

# VIII

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## BAVLI ZEBAHIM CHAPTER EIGHT

FOLIOS 70B-83A

8:1-2

8:1

- A. All [animals that had been designated for the purpose of] offerings that were mixed up with (1) sin offerings that had been left to die [M. Tem. 2:2] or (2) an ox sentenced to be stoned —
- B. even one [sin offering left to die] in ten thousand [suitable animal offerings] —
- C. let all of them be left to die.
- D. [If] they [animals designated for use as offerings] were mixed up with (1) an ox upon which a sin was committed, or [71A] (2) [an ox] which had been found guilty of killing a man on the evidence of a single witness or on the evidence of the owner,
- E. (1) with an ox which had sexual relations with a human, or (2) with an ox with which a human had sexual relations, or (3) with an ox which had been set aside [for idolatry (M. Tem. 6: 1)], or (4) with an ox which had been worshipped, or (5) with an ox which had served as a harlot's hire, or (6) with an ox which had served as the price of a dog, or (7) with an ox which was crossbred, [71B] or (8) with an ox which was terefah, or (9) with an ox born from the side —
- F. let them [any of those beasts that had been confused in this way] pasture until they suffer a blemish [since one of them is a valid consecrated beast], and [then] be sold, and let [the owner] bring [another sacrifice, purchased] with the proceeds of the best of them of that kind [that had been mixed up with the invalid beasts].
- G. [If] they were mixed up with unblemished unconsecrated beasts, the unconsecrated beasts are to be sold to those who require that particular kind [of sacrifice].

- A. Consecrated beasts [belonging to several owners, which were mixed up] with [other] consecrated beasts of the same kind [of offering, so that while all the beasts in the lot have been designated for the same purpose, we still do not know to whom in particular the several beasts belong] — this one is offered for the sake of one [among the owners] and that one is offered for the sake of one [among the owners].
  - B. Consecrated beasts [which were mixed up] with other consecrated beasts [e.g., burnt offerings and peace offerings], not of the same kind [of offerings] [and which therefore are offered with different rites, e.g., different numbers of acts of sprinkling blood, rules of consuming the flesh, and the like] —
  - C. let them pasture until they suffer a blemish, and [then] be sold [separately], and let [the owner] bring with the proceeds of the best of them [a sacrifice] [e.g., peace offerings] of that kind, and let him lose [make up] the [added] difference from his own property.
  - D. [If] they were mixed up with a firstling or with tithe [of cattle] —
  - E. let them pasture until they suffer a blemish, and be eaten as a firstling [by priests] and as tithe [by ordinary folk] [but not slaughtered in the public market or sold by weight].
  - F. All can be mixed up [without the possibility of discerning an animal for one sacrifice from that for another], except a sin offering, [which is female or which is a male goat], with a guilt offering, [which is a male sheep or ram].
- I.1** A. [Supply: All animals that had been designated for the purpose of offerings that were mixed up with sin offerings that had been left to die, or an ox sentenced to be stoned — even one sin offering left to die in ten thousand suitable animal offerings — let all of them be left to die:]
- B. *What is the meaning of “even”?*
  - C. *This is the sense of the statement: All animals that had been designated for the purpose of offerings that were mixed up with sin offerings that had been left to die, or an ox sentenced to be stoned — even one in ten thousand suitable animal offerings — let all of them be left to die.*
- I.2.** A. *But have we not already got a Tannaite formulation of the same rule? [It is as follows:] All [animals] which are prohibited for the altar prohibit in any number at all [animals among which they are confused]: (1) the one which has sexual relations with a human being; (2) and the one with whom a human being has sexual relations; [(3) and the one which is set aside [for idolatrous worship]; (4) and the one which has actually been worshiped; (5) and the [harlot’s] hire; (6) and the price of a dog [one given in payment for a dog]; (7) and the hybrid; (8) and the terefah; (9) and the one which is born from the side] [M. Tem. 6:1A].*
- B. *Said R. Kahana, “I stated that matter before R. Shimi bar Ashi, [who said to me,] ‘Both are required. For if we had to derive the rule only on the basis of that other formulation, I might have come to the conclusion that it is only where the classifications of beast are forbidden for use for the Most High on the altar that that rule applies, but only where they are forbidden for commonplace matters, I*

*might have said that that is not so [and the animals can be redeemed]. And if we had to derive the rule only on the basis of what is before us, I might have thought that the rule pertains only to those classifications that are forbidden for any beneficial use at all, but as to the others, which are not forbidden for general use, the rule is otherwise [Freedman: we are stricter here, because the interdict is greater]. So both are required.”*

- C. *But surely those that are not prohibited for all other purposes are covered in the present formulation [when the passage states, **with an ox which had sexual relations with a human, or with an ox with which a human had sexual relations, or with an ox which had been set aside, or with an ox which had been worshipped, or with an ox which had served as a harlot's hire, or with an ox which had served as the price of a dog, or with an ox which was crossbred, or with an ox which was terefah, or with an ox born from the side,** all of which may not be used for sacrifices but may be used in other ways]!*
- D. *Does the framer of the passage specify by what proportion they prohibit? [The statement, **even one in ten thousand** pertains only to what precedes, not to what follows, so the other Mishnah-paragraph still is required (Freedman).]*
- E. *Then let the framer present the other rule, and we would not require this one at all!*
- F. *Here he presents the remedy to the problem [which is not specified under the formulation that says merely that animals in these classifications simply may not be offered].*
- G. *But the classifications of beasts that are forbidden to a laymen also are covered in that other formulation, as follows: **These are forbidden and impose a prohibition in any measure at all: libation wine, an idol, hides with a hole at the heart, an ox that is to be stoned, a heifer, the neck of which is to be broken, birds belonging to a mesora [one afflicted with the skin ailment], the hair cut off a Nazirite, the unredeemed firstborn of an ass, meat in milk, the goat that is to be sent forth unconsecrated beasts that have been slaughtered in the Temple court yard — lo, these are forbidden and impose a prohibition in any measure at all [M. A.Z. 5:9A-C].** [Freedman: if libation-wine that has served for an idol is confused with other, permitted wine, or if animals that had been worshiped are confused with others, they are all forbidden for any use whatever].*
- H. *[72A] That formulation too is required. For if the rule were to be derived solely from that formulation, I might have supposed that the prohibition pertains only to what belongs to an ordinary person, but as to what belongs to the Most High, I might have held that we should not cause the loss of the entire mixture. [Freedman: since they are of greater religious value, let the forbidden animals be annulled by the larger number of consecrated ones.]*
- I. *And if the rule were to be derived solely from this case, I might have supposed that the rule pertains only to Holy Things, in which case such a usage would be disgusting, but as to unconsecrated beasts, where the consideration of what is disgusting does not pertain, I might have supposed that, while forbidden for any beneficial use, they may be nullified within the majority of other beasts. So both formulations are required.*

**I.3.** A. *But could they not be nullified by the majority [of valid beasts among which they are confused]? And should you say, they are of consequence and so cannot be nullified — that claim would be valid within the premise of the reading of the Mishnah, **Whatever is usually enumerated**, but in the premise that the correct reading is, **That which is usually enumerated**, what is there to be said?*

B. *For we have learned in the Mishnah: Whoever had bunches of fenugreek that are [prohibited under the laws of] diverse kinds in a vineyard — [72B] [the bunches] must be burned. [If the bunches] were mixed with other [permitted bunches] — “All must be burned,” the words of R. Meir. And sages say, “They are neutralized in [a ratio of] one [forbidden bunch] to two hundred [permitted bunches]” [M. **Orl. 3:6A-E**]. For R. Meir would say, “Whatever normally is enumerated [when being sold] renders [other food mixed with it] sanctified [forbidden, so that all of the food in the mixture must be burned.” But sages say, “Only six foods render [other foods] sanctified. And R. Aqiba says, “Seven foods render others forbidden.” And these are they [sages’ six foods]: (1) nuts from Perekh, (2) pomegranates from Baddan, (3) sealed jars [containing forbidden wine], (4) beet shoots, (5) cabbage stalks and (6) Greek gourds R. Aqiba says, “Also (7) loaves [of bread] of a householder.” To those [among these items] to which the [restrictions of] orlah are applicable the [restrictions of] orlah [apply]. To that to which the prohibition of diverse kinds in a vineyard is applicable, the prohibition of diverse kinds in a vineyard [applies]. [M. **Orl. 3:7**]. And in this connection it has been stated, R. Yohanan said, “The formulation of the matter that we have learned to repeat is, **That which is usually enumerated**.” And R. Simeon b. Laqish says, “The formulation of the matter that we have learned to repeat is, **Whatever is usually enumerated**.” Now there is no problem from the perspective of R. Simeon b. Laqish, but from the premise of R. Yohanan as to the correct formulation of the matter, what is there to be said?*

C. *Said R. Pappa, “The Tannaite authority before is is the one responsible for the rule concerning the litra of dried figs, who takes the view: [73A] Whatever when being sold is enumerated, even if the source of the prohibition affecting that classification of produce derives only from rabbis, cannot be neutralized in a larger number of permitted merchandise of the same species, and all the more so that which is prohibited on the authority of the Torah [as in the present cases (Freedman)]! For it has been taught on Tannaite authority: **A litra of dried figs in the status of heave offering that one stuffed into the mouth of a jar filled with dried figs, but one does not know into which jar he stuffed them [M. **Ter. 4:10M**]** — or which one stuffed into a beehive filled with dried figs, but does not know into which beehive he stuffed them, or which one pressed onto a circle of pressed figs, but does not know onto which circle of pressed figs he pressed them — R. Eliezer says, ‘They regard the figs on top of the jar, beehive, or pressed figs, as if they were loose, and therefore are mixed with the rest of the produce. If there are therein the jar a hundred and one litras of produce, the heave offering is neutralized, but if not, it is not neutralized.’ R. Joshua says, ‘If there are there a hundred mouths of jars, the heave offering is neutralized, and if not, produce in the mouths of the jars is*

forbidden and produce in the bottoms of the jars is permitted, retaining its status as unconsecrated food,” the words of R. Meir. R. Judah says, “R. Eliezer says, ‘If there are there a hundred mouths of jars, the heave offering is neutralized, and if not, produce in the mouths of the jars is forbidden, and produce in the bottoms of the jars is permitted.’ R. Joshua says, ‘Even if there are there three hundred mouths of jars, the heave offering is not neutralized.’” If he pressed the litra of dried figs in the status of heave offering upon a circle of pressed figs, but does not know where on the circle he pressed it, all agree that it is neutralized [T. **Terumot 5:11A-F**, trans. A. J. Avery-Peck]. [Freedman: hence our Mishnah agrees with Joshua.]

- D. R. Ashi said, “You may even maintain that the formulation accords with rabbis, for animate creatures are taken into account under all circumstances, and therefore will not be nullified [in a larger number of the same].”

**II.1** A. [Supply: All animals that had been designated for the purpose of offerings that were mixed up with sin offerings that had been left to die or an ox sentenced to be stoned — let all of them be left to die:] *But why not take them one by one and invoke the rule, “Whatever is separated from the mass is separated from the majority of the mass”?* [Freedman: when one thing is detached from many, we assume that was detached from what constituted the majority; here the majority of the animals are fit for sacrifice; as we detached each one, we may assume that it was of the majority and therefore it can be sacrificed. Only the last two will then remain forbidden.]

- B. *Take them one by one? But what we have here is a case to which the principle that if the minority is confirmed to be stationary and in place applies.* [For example, if there are ten butcher shops, nine of which sell only acceptable meat, the tenth selling unacceptable, and a piece of meat is found in the street, it is assumed to be acceptable; we follow the status of the majority. But if someone bought meat in one of the shops but does not know in which one, we do not invoke the principle that we follow the status of the majority. The doubt has come up as to the shop. The minority shop is stationary, in some settled place (Freedman, *Sanhedrin* [London, 1948: Soncino] p. 531, n. 4)]. **[73B]** *And in any case to which the principle that if the minority is confirmed to be stationary and in place applies, we settle the case of the unknown by invoking the principle of “half and half,” [there is one chance out of two that the beast that is removed is the one that is left to die or to be stoned, and hence there is no solution such as has been proposed.]*

- C. *Rather, why not scatter the beasts and invoke that same principle [the animals subject to doubt no longer being stationary,] that is, “Whatever is separated from the mass is separated from the majority of the mass”?*

- D. Said Raba, “We deny that possibility by reason of a precautionary decree, lest ten priests come simultaneously and offer up all ten animals.” [Freedman: this is now assumed to mean that after the animals are scattered and detached and slaughtered in sequence, one after the other, ten priests will sprinkle the blood of ten animals or present the sacrificial parts simultaneously. If the ten constitute the majority, they will then be assumed to include the forbidden beast.]

