

# XI

## THE STRUCTURE OF BABYLONIAN TALMUD PESAHIM

Whether or not the Talmud of Babylonia is carefully organized in large-scale, recurrent structures and guided by a program that we may call systematic forms the principal question addressed by an academic commentary. The preceding chapters therefore have pointed toward the presentation set forth here.

By “structure” I mean, a clearly-articulated pattern that governs the location of fully-spelled out statements. By “system,” I mean, a well-crafted and coherent set of ideas that explain the social order of the community addressed by the writers of a document, a social philosophy, a theory of the way of life, world view, and character of the social entity formed by a given social group. I see a collective, anonymous, and political document, such as the one before us, as a statement to, and about, the way in which people should organize their lives and govern their actions. At issue then in any document such as the remarkable one before us is simple: does this piece of writing present information or a program, facts to whom it may concern, or a philosophically and aesthetically cogent statement about how things should be?

The connection between structure and system is plain to see. From the way in which people consistently frame their thoughts, we move to the world that, in saying things one way rather than in some other, they wish to imagine the world in which they wish to live, to which they address these thoughts. For if the document exhibits structure and sets forth a system, then it is accessible to questions of rationality. We may ask about the statement that its framers or compilers wished to make by putting the document together as they did. But if we discern no structure and perceive no systematic inquiry or governing points of analysis, then all we find here is inert and miscellaneous information, facts but no propositions, arguments, viewpoints.

Now the Talmud commonly finds itself represented as lacking organization and exhibiting a certain episodic and notional character. That view moreover characterizes the reading and representation of the document by learned and experienced scholars, who have devoted their entire lives to Talmud study and exegesis. It must follow that upon the advocate of the contrary view — the one implicit in the representation of the document for academic analysis — rests the burden of proof. I set forth the allegation that the Talmud exhibits a structure and follows a system and therefore exhibits a commonly-intelligible rationality. The claim to write an academic commentary explicitly states that proposition. For the tractate before us, I have therefore to adduce evidence and argument.

I maintain that through the normal procedures of reasoned analysis we may discern in the tractate a well-crafted structure. I hold that the structure made manifest, we may further identify the purpose and perspective, the governing system of thought and argument, of those who collected and arranged the tractate's composites and put them together in the way in which we now have them. By "structure" I mean, how is a document organized? and by "system," what do the compilers of the document propose to accomplish in producing this complete, organized piece of writing? The answers to both questions derive from a simple outline of the tractate as a whole, underscoring the types of compositions and composites of which it is comprised. Such an outline tells us what is principal and what subordinate, and how each unit — composition formed into composites, composites formed into a complete statement — holds together and also fits with other units, fore and aft. The purpose of the outline then is to identify the character of each component of the whole, and to specify its purpose or statement. The former information permits us to describe the document's structure, the latter, its system.

While the idea of simply outlining a Talmud-tractate beginning to end may seem obvious, I have never made such an outline before, nor has anyone else.\* Yet, as we shall now see, the character of the outline dictates all further analytical initiatives. Specifically, when we follow the layout of the whole, we readily see the principles of organization that govern. These same guidelines on organizing discourse point also to the character of what is organized: complete units of thought, with a beginning, middle, and end, often made up of smaller, equally complete units of thought. The former we know as composites, the latter as compositions.

I have provided complete outlines for the Mishnah and for the Tosefta in relationship to the Mishnah, and, not always in outline form, for the Midrash-compilations of late antiquity as well.

Identifying and classifying the components of the tractate — the composites, the compositions of which they are made up — we see clearly how the document coheres: the plan and program worked out from beginning to end. When we define that plan and program, we identify the facts of a pattern that permit us to say in a specific and concrete way precisely what the compilers of the tractate intended to accomplish. The structure realizes the system, the program of analysis and thought that takes the form of the presentation we have before us. From what people do, meaning, the way in which they formulate their ideas and organized them into cogent statements, we discern what they proposed to do, meaning, the intellectual goals that they set for themselves.

These goals — the received document they wished to examine, the questions that they brought to that document — realized in the layout and construction of their writing, dictate the points of uniformity and persistence that throughout come to the surface. How people lay out their ideas guides us into what they wished to find out and set forth in their writing, and that constitutes the system that defined the work they set out to accomplish. We move from how people speak to the system that the mode of discourse means to express, in the theory that modes of speech or writing convey modes of thought and inquiry.

We move from the act of thought and its written result backward to the theory of thinking, which is, by definition, an act of social consequence. We therefore turn to the matter of intention that provokes reflection and produces a system of inquiry. That statement does not mean to imply I begin with the premise of order, which sustains the thesis of a prior

system that defines the order. To the contrary, the possibility of forming a coherent outline out of the data we have examined defines the first test of whether or not the document exhibits a structure and realizes a system. So everything depends upon the possibility of outlining the writing, from which all else flows. If we can see the order and demonstrate that the allegation of order rests on ample evidence, then we may proceed to describe the structure that gives expression to the order, and the system that the structure sustains.

The present work undertakes the exegesis of exegesis, for the Talmud of Babylonia, like its counterpart in the Land of Israel, is laid out as a commentary to the Mishnah. That obvious fact defined the character of my academic commentary, since we have already faced the reality that our Bavli-tractate is something other than a commentary, though it surely encompasses one. The problems that captured my attention derived from the deeper question of how people make connections and draw conclusions. To ask about how people make connections means that we identify a problem — otherwise we should not have to ask — and what precipitated the problem here has been how a composition or a composite fits into its context, when the context is defined by the tasks of Mishnah-commentary, and the composition or composite clearly does not comment on the Mishnah-passage that is subjected to comment.

The experience of analyzing the document with the question of cogency and coherence in mind therefore yields a simple recognition. Viewed whole, the tractate contains no gibberish but only completed units of thought, sentences formed into intelligible thought and self-contained in that we require no further information to understand those sentences, beginning to end. The tractate organizes these statements as commentary to the Mishnah. But large tracts of the writing do not comment on the Mishnah in the way in which other, still larger tracts do. Then how the former fit together with the latter frames the single most urgent question of structure and system that I can identify.

Since we have already examined enormous composites that find their cogency in an other than exegetical program, alongside composites that hold together by appeal to a common, prior, coherent statement — the Mishnah-sentences at hand — what justifies my insistence that an outline of the document, resting on the premise that we deal with a Mishnah-commentary, govern all further description? To begin with, the very possibility of outlining Babylonian Talmud tractate Pesahim derives from the simple fact that the framers have given to their document the form of a commentary to the Mishnah. It is in the structure of the Mishnah-tractate that they locate everything together that they wished to compile. We know that is the fact because the Mishnah-tractate defines the order of topics and the sequence of problems.

Relationships to the Mishnah are readily discerned; a paragraph stands at the head of a unit of thought; even without the full citation of the paragraph, we should find our way back to the Mishnah because at the head of numerous compositions, laid out in sequence one to the next, clauses of the Mishnah-paragraph are cited in so many words or alluded to in an unmistakable way. So without printing the entire Mishnah-paragraph at the head, we should know that the received code formed the fundamental structure because so many compositions cite and gloss sentences of the Mishnah-paragraph and are set forth in sequence dictated by the order of sentences of said Mishnah-paragraph. Internal evidence alone suffices, then, to demonstrate that the structure of the tractate rests upon the Mishnah-tractate cited and discussed here. Not only so, but the sentences of the Mishnah-

paragraphs of our tractate are discussed in no other place in the entire Talmud of Babylonia in the sequence and systematic exegetical framework in which they are set forth here; elsewhere we may find bits or pieces, but only here, the entirety of the tractate.

That statement requires one qualification, and that further leads us to the analytical task of our outline. While the entire Mishnah-tractate of Pesahim is cited in the Talmud, the framers of the Talmud by no means find themselves required to say something about every word, every sentence, every paragraph. On the contrary, they discuss only what they choose to discuss, and glide without comment by large stretches of the tractate. A process of selectivity, which requires description and analysis, has told the compilers of the Talmud's composites and the authors of its compositions\* what demands attention, and what does not. Our outline has therefore to signal not only what passage of the Mishnah-tractate is discussed, but also what is not discussed, and we require a general theory to explain the principles of selection ("making connections, drawing conclusions" meaning, to begin with, making selections). For that purpose, in the outline, I reproduce the entirety of a Mishnah-paragraph that stands at the head of a Talmudic composite, and I underscore those sentences that are addressed, so highlighting also those that are not.

This statement requires refinement. I do not know that all available compositions have been reproduced, and that the work of authors of compositions of Mishnah-exegesis intended for a talmud is fully exposed in the document as we have it. That is not only something we cannot demonstrate — we do not have compositions that were not used, only the ones that were — but something that we must regard as unlikely on the face of matters. All we may say is positive: the character of the compositions that address Mishnah-exegesis tells us about the concerns of the writers of those compositions, but we cannot claim to outline all of their concerns, on the one side, or to explain why they chose not to work on other Mishnah-sentences besides the ones treated here. But as to the program of the compositors, that is another matter: from the choices that they made (out of a corpus we cannot begin to imagine or invent for ourselves) we may describe with great accuracy the kinds of materials they wished to include and the shape and structure they set forth out of those materials. We know what they did, and that permits us to investigate why they did what they did. What we cannot know is what they did not do, or why they chose not to do what they did not do. People familiar with the character of speculation and criticism in Talmudic studies will understand why I have to spell out these rather commonplace observations. I lay out an argument based on evidence, not on the silences of evidence, or on the absence of evidence — that alone.

It follows that the same evidence that justifies identifying the Mishnah-tractate as the structure (therefore also the foundation of the system) of the Talmud-tractate before us also presents puzzles for considerable reflection. The exegesis of Mishnah-exegesis is only one of these. Another concerns the purpose of introducing into the document enormous compositions and composites that clearly hold together around a shared topic or proposition, e.g., my appendix on one theme or another, my elaborate footnote providing information that is not required but merely useful, and the like. My earlier characterization of composites as appendices and footnotes signalled the fact that the framers of the document chose a not-entirely satisfactory way of setting out the materials they wished to include here, for large components of the tractate do not contribute to Mishnah-exegesis in any way at all. If these intrusions of other-than-exegetical compositions were proportionately modest, or of topical composites negligible in size, we might dismiss them as appendages, not structural components that bear much of the weight of the edifice as a whole. Indeed, the language that I chose for identifying and defining these composites —

footnotes, appendices, and the like — bore the implication that what is not Mishnah-commentary also is extrinsic to the Talmud's structure and system.

But that language served only for the occasion. In fact, the outline before us will show that the compositions are large and ambitious, the composites formidable and defining. Any description of the tractate's structure that dismisses as mere accretions or intrusions so large a proportion of the whole misleads. Any notion that "footnotes" and "appendices" impede exposition and disrupt thought, contribute extraneous information or form tacked-on appendages — any such notion begs the question: then why fill up so much space with such purposeless information? The right way is to ask whether the document's topical composites play a role in the re-presentation of the Mishnah-tractate by the compilers of the Talmud. We have therefore to test two hypotheses:

**1.** the topical composites ("appendices," "footnotes") do belong and serve the compilers' purpose,

or

**2.** the topical composites do not participate in the re-presentation of the Mishnah-tractate by the Talmud and do not belong because they add nothing and change nothing.

The two hypotheses may be tested against the evidence framed in response to a single question: is this topical composite necessary? The answer to that question lies in our asking, what happens to the reading of the Mishnah-tractate in light of the topical composites that would not happen were we to read the same tractate without them? The outline that follows systematically raises that question, with results specified in due course. It suffices here to state the simple result of our reading of the tractate, start to finish: the question of structure, therefore also that of system, rests upon the position we identify for that massive component of the tractate that comprises not Mishnah-commentary but free-standing compositions and composites of compositions formed for a purpose other than Mishnah-commentary.

The principal rubrics are given in small caps. The outline takes as its principal rubrics two large-scale organizing principles.

The first is the divisions of the Mishnah-tractate to which the Talmud-tractate serves as a commentary. That simple fact validates the claim that the tractate exhibits a fully-articulated structure. But the outline must also underscore that the Mishnah-tractate provides both more and less than the paramount outline of the Talmud-tractate. It is more because sentences in the Mishnah-tractate are not analyzed at all. These untreated Mishnah-sentences are given in bold face lower case caps, like the rest of the Mishnah, but then are specified by underlining and enclosure in square brackets.

Second, it is less because the structure of the tractate accommodates large composites that address topics not defined by the Mishnah-tractate. That brings us to the second of the two large-scale modes of holding together both sustained analytical exercises and also large sets of compositions formed into cogent composites. These are treated also as major units and are indicated by Roman numerals, alongside the Mishnah-paragraphs themselves; they are also signified in small caps. But the principal rubrics that do not focus on Mishnah-commentary but on free-standing topics or propositions or problems are not given in boldface type. Consequently, for the purposes of a coherent outline we have to

identify as autonomous entries in our outline those important composites that treat themes or topics not contributed by the Mishnah-tractate.

## **I. Mishnah-Tractate Pesahim 1:1**

### **A. ON THE NIGHT PRECEDING THE FOURTEENTH OF NISAN THEY SEEK OUT LEAVEN BY THE LIGHT OF A CANDLE.**

**1. I:1:** What is the meaning of the word at hand or translated “evening” which can be read to mean “night” or “light”? R. Huna said, “It means light.” And R. Judah said, “It means night.” Dispute concluding, both R. Huna and R. Judah concur that the word at hand means evening, and there is no dispute, but the one master uses the language that prevails in his locality, and the other in his. In R. Huna’s linguistic province they called night, night break, while in R. Judah’s linguistic province they called it night.

**2. I:2:** So how come the Tannaite authority of our passage doesn’t use the language “nights”? He has chosen to use refined language .

### **B. COMPOSITE ON THE USE OF REFINED LANGUAGE AND EUPHEMISMS IN GENERAL**

**a. I:3:** Further on using refined language.

**b. I:4:** As above.

**I. I:5:** Illustrative story.

**II. I:6:** Illustrative story.

**III. I:7:** Illustrative story.

**IV. I:8:** Illustrative story.

**A. I:9:** Story that amplifies a detail of the foregoing.

**c. I:10:** Euphemisms for Death and Bad News. A Story.

**d. I:11:** Euphemisms for Death and Bad News. A Story.

**e. I:12:** How the language one uses signifies the person’s standing.

**f. I:13:** As above.

### **C. REVERSION TO THE EXPOSITION OF THE MISHNAH-PARAGRAPH: THE PROBLEM OF ITS WORD-CHOICES**

**1. I:14:** Now that we have established it as a fact that all parties concur: the word at hand refers to the evening, then, since according to both R. Judah and R. Meir below, leaven is forbidden only from the sixth hour and later, shouldn’t the search be made in the sixth hour?

