subject to doubt applies only to a human being, since only in a human being are the male and female parts in the same place. But in the case of an animal, if it urinates at the male part, then it is male, and if it urinates at the female part, it is female.'*
- EE. *To that statement R. Oshaia objects, 'But why not take account of the possibility that its male organ has been changed into a female one?'*
- FF. *Said to him Abbaye, 'In accord with whose view will such a question be raised? Is it in accord with R. Meir, who takes into consideration the presence of a minority of cases?'*
- GG. *Both Abbaye bar Abin and R. Hanania bar Abin say, 'You may even say that it represents a question from the perspective of rabbis vis à vis R. Meir. Since the condition of the beast has changed [it is now in the classification of the beast without defined sexual traits] it has changed [and its male organ is now a female organ]. So there are those who say that since the condition of the beast has changed, it is a different animal, and the other authority [Simeon] takes the view that we do not invoke the principle that since its condition has changed, it is a different animal.'*
- HH. *The issue is represented, also, in the following teaching on Tannaite authority:*

II. A person of undefined sexual traits who betrothed a woman — his act of betrothal is valid. If such a creature was betrothed, the act of betrothal is equally valid. Such a creature must submit to the rite of removing the shoe [his deceased's childless brother's wife must be released by him before she can be remarried, in the theory that he might be a male], his wife, for her part, must be released by a rite of removing the shoe [should he die childless and a brother survive], and his brother may marry his wife in a levirate marriage.

JJ. *It was further taught on Tannaite authority:*

KK. The wife of a creature of undefined sexual traits carries out the rite of removing the shoe but does not enter into levirate marriage.

LL. *It is assumed that all parties concur with the view of R. Aqiba, who said, 'One who is a eunuch by nature does not undertake the rite of removing the shoe and does not enter into levirate marriage.' Then is this not what is at issue in the conflicting rules before us? The authority who maintains that a creature lacking definite sexual traits undergoes the rite of removing the shoe, his wife must be released by a rite of removing the shoe, and his brother may enter into levirate marriage, takes the position that we do not maintain that since the status has been changed, he is a different person. The authority who maintains that a creature lacking definite sexual traits undergoes the rite of removing the shoe and does not enter into levirate marriage, takes the position that we do maintain that since the status has been changed, he is a different person.*

MM. *Not at all. All parties concur that we take the view that, since the status has changed, he is a different person [Miller & Simon: we therefore have a doubt as to whether he is born a eunuch in addition to being a male]. One version [which holds that the husband's brother may marry the wife] is in accord with the position of R. Eleazar [the wife of a born eunuch may marry her husband's brother], and the other accords with the view of R. Aqiba.*

NN. *And who is the Tannaite authority vis à vis R. Aqiba [that the wife is released by the rite of removing the shoe and may not enter into levirate marriage, since Aqiba takes the view that a eunuch by nature does not release his sister-in-law by a rite of removing the shoe and may not marry*

her]? If we say it is R. Judah, lo, does he not treat a person of undefined sexual traits as a eunuch beyond all doubt? For we have learned in the Mishnah: [A priest, a eunuch by nature, who married an Israelite girl, feeds her heave offering. R. Yosé and R. Simeon say, 'A priest who bore sexual traits of both sexes who married an Israelite girl feeds her heave offering.'] R. Judah says, 'A person lacking revealed sexual traits who was torn and turned out to be a male should not perform the rite of halisah, for he is deemed equivalent to a eunuch.' [A person bearing traits of both sexes marries but is not taken in marriage. R. Eliezer says, '[Those who have sexual relations with] a person bearing traits of both sexes are liable on his account for stoning as is he who has sexual relations with a male (Lev. 20:13)'] [M. **Yeb. 8:6A-E**].

- OO. *It is R. Yosé b. R. Judah, for it has been taught on Tannaite authority: R. Yosé b. R. Judah says, 'A person of undefined sexual traits does not release his deceased childless brother's wife by a rite of removing the shoe, lest the skin be torn open and he will turn out to have been a eunuch by nature.'*
- PP. *But is it the fact, then, that in every case in which the skin is torn open, he turns out to be a male and never a female? [Is the sole uncertainty that he may be a eunuch by nature, but not that he may be a woman?]*
- QQ. *What we are dealing with is that there are two possibilities, first, that his skin may be torn open and it will turn out that he is female; second, even if he is indeed a male, it is possible that he is a eunuch by nature.*
- RR. *What difference does it make?*
- SS. Said Raba, **[43A]** *'At issue between them is disqualifying the woman where there are suitable brothers, and performing the rite of removing the shoe where there are no suitable brothers' [if there are other suitable brothers and the person of undefined sexual traits releases the deceased*

childless brother's wife by a rite of removing the shoe, in the view of Judah, his action is null; the other brothers are free to carry out the same rite or to enter into levirate marriage; Yosé will hold that, since we have doubt lest the man be a eunuch by nature, the action of the surviving brother, the one without definite sexual characteristics, disqualifies the widow for the brothers, since the act of removing the shoe may have been a valid one, and none of the brothers then may marry her. If there are no other suitable brothers except this one who lacks defined sexual traits, then from Judah's perspective, the widow is released without a rite of removing the shoe, for we treat the surviving brother as certainly a eunuch; according to Yosé, a rite of removing the shoe is necessary, since he may not be a eunuch. When Yosé denies the man the rite to go through the rite of removing the shoe, there is where there are other suitable brothers (Miller & Simon)].

The clarification of the Mishnah at I.1 draws together a variety of references to the same skin ailment and harmonizes them. II.1, III.1, IV.1, continued by V. 1, find scriptural foundations for the Mishnah's rule. But then the focus is on the necessity for scriptural exclusions of all classifications. V.2 then proceeds to analyze Ishmael's reasoning concerning the beast bearing the sexual traits of both genders. This is a particularly well-executed formulation. VI.1 focuses upon the clarification of the topic of the Mishnah's rule, once more an unusually well-executed composition, which runs on to a number of secondary amplifications, each closely related to the foregoing.