- E. *Said one of the rabbis to Raba, "If so, then whatever is on the tray [on which the sacrificial parts are placed to be presented on the altar] itself will be forbidden!"* [Freedman: after each animal was slaughtered in the assumption that it is permitted, can the animals now become forbidden, with the sacrificial parts on the tray waiting to be burned? That is ridiculous.]
- F. Rather, [the operative consideration is this: it is a precautionary decree lest ten priests come simultaneously and take all ten animals [from the herd that has confused within it beasts that may not be offered].
- G. *Is it possible that [ten priests come simultaneously and take all ten animals [from the herd that has confused within it beasts that may not be offered]]?*
- H. *Rather, said Raba, "The operative consideration is the principle that if the minority is confirmed to be stationary and in place applies, we settle the case of the unknown by invoking the principle of "half and half," [there is one chance out of two that the beast that is removed is the one that is left to die or to be stoned, and hence there is no solution such as has been proposed.]*

**II.2.** A. *Said Raba, "Now that rabbis have established that the beasts may not be offered, should one offer the beasts, no animal among them achieves expiation [atonement for sin through the blood rite]."*

- B. *Objected R. Huna bar Judah to Raba, "A bird designated as a sin offering that was confused with a bird designated as a burnt offering, or a burnt offering with a sin offering, even one in ten thousand of the other — all of them are left to die. A bird designated as a sin offering that was confused with birds that were not designated at all but that were brought in fulfillment of an obligation — valid is only the number corresponding to the sin offerings among the offerings that were brought in fulfillment of an obligation. And so a burnt offering that was confused with unassigned birds brought in fulfillment of an obligation, valid is only the number corresponding to the burnt offerings among the birds that were brought in fulfillment of an obligation — whether the birds designated in fulfillment of an obligation are many and those as freewill offerings few, whether the free will offerings are many and those brought in fulfillment of an obligation are few, whether both are of equal number* [M. [Qin. 1:2A-K](#)]. Under what circumstances do the foregoing rules apply? In the case of a priest who makes inquiry. But in the case of a priest who does not make inquiry, if he prepared all of them above the red line, half is valid and half is invalid. If he prepared all of them below the red line, half is valid, half invalid. [M. [Qin. 3:1A-C](#), [E-G](#)]. If he prepared half of them above and half of them below the red line, both of them are invalid, for I maintain, "The bird designated as a sin offering [the blood of which should be tossed below the line] was offered above, and the burnt offering below [M. [Qin. 3:3D-F](#)]." [Freedman: thus although the priest is forbidden to offer them in the first place, yet if he does, those offered properly are fit, versus Raba's position that should one offer the beasts, no animal among them achieves expiation [atonement for sin through the blood rite].

- C. *[He said to him,] "In accord with whom is my ruling made? It is in accord with the position of him who says that living animals cannot be permanently invalidated for use as an offering. The formulation just now cited in contradiction of my view*



*is in accord with the position that living animals may be permanently invalidated for use as an offering. [A beast that is consecrated can be removed for ever from sacred use and even though later on it became fit to be offered, it cannot be offered, since it has earlier been suspended from use on the altar for some reason. So if to begin with at the point of its consecration an animal is removed from sacred use, then the suspension remains valid forever.]”*

- D. *But lo, animals that have been slaughtered, about which all parties concur that they are permanently invalidated for use on the altar, [74A] and yet we have learned in the Mishnah: **Limbs [of burnt offerings] which were mixed with the limbs of blemished beasts [which are not offered] — R. Eliezer says, “If the head of one of them was [inadvertently] offered, let all the heads be offered [in the assumption that the one which already has been offered is the one which was blemished]. [If the leg of one of them [had been offered], let all the legs be offered [in the same assumption]” [M. Zeb. 8:5A-D].*** [Freedman: even though the priest had raised a question, we should have instructed him not to offer any one of them.]
- E. *The rule is in accord with Hanan the Egyptian, It is Hanan the Egyptian, [who does not accept the rule that if blood is once rejected, it is permanently rejected. For so it has been taught on Tannaite authority:*
- F. *Hanan the Egyptian says, “Even if the blood is in the cup, he brings its fellow and mixes it with it.” [Freedman: two he goats were taken on the day of Atonement, one sacrificed as a sin offering, the other sent away into the wilderness, and the lot decided which was which. Blood of the former was received in a cup and sprinkled on the altar. If the scape goat died before the blood of the other was sprinkled, Hanan rules that we do not say the blood is rejected so two other goats must be brought; only one more is brought and paired up with the one already slaughtered.]*

## **Resolving Matters of Doubt Concerning the Confusion of Permitted and Forbidden Objects, with Special Attention to Idolatry and Priestly Rations**

- II.3.** A. Said R. Nahman said Rabbah bar Abbuha, “If a ring belonging to an idol was confused with a hundred other rings and one of the rings then fell into the Great Sea, all of the rest of them have been permitted for Israelite use, *for we invoke the assumption that the ring that was lost is the one that had been prohibited by reason of belonging to an idol.*”
- B. *Raba objected to R. Nahman, “[All animals that had been designated for the purpose of offerings that were mixed up with sin offerings that had been left to die or an ox sentenced to be stoned — ] even one sin offering left to die in ten thousand suitable animal offerings — let all of them be left to die. But why should that be the case? Should we not invoke the principle that the one that dies first is the one that was forbidden?”*
- C. *He said to him, “Rab has ruled in accord with the position of R. Eliezer, for we have learned in the Mishnah: **Limbs [of burnt offerings] which were mixed with the limbs of blemished beasts which are not offered — R. Eliezer says, “If the head of one of them was [inadvertently] offered, let all the heads be***

**offered in the assumption that the one which already has been offered is the one which was blemished. If the leg of one of them [had been offered, let all the legs be offered in the same assumption]" [M. Zeb. 8:5A-D]."**

D. "But has not R. Eleazar said, 'R. Eliezer permitted offering them only two by two, but not one by one'? [One is definitely not forbidden, and we assume the same about the other.]"

E. *He said to him, "I also meant to say that they are offered only two by two, but not one by one."*

**II.4.** A. Said R. Judah said Rab, "In the case of a single ring belonging to an idol that was confused with a hundred other rings, and forty of the rings were taken away to another location and sixty some other location, if one of the rings was inadvertently separated from the forty [and became confused with the others], it does not impose a prohibition on the others with which it is confused. If one of them was detached from the sixty [and confused with the others], it does impose the prohibition attaching to it on all of the others with which it is confused."

B. *What differentiates the case of one out of forty, in which case it does not impose a prohibition on the other rings with which it is then confused?*

C. *It is because we invoke the principle, The forbidden ring is located among the majority of the original lot.*

D. *Then in the case of one out of sixty, should we not also invoke the principle, The forbidden ring is located among the majority of the original lot?*

E. *Rather, formulate matters as follows: if forty were all separated to one place, they do not impart the prohibition that attaches to them upon the others with which they were later on confused, but if sixty were detached to one place, they do impart the prohibition that pertains to them to others with which they are later on confused.*

F. *Now when this formulation of the rule was repeated before Samuel, he said to him, "Give up on the matter of idolatry, for in that classification of matters of doubt, a matter of doubt, and a matter of doubt concerning a matter of doubt, will be resolved in favor of a prohibition, without limit [so even in the case of forty, the prohibition applies (Freedman)].*

G. *An objection was raised: A matter of doubt affecting something belonging to an idol is resolved in favor of a prohibition, but a matter of doubt concerning a matter of doubt in that same classification is resolved in favor of a remission of the prohibition. How so? If a cup belonging to an idol fell into a treasure trove that was filled with other cups, all of them are forbidden. If one of them was detached and then got confused with ten thousand other cups, and from the ten thousand other cups one was detached and confused with ten thousand others, they are permitted [contrary to Samuel's position].*

H. *It is a principle that is subject to dispute among Tannaite formulations of the law. For it has been taught on Tannaite authority:*

I. **R. Judah says, "Sweet pomegranates in the status of heave offering are forbidden for consumption as unconsecrated produce whatever the ratio in which they are mixed with other pomegranates [they are never neutralized]. How so? If one of them fell into ten thousand others, all of them [all of the**



pomegranates] are forbidden [they all take on the status of heave offering]. If a pomegranate fell from this ten thousand into a different ten thousand pomegranates, all of them are forbidden. R. Simeon b. Judah says in the name of R. Simeon, “If one of them fell into ten thousand, all of them are forbidden. If afterwards a pomegranate fell from this ten thousand into a third batch, and from this third batch into a different batch, in cases of doubts concerning the status of the pomegranates in the final batch, they are deemed permitted for consumption as unconsecrated produce, since there is a doubt whether or not there is in this case a mixture of heave offering and unconsecrated produce” [T. **Terumot 5:10A-I**, in Neusner, ed., *Tosefta Zeraim*, A. J. Avery-Peck, “Tosefta Terumot,” pp. 160-161].

- J. *In accord with which authority, then, has Samuel made his ruling? If he has ruled in accord with R. Judah, then even if the mixture involves some prohibition other than that deriving from idolatry, the prohibition pertains [there being nothing in Judah’s ruling that limits the principle to idolatry], and if it is in accord with the position of R. Simeon, then even if it were a matter of a prohibition by reason of idolatry, the object would be permitted [at that later range of doubts].*
- K. *And should you say that R. Simeon distinguishes idolatry from all other sources of prohibition, then note that which has been taught on Tannaite authority: A matter of doubt involving idolatry is resolved in favor of a prohibition, but a matter of doubt concerning a matter of doubt is remitted from such a prohibition, and who can be the authority behind that statement, since it cannot be R. Judah nor R. Simeon?*
- L. *In point of fact, it is R. Simeon, and Samuel concurs with the position of R. Judah in one matter but differs from him in another. [He agrees that a doubt concerning a doubt, when it has to do with idolatry, is resolved as forbidden, but he differs from Judah who applies the same principle to prohibitions based on other considerations (Freedman)].*

**II.5.** A. The master has said, “If one of them fell into ten thousand, all of them are forbidden. If afterwards a pomegranate fell from this ten thousand into a third batch, and from this third batch into a different batch, in cases of doubts concerning the status of the pomegranates in the final batch, they are deemed permitted for consumption as unconsecrated produce, since there is a doubt whether or not there is in this case a mixture of heave offering and unconsecrated produce.”

- B. **[74B]** *What differentiates the case of three [successive accidents]? It is that there is a majority. But then if it fell among two, there also is a majority?*
- C. *What is meant by “three”? It is, two together with itself.*
- D. *Or, alternatively, he concurs with the view of R. Eliezer [who permits the heads to be offered only in twos].*

**II.6.** A. Said R. Simeon b. Laqish, “In the case of a cask of food in the status of heave offering that was confused among a hundred casks of ordinary food, and one of the lot fell into the Salt Sea, all of the rest of them are permitted. *For we say that the one that fell is the forbidden cask.*”

- II.7.** A. *The rulings of R. Nahman [concerning a ring belonging to an idol] and of R. Simeon b. Laqish are required.*
- B. *For if we had in hand only the ruling of R. Nahman, I would have reached the conclusion that that ruling pertains only to idolatry, because there is no remedy that would in the end remit the prohibition of idolatry [Freedman: it would be too rigorous to say that they remain forbidden], but in the case of food that has been designated as heave offering, there is a remedy [through sale of the whole mess to a priest, who can then use it all].*
- C. *And if we had in hand only the ruling of R. Simeon b. Laqish, I would have reached the conclusion that the ruling applies only to something as large as a cask, the loss of which is going to be perceived, but in the case of a ring, the loss of which may not be noticed, I might have concluded that the rule is not the same. [Freedman: a cask is a large object and its loss is noticeable, hence when the rest are permitted, one can see that it is because one fell out. But a ring is small and its loss out of a large number is not noticeable. Therefore it might be thought that if the rest are permitted, one will not know the reason and so may believe that they are all permitted, even if none fell out.]*
- D. *That is why rulings on both matters are required.*
- II.8.** A. *Said Rabbah, “R. Simeon b. Laqish made his ruling, in which he permitted the mixture, only in the case of the cask of fits, for in that case the loss is entirely noticeable, but he would not rule in that way in the case of a single fig” [Freedman: which is small.]*
- B. *R. Joseph said, “Even in the case of a single fig. Just as when it falls [it imparts a prohibition to everything that is located where it has fallen], so when it is removed, [it is sufficiently noticeable to render them all permitted].”*
- II.9.** A. *Said R. Eleazar, “A sealed cask of wine in the status of heave offering that fell among a hundred other casks — the farmer opens one of them and removes from it the correct proportion [one one hundred and one part is to be removed, the rest permitted; an open cask can be neutralized (Freedman)]. Then he may drink the contents of the keg.”*
- B. *In session R. Dimi stated this tradition. Said to him R. Nahman, “We see here that he tastes and drinks [then how is it ever possible that a seal cask can never be neutralized]! Rather, state the matter in this way: ‘If one of them is opened [on its own], he removes from it the correct proportion [one one hundred and one part is to be removed, the rest permitted; an open cask can be neutralized (Freedman)]. Then he may drink the contents of the keg.”*
- II.10.** A. *Said R. Oshaia, “A sealed cask of wine in the status of heave offering that was confused with one hundred and fifty casks, one of which was open — the farmer removes from it the correct proportion and drinks. But the rest of the casks are forbidden until they too open by accident, for we do not invoke the principle, ‘The forbidden thing is part of the majority’” [as was maintained earlier; if we do invoke that principle, we would assume that the cask of wine in the status of heave offering is among the hundred, and the other fifty can be opened right away (Freedman)].*