**2. I:15:** This question was addressed to R. Nahman bar Isaac: “He who rents out a house to his neighbor from the fourteenth of Nisan — upon whom falls the obligation to search for leaven? Does it fall upon the one who rents out the house, for the leaven is his? Or perhaps on the one who rents the house is responsible for searching for leaven, because the prohibition of the leaven takes effect when it is in his domain?”

**3. I:16:** This question was addressed to R. Nahman bar Isaac: “He who rents out a house to his neighbor on the fourteenth of Nisan — is the assumption concerning the house that it has been examined for leaven, or is the assumption concerning it that it has not been examined?”

**4. I:17:** The question was raised: He who rents out a house to his fellow in the assumption that it was searched out for leaven, and the other found that it hadn't been searched out for leaven, what is the law? Do we treat this as a purchase made in error or is that not the case?

**5. I:18:** We have learned in the Mishnah there: R. Meir says, “They eat leaven throughout the fifth hour on the fourteenth of Nisan, and they burn it at the beginning of the sixth hour noon.” And R. Judah says, “They eat leaven through the fourth hour, keep it in suspense throughout the fifth hour, and burn it at the beginning of the sixth hour” (M. 1: 4). All parties therefore concur, in any event, that from the sixth hour and onward, leaven is forbidden. What is the scriptural source of that fact?

**6. I:19:** A Tannaite authority of the household of R. Ishmael stated: “We find that the fourteenth is called the first: ‘On the first, on the fourteenth day of the month’ (Exo. 12: 1).”

**a. I:20:** Expansion on the foregoing.

**7. I:21:** Raba said, “That leaven is forbidden from midday on the fourteenth of Nisan derives from the following: ‘You shall not offer the blood of my sacrifice with leavened bread’ (Exo. 34:25). You may not kill the animal designated as the Passover-offering while there is still leavened bread around.”

**8. I:22:** Tannaite proof of the same proposition. “But on the first day you shall put away leaven out of your houses”: “Leaven is to be removed from the houses during the day prior to the evening on which the festival day commences. You maintain that leaven is to be removed from the houses during the day prior to the evening on which the festival day commences. But perhaps it is to be done on the festival day itself that is, not in the morning prior to the eve on which the festival begins, but on that night itself? Scripture is explicit: ‘You shall not offer the blood of my sacrifice with leavened bread’ (Exo. 34:25), meaning, ‘you shall not slaughter the Passover with leaven yet remaining in hand,’” the words of R. Ishmael.

**a. I:23:** Gloss of foregoing.

**9. I:24:** Our rabbis have taught on Tannaite authority: “Seven days shall there be no leaven found in your house” (Exo. 12:19): Why does Scripture say this, when it is stated in any event, “And there shall no leavened bread be seen with you, neither shall there be leaven seen with you in all your borders” (Exo. 13: 7)? Since it says, “Neither shall leaven be seen with you,” the sense is, your own you mustn't see, but you may see what belongs to others or to the Most High the Temple. Might one suppose that one may hide leaven or get involved with bailments of leaven from a gentile? Scripture states flatly, “Seven days shall there be no leaven found in your house” (Exo. 12:19).

**a. I:25:** Secondary analysis of a detail of the foregoing.

**b. I:26:** As above.

**10. I:27:** They addressed this question to Raba: “A beast that is liable to be taxed in kind and so is not wholly owned by the farmer — is it liable to the law of the firstling or is it not liable to the law of the firstling? Now so long as one can meet his obligation with a money payment instead of a portion of the beast when it is slaughtered, we are not bothered by the question; it certainly is liable to the law of the firstling. Where the problem arises for us, it is in a case in which one cannot pay off what is owing through a money payment. What is the rule?”

**11. I:28:** Our rabbis have taught on Tannaite authority: A gentile who entered into the courtyard of an Israelite with his dough in his hand — the Israelite is not obligated to remove it. If he deposited the dough with him, he is obligated to remove it. If he designated a particular room for it, he is not obligated to remove it, as it is said, “...it will not be found...” (T. **Pisha 2:11**).

**a. I:29:** Gloss of foregoing.

**12. I:30:** Said R. Judah said Rab, “He who finds leaven in his house on the festival turns a utensil over on it.”

**13. I:31:** And said R. Judah said Rab, “If he found a gentile’s leaven, he surrounds it with a partition ten handbreadths high, to distinguish it. But if it belongs to the sanctuary, he doesn’t have to do so. How come? He will keep away from it anyhow.”

**14. I:32:** And said R. Judah said Rab, “He who departs by sea or leaves by caravan prior to thirty days before the festival is not obligated to remove leaven from his house. If he is leaving within thirty days prior to Passover, he is obligated to remove the leaven (T. **Er. 1:4A-D**).”

**a. I:33:** Gloss of foregoing.

**I. I:34:** Gloss of the proof-text operative in the foregoing.

**15. I:35:** Said R. Judah said Rab, “He who searches for leaven has also to declare the leaven null abandoned property.”

**16. I:36:** Said Rabbah bar R. Huna said Rab, “If a loaf turned mouldy, if the unleavened part forms the greater part of the whole, it is permitted.”

**a. I:37:** Extension of the foregoing.

**17. I:38:** Said R. Judah, “One who makes a search for leaven has to recite a blessing.”

**a. I:39:** So in any event, it is clear, all parties concur that we have to recite a blessing before doing the action. How do we know it? Said R. Judah said Samuel, “In the case of carrying out all religious duties, one says a blessing prior to doing them and then goes on to carry them out.”

**b. I:40:** Members of the household of Rab said, “That is so, except in the case of an immersion or the sounding of the shofar.”

#### **D. ...THEY SEEK OUT LEAVEN BY THE LIGHT OF A CANDLE.**

**1. II:1:** How on the basis of Scripture do we know that fact?



2. II:2: A Tannaite teaching of the household of R. Ishmael: On the evening of the fourteenth of Nisan, they search for leaven by the light of a lamp. Even though there is no firm proof for that proposition, there is at least a hint of it: “Seven days shall there be no leaven in your houses” (Exo. 12:19); “and he searched and began at the eldest and left at the youngest and the cup was found in Benjamin’s sack” (Gen. 44:12); “it shall come to pass at that time that I will search Jerusalem with lamps” (Zep. 1:12), “The soul of man is the lamp of the Lord, searching all the innermost parts of the belly” (Pro. 20:27).

3. II:3: Our rabbis have taught on Tannaite authority: They don’t seek out leaven by the light of the sun or by the light of the moon or by the light of a torch, but only by the light of a candle, because the light of a candle is best for searching out leaven. And even though there is no clear proof of that proposition, there is at least a hint of it: “Seven days shall there be no leaven in your houses” (Exo. 12:19); “and he searched and began at the eldest and left at the youngest and the cup was found in Benjamin’s sack” (Gen. 44:12); “it shall come to pass at that time that I will search Jerusalem with lamps” (Zep. 1:12), “The soul of man is the lamp of the Lord, searching all the innermost parts of the belly” (Pro. 20:27).

a. II:4: Gloss of the foregoing.

b. II:5: As above.

#### **E. ANY LOCATION INTO WHICH PEOPLE DO NOT ORDINARILY BRING LEAVEN DOES NOT REQUIRE EXAMINATION.**

1. III:1: What is encompassed by the augmentative language, any location?

a. III:2: Expansion of the foregoing.

b. III:3: Gloss of a rule at III:1.

2. III:4: R. Hiyya taught as a Tannaite statement: They treat the stores of beer in Babylonia as they do stores of wine in the Land of Israel, in a case in which one draws supplies from them.

3. III:5: Said R. Hisda, “A storehouse for fish doesn’t have to be inspected.”

4. III:6: Said Rabbah bar R. Huna, ““Salt sheds and wax sheds have to be inspected.”

5. III:7: Said R. Pappa, “Storehouses for fuel and dates have to be inspected.”

6. III:8: A Tannaite statement: They do not require someone to poke his hand into holes and cracks to inspect the area, because it’s dangerous.

#### **F. THOSE WHO ARE AGENTS TO CARRY OUT A RELIGIOUS DUTY ARE NOT INJURED EITHER WHEN THEY GO OR WHEN THEY COME BACK**

1. III:9: They asked Rab: “What is the law on scholars who live out of town in regard to coming to the academy early in the morning or after nightfall?”

2. III:10: It has been stated: Said R. Eleazar, “Those who are agents to carry out a religious duty are not injured either when they go or when they come back.”

3. III:11: Said R. Abin bar R. Ada said R. Isaac, “How come there are no fruits from Gennesaret in Jerusalem? So the festival pilgrims won’t say, ‘If we’d merely

come up so as to eat the fruits of Gennesaret in Jerusalem, it would have been enough for us,' so that the pilgrimage will not have been done for its own sake."

**G. AND WHY DID THEY SAY, "TWO ROWS IN A WINE VAULT MUST BE SEARCHED OUT"?**

1. IV:1: So who in the world ever mentioned a wine vault anyhow?

**H. THIS DESIGNATES A PLACE INTO WHICH THEY BRING LEAVEN. THE HOUSE OF SHAMMAI SAY, "TWO ROWS OVER THE ENTIRE SURFACE OF THE RACK OF JARS IN THE WINE VAULT."**

1. V:1: Said R. Judah, "The two rows of which they have spoken run from the ground to the ceiling." And R. Yohanan said, "It is a single row in the shape of a right angle" — the front row and the whole of the upper layer.

**I. AND THE HOUSE OF HILLEL SAY, "THE TWO OUTERMOST ROWS WHICH ARE UPPERMOST."**

1. VI:1: Rab said, "The upper row and the one beneath it" in the outermost row facing the door. And Samuel said, "The upper row and the one inside of that."

## **II. Mishnah-Tractate Pesahim 1:2**

**A. THEY DO NOT SCRUPLE THAT A WEASEL MIGHT HAVE DRAGGED LEAVEN FROM HOUSE TO HOUSE AND PLACE TO PLACE. FOR IF SO, THEY WILL HAVE TO SCRUPLE THAT THE WEASEL HAS DRAGGED LEAVEN FROM COURTYARD TO COURTYARD AND FROM TOWN TO TOWN, SO THERE IS NO END TO THE MATTER:**

1. I:1: So the operative consideration clearly is that we have not seen the weasel take the leaven; but if we had seen the animal take it, then we should take account of the possibility that there has been leaven contamination and the house requires inspection. But why should that be the case? Why not suppose that the animal has eaten the food? Haven't we learned in the Mishnah: Dwelling places of gentiles in the Land of Israel are unclean. How long must the gentile remain in them for them to require examination to determine their status? Forty days, even though there is no woman with him. M. **Oh. 18:7B-C**. What do they examine? The deep drains and foul water. The House of Shammai say, "Also the rubbish heaps and loose dirt." And the House of Hillel say, "Any place which the pig or the weasel can reach does not require examination" (M. **Oh. 18: 8**)?

a. I:2: Secondary extension of the foregoing. But do we invoke the argument, we do not take account of the possibility that a weasel may have dragged off the leaven? Surely the latter clause of the same rule states as the Tannaite wording: What he leaves over after the search, for breakfast the next morning he must put away in a discrete place, so there should be no need for a search for it since otherwise a weasel may drag it away.

2. I:3: Nine packages of unleavened bread and one of leavened bread, and a rat came along and took one, and we don't know whether he took the unleavened bread or the leavened bread — if one package was taken, and a rat came and stole it, then that is along the lines of the conclusion of that which we have learned on Tannaite authority as follows: If there were nine stores, all of them selling properly

slaughtered meat, and one of them selling carrion meat, and one purchased meat from one of them and does not know from which of them he has made the purchase — his doubt is resolved in favor of a prohibition. But if the meat should turn up, then one follows the status of the majority of the stores, and it is permitted.

**3. I:4:** Said Raba, “A rat enters with a loaf of bread in its mouth, and the owner went in after it and found crumbs — he has to inspect the area for leaven, since it’s not the rat’s way to make crumbs.”

**4. I:5:** Raba raised this question: “If there is a loaf of bread on the top rafters, does he have to take a ladder to get it down, or doesn’t he have to? Do we say rabbis don’t put a person to that much trouble, and, since it can’t come down on its own, he’s not going to end up eating it? Or maybe, it may fall down, and he’ll end up eating it? And if you should say, maybe it’ll fall down and he’ll end up eating, it, if there is a loaf in a pit, does he have to get a ladder to take it up or not? Here it is certainly not going to come up on its own? Or maybe he may go down to do whatever he has to do and end up eating it? And should you say, maybe he’ll climb down and do what he has to do and end up eating it, what if a loaf is in a snake’s mouth? Does he have to get a snake charmer to take it out or doesn’t have to get a snake charmer for that purpose? Rabbis have put him to trouble through his own person, but didn’t impose monetary costs on him in this connection — or maybe it doesn’t matter?”

### **III. Mishnah-Tractate Pesahim 1:3**

**A. R. JUDAH SAYS, “THEY SEEK OUT LEAVEN (1) ON THE NIGHT OF THE FOURTEENTH, (2) ON THE FOURTEENTH IN THE MORNING, AND (3) AT THE TIME OF REMOVAL.”**

**AND SAGES SAY, “IF ONE DID NOT SEEK OUT LEAVEN ON THE NIGHT OF THE FOURTEENTH, HE MAY SEEK IT OUT (1) ON THE FOURTEENTH. IF HE DID NOT SEEK IT OUT ON THE FOURTEENTH, LET HIM SEEK IT OUT (2) AT THE APPOINTED TIME 11 A.M. TO 12 NOON ON THE FOURTEENTH. IF HE DID NOT SEEK IT OUT AT THE APPOINTED TIME, LET HIM SEEK IT OUT (3) AFTER THE APPOINTED TIME TO NIGHTFALL.”**

**AND WHAT HE WISHES TO HOLD OVER FOR FOOD UNTIL THE TIME FOR BURNING LEAVEN, LET HIM LEAVE IN A DISCRETE PLACE, SO THAT IT SHALL NOT REQUIRE EXAMINATION AFTERWARD.**

**1. I:1:** What’s the scriptural basis for the ruling of R. Judah?

**a. I:2:** Secondary expansion of the analysis of the foregoing. So in any case in which one would not normally desist, would R. Judah issue a precautionary decree?

