

II.

Bavli Abodah Zarah Chapter Two

Folios 22A-40B

2:1A-F

- A. They do not leave cattle in gentiles' inns,
- B. because they are suspect in regard to bestiality.
- C. And a woman should not be alone with them,
- D. because they are suspect in regard to fornication.
- E. And a man should not be alone with them,
- F. because they are suspect in regard to bloodshed.

- I.1** A. [22B] [With regard to the rule, **They do not leave cattle in gentiles' inns, because they are suspect in regard to bestiality**], *an objection was raised: They purchase from [gentiles] cattle for an offering, and need not scruple on the count of [the gentile's having practiced] bestiality [with it] or suffered bestiality [from it], or having set aside the beast for idolatrous worship, or having actually worshipped [the beast] [T. A.Z. 1:1G-H].*
- B. *Now with respect to the considerations of the beast's having been set aside for idolatrous worship, or having actually been worshipped, there is no problem about our not taking account of such a possibility, since, if the owner had actually designated it for that purpose or actually worshipped it, the owner would never have sold it. But why not take account of the possibility of*

[the gentile's having practiced] bestiality [with it] or suffered bestiality [from it]?

- C. Said R. Tahalipa said R. Shila bar Abina in the name of Rab, "The gentile is concerned that his beast not be made barren" [Mishcon: so the passage does not suspect immoral practice in the case of the heathen's own cattle, while our Mishnah, which deals with other people's cattle left in a heathen's inn, does suspect it].
- D. *Well, that serves for the case of female cattle, but as to the males, what is to be said?*
- E. Said R. Kahana, "The consideration is that sexual relations with the male have a deteriorating affect upon the flesh."
- F. *Then what about that which has been taught on Tannaite authority: One may buy cattle from a gentile shepherd. But should one not take account of the possibility that he has had sexual relations with the beast?*
- G. The gentile shepherd would be concerned not to lose his salary.
- H. *Then what about that which has been taught on Tannaite authority: **And they do not hand over cattle to their shepherds [T. A.Z. 3:2]**? Why not claim here, too, The gentile shepherd would be concerned not to lose his salary?*
- I. *They who are well informed among themselves would be so concerned, but we, who are not informed about what they do, would not be a cause of concern to them.*
 - J. *Said Rabbah, "That is in line with what people say: 'As the stylus penetrates the stone, so one smartass knows another.'"*
- K. *In that case, we should not buy male cattle from women, for we should take account of the possibility that they have had sexual relations with the beast?*
- L. *Since the beast would then follow the woman around, she would be concerned [and not do so].*
- M. *Then what about that which R. Joseph repeated as a Tannaite statement, "A widow should not raise dogs, nor rent a room to a disciple of a master as her guest"? There is no problem in the matter of the disciple, since she could rely on his modesty, but as to the dog, why not invoke the principle that she would be afraid of the dog's following her around?*
- N. *Since a dog would follow around someone who threw it a piece of meat, people would suppose that the dog followed her because she had given it pieces of meat.*

I.2 A. [Moving on to the rule, **And a woman should not be alone with them, because they are suspect in regard to fornication**], *and why not leave female animals alone with female gentiles?*

B. Said Mar Uqba bar Hama, "Because gentiles spend a lot of time hanging around with their neighbors' wives, and if, by chance, the gentile would not find the wife but should find a cow, he might just as well have sexual relations with the cow."

C. *You may say that, even if he finds the wife, he would just as well use the cow, for a master has said, "They prefer Israelites' cows to their own wives."*

I.3 A. For said R. Yohanan, "When the snake had sexual relations with Eve, he dropped into her a filthy drop [of lust]."

B. *If so, the same consideration should apply to Israelites?*

C. Since the Israelites stood at Mount Sinai, their lust came to an end, but since the gentiles did not stand at Mount Sinai, their lust did not come to an end.

I.4 A. *The question was raised: What about birds? [Do gentiles have sexual relations with chickens too?]*

B. *Come and take note, for* said R. Judah said Samuel in the name of R. Hanina, "I myself saw a gentile buy a goose in the market, have sexual relations with it, strangle it, roast it, and then eat it."

C. And said R. Jeremiah of Difti, "I myself saw an Arab buy a side of beast in the market, pierce it so as to have sexual relations with it, have sexual relations with it, roast it, and then eat it."

I.5 A. **[23A]** [Reverting to the problem raised at 1.A], Rabina said, "There is no contradiction, the one teaching prohibits doing so to begin with, the other, permits it after the fact." [To begin with, **They do not leave cattle in gentiles' inns, because they are suspect in regard to bestiality**], but after the fact **they purchase from [gentiles] cattle for an offering, and need not scruple on the count of the gentile's having practiced bestiality with it**].

B. *And how do you know that there is a difference between the law that applies to begin with and the one that applies only after the fact? It is in line with that which we have learned in the Mishnah: **And a woman should not be alone with them, because they are suspect in regard to fornication.** And a contradiction was introduced from the following: **The woman who was***

taken prisoner by gentiles — [if it was] for an offense concerning property, she is permitted [to return] to her husband. [If it was for] a capital offense, she is prohibited to her husband [M. Ket. 2:9A-C]. Now does that not yield the inference that we differentiate between the rule that applies to begin with and the one that pertains after the fact?

- C. But why should that follow? Perhaps I might say to you that even after the fact, the prohibition pertains, but in the present case the consideration is that the gentile will be concerned not to lose his money. You may know that that is so, since it is taught in the Tannaite formulation, **[If it was for] a capital offense, she is prohibited to her husband.** And there is nothing more to be said here.

I.6 A. [Reverting to the problem raised at 1.A], R. Pedat said, “There is no contradiction: The one statement represents the view of R. Eliezer, the other, of rabbis, for we have learned in the Mishnah with reference to selecting the red cow to be burned for the making of ash for mixing with water to form purification water: **R. Eliezer says, ‘It is not to be purchased from gentiles.’ And sages permit [M. Par. 2:1].** Is it not the case, then, that at stake is this point? R. Eliezer takes the view that we take account of the possibility of bestiality[’s having been committed by the gentile with this animal], and sages take the position that we do not take account of the possibility of bestiality[’s having been committed by the gentile with this animal]?”

- B. How come? Perhaps all parties concur that we do not take account of the possibility of bestiality[’s having been committed by the gentile with this animal], here, this is the operative consideration in the mind of R. Eliezer, namely, he concurs with R. Judah’s statement in the name of Rab. For said R. Judah said Rab, “If in the case of a red cow [selected for the making of purification ash, which is not to be used for any servile labor whatsoever] one has placed upon the beast a bundle of sacks [without the beast’s having drawn and carried the burden in an active way], he has rendered her unfit for the rite. But if it was a calf [to be used in the rite of expiating the guilt for the neglected corpse, Deu. 21: 1ff.], it remains valid until the beast actually carries the burden.” The one authority takes the view that we take into account the possibility of such a thing’s having happened, and the other maintains that we do not take into account such a possibility.

- C. Don’t consider any such thing, since for the sake of so small a benefit, no one is going to risk so vast a loss [since spoiling the red cow deprives the owner of a

huge price for his beast]. Here, too, we invoke the same principle: for the sake of so small a benefit, no one is going to risk so vast a loss.

- D. *In that case [bestiality] the man's lust is what drives him.*
- E. *And perhaps all parties concur that we do not take account of the possibility of bestiality, but here, this is the operative consideration for R. Eliezer's ruling: it is in accord with that which Shila presented as a Tannaite version. For Shila presented as a Tannaite version: "What is the scriptural basis for the position of R. Eliezer? 'Speak to the children of Israel that they bring to you' (Num. 19: 2) — 'Israelites will bring for you, and gentiles will not.'"*
- F. *Do not let such a possibility enter your mind, for lo, it has been stated in the same context at the end of the passage: **R. Eliezer declares unfit on account of such a disqualification in the case of all other classifications of sacrifices [M. Par. 2:1].** Now if it should enter your mind that matters are as taught by Shila, then the consideration he has introduced would pertain only to the case of the red cow, where Scripture refers to "bringing," but does Scripture ever use that same expression in the context of other sacrifices?*
- G. *Then perhaps the disagreement of rabbis with R. Eliezer pertains only [23B] in the instance of the red cow, which is purchased for a high price, while as to all other offerings, sages concur with him?*
- H. *Then what about that which has been taught on Tannaite authority: They purchase from them cattle for an offering — whose opinion would this represent? It would represent neither R. Eliezer nor rabbis. And, in addition, it has been explicitly taught on Tannaite authority as follows: What was stated as a refutation of R. Eliezer by his colleagues? "All the flocks of Kedar shall be gathered together to you...they shall be presented on my altar and be accepted" (Isa. 60: 7). [Mishcon: This proves that the discussion between rabbis and Eliezer applies to all sacrifices; rabbis permit in all cases, Eliezer forbids in all cases; the Mishnah represents the view of Eliezer, the other teaching, that of rabbis, even as explained by Pedat].*
 - I.7 A. *The difference of opinion between R. Eliezer and rabbis is only with regard to the possibility of bestiality, but if there is no doubt that an act of bestiality has taken place, the beast is unfit. What follows from that fact is that the red cow falls into the classification of Holy Things that are designated for the altar. For if you maintain that [since it is not offered in the Temple but outside] it falls into the classification of*

Holy Things designated for the upkeep of the Temple house, then does an act of bestiality invalidate a beast in that classification?

- B. *The red cow may be exceptional in that aspect, for it is classified as a purification offering by the All-Merciful [and so falls into the class of a purification or sin-offering].*
- C. *Then it should be invalid if it is born by Caesarean section! And should you say, indeed so, then how come it has been taught on Tannaite authority: **If one has consecrated a beast for that purpose that was born by Caesarean section, it is invalid. R. Simeon declares it valid [T. Par. 2:2B-C].** And should you say, R. Simeon is consistent with views expressed elsewhere, for he has said that a child born of Caesarean section is categorized as an entirely normal birth [so far as the rules of Lev. 12 are concerned], did not R. Yohanan say that R. Simeon conceded in regard to Holy Things that it is not deemed consecrated in the case of [a beast born of Caesarean section that is to be used for] Holy Things?*
- D. *Rather, the case of the red cow is different, for, since a blemish will invalidate it, so bestiality or use for idolatrous worship will also render it unfit, for Scripture states, “for their corruption is in them, there is a blemish in them, they shall not be accepted” (Lev. 22:25), in which connection a member of the household of R. Ishmael repeated as a Tannaite version, “Wherever there is a reference to ‘corruption,’ at issue are lewdness or idolatry; lewdness, in line with the usage, ‘for all flesh had corrupted their way upon the earth’ (Gen. 6:12), and idolatry, ‘lest you deal corruptly to make yourselves a graven image’ (Deu. 4:16). Since a blemish renders the red cow unfit, so bestiality and use for idolatry also will render it unfit.”*

I.8 A. *Reverting to the body of the prior text:*

- B. *Shila presented as a Tannaite version: “What is the scriptural basis for the position of R. Eliezer? ‘speak to the children of Israel that they bring to you’ (Num. 19: 2) — ‘Israelites will bring for you, and gentiles will not.’”*
- C. *Then what about the following: “Speak to the children of Israel that they bring for me an offering” (Exo. 25: 2) — is the meaning the same here, namely, Israelites should bring but gentiles may not [make offerings in the Temple]? And should*

you say, “indeed so,” has not R. Judah said Samuel said, “They asked R. Eliezer, to what extent is one obligated to honor one’s father and one’s mother?” He said to them, ‘Go and observe how a certain gentile has treated his father in Ashkelon, and Dama b. Neinah is his name. On one occasion they wanted to buy from him precious stones for the ephod, in the amount of [24A] six hundred thousand — (*R. Kahana repeated as the Tannaite version, eight hundred thousand*) — but the keys were lying under his father’s pillow, and he would not disturb him.’” [Mishcon: Thus Eliezer himself assumes that the onyx stone of a gentile was considered fit for the purpose enacted in the scriptural passage that opens with the words quoted above, “Speak to the children of Israel that they take for me an offering.”]

- D. “Onyx stones” disrupt the passage [Mishcon: so that the words “the children of Israel shall take” do not apply to them].
- E. *And lo, “stones to be set” connects them? And furthermore, the continuation of the passage proceeds:*
- F. “Another year a red cow was born to him in his corral, and sages of Israel came to him. He said to them, “I know full well of you that if I should demand of you all the money in the world, you will give it to me. But now I ask of you only that sum of money that I lost in honor of my father.”” [Mishcon: Thus a red heifer bought of a gentile was considered fit for the purpose.]
- G. *In that case, the beast was purchased through Israelite agents [and when the beast was acquired for use as a red cow, it was the property of Israelites].*
- H. *But does not R. Eliezer take account of the possibility of bestiality? And has it not been taught on Tannaite authority:*
- I. **R. Eliezer says, “It is not purchased from gentiles.” They said to him, “There was a case in which they purchased it from gentiles in Sidon, and the name was Dama (some say, Ramas)” [T. Par. 2:1A-B].** Said to them R. Eliezer, “Is there any proof from that

case? Israelites were guarding it from the moment of its birth.”

J. *R. Eliezer takes into account both considerations, first, it has to be brought by an Israelite, further, we do take account of the possibility of bestiality.*

I.9 A. A master has said, “Israelites were guarding it from the moment of its birth.”

B. *But should we not take account of the possibility that an act of bestiality might have been committed with the mother when she was pregnant? For Raba has said, “The offspring of a goring cow is unfit for the altar, since both the cow and the offspring [as a single body] that committed the goring. The offspring of a beast that has been used for bestiality is forbidden, for the beast and the offspring have been used for bestiality”?*

C. *I should say that Israelites were guarding the beast from the moment of its formation.*

D. *But should we not take account of the possibility that the mother was a victim of bestiality in the past? For we have learned in the Mishnah: **As to all of those that are invalid for use on the altar, their offspring are permitted [M. Tem. 6:5A].** And in this connection it was taught as a Tannaite version: R. Eliezer forbids [using the offspring for the altar].*

E. *That would pose no problem to Raba, for said Raba said R. Nahman, “The dispute concerns a case in which the act of bestiality took place when the beasts were actually in the status of Holy Things, but if the act took place while the beasts were still unconsecrated, all parties concur that they are permitted.” But as to the position of R. Huna bar Hinena who said that R. Nahman said, “The dispute pertains to a case in which the beasts were subjected to the act of bestiality when they were unconsecrated, but if it took place when the beasts were already designated as Holy Things, all parties concur that they are forbidden,” what is to be said?*

F. *Say: Israelites were guarding the mother from the time that the beast was created.*

G. *So why not take account of the possibility that an act of bestiality was committed on the mother of the mother?*

H. *Because we do not take account of such remote possibilities.*

I.10 A. A master has said, "Israelites were guarding the beast from the moment of its formation": *how do we know [that it is going to be a red cow, which is to be watched with such care even while the mother is pregnant]?*

B. They pass before the mother a red cup when the male mounts her." [That produces the red cow as the offspring.]

C. *If so, why is the red cow so costly?* [By such a mechanism it should be easy to produce red cows.]

D. Because even two hairs of another color invalidate it [so it has to be perfect, and this mechanism is imperfect].

E. *And what makes their cows so exceptional?*

F. Said R. Kahana, "[Mishcon:] Only with specified breeds is it effective.]"

I.11 A. *R. Ammi and R. Isaac Nappaha were in session in the abode of R. Isaac Nappaha. One of them commenced discourse and stated, "And so, too, R. Eliezer declares unfit on account of such a disqualification in the case of all other classifications of sacrifices [M. Par. 2:1]."*

B. The other commenced and stated, "*What was stated as a refutation of R. Eliezer by his colleagues?* "All the flocks of Kedar shall be gathered together to you...they shall be presented on my altar and be accepted" (Isa. 60: 7).' Said to them R. Eliezer, 'And all of them will be converts who have converted on their own in time to come.'"

C. Said R. Joseph, "What verse of Scripture indicates it? 'For then I will turn to the peoples in a pure language, that they may all call upon the name of the Lord' (Zep. 3: 9)."

D. *Said to him Abbaye, "And perhaps they will simply revert from practicing idolatry [without acknowledging the sovereignty of one God]?"*

E. Said to him R. Joseph, "'...to serve him with one consent' (Zep. 3: 9)."

F. *R. Pappa repeated the story in the way just now presented. But R. Zebid stated matters in this language:*

- G. *Both of them stated, “And so, too, R. Eliezer declares unfit on account of such a disqualification in the case of all other classifications of sacrifices [M. Par. 2:1].”*
- H. *Both of them stated, “‘What was stated as a refutation of R. Eliezer by his colleagues? ‘All the flocks of Kedar shall be gathered together to you...they shall be presented on my altar and be accepted’ (Isa. 60: 7).’ Said to them R. Eliezer, ‘And all of them will be converts who have converted on their own in time to come. What verse of Scripture indicates it? ‘For then I will turn to the peoples in a pure language, that they may all call upon the name of the Lord’ (Zep. 3: 9).”*
- I. *R. Joseph objected, “And perhaps they will simply revert from practicing idolatry [without acknowledging the sovereignty of one God]?”*
- J. *Said to him Abbaye, “‘...to serve him with one consent’ (Zep. 3: 9).”*
- K. *An objection was raised, “And Moses said, You must also give into our hand sacrifices and burnt-offerings” (Exo. 10:25) [so Pharaoh’s cattle could be used for sacrifices, an objection to the position of Eliezer].*
- L. *The situation prevailing prior to the giving of the Torah was different.*
- M. *Come and take note: Jethro, the father-in-law of Moses, took a burnt-offering and sacrifices for God” (Exo. 18:12).*
- N. *Jethro also came along prior to the giving of the Torah.*
- O. *That poses no problem to him who maintains that Jethro also came along prior to the giving of the Torah. But to him who holds that [24B] Jethro also came along after the giving of the Torah, what is to be said?*
- P. *Jethro in point of fact had bought the animals from an Israelite.*
- Q. *[On the same question of whether gentiles’ beasts can be used for the altar,] come and take note: “And Saul said, They have brought them from the Amalekites, for the people spared the best of the sheep and of the oxen to sacrifice to the Lord your God” (1Sa. 15:15)!*
- R. *What is the meaning of “best” is only “the price of the best.”*
- S. *Then why bring the best?*

- T. *To find eager buyers [and get a higher price for the purchase, from Israelites, of animals for sacrifice].*
- U. [On the same question of whether gentiles' beasts can be used for the altar,] *come and take note:* "And Araunah said to David, Let my lord the king take and offer up what seems good to him; behold the oxen for the burnt-offering and the threshing instruments and the furniture of the oxen for the wood" (2Sa. 24:22).
- V. Said R. Nahman, "Araunah was a righteous proselyte."

I.12 A. ["...behold the oxen for the burnt-offering and the threshing instruments":] *as to the Hebrew word for threshing instruments, what is the meaning?*

- B. *Said Ulla, "It is a [Mishcon:] threshing sledge consisting of a wooden platform studded with sharp pieces of flint."*
- C. *Said R. Joseph, "What is the basis for that definition in Scripture? 'Behold I will make you a new sharp threshing instrument with teeth; you shall thresh the mountains and beat them small and shall make the hills as chaff' (Isa. 41:15)."*

I.13 A. [On the same question of whether gentiles' beasts can be used for the altar,] *come and take note:* "And the cows they offered as a burnt-offering to the Lord" (1Sa. 6:14) [so the Philistines' cows were fit for a sacrifice].

- B. That was a provisional decision.
- C. *And that is indeed a reasonable supposition, for if you do not say so, then is there such a thing as a burnt-offering that is made of a female beast?*
- D. *But what sort of problem is that! For we could say that at issue was an offering on a high place belonging to an individual, in accord with the position of R. Adda b. Ahba, for said R. Adda b. Ahba, "How on the basis of Scripture do we know that for a high place belonging to an individual, a female animal is accepted for use as a burnt-offering? From what is written, 'And Samuel took one sucking lamb and offered it for a burnt-offering' (1Sa. 7: 9)."*
- E. *But does not the verse say "him" [for "it," hence a male]?*

F. Said R. Nahman b. Isaac, “In point of fact it is written, ‘and offered her.’”

I.14 A. [As to the apparent conflict noted above, 1, 5, 6], said R. Yohanan, “[In regard to using cattle deriving from gentiles for sacrifices,] there are limits. A beast that is less than three years old may be blemished [should it be used for bestiality, and so we assume the owner will not commit an act of bestiality with it, since he hopes to sell it to Israel for use in the Temple]. From the age of three years, an act of bestiality does not blemish the beast [and that is why we have to take account of the issue; so there is no conflict between the two statements with which we began at I.1.A].”

B. *But objections were addressed to him on the basis of the cited verses of Scripture.*

C. He stated to them, “All of them refer to beasts that were less than three years of age.”

D. *Come and take note:* “And the cows they offered as a burnt-offering to the Lord” (1Sa. 6:14).

E. “That, too, speaks of cows less than three years old.”

F. *R. Huna b. R. Nathan objected, “If so, then the words, ‘and their calves they shut up at home’ (1Sa. 6:10) speaks also of cows under three years, and does a cow under three years give birth at all? Have we not learned in the Mishnah: [If there is an offspring of an animal brought from a gentile, where we do not know whether the offspring is a firstborn and so belongs to the priest, if] it derives from a cow or an ass that is three years old — the one that is born certainly belongs to the priest [since it is certainly a firstborn, there being no probability that the animal has given birth prior to the birth of that beast, by reason of age]. From that age onward, it is subject to doubt [M. Bekh. 3:1G-H].”*

G. *So the solutions already presented to the apparent contradiction are superior to this one.*

I.15 A. “And the kine took the straight way, by the way to Beth Shemesh” (1Sa. 6:12):

B. *What is the meaning of “took the straight way?”*

- C. [Since the word involved uses letters that yield the word for sing,] said R. Yohanan in the name of R. Meir, “They sang a song.”
- D. And R. Zutra bar Tobiah said Rab said, “They directed their faces towards the ark and sang a song.”

I.16 A. *What is the song that they sang?*

- B. They say that said R. Yohanan in the name of R. Meir, “‘Then sang Moses and the children of Israel’ (Exo. 15: 1).”
- C. *In his own name* said R. Yohanan, “‘And in that day you shall say, Give thanks to the Lord, call upon his name, make known his doings among the peoples’ (Isa. 12: 4).”
- D. And R. Simeon b. Laqish said, “‘They sang ‘the orphaned psalm,’ ‘A Psalm: sing to the Lord a new song, for he has done marvellous things; his right hand and his holy arm have wrought salvation for him’ (Psa. 98).”
- E. R. Eleazar said, “‘The Lord reigns, let the peoples tremble’ (Psa. 99).
- F. R. Samuel b. Nahmani said, “‘The Lord reigns, he is clothed with majesty’ (Psa. 93).”
- G. R. Isaac Nappaha said, “‘Sing, sing acacia tree, ascend in all your grace, with golden weave they cover you, the sanctuary palace hears your eulogy, with diverse jewels you are adorned’ (cf. Exo. 25:10).”
- H. *R. Ashi joined that which R. Isaac said with the following:* “‘And it came to pass, when the ark set forward, that Moses said, Rise up O Lord’ (Num. 10:35).

I.17 A. And how did the Israelites respond?

- B. Said R. Isaac, “‘Sing, sing acacia tree, ascend in all your grace, with golden weave they cover you, the sanctuary palace hears your eulogy, with diverse jewels you are adorned’ (cf. Exo. 25:10).”