**III.1** A. (1) with an ox which had sexual relations with a human, or (2) with an ox with which a human had sexual relations, or (3) with an ox which had been set aside [for idolatry (M. Tem. 6: 1)], or (4) with an ox which had been worshipped, or (5) with an ox which had served as a harlot's hire, or (6) with an ox which had served as the price of a dog, or (7) with an ox which was crossbred, or (8) with an ox which was terefah, or (9) with an ox born from the side:

- B. *As to the other items on the list, there is no problem, for the basis on which they are disqualified is not readily discerned [so they can be confused with others]. But in the case of a terefah-beast, how is this possible? If it is discernible, let a priest come and take it away from the mixture, and if he cannot discern it, then how does the priest know that a terefah-beast has been confused with the others [if the beast's infirmity is internal, until the beast has been slaughtered and dissected]?*
- C. *Said a member of the household of R. Yannai, "With what case do we deal here? It is one in which confused among the animals was one that had been perforated by a thorn and another that had been attacked by a wolf [which cannot be distinguished from one another, but the former is not in the classification of a terefah-beast and the latter is in that classification, having been attacked by a beast of prey]."*
- D. *R. Simeon b. Laqish said, "It is a case in which the beast was confused with one that had fallen."*
- E. *One that had fallen? Here too it can be examined!*
- F. *He takes the view that if it arose, it has to be observed over a span of twenty-four hours, and if it walked, it has to be examined. [Freedman: All the animals can walk, but since there is a doubtful case among them, none can be offered.]*
- G. *R. Jeremiah said, "For example, the mixture involved the offspring of a terefah-beast, in accord with the position of R. Eliezer, who has said, 'The offspring of a terefah-beast cannot be offered on the altar.'"*
- H. *All of these other authorities do not explain the matter in accord with the position of the household of R. Yannai, because they take the view that you can differentiate an animal pierced by a thorn from one attacked by the wolf, since the former is long and the latter round.*
- I. *All of these other authorities do not explain the matter in accord with the position of R. Simeon b. Laqish because they maintain that if the beast got up, it does not require twenty-four hours, and if it walked, it does not have to be examined.*
- J. *All of these other authorities do not explain the matter in accord with the position of R. Jeremiah, because they do not concur with R. Eliezer's view of the matter.*

**IV.1** A. Consecrated beasts [belonging to several owners, which were mixed up] with [other] consecrated beasts of the same kind [of offering, so that while all the beasts in the lot have been designated for the same purpose, we still do not know to whom in particular the several beasts belong] — this one is offered for the sake of one [among the owners] and that one is offered for the sake of one [among the owners]

- B. *[But how can that solution work, since] does a sacrifice not require the laying on of hands by the owner?*
- C. Said R. Joseph, "We deal with an offering of women [who do not lay on hands], but to the case of confusion of offerings in behalf of men, that rule does not pertain."
- D. **[75A]** *An objection was raised by Abayye, "In the case of the offering belonging to an individual that was confused with the offering of some other individual, or the offering designated for sacrifice in behalf of the community with another offering designated for sacrifice in behalf of the community, or an offering designated for sacrifice by an individual and an offering designated for sacrifice by the community that were confused with one another, the priest must make four applications of blood in behalf of each sacrifice. But if he made one application of blood from each beast, he has fulfilled his obligation, and if he made four applications from blood deriving from all of the beasts, that suffices. Under what circumstances [is it the rule that the priest must make four applications of blood in behalf of each sacrifice]? If the beasts were confused while they were yet alive. But if the confusion came about after the beasts were slaughtered [so that the blood is mixed in a single cup], one places the blood four times for all of them. But if he made one such application of the blood, he has fulfilled his obligation. Rabbi says, 'We examine how the application was made: if it contains enough blood to be sufficient for each [enough blood in one application for two such applications], it is fit, if not, it is unfit. Now, we note, the framer of the passage has so stated matters as to treat the individual's offering as comparable to that of the community. Just as the congregation is made up of men [and the offering therefore is one belonging to men], so the individual also is one that has been brought by a man [not only a woman, and here there has been no laying on of hands].'"*
- E. *Said Raba, "And do you find reasonable the formulation before us? Surely it is not reasonable, for if it is stated as the Tannaite formulation, Under what circumstances [is it the rule that the priest must make four applications of blood in behalf of each sacrifice]? If the beasts were confused while they were yet alive. But if the confusion came about after the beasts were slaughtered, that is not so. But what difference does it make to me whether the confusion took place when they were alive, and what difference does it make to me whether it took place after they were slaughtered [Freedman: even if they are slaughtered, they may still require four applications from each, e.g., if the cups were mixed up, but all the blood was not in one goblet]. Rather, this is the sense of the matter: Under what circumstances [is it the rule that the priest must make four applications of blood in behalf of each sacrifice]? If the beasts were confused after the beasts were slaughtered as if they were alive, that is, the cups were mixed up. But if the blood was mingled in a single cup, the priest makes four applications for all of them; if he made one application on behalf of all, he nonetheless has fulfilled his obligation [so the passage refers to slaughtered animals, and the laying on of hands has already taken place before the confusion (Freedman)]."*

- IV.2.** A. Rabbi says, “We examine how the application was made: if it contains enough blood to be sufficient for each [enough blood in one application for two such applications], it is fit, if not, it is unfit:”
- B. *Does Rabbi hold that position? And lo, it has been taught on Tannaite authority:*
- C. Said Rabbi, “In the view of R. Eliezer, **[75B]** sprinkling, no matter how little, effects purification; sprinkling is not subject to a minimum volume; sprinkling is valid even if the mixture is half fit and half unfit [so sprinkling does not require a definite quantity at all and that contradicts Rabbi’s statement at hand (Freedman)].
- D. *The statement he has made is only within the supposition of R. Eliezer [but does not represent his own view].*
- E. *If you prefer, I shall say, sprinkling is one thing, applying the blood is another [and the same law does not apply to both].*

- V.1** A. **[If] they were mixed up with a firstling or with tithe [of cattle] let them pasture until they suffer a blemish, and be eaten as a firstling [by priests] and as tithe [by ordinary folk] [but not slaughtered in the public market or sold by weight].**
- B. Said Rami bar Hama, “As to **the meat of a firstling — the House of Shammai say, “They do not feed it to menstruating women.” [And the House of Hillel say, “They feed it to menstruating women” (T. Bekh. 3:16 A-C)]**. [Note M. **Bekh. 5:2A-C**: the House of Shammai say, “An Israelite is not numbered with a priest [for eating] a firstling.” And the House of Hillel permit, **And even in the case of a gentile.** The Shammaites see the firstling as a priestly possession. The Hillelites deem the blemished firstling to be unconsecrated.] What about the substitute for such a beast?
- C. “A firstling cannot be redeemed. What about the substitute thereof?”
- D. “A firstling cannot be weighed by the pound, but what about the substitute thereof?”
- E. *Said Raba, “It has been taught on Tannaite authority: A firstling and a beast that has been designated as tithe, once blemished, impart their status to animals that have been substituted for them, and the substitute is subject to the same laws as apply to them.”*
- V.2.** A. *Rami bar Hama, raised the question, “If one assigned a blemished firstling’s value to the upkeep of the Temple house, can the meat be weighed out by the pound [or only by a general estimate? If weighed by the pound, a higher price will accrue, for the advantage of the Temple (Freedman)]. Do we maintain that the profit to the sanctuary takes precedence, or perhaps the degradation of the meat of the firstling is the operative consideration?”*
- B. *Said R. Yosé bar Zabida, “Come and take note: **If they were mixed up with a firstling or with tithe of cattle — let them pasture until they suffer a blemish, and be eaten as a firstling by priests and as tithe [by ordinary folk]. Does this not bear the implication that they are not to be sold by weight?**”*
- C. *R. Huna and R. Hezekiah, disciples of R. Jeremiah, said, “Are the cases at all parallel? In the case of the sacrifice and the firstling that are confused, you have two distinct animals, each subject to its own classification of sanctification, so the latter must be treated with respect. But here, you have two distinct classifications*

*of sanctification, that pertain to a single body [the firstling alone].” [Since the greater profit arises in the same body, it is permitted, though the profit serves a different purpose (Freedman)].*

- D. *Objected R. Yosé bar Abin, “But what if he said, ‘Redeem a firstling for me,’ which he then devoted to the upkeep of the Temple. Would we pay any attention to him?” [Freedman: how can you think that we permit the meat to be treated in a degraded way because it was dedicated? If someone said to redeem a firstling so that it may be unconsecrated so as to permit its secular use, would we permit it? We certainly would not, even though the Temple would get the proceeds of the secularization of the beast.]*
- E. *But if he said, “Redeem,” it is the All-Merciful that has instructed that it must not be redeemed. [But the prohibition of selling by weight is only rabbinical and may be waived (Freedman/Rashi).]*
- F. *Rather, said R. Ammi, “Did he transfer ownership of anything that he did not himself possess as owner?” [Freedman: A man can give only what he himself owns. Since the priest could not sell the meat by weight for his own use, he also cannot empower the Temple repair fund to do so.]*

**VI.1 A. All can be mixed up [without the possibility of discerning an animal for one sacrifice from that for another], except a sin offering, [which is female or which is a male goat], with a guilt offering, [which is a male sheep or ram]:**

- B. *What differentiates the sin offering and guilt offering? It is presumably that the one is a male, the other a female? Then the same consideration pertains to the sin offering and guilt offering!*
- C. *There is the he-goat of the ruler [Lev. 4:22-23].*
- D. *In the case of a guilt offering, there is the case of the he-goat of the ruler.*
- E. *One produces hair, the other wool [Freedman: the guilt offering is a male ram, which has wool, and it cannot be confused with a he goat].*
- F. *An animal designated as a Passover offering and one designated as a guilt offering also cannot be confused, since the former must be a year old, the latter, two.*
- G. *There is the case of the Nazirite’s guilt offering and the leper’s guilt offering [likewise a year old].*
- H. *If you prefer, I shall say, sometimes a beast that is a year old looks as though it were two, and one that is two years old looks as though it were a year old.*

**8:3**

- A. **A guilt offering that was mixed up with peace offerings — let them pasture until they suffer a blemish [M. 8:2].**
- B. **R. Simeon says, “Both of them are slaughtered at the north [as is required for a guilt offering, M. 5:5] and are eaten in accord with the rules governing the more stringent of them [as a guilt offering, inside the courtyard, by male priests for a day and a night]**
- C. **They said to him, “They do not bring Holy Things to the status of invalidity.”**



- D. [If] pieces [of meat of one offering] were mixed up with pieces [of meat of other offerings] —
- (1) Most Holy Things with Lesser Holy Things [e.g., pieces of a sin offering or a guilt offering with pieces of a thank offering],
- (2) things which are to be eaten on one day with things which are to be eaten on two days [e.g., pieces of a thank offering and those of peace offerings] —
- E. they are eaten in accord with the rules governing the more stringent of them.
- I.1** A. *A Tannaite authority repeated as a Tannaite formulation in the presence of Rab:*  
**They may not purchase produce in the status of heave offering with money received from the sale of produce of the seventh year, since that will limit the time allowed for eating it [T. Shebiit 6:29G-H].** [Freedman: When, in the seventh year, nothing is left for the beasts in the field, the food in the status of heave offering will have to be destroyed, while if it had not been purchased with money received for produce of the seventh year, it could be eaten without time limit.]
- B. *Rabbis said before Rabbah, “That is not in accord with the position of R. Simeon, for if it were to accord with R. Simeon, has he not said, ‘They do bring Holy Things to the status of invalidity’?”*
- C. *He said to them, “You may even maintain that the rule is in accord with the position of R. Simeon. The conception that they bring Holy Things to the status of invalidity applies after the fact. But to begin with, that is not the case.”*
- D. *But to begin with, that is not the case? To that proposition objected Abayye, [76A] “[Just as they [the above-mentioned offerings, more holy than some other, take precedence in being offered up, so they take precedence in being eaten. Peace offerings of yesterday and peace offerings of today—those of yesterday take precedence. ‘Peace offerings of yesterday and a sin offering and a guilt offering of today—those of yesterday take precedence,’ the words of R. Meir. And sages say, ‘The sin offering takes precedence, because it is Most Holy Things’ (M. Zeb. 10:6A-D)]. ‘And in the case of all of them [which are eaten], the priests are permitted to vary the manner of eating them: to eat them (1) roasted, (2) seethed, or (3) cooked. And to put in them unconsecrated spices or spices of heave offering,’ the words of R. Simeon. [R. Meir says, ‘He should not put into them spices of heave offering, so that he not bring heave offering to the state of invalidity’] [M. Zeb. 10:7A-C]. [Freedman: when he seasons the food with food in the status of heave offering, he reduces the time in which it may be eaten, for it is now limited to the time in which the sacrifice may be eaten, and yet Simeon permits it even at the outset].”*
- E. *He said to him, “Forget the case of the heave offering of spices, which has to be separated only by the authority of rabbis [and therefore the consideration of not invalidating the food is null].”*
- F. *He objected: “They may not purchase produce in the status of heave offering with money received from the sale of produce of the seventh year, since that will limit the time allowed for eating it. And R. Simeon permits doing so [T. Shebiit 6:29G-H].”*
- G. *To that objection he fell silent.*