### **IV. Mishnah-Tractate Pesahim 1:4-5**

**A. R. MEIR SAYS, “THEY EAT LEAVEN THROUGHOUT THE FIFTH HOUR ON THE FOURTEENTH OF NISAN, AND THEY BURN IT AT THE BEGINNING OF THE SIXTH HOUR NOON.” AND R. JUDAH SAYS, “THEY EAT LEAVEN THROUGH THE FOURTH**

**HOUR, KEEP IT IN SUSPENSE THROUGHOUT THE FIFTH HOUR, AND BURN IT AT THE BEGINNING OF THE SIXTH HOUR.”**

1. I:1: There we have learned in the Mishnah: If one of the witnesses says, “It was on the second of the month,” and one of the witnesses says, “It was on the third of the month,” their testimony stands. For one of them may know about the intercalation of the month, and the other one may not know about the intercalation of the month. If one of them says, “On the third,” and one of them says, “On the fifth,” their testimony is null. If one of them says, “At two,” and one of them says, “At three,” their testimony stands. If one of them says, “At three,” and one of them says, “At five,” their testimony is null. R. Judah says, “It stands.” If one of them says, “At five,” and one of them says, “At seven,” their testimony is null. For at five the sun is at the east, and at seven the sun is at the west (M. San. 5: 3). Said Abbaye, “When you look into the matter, you will conclude, in the opinion of R. Meir, someone never makes a mistake as to the hour, but in the opinion of R. Judah, someone may make a mistake by half an hour.”

a. I:2: Topical appendix: Our rabbis have taught on Tannaite authority: The first hour is the mealtime for gladiators; the second, for robbers, the third, for heirs, the fourth, for laborers, the fifth, for disciples of sages, and the sixth, for everybody else.

2. I:3: Said R. Ashi, “As is the dispute in regard to testimony, so there is a dispute with regard to eating leaven.” Just as Meir and Judah differ on possible errors in respect to the time to which testimony pertains, so with regard to the prohibition of leaven do they dispute.

3. I:4: Said R. Shimi bar Ashi, “The rule applies only to differences in hours of the day, for there is a margin of error. But if one of them says, ‘It was before dawn,’ and the other says, ‘It was after dawn,’ their testimony is null.”

4. I:5: Said R. Nahman said Rab, “The law is in accord with R. Judah.”

a. I:6: Secondary extension of the foregoing.

**B. AND FURTHER DID R. JUDAH SAY, “TWO UNFIT LOAVES OF BREAD OF A THANK-OFFERING WHICH WERE INVALID WERE LEFT LYING ON THE ROOF OF THE PORTICO OF THE TEMPLE. SO LONG AS THEY ARE LYING THERE, EVERYBODY EATS LEAVEN. WHEN ONE OF THEM IS REMOVED, THEY SUSPEND AND DO NOT EAT LEAVEN BUT ALSO DO NOT BURN IT. WHEN THE SECOND ONE OF THEM IS REMOVED, EVERYBODY BEGINS BURNING THE LEAVEN.” RABBAN GAMALIEL SAYS, “LEAVEN IN THE STATUS OF UNCONSECRATED FOOD IS EATEN THROUGH THE FOURTH HOUR, AND LEAVEN IN THE STATUS OF HEAVE-OFFERING THROUGH THE FIFTH. THEN THEY BURN AT THE BEGINNING OF THE SIXTH HOUR.”**

1. II:1: A Tannaite authority repeated before R. Judah the formulation for the statement, on the roof of the portico of the Temple, “on top of the Temple.”

2. II:2: Two unfit loaves of bread of a thank-offering which were invalid: Why were they invalid?

3. II:3: A Tannaite statement: In the name of R. Eleazar they said, “They were valid So long as both were there, all the people ate leaven. When one was

removed, they kept the leaven in suspense, not eating or burning it; when both were taken away, all began burning their leaven.

4. II:4: It has been taught on Tannaite authority: Abba Saul says, “There were two cows that would plow on the Mount of Olives. So long as both were plowing, everybody ate leaven. When one of them was taken away, they kept the leaven in suspense, not eating or burning it; when both were taken away, all began burning their leaven.

## **V. Mishnah-Tractate Pesahim 1:6-7**

**A. R. HANANIAH, PREFECT OF THE PRIESTS, SAYS, “IN THE DAYS OF THE PRIESTS THEY NEVER REFRAINED FROM BURNING MEAT WHICH HAD BEEN MADE UNCLEAN BY AN OFFSPRING OF UNCLEANNESS WITH MEAT WHICH HAD BEEN MADE BY A FATHER OF UNCLEANNESS, EVEN THOUGH THEY THEREBY ADD UNCLEANNESS TO ITS UNCLEANNESS THAT OF THE MEAT MADE UNCLEAN BY AN OFFSPRING OF UNCLEANNESS.”**

1. I:1: Even though they thereby add uncleanness to its uncleanness: Well, now, meat that has been made unclean by an offspring of uncleanness — in what remove of uncleanness is it? It is in the second remove of uncleanness. Now, when one burns it with meat that was made unclean by a generative source of uncleanness, in what remove of uncleanness is that? It is in the second remove of uncleanness. So what we have is something unclean in the second remove of uncleanness, along with something else unclean in the second remove of uncleanness, so what’s the sense of the allegation, even though they thereby add uncleanness to its uncleanness?

**B. ADDED R. AQIBA AND SAID, “IN THE DAYS OF THE PRIESTS THEY NEVER REFRAINED FROM BURNING OIL IN THE STATUS OF HEAVE-OFFERING MADE INVALID BY ONE WHO HAD IMMersed IN THAT SAME DAY, IN A LAMP WHICH HAD BEEN MADE UNCLEAN BY ONE WHO HAD CONTRACTED CORPSE UNCLEANNESS, EVEN THOUGH THEY THEREBY ADD UNCLEANNESS TO ITS UNCLEANNESS THAT OF THE HEAVE-OFFERING OIL INVALIDATED BY ONE WHO HAD IMMersed ON THAT SAME DAY.”**

1. II:1: Well, now, oil that has been made invalid by contact with what is unclean in the status of having immersed and awaiting sunset for the completion of the rite of purification, at what remove is such a thing? It is in the third remove of uncleanness. And when it is lit in a lamp that was made unclean by what has been made unclean by a corpse, what does it become? Unclean in the second remove. So what does he tell us? That what is unclean in the third remove may be made unclean in the second remove? But he’s just said so in the former statement.

2. II:2: Said Raba, “That proves that R. Aqiba takes the position that the uncleanness of liquid so far as imparting uncleanness to other things derives from the Torah, for if you should maintain that it derives from the authority of rabbis, as to this lamp, how does it affect the oil? If it is by rendering the oil unfit, it is already unfit and what difference does it make whether it is in the third or first remove of uncleanness anyhow?”

**C. SAID R. MEIR, “FROM THEIR OPINIONS WE LEARN THAT THEY BURN LEAVEN IN THE STATUS OF HEAVE-OFFERING WHICH IS CULTICALLY CLEAN WITH THAT WHICH IS CULTICALLY UNCLEAN ON PASSOVER.”**

**SAID TO HIM R. YOSÉ, “THAT IS NOT THE RIGHT CONCLUSION TO DRAW BY ANALOGY FROM THE OPINIONS OF HANANIAH AND AQIBA. FOR R. ELIEZER AND R. JOSHUA CONCUR THAT THEY BURN THIS BY ITSELF AND THAT BY ITSELF. CONCERNING WHAT DID THEY DIFFER? CONCERNING THAT WHOSE STATUS AS TO CULTIC CLEANNES WAS SUBJECT TO SUSPENSION AND CONCERNING THAT WHICH IS CERTAINLY CULTICALLY UNCLEAN. FOR R. ELIEZER SAYS, ‘THIS IS TO BE BURNED BY ITSELF, AND THAT IS TO BE BURNED BY ITSELF.’ AND R. JOSHUA SAYS, ‘BOTH OF THEM TOGETHER ARE TO BE BURNED.’”**

**1. III:1:** From whose opinions? Should I say, from the opinion of R. Hanina, Prefect of the priests? Then are the cases parallel? There we deal with what is unclean and what is unclean, but here we deal with what is clean and what is unclean. So it must be on the basis of the opinion of R. Aqiba. But there, too, are the cases parallel? In that instance we deal with what is unfit and unclean, but here we deal with what is clean and unclean.

**2. III:2:** Said R. Assi said R. Yohanan, “There is a dispute concerning the situation that prevails at the sixth hour, but at the seventh hour when the prohibition takes effect against leaven all concur Yosé, too that we burn them together” Since they are then scripturally forbidden, so even clean priestly rations now are the same as unclean.

**a. III:3:** Reversion to a detail of the foregoing discussion.

**I. III:4:** As above.

**II. III:5:** As above.

**A. III:6:** Secondary expansion of the foregoing.

**III. III:7:** Continuation of the issues of III:5.

**IV. III:8:** As above.

**A. III:9:** Gloss of foregoing.

**V. III:10:** Continuation of III:7-8.

**A. III:11:** Gloss of a detail of the foregoing.

**VI. III:12:** Continuation of the analysis of III:7-8.

**b. III:13:** There we have learned in the Mishnah: And concerning a needle found in the flesh of a Temple-offering), that in such a case, assuming the needle to have been unclean, the knife with which the animal was slaughtered and the hand remain clean, but the meat is unclean. But if it was found in the excrement, all is deemed clean (M. Ed. 2:3Gff.). Said R. Aqiba, “Thus we have the unearned merit of proving that uncleanness of hands does not pertain to the Temple.”

**I. III:14:** Gloss of a detail of the foregoing.

**II. III:15:** As above. Further analysis.

**III. III:16:** As above.

IV. III:17: As above.

A. III:18: Secondary gloss.

V. III:19: Further inquiry as at III:14-17.

3. III:20: R. Hisda contrasted two rulings concerning Passover and harmonized them as follows: “Did R. Joshua say, ‘Both of them unclean priestly rations and priestly rations the status of which is subject to doubt may be burned together’? And by contrast: Said R. Yosé, ‘The matter that is under discussion is not entirely similar to that which is adduced as proof. For, when our masters gave testimony, about what did they testify? It was about meat that was made unclean by an offspring of uncleanness, indicating that we burn it together with meat that was made unclean through a generative source of uncleanness, then, as a matter of fact, this is unclean and that is unclean! If it was about oil that was rendered unfit by what had gone through immersion and awaits sunset for the completion of the rites of purification, which is lit in a lamp that was made unclean by one suffering corpse uncleanness, then one is unfit and the other is unclean. So we, too, admit in the case of priestly rations that were made unclean through an offspring of uncleanness that one may burn them together with priestly rations made unclean by a generative source of uncleanness. But how shall we burn what is held in suspense with what is unclean? Maybe Elijah will come and purify it?!’ (T. **Pisha 1: 6**).” And he harmonized the matter as follows: “Our Mishnah rule conforms with R. Simeon in respect to the position of R. Joshua, the other, R. Yosé in respect to the position of R. Joshua and the two disciples differ on the master’s position, for it has been taught on Tannaite authority: ‘If the fourteenth of Nisan coincided with the Sabbath, they must remove everything prior to the Sabbath, and they burn produce in the status of priestly rations whether it is unclean, held in suspense, or clean,’ the words of R. Meir. R. Yosé says, ‘They burn the clean by itself, what is held in suspense by itself, and the unclean by itself.’ Said R. Simeon, R. Eliezer and R. Joshua did not dispute the matter of what is clean or unclean, in which case they do not burn them together; nor concerning what is held in suspense and what is surely clean, in which case they burn these together; concerning what did they dispute? It concerned burning together what is held in suspense and what is unclean. For R. Eliezer says, “This is to be burned by itself, and that is to be burned by itself,” and R. Joshua says, “Both of them are to be burned together.””

4. III:21: R. Yosé bar Hanina contrasted a ruling on priestly rations with one on Passover and ironed out the difference, as follows: “Did R. Joshua say, ‘Both of them unclean priestly rations and priestly rations the status of which is subject to doubt may be burned together’? And by contrast: A jug of wine in the status of heave-offering concerning which there arose a suspicion of uncleanness — R. Eliezer says, ‘If it was lying in an exposed place, he should place it in a concealed place. And if it was uncovered, he should cover it.’ R. Joshua says, ‘If it was lying in a concealed place, he should place it in an exposed place. And if it was covered, he should uncover it.’ Rabban Gamaliel says, ‘Let him not do anything new with it’ (M. **Ter. 8: 8**). So indirect action is allowed, but not taking affirmative action on one’s own.”

5. III:22: R. Eleazar contrasted two rulings on the matter of priestly rations and ironed out the difference, as follows: “Did R. Joshua say that indirect action is allowed, but not taking affirmative action on one’s own? And by contrast: As to a jug of wine in the status of heave-offering which broke in the upper vat, and the lower vat is unclean — R. Eliezer and R. Joshua agree that if he can save from it a fourth in a state of cleanness, he should save it. But if not: R. Eliezer says, ‘Let it go down into the lower vat and be made unclean. But let him not make it unclean with his hand through his own actions’ (M. **Ter. 8: 9**). R. Joshua says, ‘He may even impart uncleanness to it with his own hands.’”

a. III:23: Secondary issue in connection with the foregoing.

## **VI. Mishnah-Tractate Pesahim 2:1**

### **A. SO LONG AS IT IS PERMITTED TO EAT LEAVEN, ONE FEEDS IT TO DOMESTIC CATTLE, TO A WILD BEAST, AND TO FOWL:**

1. I:1: So long as it is permitted to eat leaven, one feeds it to domestic cattle, to a wild beast, and to fowl: so it follows that so long as it is not permitted to eat it, it also is not permitted to feed it to one’s cattle. Hence, may one propose that our Mishnah-paragraph does not accord with the view of R. Judah, for if it were in accord with his view, lo, there is the fifth hour, at which, in his view, one may not eat leaven but one may still feed it to one’s cattle.

2. I:2: What need do I have to make reference, also, to wild beast, and to fowl? And what need do I have to make reference, also, to domestic cattle?