I.18 A. [Mishcon: “Debir” is the Hebrew of “sanctuary” in the above song, which links the foregoing with what follows]. Said Rab,

“In accord with what analogy do Persians use the word “debir” for book?”

- B. “Now the name of Debir earlier had been Kiriath-sepher’ (Jud. 1:11)” [and the word “sepher in Hebrew means “book”].

I.19 A. Said R. Ashi, “In accord with what analogy do Persians use the word dashtana for a woman in her menstrual period?

- B. “For the manner of woman is upon me’ (Gen. 31:35).”

I.20 A. **[25A]** [With reference to the verse, “And the kine took the straight way, by the way to Beth Shemesh” (1Sa. 6:12), since the word “took the straight way” uses letters that yield the word for righteous, and since the same word yields “book of Jashar,” we turn to the following verse,] “And the sun stood still, and the moon stayed until the nation had avenged themselves of their enemies. Is not this written in the book of Jashar” (Jos. 10:13):

- B. *What is “the book of Jashar [the righteous]” (Jos. 10:13)?*

C. Said R. Hiyya bar Abba said R. Yohanan, “This is the book of Abraham, Isaac, and Jacob, who are called ‘the righteous,’ as it is said, ‘Let me die the death of the righteous’ (Num. 23:10).”

D. *And where do we find an indication [in the stories of the patriarchs that the incident at hand would take place]?*

E. “And his seed shall fill the nations” (Gen. 48:19): when would it fill the nations? When the sun stood still for Joshua: “And the sun stayed in the midst of the heaven and did not hastily set for about a whole day” (Jos. 10:13).

I.21 A. [“And the sun stayed in the midst of the heaven and did not hastily set for about a whole day” (Jos. 10:13)]:

B. And how long [did the daytime last]?

C. *Said R. Joshua b. Levi, “Twenty-four hours. For six hours it moved, and for six it stood still; for six it moved, for six it stood still, for six it moved, for six it stood still — ‘a whole day.’”*

D. *R. Eleazar said, “Thirty-six: for six it moved, for twelve it stood still, for six it moved, for twelve it stood still, so the ‘halt’ took up ‘a whole day.’”*

- E. *R. Samuel b. Nahmani said, "For forty-eight: for six it moved and for twelve it stood still, for six it moved and for twenty-four it stood still: 'and did not hastily set for about a whole day'" (Jos. 10:13) — which leads to the inference that the prior halt did not equal a whole day."*
- F. *There are those who say that at issue was the additional span of daytime:*
- G. *Said R. Joshua b. Levi, "Twenty-four hours. For six hours it moved, and for twelve it stood still; for six it moved, for twelve it stood still, so the halt equalled a whole day."*
- H. *R. Eleazar said, "Thirty-six: for six it moved, for twelve it stood still, for six it moved, for twenty-four it stood still, so 'and did not hastily set for about a whole day'" (Jos. 10:13)."*
- I. *R. Samuel b. Nahmani said, "For forty-eight: for six it moved and for twenty-four it stood still, for six it moved and for twenty-four it stood still: so the 'standing still' at noon was equivalent to the time it takes to set. Just as the one at setting time equalled a whole day, so the standing still equalled a whole day."*

I.22 A. *It was stated as a Tannaite version:*

- B. *Just as the sun stood still for Joshua, so the sun stood still for Moses and for Naqdimon b. Gurion.*
- C. *While for Joshua there are verses of Scripture to indicate that fact, and while for Naqdimon b. Gurion there is a tradition, how do we know that fact in the case of Moses?*
- D. *It derives from the use of the words, "I will begin," in the two instances. Here we find, "I will begin to put the dread of you" (Deu. 2:25), and in connection with Joshua, "I will begin to magnify you" (Jos. 3: 7).*
- E. *And R. Yohanan said, "It derives from the use of the word 'put' in both cases. Here we find, 'I will begin to put the dread of you' (Deu. 2:25), and in connection with Joshua, 'In the day when the Lord put the Amorites' (Jos. 10:12)."*

- F. R. Samuel bar Nahmani said, "From the verse itself the lesson is to be derived: 'The peoples that are under the whole heaven who shall hear the report of you and shall tremble and be in anguish because of you' (Deu. 2:25): And when did they tremble and feel anguish on account of Moses? This is when the sun stood still for him."
- G. *But an objection was raised [by appeal to the verse,] "And there was no day like that before it or after it" (Jos. 10:14)?*
- H. *If you wish, I shall say that there was none that in hours lasted so long, and if you wish, I shall say that it means there were in the case of Moses no hailstones: "And it came to pass as they fled from before Israel, while they were in the descent of Bet Horon the Lord cast down great stones from heaven upon them unto Azeka and they died" (Jos. 10:11).*

- I.23** A. "And he instructed them to teach the children of Judah to handle the bow, behold it is written in the book of Jashar" (2Sa. 1:18):
- B. *What is the book of Jashar?*
 - C. Said R. Hiyya bar Abba said R. Yohanan, "This is the book of Abraham, Isaac, and Jacob, who are called 'the righteous,' as it is said, 'Let me die the death of the righteous' (Num. 23:10)."
 - D. *And where do we find an indication that that is the case?*
 - E. "Judah, you will your brothers praise, your hand shall be on the neck of your enemies" (Gen. 49: 8).
 - F. And what is the war that requires aiming the hand at the neck of the enemy? It is archery.

- I.24** A. [Supply: "And he instructed them to teach the children of Judah to handle the bow, behold it is written in the book of Jashar" (2Sa. 1:18)] *What is the book of Jashar?*
- B. Said R. Eleazar, "It is the book of Deuteronomy."
 - C. *And why is it called "the book of the righteous"?*
 - D. For it is written, "And you shall do that which is right in the sight of the Lord" (Deu. 6:18).

- E. *And where do we find an indication that that is the case?*
- F. “With his hands he contended for himself” (Deu. 33: 7).
- G. And what is the war that requires using both hands? It is archery.

I.25 A. [Supply: “And he instructed them to teach the children of Judah to handle the bow, behold it is written in the book of Jashar” (2Sa. 1:18)” *What is the book of Jashar?*]

- B. Said R. Samuel b. Nahmani, “It is the book of Judges.”
- C. *And why is it called “the book of the righteous”?*
- D. For it is written, “In those days there was no king in Israel, every man did that which was right in his own eyes” (Jud. 17: 6).

- E. *And where do we find an indication that that is the case?*
- F. “That the generations of the children of Israel might know, to teach them war” (Jud. 3: 2).
- G. Now what is the form of war that requires instruction? It is archery.
- H. And how do we know that that verse speaks of Judah in particular?
- I. As it is written, “Who shall go up for us first against the Canaanites to fight against them? And the Lord said, Judah shall go up” (Jud. 1: 1-2).

I.26 A. “And the cook took up the thigh and that which was upon it and set it before Saul” (1Sa. 9:24):

- B. What is the meaning of “that which was upon it”?
- C. R. Yohanan says, “The thigh and the tail. And what is the sense of ‘that which was upon it’? The thigh that is joined by the tail.”
- D. And R. Eleazar says, “It is the thigh and the breast. And what is the sense of ‘that which was upon it’? Placing the breast on the thigh when these are to be waved.”
- E. R. Samuel b. Nahmani said, “It is the leg and cap. And what is the sense of ‘that which was upon it’? The cap that is above the leg.”

II.1 A. And a woman should not be alone with them, because they are suspect in regard to fornication:

- B. *With what sort of case do we deal?*
- C. *If it is to a single gentile, then in the same circumstances is it permitted for her to be alone with even an Israelite male? And have we not learned in the Mishnah: **A man should not remain alone with two women, [but a woman may remain alone with two men] [M. Qid. 4:12A]**?*
- D. **[25B]** *Rather, it refers to three gentiles [which would be permitted for Israelites, but prohibited for gentiles].*
- E. *But in the cases of Israelites, would it be permitted for a woman to be alone with two men if they are immoral? And have we not learned in the Mishnah: **but a woman may remain alone with two men [M. Qid. 4:12A]**?* And in this matter said R. Judah, said Samuel, “This rule applies only to upright persons, but in the case of immoral ones, then even if it were ten, it is not permitted. There was a case in which ten men took out a loose woman on a bier.”
- F. *In point of fact the rule is required for a case in which the man’s wife is with him, bearing the implication that in the case of a gentile, the presence of the wife is no deterrent.*
- G. *But why not derive the operative consideration from the possibility of manslaughter [as below, **And a man should not be alone with them, because they are suspect in regard to bloodshed]**?*
- H. *Said R. Jeremiah, “We deal with the case of a woman of high class, whom a gentile would be afraid of killing.”*
- I. R. Idi said, “A woman has her own weapons.”
- J. *What is at issue between them?*
- K. A woman of high standing among men but not of high standing among women [in that she is influential but not beautiful. Jeremiah would then eliminate the risks of murder and adultery, Idi would eliminate only the former (Mishcon)].
 - L. *It has been taught on Tannaite authority in accordance with the position of R. Idi b. R. Abin:*
 - M. A woman, even though in command of her own welfare, should not be alone with them, because they are suspect of lewdness.

III.1 A. And a man should not be alone with them, because they are suspect in regard to bloodshed:

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

- C. [In Tosefta's wording:] [When] an Israelite goes along with a gentile,
- D. he puts him at his right hand, and he does not put him at his left hand.
- E. R. Ishmael son of R. Yohanan b. Beroqah says, "[And he goes] with a sword in his right hand, with a staff in his left hand."
- F. [If] there are two going up on an ascent or going down on a ramp, the Israelite goes up ahead, and the gentile behind.
- G. And he may not bow before him, lest he break [?] his skull. And he should leave a good distance for him.
- H. [If] they asked him, "Where are you going," he indicates to him a way other than the one he has in mind,
- I. just as Jacob said to the wicked Esau, "Let my lord pass on before his servant...until I come to my lord in Seir."
- J. "But Jacob journeyed to Succoth" (Gen. 33:14, 17) [T. A.Z. 3:4F-M].

III.2 A. There was the case involving the disciples of R. Aqiba who were going to Kezib. Thugs met up with them and said to them, "Where are you going?"

- B. They said to them, "To Akko."
- C. They said to them, "Who are you?"
- D. They said to them, "Disciples of R. Aqiba."
- E. They said to them, "Fortunate indeed are R. Aqiba and his disciples, for no wicked men have ever met up with them."

III.3 A. R. Manasseh was going [26A] to the Be Torta. Thieves met up with him and said to him, "Where are you going?"

- B. He said to them, "To Pumbedita."
- C. When he reached Be Torta he stopped. They said to him, "You are a disciple of Judah [who was Manasseh's master] the Liar."
- D. He said to them, "Do you know him by that name? Then may it be God's will that these men should be excommunicated."
- E. They went and kept stealing, but had no success. When they realized it, they came and begged for the excommunication to be revoked. But one of the group, a weaver, did not come and beg for the excommunication to be revoked. So a lion ate him.
- F. That is in line with the saying: "A year of poor earnings won't change a weaver, if he is a proud fool."

III.4 *A. See the difference between the thieves of Babylonia and the thugs of the Land of Israel.*

I.1, 2 explain the operative considerations that guide the Mishnah's rule, and at the same time harmonize the Mishnah's statements with other pertinent ones. No. 3 is a footnote to No. 2, No. 4 is free-standing but in context continues No. 3. Nos. 5, 6 then revert to the starting point. No. 7, 8 provide footnotes to No. 6. No. 9 then footnotes No. 8, and No. 10, No. 9. No. 11 further footnotes No. 8. No. 12 footnotes No. 11. No. 13 continues the line of objection to the proposition at hand. Then, underlining the fact that we have worked through a long series of footnotes, No. 14 reverts to the issue of 1.A, in line with Nos. 5, 6 (7, 8). No. 15 reverts to the analysis of the proof-text, 1Sa. 6:22, important at No. 14; the analysis of that verse proceeds in its own framework. Nos. 16, 17 gloss No. 15, and No. 18 is tacked on because it addresses a word used at No. 17, a classic appendix, within my classification scheme. No. 19, of course, belonged with No. 18 before the whole was inserted here. No. 20 reverts to the verse that precipitated the entire composite, that is, No. 15, an interest in the word treated there. Nos. 21, 22, 23 (which reverts to No. 20), 24, and 25 footnote No. 20. The reference to the book of Jashar at No. 20 accounts for the continuation at No. 25. I assume that the reference to the word that uses the letters "go up" at Judges 1:1-2 attracted interest in the same word at 1Sa. 9:24, which then accounts for the joining of No. 26 to No. 25. But another consideration for joining No. 26 to all three of the foregoing, of course, is the matched authorities, in which case Nos. 23, 24, and 25 form one composition, No. 26 a second, and the two, a composite, based on the formal considerations of shared authorities. The second explanation does not eliminate the first but complements it. II.1 then brings us back to our Mishnah, via a long detour, and spells out the operative considerations behind the Mishnah's regulation. III.1 complements the Mishnah with the Tosefta's materials. Nos. 2, 3 then supplement No. 1 with further, relevant cases. No. 4 then comments on Nos. 2, 3.

2:1G-L

- G. An Israelite girl should not serve as a midwife to a gentile woman,**
- H. because she serves to bring forth a child for the service of idolatry.**
- I. But a gentile woman may serve as a midwife to an Israelite girl.**
- J. An Israelite girl should not give suck to the child of a gentile woman.**
- K. But a gentile woman may give suck to the child of an Israelite girl,**
- L. when it is by permission.**

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

- B. An Israelite girl should not serve as a midwife to a gentile woman,
- C. because she serves to bring forth a child for the service of idolatry [M. 2:1G-H].
- D. “And a gentile girl should not serve as a midwife for an Israelite girl,
- E. “because they are suspect as to the taking of life,” the words of R. Meir.
- F. And sages say, “A gentile girl serves as midwife for an Israelite girl when others are supervising her.
- G. “But [if they are] all by themselves, it is prohibited,
- H. “because they are suspect as to the taking of life” [T. A.Z. 3:3D-J].
- I. R. Meir says, “Even if others are present also, that is not the rule, *for sometimes she may press her hand on the infant’s temples and crush it without being noticed.*”

I.2 A. *There was the case of a woman who said to her girl friend, “Jewish midwife, daughter of a Jewish midwife.”*

- B. *She said to her, “May as many bad things happen to you as I have caused to Jewish children, whom I drop like lumps of wood into the river.”*
- C. *And our rabbis?*
- D. *What she really said to her was just some sort of smart-aleck reply [but she may never have done any such thing].*

II.1 A. An Israelite girl should not give suck to the child of a gentile woman:

- B. *Our rabbis have taught on Tannaite authority:*
- C. “An Israelite girl should not give suck to the child of a gentile woman [M. 2:1J],
- D. “because she raises a child for the service of idolatry [cf. M. 2:1H].
- E. “And a gentile woman should not give suck to the child of an Israelite girl,
- F. “because they are suspect of manslaughter,” the words of R. Meir.
- G. And sages say, “**And a gentile woman may give suck to the child of an Israelite girl**, when others are standing by, but not when she is all alone with the child.”
- H. And R. Meir says, “Even when others are standing by, she should not do so, *for sometimes she may have a chance to rub poison on her breast in advance and kill the child.*

II.2 A. *And both cases are required. For had we been given the case of the midwife, we might have supposed that in that particular case rabbis rule that it is permitted, because it is not possible for the midwife to kill the Israelite infant, because others are looking on, but in the case of a midwife, where it is possible for her to put a poison salve on her breasts beforehand and kill the child, I might have supposed that rabbis concur with R. Meir.*

B. *And if we had been given the case only of the midwife, we might have supposed that in that case in particular R. Meir has made the ruling that it is forbidden, because the gentile midwife might put a poison on her breasts beforehand and kill the child, but in the case of the midwife, in which it is not possible for her to injure the child while others are standing by, I might have said that he concurs with rabbis.*

C. *So both cases are required.*

II.3 A. *An objection was raised: A Jewish woman may serve as a midwife to a gentile woman if she is paid, but not free of charge.*

B. *Said R. Joseph, "It is permitted to do so for a fee, because of not wanting to give cause for hatred."*

C. *R. Joseph considered ruling that even on the Sabbath it is permitted to act as a midwife for a gentile for a fee, because of not wanting to give cause for hatred.*

D. *Said to him Abbaye, "The woman may say to the gentile woman, 'For our own, who keep the Sabbath, we are permitted to profane the Sabbath, but for yours, who do not keep the Sabbath, we are not permitted to profane the Sabbath.'"*

E. *R. Joseph considered ruling that it is permitted to act as a midwife for a gentile for a fee, because of not wanting to give cause for hatred.*

F. *Said to him Abbaye, "The woman may say to the gentile woman, if she is unmarried, 'I want to get married.' If she is married, 'I don't want to debase myself in front of my husband.'"*

G. *R. Joseph considered ruling in regard to that which has been taught on Tannaite authority, "In the case of gentiles and shepherds of small cattle, while one is not obligated to bring them up from a pit [where they have fallen], one must not throw them down into it," it is permitted to help them up for a fee, because of not wanting to give cause for hatred.*

H. *Said to him Abbayye, "He may say to him, 'I have to run to my child, who is standing on a roof,' or, 'I have to keep an appointment at court.'"*

II.4 A. *It was taught as a Tannaite version by R. Abbahu before R. Yohanan: "In the case of gentiles and shepherds of small cattle, while one is not obligated to bring them up from a pit [where they have fallen], [26B] one must not throw them down into it. In the case of Minim, quislings, and traitors, push them in and don't help them up."*

B. He said to him, "I have been repeating as an authoritative lesson in regard to the statement, 'And so shall you do with every lost thing of your brother's, you may not hide yourself' (Deu. 22: 3), that that applies also to an apostate, and yet you say, 'Push them in'? Omit the reference to apostates."

C. *But why not answer him, "Here we speak of an apostate who is eating carrion with gusto, and the other passage [that which you cite,] refers to an apostate who eats carrion for sheer spite"?*

D. *In his view an apostate eating carrion for sheer spite is in the same classification as a Min.*

II.5 A. *It has been stated:*

B. As to an apostate, R. Aha and Rabina —

C. one said, "He who eats forbidden food with gusto is an apostate, and he who does it for sheer spite is a Min."

D. The other said, "Even if he did it for sheer spite, he is classified as an apostate. And what is the definition of a Min? It is one who worships idols."

E. *An objection was raised: He who eats a flea or a gnat is classified as an apostate. Now in this case it is only an act out of spite, and yet it is taught that such a person is classified as an apostate!*

F. *In that case the man may simply want to see the taste of something forbidden.*

II.6 A. The master has said, "In the case of Minim, quislings, and traitors, push them in and don't help them up":

B. *Now if one can throw them in, do we have to be told that they do not have to be helped out of the pit?*

C. *Said R. Joseph b. Hama said R. Sheshet, "The rule is required to deal with a case in which there was a step wall. One may scrape it away, giving as an excuse so that cattle won't be tempted by the step to go down into the pit."*

- D. *Rabbah and R. Joseph both say, "The rule is required to deal with a case in which a stone was lying by the opening of the pit. One may cover the pit over and give as the excuse that one does it for the safety of animals that may wander by."*
- E. *Rabina said, "If there was a ladder, one may take it away, with the excuse that he wants to get his son down from the roof."*

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

B. An Israelite circumcises a gentile for purposes of conversion.

- C. *That excludes doing so for the purpose of removing a worm lodged in the foreskin, which one may not remove through circumcision.*
- D. **"But a gentile should not circumcise an Israelite,**
- E. **"because they are suspect of bloodshed," the words of R. Meir.**
- F. **And sages say, "A gentile may circumcise an Israelite when others are supervising him.**
- G. **"But if they are all alone, it is prohibited, because they are suspect of bloodshed" [T. A.Z. 3:12A-E].**
- H. *And R. Meir says, "Even if others are standing there and supervising him, he may not do so, because on occasion he may let the knife slip and cut off his penis."*
- I. *And does R. Meir take the position that a gentile may not perform an act of circumcision? And an objection derives from the following:*
- J. *"In a town in which there is no Israelite physician but there are a Samaritan and a gentile physician, the gentile, but not the Samaritan, physician should perform circumcisions," the words of R. Meir.*
- K. *R. Judah says, "Let the Samaritan physician perform the rite of circumcision, but not the gentile one."*
- L. *Then reverse the attributions: R. Meir says, "Let the Samaritan physician perform the rite of circumcision, but not the gentile one." R. Judah says, "The gentile, but not the Samaritan, physician should perform circumcisions."*
- M. *But does R. Judah take the position that a gentile is appropriate for the task? And has it not been taught on Tannaite authority: R. Judah says, "How on the basis of Scripture do we know that an act of circumcision by a gentile is invalid? 'And as for you, you shall keep my covenant' (Gen. 17: 9) [only one who is required to keep the rite can do it, so a gentile cannot (Mishcon)]"?*
- N. *Rather, in point of fact you should not reverse the attributions, but in this matter with what sort of a case do we deal?*

- O. [27A] *With a case in which the physician is an expert [a gentile who can be relied upon to do the operation right].*
- P. *For when R. Dimi came he said R. Yohanan [said], "If it was a publicly acknowledged expert, it is permitted."*
- Q. *But [since we have now reversed the attributions once more] does R. Judah take the position that a Samaritan is appropriate for the task? And has it not been taught on Tannaite authority: "An Israelite may circumcise a Samaritan, but a Samaritan may not circumcise an Israelite, because he performs the act of circumcision for the sake of Mount Gerizim," the words of R. Judah. Said to him R. Yosé, "Where do we find an act of circumcision [performed by a Samaritan] which is not for the sake of the covenant, but which is for the sake of Mount Gerizim, until he is dead?" [T. A.Z. 3:13A-D]. But in point of fact we should not exchange the attributed sayings. And as to the question that we have raised to begin with, that there is a contradiction between two statements assigned to R. Judah, the other statement belongs not to this R. Judah but to R. Judah the Patriarch, for it has been taught on Tannaite authority: R. Judah the Patriarch says, "How on the basis of Scripture do we know that an act of circumcision by a gentile is invalid? 'And as for you, you shall keep my covenant' (Gen. 17: 9)."*

- II.8** A. *Said R. Hisda, "What is the scriptural basis for the position of R. Judah [that a Samaritan may not perform a rite of circumcision because his motive is not correct]? It is written, 'To the Lord he shall circumcise' (Exo. 12:48).*
- B. *"And what is the scriptural basis for the position of R. Yosé [that a Samaritan may perform a rite of circumcision even though his motive is not correct]? It is written, '...must be circumcised' (Gen. 17:13) [without attention to the issue of intentionality]."*
- C. *And as to the other [Yosé], is it not written, "To the Lord he shall circumcise"?*
- D. *That refers in particular to the Passover offering.*
- E. *And as to the other, is it not written, '...must be circumcised' (Gen. 17:13)?*
- F. *The Torah's use of language is the same as that of ordinary people [and doublings of verbs, as in this case, bear no implications that require discovery and exegesis].*

II.9 A. *It has been stated:*

- B. How on the basis of Scripture do we know that the performance of the rite of circumcision by a gentile is invalid?
- C. Daru bar Pappa in the name of Rab said, “And as for you, you shall keep my covenant’ (Gen. 17: 9).”
- D. And R. Yohanan: “‘...must be circumcised’ (Gen. 17:13) [the doubling of the verb yields, ‘he who is circumcised shall circumcise’ (Mishcon)].”
- E. *What is at issue between these two positions?*
- F. *At issue between them is an Arab or a Gibeonite that is circumcised. He who has said, “‘...must be circumcised’ (Gen. 17:13)” maintains that the qualification has been met, but he who invokes the verse, “And as for you, you shall keep my covenant” (Gen. 17: 9) takes the view that the qualification has not been met.*
- G. *But as to the position of him who says, “‘...must be circumcised” (Gen. 17:13) so that the qualification has been met, have we not learned in the Mishnah: [If he said,] “Qonam if I derive benefit from the uncircumcised,” he is permitted [to derive benefit] from uncircumcised Israelites but prohibited [from deriving benefit] from circumcised gentiles [M. Ned. 3:11G-K]. Therefore even though they are circumcised, it is as though they were not circumcised.*
- H. *Rather, at issue between them is the case of an Israelite whose brothers have died on account of circumcision, so who was not circumcised. He who has said, “And as for you, you shall keep my covenant” (Gen. 17: 9) takes the view that the qualification has been met. He who has said, “‘...must be circumcised’ (Gen. 17:13)” maintains that the qualification has not been met.*
- I. *And from the viewpoint of him who has said, “And as for you, you shall keep my covenant” (Gen. 17: 9) takes the view that the qualification has been met, have we not learned in the Mishnah: “Qonam if I derive benefit from the circumcised” — he is prohibited [to derive benefit] from uncircumcised Israelites and permitted [to derive benefit] from circumcised gentiles. For the word “uncircumcised” is used*

only as a name for gentiles, as it is written, “For all the nations are uncircumcised, and the whole house of Israel is uncircumcised at heart” (Jer. 9:26). *Therefore even though they have not been circumcised, it is as though they were circumcised.*

- J. *Rather, at issue between them is whether or not a woman may perform the rite. He who has said, “And as for you, you shall keep my covenant” (Gen. 17: 9) takes the view that the qualification has not been met, for a woman is not subject to the requirement of circumcision. He who has said, “...must be circumcised’ (Gen. 17:13)” maintains that the qualification has been met, for a woman is classified among the circumcised [as an Israelite].*
- K. *But is there anyone who maintains that a woman may not perform the rite of circumcision? And has it not been written, “Then Zipporah took a flint” (Exo. 4:25).*
- L. *Read: “She caused it to be taken.”*
- M. *But it says, “and she cut off”!*
- N. *Read: “and she caused it to be cut off,” asking someone else, a man, to do it.*
- O. *If you prefer, I shall say that she began, but Moses then came along and finished the job.*

I.1 complements the Mishnah with Tosefta’s materials, and No. 2 provides a case, just as before. II.1 follows the same procedure. No. 2 shows why both I.1 and II.1 are required, and Nos. 3, 4 then extend the foregoing theme with a variety of further rules. No. 5 is a footnote to No. 4, and No. 6 reverts to another detail of No. 4. No. 7 goes on to another Tannaite rule pertinent to the theme of the Mishnah. No. 8 adds a minor footnote to No. 7. No. 9 continues the established theme, prohibiting gentile’s performance of the rite of circumcision.