- H. *When [Abayye] came before R. Joseph, he said to him, “Why did you not refute his position on the basis of the following: **They may not cook vegetables of the Sabbatical year in oil in the status of heave offering, so that one will not cause [the vegetables] to become invalid [so that the produce of the Sabbatical year will not be wasted in the event that the oil becomes unclean and must be burned].** R. Simeon permits [the cooking of vegetables of the Sabbatical year in oil in the status of heave offering] [M. [Sheb. 8:7A-C](#)]?”*
- I. *Said to him Abayye, “But did I not refute him from the rule governing condiments, and he said to me, ‘Forget the case of the heave offering of spices, which has to be separated only by the authority of rabbis [and therefore the consideration of not invalidating the food is null]’? Here too, separating heave offering from vegetables is only on the foundations of the authority of rabbis.”*
- J. *“If that is why [R. Simeon takes a lenient position], the Tannaite framer of the passage should formulate the matter in exactly the opposite way, namely: vegetables in the status of heave offering with oil produced in the Seventh Year.”*
- K. *“But did I not raise an objection to him based on the Mishnah-passage that R. Simeon permits doing so, and he answered me, ‘That is because they were mixed together [accidentally]’? Here too, he can have answered me, ‘That is because they were mixed together [accidentally].’”*
- L. *“If they were mixed together accidentally, then what in the world is the operative consideration behind the position of rabbis [in forbidding the mixture]?”*
- M. *“It is analogous to the confusion of a guilt offering and a peace offering [**A guilt offering that was mixed up with peace offerings — let them pasture until they suffer a blemish.**] [Just as they have to be left to graze until they are blemished, here too the mixture must be left, rather than reducing the time during which the food in the status of heave offering may be eaten (Freedman)].”*
- N. *“Are the cases, however, really analogous? There there is a remedy, that is, in grazing, while there there is no remedy in grazing. But the analogy is to be drawn to the case of a piece mixed up with other pieces, where, since there is no remedy, they are eaten in accord with the laws governing the more stringent of the classifications of meat that is mixed together.” [Here too let rabbis permit them to be boiled together (Freedman)].*
- O. *To that proposition Rabina objected, “What sort of comparison can be drawn there? When a piece of meat is mixed up with other pieces of meat, there is no remedy at all, while here, there is the remedy of squeezing out [the oil from the vegetables]!”*
- P. *And R. Joseph?*
- Q. *“How is he supposed to squeeze it out? If it is done well, the produce in the status of seventh year will be ruined. If it is squeezed out only a little, then after all the mixture remains [and the oil cannot be extracted].”*
- R. *He raised the following objection: “R. Simeon says, ‘On the next day [on the eighth day after the purification period of Lev. 13-14] he presents his guilt offering and the log of oil with it and says, “If this belongs to the person afflicted with the skin ailment, this is his guilt offering, and this is its log of oil, [\[76B\]](#) and if not, let this guilt offering be a peace offerings brought merely as a freewill offering. The*

guilt offering must be slaughtered in the north. There must be sprinkling on the thumbs of the donor, laying on of hands, drink offering, waving the breast and the thigh, and it is eaten for a day and a night [in accord with the rule governing a guilt offering].” [Freedman: thus even to begin with, and not only after the fact, he may reduce the time for eating it, for it may be a peace offering, which can be eaten for two days.]

S. *The remedy for a person is treated in an exceptional way.*

**I.2.** A. *[Addressing the ruling of Simeon,] that is all well and good for the guilt offering, but what is to be said about the log of oil? [The guilt offering can be declared a voluntary peace offering to cover the case of the man’s not having been afflicted with the skin ailment, but what about the oil, to which, in that case, he was not liable ?(Freedman)]*

B. *The man says, “If I was not afflicted with the skin ailment, let this log be treated as a free will offering.”*

C. *But perhaps he was not afflicted with the skin offering, in which case he has to take off a handful of the oil and burn it on the altar.*

D. *So he does take off a handful of the oil and burn it on the altar.*

E. *But if he really was afflicted with the skin ailment, then he has to be sprinkled seven times [Lev. 14:16].*

F. *So the priest does it.*

G. *But the log is now lacking [having been diminished by the fistful of oil that was removed, and so it is invalid].*

H. *He brings a bit more and makes up the difference. For we have learned in the Mishnah: “If the log was found lacking before he poured it out, one should fill it up. [If it was found lacking] after he poured it out, let him bring other [oil] anew,” the words of R. Aqiba. R. Simeon says, “If the log was found lacking before one placed it, one should fill it up. After he placed it, let him bring other [oil] as in the beginning” [M. Neg. 14:10M-O].*

I. *But the fistful of oil has to be burned.*

J. *So the priest does burn it.*

K. *When does he do so? If it is after the seven sprinklings, it falls into the classification of residue reduced between the taking of the fistful and the burning, and you may not then burn the fistful on its account if it is before the seven sprinklings, we have the rule: every offering a portion of which has been put onto the fire of the altar is subject to the rule, “You shall not make the smoke burn.” [Freedman: here too perhaps it was a votive offering, and so the burning of the fistful is a valid rite, in accord with Lev. 2: 2. When this burning has been done, none of the residue may be burned again on the altar. In this instance the sprinklings of the oil are equivalent to the burning on the altar of part of a meal offering; hence just as that would be forbidden, so are the sprinklings forbidden.]*

L. *Said R. Judah b. R. Simeon b. Pazzi, “He puts it on the altar as mere fuel. [Freedman: not as a fistful whose burning is a necessary rite.] For it has been taught on Tannaite authority: ‘R. Eliezer says, ““For a sweet savor’ (Lev. 2:12) you may not take it up on the altar, but you may take it up [77A] for fuel.””*

- M. *But there is the residue that is to be eaten, while we have this bit more, on account of which no fistful has been taken [and which may therefore not be eaten; and since that is mixed with the rest, the whole may not be eaten (Freedman)].*
- N. *He redeems it.*
- O. *So where does he redeem it? If it is within the Temple court, then he turns out to bring unconsecrated things into the Temple court, and if it is taken outside, it becomes unfit having gone out beyond the Temple court.*
- P. *In point of fact, he redeems it inside the Temple court, but the status of unconsecrated things affects it willy-nilly [and there is no intentional violation of the law].*
- Q. But has not R. Simeon said, “One may not present oil as a votive offering”?
- R. *The remedy for a person is treated in an exceptional way.*
- S. *R. Rehumai went into session in the presence of Rabina, and, in session, he stated in the name of R. Huna bar Tahalipa, “Yet let the man declare, ‘[If I was not afflicted with the skin ailment,] let this guilt offering be classified as a suspensive guilt offering’ [since Eliezer permits the voluntary presentation of a suspensive guilt offering]. So you may draw the conclusion from that fact [that Simeon does not allow for such an action] that the Tannaite authority who differs from R. Eliezer and takes the view that the voluntary presentation of a suspensive guilt offering is not permitted is R. Simeon.”*
- T. He said to him, “[Where is your mastery of the] Torah! [Where is your mastery of the] Torah! You have confused lambs with rams!” [Freedman: a guilt offering from one afflicted with the skin ailment must be a year old lamb, a suspensive guilt offering must be a two year old ram].

## 8:4

- A. **The limbs of a sin offering which were mixed up with the limbs of a burnt offering —**
- B. **R. Eliezer says, “Let him place [them all] above [the altar fires].**
- C. **“And I regard the meat of the sin offering [which is] on top [of the fires] as if it were wood.”**
- D. **And sages say, “Let their appearance be spoiled, and let them then go out to the place of burning [as remnant, not as mere fuel].”**
- I.1** A. *What is the scriptural basis for the position of R. Eliezer?* [Reference is made here to Lev. 2:11, “No meal offering which you shall bring to the Lord shall be made with leaven, for all leaven and all honey you shall not make smoke of it as an offering made by fire to the Lord,” and Lev. 2:12, “As an offering of first fruits you may bring them to the Lord, but they shall not come up for a sweet savor on the altar.”]
- B. Scripture has said, “But they shall not come up for a sweet savor upon the altar” (Lev. 2:12) — for a sweet savour you may not take it up on the altar, but you may take it up for fuel.
- C. *And rabbis?*
- D. [“As an offering of first fruits you may bring them to the Lord, but they shall not come up for a sweet savor on the altar.”] in using the word “them,” Scripture has

imposed a limitation — “them” you may not bring up for a sweet savor and only as wood, *but nothing else*.

E. And R. Eliezer?

F. “Them” have I encompassed on the ascent, treating it like the altar, *but not in any other regard*.

G. *And rabbis?*

H. *They derive both lessons from that same formulation.*

**I.2.** A. *Our Mishnah-paragraph does not accord with the view of the Tannaite framer of the following, which has been taught on Tannaite authority:*

B. **Said R. Judah, “R. Eliezer and sages did not differ concerning limbs of sin offerings that were confused with limbs of burnt offerings, that they should be offered [contrary to M. 8:4A], or those of a beast that had committed an act of sexual relations with a human being and those of a beast upon which such an act had been committed by a human being, that such a confused collection should not be burned. Concerning what do they differ? Concerning limbs of an unblemished animal offered as a burnt offering with limbs of a blemished one, in which case, R. Eliezer says, ‘Let them be offered up, and I regard the meat of the blemished animal on top of the fires as if it were wood.’ And sages say, ‘Let them not be offered at all’ [T. Zeb. 8:15C-E].”**

C. *Now according to the view of R. Eliezer, what differentiates a beast that had committed an act of sexual relations with a human being and a beast upon which such an act had been committed by a human being? Is it that they are not eligible for use on the altar? But a blemished animal also is not suitable for use on the altar!*

D. **[77B]** *Said R. Huna, “At issue in the reference to blemished animals are those that suffer eye-cataracts, and the matter if framed within the rule of R. Aqiba who has said, ‘If the limbs of an animal suffering that particular blemish have gone up onto the altar, they are not removed.’”*

E. *Now to be sure, R. Aqiba took that position after the fact, but to begin with has he ruled in such a way [as is the implication of Eliezer’s position as just now interpreted]?*

F. *Said R. Pappa, “With what sort of case do we deal here? It is one in which the limbs have gone up onto the ramp.”*

G. *If so, then even when they are on their own [not confused with other, unblemished animals’ parts], they must be offered.*

H. *Rather, the scriptural basis for the distinction made by R. Eliezer is this: Scripture has imposed a limitation by saying, “There is a blemish in them, they shall not be accepted” (Lev. 22:25) — only when the blemish is “in them” they will not be accepted, but when there is a confusion of blemished and unblemished beasts, they will be accepted.*

I. *And rabbis?*

J. *Only when the blemish is “in them” they will not be accepted, but if their blemish has passed, they will be accepted.*

K. And R. Eliezer?

- L. When Scripture states “in them,” it does so through two limiting words [Freedman].
- M. *And rabbis?*
- N. *They derive no lessons from the variations contained within the two limiting words.*
- I.3.** A. *If [as Eliezer maintains, Scripture itself stands behind his position,] then how can he use the language, **I regard?** Lo, Scripture itself has declared the mixture to be valid!*
- B. *In so formulating matters, it is within the premise of the other party, in this wise: “In my opinion, it is Scripture that has declared the mixture to be valid, but even within your position, you should at least concede that the meat of a blemished animal is like wood, on the analogy to the meat of a sin offering.”*
- C. *And rabbis?*
- D. *Here [in the case of a blemished animal], it is disgusting, but there [in the case of the meat of a sin offering] it is not disgusting.*

## 8:5

- A. **Limbs [of burnt offerings] which were mixed with the limbs of blemished beasts [which are not offered] —**
- B. **R. Eliezer says, “If the head of one of them was [inadvertently] offered, let all the heads be offered [in the assumption that the one which already has been offered is the one that was blemished].**
- C. **“[If] the leg of one of them [had been offered], let all the legs be offered [in the same assumption].”**
- D. **And sages say, “[Even if all of them except one had inadvertently] been offered, let it go forth to the place of burning [since that one may be the blemished one].”**
- I.1** A. Said R. Eleazar, “R. Eliezer has validated the procedure herein outlined only when they are two by two, but not one by one.”
- B. *R. Jacob objected to R. Jeremiah, “**Even if all of them except one had inadvertently been offered, let it go forth to the place of burning [since that one may be the blemished one].**” [Freedman: Hence Eliezer must hold that this last one would be offered, which shows that they can be offered one by one.]*
- C. *Said to him R. Jeremiah b. Tahalipa, “I will explain it for you: what is the meaning of **one**? It is ‘one pair.’”*

## 8:6-7

## 8:6

- A. **Blood which was mixed with water,**
- B. **if it [the mixture] has the appearance of blood, is valid.**
- C. **[If] it was mixed in wine,**
- D. **they regard it as if it were water [and if the mixture is blood-color, it is valid].**
- E. **[If] it [blood of Holy Things] was mixed with the blood of a beast or with the blood of fowl [which were unconsecrated], they regard it as if it were water.**



F [78A] R. Judah says, “Blood [under any circumstances] does not annul blood.”