### **B. AND HE SELLS IT TO A GENTILE:**

1. II:1: That’s obvious!

### **C. AND IT IS PERMITTED TO DERIVE BENEFIT FROM IT:**

1. III:1: That’s obvious!

### **D. ONCE ITS TIME HAS PASSED, IT IS FORBIDDEN TO DERIVE BENEFIT FROM IT:**

1. IV:1: That’s obvious!

### **E. AND ONE SHOULD NOT KINDLE AN OVEN OR A DOUBLE STOVE WITH IT.**

1. V:1: That’s obvious!

2. V:2: Said Hezekiah, “How on the basis of Scripture do we know that, on Passover, it is forbidden to derive benefit from leaven? As it is said, ‘There shall be no leavened bread be eaten’ (Exo. 13: 3) — in it there will be no aspect in which eating may be permitted.”

a. V:3: Gloss of the foregoing.

b. V:4: As above.

c. V:5: As above.

d. V:6: As above.

3. V:7: In session, one of the rabbis before R. Samuel bar Nahmani stated in the name of R. Joshua b. Levi, “How do we know concerning all of the prohibitions of the Torah that, just as the prohibition applies to eating, so too, the prohibition



applies to deriving benefit? And what are these? They are leaven during Passover and the ox that is to be stoned.”

a. V:8: Extension of the foregoing analysis.

4. V:9: Said R. Abbahu said R. Yohanan, “On account of all prohibitions that are in the Torah people are not flogged except when the things are eaten in the ordinary way in which they are eaten.”

5. V:10: Said Abbaye, “All concur in the matter of mixed seeds in a vineyard that we do flagellate on account of violating that prohibition even if one doesn’t do so in the normal way in which that is done. How come? Because ‘eating’ is not stated in that connection.

a. V:11: Topical miscellany.

I. V:12: Secondary case complementing the foregoing.

6. V:13: It has been stated: As to benefit that is prohibited that comes to someone against his will and consent — Abbaye said, “It is permitted.” And Raba said, “It is forbidden.”

a. V:14: Gloss of the foregoing.

7. V:15: And one should not kindle an oven or a double stove with it: Our rabbis have taught on Tannaite authority: In the case of an oven that was fired up with the shells of nuts of a tree in the first three years of its growth or with stubble of the growth of mixed seeds in a vineyard, if the oven was new, it must be destroyed, and if it was old, it must be cooled off. If a loaf of bread was baked in that oven — Rabbi says, “The bread is forbidden.” And sages say, “The bread is permitted.” If he baked the loaf on the coals, all concur that it is permitted.

a. V:16: Secondary expansion of the foregoing.

8. V:17: Said R. Joseph said R. Judah said Samuel, “In the case of an oven that was fired up with the shells of nuts of a tree in the first three years of its growth or with stubble of the growth of mixed seeds in a vineyard, if the oven was new, it must be destroyed, and if it was old, it must be cooled off. If a loaf of bread was baked in that oven — Rabbi says, ‘The bread is permitted.’ And sages say, ‘The bread is permitted.’”

9. V:18: Continuation of the foregoing: “If he baked the loaf on the coals, all concur that it is permitted.” Said R. Judah said Samuel, and R. Hiyya bar Ashi said R. Yohanan — One said, “They repeated the rule only with reference to dying coals, but as to live coals, the bread is forbidden” by Rabbi. The other said, “Even bread baked on live coals is permitted.”

10. V:19: R. Ammi bar Hama asked R. Hisda, “An oven that one heated with wood belonging to the sanctuary, in which one baked a loaf of bread — in the view of rabbis, who permitted in the first case the oven heated with the shells of nuts of a tree in the first three years of its growth or with stubble of the growth of mixed seeds in a vineyard, what is the ruling?”

**F. R. JUDAH SAYS, “THE ONLY VALID FORM OF REMOVAL OF LEAVEN IS THROUGH BURNING.”**

1. VI:1: It has been taught on Tannaite authority: Said R. Judah, “The only valid way of removing leaven is by burning. And that is a matter of logic. If left over sacrifices, which are not subject to the rules, ‘there shall not be seen’ and ‘there shall not be found’ (Exo. 12:15) have to be burned, then leaven, which is subject to the rules, ‘there shall not be seen’ and ‘there shall not be found’ (Exo. 12:15) surely has to be burned!”

**G. AND SAGES SAY, “ONE ALSO MAY CRUMBLE IT UP AND SCATTER IT IN THE WIND OR TOSS IT INTO THE SEA.”**

1. VII:1: The question was raised: what is the meaning of the statement before us? Is it, One also may crumble it up and scatter it in the wind or may crumble it up and toss it into the sea? Or is it, One also may crumble it up and scatter it in the wind, but he may toss it into the sea as is?

## **VII. Mishnah-Tractate Pesahim 2:2**

**A. LEAVEN BELONGING TO A GENTILE WHICH HAS REMAINED OVER PASSOVER — ONE IS PERMITTED TO DERIVE BENEFIT FROM IT. BUT THAT OF AN ISRAELITE — ONE IS PROHIBITED TO DERIVE BENEFIT FROM IT, SINCE IT IS SAID, “LET IT NOT BE SEEN WITH YOU” (EXO. 13: 7):**

1. I:1: Who is the authority behind our unattributed Mishnah-rule, for it can be neither R. Judah nor R. Simeon nor R. Yosé?

a. I:2: Scriptural source for the positions of the cited authorities.

l. I:3: Gloss of a detail of the foregoing.

b. I:4: Reversion of the question of I:1.

l. I:5: Secondary expansion of the foregoing.

II. I:6: Continuation of the foregoing.

2. I:7: Said Rab, “Leaven in its time during the time that it is subject to a prohibition, that is, Passover whether mixed with its own species or not mixed with its own species is forbidden. Not at the time that it is prohibited, if it is mixed with its own species, it is forbidden; if it is not mixed with its own species, it is permitted.” Samuel said, “Leaven in its own time mixed with its own species is forbidden; leaven not in its own time is permitted; leaven not in its own time, whether mixed with its own species or mixed not with its own species, is permitted.” And R. Yohanan said, “Leaven in its time, whether mixed with its own species or not mixed with its own species, is forbidden if it imparts a flavor. If it is not in its own time, whether mixed with its own species or not mixed with its own species, is permitted.

a. I:8: Gloss of the foregoing.

3. I:9: Said Rab, “To remove leaven that will have inhered through the year pots shall be broken on Passover.” And Samuel said, “They don’t have to be broken, but people may hold on to them after the time of the prohibition of leaven, and cook in them whether the species that had been cooked before or not.”

a. I:10: Case.

I. I:11: Gloss of the case.

4. I:12: Said Rabina to R. Ashi, “As to knives, what do we do with them on Passover?”

5. I:13: Said R. Huna b. R. Joshua, “A wooden pot ladle has to be freed of forbidden matter that it has absorbed by being put into boiling water and into a utensil in which water is boiled while the water is still at the boiling point.”

6. I:14: Maremar was asked, “As to utensils that are glazed, what is the law on using them for Passover? The question concerns not only green glazing, which contains alum crystals that absorb and render the utensil forbidden. The question concerns white or black glazes. And we do not ask about these only if there are cracks, for such as these would certainly absorb the contents of the utensil and so are forbidden. The question concerns those that are smooth and uncracked. What is the rule?”

7. I:15: Said Raba bar Abba said R. Hiyya bar Ashi said Samuel, “All utensils that have been used for leaven that was cold may be used with unleavened bread, except for what holds yeast, since that is very powerful leaven.”

### **VIII. Mishnah-Tractate Pesahim 2:3A-D**

**A. A GENTILE WHO LENT MONEY TO AN ISRAELITE ON THE SECURITY OF HIS THE ISRAELITE’S LEAVEN — AFTER PASSOVER, IT IS PERMITTED FOR AN ISRAELITE TO DERIVE BENEFIT FROM IT. AND AN ISRAELITE WHO LENT MONEY TO A GENTILE ON THE SECURITY OF HIS LEAVEN — AFTER PASSOVER, IT IS PROHIBITED FOR AN ISRAELITE TO DERIVE BENEFIT FROM IT.**

1. I:1: It has been stated: As to a creditor — Abbayye said, “He collects the debt retrospectively” for if the creditor has to exact the pledge in repayment of the loan, the pledge is regarded as having retrospectively belonged to him from the time of the loan. And Raba said, “He collects the loan prospectively” for it is regarded as having belonged to him only from the moment he actually seized it, on default of the loan.

2. I:2: Our rabbis have taught on Tannaite authority: A shop belonging to an Israelite and the wares belong to an Israel, and gentile works go in there — leaven that is found there after Passover may not be used for benefit, and it goes without saying, may not be eaten. If the shop belonged to a gentile and the wares to a gentile, and Israelite workers went in and come out of there, leaven that is found there after the Passover may be eaten, and it goes without saying may be utilized for benefit (T. Pes. 2: 7).

### **IX. Mishnah-Tractate Pesahim 2:3E-F**

**A. LEAVEN ON WHICH A HOUSE FELL DOWN IN RUINS — LO, IT IS TANTAMOUNT TO ITS HAVING BEEN REMOVED. RABBAN SIMEON B. GAMALIEL SAYS, “ANYTHING WHICH THE DOG CANNOT SCRATCH UP IS DEEMED TO HAVE BEEN LEGALLY REMOVED.”**

1. I:1: Said R. Hisda, “But he has to annul it in his heart.”

2. I:2: A Tannaite statement: what is the definition of anything which the dog cannot scratch up?

a. I:3: Secondary gloss.

## **X. Mishnah-Tractate Pesahim 2:4**

**A. HE WHO IS NOT A PRIEST WHO ON PASSOVER INADVERTENTLY EATS LEAVEN WHICH IS IN THE STATUS OF HEAVE OFFERING PAYS THE PRINCIPAL WHICH HE CONSUMED AND A PENALTY OF AN ADDED FIFTH OF THE VALUE OF THE PRINCIPAL. IF HE DID SO DELIBERATELY, HE IS EXEMPT FROM THE REQUIREMENT TO MAKE RESTITUTION, AND EVEN FROM REPAYING ITS VALUE WHEN IT IS ASSESSED MERELY FOR USE AS WOOD FUEL.**

**B. TOPICAL APPENDIX ON RULES GOVERNING THE MISAPPROPRIATION OF FOOD IN THE STATE OF HEAVE-OFFERING. FREE-STANDING ANALYSIS UTILIZING THE MISHNAH-RULE**

1. I:1: We have learned in the Mishnah there: A non-priest who unintentionally eats heave offering pays back the principal and an added fifth. The same rule applies to (1) one who unintentionally eats produce in the status of heave offering, to (2) one who unintentionally drinks liquids in the status of heave offering, and to (3) one who unintentionally anoints himself with oil in the status of heave offering. The same rule applies to (4) one who unintentionally misappropriates clean heave offering, and to (5) one who unintentionally misappropriates unclean heave offering. He pays back the principal and added fifth, and a fifth of the added fifth. He does not pay restitution with heave offering; rather he pays it with unconsecrated produce, and this takes on the status of heave offering. And since the restitution is heave offering, even if the priest wishes, he may not refuse it (M. Ter. 6: 1). Now the question was raised: When one repays, does he repay by quantity or by value? Now in a case in which to begin with it was worth four zuz and at the end it was worth a zuz, no one doubts that he has to repay in accord with the original in accord with value, for it is no worse than the case of a robber, in which we have learned in the Mishnah: all robbers pay compensation in accord with the value of the stolen object at the time of the theft (M. **B.Q. 9:1K**). Where it is a question, it concerns a case in which to begin with it was worth a zuz, and in the end it was worth four zuz. What is the rule? Does he repay by quantity, saying to him, he ate a griva in volume, so he'll repay a griva in volume? Or maybe he repays by value, saying, he ate what was worth a zuz, so now he repays what is worth a zuz? Inserted because the Mishnah-rule at hand is adduced in evidence.

2. I:2: Continuation of the foregoing. Said Abbaye, "R. Eliezer b. Jacob, R. Aqiba, and R. Yohanan b. Nuri all take the position that it is forbidden to derive benefit on Passover from leaven. But this is what is at issue among them: R. Aqiba takes the view that one pays according to value; R. Yohanan b. Nuri maintains that one pays according to volume."

**3. I:3:** Our rabbis have taught on Tannaite authority: He who eats an olive's bulk of priestly rations has to pay compensation of the principal and an added fifth. Abba Saul says, "He is liable only if it is worth a penny at a minimum."

**4. I:4:** Our rabbis have taught on Tannaite authority: He who eats priestly rations that are less in volume than an olive's bulk has to pay the principal but doesn't have to pay the added fifth.

**a. I:5:** Secondary analysis of a subordinate proposition in the foregoing.

**b. I:6:** Gloss of a text cited at I:4.

**5. I:7:** In session R. Aha bar R. Avayya before R. Hisda stated in the name of R. Yohanan, "Grapes that were made unclean — one may tread them out in a quantity of less than an egg's bulk at one time, and the wine is suitable even for use as a libation since the quantity is too small to become unclean, and the wine is fit for the altar. Therefore he takes the view that the juice of the grapes is deemed stored up in the skin as liquid in a utensil, but it is not absorbed and part of the skin, and that is why it does not contract uncleanness along with the outer skin. So when does the juice contract uncleanness? It would be, when he squeezes it out, but, when he squeezes it out, it does not contain the requisite volume to contract uncleanness. But if that's so, then he should be able to squeeze out as much as an egg's bulk, for we have learned in the Mishnah: One unclean with corpse uncleanness who pressed out olives and grapes — if the olives or the grapes were of the volume of an egg exactly, it is clean, and on condition that he not touch the wet place. If it was of the volume of more than an egg, it is unclean, for as soon as the first drop of moisture exuded, it was made unclean, by the remainder which is the bulk of an egg. If it was a Zab or a Zabah, even if only an individual berry was squeezed out, it is unclean, for as soon as the first drop of moisture exuded, it was made unclean through the carriage of the male or female afflicted with flux uncleanness (Lev. 15) (M. **Toh. 3:3A-G**). here the man doesn't touch the squeezed juice; after the first drop issues, the residue is less than the necessary minimum and therefore it does not defile the liquid that follows."