2:2

- A. **They accept from them healing for property,**
- B. **but not healing for a person.**
- C. **“And they do not allow them to cut hair under any circumstances,” the words of R. Meir.**

- D. And sages say, “In the public domain it is permitted,
- E. “but not if they are alone.”

I.1 A. [They accept from them healing for property, but not healing for a person:]
What is the definition of healing for property, and what is the definition of healing for a person?

- B. *If we should say that “healing for property” involves paying a fee, and “healing for a person” involves doing so for free, then the passage should be framed in this way: They accept healing from them for a fee but not for nothing. Rather, the sense of healing for property is, something that does not involve danger, and healing for a person involves something that involves danger.*
- C. *But has not R. Judah said, “Even a scar over the puncture caused by bleeding should not be healed by them”? Rather, **healing for property** is for one’s beast, and **healing for a person** is for oneself.*
- D. *And that is in line with what R. Judah said, “Even a scar over the puncture caused by bleeding should not be healed by them.”*

I.2 A. Said R. Hisda said Mar Uqba, “But if one has said to him, ‘such and such a medicine is good for it,’ ‘...such and such a medicine is bad for it,’ that is permitted. **[27B]** *The gentile will suppose that he is merely asking him, and just as he is asking him, so he will consult others, and [if one gives malicious advice], he will lose his good name.*”

- B. Said Rabbah said R. Yohanan, *and there are those who say*, said R. Hisda said R. Yohanan, “If it is a matter of doubt whether the patient will live or die, they do not accept healing from them. If it is a matter of certainty that the patient is going to die, then they do accept healing from them.”
- C. *...die! But there is the life of the hour ahead that is to be taken into account [which must not be prematurely ended]!*
- D. *We do not take account of the consideration of the life of the hour ahead.*
- E. *But is it the fact that we do not take account of the consideration of the life of the hour ahead? And how on the basis of Scripture do you maintain that we do not take account of the consideration of the life of the hour ahead?*
- F. “If we say, we will enter the city, then the famine is in the city, and we shall die there” (2Ki. 7: 4). *But there is the consideration of the life of the hour ahead, that they might then forfeit. So this bears the*

implication that we do not take account of the consideration of the life of the hour ahead?

G. *An objection was raised: People are not to sell anything to [gentiles] or buy anything from them, and they do not take wives from them or give children in marriage to them, and they do not teach their sons a craft, and they do not seek assistance from them, either financial or medical assistance. There was the case of R. Eleazar b. Damah, who was bitten by a snake. Jacob of Kefar Sama came to heal him in the name of Jesus son of Pantera. R. Ishmael did not allow him to accept the healing. They said to him, “You are not permitted to accept healing from him, Ben Dama.” He said to him, “I shall bring you proof in the form of a verse of Scripture from the Torah that he may indeed heal me.” But he did not have a chance to bring the proof before he dropped dead. Said R. Ishmael, “Happy are you, Ben Dama, for your body is pure and your soul has not gone forth in purity, [Tosefta: you have expired in peace,] but you did not break down the hedge erected by sages. For whoever breaks down the hedge erected by sages eventually suffers punishment, as it is said, ‘He who breaks down a hedge is bitten by a snake’ (Qoh. 10: 8)” [T. [Shehitat Hullin 2:21-2:23](#)].*

H. *The case of the Minim is different, for it is attractive, and one may be attracted to them.*

I.3 A. A master has said, “You did not break down the hedge erected by sages. For whoever breaks down the hedge erected by sages eventually suffers punishment, as it is said, ‘He who breaks down a hedge is bitten by a snake’ (Qoh. 10: 8).”

B. *But a snake did bite him!*

C. *The bite of a snake on account of violating the teachings of rabbis can never be cured.*

I.4 A. *And what might [Ben Dama] have said?*

B. “He shall live by them” (Lev. 18: 5) — and not die by them [so one may accept healing in the name of Jesus].

C. And R. Ishmael?

D. *That rule applies for private action, but not for action in public.*

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

- F. R. Ishmael would say, “How on the basis of Scripture do we know that if people say to someone, ‘Worship that idol and you will not be killed,’ he may worship the idol but not be killed? Scripture says, ‘He shall live by them’ (Lev. 18: 5) — and not die by them.
- G. “Might one suppose that that is the case even if the action is to be done in public? Scripture states, ‘And you shall not profane my holy name’ (Lev. 22:43).”

I.5 A. Said Rabbah bar bar Hana said R. Yohanan, “In the case of any ailment on account of which people may violate the sanctity of the Sabbath healing may not be accepted from gentiles.”

B. *There are those who say,* said Rabbah bar bar Hana said R. Yohanan, “In the case of any **[28A]** ailment that is internal, one may not accept healing from them.”

C. *What is at issue between the two versions?*

D. *At issue is the case of a swelling on the hand or the foot.*

E. For said R. Ada bar Mattenah said Rab, “A swelling on the hand and a swelling on the foot — lo, they are classified as internal ailments, on account of which the sanctity of the Sabbath may be profaned.”

I.6 A. [Continuing 5.E:] Said R. Zutra bar Tubiah said Rab, “On account of any sore that requires medical judgment, the sanctity of the Sabbath may be profaned.”

B. *Said R. Shemen bar Abba said R. Yohanan, “Inflammatory fever is classified as an internal ailment, on account of which the sanctity of the Sabbath may be profaned.”*

I.7 A. Now what is the definition of an internal sore?

B. Explained R. Ammi, “A sore that is from the lip and inward.”

I.8 A. *R. Eleazar raised the question, “What is the classification of the gums and teeth? Since they are hard, are they to be classified as external, or since they are within the mouth, are they classified as internal?”*

B. *Said Abbaye, “Come and take note: He who is having trouble with his teeth should not rinse them on the Sabbath with vinegar. This means that if he is merely having trouble, he is not to do so, but if he is greatly pained, he may do so.”*

C. *But perhaps this Tannaite formulation classifies as having trouble with the teeth even where one has a great deal of pain.*

- D. *Come and take note: R. Yohanan was having trouble with his gums, on account of scurvy, and he went to a certain gentile woman, who took care of him on Thursday and Friday. He said, "What about tomorrow?"*
- E. *She said to him, "You will not need any more."*
- F. *"But what if I do need it?"*
- G. *"Swear to me that you will not reveal the remedy."*
- H. *He said, "I swear to the God of Israel I will not reveal it."*
- I. *She told him the secret. The next day he mentioned it in the course of his public lecture.*
- J. *But had he not taken an oath to her?*
- K. *He took the oath, "To the God of Israel I will not reveal it," — "but I may reveal it to his people, Israel."*
- L. *But is this not a profanation of God's name?*
- M. *He mentioned that proviso to her to begin with.*
- N. *Now is it not obvious that a sore on the gum is classified as an internal sore?*
- O. *Said R. Nahman b. Isaac, "Scurvy is exceptional, because while it starts in the mouth, it extends to the innards."*

I.9 A. *What is the sign of scurvy?*

- B. *If one puts something between his teeth, his gums bleed.*
- C. *What causes it?*
- D. *The cold of cold wheat food and the heat of hot barley food, and also the remnant of fish hash and of flour.*

I.10 A. *What did she do for him?*

- B. *Said R. Aha b. Raba, "She put on leaven water with olive oil and salt."*
- C. *Mar b. R. Ashi said, "Geese fat smeared with a goose quill."*
- D. *Said Abbayye, "I did all that but was not healed, but a certain Arab told me to get olive pits of olives not a third ripe and burn them on a new spade and spread the ashes on the gums; I did it and I was cured."*

I.11 A. *But how did R. Yohanan behave in such a manner, and did not Rabbah bar bar Hana say R. Yohanan said, "In the case of any*

ailment on account of which people may violate the sanctity of the Sabbath healing may not be accepted from gentiles.”

- B. *An eminent authority is exceptional.*
- C. *But lo, R. Abbahu was an eminent authority, and Jacob the Min prepared a medicine for his leg, and if it were not for R. Ammi and R. Assi, who licked the leg [to remove the poison], he would have cut his leg off!*
- D. *In the case of R. Yohanan, it was an expert physician.*
- E. *So in the case of R. Abbahu, it was an expert physician.*
- F. *R. Abbahu's case was different, for Minim take the view, “Let me die with the Philistines” (Judges 16:30).*

I.12 A. *Said Samuel, “An open wound is classified as an ailment on account of which people may violate the sanctity of the Sabbath.”*

- B. *How is it healed?*
- C. *To stop the bleeding, with cress with vinegar; to bring on flesh, scraped root of cynodon and paring of the bramble, or worms form a dunghill [following Mishcon verbatim].*

Appendix on the Symptoms of Various Ailments and their Cures

I.13 A. *Said R. Safra, “[Mishcon:] a berry-like excrescence is a forerunner of the angel of death.”*

- B. *How is it healed?*
- C. *Rue in honey or parsley in strong wine. In the meanwhile a berry like it in size should be brought and rolled over it, a white one for a white excrescence, a black one for a black one.*

I.14 A. *Said Raba, “[Mishcon:] An abscess is a forerunner of fever.”*

- B. *How is it healed?*
- C. *Snap it sixty times with the thumb, then cut it open crosswise.*
- D. *That is the case if it has not been brought to a head; but if the head is white, it does not matter.*

I.15 A. *R. Jacob was pained [28B] by a slit in the rectum, and R. Ammi — some say, R. Assi — instructed him to [Mishcon:] take seven grains of purple colored alkali, wrap them up in the collar of a shirt, tie it*

around with a white thread [of cattle hair], dip it in white naphtha, and burn it, and apply the ashes to the sore.

- B. *While preparing this he was to take the kernel of a bramble nut and apply its split side to the split. That is if there is an external slit.*
- C. *What if it is an internal slit?*
- D. *One should take some fat of a goat that has not borne any young, melt it and apply it. Or one should take three melon leaves which have faded in the shade, burn them, and apply the ashes.*
- E. *In the absence of these let one apply snail shells or else take olive oil mixed with wax and let him be covered with rag of linen in the summer and cotton wool in the winter.*

I.16 A. R. Abbahu suffered with an earache, and he was instructed by R. Yohanan — other say, by those in the house of study.

- B. *What was the instruction?*
- C. *It was in accord with that which Abbayye said, “Mother told me that kidneys were created only for the ear.”*
- D. *And said Raba, “Minyomi the physician told me that all fluids are bad for the ear except juice from kidneys. [Mishcon verbatim:] One should take the kidney of a bald buck, cut it cross wise, and place it on glowing coals, and pour the water that comes out of it into the ear, neither cold nor hot but tepid. Or one should take the flat of a large-size cockchafer, melt it and drip it into the ear. Or the ear should be filled with oil, then seven wicks should be made out of green blades of wheat stalks at the one end of which dry garlic ends, and some white thread should be set alight while the other end is placed within the ear; the ear should be exposed to the light, but care should be taken that no spark falls on it, each wick when done with should be replaced by another.”*
- E. *Another version: [Mishcon verbatim:] One should prepare seven wicks of white thread and dip them in oil of balsam wood, setting light to the one end and placing the other end in the ear, each one when done with should be replaced by another, care being taken to avoid any sparks. Or take two pieces of cotton that have been dyed but not combed and place them within the ear, which should be placed above a fire, taking precaution against sparks. Or take a tube of an old*

cane that has been detached from the soil for about a century and fill it with rock salt, then burn it and apply the ashes to the sore part. Your mnemonic: in liquid form to a dry sore, and in dry form to a wet sore.

I.17 A. Said Rabbah bar Zutra said R. Hanina, "People may raise up the ear into proper position on the Sabbath."

B. R. Samuel bar Judah repeated as a Tannaite version, "By hand but not with medicine."

C. *Some say, "By medicine but not by hand.*

D. *"What is the operative consideration? It causes soreness."*

I.18 A. Said R. Zutra b. Tobiah said Rab, "In the case of an eye that got out of order, it is permitted to paint it on the Sabbath."

B. *People supposed that that rule applied when the medicine had been ground on the prior day, but if it was necessary to grind the medicine on the Sabbath and carry it on the public domain, it would not be permitted. However, said one of the rabbis, named R. Jacob, "To me personally did R. Judah explain that even grinding the medicine on the Sabbath and even carrying it through public domain are permitted."*

I.19 A. *R. Judah permitted painting the eye on the Sabbath. Said R. Samuel bar Judah to them, "Anyone who pays attention to Judah profanes the Sabbath." It turned out that he had some eye trouble. He sent word to R. Judah, "Is healing on the Sabbath permitted or forbidden?"*

B. *He replied, "To everybody else it is permitted, but to you it is forbidden."*

C. *"But was it on my own account that I made that statement? It derived from Mar Samuel. Mar Samuel had an inflamed eye on the Sabbath; she cried but no one paid any attention to her, so her eye dropped. On the next day, Mar Samuel went out and expounded: "In the case of an eye that got out of order, it is permitted to paint it on the Sabbath.*

D. *"What is the operative consideration? Eyesight [Mishcon:] is connected with the mental faculties."*

I.20 A. [As to eye trouble that may be treated on the Sabbath,] what sort is permitted in that connection?

B. Said R. Judah, "[Mishcon:] Discharge, pricking, congestion, watering, inflammation or the first stages of sickness, excluding the last stage of

sickness or the brightening of the eyesight, in which instances it is not permitted.”

I.21 A. Said R. Judah, *“The wasp’s sting, the thorn’s prick, an abscess, a sore eye, or an inflammation — for all of these a bathhouse is dangerous. Radishes are good for fever, beets for cold shivers; the reverse is dangerous. Warm things are good for a scorpion bite, cold things for a wasp sting; the reverse is dangerous. So, too, warm things for a thorn prick and cold things [29A] for an eruption. The reverse is dangerous. Vinegar is good after letting blood, small fish in brine after fasting; the reverse is dangerous. Cress after bloodletting is dangerous. Fever is dangerous for bloodletting, so sore eyes are dangerous for bloodletting. The second day after eating fish is good for bloodletting; the second day after bloodletting is good for eating fish; on the third day it is injurious.”*

I.22 A. Our rabbis taught on Tannaite authority:

B. He who has blood let should not eat milk, cheese, onions, or pepperwort.

C. If he ate of them?

D. Said Abbaye, *“Let him bring a quarter-log of vinegar and a quarter-log of wine, mix them together, and drink it, and when he has to defecate, he should defecate only east of the town, on account of the fact that the stench [of his shit] will be horrible.”*

I.23 A. Said R. Joshua b. Levi, *“People may lift the unqlai on the Sabbath.”*

B. What is “the unqlai”?

C. Said R. Abba, “[Mishcon:] the cartilage in front of the heart.”

D. What is the remedy?

E. *Take cumin, caraway, mint, wormwood, saturera, and hyssop. For the heart they should be taken in wine: “Wine makes the heart of man” (Psa. 104:15); and for difficulty in breathing, they are to be taken in water. The mnemonic: “The breath of God hovered over the face of the water” (Gen. 1: 2). For a woman in childbirth, they are to be taken in beer, with the mnemonic, “her pitcher on her shoulder” (Gen. 24:15).*

F. R. Aha b. Rabbah ground them together and took a fistful and drank it.

G. R. Ashi ground each one by itself and took a pinch of it with his thumb and little finger.

- H. *Said R. Pappa, “I did all these things but was not healed until a Tai Arab told me to take a new jug, fill it with water in which a spoonful of honey that had stood overnight under the stars had been dropped, and drink the contents on the next day. I did it and was cured.”*

I.24 A. *Our rabbis have taught on Tannaite authority:*

- B. Six things heal a sick person to recover from illness and really do cure: cabbage, beets, a mixture of dry sisin, tripe, womb, and the lobe above the liver; some say, also small fish.
- C. And not only so, but furthermore, small fish keep the entire body in good shape.
- D. Ten things are going to return a patient to his illness and make the illness worse: eating ox meat, fat, roast meat, birds’ meat, roast egg, pepperwort; shaving, bathing; cheese and liver. Some say, Also nuts, and others add, melons, too.
- E. A Tannaite authority of the household of R. Ishmael stated, “What are melons called as such [qishuim]? Because they are as harsh [qashin] to the body of a human being as swords.”

II.1 A. **“And they do not allow them to cut hair under any circumstances,” the words of R. Meir. And sages say, “In the public domain it is permitted, but not if they are alone”:**

- B. *Our rabbis have taught on Tannaite authority:*
- C. **An Israelite who is getting a haircut from a gentile watches in the mirror. [If it is] from a Samaritan, he does not watch in the mirror.**
- D. **An Israelite who is giving a haircut to a gentile, when he has reached the forelock, removes his hand [from the hair and does not cut if off] [T. **A.Z. 3:5A-B, 3:6A**].**

II.2 A. A master has said, **“An Israelite who is getting a haircut from a gentile watches in the mirror”:**

- B. *Now how are we to imagine this situation?*
- C. *If the haircut takes place in public, then what need do I have for a mirror? And if it is in private, even if one is watching in a mirror, what difference could it possibly make [if the gentile wanted to murder the Jew anyhow]?*
- D. *In point of fact we deal with a haircut in private, and since there is a mirror in hand, the Israelite will look like an important person [not to be murdered with impunity].*

- II.3** A. *In one of the roads of Nehardea R. Hana bar Bizna was getting a haircut from a gentile, who said to him, “Hana, Hana! Your throat really matches these shears!”*
- B. *He said to him, “I have that coming to me, since I have violated the rule as laid down by R. Meir!”*
- C. *But then the rule of rabbis did he not also violate?*
- D. *I should say that when rabbis made their statement, it concerned the public domain, but as to the private domain have they made any such statement? And lo, since the roads of Nehardea are full of passersby, they are to be classified as public domain.*

II.4 A. **An Israelite who is giving a haircut to a gentile, when he has reached the forelock, removes his hand [from the hair and does not cut it off]:**

- B. And how much should he leave?
- C. Said R. Malkiah said R. Ada bar Ahbah, “Three fingers in all directions.”

- II.5** A. Said R. Hanina b. R. Iqa, “Statements about a spear, maid-servants, depressions are by R. Malkio; those concerning the forelock, vegetable ashes, and cheese are by R. Malkiah.”
- B. Said R. Pappa, “A statement that pertains to a passage of the Mishnah or to an external Tannaite formulation belong to R. Malkiah. Statements that pertain to what is free-standing belong to R. Malkio.”
- C. And your mnemonic is, “the Mishnah is the queen.”
- D. *What is at stake in the debate?*
- E. *At stake is the attribution of the statement about maid servants.* [Mishcon: According to Hanina, it is attributed to Malkio, and according to Pappa, it is attributed to Malkiah.]

I.1 clarifies the sense of the Mishnah’s language, and then No. 2 proceeds to amplify the law. Nos. 3, 4 provide footnotes to No. 2. No. 5 then proceeds to supplement with further materials the Mishnah’s rule about accepting healing from a gentile. No. 6 is tacked on because of its thematic union with 5.E, which in point of fact belongs to No. 6. Nos. 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 then are tacked on

in a rather neatly compiled composite of materials pertinent to the common theme at hand; I have kept them distinct from one another because I see no obvious flow from point to point, so the whole is to be represented as a composite of reciprocally pertinent singletons or groups of complexes, all of them distinct from one another. II.1 amplifies the cited rule of the Mishnah by introducing a counterpart rule in the Tosefta. Then at No. 2, illustrated by 3, 4, supplemented by No. 5, we proceed to a secondary analysis of the amplification.

2:3

- A. [29B] These things belonging to gentiles are prohibited, and the prohibition affecting them extends to deriving any benefit from them at all:
- B. (1) wine, (2) vinegar of gentiles which to begin with was wine, (3) Hadrianic earthenware, and (4) hides pierced at the heart.
- C. Rabban Simeon B. Gamaliel says, "When the tear in the hide is round, it is prohibited. [If it is] straight, it is permitted."
- D. "Meat which is being brought in to an idol is permitted.
- E. "But that which comes out is prohibited,
- F. "because it is like sacrifices of the dead (Psa. 106:28)," the words of R. Aqiba.
- G. With those who are going to an idolatrous pilgrimage — it is prohibited to do business.
- H. With those that are coming back it is permitted.