8:7

- A. [If] it was mixed with the blood of unfit [offerings], let it be poured out into the gutter.
- B. [If it was mixed] with blood which exuded after death, let it be poured out into the gutter.
- C. R. Eliezer declares [it] valid.
- D. If the priest did not pay mind to it and placed [the blood on the altar], [the offering in the end] is valid.

I.1 A. [With reference to the rule, **they regard it as if it were water, and if the mixture is blood-color, it is valid:**] said R. Hiyya bar Abba said R. Yohanan, “That rule applies only in a case in which water fell into blood. But if blood fell into water, then as each drop of blood fell into the water, it was nullified by the larger volume of water, [and hence the mixture is unfit and poured out into the gutter].”

B. Said R. Pappa, “But as to the requirement of covering up the blood, the rule is not the same at all [but the blood that has fallen into water is not regarded as nullified drop by drop], because when it comes to keeping the religious duties, there is no operative principle of nullification.”

I.2. A. Said R. Simeon b. Laqish, “If meat that had been rendered refuse by the officiating priest’s improper intentionality, meat that was left over, or unclean meat, were mixed up together and one ate them, he is exempt. It is not possible that one classification of unfit meat has not formed the greater part or its fellow, with the result that the latter is nullified in the former.” [Freedman: the lesser part is nullified in the greater and is added thereto, while the kind that it is is diminished thereby. This will happen with each piece that he chooses, and as it is impossible to equalize them, one of the kinds has less than the standard bulk. Liability is incurred only when a formal warning or admonition is given to the offender, and this must be specific, e.g., with reference to the liability for refuse, left-over, or unclean meat in particular. But this is not possible, for if the warning covers refuse, then liability may be because of the other two classifications, and so throughout.]

B. *Three principles are inferred by that statement of his.*

C. *It is to be inferred that* prohibitions [e.g., prohibited classifications of meat in this case] have the power to nullify one another.

D. *It is to be inferred that* the principle that if something imparts its flavor to a volume greater than itself, it also dictates the category to which the larger mixture is assigned [even if the prohibited part of the whole later on is removed] is not of scriptural origin.

E. *And it is to be inferred that* admonition that pertains to something that is a matter of doubt [and therefore is not precise] is not deemed a valid admonition.

F. *Objected Raba*, “**One who makes dough from [a mixture of] wheat [flour] and rice [flour] — if it [i.e., the dough] has the taste of cereal [wheat], it is subject to dough offering [M. Hal. 3:7A-B].** *And that is the case even though the*

*greater part of the mixture is rice-flour [from which dough-offering is not required].”*

- G. *That is only by the authority of rabbis [and not of the Torah, in line with D].*
- H. *If so, then I call attention to the concluding part of the same passage: **And a person fulfills his obligation [to eat unleavened bread] on Passover by means of [eating] it. But if it does not have the taste of cereal, it is not subject to dough offering. And a person does not fulfill his obligation [to eat unleavened bread] on Passover by means of [eating] it [M. Hal. 3:7C-E].***
- I. **[78B]** *Rather, one one species is mixed together with another species, the portion of the mixture that imparts its flavor to the whole dictates the classification of the mixture; one one kind is mixed with the same kind, the portion of the whole that forms the greater part dictates the classification of the whole.*
- J. *But if one kind is mixed with its own kind, let us assess the status as though it were one kind mixed with a different kind altogether [by the principle of which part imparts its flavor]. For we have learned in the Mishnah: **[If] it was mixed in wine, they regard it as if it were water [and if the mixture is blood-color, it is valid].** Does that not bear the sense that we regard the wine as if it were water? [Freedman: Wine and blood may be regarded as the same kind; so this shows that the lesser is not nullified by the greater, but we regard the mixture as of two different kinds.]*
- K. *No, what it means is that we regard the blood as though it were water. [Freedman: It is then unfit, because it is nullified by the greater quantity of water.]*
- L. *If so, then the formulation that is required is “the blood is nullified.” And furthermore, it has been taught on Tannaite authority: **R. Judah says, “They regard it as if it were red wine in water; if its color is annulled, it is clean, and if not, it is unclean” [T. Miq. 7:4C].** [This proves definitively that we consider it as a mixture of two different kinds (Freedman).]*
- M. *It is a matter of a conflict among Tannaite formulations of the rule, for it has been taught on Tannaite authority:*
- N. ***A pail that contains white wine or milk which one has immersed, if the water of the immersion pool that enters the utensil exceeds the wine or milk, it is clean, and if not, it is unclean. R. Judah says, “They regard it as if it were red wine in water; if its color is annulled, it is clean, and if not, it is unclean” [T. Miq. 7:4B-C].***
- O. *And by way of contradiction to the foregoing: A pail full of spit that one immersed — it is as though he did not immerse it. **[If it is] full of urine, they regard it as if it were water. [If it is] full of purification water, [it is not clean] until the water [of the immersion pool that enters the utensil] exceeds the purification water. R. Yosé says, “Even if it is a utensil which holds a kor and contains only a quarter-log [of purification water] — it is as if it did not immerse” [M. Miq. 10:6D-F].** Now who is it whom you know to use the language, “we regard...”? It is R. Judah, and the Tannaite formulation states that it is sufficient if there is an excess of valid water [so if the water of the immersion pool is more than the purification water, the immersion is valid, and we do not regard the latter as though it were wine (Freedman)].*

- P. *Said Abayye, “That does not present a contradiction. [79A] For the one presents his own opinion, the other, his master’s. For it has been taught on Tannaite authority:*
- Q. **“R. Judah says in the name of Rabban Gamaliel, ‘Blood cannot nullify the presence of other blood, spit other spit, urine other urine’”** [cf. T. **Toh. 5:1D-E**]. [Freedman: the spit and urine of a person afflicted with flux-uncleanness, which are unclean, cannot be nullified by those of a clean person, even though the latter exceed the former. This is a stringent view, and the similarly stringent view above is likewise Gamaliel’s ruling, not his own.]
- R. *Raba said, “We deal with a case which a pail is clean on the inside and unclean on the outside [and that uncleanness is only by authority of rabbis, leaving the inside unaffected]. As a matter of law even a small quantity of water enters the pail and is sufficient to become clean therein, because the inside is clean in any event. But it is only rabbis that have enacted a precautionary decree, lest one begrudge the water and not immerse the pail.”* [Freedman: if the owner is allowed to immerse only the outside of the pail, he may wish to save the water of the immersion pool for further use and not allow even a trickle of the water of the immersion pool to enter the pail.] Since we have more immersion pool water, nothing else is required” [which is the particular reason for the lenient ruling here (Freedman)].”
- I.3.** A. *Said Raba, “Rabbis have stated that the operative criterion is which component of the mixture imparts its taste to the whole, and rabbis also have said that the operative criterion is which component of the mixture forms the larger part of the whole, and rabbis have also made the ruling that the operative criterion is which part of the mixture imposes its appearance on the whole.*
- B. *“Where you have something mixed with something not of its own kind, then the operative criterion is which component of the mixture imparts its taste to the whole.*
- C. *“Where you have one kind mixed with its own kind, then the operative criterion is which component of the mixture forms the larger part of the whole.*
- D. *“And where you have an issue only of appearance [and not taste], then the operative criterion is which part of the mixture imposes its appearance on the whole.”*
- I.4.** A. *Now [in maintaining that prohibitions e.g., prohibited classifications of meat, have the power to nullify one another, Simeon b. Laqish] differs from R. Eleazar, for R. Eleazar has said, “Just as religious duties cannot nullify one another, so prohibitions do not have the power to nullify one another.”*
- B. *From what authority have you derived the rule that prohibitions do not have the power to nullify one another?*
- C. *It is Hillel, for it has been taught on Tannaite authority:*
- D. *They say concerning Hillel the Elder that he would wrap together [unleavened bread, bitter herbs, and Passover meat, all of which have to be eaten on the eve of the Passover] and eat them all at once, for it is said, “They shall eat it with unleavened bread and bitter herbs” (Num. 9:11). [The flavor of the one does not nullify that of the other.]*
- I.5.** A. **[79B]** *Our rabbis have taught on Tannaite authority:*

- B. **The chamber pot of a man or woman afflicted with flux uncleanness — the water of the first and of the second washings of the pot conveys uncleanness. The water of the third rinsing is then clean. Under what circumstances? When someone put fresh water into it. But if one did not put water into the pot but washed it with urine, even up to the tenth rinsing, it is unclean. R. Eliezer b. Jacob says, “The third rinsing, even though he did not put water into it, is clean” [T. [Toh. 5:3B-J](#)].**
- C. *Now of whom have you heard who takes the view that if you have a mixture of one kind and another of the same order, it is not nullified? It is R. Judah [so he must be the anonymous authority contrary to Eliezer b. Jacob].*
- D. *But in contradiction to this supposition, there is the following: Flax that a menstruating woman has spun — he who moves it is clean, but if it was moist, he who moves it is unclean, because of the liquid that is in her mouth. R. Judah says, “Even he who wets the flax is unclean because of the liquid in her mouth — and even if he does so many times.” [Freedman: this contradicts his statement above that three washings suffice.] [They said to him, “Once they put it into water, the water forms the greater part of the mixture, so it is clean” [T. [Toh. 4:11A-G](#)].*
- E. *Said R. Pappa, “The case of saliva is different, because it forms a crust [and is hard to take off].”*

**II.1 A. If it was mixed with the blood of unfit offerings, let it be poured out into the gutter. If it was mixed with blood which exuded after death, let it be poured out into the gutter. R. Eliezer declares it valid. If the priest did not pay mind to it and placed the blood on the altar, the offering in the end is valid:**

- B. *What is at issue between the two positions?*
- C. *Said R. Zebid, “At issue is whether or not a precautionary decree is issued in regard to matters affecting the sanctuary. One authority takes the view that we do make such precautionary decrees, the other that we do not.” [The precautionary measure is made in the sanctuary even though there may be a loss of consecrated meat; therefore when the blood of a fit sacrifice is mixed with that of an unfit one or of blood that has merely drained, even though the former may nullify the latter, it is poured out; the offering is unfit. This is a preventive measure, lest one declare it fit even where the invalid portion of the whole is more than the valid. Eliezer holds that we do not enact a precautionary decree in the sanctuary, so as not to cause the loss of consecrated meat. Therefore the mixture is fit for sprinkling unless the unfit blood is so much that if it were water, the fit blood would lose its appearance as blood (Freedman).]*
- D. *R. Pappa said, “All parties concur that we do make such a decree. But here at issue is whether it is commonplace for blood that is drained out to form the greater part over blood that gushes out [and is the blood to be tossed on the altar]. One authority maintains that that is common, the other that it is not.” [Freedman: when it is mixed with the blood of an unfit animal, even Eliezer agrees that we make a precautionary decree. The disagreement is where the mixture is with blood that drains out; here Eliezer holds that a preventive measure is not enacted, since it is rare for the blood that drains out to be more than the blood that gushes out.]*

- E. *Now from the perspective of R. Pappa, there are no problems, for that is in line with the language of the Mishnah [differentiating the two cases]; **If it was mixed with the blood of unfit offerings, let it be poured out into the gutter. If it was mixed with blood which exuded after death, let it be poured out into the gutter.***
- F. *But from the perspective of R. Zebid, why should the Tannaite framer of the passage not combine the two matters and teach them as a single rule?*
- G. *That is a problem.*

## 8:8-10

### 8:8

- A. **Blood of unblemished animals [which was mixed] with the blood of blemished animals —**
- B. **let it be poured out into the gutter.**
- C. **A cup [of one kind of blood which was confused] with cups [containing another kind of blood] —**
- D. **R. Eliezer says, “[If] one cup was offered, let all the cups be offered.”**
- E. **And sages say, “Even if all of them except one had been offered, let it [the remaining one] be poured out into the gutter.”**

### 8:9

- A. **[Blood] which was to be sprinkled below [e.g., of a burnt offering] which was mixed up with [blood] which is to be sprinkled above [e.g., of a sin offering, as at M. 5:3] —**
- B. **R. Eliezer says, “Let him [the priest] sprinkle it [first] above [the red line in four acts of sprinkling].**
- C. **“And I regard [the blood which is to be sprinkled] below [that has been sprinkled] above as if it were water.**
- D. **“And [then] let him go and sprinkle [blood one time] below [the line as well. The remnants of blood of a sin offering in any case are poured out at the base, so M. 5:3].”**
- E. **And sages say, “Let them be poured out into the gutter.”**
- F. **But if [the priest] did not pay mind to it [inquire about it] and placed [the blood on the altar], [the offering] is valid.**