**a. I:8:** Gloss of foregoing.

**I. I:9:** Secondary gloss.

**6. I:10:** Abbaye bar Abin and R. Hanania bar Abin repeated tractate Terumot at the household of Rabbah. Raba bar Mattena met them. He said to them, "What do you people of the household of the master have to say about Terumot?" They said to him, "So what's your problem?" He said to them, "We have learned in the Mishnah: Saplings from seed in the status of priestly rations that became unclean — if he planted them they no longer render unclean that with which they come into contact. And the fruit of the saplings is forbidden for consumption until he once trims off that fruit that has the status of priestly rations. R. Judah says, "Until he trims off the fruit and does so a second time doing so with the next crop that grows" (M. **Ter. 9:7D-G**). Now, if they are insusceptible to uncleanness, why in the world should it be forbidden to eat them?"

**a. I:11:** Secondary expansion of the foregoing.

**b. I:12:** As above.

## **XI. Mishnah-Tractate Pesahim 2:5**

**A. THESE ARE TYPES OF GRAINS THROUGH BREAD MADE FROM WHICH A PERSON FULFILLS HIS OBLIGATION TO EAT UNLEAVENED BREAD ON PASSOVER: (1) WHEAT, (2) BARLEY, (3) SPELT, (4) RYE, AND (5) OATS.**

1. I:1: A Tannaite statement: spelt is classified as wheat; oats and rye are classified as barley; spelt is the same as gulba; oat is the same as dishra; rye is the same as foxtail.
2. I:2: These are suitable, but not rice or millet. How on the basis of Scripture do we know that fact?
3. I:3: Our Mishnah-paragraph is not in accord with R. Yohanan b. Nuri, for he has said, "Rice is a species of grain and if one eats it as leaven on Passover, one is subject to the penalty of extirpation."
4. I:4: The question was raised: is the meaning of the language, because these come close to leavening, that it quickly leavens, or, perhaps, does it mean, it is near leavening but not really leaven?
5. I:5: Said Rabbah bar bar Hannah said R. Simeon b. Laqish, "On account of dough that was kneaded with wine, oil, or honey people are not liable to extirpation on account of eating it as leaven on Passover."

**B. AND PEOPLE FULFILL THIS SAME OBLIGATION THROUGH GRAIN WHICH HAS BEEN ONLY DOUBTFULLY TITHED:**

1. II:1: As to through grain which has been only doubtfully tithed, lo, that isn't fit for him!

**C. THROUGH FIRST TITHE THE HEAVE OFFERING OF WHICH HAS BEEN REMOVED:**

1. III:1: Well, that's not very surprising! Since the priestly rations have been designated from it, it is nothing other than perfectly unconsecrated produce.

**D. AND THROUGH SECOND TITHE AND FOOD WHICH HAS BEEN CONSECRATED, WHICH HAVE BEEN REDEEMED;**

1. IV:1: So what else is new?

**E. AND PRIESTS DO SO THROUGH UNLEAVENED BREAD DERIVING FROM DOUGH OFFERING AND THROUGH UNLEAVENED BREAD IN THE STATUS OF HEAVE OFFERING.**

1. V:1: So what else is new?

**F. BUT PEOPLE DO NOT FULFILL THIS OBLIGATION THROUGH EATING UNLEAVENED BREAD FROM WHICH TITHES HAVE NOT BEEN REMOVED AT ALL:**

1. VI:1: So what else is new?

**G. FIRST TITHE FROM WHICH HEAVE OFFERING HAS NOT BEEN REMOVED:**

1. VII:1: So what else is new?

**H. SECOND TITHE AND FOOD WHICH HAS BEEN CONSECRATED, WHICH HAVE NOT BEEN REDEEMED.**

**1. VIII:1:** So what else is new?

**2. VIII:2:** Our rabbis have taught on Tannaite authority: Might one think that someone may fulfill the obligation with produce that was liable to tithes but not yet prepared through tithing?

**a. VIII:3:** Secondary development of the foregoing.

**3. VIII:4:** Our rabbis have taught on Tannaite authority: Might one think that someone may fulfill the obligation with produce that was liable to tithes but not yet prepared through tithing?

**a. VIII:5:** Secondary development of the foregoing.

**I. VIII:6:** Secondary development of the foregoing.

**A. VIII:7:** Gloss of a detail of the foregoing.

**1. VIII:8:** Continuation of the foregoing.

**4. I:9:** Our rabbis have taught on Tannaite authority: “Might one suppose that a person may fulfil the obligation with unleavened bread made from grain in the firstfruits? Scripture says, ‘In all your habitations shall you eat unleavened bread’ (Exo. 12:20) — it must be unleavened bread that may be eaten in all your dwellings, excluding unleavened bread made from grain in the firstfruits, which may not be eaten in all your dwellings but only in Jerusalem,” the words of R. Yosé the Galilean. R. Aqiba says, “Unleavened bread and bitter herbs are treated as comparable, so that, just as bitter herbs that are not firstfruits are required, so unleavened bread that is not made from grain in the firstfruits is required. If it is argued, what characterizes bitter herbs is that its species would not be presented as firstfruits, so unleavened bread must derive from a species that is not subject to presentation as firstfruits? So should I then exclude wheat and barley, which is a species that is subject to firstfruits? Scripture uses the language, ‘unleavened bread’ twice, by way of an extension.”

**a. VIII:10:** Secondary analysis of the foregoing.

**5. VIII:11:** Our rabbis have taught on Tannaite authority: “Bread of affliction” — that excludes rich dough made by stirring flour with hot water and pancakes. Might one suppose that one may therefore carry out the obligation only with coarse bread bread of poverty? Scripture refers twice to “unleavened bread” by way of extending the law to a variety of suitable forms of unleavened bread, encompassing even bread as fine as that of Solomon. If so, why does Scripture say, “Bread of affliction”? that excludes rich dough made by stirring flour with hot water and pancakes.

**a. VIII:12:** Gloss of the foregoing.

**6. VIII:13:** Our rabbis have taught on Tannaite authority: “On Passover they do not bake thick unleavened loaves, lest the dough become leavened during the preparation and baking,” the words of the House of Shammai. But the House of Hillel permit.

**a. VIII:14:** Gloss of the foregoing.

**b. VIII:15:** As above.

7. VIII:16: Our rabbis have taught on Tannaite authority: People fulfill the obligation to eat unleavened bread with bread made of fine flour, coarse bread, and with Syrian cakes shaped in figures, even though sages have said, “Syrian cakes shaped in figures may not be made on Passover.” Said R. Judah, “This matter asked Beitos b. Zonen of sages, ‘How come they have said, “Syrian cakes shaped in figures may not be made on Passover?”’ They said to him, “Because a woman takes her time with it and it leavens.” He said to them, “It’s possible to make them in a mould, which would form it without delay.” They said to him, “People will say, ‘All Syrian cakes shaped in figures are forbidden, but Syrian cakes of Beitos are permitted’””” (cf. T. **Pisha 2:19**).

8. VIII:17: Said R. Eleazar bar Sadoq, “Once on Passover I followed after father into the household of Rabban Gamaliel, and they placed before him Syrian cakes shaped in figures. I said, ‘Father, haven’t sages said, “Syrian cakes shaped in figures may not be made on Passover?”’ He said to me, ‘My son, they didn’t speak of those of every person, but only those of bakers.’”

a. VIII:18: Supplement.

## I. TOPICAL APPENDIX CONCERNING THE DEFINITION OF BREAD-DOUGH

1. VIII:19: Our rabbis have taught on Tannaite authority: Sponge cakes, honey cakes, dumplings, and cakes made in a mould and bread made of dough that was a mixture of unconsecrated and consecrated grain are exempt from dough offering (M. **Hal. 1: 4**).

2. VIII:20: In session, Rabbah and R. Joseph were behind R. Zira, and R. Zira in session in the presence of Ulla. Said Rabbah to R. Zira, “Ask Ulla: if one put the dough inside and heated it from the outside putting the bread dough in a stew pot and baking it with an outside fire — what is the law is it bread or not?”

3. VIII:21: Said R. Assi, “As to dough in the status of second tithe, in the view of R. Meir it is not liable to the separation of dough-offering, and in the view of sages it is liable to the separation of dough-offering. As to unleavened bread in the status of second tithe, in the view of R. Meir, it may not serve for a person to fulfill his obligation on Passover, and, in the view of sages, such unleavened bread may serve for a person to fulfill his obligation on the festival. A citron in the status of second tithe, in the view of R. Meir, may not serve for a person to fulfill his obligation on the festival day, and, in the view of sages, such a citron may serve for a person to fulfill his obligation on the festival.”

4. VIII:22: R. Simeon b. Laqish raised this question: “What is the law on a person’s fulfilling the obligation to eat unleavened bread with bread made from dough offering of dough that had the status of second tithe in Jerusalem? From the perspective of R. Yosé the Galilean, of course, there really is no question, for if one does not carry out the obligation with unconsecrated produce that is, ordinary second tithe after the dough offering has been removed, can there be any question here? But the question is to be raised in the framework of the position of R. Aqiba. He may say, it is in particular with unconsecrated food that he can carry out the obligation, for, since it has been made unclean, it is permitted in all dwellings, but as to dough offering, if it is made unclean, it is not permitted in all dwellings but is tossed into the fire, so one cannot carry out the obligation with it



— or maybe we invoke the conception, since if he had not designated it as dough offering and it became unclean, it would have been permitted in all your dwellings, so he could carry out his obligation with it on Passover, now too he can do the same?”

**J. UNLEAVENED LOAVES BROUGHT WITH A THANK OFFERING AND WAFERS OF A NAZIR — IF HE MADE THEM FOR HIS OWN USE AS HIS SACRIFICE, THEY DO NOT FULFILL THEIR OBLIGATION THROUGH EATING THEM. IF HE MADE THEM FOR SALE IN THE MARKETPLACE, THEY DO FULFILL THEIR OBLIGATION THROUGH EATING THEM.**

1. IX:1: What is the scriptural basis for this rule?

2. IX:2: It has been taught on Tannaite authority: Said R. Ilai, “I asked R. Eliezer, ‘What is the law on someone’s carrying out his obligation to eat unleavened bread on Passover with the loaves that accompany a thanksgiving offering or with the wafers of a Nazirite.’ He said to me, ‘I haven’t heard.’ I came and I asked before R. Joshua. He said to me, ‘Lo, they have said: “Unleavened loaves brought with a thank offering and wafers of a Nazir — if he made them for his own use as his sacrifice, they do not fulfill their obligation through eating them. If he made them for sale in the marketplace, they do fulfill their obligation through eating them.”’ And when I came and laid matters out before R. Eliezer, he said to me, ‘By the covenant! These are the exact words that were stated to Moses at Sinai’” (T. Hal. 1: 6).

## **XII. Mishnah-Tractate Pesahim 2:6**

**A. AND THESE ARE HERBS THROUGH EATING OF WHICH A PERSON FULFILLS HIS OBLIGATION ON PASSOVER: (1) LETTUCE, (2) CHICORY, (3) PEPPER WORT, (4) ENDIVES, AND (5) DANDELION.**

1. I:1: Definitions of the items listed in the Mishnah-rule.

2. I:2: Bar Qappara repeated a Tannaite statement: “With these herbs a person fulfils the obligation on Passover: endives, chicory, thistles, pepperwort, and lettuce.

3. I:3: A member of the household of Samuel repeated as a Tannaite statement: “With these herbs a person fulfils the obligation on Passover: with lettuce, endives, chicory, pepper wort, garden ivy, and wall ivy.”

4. I:4: R. Ilai says in the name of R. Eliezer, “They fulfill their obligation to eat bitter herbs also through hart’s tongue on Passover. And I made the rounds of all his disciples, and I looked for a partner for myself in holding these traditions but found none (M. **Er. 2:6E-F**). But when I came before R. Eliezer b. Jacob, he concurred with what I said.”

5. I:5: R. Judah says, “Any plant that contains sap.” R. Yohanan b. Beroqah says, “It s any that withers” (cf. T. **Pisha 2:21F, G**). Others say, “It is any bitter herb that contains sap and the leaves of which wither.”

6. I:6: Rabina came across R. Aha b. Raba, who was out in search of dandelion. He said to him, “What are you thinking? That it’s more bitter? But lo, we have

learned in the Mishnah as the first item on the rule lettuce, and a Tannaite authority of the household of Samuel repeated, 'lettuce,' and said R. Oshayya, 'The religious duty is to use lettuce,' and said Raba, 'What is lettuce? It is, in Aramaic, hasa.'"

7. I:7: Said R. Rehummi to Abbayye, "On what basis do we know that the reference to 'bitter' required at Exo. 12:8 means an herb? Maybe it's gall of a colias-fish?"

a. I:8: Gloss of the foregoing.

8. I:9: Said Rabbah bar R. Huna said Rab, "The herbs of which sages have spoken, with which a person may carry out the obligation of eating such on Passover — all of them may be sown in a single garden bed."

**B. THEY FULFILL THEIR OBLIGATION BY EATING THEM, WHETHER THEY ARE (1) FRESH OR (2) DRIED, BUT NOT IF THEY ARE PICKLED IN VINEGAR, (4) STEWED, OR (5) COOKED.**

**AND THEY JOIN TOGETHER TO FORM THE REQUISITE VOLUME OF AN OLIVE'S BULK. AND THEY FULFILL THEIR OBLIGATION BY EATING THEIR STALKS, AND IF THEY ARE IN THE STATUS OF PRODUCE WHICH HAS NOT BEEN FULLY TITHED, FIRST TITHE THE HEAVE OFFERING OF WHICH HAS BEEN REMOVED, AND SECOND TITHE AND FOOD WHICH HAS BEEN CONSECRATED, WHICH HAVE BEEN REDEEMED.**

1. II:1: Said R. Hisda, "They repeated this rule only in connection with the stalk whether fresh or dried, but as to the leaves, it may be only fresh ones and not dried ones."

2. II:2: Our rabbis have taught on Tannaite authority: They may not carry out their obligation with them when they are pickled. In the name of R. Eleazar b. R. Sadoq, they said, "They may carry out their obligation with them when they are pickled" (cf. T. [Pisha 2:21K](#)).