2:4

- A. "Skins of gentiles and their jars, with Israelite wine collected in them —
- B. "they are prohibited, and the prohibition affecting them extends to deriving benefit from them at all," the words of R. Meir.
- C. And sages say, "The prohibition affecting them does not extend to deriving benefit from them."
- D. "Grape pits and grape skins belonging to gentiles are prohibited, and the prohibition affecting them extends to deriving any benefit from them at all," the words of R. Meir.
- E. And sages say, "[If] they are moist, they are forbidden. If they are dry, they are permitted."
- F. "Fish brine and Bithynian cheese belonging to gentiles are prohibited, and the prohibition of them extends to deriving any benefit from them at all," the words of R. Meir.

- G. And sages say, “The prohibition of them does not extend to deriving benefit from them.”

2:5

- A. Said R. Judah, “R. Ishmael asked R. Joshua as they were going along the road.
- B. “He said to him, ‘On what account did they prohibit cheese made by gentiles?’
- C. “He said to him, ‘Because they curdle it with rennet from carrion.’
- D. “He said to him, ‘And is not the rennet from a whole-offering subject to a more stringent rule than rennet from carrion, and yet they have said, ‘A priest who is not squeamish sucks it out raw?’
- E. (But they did not concur with him and ruled, “It is not available for [the priest’s] benefit, while it also is not subject to the laws of sacrilege.”)
- F. “He went and said to him, ‘Because they curdle it with rennet of salves sacrificed to idols.’
- G. “He said to him, ‘If so, then why have they not also extended the prohibition affecting it to the matter of deriving benefit from it?’
- H. “He moved him on to another subject.
- I. “He said to him, ‘Ishmael, my brother, How do you read the verse: “For your [masculine] love is better than wine, or, Your [feminine] love is better than wine” (Song 1: 2)?’
- J. “He said to him, ““For your [feminine] love is better than wine.””
- K. “He said to him, ‘The matter is not so. For its neighbor teaches concerning it, “Your [masculine] ointments have a goodly fragrance” (Son. 1: 3).”

I.1 A. Wine:

- B. *What is the source in scripture for this prohibition?*
- C. Said Rabbah bar Abbuha, “Said Scripture, ‘...who did eat the fat of their sacrifices and drink the wine of their drink-offering’ (Deu. 32:38) — just as it is forbidden to derive benefit from the sacrifice, so it is also forbidden to derive benefit from wine used for a libation.”
- D. *And as to the prohibition of the sacrificial meat itself, what is the source in scripture for this prohibition?*

- E. “They joined themselves also to Baal of Peor and ate the sacrifices of the dead” (Psa. 106:28) — just as it is forbidden to derive benefit from whatever belongs to the dead, so it is also forbidden to derive benefit from whatever pertains to pagan sacrifices.
- F. *And as to the prohibition of what pertains to the dead itself, what is the source in scripture for this prohibition?*
- G. *The prohibition derives from the appearance of the word “there” both in connection with the heifer the neck of which is to be broken and also in the present context. Here we find, “And Miriam died there” (Num. 20: 1), and in connection with the heifer, “And they shall break the neck of the heifer in the valley” (Deu. 21: 4). Just as in that latter case, it is forbidden to derive any benefit from the heifer, so in the matter of the dead, it is forbidden to derive any benefit from the dead.*
- H. *And how in that case do we know that that is the rule?*
- I. *Members of the household of R. Yannai said, “In that connection, atonement’ is stated as in the case of sacrifices [from which one may derive no secular benefit].”*

II.1 A. Vinegar of gentiles which to begin with was wine:

- B. *So what’s new! Merely because the wine has turned to vinegar, does the prohibition affecting it disappear?*
- C. Said R. Ashi, *“The rule comes to inform us that if our vinegar is left in the keeping of a gentile, it does not require a seal within a seal [but a single seal suffices to indicate that the gentile has not opened the jar and made a libation of the contents]. If the operative consideration is concern that he not offer a libation of the jug’s contents to idols, that is not generally done with vinegar; and if the operative consideration is that he might exchange the vinegar for his own, since there is a seal, he will not take the trouble to falsify it.”*

II.2 A. Said R. Ilai, We have repeated as an authoritative rule: wine that has been boiled, which belongs to gentiles, that to begin with was raw wine [belonging to a gentile], is forbidden.”

- B. *So what’s new! Merely because the wine has been boiled, does the prohibition affecting it disappear?*

- C. Said R. Ashi, “*The rule comes to inform us that if our wine, which has been boiled, is left in the keeping of a gentile, it does not require a seal within a seal [but a single seal suffices to indicate that the gentile has not opened the jar and made a libation of the contents]. If the operative consideration is concern that he not offer a libation of the jug’s contents to idols, that is not generally done with vinegar; and if the operative consideration is [30A] that he might exchange the vinegar for his own, since there is a seal, he will not take the trouble to falsify it.*”

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

- B. **Boiled wine and aromatic water belonging to gentiles — lo, these are prohibited [because they begin as wine]. Aromatic water in its natural condition — lo, this is permitted [T. A.Z. 4:12A-B].**

- C. What is the definition of aromatic water?
- D. *It is as has been stated on Tannaite authority in connection with the Sabbath:* People may prepare a wine-honey-pepper mixture, but not aromatic water. What is the definition of the former and of the latter? The former is a mixture of wine, honey, and pepper, the latter is a mixture of old wine, pure water, and balsam.
- E. *The latter is used in the bathhouse as a cooler.*

II.4 A. *Both Rabbah and R. Joseph say, “Mixed wine is not subject to the prohibition on grounds of wine that has been left uncovered, and boiled wine is not subject to the consideration if it is serving as libation wine.”*

- B. *The question was raised:* Is boiled wine subject to the prohibition on account of being left uncovered, or is it not subject to the prohibition on account of being left uncovered?
- C. *Come and take note:* Testified R. Jacob bar Idi concerning boiled wine, that it is not subject to the prohibition on account of being left uncovered.

II.5 A. *R. Yannai bar Ishmael was sick. R. Ishmael b. Zerud and rabbis came to call on him. They went into session and raised this question:* Is boiled wine subject to the prohibition on account of being left uncovered, or is it not subject to the prohibition on account of being left uncovered?

- B. *Said to them R. Ishmael b. Zerud, “This is what R. Simeon b. Laqish said in the name of a major authority, and who is that?”*

It is R. Hiyya: 'Boiled wine is not subject to the prohibition on account of being left uncovered.'"

- C. *They said to him, "May we rely upon this formulation?"*
- D. *Gestured R. Yannai b. R. Ishmael, "Rely on me and on my shoulders."*

II.6 A. *Samuel and Abbat were in session. Boiled wine was brought for them, and Abbat desisted.*

- B. Samuel said to him, "Lo, they have said: boiled wine is not subject to prohibition on the count of serving as libation wine."

II.7 A. *The servant girl of R. Hiyya found boiled wine that had been left uncovered. She came before R. Hiyya, who said to her, "Lo, they have said: boiled wine is not subject to prohibition on the count of having been left uncovered."*

II.8 A. *The servant of R. Adda bar Ahba found diluted wine that had been left uncovered. He said to him, "Lo, they have said: diluted wine is not subject to prohibition on the count of having been left uncovered."*

II.9 A. *Said R. Pappa, "They have made that statement only of wine that has been well diluted, but if it is only slightly diluted, [a snake] might drink of it."*

- B. *And if the wine is only slightly diluted, is it the fact that a snake will drink of it? And lo, Rabbah bar R. Huna was going along in a boat and he had some wine with it. He saw a snake swimming through the water and approaching, so he said to his servant, "Drive it away." The servant took some water and poured it into the wine, and the snake turned away.*
- C. *[What this proves is only that] for pure wine the snake will take risks, but for diluted wine it won't take risks.*
- D. *And won't it take risks for diluted wine? And lo, R. Yannai was at Akbori. They were in session and were drinking diluted wine. Some was left in the jug, so they tied a shred of it. He saw a snake carrying water, which it poured into the cask, until the cask was so*

filled that the wine rose above the shred, and then it drank.

- E. *[What this proves is only that] if the snake itself dilutes the wine, it will drink the wine, but if others dilute it, it won't drink the wine.*
- F. *Said R. Ashi and some say, R. Mesharshiyya, "[Mishcon:] "What an answer to give in a matter in which danger to life is involved." [Mishcon: The fact that a snake has been seen to drink diluted wine is sufficient warrant to put us on our guard and apply the prohibition to diluted wine that has been left uncovered.]*
- G. *Said Raba, "The decided law is this: mixed wine is subject to the consideration of having been left uncovered and is subject to the consideration of being prohibited as libation wine. Boiled wine is not subject to the consideration of having been left uncovered, and is not subject to the prohibition that pertains to libation wine."*

II.10 A. *The servant of R. Hilqiah bar Tubi: a tank of water was left uncovered, and he had been sleeping alongside. He came to R. Hilqiah bar Tubi and said to him, "Lo, they have said, the fear of a sleeping person affects them [snakes], but that is the case only by day; by night, that is not so. But that is not the fact. Rather, there is no difference between day and night, for at both times fear of a sleeping person affects them."*

II.11 A. *Rab would not drink water at the home of an Aramaean. He said, "They are not careful about uncovered water." But he drank water at a widow's house [who was not an expert in the law], saying, "She will follow her husband's rule."*

B. *Samuel would not drink wine at a widow's house, saying, "She is not subject to the*

intimidation of a husband and will not keep the water covered.” He would drink wine at the home of an Aramaean, saying, “Even though they are not ordinarily meticulous about uncovered liquids, they are meticulous about cleanliness [and keep the water covered to keep it clean].”

- C. *There are those who say, Rab would not drink water at an Aramaean’s house but would drink it at a widow’s house, and Samuel would not drink water at the house of an Aramaean or at the house of a widow.*

- II.12** A. Said R. Joshua b. Levi, “There are three classes of wine to which the consideration of covering up does not apply, and these are they: what is strong, bitter, and sweet.
- B. *“Strong: wine made from acrid tila, which makes the wine skin burst;*
- C. *“Bitter: wine made of unripe grapes;*
- D. *“Sweet: wine made from Spätlese grapes.”*
- E. *R. Hama repeated as a Tannaite version that these are improved wines:*
- F. *“strong: wine mixed with pepper;*
- G. *“bitter: wine mixed with wormwood;*
- H. *“sweet: sparkling wine.”*

- II.13** A. Said R. Simeon b. Laqish, “Qarina wine is not subject to prohibition because of being left uncovered.”
- B. *What is qarina wine?*
- C. *Said R. Abbahu, “It is a sweet wine from Assia.”*
- D. *Said Raba, “But in its own locale of production, it is subject to prohibition if it is left uncovered. How come? It is local wine [drunk by the local snakes].”*

- II.14** A. Said Raba, “Wine that has formed a film is subject to prohibition if it is left uncovered, and it is subject to prohibition on the count of having served as libation wine for the first three days. **[30B]** From that point onward, it is not subject to prohibition if it is left uncovered, and it is not subject to prohibition on the count of having served as libation wine.”

- B. *The Nehardeans say, "Even after three days, it is still subject to the prohibition of having been left uncovered, since from time to time even wine such as that may be drunk [by snakes]."*

II.15 A. *Our rabbis have taught on Tannaite authority:*

- B. Wine in the first stages of fermentation is not subject to prohibition on the count of having been left uncovered.
- C. And how long is that period of initial fermentation?
- D. Three days.
- E. A dish of chopped cress mixed with wine is not subject to prohibition on the count of having been left uncovered.
- F. Masters in the Diaspora would customarily impose a prohibition in such a matter if it was left uncovered.
- G. *But that is so only if there was no vinegar in it; for vinegar in it will stop snakes from tasting it.*

II.16 A. Babylonian *kutah* is not subject to a prohibition on account of having been left uncovered.

- B. Masters in the Diaspora would customarily impose a prohibition in such a matter if it was left uncovered.
- C. *Said R. Manassi, "If there are fang marks in it, we take account of the possibility that it has been bitten by a snake."*

II.17 A. Said R. Hiyya bar Ashi said Samuel, "Water that drips into a utensil is not subject to the consideration of having been left uncovered."

- B. *Said R. Ashi, "But that is the rule only if the dripping is continuous."*

II.18 A. Said R. Hiyya bar Ashi said Samuel, "The opening of a fig [just picked and left overnight] is not prohibited under the rule of liquids left uncovered."

- B. *In accord with what authority is that ruling made? It is in accord with the following Tannaite authority:*
- C. R. Eliezer says, "A person may eat grapes and figs by night without taking into account any sort of danger, since it is written, 'The Lord protects the simple' (Psa. 116: 6)."

II.19 A. Said R. Safra in the name of R. Joshua, the Southerner, "There are three classifications of venom: the venom of a young snake sinks to the bottom, that

of one not so young drops to the middle, and the venom of an old snake floats on the top.”

- B. *Does that then imply that as the snake grows older, its strength diminishes? And has it not been taught on Tannaite authority:*
- C. There are three classes of species the strength of which increases with age: fish, serpents, and pigs.
- D. *True enough, the strength increases with age, but the venom weakens.*

II.20 A. “The venom of a young snake sinks to the bottom”: *So what?*

- B. *It is in line with that which has been taught on Tannaite authority:*
- C. As to a jug that was left open, even though nine people drank from it and did not die, the tenth man should not drink from it anyhow.
- D. There was the case in which nine people drank from such a jug and did not die, but the tenth man drank and died.
- E. Said R. Jeremiah, “That is a case in which the venom sank to the bottom.”
- F. So, too, a melon that was cut open, even though nine people ate of it and did not die, the tenth man should not eat of it.
- G. There was the case in which nine people ate from such a melon and did not die, but the tenth man drank and died.
- H. Said Rab, “That is a case in which the venom sank to the bottom.”

II.21 A. *Our rabbis have taught on Tannaite authority: Water that has been left uncovered — one may not spill it out in the public way, mix plaster with it, give it to a gentile, or give it to cattle owned by others to drink. But he may water his own cattle with it. He may not wash with it his own face, hands, or feet. Others say, “They said that only if there is a cut, but if there is no cut, it is permitted” [T. **Terumot 7:14A-D**].*

- B. *But do “others say” then not simply say the same thing as the anonymous rule?*
- C. *They differ in respect to the back of the hand and the foot, the upper part of the face [which have no apertures].*

II.22 A. A master has said, “...give it to his own cattle **or to cattle owned by others to drink**”:

- B. *But has it not also been taught on Tannaite authority: **But he may water his own cattle with it?***
- C. *That refers to giving it to a cat [who will not be harmed].*
- D. *So why not give it to his neighbor's cat?*
- E. *The cat belonging to his neighbor may deteriorate.*
- F. *Then will not his own cat suffer, too?*
- G. *So it will get better.*
- H. *Then his neighbor's cat will also get better!*
- I. *The neighbor may want to sell his cat and will suffer a loss through the cat's drinking and getting sick. [This one may not cause.]*

II.23 A. Said R. Assi said R. Yohanan in the name of R. Judah b. Beterah, "There are three classifications of wine: libation wine, from which one may derive no benefit, and a quantity of which the size of an olive's bulk imparts uncleanness; **[31A]** ordinary wine belonging to gentiles, from which one may derive no benefit, and which imparts uncleanness as liquid in the volume of a quarter-log; and Israelite wine that has been left with a gentile, which, while it may not be drunk, may form the source of benefit to an Israelite."z

- B. *But have we not learned in the Mishnah: [He who leaves his tithed produce in the keeping of a Samaritan or an 'am ha'ares — the produce remains] in its presumed status with regard to tithes and with regard to Seventh-Year produce.] He who leaves [his tithed] produce in the keeping of a gentile — [the produce is deemed to be] like his [viz., the gentile's] produce. R. Simeon says, "[It is deemed to be demai]" [M. Demai 3:4E-G]? [Mishcon: It is not liable to tithe since the gentile may have exchanged it for his own. Why is the wine left with a gentile not regarded in the same way?]*
- C. *Because in this case the gentile has designated a particular storage place for the wine [and so will not confuse it with his own].*
- D. *Then it should also be permitted for drinking [not merely as a source of benefit].*
- E. *For lo, R. Yohanan came to Parvad. He said, Is there any remaining part of the Mishnah teaching of Bar Qappara here?"*
- F. *R. Tanhuma of Parvad repeated to him as a Tannaite statement, "He who leaves his wine with a gentile is permitted to drink it."*
- G. *He recited in this regard the verse, "'In the place where the tree falls, there shall it be' (Qoh. 11: 3). There shall it be do you mean to say? [That's obvious!]*

Rather, there shall its fruit be [and here, too, the teachings of the sages are preserved in the place where he had lived.]”

- H. *Said R. Zira, “There is no contradiction between the two laws, for the one represents the position of R. Eliezer, the other of rabbis. For it has been taught on Tannaite authority:*
- I. *“All the same is he who buys or rents a house in a courtyard owned by a gentile and stores wine therein, if the key or the seal of the house is in the charge of an Israelite —*
- J. *“R. Eliezer permits, and sages prohibit.””*
- K. *Said R. Hiyya b. R. Hiyya bar Nahmani said R. Hisda said Rab, and some say, said R. Hisda said R. Zeiri, and some say, said R. Hisda, “Said to me Abba bar Hama, ‘This is what Zeiri said, “The decided law is in accord with R. Eliezer.”””*

II.24 A. *Said R. Eleazar, “All things are suitably guarded by a single seal except for wine, which cannot be suitably guarded only by a single seal.”*

B. *And R. Yohanan said, “Even wine may be suitably guarded by a single seal.”*

C. *But there is no inconsistency between the rulings of the two authorities, for one is in accord with R. Eliezer, the other in accord with rabbis.*

D. *There are those who state the matter as follows:*

E. *Said R. Eleazar, “All things are suitably guarded by a seal within a seal, except for wine, which cannot be suitably guarded only by a double seal.”*

F. *And R. Yohanan said, “Even wine may be suitably guarded by a double seal.”*

G. *And both authorities are in accord with rabbis. One authority takes the view that, when rabbis differ from R. Eliezer, it concerns a single seal, but as to a seal within a seal, they deem it permitted. And the other authority takes the view that even with regard to a seal within a seal, rabbis declare the prohibition to apply.*

II.25 A. *What is the definition of a seal within a seal?*

B. *Said Raba, “A basin placed over the opening of a barrel, joined to the barrel with a seal on it, is a seal within a seal; otherwise it is not a seal within a seal; a basket fastened over the stopper is a seal within a seal, but if it is not fastened, it is not a seal within a seal; a skin bottle*

in a bag with a closed opening of the skin bottle inside is a seal within a seal; but if the opening is outside, it is not a seal within a seal; if one bends in the closed opening of a skin bottle inside and then ties the bottle up again and seals it, it is a seal within a seal."

II.26 A. *Our rabbis have taught on Tannaite authority:*

- B. At first they ruled: wine of En Bushi is forbidden because of the close proximity of Birat Sirika; wine of Borkata is forbidden because of the close proximity of Kefar Parshai; wine of Zagdar is forbidden because of the close proximity of Kefar Shalem.
- C. Then they retracted and ruled: if jars are open, their contents are forbidden, and if they are sealed, they are permitted.
 - D. *What to begin with were they thinking and afterward what were they thinking?*
 - E. *In the beginning this was their theory: A Samaritan is not meticulous about a gentile's touching wine, whether the barrels are open or closed.*
 - F. *And later on? If the Samaritan is not meticulous, it is with those that already are opened, but as to the ones that are sealed, he is meticulous indeed.*
 - G. *But then are those that are sealed permitted? And an objection was raised on the basis of the following: [31B] He who sends a jug of wine by the hand of a Samaritan, and one of brine or pickling wine with a gentile, if he can identify his seal and the manner in which he closes the jug, it is permitted, and if not, it is forbidden. [The Samaritan might let the gentile touch the wine even though it is in a sealed jug, and that is contrary to the conception just now suggested, that the Samaritan is meticulous about sealed wine.*
 - H. *Said R. Zira, "There is no contradiction between the two rules. The one speaks of the case of the town [where the Samaritan will take account of Jews' observing his actions], the other, of conduct on a journey."*
 - I. *R. Jeremiah objected, "But did not the wine in town come by road?"*
 - J. *Rather, said R. Jeremiah, "We have repeated the rule before us in connection with barrels that were closed in the area of the wine presses. Since everybody is around, the Samaritan would be meticulous not to*

let the gentile touch the barrel. He will say, 'If someone sees me, the wine will be lost to me.'