### 8:10

- A. **[80A] [Blood] which is to be tossed in a single act of tossing which was mixed up with [blood] which is to be tossed in a single act of tossing —**
- B. **let them be tossed in a single act of tossing [below the red line].**
- C. **[Blood] which is to be tossed in four acts of tossing [which was mixed up with] blood which is to be tossed in four acts of tossing —**
- D. **let them be tossed in four acts of tossing [below the red line].**
- E. **[Blood] which is to be tossed in four acts of tossing [which was mixed up] with blood which is to be tossed in one act of tossing —**
- F. **R. Eliezer says, “Let them be tossed in four acts of tossing.”**

- G. R. Joshua says, "Let them be tossed in a single act of tossing."
  - H. Said to him R. Eliezer, "And lo, he transgresses the rule against diminishing [the required acts of tossing, so Deu. 4:21]."
  - I. Said to him R. Joshua, "And lo, he transgresses the rule against adding [to the required acts of tossing — Deu. 4:2]."
  - J. Said to him R. Eliezer, "The prohibition against adding is stated only in connection with the act in itself."
  - K. Said to him R. Joshua, "The prohibition against diminishing is stated only in connection with the act in itself."
  - L. And further did R. Joshua say, "When you placed [the blood four times], you transgressed the prohibition against adding, and you did the deed with your own hand, and when you did not sprinkle [four times], you transgressed against the prohibition against diminishing, but [at least] you did not do the deed with your own hand."
- I.1** A. [With reference to the rule, **Limbs of burnt offerings which were mixed with the limbs of blemished beasts which are not offered** — R. Eliezer says, "If the head of one of them was inadvertently offered, let all the heads be offered in the assumption that the one which already has been offered is the one which was blemished. If the leg of one of them had been offered, let all the legs be offered in the same assumption" (M. **Zeb. 8:5A-D**); as well as, A cup [of one kind of blood which was confused] with cups containing another kind of blood,"] said R. Eleazar, "R. Eliezer permitted offering them only two by two, but not one by one." [One is definitely not forbidden, and we assume the same about the other.]"
- B. *Objected R. Dimi, "And sages say, 'Even if all of them except one had been offered, let it [the remaining one] be poured out into the gutter.'"*
  - C. *Said R. Jacob to R. Jeremiah bar Tahalipa, "I shall explain the matter to you: what is the meaning of **one**? It means, a pair."*
- I.2.** A. *Both versions of the rule are required [with reference to the limbs and to the blood].*
- B. *For if the rule had been stated with regard to the earlier case, I might have supposed that it is only in that case that R. Eliezer takes the position that he does, because the atonement for the owner of the beast has already been made therewith, [the blood having been sprinkled before the limbs were mixed up], but in the present case, I might have supposed that he concurs with rabbis.*
  - C. *And if the rule had been stated only with reference to the present case, I might have imagined that it is only in the present case that rabbis take the position that they do, but in the other case I might have thought [for the same reason] that they concur with R. Eliezer.*
  - D. *So both instances had to be set forth.*
- I.3.** A. *There we have learned in the Mishnah: A flask [of purification water] into which any amount of [unmixed] water fell — R. Eliezer says, "One sprinkles two sprinklings." And sages declare unfit [M. **Par. 9:1A-C**].*



- B. *Now from the perspective of sages, there is no problem, since they take the view that we assume an even distribution of the components of a mixture, and the sprinkling of the purification water to be validly done requires a requisite volume of water, and sprinklings do not combine to make up the requisite volume [for when the priest sprinkles the purification water on an unclean person, the minimum volume is lacking, since part of the water is unfit, and this cannot be remedied by sprinkling again, for sprinklings do not combine (Freedman)].*
- C. *But from the perspective of R. Eliezer, what can he possibly have in mind? If he holds that distribution in the mixture of all of the components is not even throughout, then even if the priest does sprinkle twice, what difference does it make? He may be sprinkling ordinary water both times [for we do not know which part of the constituents of the mixture is on the hyssop]. Rather, he must assume that there is a thorough mixture of the components of the water. But then, if he takes the view that sprinkling does not require a fixed volume of water, what need do I have for two acts of sprinkling. So he must assume that sprinkling does require a fixed volume of water. And if he takes the view that there is no combining the water that is sprinkled, when he sprinkles two times, what difference does it make? Who can say that the two sprinkles together form the requisite volume?*
- D. Said R. Simeon b. Laqish, “In point of fact, first of all, we do assume that the mixture thoroughly distributes all of the components, and furthermore that the sprinkling must be of a minimal volume of water. *But here with what sort of case do we deal? It is one in which one* [Freedman:] *standard quantity was mixed up with another.*” [Freedman: both the unfit and the fit water each contained the minimum standard. Hence when he sprinkles the whole in two applications, he must sprinkle the required amount.]
- E. Raba said, “In point of fact we do assume that the mixture thoroughly distributes all of the components, but the sprinkling need not be of a minimal volume of water. *But here rabbis have imposed an extrajudicial sanction so that he should not gain thereby*” [thus requiring two sprinklings instead of one, so that there be no benefit because of the addition of unfit water, which would stretch out the valid purification water in hand (Freedman)].
- F. R. Ashi said, “We do not assume that there has been a thorough distribution of the components of the mixture [and there is no minimum volume of water that is required], which is why he has to sprinkle twice.” [Freedman: In one sprinkling only all the water may be unfit, since there is no even distribution, but in two this is impossible, for only a small quantity fell into it in the first place.]
- G. *An objection was raised: Rabbi says, “In the opinion of R. Eliezer, sprinkling of any amount of water whatsoever purifies. There is no minimum volume that is required. If half of it is from suitable water and half of it is from unsuitable water, [80B] then sprinkling renders clean in any amount at all” [T. Par. 9:5A-B]. Furthermore, it has been taught on Tannaite authority in the very context at hand: If blood that is supposed to be sprinkled above the red line was mixed with blood that is to be sprinkled below the red line, R. Eliezer says, “Let it be sprinkled above the red line, and as to the blood that is to be sprinkled below [when it is poured out at the base of the altar] it goes to the man’s credit as*

well.” *But if you take the position that [Eliezer holds that] we do not assume that the mixture thoroughly distributes all of the components, why does that blood go to the man’s credit? Perhaps what the priest has done is sprinkle the blood to be put above the red line below it and the blood to be put below the line above?*

- H. *Here with what sort of case do we deal? One in which the greater part of the mixture is made up of blood to be sprinkled above the line, and the priest sprinkles above the line the quantity of the blood to be sprinkled below the line that is in the mixture plus a bit more [which certainly assures that the blood to be sprinkled above the line has been sprinkled there].*
- I. *But the passage states that as to the blood that is to be sprinkled below [when it is poured out at the base of the altar] it goes to the man’s credit as well.*
- J. It is regarded as the residue [Freedman: of the sin offering, which must be poured out at the base; the burnt offering however does not become fit.]
- K. *Come and take note: If the priest put the mixture of blood below the red line without inquiring, R. Eliezer says, “Let him go and sprinkle it above the red line, and the blood sprinkled below the line [when it is poured out at the base of the altar] it goes to the man’s credit as well.”*
- L. *Here again, with what sort of case do we deal? One in which the greater part of the mixture is made up of blood to be sprinkled above the line, and the priest sprinkles above the line the quantity of the blood to be sprinkled below the line that is in the mixture plus a bit more [which certainly assures that the blood to be sprinkled above the line has been sprinkled there].*
- M. *But the passage states that as to the blood that is to be sprinkled below [when it is poured out at the base of the altar] it goes to the man’s credit as well.*
- N. It is regarded as the residue.
- O. *Come and take note: If the priest put the mixture of blood above the red line without inquiring, both parties concur that he should go and sprinkle it above the red line, and the blood sprinkled below the line [when it is poured out at the base of the altar] as well as the blood sprinkled above go to the man’s credit as well.*
- P. *Here again, with what sort of case do we deal? One in which the greater part of the mixture is made up of blood to be sprinkled above the line, and the priest sprinkles above the line the quantity of the blood to be sprinkled below the line that is in the mixture plus a bit more [which certainly assures that the blood to be sprinkled above the line has been sprinkled there].*
- Q. *But the passage states that the blood sprinkled below the line [when it is poured out at the base of the altar] as well as the blood sprinkled above go to the man’s credit as well.*
- R. *Does the passage say, “Both concur”? Surely it says, “Both go to his credit,” and the final clause concurs only the rabbis, who take the view that there is an even distribution of the components of a mixture throughout the mixture.*
- S. *Come and take note: [Blood] which is to be tossed in a single act of tossing which was mixed up with [blood] which is to be tossed in a single act of tossing — let them be tossed in a single act of tossing [below the red line]. Now if you take the position that the components of a mixture are not thoroughly distributed throughout the mixture, why should they be tossed in a single act of*

**tossing?** *Perhaps the priest sprinkles the blood of one sacrifice but not that of the other!*

- T. *The meaning is this:* for example, where one minimum quantity was mixed with another minimum quantity [Freedman: the minimum quantity for sprinkling one application; when the Mishnah teaches that he must make one applications, it means one application on account of each separately].
- U. **[Blood] which is to be tossed in four acts of tossing [which was mixed up with] blood which is to be tossed in four acts of tossing — let them be tossed in four acts of tossing [below the red line].** [The same problem arises].
- V. *Here too the meaning is that the quantity for four applications was mixed with the quantity for four.*
- W. **[Blood] which is to be tossed in four acts of tossing [which was mixed up] with blood which is to be tossed in one act of tossing — [R. Eliezer says, “Let them be tossed in four acts of tossing.” R. Joshua says, “Let them be tossed in a single act of tossing.”]** [Freedman: here too he must make four applications on behalf of each sacrifice].
- X. **[81A]** *And should you say that here too we deal with a case in which the quantity of four applications was mixed with the quantity of one, if so, said to him R. Joshua, “And lo, he transgresses the rule against adding [to the required acts of tossing — Deu. 4: 2]” — where do you find the rule against adding here?!* [Freedman: since there is only sufficient for one application of the blood of the firstling, he certainly sprinkles the blood of the burnt offering in the other applications, as is actually necessary, so he is not adding at all.]
- Y. *Rather, said Raba, “Where the blood was mingled, there is no dispute. Where there is a dispute, it concerns a case in which the blood is in distinct cups. R. Eliezer takes the position, I regard...[“And I regard the blood which is to be sprinkled below that has been sprinkled above as if it were water”], and rabbis do not take the position, I regard.”* [Freedman: Eliezer rules that of each goblet sprinklings must be made above and below the line, the superfluous ones being regraded as mere water; if a goblet containing the blood of a firstling is mixed up with another containing the blood of a burnt offering, four applications must be made from each. Sages do not regard such sprinklings where superfluous as mere water and therefore all the blood must be poured out into the duct.]
- I.4.** A. *But is there really no disagreement in a case in which the blood is actually mingled? Surely it has been taught on Tannaite authority:*
- B. **Said R. Judah, “R. Eliezer and sages did not dispute concerning a case in which the blood of a sin offering was mixed with the blood of a burnt offering, concurring that it should be offered; or concerning the blood of a beast that had had intercourse with a human being and that of a beast with which a human being had had intercourse, concurring that it should not be offered. Concerning what case did they differ? Concerning a case in which the blood of an unblemished animal was mixed together with the blood of a blemished animal, for R. Eliezer says, ‘It should be offered, whether thoroughly stirred together or whether one cup was mixed with a hundred cups,’ and sages say, ‘It should not be offered’”** [T. [Zeb. 8:20G-N](#)].

C. *When formulating a Tannaite version of R. Eliezer's view, R. Judah addresses it to both a mixing of the blood itself and also confusion of the goblets, but rabbis maintain that the disagreement concerns only the case of a confusion of the goblets.*

**I.5.** A. [With reference to the dispute in the Mishnah,] said Abayye, "The dispute is set forth only with reference to the commencement of the process of offering a sin offering and a burnt offering [that is, if the blood was mingled before sprinkling; only then do sages disqualify the mixture, holding that we may not sprinkle the blood of the burnt offering above the line in order to make the sin offering fit (Freedman)], but as to the conclusion of the process of offering a sin offering and the commencement of the process of offering a burnt offering [Freedman: if the residue of the blood of the sin offering, after it was sprinkled, was mixed with the blood of the burnt offering before it was sprinkled], all concur that the place at which the blood of the burnt offering is sprinkled is the place at which the residue is to be poured out [that is, below the red line, from which it drains to the base]." [Freedman: This counts for both the initial sprinkling of the burnt offering and the final pouring out of the residue of the sin offering.]

B. *Said to him R. Joseph, "This is what R. Judah said, 'Pouring out of the residue must be done on the projection [the base, which projected from the altar].'"* [Freedman: it must not be poured onto the wall of the altar but directly on the base. Sages then disagree even if the blood of the sin offering had already been sprinkled.]