3. II:3:R. Ammi bar Hamma raised this question: "What is the law on one's carrying out his obligation in Jerusalem with bitter herbs in the status of second tithe? With respect to the position of R. Aqiba, there is no problem at all. If, with unleavened bread in that status, the commandment of which derives from the Torah, one carries out his obligation, can there be any question concerning the eating of bitter herbs, which derives from the authority of rabbis? Where there is a problem, it is within the position of R. Yosé the Galilean. Now what is the upshot? It is in particular with unleavened bread in that status, which is subject to the Torah's commandments, that one does not carry out his obligation, but with bitter herbs, the requirement of which derives from rabbis, one does carry out his obligation? Or perhaps, anything that rabbis have ordained falls into the category of what derives from the Torah so there would be no such distinction?"

### **XIII. Mishnah-Tractate Pesahim 2:7**

**A. THEY DO NOT SOAK BRAN FOR FOWL, BUT THEY SCALD IT. A WOMAN SHOULD NOT SOAK BRAN WHICH SHE TAKES WITH HER TO THE BATHHOUSE. BUT SHE RUBS IT DRY ON HER SKIN. A PERSON SHOULD NOT CHEW GRAINS OF WHEAT TO PUT ON HIS SORE ON PASSOVER, BECAUSE THEY FERMENT.**

1. I:1: Our rabbis have taught on Tannaite authority: These are things that never end up fermenting: what is baked, boiled, or scalded in boiling water.

a. I:2: Gloss of the foregoing.

2. I:3: It has been taught on Tannaite authority: R. Yosé b. R. Judah says, “Flour into which fell drippings of water, even if it was all day long, doesn’t end up fermenting.”

a. I:4: Gloss.

3. I:5: The household of R. Shila stated, “Flour-pastry is permitted.”

4. I:6: Said Mar Zutra, “One must not line a pot with flour of roast grain, lest it not bake well and end up fermenting,” though roast grain is baked and cannot leaven, yet we fear it may not have been fully baked and when a dish is put into the pot with the water, this flour will ferment.

5. I:7: Our rabbis have taught on Tannaite authority: They don’t wash barley on Passover, and if one did so and they split, they are forbidden; if they didn’t split, they are permitted. R. Yosé says, “One may soak them in vinegar, and the vinegar will bind them and stop fermentation.”

a. I:8: Decision on the law.

b. I:9: Gloss.

c. I:10: Case.

6. I:11: Said Rabbah, “A person of conscience shouldn’t wash grain.”

a. I:12: Case.

7. I:13: Our rabbis have taught on Tannaite authority: They do not mash a dish on Passover putting in first vinegar and then flour, since that may ferment and leaven, and one who wishes to mash first puts in flour and then vinegar. And there are those who say, “He may also put in the vinegar and then the flour.”

a. I:14: Gloss of the foregoing.

#### **XIV. Mishnah-Tractate Pesahim 2:8**

**A. THEY DO NOT PUT MEAL INTO HAROSET THE MIXTURE OF FRUIT, SPICE, AND WINE USED FOR SWEETENING THE BITTER HERB ON PASSOVER OR INTO MUSTARD. BUT IF ONE HAS PUT IT IN, HE MUST EAT IT FORTHWITH. AND R. MEIR PROHIBITS EATING IT.**

1. I:1: Said R. Kahana, “The dispute concerns putting it into mustard, but as to putting it into haroset, all concur that it is to be burned right away.”

2. I:2: The decided law.

**B. THEY DO NOT BOIL THE PASSOVER LAMB IN ONE OF THE SEVEN SPECIFIED LIQUIDS OR IN FRUIT JUICE. BUT THEY BASTE IT OR DIP IT IN THEM.**

1. II:1: Our rabbis have taught on Tannaite authority: “Eat it not raw or boiled at all with water” (Exo. 12: 9) — I know only that it is forbidden to use water. How do we know that other liquids are forbidden? You may say: it is an argument a fortiori: if water, which does not impart its flavor, is forbidden, all other liquids,

which do impart their flavor, all the more so is forbidden! Rabbi says, “‘Eat it not raw or boiled at all with water’ (Exo. 12: 9) — I know only that it is forbidden to use water. How do we know that other liquids are forbidden? Scripture says, ‘nor boiled at all’ — under any circumstances.”

**a. II:2:** What is at stake in the dispute?

**b. II:3:** And as to rabbis, how do they interpret the language, nor boiled at all?

**2. II:4:** Our rabbis have taught on Tannaite authority: Might one think that if one roasted the lamb as much as was necessary actually burning it, he should be liable this not being “roast with fire” but “burned with fire”? Scripture stated, “‘Eat it not semi-roast nor boiled at all with water’ — semi-roast or boiled I forbade, but not roasted as much as is necessary.

**a. II:5:** Gloss.

**3. II:6:** Our rabbis have taught on Tannaite authority: Might one think that if one ate an olive’s bulk raw, he should be liable? Scripture said, “‘Eat it not semi-roast nor boiled at all with water’ — semi-roast or boiled I forbade you, but not raw. Then might one think it is permitted? Scripture says, “‘But rather roasted with fire.’”

**a. II:7:** Gloss.

**4. II:8:** Said R. Hisda, “He who cooks on the Sabbath in the hot water of Tiberias is exempt. For a Passover that one boiled in the hot springs of Tiberias, he is liable.”

**5. II:9:** Said Raba, “If one ate the paschal lamb raw half roasted he is flogged on two counts, on the count of eating it raw ‘do not eat of it raw nor boiled with water but roast in fire’, and on the count of ‘but roast with fire’ (Exo. 12: 9). If he ate it boiled, he is flogged on two counts, one on the count of eating it boiled, the other on the count of ‘but roast with fire’ (Exo. 12: 9). If he ate it raw and boiled, he is flogged on three counts, because of eating it raw, because of eating it boiled, and on the count of ‘but roast with fire’ (Exo. 12: 9).”

**a. II:10:** Same principle, different case.

**6. II:11:** Our rabbis have taught on Tannaite authority: If he ate as much as an olive’s bulk of raw meat of a Passover offering prior to nightfall, he is exempt from penalty. If he ate as much as an olive’s bulk of raw meat of a Passover offering after nightfall, he is liable. If he ate as much as an olive’s bulk of roasted meat of a Passover offering prior to nightfall, he does not invalidate himself as a member of an association formed for the purpose of eating an offering. If he ate as much as an olive’s bulk of roasted meat of a Passover offering after nightfall, he does invalidate himself as a member of an association formed for the purpose of eating an offering, since one may belong to one such association, not two.

**a. II:12:** Secondary expansion.

**7. II:13:** Our rabbis have taught on Tannaite authority: If one ate roast Passover meat during the day, he is liable; if he ate an olive’s bulk of raw meat after nightfall, he is liable.

**C WATER USED BY A BAKER MUST BE POURED OUT, BECAUSE IT FERMENTS.**

1. III:1: One Tannaite rule: they pour it out on a slope but not on broken ground where it would stagnate and ferment. And it has further been taught on Tannaite authority: they pour it out on broken ground.

2. III:2: Said R. Judah, “A woman should knead unleavened bread only in water that has been kept overnight.”

3. III:3: Expounded Raba, “A woman should not knead in the sun or with water heated by the sun or with water taken from the caldron, and she mustn’t take her hand away from the oven until she has finished with all the bread, and she has to use two utensils, one to moisten the dough and the other to cool her hands so they don’t add heat to the dough and hasten the fermentation process.”

4. III:4: The question was raised: if a woman violated the law and kneaded in warm water, what is the rule?

**XV. Mishnah-Tractate Pesahim 3:1**

**A. THESE THINGS ARE REMOVED AT PASSOVER: (1) BABYLONIAN PORRIDGE,**

1. I:1: Our rabbis have taught on Tannaite authority: Three things have been said about Babylonian porridge: it closes the heart, blinds the eyes, and weakens the body.

a. I:2: Formal supplement.

b. I:3: As above.

l. I:4: Gloss of the foregoing composite.

**B. (2) MEDIAN BEER:**

1. II:1: because they mix barley water in it.

**C. (3) EDMITE VINEGAR:**

1. III:1: because they mix barley into it.

a. III:2: Said R. Nahman, “In the beginning, when they would bring libation wine from Judah, the wine of Judah didn’t turn vinegar unless they put barley into it, and they would call it simply vinegar. But now the wine of Edom doesn’t turn vinegar until barley is put into it, and they call it Edomite vinegar, in line with the verse, ‘Tyre has said against Jerusalem, I shall be replenished, now that she is laid waste’ (Ez. 26: 2) — if this one is flourishing, this one is laid waste, and if the other one is flourishing, the former is laid waste.”

l. III:3: Formal supplement.

**D. (4) EGYPTIAN BARLEY BEER:**

1. IV:1: What is the definition of Egyptian barley beer?

**E. (5) DYERS’ PULP:**

1. V:1: Here they explain it: bran water primed with juice of a plant used for dyeing.

## **F. (6) COOKS' STARCH FLOUR:**

1. VI:1: this is a loaf of dough made of grain less than a third grown, which the cook puts on the mouth of the pot, and it draws off the froth.

## **G. AND (7) SCRIBES' PASTE:**

1. VII:1: Here they explain it: shoemaker's paste.

## **H. R. ELIEZER SAYS, "ALSO: WOMEN'S ORNAMENTS."**

1. VIII:1: Do you really think it is women's ornaments?! Rather, say, women's make up.

a. VIII:2: Topical complement.

b. VIII:3: As above.

## **I. THIS IS THE GENERAL PRINCIPLE: WHATEVER IS MADE OF ANY KIND OF GRAIN, LO, THIS IS REMOVED ON PASSOVER:**

1. IX:1: It has been taught on Tannaite authority: Said R. Joshua, "Now since we repeat in the Mishnah: Whatever is made of any kind of grain, lo, this is removed on Passover, why did sages enumerate these as well? It is so that people should be familiar with them and their names."

## **J. LO, THESE MATTERS ARE SUBJECT TO AN ADMONITION. BUT EXTIRPATION DOES NOT APPLY TO THEM.**

1. X:1: Who is the Tannaite authority who holds that real leaven of grain in a mixture, and spoiled leaven as is, are subject to a negative commandment?

a. X:2: Secondary challenge to subordinated proposition in the foregoing.

b. X:3: Further analysis of a proposition in X:1.

i. X:4: Secondary development of the foregoing.

ii. X:5: As above.

## **XVI. Mishnah-Tractate Pesahim 3:2A-G**

### **A. DOUGH WHICH IS IN THE CRACKS OF A KNEADING TROUGH, IF THERE IS AN OLIVE'S BULK IN A SINGLE PLACE — ONE IS LIABLE TO REMOVE IT. AND IF NOT, IT IS DEEMED NULL BY REASON OF ITS INCONSEQUENCE.**

1. I:1: Dough which is in the cracks of a kneading trough, if there is an olive's bulk in a single place — one is liable to remove it: said R. Judah said Samuel, "They have learned this rule only concerning a place where the dough doesn't reenforce the trough, but if the dough reenforces the trough, he is not obligated to remove it" e.g., if it is at the bottom and holds the liquid in. It follows that in a case in which it is less than an olive's bulk, even if it is located in a place in which it doesn't reenforce the trough, he is not liable to remove it.

2. I:2: Said R. Nahman said Samuel, "If there are two half olive's bulks of dough in the cracks of a kneading trough, with a thread of dough joining them, we examine the case: in any instance in which, if the thread were removed, these

would be taken up with it, he is liable to remove them, but if not, he is not liable to remove them (T. **Pisha 3:1E-G**).”

**a. I:3:** Secondary theoretical question built on the foregoing model.

**3. I:4:** Our rabbis have taught on Tannaite authority: A loaf that got mouldy and is invalidated for eating by a human being but a dog can eat it imparts uncleanness as food in the volume of an egg and is to be burned with unclean food prior to Passover. In the name of R. Nathan they said, “It does not contract uncleanness as food.”

**4. I:5:** Our rabbis have taught on Tannaite authority: A trough of tanners into which one put flour — if it is within three days prior to Passover, he is liable to remove it. If it is prior to three days before Passover, he is not liable to remove it. Said R. Nathan, “Under what circumstances? If he didn’t put hides into it, but if he put hides into it, even if it is within three days of Passover, he is not liable to remove it.”

**B. AND SO WITH REGARD TO UNCLEANNESS: IF ONE IS FASTIDIOUS ABOUT IT, IT INTERPOSES. AND IF HE WANTS TO KEEP IT, LO, IT IS DEEMED EQUIVALENT TO AND PART OF THE KNEADING TROUGH.**

**1. II:1:** But are the cases truly comparable? In that case, the matter depends on the quantity of dough, but here, it depends on whether or not he is fastidious about it!

## **XVII. Mishnah-Tractate Pesahim 3:2H-J**

**A. DOUGH WHICH IS “DUMB” — IF AN EQUIVALENT AMOUNT HAS ALREADY FERMENTED, LO, THIS IS PROHIBITED.**

**1. I:1:** But what is the law if there is no dough similar to it?

**a. I:2:** Topical complement.

## **XVIII. Mishnah-Tractate Pesahim 3:3**

**A. HOW ON THE FESTIVAL DO THEY SET APART THE DOUGH-OFFERING IF THE DOUGH IS IN A STATE OF UNCLEANNESS? R. ELIEZER SAYS, “A WOMAN SHOULD NOT DESIGNATE THE DOUGH-OFFERING BEFORE IT IS BAKED.” R. JUDAH B. BETERA SAYS, “SHE SHOULD PUT IT INTO COLD WATER.” SAID R. JOSHUA, “THIS IS NOT THE SORT OF LEAVEN CONCERNING WHICH PEOPLE ARE WARNED UNDER THE PROHIBITIONS, ‘LET IT NOT BE SEEN’ (EXO. 13: 7), AND ‘LET IT NOT BE FOUND’ (EXO. 12:19). BUT SHE SEPARATES IT AND LEAVES IT UNTIL EVENING. AND IF IT FERMENTS, IT FERMENTS.”**

**1. I:1:** May we say that the issue that is subject to dispute is whether or not good will possesses monetary value, with R. Eliezer in the position of the view that good will possesses monetary value, and R. Joshua, good will does not possess monetary value? If good will benefit ranks as money, the dough offering belongs to the Israelite and is subject to the prohibition against leaven; if it belongs to a third party, it doesn’t. Eliezer holds that the dough must be baked. But if the

good will doesn't rank as money, the dough offering doesn't belong to the Israelite, and it is separated from the dough without regard to whether or not it leavens.