II.27 A. *It has been stated:*

- B. How come beer of gentiles has been prohibited?
- C. R. Ammi b. Hama said R. Isaac said, "On account of the possibility of intermarriage."
- D. R. Nahman said, "Because it might have been left uncovered."
 - E. *Uncovered? Under what circumstances? If one should say that it might be uncovered in the vat, we, too, leave it uncovered in the vat. And if it is in the barrel, we, too, keep it uncovered in the barrel.*
 - F. *The ruling is required to cover a place in which the water is permitted to settle [before use in the beer, and it may have been exposed].*
 - G. *If so, then, when it matures, it should be permitted, for said Rab, "When it has matured, it is permitted, for venom would not allow the liquid to mature; so, too, wine that has fermented is permitted, for it would not have allowed the wine to ferment."*
 - H. *What we deal with is a precautionary decree against the use of the mature beer on account of the fresh beer.*

II.28 A. *When R. Pappa would be brought beer to the door of the shop, he would drink it.*

- B. *When they would bring beer to R. Ahai at his house, he would drink it.*
- C. *And both of them held that the prohibition was only on account of intermarriage [which in these instances would not be a consideration], but R. Ahai imposed a further precaution.*

II.29 A. *R. Samuel bar Bisna happened to visit Marguan. They offered him wine and he would not drink it. They offered him beer and he would not drink it.*

- B. *Now there is no problem with his not drinking the wine, since there is the suspicion [that they are not particular about not using gentile wine], but what was the reason for not drinking the beer?*
- C. *It was because of a suspicion of a suspicion.*

II.30 A. Said Rab, *“As to beer produced by Aramaeans, it is permitted, but Hiyya my son is not permitted to drink it.”*

B. *Which way now? If it is permitted, it is permitted for everybody, and if it is prohibited, it is prohibited for everybody!*

C. *Rab took the view that it may have been left uncovered, but the bitter flavor of the hops counteracts the venom that might be in it, so it can injure only a weak person, and his son Hiyya was a weak person and therefore should not drink it.*

II.31 A. Samuel said, *“All creeping things have poisonous venom, but while that of the snake is fatal, that of other creeping things is not.”*

B. *Said Samuel to Hiyya bar Rab, “Son of nobility! Come and I shall tell you a lovely teaching which your father, Rab, would say. This is what your father would say: ‘These fat Aramaeans who drink liquids that have been left uncovered and do not die, because they eat abominable things and creeping things, their bodies are immune.’”*

C. *Said R. Joseph, [32A] “The vinegar that Aramaeans make out of beer is forbidden because with it they mix yeast that comes from libation wine.”*

D. *Said R. Ashi, “If it comes from storage, it is permitted, for if it had contained such a mixture it would have been spoiled.”*

III.1 A. Hadrianic earthenware:

B. *What is the meaning of Hadrianic?*

C. *Said R. Judah said Samuel, “Earthenware of Caesar Hadrian.”*

III.2 A. *When R. Dimi came he said, “Here was virgin soil, which had not been worked, that would be tilled and planted with vines. The wine they would pour into white jugs, which absorbed it. They then broke these jugs into fragments, which they would carry, and wherever they went they soaked the fragments in water and drank the water.”*

B. *Said R. Joshua b. Levi, “And wine of the first class of ours is equivalent only to wine of the third [soaking of these sherds].”*

III.3 A. *The question was raised: What is the law as to resting the legs of a bed on these [sherds]? Is it permitted or forbidden to keep what is forbidden for a purpose other than that on account of which the thing is forbidden? [Mishcon: By using the sherds for such a purpose, the person wants to keep them, even though not for the wine therein; an act that involves preserving libation wine is forbidden].*

- B. *Come and take note: R. Eleazar and R. Yohanan [debated whether one may do so]. One forbade and the other permitted.*
- C. *An objection was raised: Wine belonging to Israelites that is kept in barrels or leather skins that belong to gentiles may not be drunk but may be used for profit. Simeon b. Guda gave testimony before the son of Rabban Gamaliel concerning Rabban Gamaliel, that he had drunk from such wine in Akko, but sages did not concede the validity of that evidence. As to flagons that belong to gentiles, Rabban Simeon b. Gamaliel says in the name of R. Joshua b. Qapusai, "It is forbidden even to make of them spreads for an ass." Now here we have an explicit case in which the man wants to preserve the object for some purpose other than that on account of which it is forbidden, and it is taught that it is forbidden to do so.*
- D. *But according to your reasoning, the sale of earthenware utensils belonging to gentiles also should be forbidden, for what difference is there between leather flagons and earthenware flasks?*
- E. *Said Raba, "The sale of the leather flagons, which is forbidden, is forbidden by a precautionary decree, lest the Israelite's skin split and he take the one of the gentile and patch his with the gentile's."*
- F. *Then in accord with the position of him who maintains that if someone wants to preserve a prohibited object for some purpose other than that on account of which it is forbidden, doing so is prohibited, how come the earthenware flasks are allowed?*
- G. *He will say to you, "In that case the forbidden matter is not present in substance [but only in flavor], while here it is present in substance [that is, the Hadrianic wine is still present and utilized]."*

III.4 A. [Wine belonging to Israelites that is kept in barrels or leather skins that belong to gentiles may not be drunk but may be used for profit. Simeon b. Guda gave testimony before the son of Rabban Gamaliel concerning Rabban Gamaliel, that he had drunk from such wine in Akko,] but sages did not concede the validity of that evidence:

- B. *An objection was raised on the basis of the following: Wine belonging to Israelites that is kept in barrels or leather skins that belong to gentiles may not be drunk but may be used for profit. Simeon b. Guda gave testimony before the son of Rabban Gamaliel concerning Rabban Gamaliel, that he had drunk from such wine in Akko, and sages accepted the validity of that evidence.*

- C. *What is the sense of but sages did not concede the validity of that evidence? The sense is, it was not accepted by all of those present, but his son did accept his testimony.*
- D. *And if you wish, I shall say, the two Gudas were different persons, [and the testimony of the one was rejected, that of the other was accepted].*

IV.1 A. hides pierced at the heart:

- B. *Our rabbis have taught on Tannaite authority:*
- C. **What are hides pierced at the heart? Any which is perforated at the heart [of the beast], and made into a kind of peephole, [but if it is straight, it is permitted] [M. 2:3C] [T. 4:7A-C] —** if there is a drop of coagulated blood, [32B] it is forbidden. But if there is no drop of coagulated blood, it is permitted.
- D. Said R. Huna, “The version has been repeated as valid only in a case in which they did not salt the spot, but if they salted the spot, it is forbidden,
- E. *“for I might suppose that the salt has removed the blood.”*

V.1 A. Rabban Simeon B. Gamaliel says, “When the tear in the hide is round, it is prohibited. [If it is] straight, it is permitted”:

- B. Said R. Joseph said R. Judah said Samuel, “The decided law is in accord with Rabban Simeon b. Gamaliel.”
- C. *Said to him Abbaye, “Since a statement of the decided law is made, does that mean that there are those who dispute about the matter?”*
- D. *He said to him, “So what difference does it make to you?”*
- E. *He said to him, “Is the tradition that is learned no different from the song that is warbled?”*

VI.1 A. Meat which is being brought in to an idol is permitted:

- B. *Who is the Tannaite authority behind this rule?*
- C. *Said R. Hiyya bar Abba said R. Yohanan, “It does not accord with the view of R. Eliezer, for if it were R. Eliezer’s, does he not maintain that the unstipulated intention of the gentile always is to serve idolatry?”*

VII.1 A. “But that which comes out is prohibited, because it is like ‘sacrifices of the dead’ (Psa. 106:28),” the words of R. Aqiba:

- B. *What is the operative consideration here?*
- C. *It is not possible that some sort of sacrifice to an idol will not have taken place.*

- D. *Who is the Tannaite authority behind this rule?*
- E. *It is R. Judah b. Beterah, for it has been taught on Tannaite authority:*
- F. R. Judah b. Beterah says, “How on the basis of Scripture do we know that an offering to an idol imparts uncleanness to whatever overshadows it [as does a corpse, Num. 19:1ff.]? As it is said, ‘They joined themselves to Baal Peor and ate the sacrifices of the dead’ (Psa. 106:28) — just as the corpse imparts uncleanness to whatever is located within its shadow, so the offering to an idol imparts uncleanness to whatever is located within its shadow.”

VIII.1 A. With those who are going to an idolatrous pilgrimage — it is prohibited to do business:

- B. Said Samuel, “**With those who are going to an idolatrous pilgrimage — it is prohibited to do business** — *because they will go and give thanks to the idol. But with those that are coming back it is permitted* — *for what was was.* As to an Israelite, it is permitted to do business with him when he is on a pilgrimage [to worship an idol], *since he may change his mind and not make the trip;* but when he is coming back, it is forbidden, *since [33A] he has already joined to the idol, so he will keep going back.*”
- C. *But has it not been taught on Tannaite authority:* As to an Israelite who is going on a pilgrimage to worship an idol, whether he is on his way or coming back, it is forbidden to do business with him?
- D. *Said R. Ashi, “When that Tannaite version was set forth, it referred in particular to an Israelite apostate, who certainly would make the journey.”*

VIII.2 A. It has been taught on Tannaite authority:

- B. With a gentile who is going to a fair, whether going or coming home, it is permitted to do business; with an Israelite going to a fair, en route to the fair, it is permitted to do business, when he is coming home, it is forbidden.
 - C. *What so differentiates the Israelite on the way home as to make it forbidden to do business with him?*
 - D. *We say that he has been selling objects used for idolatry, so he has with him money that has derived from idolatry.*
 - E. *But the same applies to the gentile, who also may have sold articles used for idolatry and so has money deriving from idolatry with him!*
 - F. *Rather, in the case of the gentile, we say he may have sold clothing or wine.*

G. *Then in the case of the Israelite, we also may say that he may have sold clothing or wine.*

H. *If he had only such things, he would have sold them here.*

IX.1 A. But with those that are coming back it is permitted:

B. Said Simeon b. Laqish, “That teaching is repeated as authoritative only if they do not form a caravan together, but if they form a caravan together, they are forbidden, *for I say that they plan to go back again.*”

X.1 A. “Skins of gentiles and their jars, with Israelite wine collected in them — they are prohibited, and the prohibition affecting them extends to deriving benefit from them at all,” the words of R. Meir. And sages say, “The prohibition affecting them does not extend to deriving benefit from them”:

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

C. **Skins belonging to gentiles — those that are scraped, if new, are permitted. If old or lined with pitch, they are forbidden. [If], while an Israelite supervises him, a gentile works it and pitches it, one may collect wine or oil in it without scruple [T. A.Z. 4:10A-C].**

D. *But since an idolator is the one who puts wine into them, even though an Israelite is supervising him, what difference does it make?*

E. *Said R. Pappa, “This is the sense of the passage: If a gentile works and pitches it, and then an Israelite puts wine into it, and another Israelite is supervising the process, one need not scruple.”*

F. *But if it is an Israelite that puts the wine into the skin, what need do I have for another Israelite to supervise the process?*

G. *Perhaps while the Israelite is pouring the wine, the gentile may offer a libation of the same wine without the other’s noticing.*

H. *R. Zebid said, “In point of fact matters are as they were originally stated. But here, when wine is poured into fresh pitch, it is in the classification of water poured into mortar [so the wine that comes in first soaks thoroughly into the pitch and does not exude when the pitch hardens].”*

- I. *Said R. Pappi, The statement of R. Zebid yields the inference that if a pagan poured wine into the salt cellar of an Israelite, the salt is permitted."*
- J. *To this inference R. Ashi objected, "Are the cases parallel? There the wine goes to waste, but in our case it has not disappeared [the salt retains the flavor of the wine]."*

- X.2** A. *A Tai-Arab, Bar Adi, seized wineskins from R. Isaac bar Joseph, poured out the wine, and returned the skins to him. He came and consulted the house of study.*
- B. *Said to him R. Jeremiah, "The law in practice is this: one fills them with water for three days and pours it out [and the skins are then acceptable]."*
 - C. *Said Raba, "One has to empty out the water every twenty-four hours."*
 - D. *The conclusion drawn from that case was that that is the requirement when the skins belong to us, but if the skins belong to them, that is not the rule. However, when Rabin came, he said R. Simeon b. Laqish said, "All the same is the rule for ours and for theirs."*
 - E. *R. Aha b. Raba in session before R. Ashi drew the conclusion that the rule applies only to skins, but as to jugs, it does not.*
 - F. *Said to him R. Ashi, "There is no distinction to be drawn between skins and jars."*

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

- B. **Jars belonging to gentiles — new ones that have been stripped are permitted. Old ones that have been pitched are prohibited. And one in which a gentile collected water — [If] an Israelite filled it up, an Israelite is permitted also to put wine or oil into it. And if a gentile collected wine in it, an Israelite may forthwith put in bran or brine without scruple [T. A.Z. 4:10G-L].**
 - C. *The question was raised: [33B] Does this rule apply to begin with or only after the fact?*
 - D. *Come and take note: For R. Zebid bar Oshaia repeated as a Tannaite version: "He who purchases jugs from a gentile, if they are new, may put wine in them; if they are old, may put in them bran and brine "– to begin with.*

X.4 A. *R. Judah Nesiah addressed this question to R. Ammi: “If one returned the jugs to the furnace and they were heated white hot, what is the law?”*

B. He said to him, “If bran purifies the jugs, will not fire all the more do so?”

C. *So, too, it has been stated:*

D. Said R. Yohanan, and some say, said R. Assi said R. Yohanan, “Flagons of gentiles that one put back into the furnace, once the pitch has dropped off of them, they are permitted.”

E. *Said R. Ashi, “You need not maintain that that is the case only if it has dropped off; if it was only loosened, even though it has not dropped off, the same rule applies.”*

F. *[If the pitch was removed by means of] lighted chips?*

G. *About that matter there is a disagreement between R. Aha and Rabina.*

H. *One prohibited [use of the flagons by Israelites] and the other permitted [them to do so].*

I. *And the decided law accords with the position of the one who prohibited their doing so.*

X.5 A. *The question was raised: What is the law on putting beer into such a utensil?*

B. *R. Nahman and R. Judah prohibit, Raba permits.*

C. *Rabina permitted R. Hiyya b. R. Isaac to pour beer into such a utensil, so the other went and put wine into it, doing so without scruple in the view that it was done only incidentally.*

X.6 A. *R. Isaac bar Bisna had some utensils deriving from gentiles, which were made of boxwood. He put water in them and let them stand in the sun and they split.*

B. *Said to him R. Abba, “You have made them forbidden permanently. For when rabbis said that utensils of this classification are to be filled with water, did they also rule that they are to be left in the sun?”*

X.7 A. Said R. Yosna said R. Ammi, “As to utensils made of alum crystals, they can never be purified [of the dregs of libation wine].”

B. *What are utensils made of alum crystals?*

C. Said R. Yosé bar Abin, “They are utensils that are made of crystals that come from an alum mine.”

X.8 A. *Members of the household of General Rufila grabbed some earthenware wine casks from Pumbedita, kept wine in them, and then returned the casks. The original owners came and addressed the question to R. Judah [about how these are to be cleaned of the dregs of gentile wine].*

B. He said to them, “This falls into the classification of utensils into which people do not pour anything for permanent preservation, so they may be rinsed with water and will then be permitted.”

X.9 A. *Said R. Avira, “Jugs of dark clay belonging to Aramaeans, since they do not absorb much liquid, are simply to be washed in water and they are then permitted.”*

B. *Said R. Pappi, “Earthenware utensils that come from Be Mikse, since they do not absorb much liquid, are simply to be washed in water and they are then permitted.”*

X.10 A. *As to earthenware drinking cups [used only for water] —*

B. *R. Assi prohibits them.*

C. *And R. Ashi permits them.*

D. *If a gentile drinks from the cup for the first time that it was ever used, all parties concur that the cup is prohibited [since when new it absorbs liquids that come into contact with it]. Where there is a dispute, it is if a gentile drank from the cup the second time it was used.*

E. *There are those who say that if a gentile drinks from the cup for the first or the second time that it was ever used, all parties concur that the cup is prohibited. Where there is a dispute, it is if a gentile drank from the cup the third time that it was used.*

F. *And the decided law is that if a gentile drinks from the cup for the first or the second time that it was ever used, it is forbidden, but if it is for the third time, it is permitted.*

X.11 A. *Said R. Zebid, “Utensils that are glazed, if the glaze is white or black, they are permitted. But if it is a green glaze, they are forbidden, because that glaze contains crystals of alum.*

B. *“And if the utensils are cracked in the glazing, any of them [however glazed] is forbidden [since the cracks may preserve wine].”*

C. *Maremar gave an exposition: “As to utensils that are glazed, whether the glaze is black, white, or green, they are permitted.”*

- D. *But what distinguishes this case [involving gentiles' wine] from the case of leaven on Passover?*
- E. *For Maremar was asked, "As to utensils that are glazed, what is the law on using them for Passover? The question concerns not only green glazing, which contains alum crystals that absorb and render the utensil forbidden. The question concerns white or black glazes. And we do not ask about these only if there are cracks, for such as these would certainly absorb the contents of the utensil and so are forbidden. The question concerns those that are smooth and uncracked. What is the rule?"*
- F. *He said [34A] to them, "I myself have watched utensils of that kind exude liquid, and since they are porous, they also will absorb their contents; they therefore are forbidden. What is the operative consideration? The Torah itself has given evidence concerning clay utensils that they never can get rid of their defect."*
- G. *Now how is that case different from the one involving libation wine, in which case Maremar gave an exposition: "As to utensils that are glazed, whether the glaze is black, white, or green, they are permitted"? And should you maintain that the prohibition of leaven on Passover derives from the authority of the Torah, while the prohibition concerning libation wine derives only from the authority of rabbis, now lo, whatever rabbis have ordained bears the same status as what derives from the Torah.*
- H. *In the one case, the utensil is used for hot liquids, in the other, for cold liquids [and the utensil used all year for leaven has had hot things in it, which are more likely to penetrate the glaze].*
- X.12** A. *R. Aqiba visited Ginzaq. He was asked, "Are fasts to take place only for a specified number of hours valid or not?" He did not know the answer.*
- B. *"Are bottles belonging to gentiles forbidden or permitted?" He did not know the answer.*
- C. *"In what kind of garments did Moses minister at the altar on the seven days of consecration of the priesthood [Lev. 8:33]?" He did not know the answer.*
- D. *He came and asked at the house of study. They said, "The decided law is as follows: People are permitted to fast only for a specified period of hours [and not for the whole day], so if one has completed such a day, he may say the*

prayer for a fast; as to bottles belonging to gentiles, the decided law is that after twelve months of desuetude, they are permitted. As to the garment in which Moses ministered at the altar during the seven days of consecration, it was a white cloak.”

- E. R. Kahana repeated as the Tannaite version: “It was a white cloak without a border.”

XI.1 A. “Grape pits and grape skins belonging to gentiles are prohibited, and the prohibition affecting them extends to deriving any benefit from them at all,” the words of R. Meir. And sages say, “[If] they are moist, they are forbidden. If they are dry, they are permitted.”

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

- C. Grape pits and grape skins belonging to gentiles, when moist are forbidden, but when dry are permitted.

D. *What is the definition of moist, and what is the definition of dry?*

- E. Said R. Judah said Samuel, “They are moist during the whole first twelve months, and dry after twelve months have passed.”

XI.2 A. *It has been stated:*

- B. Said Rabbah bar bar Hana said R. Yohanan, “When they are forbidden, the prohibition extends even to deriving benefit from them. When they are permitted, they are permitted even for eating.”

XI.3 A. *Said R. Zebid, “As to yeast made of wine of Aramaeans, it is permitted after the passage of a full year.”*

- B. *Said R. Habiba b. Raba, “As to jugs, they are permitted after the passage of a full year.”*

- C. *Said R. Habiba b. Raba, “As to [34B] wine bags of Tai Arabs, they are permitted after the passage of a full year.”*

- D. *Said R. Aha b. R. Iqa, “As to kernels sold by Aramaeans, they are permitted after the passage of a full year.”*

- E. *Said R. Aha b. Raba, “As to jugs that are glazed red or black, they are permitted after the passage of a full year.”*

XII.1 A. “Fish brine [and Bithynian cheese belonging to gentiles are prohibited, and the prohibition of them extends to deriving any benefit from them at all,” the words of R. Meir. And sages say, “The prohibition of them does not extend to deriving benefit from them”:]

- B. *Our rabbis have taught on Tannaite authority:*
- C. Fish brine prepared by experts [who do not use unclean fish] is permitted.
- D. R. Judah b. Gamaliel says in the name of R. Hanina b. Gamaliel, "Even brine of hiliq fish prepared by an expert is permitted."
 - E. *Abimi b. R. Abbahu repeated as a Tannaite version: "Fish brine prepared by experts [who do not use unclean fish] is permitted."*
 - F. *While he set forth that Tannaite version, he qualified it: "That rule pertains only to the first and second extracts, which are permitted, but the third is forbidden. What is the operative consideration? The first and second extracts are fat and do not have to have an addition of wine; afterward, wine is added."*

- XII.2** A. *There was a shipload of fish brine that came to the port of Akko, and R. Aha of Akko set up a guard over it. Said Raba to him, "And who kept watch up to now?"*
- B. *He said to him, "Up to now what need was there to take precautions? For as to mixing brine with wine, [Mishcon:] a xestos of brine costs a luma, while a xestos of wine costs four lumas."*
 - C. *Said R. Jeremiah to R. Zira, "But perhaps since they came through Tyre, in which wine is cheap, [they might have mixed wine with the brine]?"*
 - D. *He said to him, "In that area there are narrow bays and shallow waters [and people don't sail that way if they can avoid the risk]."*

- XIII.1** A. **...and Bithynian cheese [belonging to gentiles are prohibited, and the prohibition of them extends to deriving any benefit from them at all," the words of R. Meir. And sages say, "The prohibition of them does not extend to deriving benefit from them]":**
- B. Said R. Simeon b. Laqish, "On what account have sages prohibited Bythinian cheese? It is because most of the calves [which have supplied the rennet for making the cheese] are slaughtered in honor of sacrifices for idols."
 - C. *How come he specifies that it is the majority of the calves, since even if it were a minority, the same rule would apply? For lo, R. Meir takes account of the contribution even of the minority!*
 - D. *If we refer to the majority of the calves, we have only a minority of cattle. But if we spoke only of a minority of calves having been slain*

in honor of an idol, since the majority of calves would then not have been slaughtered in honor of an idol, we should have had to add all other cattle not slaughtered in honor of an idol, so the calves slaughtered for an idol would have formed a minority of a minority, and even R. Meir does not take into account so negligible proportion of the whole!

- E. *Said R. Simeon bar Eliaqim to R. Simeon b. Laqish, "But even if they are slaughtered in honor of an idol, so what? Lo, you are the very authority who has permitted [that classification]. For it has been stated: He who slaughters a beast with the intention of tossing its blood in honor of an idol, or offering its fat in honor of an idol, R. Yohanan says, 'The animal is forbidden,' for he takes the view that we take account of one part of the liturgy of sacrifice in connection with all other acts of that same process, and we further draw an analogy for liturgy from the rules pertaining to the rite within the sanctuary for the rules that apply outside of it [and the rite at hand is assumed to have taken place outside of the sanctuary]. And R. Simeon b. Laqish says, 'The animal is permitted.'"*
- F. *He said to him, "You had a happy moment! But in point of fact, we deal with a case in which the officiating priest says that his act of service to the idol takes place only at the end of the rite of sacrifice [in which case, I, too, would forbid use of the meat by Israelites]."*

XIV.1 A. **Said R. Judah, "R. Ishmael asked R. Joshua [as they were going along the road. He said to him, 'On what account did they prohibit cheese made by gentiles?' He said to him, 'Because they curdle it with rennet from carrion.' He said to him, 'And is not the rennet from a whole-offering subject to a more stringent rule than rennet from carrion, and yet they have said, 'A priest who is not squeamish sucks it out raw?' (But they did not concur with him and ruled, "It is not available for the priest's benefit, while it also is not subject to the laws of sacrilege.") He went and said to him, 'Because they curdle it with rennet of salves sacrificed to idols.' He said to him, 'If so, then why have they not also extended the prohibition affecting it to the matter of deriving benefit from it?']"**

- B. Said R. Ahadeboi said Rab, "He who consecrates a woman with the exchange of a token that consists of the shit of an ox that is to be stoned — the woman is deemed consecrated [since the shit is held to have the value of at least two

pennies]. If he did so with the shit of calves that were consecrated to idolatry, the woman is not betrothed.”