**I.6.** A. And so said R. Simeon b. Laqish, "The dispute is set forth only with reference to the commencement of the process of offering a sin offering and a burnt offering [that is, if the blood was mingled before sprinkling; only then do sages disqualify the mixture, holding that we may not sprinkle the blood of the burnt offering above the line in order to make the sin offering fit (Freedman)], but as to the conclusion of the process of offering a sin offering and the commencement of the process of offering a burnt offering [Freedman: if the residue of the blood of the sin offering, after it was sprinkled, was mixed with the blood of the burnt offering before it was sprinkled], all concur that the place at which the blood of the burnt offering is sprinkled is the place at which the residue is to be poured out [that is, below the red line, from which it drains to the base]." [Freedman: This counts for both the initial sprinkling of the burnt offering and the final pouring out of the residue of the sin offering.]

B. Said R. Yohanan — some say, R. Eleazar, "The dispute is in place [even on the latter matter]."

C. *Objected R. Huna bar Judah, "[But the firstling of an ox...you shall not redeem.] They are holy' (Num. 18:17). [Freedman: they retain their sanctity, and if their blood is mingled with other blood, it must still be offered. According to sages this must mean where it is mingled with blood to be sprinkled below the line, that is, blood of its own classification, that is, blood of a burnt offering but not of a sin offering]. The meaning is, if the blood is mingled with the blood of other Holy Things, the mixture is to be offered. Now is this not with reference to the conclusion of the process of offering a burnt offering and the commencement of the process of offering a firstling? [The blood of a burnt offering after it was*

sprinkled was mixed with that of a firstling before it was sprinkled. The residue of a firstling is not poured out on the base, and sprinkling completes the blood rite.] *This then proves that* the place at which the blood of the burnt offering is poured is the place for the residue as well.”

- D. Not at all. The reference is to the commencement of the rite of the burnt offering and also that of the firstling [no blood having been sprinkled before the mixture took place].
- E. *So what does the exegesis tell us? Is it t hat the blood rite of a sacrifice does not nullify that of another sacrifice? That is to be derived from the verse, “And he shall take of the blood of the bullock and of the blood of the goat” (Lev. 16:18). [Freedman: though the former exceeds the latter, it does not nullify it.]*
- F. *It is a conflict among Tannaite statements, with one Tannaite version deducing the rule from that verse, the other from a different verse [that is, the two verses just now cited].*
- G. *Raba objected, “‘And Aaron’s sons, the priests, shall present the blood and dash the blood round about against the altar’ (Lev. 1: 5). What [81B] is the meaning of Scripture’s statement in repeating the word blood? For one might suppose that I know only the rule covering blood of a burnt offering that was confused with blood of the substitute of a burnt offering. That mixture of blood must be sprinkled. For even if the confuse of the beasts took place when the beasts were alive, both of them must be offered. How do I know that under the same rule are encompassed the animal designated as a thanksgiving offering and one designated as a peace offering? These I include within the same classification because both of them can be brought in fulfillment of a vow or as a free will offering just like the burnt offering itself. How do I know that the guilt offering is handled in the same way? I encompass the guilt offering [within the classification of the burnt offering] because its blood too has to be applied four times. How do I know that a firstling, beast designated as tithe, and Passover offering are encompassed? Because Scripture refers to ‘Blood’ two times.*
- H. [Raba continues,] *“Now is this not with reference to the conclusion of the process of offering a burnt offering and the commencement of the process of offering a firstling? [The blood of a burnt offering after it was sprinkled was mixed with that of a firstling before it was sprinkled. The residue of a firstling is not poured out on the base, and sprinkling completes the blood rite.] This then proves that* the place at which the blood of the burnt offering is poured is the place for the residue as well.”
- I. Not at all. The reference is to the commencement of the rite of the burnt offering and also that of the firstling [no blood having been sprinkled before the mixture took place].
- J. *So what does the exegesis tell us? Is it t hat the blood rite of a sacrifice does not nullify that of another sacrifice? That is to be derived from the verse, “And he shall take of the blood of the bullock and of the blood of the goat” (Lev. 16:18). [Freedman: though the former exceeds the latter, it does not nullify it.]*
- K. *It is a conflict among Tannaite statements, with one Tannaite version deducing the rule from that verse, the other from a different verse [that is, the two verses just now cited].*

- L. *Now the one set of Tannaite authorities do not derive the rule from the verse, "And he shall take of the blood of the bullock and of the blood of the goat" (Lev. 16:18), because they take the position that the blood is not mingled for sprinkling on the horns of the altar. [Freedman: hence the blood of each must be stated, because they were taken separately and not mixed together, and so no inference can be made from the text about nullification.] They do not derive the rule from the fact that the word blood is repeated, because they impute no consequence to the repetition. But why do they not derive the rule from the verse, "But the firstling of an ox...you shall not redeem. They are holy" (Num. 18:17)?*
- M. *They maintain that the sense of "They are holy" is, they are offered, but a beast declared to be a substitute for them is not offered [but must be redeemed instead (Freedman)].*
- N. *And how does the other party derive that rule?*
- O. *He derives it from the statement, "whether it [the firstling] be ox or sheep, it is the Lord's" (Lev. 27:26) — it is offered, but a beast declared to be a substitute for it is not offered.*
- P. *Come and take note: If the priest sprinkled the mixture of blood above the line without having made a consultation on the matter, both parties concur that he must again sprinkle it below the line, and both sprinklings go to the credit of the person who has brought the offering. Does this not mean that the blood of a sin offering and that of a burnt offering have mingled, and since the priest has tossed the blood above the red line, it becomes a residue, and yet the framer states, both sprinklings go to the credit of the person who has brought the offering, which means that the place at which the blood of the burnt offering is poured is the same as the place of the residue?*
- Q. *When R. Isaac bar Joseph came, he said, "They say in the West, 'With what case do we deal here? It is one in which blood of a sin offering to be tossed on the outer altar has been mingled with the residue of the blood of a sin offering that was to be tossed on the inner altar.'"*
- R. *Said to him Abayye, "But then let the master say, 'where it was mixed with blood that was residue.' [Freedman: not particular, the residue of the blood of a sin offering that was to be prepared on the inner altar]. Then it may be that what you wished us to infer is that even in the opinion of one who says that pouring out the residue of the blood is indispensable to the rite, if some of the blood was lacking, that fact does not invalidate the rite." [Freedman: it is unnecessary for the whole of the residue to be poured out on the base. For here some of the residue will have been sprinkled above the line, and yet the sacrifice is valid when the rest is poured out at the base.]*
- S. *Said Raba Tosepa 'ah to Rabina, "But we have interpreted the passage to refer to a case in which the larger part of the whole was blood that was to be sprinkled on the upper part of the altar, and the priest sprinkles above the line as much as there was in the original mixture of blood to be sprinkled below the line plus a bit more." [Freedman: and he applies it below the line as the residue of the sin offering, not as the blood of the burnt offering, which does not become valid. Hence even if it were explained as the mingling of the blood of the sin offering and of the burnt offering, it would not prove that the place of the burnt offering is the*



place of the residue, since the burnt offering does not become fit. Why then must you explain it as meaning that the blood of a sin offering and the residue were mingled?]

- T. *He said to him, "That ruling pertains on the view of those who have said that the Mishnah addresses a case in which the blood itself was mingled, and within the position of him who maintains that there is no thorough mixing of the components of the mixture. But in our ultimate conclusion we maintain that the disagreement concerns even a case in which the goblets, and not the blood itself, were confused."* [Freedman: and unless it refers to a sin offering and residue, this contradicts the opinion that the place of the burnt offering is not the place of the residue].

## 8:11

- A. [Blood] that is to be placed on the inside altar [M. 5:1-2] that is mixed up with blood that is to be placed on the outside altar —
- B. let it be poured out into the gutter.
- C. [If the priest without paying mind] placed the blood outside and then went and placed it inside, it is valid.
- D. [If he placed it] inside and then went and placed it outside —
- E. R. Aqiba declares invalid [the sacrifice on the outer altar].
- F. And sages declare valid.
- G. For R. Aqiba did say, "All drops of blood [that should have been sprinkled outside] but are brought inside the sanctuary to effect atonement are invalid."
- H. And sages say, "[This applies] to the sin offering alone [which is invalidated by being brought inside, before the blood is tossed on the outer altar].
- I. R. Eliezer says, "[It also applies] to the guilt offering, since it says, 'As is the sin offering, so is the guilt offering' (Lev. 7: 7)."
- I.1** A. *Why should R. Eliezer not disagree here as well?*
- B. *What should the priest have done? Shall he first sprinkle the blood outside and then sprinkle it inside? That cannot be done, because just as the blood to be sprinkled above the red line around the altar must take precedence over the blood to be sprinkled below the red line, so the blood that must be sprinkled on the inner altar must take precedence over blood to be sprinkled around the outer altar.*
- C. **[82A]** *Then let us first sprinkle the blood inside and then sprinkle it outside.*
- D. *Since the blood of the sin offering and the blood of the guilt offering become unfit if their blood is taken inside to the inner altar, he could not make such a general ruling [for the rule that the blood should be sprinkled first on the inner altar and then on the outer altar would not apply to those two classifications of offerings (Freedman)].*
- II.1** A. For R. Aqiba did say, "All drops of blood [which should have been sprinkled outside] which are brought inside the sanctuary to effect atonement are invalid:"
- B. Said R. Judah said Samuel, "In the matter of R. Aqiba's reading, to what is the case comparable? It is compared to the case of a disciple who was mixing hot

water and wine for his master, when the master said to him, 'Mix me a drink.' 'With what,' the disciple asked. 'Are we not involved with how water anyhow?' he said. 'So I mean, either with hot or with cold.'

- C. *"So here too: we are discussing the sin offering [at Lev. 6:19-23], so for what purpose does Scripture articulate, 'sin offering' [Lev. 6:23: 'and every sin offering whereof any of the blood is brought into the tent of meeting to make atonement in the holy place, 'that is, an outer sin offering whose blood is sprinkled on the inner altar, 'shall not be eaten; it shall be burned with fire']? It is to intimate, I do not mean a sin offering alone, but sacrifices of all classifications" [Freedman: and even every sin offering, although some sin offerings must be offered on the inner altar, and how much the more other sacrifices!].*
- D. *Objected R. Huna b. R. Joshua, "But all sacrifices are covered under the law at hand in regard to the scouring and rinsing [of the bronze utensils in which the meat of the sin offering is boiled, and not just the sin offering], so why should Scripture specify 'sin offering'? It is to indicate that only the sin offering is subject to the law but no other offering. Then to what is the case comparable? It is only to the case of a disciple who was mixing wine for his master, whether with cold or hot water. He said to him, 'Mix wine for me only with hot water.'*
- E. *"Rather, the scriptural basis for the position of R. Aqiba is this: 'and every sin offering' is written where 'and a sin offering' would be quite sufficient. For it has been taught on Tannaite authority: "*
- F. *"a sin offering' — I know the rule only about a sin offering. How do we know it of all offerings in the classification of Most Holy Things in general? Scripture says, 'every sin offering.' And how do we know it of Lesser Holy Things? Because it is said, 'and every sin offering,'" the words of R. Aqiba.*
- G. *Said to him R. Yosé the Galilean, "Even if you run on all day long, I am not going to pay attention to you. Rather: 'a sin offering' — I know the rule only about a sin offering brought by an individual. How do we know it of all offerings brought in behalf of the community? Scripture says, 'every sin offering.' I know the rule only for a male sin offering, but how do I know it of a female one? Because it is said, 'and every sin offering.'"*
- H. *Just to the contrary [the female beast is the one that is usually required for a sin offering, and no exegetical extension of the rule will be required to encompass it]. Rather, this is the sense of the statement:*
- I. *"a sin offering' — I know the rule only about a sin offering brought by an individual. How do we know it of all offerings brought in behalf of the community? Scripture says, 'every sin offering.' I know the rule only for a female sin offering, but how do I know it of a male one? Because it is said, 'and every sin offering.'"*
- J. *But does R. Yosé the Galilean really maintain that this verse of Scripture serves that purpose in particular? And has it not been taught on Tannaite authority:*
- K. *R. Yosé the Galilean says, "The entire passage addresses the case only of the bullocks that are to be burned and the he goats that are to be burned, indicating that when they are disqualified, they must be burned before the Temple [not beyond the Temple mount], and also to prohibit eating them through a negative commandment [violation of which is penalized by flagellation]." [Freedman:*

Rabbis relate the verse under discussion to a sin offering prepared at the outer altar, the blood of which was carried into the inner court; it is disqualified. Yosé refers the verse to a sin offering prepared on the inner altar, e.g., the bullock brought when the entire congregation sins in ignorance. The verse then does not refer to sin offerings prepared on the outer altar at all.]

- L. They said to him, “As to the sin offering the blood of which is brought into the inner sanctum, how do we know that it is invalid?”
- M. He said to them, “Behold, the blood of it was not brought into the sanctuary within’ (Lev. 10:18).”
- N. *All of this is set forth by him only within the framework of the position of R. Aqiba [but it is not his view].* [Freedman: he holds that the verse refers to sin offerings prepared on the inner altar, but he argues that even on Aqiba’s view that it refers to sin offerings prepared on the outer altar, the extension of ‘and’ and ‘every’ must apply to sin offerings, not to other sacrifices.]