## **B. FREE-STANDING COMPOSITE INSERTED FOR FORMAL REASONS**

1. I:2: A further example of an argument between Joshua and Eliezer along the lines proposed in explanation of what is at issue in the foregoing. In this free-standing composition, the position of Joshua and Eliezer is subordinate, and we cannot regard the inclusion of the composition as anything for any but wholly formal reasons.

## **C. REVERSION TO THE EXEGESIS OF I:1**

1. I:3: I:4: It has been taught on Tannaite authority: Rabbi says, "The decided law is in accord with R. Eliezer." R. Isaac said, "The decided law is in accord with Ben Betera."
2. I:4: What is the requisite volume of dough that one may knead on Passover without its fermenting? R. Ishmael b. R. Yohanan b. Beroqah says, "In the case of wheat flour, two qabs; in the case of barley flour, three qabs." R. Nathan says in the name of R. Eliezer, "Matters are reversed" (T. **Pisha 3:8Eff**).
3. I:5: Said Rab, "A qab of Meloga-wheat is the standard for Passover and one may not knead more dough than that at one time, and so for dough-offering."
4. I:6: Said R. Joseph, "Our women are accustomed to bake a measure of three-fourths of a qab at a time on Passover."
5. I:7: R. Jeremiah raised this question: "As to a board that has no edges, what is the law on its combining loaves that are placed on it to subject the entire volume to the requirement of dough offering, if the individual loaves are of insufficient size to be subject on their own? Do we require that the loaves be within a common vessel, and that condition is not met, or within the contained air space of a vessel, and that condition is met?"
6. I:8: It has been taught on Tannaite authority: R. Eliezer says, "The basket combines the loaves to form the requisite volume for liability to dough offering." R. Joshua says, "Baking them together in the oven combines them." Rabban Simeon b. Gamaliel says, "Babylonian loaves, which cleave together, combine to form the requisite volume."

## **XIX. Mishnah-Tractate Pesahim 3:4**

**A. RABBAN GAMALIEL SAYS, "THREE WOMEN KNEAD DOUGH TOGETHER AND THEN BAKE IN THE OVEN ONE AFTER THE OTHER IN SEQUENCE." AND SAGES SAY, "THREE WOMEN WORK WITH THE DOUGH. ONE KNEADS, WHILE THE NEXT ROLLS OUT, AND THE THIRD BAKES." IF THE DOUGH SWELLS, LET HER SLAP IT WITH COLD WATER."**

1. I:1: Our rabbis have taught on Tannaite authority: A woman kneads the dough and forms it in shape, while her companion kneads in her stead; she bakes the formed dough and her companion shapes the dough in her stead; the third woman kneads; the first having beaked kneads again, her companion bakes in her place,



the third shapes her dough, and so the wheel turns. So long as all are engaged in working the dough, it won't end up fermenting.

**B. R. AQIBA SAYS, "ALL WOMEN, ALL WOOD, AND ALL OVENS ARE NOT TO BE TAKEN AS EQUIVALENT. "THIS IS THE GENERAL RULE: IF THE DOUGH SWELLS, LET HER SLAP IT WITH COLD WATER."**

1. II:1: It has been taught on Tannaite authority: Said R. Aqiba, "I reasoned before Rabban Gamaliel: 'Let our master teach us, does this rule pertain to energetic women or slothful ones, damp or dry wood, a hot or a cool oven?' He said to me, 'You have for guidance only that which sages have repeated, This is the general rule: If the dough swells, let her slap it with cold water.'"

## **XX. Mishnah-Tractate Pesahim 3:5**

**A. "DOUGH BEGINNING TO FERMENT IS TO BE BURNED, BUT THE ONE WHO EATS IT IS EXEMPT. DOUGH WHICH IS WHOLLY FERMENTED MUST BE BURNED, AND THE ONE WHO EATS IT IS LIABLE TO EXTIRPATION. WHAT IS THE DEFINITION OF DOUGH BEGINNING TO FERMENT? THAT ON WHICH STREAKS BEGIN TO APPEAR LIKE LOCUST'S HORNS. AND THAT WHICH IS WHOLLY FERMENTED? DOUGH ON WHICH THE CRACKS ARE ALL ENTANGLED TOGETHER," THE WORDS OF R. JUDAH. AND SAGES SAY, "AS TO BOTH THIS ONE AND THAT ONE, THE ONE WHO EATS IT IS LIABLE TO EXTIRPATION." AND WHAT IS THE DEFINITION OF THAT WHICH IS BEGINNING TO FERMENT? DOUGH WHOSE SURFACE TURNS WHITE LIKE A MAN WHOSE HAIR STANDS ON END.**

1. I:1: Our rabbis have taught on Tannaite authority: "What is the definition of dough that is beginning to ferment? It is any the surface of which is blanched like a man with his hair standing on end. As to dough that is wholly fermented? That on which streaks begin to appear like locust's horns," the words of R. Meir.

## **XXI. Mishnah-Tractate Pesahim 3:6**

**A. THE FOURTEENTH OF NISAN WHICH COINCIDES WITH THE SABBATH — THEY REMOVE ALL THE LEAVEN) "BEFORE THE SABBATH," THE WORDS OF R. MEIR. AND SAGES SAY, "AT ITS PROPER TIME." R. ELEAZAR B. R. SADOQ SAYS, "LEAVEN WHICH IS HEAVE OFFERING IS TO BE REMOVED BEFORE THE SABBATH, AND THAT WHICH IS UNCONSECRATED SHOULD BE REMOVED AT ITS PROPER TIME."**

1. I:1: It has been taught on Tannaite authority: R. Eleazar bar Sadoq says, "Once father spent the Sabbath in Yavneh, when the fourteenth of Nisan coincided with the Sabbath, and Zonen, the appointee of Rabban Gamaliel, came and said, 'The time for removing leaven has arrived,' and I followed father, and we removed the leaven" (T. Pisha 3:11C).

## **XXII. Mishnah-Tractate Pesahim 3:7-8**

**A. HE WHO GOES TO SLAUGHTER HIS PASSOVER LAMB, TO CIRCUMCISE HIS SON, OR TO EAT THE BETROTHAL MEAL AT HIS FATHER-IN-LAW'S HOUSE, AND REMEMBERS THAT HE HAS LEFT SOME LEAVEN IN HIS HOUSE, IF HE CAN GO BACK**

**AND REMOVE IT AND GO ON TO DO HIS RELIGIOUS DUTY, LET HIM GO BACK AND REMOVE IT. BUT IF NOT, LET HIM NULLIFY IT IN HIS HEART.**

**IF HE WAS GOING TO HELP AGAINST AN INVASION OR TO SAVE SOMEONE FROM DROWNING IN A RIVER, FROM THUGS, FROM A FIRE, OR FROM A SUDDENLY COLLAPSED HOUSE, LET HIM NULLIFY IT IN HIS HEART. IF HE WAS GOING TO ENJOY THE FESTIVAL REST ON A PLEASURE JAUNT, LET HIM GO BACK IMMEDIATELY AND REMOVE THE LEAVEN.**

**1. I:1:** By way of contradiction: he who is going to eat the betrothal banquet in his father-in-law's house or to establish a Sabbath residence for an optional purpose must go home immediately. Said R. Yohanan, "There is no problem, the one represents the position of R. Judah, the other, R. Yosé, as has been taught on Tannaite authority: 'The betrothal banquet in his father-in-law's house is optional,' the words of R. Judah; R. Yosé says, 'It is a religious duty.'"

**a. I:2:** Gloss of the foregoing.

**B. A MEAL AS A RELIGIOUS DUTY. MARRIAGE TO A DISCIPLE OF A SAGE. THE UNLETTERED PERSON AND THE DISCIPLE OF THE SAGE**

**1. I:3:** R. Simeon says, "Any meal that is not in fulfillment of a religious duty — a disciple of a sage has no right to derive benefit from it."

**a. I:4:** Illustrative story.

**2. I:5:** Said R. Isaac, "Whoever derives benefit from an optional banquet in the end will go into exile: 'And you that eat lambs out of the flock and calves out of the midst of the stall' 'therefore now shall they go captive at the head of those who go captive' (Amo. 6: 4, 7)."

**3. I:6:** Any disciple of a sage who indulges himself in feasting everywhere he goes in the end will destroy his home and widow his wife and orphan his 'pigeons' and his learning will be forgotten by him and much contention will overtake him and his opinion will not be listened to and profanes the Name of Heaven, the name of his master, and the name of his father, and brings a bad name on his children and grandchildren for all generations to come.

**4. I:7:** Our rabbis have taught on Tannaite authority: A person should always sell everything he has so as to marry the daughter of a disciple of a sage, for if he should die or go into exile, he will be secure that his children will be disciples of sages. But he should not marry the daughter of an unlettered man, for if he should die or go into exile, his children will be unlettered."

**5. I:8:** Our rabbis have taught on Tannaite authority: A person should always sell everything he has so as to marry the daughter of a disciple of a sage and marry off his daughter to a disciple of a sage. It is comparable to grafting grapes of a vine with grapes of a vine that is right and proper. But let him never marry the daughter of an unlettered man. It is comparable to grafting grapes of a vine with berries of a bush, which is disgusting disreputable."

**6. I:9:** Our rabbis have taught on Tannaite authority: A person should always sell everything he has so as to marry the daughter of a disciple of a sage. If he cannot get the daughter of a disciple of a sage, he should marry the daughter of one of the

principal authorities of the generation. If he cannot get the daughter of one of the principal authorities of the generation, he should marry the daughter of one of the heads of a synagogue. If he cannot get the daughter of one of the heads of a synagogue, he should marry the daughter of one of the charity collectors. If he cannot get the daughter of one of the charity collectors, he should marry the daughter of one of the primary school teachers. But he should not marry the daughter of an unlettered person, because they are an abomination, and their wives are dead creeping things, and concerning their daughters Scripture says, “Cursed be he who lies with any manner of beast” (Deu. 27:21).

7. I:10: It has been taught on Tannaite authority: Rabbi says, “An unlettered person is forbidden to eat beef: ‘This is the Torah of the beast and of the fowl’ (Lev. 11:46) — whoever is engaged in the Torah is permitted to eat beef and chicken, and whoever is not engaged in Torah study is forbidden to eat beef and chicken.”

8. I:11: Said R. Eleazar, “As to an unlettered man, it is permitted to stab him on the Day of Atonement that coincides with the Sabbath.”

9. I:12: It has been taught on Tannaite authority: Said R. Aqiba, “When I was an unlettered man, I said, ‘Would that I could lay my hands on a disciple of a sage, and I should bite him like an ass.’”

10. I:13: R. Meir would say, “Whoever marries his daughter off to an unlettered man is as though he tied her up and laid her out before a lion. Just as a lion tramples the prey and eats it shamelessly, so the unlettered man beats up his wife and rapes her shamelessly.”

11. I:14: It has been taught on Tannaite authority: R. Eliezer says, “If they didn’t need us for trade, they would kill us.”

12. I:15: R. Hiyya made the following Tannaite statement: “Whoever engages in Torah study before an unlettered person is as though he had sexual relations with his fiancée in his presence: ‘Moses commanded us a Torah, an inheritance of the congregation of Jacob’ (Deu. 33: 4) — don’t read the letters translated as ‘inheritance’ in that manner, but read them as though they were written, ‘betrothed woman.’”

13. I:16: Greater is the hatred with which unlettered persons hate the disciple of a sage than the hatred with which idolators hate Israel — and their wives are even worse!

14. I:17: Our rabbis have taught on Tannaite authority: Six things were stated with reference to unlettered persons: they don’t give testimony in their behalf or accept testimony from them or tell them a secret or appoint them as guardians of orphans or appoint them as charity collectors or join them on a trip.

**C. AND SO TOO: HE WHO WENT FORTH FROM JERUSALEM AND REMEMBERED THAT HE HAD IN HAND MEAT IN THE STATUS OF HOLY THINGS, IF HE HAD ALREADY PASSED MOUNT SCOPUS, HE BURNS IT RIGHT WHERE HE IS. BUT IF NOT, LET HIM GO BACK AND BURN IT BEFORE THE TEMPLE PILE WITH WOOD WHICH HAS BEEN SET ASIDE FOR THE ALTAR HEARTH.**

**AND FOR HOW MUCH LEAVEN OR MEAT OF HOLY THINGS DO THEY RETURN? R. MEIR SAYS, “THIS AND THAT ARE SUBJECT TO THE MEASURE OF AN EGG’S BULK.” R. JUDAH SAYS, “THIS AND THAT ARE SUBJECT TO THE MEASURE OF AN OLIVE’S BULK.” AND SAGES SAY, “FLESH IN THE STATUS OF HOLY THINGS IS SUBJECT TO THE MEASURE OF AN OLIVE’S BULK. AND LEAVEN IS SUBJECT TO THE MEASURE OF AN EGG’S BULK.”**

1. II:1: Does that bear the implication that R. Meir maintains that what is of the volume of an egg is taken into account, while R. Judah maintains that what is of the volume of an olive is taken into account? Then by contrast, note the following: What is the least that one must eat in order to invite others to recite a blessing on his account? At least an olive’s bulk. R. Judah says, “At least an egg’s bulk” (M. **Ber. 7:2B-D**).

2. II:2: It has been taught on Tannaite authority: R. Nathan says, “The measure for both this and that is two egg’s bulks.” But sages did not concur.

3. II:3: “And it shall come to pass in that day that there shall not be light but heavy clouds and thick” (Zec. 14: 6): What is the meaning of “heavy...thick...”?

a. II:4: Story supplementing a detail of the foregoing.

b. II:5: Further on a verse of Zechariah.

c. II:6: As above.

d. II:7: As above.

I. II:8: Gloss.

II. II:8: As above.

### **XXIII. Mishnah-Tractate Pesahim 4:1-2**

**A. WHERE THEY ARE ACCUSTOMED TO DO WORK ON THE EVE OF PASSOVER UP TO NOON, THEY DO SO. WHERE THEY ARE ACCUSTOMED NOT TO DO SO, THEY DO NOT DO SO. HE WHO GOES FROM A PLACE IN WHICH THEY DO WORK TO A PLACE IN WHICH THEY DO NOT DO WORK, OR FROM A PLACE IN WHICH THEY DO NOT DO WORK TO A PLACE IN WHICH THEY DO DO WORK —**

1. I:1: Where they are accustomed to do work on the eve of Passover up to noon, they do so: Why stress the eve of Passover when the same rule applies to Sabbaths and festivals as well? For it has been taught on Tannaite authority: He who works on the eve of the Sabbath or festival from the afternoon prayer onward will never see a sign of blessing.

a. I:2: Secondary discussion of a detail of the foregoing.

b. I:3: Further on the same topic.