- C. *“If you wish, I shall say that this rule derives from logic, and if you prefer, I shall say that it derives from a verse of Scripture.”*
- D. *“If you wish, I shall say that this rule derives from logic: in regard to calves that have been designated for idolatry, the owner wants them to be fat [so even the dung is involved with the act of worship of an idol], but as to an ox that is to be stoned, it does not matter to the owner whether or not the beast is fat [so the dung is not involved in the process].”*
- E. *“And if you prefer, I shall say that it derives from a verse of Scripture: here Scripture states, ‘Nothing of the banned thing [devoted to an idol] shall cleave to your hand’ (Deu. 13:18) and further, ‘The ox shall be surely stoned to death and its flesh shall not be eaten’ (Exo. 21:28) — the meat alone is forbidden, but the dung is available for profit.”*
- F. *Said Raba, “Both of these matters have been set forth as Tannaite teachings in the Mishnah paragraph at hand. Since the passage states, ‘**Because they curdle it with rennet from carrion.**’ and then he replied to him, ‘**And is not the rennet from a whole-offering subject to a more stringent rule than rennet from carrion, [35A]** it must follow that in the case of an animal from which one may derive no benefit, the dung itself is permitted. And, further, since when R. Joshua gave as the reason, ‘**Because they curdle it with rennet of salves sacrificed to idols,**’ he replied to him, ‘**If so, then why have they not also extended the prohibition affecting it to the matter of deriving benefit from it?**’ It must follow that dung of animals designated for idol worship may not be utilized for any benefit whatsoever.”*
- G. *But why could he not reply to him, “It is because what is prohibited is not in substance in hand at all? For in the case of fish brine, is not the operative consideration for rabbis’ not prohibiting it for benefit the fact that what is prohibited is not in substance in hand at all?”*
- H. *I should reply, since it is the rennet that keeps the milk curdled, it is classified as though what is prohibited indeed is in substance in hand.*

XV.1 A. **“He moved him on to another subject. [He said to him, ‘Ishmael, my brother, How do you read the verse: “For your [masculine] love is better than wine,” or, “Your [feminine] love is better than wine” (Son. 1: 2)? He said to him, “For your [feminine] love is better than wine.” He said to**

him, The matter is not so. For its neighbor teaches concerning it, “Your [masculine] ointments have a goodly fragrance” (Son. 1: 3)”]:

- B. *What is the meaning of the verse, “For your love is better than wine” (Son. 1: 3)?*
- C. *When R. Dimi came, he said, “The congregation of Israel said before the Holy One, blessed be He, ‘Lord of the world, the words of those who are beloved to you [that is, the sages] are more pleasant to me than the wine of the Torah.’”*

XV.2 *A. How come he presented a question about the verse that he cited in particular [for what does that verse have to do with the prior question on Bythinian cheese]?*

- B. *Said R. Simeon b. Pazzi, and some say, R. Simeon bar Ammi, “What he cited is the opening part of the verse: ‘Let him kiss me with the kisses of his mouth’ (Son. 1: 2), with this message: ‘My brother, Ishmael, kiss your lips to one another and don’t be so quick to reply [about why that cheese is forbidden]!’”*
- C. *And what is the reason [that that cheese is forbidden anyhow]?*
- D. *Said Ulla, and some say, R. Samuel bar Abba, “It is a new ordinance, and one should not question it too meticulously.”*
- E. *What is this ordinance?*
- F. *Said R. Simeon b. Pazzi said R. Joshua b. Levi, “It is on account of the consideration that a snake may have bitten into the cheese.”*
- G. *And why not say to him, “It is on account of the consideration that a snake may have bitten into the cheese”?*
- H. *It is in accord with Ulla, for Ulla has said, “When they make a precautionary decree in the West, they do not set out the operative consideration for twelve months, lest there be people who do not follow the reasoning and so will turn out to treat the decree lightly.”*
- I. *R. Jeremiah ridiculed that kind of reasoning: “If that is the operative consideration, then hard cheese should be permitted.” And the reason that old cheese should be considered, for said R. Hanina, ‘As to old cheese, it is permitted, for the venom of a snake would not permit the cheese to harden.’”*

- J. Said R. Hanina, “The operative consideration for forbidding the cheese is that it is not possible for it not to contain particles of milk [and milk deriving from an unclean animal might remain in the holes of the cheese].”
- K. And Samuel said, “The operative consideration is that they curdle the milk with the skin of the rennet of carrion.”

L. *But is the rennet itself permitted? How could Samuel have implied so? Have we not learned in the Mishnah: [The milk in] the stomach of [a beast slaughtered by] a gentile [which is carrion], and that [in the stomach of] carrion — lo, this is prohibited [M. Hul. 8:5A-B]. Now when we considered the matter, it was asked: is any animal slaughtered by a gentile not carrion? Samuel himself then answered, “These are meant to be read together in this way: the rennet of an animal slaughtered by gentiles, which is carrion, is forbidden”!*

M. *There is no contradiction. [35B] The cited passage of the Mishnah [indicating that the rennet of carrion is forbidden] is the opinion of R. Joshua before he retracted, and the latter statement represents his view after it was retracted, and the Mishnah stood as is.*

XV.3 A. R. Malkia in the name of R. Ada bar Ahba said, “The reason that cheese is prohibited is that they smear the surface with pig fat.”

B. R. Hisda said, “It is because they curdle it with vinegar [prohibited as libation wine].”

C. R. Nahman bar Isaac said, “Because they curdle it with sap of fruit that is prohibited in the classification of produce of a tree during the first three years after planting.”

D. *In accord with what Tannaite authority does he offer that explanation?*

- E. *It is in accord with the Tannaite authority in the following passage, which we have learned in the Mishnah: R. Eliezer says, “He who curdles milk with the sap of [a tree subject to] orlah — the milk] is forbidden [under the law of orlah].” Said R. Joshua, “I have heard explicitly that one who curdles milk with the sap of the leaves [of an orlah tree, for] with the sap of the roots [of an orlah tree] — [the milk] is permitted [not in the status of orlah]. [But he who curdles milk] with the sap of unripe figs [of an orlah tree] — [the milk] is forbidden, because the [figs] are fruit” [M. [Orl. 1:7D-I](#)].*
- F. *You may even maintain that the ruling before us accords with the position of R. Joshua. R. Joshua disagrees with R. Eliezer only with respect to sap of the tree, but so far as sap of the fruit is concerned, he concurs with him, as we have learned in the Mishnah: Said R. Joshua, “I have heard explicitly that one who curdles milk with the sap of the leaves [of an orlah tree, for] with the sap of the roots [of an orlah tree] — [the milk] is permitted [not in the status of orlah]. [But he who curdles milk] with the sap of unripe figs [of an orlah tree] — [the milk] is forbidden, because the [figs] are fruit” [M. [Orl. 1:7D-I](#)].*
- G. *Whether the reason is the one offered by R. Hisda or that offered by R. Nahman bar Isaac, in any event it should be prohibited even to derive any benefit [for vinegar and orlah produce are forbidden as to benefit].*
- H. *That indeed is a problem.*

XV.4 A. R. Nahman b. R. Hisda expounded as follows, “*What is the meaning of the verse, ‘Your ointments have a good fragrance, your name is as ointment poured forth’ (Son. 1: 2)?*”

B. “To what is a disciple of a sage comparable? To a flask of a fragrant ointment. When it is opened, the fragrance diffuses, but when sealed, the fragrance does not diffuse.

C. “Not only so, but things that are hidden are revealed to him: ‘therefore do maidens love you’ (Son. 1: 2). The letters for ‘maidens’ may be read ‘the hidden....’ And moreover, even the angel of death loves him, for the same letters may be read to mean, ‘the angel in charge of death....’ And he inherits both worlds, this world and the world to come, for the same letters may yield, ‘worlds....’”

We begin, I.1, with a classic problem: the source in Scripture for the rule of the Mishnah. No. 2 provides a pertinent complement. II.1 then asks why the Mishnah has to give us so self-evident a rule, and the answer is important; No. 2 goes through the same process. Mishnah criticism having been concluded, No. 3 turns to the consideration of further Tannaite statements on the same theme. No. 4 then introduces a broader array of materials on the same subject, that is, wine that is, or is not, permitted, and the various reasons why wine may be prohibited, for Israelite use or profit. No. 5 complements No. 4. The same theme, boiled wine and wine belonging to gentiles, and how these are to be compared and contrasted, continues at Nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, glossed by No. 20. No. 21 begins a new sequence of pertinent Tannaite materials, subjected to analysis in the anticipated, systematic way. No. 22 glosses the foregoing. No. 23 moves along with the composite’s general interest. Nos. 24, 25 provide a footnote to No. 23’s reference to “a single seal or lock.” No. 26 then begins a further Tannaite formulation of a closely related rule. No. 27 goes on to the prohibition of gentiles’ beer. This is a mark that the initial exposition has been completed, and we shade over into a related but fresh theme. Nos. 28, 29, 30, 31 then complement the foregoing with some cases and the rulings of named authorities. The glossing of III.1, amplified by No. 2 is standard: explanation of words and phrases in the Mishnah. The shift from Hebrew to Aramaic at 2.A is incomprehensible to me. No. 3 then rests upon the facts of No. 2 and raises a rather odd, exemplary question. No. 4 footnotes No. 3. IV.1 glosses in an important way, explaining the language of the Mishnah. V.1 goes through another standard process. VI.1, VII.1 ask a third routine question, namely, the Tannaite authority behind an anonymous rule, and what other rules are covered by the principle he affirms here. VIII.1 clarifies the reason for the Mishnah’s rule and goes on to give the essential complement to it. No. 2 proceeds to present and then analyze a further Tannaite rule, required by the Mishnah’s topic. IX.1 provides a gloss that conveys the operative

consideration for the rule. X.1 goes on to yet another Tannaite complement to the Mishnah's rule and analyzes that complement. No. 2 adds a case. At No. 3 we pursue a further, pertinent Tannaite complement. Nos. 4, 5 continue the same line of inquiry. In the latter, as earlier, we move on from wine to beer, which is a good mark that a sub-chapter is drawing to a close. No. 6 then introduces a new, but closely relevant, topic. No. 6 tacks on a case. No. 7 introduces yet another fresh, but relevant topic, and No. 8 adds a case, and Nos. 9, 10, 11, 12, a miscellany of intersecting rulings. Once more the miscellaneous character of the whole marks the end of a sustained inquiry. XI.1 complements the Mishnah's rule with other Tannaite statements on the same matter. No. 2 complements the foregoing. No. 3 gives a miscellany, pertinent to the foregoing rule. XII.1, followed by No. 2, shows the same well-established pattern. XIII.1 explains the operative consideration of the Mishnah's rule, with a fine expansion of the matter. XIV.1 presents a composition worked out in its own terms; it is tacked on here because it cites, verbatim, some of the language of our Mishnah paragraph. XV.1 is a miscellaneous treatment of a proof-text, without bearing upon the amplification of the Mishnah. No. 2 then focuses upon the issue of the Mishnah paragraph. No. 3 continues the same inquiry into the reason for the prohibition of cheese. No. 4 is tacked on for obvious reasons.

2:6

- A. **And what are things of gentiles which are prohibited, but the prohibition of which does not extend to deriving benefit from them?**
- B. **(1) milk drawn by a gentile without an Israelite's watching him; (2) their bread; and (3) their oil —**
- C. **(Rabbi and his court permitted their oil) —**
- D. **(4) stewed and pickled [vegetables] into which it is customary to put wine and vinegar; (5) minced fish; (6) brine without kilkit fish floating in it; (7) hileq fish, (8) drops of asafoetida, and (9) sal-conditum —**
- E. **lo, these are prohibited, but the prohibition affecting them does not extend to deriving benefit from them.**

I.1 A. Milk [drawn by a gentile without an Israelite's watching him]:

- B. *On what account should he take precautions? If it is on the grounds of the possibility that he will substitute [the milk of a clean animal for that of an unclean one], the milk of a clean animal is white, that of an unclean one is green. And if it is because of the possibility that he will mix the milk of a clean animal with that of an unclean one, then let him curdle it to find out*

which is which. For a master has said, “The milk of a clean animal curdles, and the milk of an unclean animal does not curdle.”

- C. *That test suffices if one wants the milk for making cheese, but here with what sort of case do we deal? It is one in which the man wants milk for nourishment.*
- D. *Then let him take a small volume of the milk and curdle that [as a test].*
- E. *[That would hardly suffice], for even in the case of milk of a clean beast, there is the whey, which does not curdle, so such a test would not prove definitive.*
- F. *And if you wish, I shall say that even if you say that he wants the milk for cheese, still, there are drops of milk that remain between the holes [when milk comes from a clean animal, so that, too, would not be definitive, since forbidden milk can have been mixed in the cheese-making process (Mishcon)].*

II.1 A. Their bread:

- B. Said R. Kahana said R. Yohanan, “Their bread was never declared by a court to be permitted [though Judah the Patriarch’s court permitted Israelites to use their oil].”
- C. *Does that statement then contain the inference that there is an authority who permits it?*
- D. *Indeed it does, for when R. Dimi came, he said, “One time Rabbi [Judah the Patriarch] went out into the field, and a gentile brought before him a loaf of bread that had been baked in a large oven from a seah of flour. Said Rabbi, ‘What a beautiful loaf of bread! How come sages declared it forbidden!’”*
- E. “How come sages declared it forbidden”! It was because of the possibility of intermarriage.
- F. Rather: “How come rabbis declared it forbidden in a field [where there is no possibility of socializing and hence of intermarriage]?” So people supposed that Rabbi had declared their bread to be permitted. But that is not the case. Rabbi did not declare their bread to be permitted.”
- G. R. Joseph, and some say, R. Samuel bar Judah, said, “That was not the story. But they have said, ‘One time Rabbi [Judah the Patriarch] went to a certain place, and he saw that the disciples were having trouble getting bread. Rabbi said, “Is there no baker here?”’ People supposed that he meant a gentile baker, but that is not what he had said, but rather, an Israelite baker.”
- H. *Said R. Helbo, “Even in the view of the one who has said that what he had in mind was a gentile baker, that would have been the rule only if there were no Israelite baker. But in a locale in which there is an*

Israelite baker, the baking of a gentile would not have been permitted.”

- I. *Said R. Yohanan, “Even in the view of the one who has said that what he had in mind was a gentile baker, that would have been the rule only if it were in the field. But if it was a transaction in town, then the gentile baker’s products would have been permitted, on account of the consideration of intermarriage.”*

II.2 A. *Aibu would bite and eat bread baked by gentiles [only at] the boundaries of the fields.*

- B. *Raba — and there are those who say, R. Nahman bar Isaac — said to them, “Do not have any dealings with him, because he eats bread baked by Aramaeans.”*

III.1 A. And their oil:

- B. As to oil, Rab said, “Daniel made a decree against it.”
- C. And Samuel said, **[36A]** “It is the residue from their utensils, which are unclean, that imposes a prohibition upon it.”
- D. *Is it then the case that everybody eats ordinary food in a state of cultic cleanness [on which account the oil of a gentile would be forbidden as a source of cultic uncleanness? Obviously not!]*
- E. Rather, “The residue from their utensils, which are prohibited, imparts a prohibition upon the oil.”
- F. *Said Samuel to Rab, “Now that accords well with my explanation, viz., The residue from their utensils, which are prohibited, imparts a prohibition upon the oil, for that is in line with the fact that when R. Isaac bar Samuel bar Marta came, he said, ‘R. Simlai gave an exposition in Nisibis: “As to oil, Rabbi and his court took a vote concerning it and permitted Israelites to derive benefit from it.”’ He took for granted that if something imparts a flavor in such a way as to spoil the food, it is permitted. But from your perspective, holding as you do that Daniel made a decree against it, would Rabbi Judah the Patriarch have come along and annulled a decree that had been made long before by Daniel? For we have learned in the Mishnah: **For a court has not got the power to nullify the opinion of another court unless it is greater than it in wisdom and in numbers. [If] it was greater than the other in wisdom but not in numbers, in numbers but not in wisdom, it has not got the power to nullify its opinion — unless it is greater than it in both wisdom and numbers [M. Ed. 1:5C-E].**”*

- G. *He said to him, "Do you invoke the name of Simlai of Lud? But the Luddites are exceptional, in that they treat lightly the teachings of sages."*
- H. *He said to him, "Shall I send word to him [that you have said so]?"*
- I. *He paled. Said Rab, "If they did not present an appropriate exposition, shall we, too, not undertake an exposition? For has it not been written, 'But Daniel decided in his heart that he would not defile himself with the king's meat nor with the wine of his drinkings' (Dan. 1: 8)? Scripture refers to two drinkings, one the drinking of wine, the other the drinking of oil."*
- J. *Now Rab took the view that he decided in his heart for himself and furthermore gave instruction to all Israel. Samuel maintained that he took the decision for himself, but as to all Israel, he gave no such instruction.*

- III.2** A. *But was it Daniel who made the decree against their oil? And did not Bali say Abimi the Nabataean said Rab said, "As to decrees against their bread, oil, wine, and daughters, all of them are among the eighteen decrees [made in the upper room of Hananiah when the House of Shammai outnumbered the House of Hillel." How could anyone suppose Daniel had made that decree anyhow?]*
- B. *And should you say that Daniel came along and made the decree, but it was not accepted, so the disciples of Hillel and Shammai came along and made the decree, and it was then accepted, if so, then to what did Rab give testimony anyhow? [How could he attribute the decree to Daniel?] Rather, Daniel made the decree against it so far as the matter pertained to transactions in town, and they came along and extended the decree to cover transactions even in the field.*
- C. *Then how can R. Judah the Patriarch have remitted an ordinance that had been made by the disciples of Shammai and Hillel? And have we not learned in the Mishnah: **For a court has not got the power to nullify the opinion of another court unless it is greater than it in wisdom and in numbers. [If] it was greater than the other in wisdom but not in numbers, in numbers but not in wisdom, it has not got the power to nullify its opinion — unless it is greater than it in both wisdom and numbers [M. Ed. 1:5C-E].** And, moreover, said Rabbah bar bar Hana said R. Yohanan, "In any matter one court can nullify the rulings of another, fellow court, except in matters having to do with the eighteen things [decreed on that occasion] For even should Elijah and his court come along, they will not be heeded"!*
- D. *Said R. Mesharshayya, "What is the reason? It is that the prohibition of those eighteen matters has made its way throughout the majority of the Israelites.*

But, as to oil, the prohibition has not made its way throughout the majority of the Israelites. For said R. Samuel bar Abba said R. Yohanan, ‘Our rabbis went into session and investigated the question of oil, finding that the prohibition has not made its way throughout the majority of the Israelites. And our rabbis have relied upon the ruling of Rabban Simeon b. Gamaliel and R. Eleazar bar Sadoq, who would say, “A precautionary decree for the community is to be issued only if a majority of the community can bear up under it.”’”

- E. *For said R. Ada bar Ahba, “What is the verse of Scripture that indicates it? [36B] ‘You are cursed with the curse, for you rob me, even this whole nation’ (Mal. 3: 9) — only when the whole nation has [accepted an ordinance] does the curse apply, but otherwise it does not apply.”*

III.3 A. *Reverting to the cited passage:*

- B. Bali said Abimi the Nabataean said Rab said, “As to decrees against their bread, oil, wine, and daughters, all of them are among the eighteen decrees [made in the upper room of Hananiah when the House of Shammai outnumbered the House of Hillel]:”
- C. *What is the reference to “their daughters”?*
- D. Said R. Nahman bar Isaac, “They made the decree that from their very cradles, their daughters should be classified as unclean with menstrual uncleanness.”
- E. And Geniba in the name of Rab said, “All of the decrees that they made were on the count of idolatry. For when R. Aha bar Ada he said R. Isaac [said], ‘They made the decree against their bread on account of their oil.’ *Now why should their oil be subject to a more strict rule than their bread anyhow?* Rather, the decree against their bread and their oil was on account of their wine, and the decree against their wine was on account of their daughters, and the decree against their daughters was because of ‘another matter’ [namely, idolatry], and the decree against ‘another matter’ was on account of yet another matter.”
- F. *But is not the rule against their daughters one that derives from the Torah, for it is written, “Neither shall you make marriages with them” (Deu. 7: 3)?*
- G. *The decree of the Torah pertains to the seven nations, but as to all other idolators, it is not relevant, and they came along and made the decree even with references to all other idolators.*

- H. *But from the viewpoint of R. Simeon b. Yohai, who takes the view that “for he will turn away your son from following me” (Deu. 7: 4) serves to encompass all those who may turn their husbands away from God, what is there to say?*
- I. *Rather, so far as the Torah’s decree is concerned, it is against sexual relations within marriage, and they came along and made a decree even against extramarital sexual relations.*
- J. *But extramarital sexual relations were forbidden by a decree made by the court of Shem: “And Judah said, Bring her forth and let her be burned” (Gen. 38:24)!*
- K. *Rather, so far as the Torah’s decree is concerned, it is against a gentile’s having sexual relations with an Israelite woman, who may then draw her after him, but it was not against an Israelite male’s having sexual relations with a gentile woman, and then they came and made a decree against that.*
- L. *But the prohibition of an Israelite’s having sexual relations with a gentile woman is a law that was revealed to Moses at Sinai. For a master has said, “He who has sexual relations with an Aramaean woman — the zealots assault him.”*
- M. *What is prohibited by the Torah concerns an act that is carried out in public, along the lines of an actual incident [Num. 25:6], and they came along and made the decree even against an act done in private.*
- N. *But in point of fact the court of the Hasmonaeans came along and made a decree against an act done in private. For when R. Dimi came, he said, “The court of the Hasmonaeans made a decree that an Israelite who has sexual relations with a pagan is liable on these counts: she is classified as menstrually unclean, a slave, a gentile woman, and a married woman.” And when Rabin came, he said, “On these four counts: she is classified as menstrually unclean, a slave, a gentile woman, and a whore.”*
- O. *When the court of the Hasmonaeans made that decree, it was against sexual relations, but not against being alone with such a woman. And they came along and made a decree even against being alone with her.*
- P. *In point of fact the court of David made that decree, for said R. Judah, “At that time [with the incident of Tamar, cf. 2Sa. 13] they made a decree against being alone with such a woman.”*

- Q. *The decree of the court of David concerned being alone with an Israelite woman, not with a gentile woman, and they came and made a decree even against being alone with a gentile woman.*
- R. *In point of fact the decree against being alone with an Israelite woman derives from the Torah, for said R. Yohanan said R. Simeon b. Yehosedeq, "How on the basis of the Torah do we find an indication that there is a decree against being alone with an Israelite woman? 'If your brother, son of your mother...entice you' (Deu. 13: 7). But can there be the son of a mother who is not of the son of the father who can entice? The meaning is, a son may be alone with his mother, but no one else may be alone with any woman with whom the Torah prohibits him to marry."*
- S. *What is forbidden by the Torah is being alone with an Israelite married woman. David then came along and extended the prohibition to being alone with an unmarried woman, and the disciples of the Houses of Shammai and Hillel came along and extended it even to being alone with a gentile woman.*

- III.4** A. *What is the meaning of that earlier statement, "[and the decree against their daughters was because of 'another matter' namely, idolatry], and the decree against 'another matter' was on account of yet another matter"?*
- B. R. Nahman bar Isaac said, "They made the decree that a gentile child should be deemed unclean with the flux uncleanness [described at Lev. 15], so that an Israelite child should not hang around with him and commit pederasty [as he does]."
- C. For said R. Zira, "I had much anguish with R. Assi, and R. Assi with R. Yohanan, and R. Yohanan with R. Yannai, and R. Yannai with R. Nathan b. Amram, and R. Nathan b. Amram with Rabbi [on this matter]: 'From what age is a gentile child deemed unclean with the flux uncleanness [described at Lev. 15]?' And he said to me, 'On the day on which he is born.' But when I came to R. Hiyya, he said to me, 'From the age of nine years and one day.' And when I came and laid the matter before Rabbi, he said to me, 'Discard my reply and adopt that of R. Hiyya, who declared, "From what age is a gentile child deemed unclean with the flux uncleanness [described at

Lev. 15]? From the age of nine years and one day.” [37A] *Since he is then suitable for having sexual relations, he also is deemed unclean with the flux uncleanness [of Lev. 15].*”

D. *Said Rabina, “Therefore a gentile girl who is three years and one day old, since she is then suitable to have sexual relations, also imparts uncleanness of the flux variety.”*

E. *That is self-evident!*

F. *What might you otherwise have thought? He is at an age at which he knows how to seduce a girl, but she is not at an age at which she knows how to seduce a male. So we are informed that that is not the operative consideration.*

III.5 A. *R. Judah Nesiah was going along, leaning on the shoulder of R. Simlai his attendant. He said to him, “Simlai, last night you were not in the house of exposition when we declared permitted the oil of gentiles.”*

B. *He said to him, “In our day may you also permit their bread.”*

C. *He said to him, “If so, people will call us the easy-going court. For we have learned in the Mishnah: Testified R. Yosé b. Yoezer of Seredah about (1) an qamsa locust, that it is clean [for eating]; and about (2) liquid in the slaughterhouse, that it is insusceptible to uncleanness; and (3) that one who touches a corpse [alone, and not what that person in turn will touch] is unclean. And they called him Yosé the Easy-going [M. Ed. 8:4A-D].”*

D. *He said to him, “In that case he permitted three matters, but the master has permitted only one. If the master permits yet another, still they are only two, not three.”*