## 8:12

- A. A sin offering [sacrificed in the courtyard], the blood of which one received in two cups —
- B. one of them went forth [outside the courtyard] —
- C. the one that remained inside is valid [and so is the sin offering].
- D. [If] one of them went inside [into the inner sanctum, where the inner altar was located, and so was invalidated, M. 8:11G-H] —
- E. R. Yosé the Galilean declares the one that remained outside [in the courtyard] to be valid.
- F. And sages declare it invalid.
- G. Said R. Yosé the Galilean, “Now if in a situation in which improper intention renders the rite invalid, namely, in connection with [the intention to sprinkle the blood] outside [the Temple court] [= M. 2:2], [the law of M. 8:12A-C] has not treated that which remains as equivalent to that which goes forth,
- H. “in a situation in which intention does not render the rite invalid, [namely, in connection with the intention to sprinkle the blood (= M. 3: 6)] inside [the Temple court], is it not logical that we should not treat that which remains as equivalent to that which enters in?”
- I. “[If] it was taken inside to make atonement, even though he did not make atonement, it is invalid,” the words of R. Eliezer.
- J. R. Simeon says, “[It does not become invalid] until it makes atonement.”
- K. R. Judah says, “If he brought it in inadvertently [even if he tossed the blood], it is valid.”
- L. [As to] all kinds of invalid blood which were placed on the altar —
- M. the frontlet does not effect acceptance except for the unclean [blood in the mixture].
- N. For the frontlet effects acceptance for that which is unclean. But it does not effect atonement for that which goes forth.

**I.1** A. *It has been Taught on Tannaite authority:*

- B. Said R. Yosé the Galilean, “It is a matter of an argument a fortiori: if in a situation in which improper intention to carry the blood outside invalidates the rite, the blood that actually is taken outside does not invalidate the blood that remains inside, in a situation in which intention to take the blood inside [into the inner altar] does not invalidate the blood that remains inside the courtyard, is it not logical that the blood that is taken inside should not invalidate the blood that remains outside?”
- C. He said to him, “Lo, Scripture says, ‘And every sin offering whereof any of the blood is brought into the tent of meeting shall be burned with fire — (Lev. 6:23) — even part of the blood.’”
- D. He said to them, “It is a matter of an argument a fortiori: if in a situation in which improper intention does not invalidate the rite, namely, the intention to bring the blood within, intentionality concerning blood that is at the inner altar disqualifies blood that is at the outer altar, in a case in which intentionality does disqualify, namely, with regard to the outer altar, is it not logical that the blood that is outside has the power to disqualify the blood that is inside?”
- E. They said to him, “Lo, Scripture says, ‘whereof any of the blood is brought into...:’ that which is taken inside has the power to disqualify, but that which is taken outside does not have the power to disqualify.”
- F. “But let improper intentionality as to the blood that is inside have the power to disqualify, on the basis of an argument a fortiori: if in a situation in which intentionality concerning the blood does not disqualify the blood, that is, blood at the inner altar, still intentionality concerning the blood outside does disqualify, then if the disposition of the blood at the inner altar has the power to disqualify the blood at the outer altar, is it not logical that intentionality concerning the blood within should disqualify?”
- G. But lo, Scripture states, “On the third day” [82B] which teaches that an improper intentionality to be effective must refer to a place that serves a threefold function, that is, regarding the blood, the meat, and the sacrificial parts that are burned on the altar [cf. T. Zeb. 8:25E-G, vastly expanded here]. [B. Zeb. 29A: the improper intention must pertain to a place that has a three-fold function, in regard to blood, meat, and the sacrificial parts that are burned on the altar. Thus: the offering is disqualified only if the officiating priest announces that he intends to it in a place where the blood is sprinkled, the meat eaten, and the parts burned, that is, outside of the Temple court; if he plans to eat the meat in the court, where the meat is not eat nor the sacrificial parts burned, it would not prove an effective intention].
- H. But let improper intentionality concerning what is done at the outer altar not disqualify the sacrifice on the basis of an argument a fortiori: while the blood prepared at the inner altar can disqualify the blood prepared at the outer altar, but improper intentionality concerning blood at the inner altar does not disqualify the offering at the outer altar. But if an improper intention concerning blood of a rite prepared at the outer altar does not disqualify blood prepared at the inner altar, so is it not logical that an improper intention concerning the rite prepared at the outer altar should not disqualify?

- I. Scripture therefore says, “third,” meaning, after time; and the consideration of refuse concerns an intentionality to prepare the offering outside of the proper place. [“And if any of the meat of the sacrifice of his peace offerings be at all eaten on the third day” (Lev. 7:18) — this refers to the intentionality of eating the meat after the specified time limit, “it shall be refuse” (Lev. 7:18) refers to the intentionality of eating the meat in the wrong place].
- J. Meat that is taken outside becomes unfit. That which is taken inside is fit. But as a matter of logic it might be unfit. For if in a situation in which the blood that is prepared at the outer altar does not disqualify the blood that is prepared at the inner altar, the meat that is taken outside becomes unfit, then since blood that is prepared at the inner altar does have the power to disqualify blood that is prepared at the outer altar, is it not logical that meat that is taken inside should be disqualified?
- K. But Scripture states, “any of the blood,” meaning, its blood is what disqualifies when it is taken inside, but its meat does not.
- L. But then you may argue a fortiori: if the blood that is prepared at the inner altar disqualifies blood that is prepared at the outer altar, meat that is taken inside is fit, then, since the blood that is prepared at the outer altar does not disqualify blood that is prepared at the inner altar, is it not logical that meat that is taken outside should be fit? So Scripture states, “Therefore you shall not eat any meat that is torn of beasts in the field” (Exo. 22:30), meaning, once meat is taken outside, it is forbidden [as is meat from a torn beast].

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

- B. “Behold the blood of it was not brought into the sanctuary within” (Lev. 10:18) —
- C. I know the rule [that the offering is disqualified] only if the blood is taken into the innermost sanctuary. If it is taken into the inner altar [that is before the innermost sanctuary], how do we know the same rule?
- D. Scripture says, “into the *sanctuary* within” (Lev. 10:18).
- E. Then why not say “sanctuary” without “within”?
- F. Said Raba, “One comes along and sheds light on the other. [Freedman: only because “within” is written do we know that “sanctuary” means the inner altar but not the innermost sanctuary. If sanctuary were written alone, it might refer to the innermost sanctuary.]
- G. *“This is parallel to the case of the Hebrew slave acquired permanently as against the Hebrew slave purchased for six years. For it has been taught on Tannaite authority:*
- H. “One word refers to a Hebrew slave acquired permanently, the other to one purchased for six years [at Lev. 22:10: “a slave purchased in perpetuity belonging to a priest or a slave purchased for six years shall not eat of the Holy Thing”]. If Scripture had referred to the former and not the latter, I would reason, if a slave acquired permanently may not eat Holy Things, how much more so is one acquired only for six years forbidden to do so! And if that were so, I would say, the former word refers to a slave purchased for a limited period, but one acquired in perpetuity may eat. So the word that refers to the slave purchased for a period of six years comes along and illuminates the meaning of the word for the one

purchased in perpetuity, by contrast to the one purchased for a period of six years — and neither one may eat.”

- I. *Said to him Abayye, “Now there is no problem with that case, for we deal with two distinct persons, and even though Scripture could well have made reference to the matter in this language, ‘A slave whose ear has been bored [and who serves for life] may not eat Holy Things,’ allowing for the other to be derived by an argument a fortiori, Scripture may well take the trouble to spell out what can just as well be derived from such an argument. But here, since the blood if taken into the inner altar becomes unfit, what place is there for a reference to the innermost sanctuary anyhow”* [Freedman: for to get into the inner most sanctuary, it has to pass through the area that contains the inner altar]?
- J. *Rather, said Abayye, “It is required only in a case in which the priest takes a roundabout way”* [he enters the innermost sanctuary not through the area containing the inner altar but in some other way (Freedman)].
- K. *Said Raba to him, “But ‘entering’ is written in that context!”*
- L. *Rather, said Raba, “Any thing concerning which the officiating priest forms the intention to transport into the inner sanctum does not become unfit if it is carried only into the area in which the inner altar is located [so if the priest changes his mind after carrying it only into that intermediate area and carries it back out, it remains fit].”*

**I.3.** A. *Raba raised this question: “If the blood of a bullock that is offered in behalf of the community on account of forgetfulness, or of a he goat that is brought by reason of inadvertent idolatry, [which must be prepared at the inner altar but not be taken into the inner sanctum] would be taken into the innermost sanctuary, what is the law? Do we rule that in regard to a passage in which Scripture states, ‘into the sanctuary within,’ wherever we read, ‘into the sanctuary,’ we read, ‘within,’ and wherever we do not read ‘into the sanctuary,’ we do not read ‘within’? [Freedman: only where the sacrifice is disqualified when the blood is taken ‘into the sanctuary’ it is likewise disqualified when it is taken ‘within’ the inner most shrine, but not otherwise.] Or perhaps it is not in its place? [Freedman: When the blood is taken out of bounds the sacrifice is disqualified, and that principle applies here too.]*

- B. *“And should you reply that it is not in its place [and therefore it is disqualified,] then in the case of the blood of the bullock and of the he goat that are offered on the Day of Atonement, which is sprinkled on the staves, if the priest sprinkled it there and then carried it out into the area where the inner altar is located and then took it in again, what is the rule [since he has taken it back into the inner sanctum, while it is not necessary to do so]? Do we invoke the principle, ‘this is in fact its place,’ or perhaps, once the blood has been taken out where it does not belong, it has been taken out [and should not be brought back]?”*
- C. *“And if you should reply that once the blood has been taken out where it does not belong, it has been taken out [and should not be brought back], then if the officiating priest sprinkled some of the blood on the veil [83A] and then carried the blood out to the altar and carried it back within, here we have the same place. Or perhaps we designate this carrying to be ‘carrying out’?”*
- D. *The questions stand.*



**II.1 A. “[If] it was taken inside to make atonement, even though he did not make atonement, it is invalid,” the words of R. Eliezer. R. Simeon says, “[It does not become invalid] until it makes atonement:”**

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

C. R. Eliezer says, “Here it is said, ‘to make atonement in the holy place’ (Lev. 6:23), and elsewhere, ‘and there shall be no man in the tent of meeting when he goes in to make atonement in the holy place’ (Lev. 16:17). Just as in the latter case, reference is made to the time prior to his having made atonement [that is, no one is to be present when he is going to make atonement (Freedman)], so here, the meaning is, the time prior to his having made atonement.”

D. R. Simeon says, “Here it is said, ‘to make atonement in the holy place’ (Lev. 6:23), and elsewhere, ‘And the bullock of the sin offering and the goat of the sin offering, the blood of which was brought in to make atonement’ (Lev. 16:27). Just as in the latter case, reference is made to the time after his having made atonement, so here, the meaning is, the time after his having made atonement.”

E. *What is at stake in this dispute?*

F. *One authority holds that the rule governing a rite carried on at the outer altar is derived from the rule governing another such rite, and not the rite governing what is done at the inner altar [the rite of the Day of Atonement, where the blood is rightly brought within]. The other maintains that you derive the rule for an animal from the rule governing an animal, but you do not learn a rule governing an animal from a rule that refers to a human being.*

**III.1 A. R. Judah says, “If he brought it in inadvertently [even if he tossed the blood], it is valid:”**

B. But if he did so deliberately, it is disqualified. [And when will this have taken place?] Is it after he had made atonement, or even before he made atonement?

C. *Said R. Jeremiah, “So it has been taught on Tannaite authority:”*

D. “Since it is said, ‘And the bullock of the sin offering and the goat of the sin offering the blood of which was brought in to make atonement in the holy place...[and he who burns them shall wash his clothes]’ (Lev. 16:28), what does Scripture further state, ‘and he who burns them shall wash his clothes’?”

D. *But that is required to make its own point!*

E. Rather, “why is it necessary to repeat the reference to ‘sin offering’? The reason is that we have derived the rule that when the bullock and the he goat offered on the Day of Atonement are burned, they impart uncleanness to the clothing, but how do we know that the same rule applies to other sacrifices that are burned? It is because of the repetition of the reference to ‘sin offering,’ ” the words of R. Judah.

F. R. Meir says, “Such a proof is not required. For lo, Scripture says, ‘and the bullock of the sin offering and the he goat of the sin offering...’ It is hardly necessary to say, ‘to make atonement’ [since that obviously is the purpose of these offerings], so why does Scripture go on and say, ‘to make atonement’? It is to teach concerning all of the sacrifices that make atonement that the one who burns the sacrifices imparts uncleanness to the clothing that he is wearing.”

G. *But R. Judah does not interpret “to make atonement” in that way.*

H. *Why not?*

- I. *Is it not because he uses that phrase as the basis for an analogy established on the basis of a verbal intersection?* [Freedman: accordingly, the sacrifice is disqualified only if he did make atonement].