E. *He said to him, “I have already permitted yet another.”*

F. *And what is it? It is in accord with that which we have learned in the Mishnah: “Lo, this is your writ of divorce, if I do not come back within twelve months,” and he died within twelve months, it is no writ of divorce. [”Lo, this is your writ of divorce effective now, if I do not come back here in twelve months,” and he died within twelve months, lo, this is a valid writ of divorce] [M. Git. 7:8A-E].”*

G. *And in that regard it has been set forth as a Tannaite statement: And our rabbis permitted her to remarry [releasing the woman from levirate marriage]. And we have said, ‘Who are “our rabbis”?’*

- H. *Said R. Judah said Samuel, "It is the court that permitted gentiles' oil."*
- I. *They follow the reasoning of R. Yosé, who has said, "The date of a document is sufficient proof [of the author's intention. In this case the writ of divorce is valid, so the wife is divorced and not a widow.]"*
- J. *And said R. Abba b. R. Hiyya bar Abba, "R. Judah the Patriarch made that decision, but the sages did not concur with him throughout his time."*
- K. *Another version: "All his colleagues [did not concur with him]."*

III.6 A. *R. Eleazar asked a certain old man, "When you permitted the woman to marry, did you permit her to marry right away, since the man was not coming back, or was it after twelve months, so as to meet the stipulation that he had made?"*

B. *"Why not address your question to the Mishnah, for we have learned in the Mishnah: "Lo, this is your writ of divorce effective now, if I do not come back here in twelve months," and he died within twelve months, lo, this is a valid writ of divorce [M. Git. 7:8A-E]. For lo, the stipulation has been met. Then ask, does the writ of divorce take effect right away, since the man was not coming back, or was it after twelve months, so as to meet the stipulation that he had made?"*

C. *"Indeed so. But since you were in that number, [I wanted to ask you]."*

III.7 A. *Said Abbaye, "All concur that, if the husband had said, 'When the sun rises from its sheath, he meant to say that the writ of divorce took effect at sunrise, so if he should die during the night, it is then a writ of divorce that took effect after death and is invalid. If he said, 'It is on condition that the sun goes forth from its sheath,' the meaning was, 'it is valid as from now, and should he die during the night, it was assuredly a valid stipulation and a writ of divorce that was issued during the man's lifetime and a valid one.'"*

- B. *That is in accord with R. Huna, for said R. Huna, “Whoever says ‘on condition that...,’ is as though he says, ‘as if from now.’ The dispute arises only if the language is used, ‘if it goes forth....’ R. Judah the Patriarch takes the view of R. Yosé, who has said, “The date of a document is sufficient proof [of the author’s intention.] Accordingly, the usage is as though he had said, ‘as of today, should I do,’ ‘from now, if I die.’ And rabbis do not concur with the position of R. Yosé, so it is as if he had said only the language, ‘This is your writ of divorce if I should die.’”*

III.8 A. *Reverting to the text cited above:*

- B. **Testified R. Yosé b. Yoezer of Seredah about (1) an qamsa locust, that it is clean [for eating]; and about (2) liquid in the slaughterhouse, that it is insusceptible to uncleanness; and (3) that one who touches a corpse [alone, and not what that person in turn will touch] is unclean. And they called him Yosé the Easy-going [M. Ed. 8:4A-D]:**
- C. *What is the qamsa locust?*
- D. R. Pappa said, “It is a shoshiba locust.”
- E. R. Hiyya bar Ammi said in the name of Ulla, “It is a susbel locust.”
- F. R. Pappa said, “It is a shoshiba locust,” and so at issue is whether a long-headed locust is permissible, one saying that a long-headed locust is prohibited, the other, that a long-headed locust is permitted.
- G. R. Hiyya bar Ammi said in the name of Ulla, **[37B]** “It is a susbel locust,” *so no one differs from the view that the long-headed locust is forbidden. At issue here is when it is difficult to tell whether the wings cover the greater part of the body. One party maintains that we require that the wings cover just a bit more than the greater part of the body, and the other authority holds that we require that the wings cover much more than just a bit more than the greater part of the body.*”

III.9 A. *And about liquid in the slaughterhouse, that it is insusceptible to uncleanness:*

- B. *What is the meaning of “insusceptible to uncleanness”?*
- C. Said Rab, “The liquid is actually insusceptible to uncleanness.”
- D. And Samuel said, “The liquid does not impart susceptibility to uncleanness [to dry foods on which it falls], but it itself is susceptible to uncleanness.”
- E. Rab said, “The liquid is actually insusceptible to uncleanness:” *he is of the opinion that the uncleanness imputed to liquid derives from the authority of rabbis, and when rabbis made a decree imputing uncleanness to liquids, that was of only a general order, but they did not make that decree in regard to liquids that flow from the slaughterhouse.*
- F. Samuel said, “The liquid does not impart susceptibility to uncleanness [to dry foods on which it falls], but it itself is susceptible to uncleanness:” *he is of the opinion that the uncleanness of liquids derives from the authority of the Torah, and the power of liquids to impart susceptibility to other things derives from the authority of rabbis, and when rabbis made a decree imputing uncleanness to liquids, that was of only a general order, but they did not make that decree in regard to liquids that flow from the slaughterhouse.*

III.10 A. *And that one who touches a corpse [alone, and not what that person in turn will touch] is unclean. And they called him Yosé the Easy-going:*

- B. *What is required here is “Joseph the Harsh!”*
- C. *More to the point, that rule derives from the Torah itself, for it is written, “And whoever in the open field touches one who is slain with a sword or a dead body or a bone of a man or a grave shall be unclean for seven days” (Num. 19:16).*
- D. *So far as the law of the Torah is concerned, one who touches a corpse is unclean, but one who touches one who has touched a corpse is clean, and rabbis then made the decree that a person*

in that status is unclean, and [Joseph] came along and restored the law to the form that the Torah had given it.

E. *That one who touches one who has touched a corpse is unclean also derives from the law of the Torah, for it has been written, “and whatever the unclean person touches shall be unclean” (Num. 19:22).*

F. *Rabbis stated in the presence of Raba in the name of Mar Zutra b. R. Nahman who said in the name of R. Nahman, “In accord with the law of the Torah, one who touches one who has touched a corpse while the one is yet in contact with the corpse is unclean for seven days, and one who did so while the latter was not in touch with the corpse is unclean only until the evening. Rabbis came along and made the decree that even one who is not in touch with the corpse [with whom a third party is in contact] will be unclean for seven days. Then he came along and restored the law of the Torah to its former status.”*

G. *What is the pertinent scriptural source? “He who touches the dead body of any man shall be unclean for seven days” (Num. 19:11). And further, “and the soul that touches it shall be unclean until evening” (Num. 19:11). How to reconcile the two? The one speaks of contact with one actually in contact with the corpse, the other of contact with one who has been in contact with a corpse but is not then touching a corpse.*

H. *Said Raba to them, “Have I not told you not to hang empty jugs on R. Nahman! This, in fact, is what R. Nahman actually said, ‘If there is a matter of doubt concerning uncleanness involving public domain, then the doubt is resolved in favor of cleanness.”*

I. *But that classification of doubt is a law that we have derived from the case of the wife accused of infidelity: just as the accused wife corresponds to private domain, and there we resolve the doubt in favor of uncleanness*

[by inflicting on her the rite of the bitter water] so uncleanness in private domain is resolved in favor of uncleanness [but in public domain the same doubt is treated as clean].

- J. *Said R. Yohanan, "That had been the law, to be sure, but sages did not make concrete decisions in that way, but he came along and made a concrete decision in that manner."*
- K. *So, too, it has been taught on Tannaite authority:*
- L. R. Judah says, "[Joseph] planted firm stakes in the ground for them, saying, 'To this point is public domain, to that point is private domain.'"
- M. *When people came before R. Yannai, he would say to him, "Lo, there is plenty of water in the river, go and immerse [and attain cultic cleanness from the doubt that has affected you]."*

IV.1 A. Stewed [and pickled vegetables into which it is customary to put wine and vinegar]:

- B. *What is the scriptural source for this rule?*
- C. Said R. Hiyya bar Abba said R. Yohanan, "Said Scripture, 'You shall sell me food for money that I may eat and give me water for money that I may drink' (Deu. 2:28) — [for food deriving from gentiles,] the generative analogy is defined by water: just as water has not been changed by gentile action, so food which has not been changed by gentile action [is permitted to Israelites]."
- D. *Then ears of grain should be prohibited if they have been roasted by gentiles. And should you maintain that that is indeed the case, lo, has it not been taught on Tannaite authority: ears of grain that have been roasted by gentiles are permitted. Rather [matters should be as follows:] [for food deriving from gentiles,] the generative analogy is defined by water. Just as the original condition of water has not been changed by gentile action, so food the original condition of which has not been changed by gentile action [is permitted to Israelites, excluding, then, food which has been altered in a cooking process].*
- E. *Then grain that has been milled by them should be prohibited. And should you maintain that that is indeed the case, lo, has it not been taught on Tannaite authority: grain and various kinds of ground flour that have been milled by gentiles are permitted. Rather [matters should be as follows:] [for food*

deriving from gentiles,] the generative analogy is defined by water. Just as the original condition of water has not through fire been changed by gentile action, so food the original condition of which has not through fire been changed by gentile action [is permitted to Israelites, excluding, then, food which has been altered in a cooking process].

F. *But the cited verse makes no reference to fire!*

G. **[38A]** *The rule, in point of fact, derives from rabbis, and the verse of Scripture merely provides rather generalized support for it.*

IV.2 A. Said R. Samuel bar R. Isaac said Rab, “Whatever is eaten as is raw is not subject to prohibition by reason of being food prepared by gentiles.”

B. *That is how the Tannaite formulation was repeated in Sura. And this is how it was framed for repetition in Pumbedita:* said R. Samuel bar R. Isaac said Rab, “Whatever is not served on the table of kings as a relish with bread is not subject to prohibition by reason of being food prepared by gentiles.”

C. *What is at stake in the difference between these two formulations?*

D. At issue are small fish, mushrooms, and pounded grain [not eaten raw and not served as a relish; in Sura they may not be eaten if prepared by gentiles, in Pumbedita they may.]

IV.3 A. Said R. Assi said Rab, “Small fish that are salted are not subject to prohibition by reason of being food prepared by gentiles.”

B. Said R. Joseph, “If a gentile roasted them, an Israelite may nonetheless rely upon them in preparing a meal to be left as a mark of the union of distinct domains for purposes of carrying on the Sabbath. *If a gentile made them into a fish-hash pie, however, it is prohibited to do so.*”

C. *The latter rule is self-evident [since a meal that cannot be eaten at all also cannot serve as the symbolic meal set out to unite two distinct private domains into one for purposes of carrying on the Sabbath].*

D. *What might you have thought? That the fish-hash is the main ingredient [and so, in theory, an Israelite might have eaten the dish]? So we are informed that the flour is the main ingredient [and so an Israelite cannot have eaten the dish].*

IV.4 A. Said R. Barona said Rab, “If a gentile lit a fire in uncleared ground [to prepare it for cultivation,] all of the locusts that turned up roasted in that uncleared

ground are forbidden for Israelite consumption [as having been cooked by gentiles].”

- B. *Under what circumstances? If we say that the operative consideration is that someone could not tell the difference between clean and unclean species of locusts, then why specify that it was a gentile in particular who kindled the flame? Even if an Israelite had done so the locusts would still be forbidden. But if the operative consideration is that a gentile has roasted the locusts, then would they be prohibited at all? Has not R. Hanan b. Ammi said R. Pedat said R. Yohanan said, “If a gentile singed the head [of an animal slaughtered by an Israelite, so as to remove the hair], one is permitted to eat even from the tip of the ear”? Therefore if the intention was to remove the hair [there is no prohibition by reason of gentile food preparation], and here, too, the intention of the gentile was only to clear the ground.*
- C. *In point of fact, the operative consideration is that someone could not tell the difference between clean and unclean species of locusts, [and as to your question, “then why specify that it was a gentile in particular who kindled the same?”] there was a specific case, in which it was a gentile who had done the burning.*

IV.5 A. *Reverting to the body of the foregoing composition:*

- B. *Said R. Hanan b. Ammi said R. Pedat said R. Yohanan said, “If a gentile singed the head [of an animal slaughtered by an Israelite, so as to remove the hair], one is permitted to eat even from the tip of the ear”:*
- C. *Said Rabina, “Therefore if a gentile tossed a coulter into a stove and an Israelite had earlier placed a pumpkin in it, there is no objection.”*
- D. *That’s obvious!*
- E. *What might you have supposed? The intention of the gentile was to boil the blade, so we are informed that his intention was to harden it [and not to cook].*

IV.6 A. *Said R. Judah said Samuel, “If an Israelite left meat on coals, and a gentile came and turned it over, the meat is permitted.”*

- B. *Under what circumstances? If we say that, if the gentile had not turned it over, the meat would have cooked anyhow, then obviously the meat would have been permitted [the gentile having made no*

contribution anyhow]. So it must follow that we deal with a case in which the meat would not have properly cooked if it were not turned over. Then why is it permitted, since it falls into the classification of food that has been cooked by a gentile?

- C. *The rule was necessary to cover the case in which, if the gentile had not turned the meat over, it would have taken two hours to cook, while now it cooked in one hour. What might you have thought? Hastening the process of cooking is something to be taken into consideration. So we are informed that that is not the case.*
- D. But has not R. Assi said R. Yohanan said, “Any food that is cooked to such an extent that it can have been eaten by Ben Derusai [if cooked further by a gentile] does not fall into the classification of that which has been cooked by a gentile”? *Lo, if it is not cooked to such an extent that it can have been eaten by Ben Derusai, and a gentile helps cook it, it is forbidden by reason of that which has been cooked by a gentile.*
- E. *The case is one in which, for example, an Israelite put the meat in a pot and a gentile took it and put it in the oven [and that is prohibited; but if the food was already in an oven, and a gentile put it in some other oven, it would be permitted, since the gentile has done nothing that would not have been done in any event].*
- F. *So, too, it has been taught on Tannaite authority: If an Israelite puts meat on coals, a gentile may come along and turn it over before the Israelite returns from the synagogue or house of exposition, and the Israelite does not have to take account of that fact; and an Israelite woman may set up a pot on a stove and a gentile may come along [38B] and stir it before the Israelite returns from the bathhouse or synagogue and she does not have to take account of that fact.*

IV.7 A. *The question was raised: If a gentile left meat on the coals and an Israelite turned it over, what is the rule?*

- B. Said R. Nahman, “It is an argument a fortiori: if the cooking of the food was completed by a gentile, it is permitted, then if the cooking of the food is completed by an Israelite, should it not all the more so be permitted?”
- C. *So, too, it has been stated:*

D. Said Rabbah bar bar Hana said R. Yohanan, and some say, said R. Aha bar bar Hana said R. Yohanan, “Whether a gentile put the meat on the coals and an Israelite turned it over, or an Israelite put the meat on the coals and a gentile turned it over, it is forbidden. It is prohibited only if both the beginning and the completion of the cooking was done by a gentile.”

E. *Said Rabina, “The decided law in regard to bread is this: if a gentile lit the fire and an Israelite baked it, or an Israelite lit the fire and a gentile baked it, or if a gentile lit the fire and baked the bread but an Israelite came and raked the fire, the bread is acceptable.”*

IV.8 A. *As to fish salted by a gentile:*

B. *Hezekiah permits it.*

C. *And R. Yohanan prohibits it.*

IV.9 A. *As to an egg roasted by a gentile:*

B. *Bar Qappara permits it.*

C. *And R. Yohanan prohibits it.*

IV.10 A. *When R. Dimi came, he said, “All the same are salted fish and roasted eggs — Hezekiah and Bar Qappara permit, and R. Yohanan prohibits.”*

IV.11 A. *R. Hiyya Parva’ah called upon the household of the exilarch. They said to him, “What is the law on a roasted egg?”*

B. *He said to them, “Hezekiah and Bar Qappara permit, and R. Yohanan prohibits. And the ruling of an individual cannot take the place of the ruling of two authorities.”*

C. *Said to them R. Zebid, “Pay no attention to him. This is what Abbayye said, ‘The decided law accords with the position of R. Yohanan.’”*

D. *They gave [Zebid] a drink of spiced vinegar and he dropped dead.*

IV.12 A. *Our rabbis have taught on Tannaite authority:*

B. *Caperflower, leeks, and liverwort [preserved by gentiles], water boiled by them, and ears of grain roasted by them, are permitted, but an egg roasted by them is forbidden.*

- C. As to oil, R. Judah the Patriarch and his court took a vote concerning it and declared it to be permitted.

IV.13 A. *It has been taught on Tannaite authority:*

- B. The same rule pertains to both liverwort and pesilya beans and Egyptian beans.
- C. *What are Egyptian beans?*
- D. *Said Rabbah bar bar Hana said R. Yohanan, "Forty years have passed since this preparation was imported from Egypt."*
- E. *Said Rabbah bar bar Hana on his own, "Sixty years have passed since this preparation was imported from Egypt."*
- F. *There is no contradiction between these two opinions, since the one master made his statement in his time, the other in his time [and the latter was said twenty years after the former].*
- G. [How is it prepared?] [Cohen, verbatim:] *Take the seeds of parsley, flax, and fenugreek, soak them together in lukewarm water, and leave them until they begin to sprout. Then take new earthenware pots, fill them with water, and soak therein red clay into which the seeds are planted. After that go to the bathhouse, and by the time you come out, they will have blossomed, and when you eat them, you will feel cooled from the hair of your head down to your toenails.*
- H. *Said R. Ashi, "Said to me R. Hanina, 'These are just words.'"*
- I. *And some say, "It is done through reciting words."*

IV.14 A. *Our rabbis have taught on Tannaite authority:*

- B. As to date husks [left after the juice has been pressed] that derive from a gentile, if boiled in a large cauldron, they are prohibited, but if boiled in a small cauldron, they are permitted [since something unclean will not fit into the small cauldron].
- C. *What is the definition of a small cauldron?*
- D. *Said R. Yannai, "It is any into which a wild bird cannot be stuffed."*
- E. *But perhaps the gentile might cut a bird into pieces and put it in the cauldron? Rather, it is any into which the head of a wild bird cannot fit.*
- F. *But has it not been taught on Tannaite authority:*

- G. All the same are a large cauldron and a small cauldron, [as to date husks left after the juice has been pressed that derive from a gentile] both are permitted.
- H. *There is no contradiction between the two formulations of the law. The one represents the position of him who says that if something forbidden imparts a flavor only so as to ruin the broth, the mixture is forbidden, and the other accords with the opinion of him who says that if something forbidden imparts a flavor to ruin the broth, then the broth is permitted.*

IV.15 A. Said R. Sheshet, "Cooked oil of an Aramaean is forbidden."

- B. *Said R. Safra, "On what account should we take precautions? If it is because of the possibility that he may have mixed libation wine with it, the effect would be to make it rancid. If it is on the count that everything cooked by gentiles is prohibited, this is something that can be eaten raw. If the consideration is that utensils used by gentiles must be scoured before they can be used by an Israelite, in this case we have a case in which something forbidden imparts a flavor only so as to ruin the broth, and it should be permitted."*

IV.16 A. *The question was addressed to R. Assi, "As to dates cooked by a gentile [what is the rule]? There is no question in respect to the species that is sweet, since they are certainly permitted [since they are eaten raw anyhow]. At issue is the species that is bitter, there is no question, for these are certainly prohibited. At issue is the middling ones. What is the rule?"*

- B. *He said to them, "Why ask me such a question, since my teacher — and who is it? Levi — has already prohibited them."*

IV.17 A. As for *shatita* [a beverage made from roasted flour, with the sweetness cut by vinegar] —

- B. *Rab permits it.*
- C. *The father of Samuel and Levi both prohibit it.*
- D. *When it is made from wheat and barley, all parties concur that it is permitted [since there will be no vinegar in it].*
- E. *When it is made with lentils and vinegar, all parties concur that it is prohibited.*
- F. *Where there is a disagreement, it concerns the kind made from lentils and water.*
- G. *Samuel's father and Levi take the view that it is prohibited out of concern that if it is permitted when made with water, people will also drink it if it has been prepared with vinegar.*

- H. *Rab maintains that we do not declare it prohibited because of such a concern.*
- I. *Another version:*
 - J. *If it is made from lentils and water, all parties concur that it is forbidden. Where they differ, it is concerning the kind made from wheat or barley and prepared with water.*
 - K. *Samuel's father and Levi take the view that we declare it prohibited out of concern that if it is permitted when made with water, people will drink it when it has been prepared with vinegar.*
 - L. *Rab held that we do not declare it prohibited on that account.*
 - M. *Rab said, "Barzilai the Gileadite sent to David two kinds of shatita: 'Beds and basins and earthen utensils and wheat and barley and meal and parched corn and beans and lentils and parched pulse' (2Sa. 17:28) ['parched' denotes two kinds of brew made from roasted flour]."*
 - N. *Nowadays people carry out basketsful to the markets of Nehardea and pay no attention to the opinion of Samuel's father and Levi.*

V.1 A. And pickled vegetables into which it is customary to put wine and vinegar:

- B. Said Hezekiah, "This rule is only if it is customary that they do so. But if it is certain that they do so, then the food is prohibited even to derive benefit from such food."
- C. [Reference is made to **"Fish brine and Bithynian cheese belonging to gentiles are prohibited, and the prohibition of them extends to deriving any benefit from them at all,"** the words of R. Meir. And sages say, **"The prohibition of them does not extend to deriving benefit from them"** (M. 2:4F-G)]: *Why is an exception made for brine, the benefit of which rabbis permit?*
 - D. *There the reason that the wine is used is to remove the stench of the fish, but here it is used to sweeten the flavor.*
- E. And R. Yohanan said, "Even if it is known for sure that wine is used in the pressed foodstuffs, the food is permitted."
- F. *Why is an exception made for brine, the benefit of which R. Meir prohibits?*
 - G. **[39A]** *There [when bread is dipped in fish sauce], one is well aware of the presence of the actual wine, while here, in the case of pressed foodstuff, one is not aware of the presence of the actual wine.*

VI.1 A. Minced fish; brine without kilkit fish floating in it:

- B. *What is hileq fish?*
- C. Said R. Nahman bar Abba said Rab, “It is sultanit fish.”
- D. How come it is prohibited?
- E. It is because a prohibited but similar species comes up in the net with it.

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

- B. If a species of fish has no fins and scales now but is going to grow them later on, for example, the sultanit fish and the aphis fish, lo, this species of fish is permitted.
- C. If it has fins and scales now but is going to slough them off when it is taken out of the water, for example, the colias, scomber, sword-fish, anthias, and tunny, it is permitted.

VI.3 A. *R. Abbahu proclaimed in Caesarea: “The innards of fish and fish roe may be purchased from anyone at all,” in the assumption that they derive only from Pelusium and Aspromia [where no forbidden fish flourish].”*

- B. *That is in line with what Abbaye said, “The Sahanta fish from Bab-Nahar is permitted.”*
- C. *What is the operative consideration? If one should propose that it is because the stream flows rapidly and unclean species of fish do not survive in fast-flowing water, lacking a backbone as they do, in point of fact we have ample evidence that unclean fish flourish there. And if one proposes that the operative consideration is that the water is salty, and unclean species of fish do not flourish in salty water since they lack scales, in point of fact we have ample evidence that unclean fish flourish there. Rather, the operative factor is that the riverbed is such that it does not allow unclean species of fish to breed there.*
- D. *Said Rabina, “And these days, when the Goza and Gamda canals flow in there, it is prohibited.”*

VI.4 A. *Said Abbaye, “The sea-ass is permitted, the sea-ox is forbidden, and your mnemonic is that the unclean [ass] is permitted, and the clean [ox] is forbidden.”*

- B. *Said R. Ashi, “The shefarnuna is permitted, the qedashnuna is forbidden, and your mnemonic is ‘Holy to the Lord [but not to mortals].”*
- C. *Another version: “The qebarnuna is forbidden, and your mnemonic is, ‘graves [using the same letters] of gentiles.’”*

- VI.5** A. *R. Aqiba visited Ginzaq. They set before him a fish that looked like a mud fish. He covered it over with a basket, discerned scales in it, and declared it permitted.*
- B. *R. Ashi visited Tamburayya. They set before him a fish that looked like an eel. He held it up against the sun, discerned it had growths like scales, and declared it permitted.*
- C. *R. Ashi visited a certain place. They set before him fish that looked like shefarnuna fish. He covered them with white basins, discerned scales in them, and declared them permitted.*
- D. *Rabbah bar bar Hana visited the fort of Agama. They brought before him sahanta fish. He heard someone call it “roach,” and said, “Since it is called ‘roach,’ I imagine there is an aspect of it that is unclean.” He did not eat a bit of it. The next day he found an aspect of it that was unclean, and in his own regard he cited the verse, “No mischief shall happen to the righteous” (Pro. 12:21).*

VII.1 A. Drops of asafoetida:

- B. *How come [they are forbidden when deriving from a gentile]?*
- C. *It is that [Cohen: to secure them, the root] must be cut with a knife.*
- D. *Even though a master has said, “If the forbidden substance imparts a flavor in such a way as to spoil the brew, it is permitted,” because of the pungency of asafoetida, it sweetens the fatty substance [absorbed from the knife] and therefore is a case in which the prohibited component imparts a flavor in such a manner as to improve the brew, and it is therefore forbidden.*

VII.2 A. *The slave of R. Levi would sell asafoetida. When R. Levi died, they came before R. Yohanan, saying to him, “What is the law as to buying from him [now that the master has died]?”*

- B. *He said to them, “The slave of a person who is meticulous about the law — lo, he is in the classification of a person who is meticulous about the law.”*

VII.3 A. *R. Huna bar Minyumi bought blue wool from the men of the wife of R. Amram the Pious. He came before R. Joseph [to ask whether it might be used, Amram having died; the wife can have sold him imitation, not genuine blue wool (Cohen)]. He did not know the answer.*

- B. *Hanan the tailor met him. He said to him, “How could poor Joseph know? The incident happened to me. For I bought blue wool from the men of the wife of Rabbanaah, brother of R. Hiyya bar Abba, and I came before R. Mattena. He did not know the answer. So I came before R. Judah of Hagronayya. He said to me, ‘You have come into my hand: this is what Samuel said, “The wife of a person who is meticulous about the law — lo, she is in the classification of a person who is meticulous about the law.”””*

VII.4 A. *That is in line with what our rabbis have taught on Tannaite authority:*

- B. **And so, too, a courtyard in which valid blue wool is sold remains in its presumed classification until there is reason to suspect the validity of the merchandise.**

VII.5 A. *Our rabbis have taught on Tannaite authority:*

- B. **The widow of a person who was not meticulous about the pertinent matters who married a person who was meticulous about such matters, and so, too, the daughter of a person not meticulous about the law who was married to a person meticulous about the law, and so, too, the servant of a person not meticulous about the law who was sold to a person who was meticulous about the law — in all cases they have to accept upon themselves the obligations to keep the rules of meticulous observance of the law afresh.**
- C. **But the wife of a person meticulous about the law who then married a person not meticulous about the law, so, too, the daughter of such a person who married such a person, so, too, the slave of such a person who was sold to such a person — they do not have to undertake afresh to keep the laws of**

meticulous observance of the law,” the words of R. Meir.

D. R. Judah says, “They do indeed have to accept upon themselves the obligations to keep the rules of meticulous observance of the law afresh.”

E. And so did R. Simeon b. Eleazar say, “There was the case of a certain woman who was married to a person meticulous about the law, and she would affix for him the straps of his phylacteries on his hand. When she was married to a man who was not meticulous, she would knot the customs seals for him” [T.

Dem. 2:16-17].

VII.6 A. Said Rab, “M[ilk], m[eat], w[ine], and b[lu]e wool [deriving from a gentile] with only a single seal are forbidden, but a[saf]oetida, f[ish] sauce, b[read], and c[heese] [marked with only a single seal] are permitted.

B. “Milk, meat, wine, and blue wool [deriving from a gentile] with only a single seal are forbidden.

C. **[39B]** “But asafoetida, fish sauce, bread, and cheese [marked with only a single seal] are permitted.”

D. *On what account should we have to take precautions with respect to bread? If it is because we are concerned that the gentile might have exchanged a fresh loaf for a stale one, or a wheat loaf for a barley one, that would be easy enough to detect. But the consideration is that he might substitute a loaf for another like it that he has baked, and since there is a seal attached, he would not go to the trouble of committing fraud.*

E. *Then what differentiates in Rab’s view cheese, in which case a gentile would not take the trouble to commit a fraud so a single seal suffices, from milk, in which case the gentile would not take the trouble to commit a fraud, and yet two seals are here required?*

F. *Said R. Kahana, “Remove from the list milk and replace it with ‘slices of fish,’ which bear no distinctive mark.”*

G. *But the same consideration applies to meat!*

H. *[He differentiates] two kinds of meat [one expensive, the other cheap].*

- I. Samuel says, “Meat, wine, and blue wool [deriving from a gentile] with only a single seal are forbidden, but asafoetida, fish sauce, and cheese [marked with only a single seal] are permitted.”
- J. *In Samuel’s view a slice of fish that has no distinguishing mark is classified as meat, and we do not invoke the notion that there are two kinds of meat.*

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

- B. **In Syria they do not buy wine, brine, milk, sal-conditum, asafoetida, or cheese, except from an expert. But any of these may be eaten in the home of one who is not an expert, and one need not scruple on that account [T. A.Z. 4:13E-G].**
- C. *That sustains the position of R. Joshua b. Levi, for said R. Joshua b. Levi, “If a householder sent any of these items as a gift to one’s house, it is permitted. How come? A householder will not himself toss away what is permitted for eating and then eat what is forbidden, so when he sends him a gift, he sends a gift out of something that he himself eats.”*

VIII.1 A. **And sal-conditum:**

- B. *What is the definition of sal-conditum?*
- C. Said Samuel, “It is the kind of salt of which all Roman guests eat.”

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

- B. **“Black sal-conditum is prohibited, white is permitted,” the words of R. Meir.**
- C. **R. Judah says, “White is prohibited, black permitted.”**
- D. **R. Judah b. Gamaliel says in the name of R. Hanina b. Gamaliel, “Both are forbidden” [T. A.Z. 4:12H-J].**
- E. Said Rabbah bar bar Hana said R. Yohanan, “In accord with the ruling of the one who says that the white kind is forbidden, the innards of white fish that are unclean are mixed with it; in the opinion of him who says that the black kind is forbidden, the innards of black unclean fish are mixed up with it; in the opinion of him who says that both are forbidden, the innards of both kinds are mixed up with it.”
- F. Said R. Abbahu in the name of R. Hanina b. Gamaliel, “There was an old man in our neighborhood who would polish this salt with pig fat.”

IX.1 A. **lo, these are prohibited, but the prohibition affecting them does not extend to deriving benefit from them:**

- B. *What does this concluding generalization mean to exclude?*
- C. *In the opinion of Hezekiah it is meant to exclude food of which it is known for sure [that wine is one of the ingredients].*
- D. *In the opinion of R. Yohanan it is meant to exclude fish brine and cheese from Bithynia.*

IX.2 A. *The anonymous [therefore authoritative] statement of the Mishnah is in accord with the position of R. Meir.*

I.1 provides a good account of the considerations at hand in the rule before us. The bias now is in favor of permitting the substance of gentiles that is under discussion, which accounts for the thrust of the argument. II.1 goes over the same type of question: why ever prohibit? Clearly, heirs to Rabbi's decision have difficulty in working out the basis for his permitting any aspect — here, deriving benefit — of gentiles' baking. No. 2 complements the foregoing. III.1 asks why the item under discussion has been prohibited, once more there being no obvious reason. No. 2 proceeds to a secondary expansion of the matter. No. 3 footnotes No. 2, and No. 4, No. 3. Further complementary materials are given at Nos. 5, 6, with footnotes and appendices to the foregoing at Nos. 7, 8, 9, 10. The systematic treatment of materials introduced only tangentially is entirely routine. IV.1 subjects the Mishnah rule to a routine inquiry into scriptural bases for the Mishnah's laws. No. 2 then continues the theme introduced at No. 1: food prepared by gentiles that Israelites may eat. No. 3 carries forward the details of the topic introduced by No. 2. No. 4 moves on with the overall theme. No. 5 footnotes No. 4. Nos. 6, 7, 8, 9, 10, 11 move forward along the line of the question dealt with at No. 5, footnotes to a footnote. Nos. 12, 13, 14 proceed to further Tannaite complements to the Mishnah's rule. Nos. 15, 16, 17 proceed to a later complement to the same composite of relevant rules. V.1 qualifies the rule of the Mishnah by a close reading of the language thereof. VI.1 glosses the Mishnah. No. 2 proceeds to thematically related Tannaite materials, but there is no bearing on the Mishnah's range of interests, that is, what gentile's prepare. So the Mishnah has not required inclusion of the Tannaite complement before us. We have then to classify No. 2 as an example of a thematic appendix. In this context, Nos. 3, 4, 5 then tack on appendices to an appendix. But of course the entire set form a conglomeration prior to insertion here. VII.1 explains why the named item is forbidden, and as is often the case No. 2 then gives an illustrative example. Then, as we have seen many times, the remainder, Nos. 3, 4, 5, 6, 7 form an appendix to No. 2, because of the topic or principle of No. 2; none of this has any bearing on No. 1. But the connection of one item to the prior one is readily discerned, point by point, so the whole has been assembled prior to utilization here. VIII.1 defines a term of the Mishnah. No. 2 proceeds to the anticipated

Tannaite complement to the foregoing. IX.1 amplifies the language of the Mishnah. No. 2 then tells us the name of the authority who is the source of the decided law here.

2:7

- A. These are things which [to begin with] are permitted for [Israelite] consumption.
- B. (1) milk which a gentile drew, with an Israelite watching him;
- C. (2) honey;
- D. (3) grape clusters, (even though they drip with moisture, they are not subject to the rule of imparting susceptibility to uncleanness as liquid);
- E. (4) pickled vegetables into which it is not customary to put wine or vinegar; (5) unminced fish; (6) brine containing fish; (7) a [whole] leaf of asafoetida, and (8) pickled olive cakes.
- F. R. Yosé says, "Those which are sodden are prohibited."
- G. Locusts which come from [the shopkeeper's] basket are forbidden.
- H. Those which come from the stock [of his shop] are permitted.
- I. And so is the rule for heave-offering.

I.1 A. [These are things which [to begin with] are permitted for Israelite consumption: milk which a gentile drew, with an Israelite watching him]: *That which we repeat as the Tannaite statement before us sustains that which our rabbis have taught on Tannaite authority: An Israelite may sit at the side of his [the gentile's] corral, and a gentile may milk the cows and bring the milk to him, and one does not scruple [T 4:11P].*

- B. *Now how are we to imagine such a case? Here is no unclean beast in the corral, then the rule is self evident. But if it is a case in which there is an unclean beast in the gentile's corral, then why is the rule what it is?*
- C. *In point of fact we deal with a case in which there is an unclean beast in the gentile's corral, and since if the Israelite stands up, he can see the other, while if he is seated he cannot see the other, what might you have said? Since he cannot see the other when he is sitting down, let us take precautions that the other not bring him milk that is mixed with unclean milk? So we are informed that, since if he stands up, he can see the other, the gentile will be concerned not to mix anything forbidden with the milk.*

II.1 A. Honey:

- B. *On what account should one take precautions in connection with honey?*
- C. *If the operative consideration is that the gentile may have mixed something forbidden with it, the result would be that he has made the honey rancid. And if the operative consideration is the prohibition against what has been cooked by a gentile, here is something that is eaten raw. And if the operative consideration is that utensils used by gentiles must be scoured for use by a Jew, here is a case in which the forbidden part of the brew imparts a flavor in such a way as to spoil the brew and the mixture therefore is permitted.*

III.1 A. Grape clusters, even though they drip with moisture, are not made susceptible to uncleanness by reason of the [dripping] liquid:

- B. *An objection was raised:*
- C. *He who gleanes grapes for the wine press —*
- D. *Shammai says, “The grapes have been rendered susceptible to uncleanness.”*
- E. *Hillel says, “The grapes have not been rendered susceptible to uncleanness.”*
- F. *But Hillel concurred with Shammai.*
- G. *In that case the farmer wants the liquid [which therefore imparts susceptibility to uncleanness to the grapes that it has moistened], while in the present case the farmer does not want the liquid.*

IV.1 A. Unminced fish, brine containing fish:

- B. *Our rabbis have taught on Tannaite authority:*
- C. *What is the definition of **herring that has not been minced**?*
- D. *It is a fish in which the head and backbone are to be discerned [so the species can be identified (Cohen)].*
- E. *And what is the definition of **brine-containing fish**?*
- F. *It is any in which one or two kalbit fish [40A] are floating in it.*
 - G. *Now if you have said that brine that has a single kalbit fish floating in it is permitted can there be any question about brine that contains two kalbit fish?*
 - H. *That does not pose a problem. Here we speak of open barrels [in which two such fish are necessary, but if there were only one, it might have been supposed that the fish fell in after the brine was prepared (Cohen)], and there we deal with sealed barrels [in which case a single fish's presence suffices].*

IV.2 A. *It has been stated:*

- B. R. Huna said, “[Herring is regarded as minced] only if the head and backbone are to be discerned.”
- C. R. Nahman said, “[Herring is regarded as minced] if either the head or the backbone is to be discerned.”
- D. *Objected R. Uqba bar Hama*, “Among fish, only those that have fins and scales [are permitted]” [without reference to the head or the backbone at all]!
- E. *Said Abbaye*, “When the rule of the Mishnah as explained was set forth, it dealt with stake and pelamys fish, the heads of which are like those of unclean fish.”
- F. *Said R. Judah in the name of Ulla*, “The dispute [between Huna and Nahman] concerns whether or not it is permitted to dip one’s bread in their brine, but as to eating the fish themselves, all parties concur that it is forbidden to do so only if the head and backbone are to be discerned.”
 - G. *Said R. Zira*, “To begin with, I would dip my bread in their brine. But now that I have heard that which R. Judah has said in the name of Ulla, namely, ‘The dispute [between Huna and Nahman] concerns whether or not it is permitted to dip one’s bread in their brine, but as to eating the fish themselves, all parties concur that it is forbidden to do so only if the head and backbone are to be discerned,’ I am not going even to dip my bread in the brine.”
 - H. Said R. Pappa, “The decided law is that [herring is regarded as minced] only if the head and backbone of each fish individually are to be discerned.”
 - I. *An objection was raised:* As to pieces of fish that bear some sort of mark [that the fish is of a clean species], whether the mark is found on the whole or only the part of them, and even in one out of a hundred, all of them are permitted. There was the case of a gentile who brought a barrel of pieces of fish, and a mark that the fish belonged to a clean species was found on only one of them, and Rabban Simeon b. Gamaliel declared the whole barrel to be permitted.
 - J. R. Pappa explained, “That is when all the pieces are alike.”
 - K. *If that is so, then what’s the point of the statement?*

- L. *What might you have said? We should take account of the possibility that the other has practiced deception. So we are informed that that is not the rule.*

IV.3 A. *A cargo of sahanta fish came to Sikara. R. Huna b. Hinnena went out, and, discerning scales [on the sides of the goat], declared the fish permitted.*

- B. *Said Raba to him, "And is it possible to declare the fish permitted on such a basis in a locale in which scales in any event are common?"*

- C. *Raba sent forth a public admonition by means of a shofar sound and declared the fish unfit. R. Huna b. Hinnena then sent forth a public announcement by means of a shofar sound and declared the fish fit.*

- D. *Said R. Jeremiah of Difti, "To me personally did R. Pappi state, 'When R. Hina bar Hinena declared the fish to be permitted, it was with respect to their brine, but not with respect to actually eating the fish.'"*

- E. *Said R. Ashi, "To me personally did R. Pappi state, 'When R. Hina bar Hinena declared the fish to be permitted, it was with respect even to actually eating the fish. But as for me, I cannot prohibit the fish in light of what R. Pappa has told me, nor can I permit the fish in light of what R. Judah said in the name of Ulla, which is, 'The dispute [between Huna and Nahman] concerns whether or not it is permitted to dip one's bread in their brine, but as to eating the fish themselves, all parties concur that it is forbidden to do so only if the head and backbone are to be discerned.'"*

IV.4 A. *R. Hinena bar Idi went into session before R. Ada bar Ahbah, and, in session, he stated, "A gentile who brought a cargo full of barrels [of fish brine], and in one of them a kalbit fish was found, if the barrels are open, all of them are permitted, but if they are closed, that barrel is permitted and the rest are forbidden."*

- B. *He said to him, "How do you know this?"*

- C. *He said to him, "I heard it from three masters who in their persons are as authoritative as Scripture: Rab, Samuel, and R. Yohanan,"*

- IV.5** A. Said R. Barona said Rab, “The innards of fish and their roe should be bought only from an expert.”
- B. Ulla addressed R. Dosdai of Biri, “Since Rab has stated, ‘The innards of fish and their roe should be bought only from an expert,’ it must follow that an unclean fish has roe. *But an objection may be raised from the following: An unclean fish casts forth young. A clean fish lays eggs [T. Bekh. 1:11].*”
- C. “*Then remove from the formulation, ‘and their roe.’*”
- D. Said to him R. Zira, “Do not remove from the formulation, ‘and their roe.’ Both types lay eggs. But the clean kind breed by laying eggs that mature in the sand of the riverbed, the other kind is actually viviparous.”

- IV.6** A. *Why do I need an expert to examine the distinctive traits? For it has been taught on Tannaite authority: The definitive traits of birds are the same as the definitive traits of fish.*
- B. *But can it enter your mind that the definitive traits of fish are pertinent to those of birds? The definitive traits of fish are the presence of fins and scales, and so it is written in Scripture!*
- C. Rather: The definitive traits of clean birds’ eggs are the same as those of fish roe, and what are the marks of clean birds’ eggs? The ones that are arched and rolling, with one end round, the other pointed, are clean; they are unclean; if the yolk is outside and white inside, the egg is unclean; if the white is outside and the yoke is inside, the egg is clean; if the white and yolk are mixed together, it is the egg of a snake.
- D. [To revert to the question *Why do I need an expert to examine the distinctive traits?*], said Raba, “[Rab referred to] pressed roe [in which case only an expert would know whether it was from an unclean or a clean fish].”
- E. *And from the perspective of R. Dosdai of Biri, who has said, “Then remove from the formulation, ‘and their roe,” for has it not been taught on Tannaite authority, [40B] “The marks of a clean bird’s eggs are the same as those of fish roe,” does the passage in any event not require an explanation?*
- F. Read: “are the same as fish innards.”
- G. *But under what circumstances are the definitive traits of fish innards going to be whether they are rounded or pointed?*

H. *In the case of the fish bladder.*

IV.7 A. *And what is to be done if there is no available expert?*

- B. Said R. Judah, "If the man says, 'I myself salted them,' they are permitted."
- C. R. Nahman said, "If he says, 'these are the fish, and those are their innards.'"
- D. R. Judah told Adda his attendant, "If the man says, 'I myself salted them,' they are permitted."

V.1 A. **A [whole] leaf of asafoetida:**

- B. *That is self-evident!*
- C. *What might you have otherwise have supposed to make this statement necessary? The rule concerns the drops that may be attached to the leaf. You might have maintained that we have to take account of the possibility that the gentile has brought other drops of asafoetida [Cohen: which he had cut from the roof with his knife] and mixed them with the leaf. So we are informed that the drops on the leaf have detached themselves without cutting and came off together with the leaf.*

VI.1 A. **And pickled olive cakes:**

- B. *That is self-evident!*
- C. *What might you have otherwise have supposed to make this statement necessary? It is to indicate that they may be eaten even when very soft. You might have supposed that the gentile put wine on them? So we are informed that the softness is on account of the oil.*

VII.1 A. **R. Yosé says, "Those which are sodden are prohibited":**

- B. *What is the meaning of "sodden"?*
- C. Said R. Yosé bar Hanina, "It is any which, when one takes it in his hand, the pit drops out."

VIII.1 A. **Locusts which come from [the shopkeeper's] basket are forbidden. Those which come from the stock [of his shop] are permitted:**

- B. *Our rabbis have taught on Tannaite authority:*
- C. **Locusts, capers, and leeks that come from storage, the storehouse, or a ship — lo, these are permitted. But if they are sold in a basket in front of a store, lo, they are prohibited, because they sprinkle them with wine so as to improve their appearance [M. 2:7F-H] [T. A.Z. 4:12F-G].** So too, apple

cider of a gentile that is purchased from a warehouse, from storage, or from a ship is permitted, but if it is sold on the counter, it is forbidden, because they mix wine with it.

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

- B. Once Rabbi suffered bowel trouble and said, “Is there anybody who knows whether a gentile’s apple cider is forbidden or permitted?”
- C. Said before him R. Ishmael b. R. Yosé, “My father once suffered bowel trouble and they brought him gentile’s apple cider that was seventy years old, and he drank it and got better.”
- D. He said to him, “You had this information all this time but let me suffer?”
- E. They investigated the matter and found a gentile who had three hundred barrels of apple cider that was seventy years old, and he drank it and got better. Then he said, “Blessed be the Omnipresent, who has handed over his world into the hands of reliable custodians.”

IX.1 A. **And so is the rule for heave-offering:**

- B. *What is the meaning of the statement, And so is the rule for heave-offering?*
- C. Said R. Sheshet, “So is the rule that pertains to a priest who is suspect of selling heave-offering as though it were unconsecrated food. If the sale is in front of him, it is forbidden, but if the food derives from a warehouse, stock, or basket, it is permitted, *because he would be careful not to include heave-offering in his produce, fearing that, if rabbis hear of it, they will make him lose the whole lot.*”

I.1 introduces a parallel teaching and works on the exposition of the parallel. II.1 fails to explain the consideration behind the Mishnah’s rule — a very curious, truncated composition indeed. III.1 harmonizes our item with a parallel one. IV.1 complements the Mishnah with the Tosefta’s materials. No. 2 goes over the same ground as No. 1. No. 3 is a case illustrative of No. 2. No. 4 then goes over the same ground and serves the same purpose as No. 3. Nos. 5, 6 carry forward the same topic as No. 4, with Nos. 6, 7 extensions of No. 5. V.1, VI.1 show that the Mishnah contains no self-evident statements, so that each rule it does give, answers an urgent question. VII.1 defines a word in the Mishnah. VIII.1, 2 complement the Mishnah with a pertinent Tannaite rule. IX.1 clarifies the language of the Mishnah.