I. I:4: Illustrative story.

**B. THEMATIC COMPOSITE: SLOTH, THE CORRECT ATTITUDE TO WORK AND TO RELIGIOUS STUDIES**

1. I:5: Raba contrasted these verses of Scripture: “‘For your mercy is great unto the heavens’ (Psa. 57:11), and ‘For your mercy is great above the heavens’

(Psa. 108: 5). How so? The one speaks of one who performs God's will for its own sake, the other, one who does not for its own sake."

2. I:6: Our rabbis have taught on Tannaite authority: He who depends on the earnings of his wife or of a mill will never see a sign of blessing.

3. I:7: Our rabbis have taught on Tannaite authority: He who trades in cane or jars will never see a sign of blessing.

4. I:8: Our rabbis have taught on Tannaite authority: Those who trade in produce of the Seventh Year, breed small cattle, cut down beautiful trees, or look for something better than their portion, will never see a sign of blessing.

5. I:9: Our rabbis have taught on Tannaite authority: Four pennies will never carry a sign of blessing. The fee for a clerk, the fee for an interpreter, the fee paid by orphans to those who trade in their capital, and money that comes from overseas.

6. I:10: Our rabbis have taught on Tannaite authority: Those who write out scrolls, phylacteries, and doorpost Scriptures, they, those who trade in what they make, and those who trade in what those who trade in what they make, and all who trade in the work of Heaven — including those who sell blue wool — will never see a sign of blessing. But if they do it for its own sake, they do.

#### **C. REVERSION TO THE MISHNAH-RULE: LOCAL CUSTOM AND HOW IT IS DEALT WITH**

1. I:11: Story of local practice.

2. I:12: Story of local practice.

a. I:13: Expansion of a detail of the foregoing.

I. I:14: Analysis of the foregoing.

A. I:15: Miscellany.

#### **D. ...THEY LAY UPON HIM THE STRICT RULES FOLLOWED IN THE PLACE FROM WHICH HE HAS GONE FORTH AND THE STRICT RULES FOLLOWED IN THE PLACE TO WHICH HE HAS GONE. BUT A PERSON SHOULD NOT VARY FROM THE LOCAL CUSTOM SO AS TO AVOID CONTENTIOUSNESS.**

1. II:1: They lay upon him the strict rules followed in the place from which he has gone forth and the strict rules followed in the place to which he has gone: When Rabbah bar bar Hannah came, he ate stomach fat. The stomach is partly curved like a bow and partly straight, like the string of a bow. The fat on the straight part is permitted, but in Babylonia it is treated as forbidden. R. Avira the Elder and Rabbah b. R. Huna visited him. When he saw them, he covered it up from them. They came and said to Abbaye what they had seen. He said to them, "He has treated you like Samaritans." Well, doesn't Rabbah bar bar Hannah accept the rule that we have learned in the Mishnah: They lay upon him the strict rules followed in the place from which he has gone forth and the strict rules followed in the place to which he has gone?

a. II:2: Topical supplement.

3. II:3:

4. II:4:

5. II:5:

**E. HE WHO GOES FROM A PLACE IN WHICH THEY DO WORK TO A PLACE IN WHICH THEY DO NOT DO WORK, OR FROM A PLACE IN WHICH THEY DO NOT DO WORK TO A PLACE IN WHICH THEY DO DO WORK — THEY LAY UPON HIM THE STRICT RULES FOLLOWED IN THE PLACE FROM WHICH HE HAS GONE FORTH AND THE STRICT RULES FOLLOWED IN THE PLACE TO WHICH HE HAS GONE. BUT A PERSON SHOULD NOT VARY FROM THE LOCAL CUSTOM SO AS TO AVOID CONTENTIOUSNESS.**

1. III:1: Now there is no problem understanding the rule, He who goes from a place in which they do work to a place in which they do not do work, or from a place in which they do not do work to a place in which they do do work — they lay upon him the strict rules followed in the place to which he has gone. But a person should not vary from the local custom so as to avoid contentiousness. So he shouldn't do any work. But as to the case of one who went from a place in which they do not do work to a place in which they do do work — a person should not vary from the local custom so as to avoid contentiousness, so should he work?! But you say in so many words, they lay upon him the strict rules followed in the place from which he has gone forth and the strict rules followed in the place to which he has gone! So what's he supposed to do?

a. III:2: Example.

b. III:3: Case.

**F. SIMILARLY: HE WHO BRINGS PRODUCE OF THE SEVENTH YEAR FROM A PLACE IN WHICH THAT PARTICULAR VARIETY HAS COME TO AN END TO A PLACE IN WHICH IT HAS NOT YET COME TO AN END, OR FROM A PLACE IN WHICH IT HAS NOT YET COME TO AN END TO A PLACE IN WHICH IT HAS COME TO AN END, IS LIABLE TO EFFECT THE REMOVAL OF THE PRODUCE. R. JUDAH SAYS, "THEY TELL HIM, 'GO AND BRING SOME FOR YOURSELF — YOU, TOO.'"**

1. IV:1: But doesn't R. Judah accept that which we have learned in the Mishnah: They lay upon him the strict rules followed in the place from which he has gone forth and the strict rules followed in the place to which he has gone?

a. IV:2: Topical gloss on the different customs of different provinces.

b. IV:3: As above.

1. IV:4: Gloss of IV:3.

c. IV:5: Further story of a concrete problem.

1. IV:6: Topical supplement to the foregoing.

II. IV:7: As above.

## **XXIV. Mishnah-Tractate Pesahim 4:3-4:4B**

**A. WHERE PEOPLE ARE ACCUSTOMED TO SELL SMALL CATTLE TO GENTILES, THEY SELL THEM. WHERE THEY ARE NOT ACCUSTOMED TO SELL, THEY DO NOT SELL THEM. NOWHERE DO THEY SELL THEM LARGE CATTLE, CALVES, OR FOALS WHOLE OR MAIMED. R. JUDAH PERMITS SELLING MAIMED ONES. BEN BETERAH PERMITS IN THE CASE OF A HORSE.**

**WHERE THEY ARE ACCUSTOMED TO EAT THE MEAT OF THE PASSOVER ROASTED ON THE NIGHTS OF PASSOVER, THEY EAT IT THAT WAY. WHERE THEY ARE ACCUSTOMED NOT TO EAT IT ROASTED, THEY DO NOT EAT IT THAT WAY.**

**1. I:1:** Said R. Judah said Rab, “It is forbidden for someone to say, ‘This meat will be set aside for Passover,’ since it would appear that he is sanctifying his beast and thus eating Holy Things outside of the Temple courtyard which is forbidden.”

**a. I:2:** Gloss of a detail of the foregoing.

## **XXV. Mishnah-Tractate Pesahim 4:4C-E**

**A. WHERE THEY ARE ACCUSTOMED TO LIGHT A CANDLE ON THE NIGHT OF THE DAY OF ATONEMENT, THEY LIGHT IT. WHERE THEY ARE ACCUSTOMED NOT TO LIGHT IT, THEY DO NOT LIGHT IT. BUT IN ANY CASE THEY LIGHT IT IN SYNAGOGUES, STUDY HOUSES, DARK ALLEYS, AND FOR THE SICK.**

**1. I:1:** A Tannaite teaching: Whether they said “they light” or whether they said “they don’t light,” both sides spoke only on account of “other considerations” (T. **Pisha 3:16D**). The intent is that there not be sexual relations that night.

**B. TOPICAL COMPOSITE ON THE SABBATH LIGHT**

**1. I:2:** Said R. Judah said Samuel, “A blessing is said over light only at the end of the Sabbath, since that is when it was created to begin with on the evening of the first day, that is, Saturday night.”

**a. I:3:** Gloss of the foregoing.

**b. I:4:** Rabbi would scatter them reciting a blessing at the end of the Sabbath as soon as he saw a light, and, later, when spices were presented, he would say a further blessing, so he would scatter the blessings and not say them together over a single cup of wine. R. Hiyya would hold them together.

**3. I:5:** Reversion to I:2: But was light created at the end of the Sabbath? And lo, it has been taught on Tannaite authority: Ten things were created on the eve of the Sabbath at twilight, and these are they: the well Num. 21:16-18, the manna, the rainbow, writing and writing instruments, the tablets of the ten commandments, the burial cave of Moses, the cave in which Moses and Elijah stood, the opening of the ass’s mouth, and the opening of the earth’s mouth to swallow up the wicked.

**a. I:6:** Topical gloss of a minor detail of the foregoing.

**C. FORMAL COMPOSITE SUPPLEMENTING THE FOREGOING**

**1. I:7:** Our rabbis have taught on Tannaite authority: Ten things were created on the eve of the Sabbath at twilight, and these are they: the well (Num. 21:16-18), the manna, the rainbow, writing and writing instruments, the tablets of the ten commandments, the burial cave of Moses, the cave in which Moses and Elijah stood, the opening of the ass’s mouth, and the opening of the earth’s mouth to swallow up the wicked.

**2. I:8:** Our rabbis have taught on Tannaite authority: Seven things are hidden from human beings, and these are they: the day of one’s death, the day of consolation,

the full extent of divine judgment; and someone doesn't know what his fellow is thinking; and someone doesn't know how he will make a living; and when the kingdom of the house of David will return; and when the condemnable kingdom Rome will come to an end.

**3. I:9:** Our rabbis have taught on Tannaite authority: Three things entered God's mind for creation, and if they hadn't come into his mind, it is logical that he should have thought of them: that a corpse should stink, that a deceased person should be forgotten from the heart, and that produce should rot so as to prevent hoarding.

## **XXVI. Mishnah-Tractate Pesahim 4:5A-D**

**A. WHERE THEY ARE ACCUSTOMED TO DO WORK ON THE NINTH OF AB, THEY DO IT. WHERE THEY ARE ACCUSTOMED NOT TO DO WORK, THEY DO NOT DO IT. AND IN EVERY PLACE DISCIPLES OF SAGES REFRAIN FROM LABOR.**

**1. I:1:** Said Samuel, "The only public fast in Babylonia is the ninth of Ab alone." If a public fast is proclaimed, it does not commence on the prior evening, and it is not forbidden to work, even where it is the practice not to work on the ninth of Ab.

**2. I:2:** Expounded Raba, "Pregnant women and nursing mothers fast and complete the fast on that day the ninth of Ab, just as they complete the fast on the Day of Atonement. And the twilight thereof is subject to prohibitions."

**a. I:3:** Secondary gloss.

**B. RABBAN SIMEON B. GAMALIEL SAYS, "UNDER ALL CIRCUMSTANCES SHOULD A MAN ACT ON HIS OWN ACCOUNT LIKE A DISCIPLE OF A SAGE."**

**1. II:1:** Does that then bear the implication that in the opinion of Rabban Simeon b. Gamaliel, we do not take account of the consideration of arrogance, while in the opinion of rabbis, we do take account of the consideration of arrogance? But lo, we have a tradition that they take the opposite positions, for we have learned in the Mishnah: If a bridegroom wishes to recite the Shema on the first night after his wedding — he may recite it. Rabban Simeon b. Gamaliel says, "Not all who wish to take the name so claiming high rank as a sage may do so" (M. **Ber. 2: 8**)!

## **XXVII. Mishnah-Tractate Pesahim 4:5E-H**

**A. AND SAGES SAY, "IN JUDAH THEY DID WORK ON THE EVE OF PASSOVER UP TO NOON, BUT IN GALILEE THEY DID NOT DO SO AT ALL."**

**AND AS TO THE NIGHT BEFORE THE FOURTEENTH OF NISAN, THE HOUSE OF SHAMMAI PROHIBIT DOING WORK AT THAT TIME. AND THE HOUSE OF HILLEL PERMIT UP TO SUNRISE.**

**1. I:1:** To begin with, the Tannaite authority speaks of custom but in the end he speaks of prohibition!

## **XXVIII. Mishnah-Tractate Pesahim 4:6**

**A. R. MEIR SAYS, "ANY SORT OF WORK WHICH A PERSON BEGAN BEFORE THE FOURTEENTH OF NISAN DOES HE COMPLETE ON THE FOURTEENTH OF NISAN. BUT**



**HE SHOULD NOT BEGIN A PROJECT AT THE OUTSET ON THE FOURTEENTH, EVEN THOUGH HE CAN COMPLETE IT ON THAT SAME DAY.”**

1. I:1: The question was raised: Do we learn as the Tannaite rule of the Mishnah that the work may be finished if it is required for the festival, but if it is not required for the festival, he may not even finish it, or perhaps our Mishnah teaching is that he must not begin work when it is not needed for the festival, but when it is required, one may begin it; or perhaps our Mishnah rule is that whether the work is needed for the festival or not needed for the festival, one may finish the work but not start it?

**B. AND SAGES SAY, “THREE SORTS OF CRAFTSMEN PERFORM WORK ON THE EVE OF PASSOVER UP TO NOON, AND THESE ARE THEY: TAILORS, BARBERS, AND LAUNDRYMEN.” R. YOSÉ B. R. JUDAH SAYS, “ALSO: SHOEMAKERS.”**

1. II:1: A Tannaite statement: Tailors: because an unskilled person may sew in the ordinary way on the intermediate days of the festival; Barbers and laundrymen: because one who returns home from overseas or gets out of jail may cut their hair and wash their clothes on the intermediate days of the festival. R. Yosé b. R. Judah says, “Also: shoemakers”: because festival pilgrims repair their shoes on the intermediate days of the festival (T. **Pisha 3:18I-M**).

a. II:2: Analysis of the foregoing.

## **XXIX. Mishnah-Tractate Pesahim 4:7**

**A. THEY SET OUT HEN COOPS FOR CHICKENS ON THE FOURTEENTH. AND A CHICKEN WHICH FLED DO THEY RETURN TO ITS PLACE TO SET ON ITS EGGS. AND IF IT DIED, THEY SET ANOTHER IN ITS PLACE.**

1. I:1: Since it is allowed to set the fowls for brooding, can there be any question about putting it back in place?

**B. THEY CLEAR AWAY REFUSE FROM BENEATH THE FEET OF CATTLE ON THE FOURTEENTH OF NISAN AND ON THE INTERVENING DAYS OF THE FESTIVAL THEY PUSH THE DUNG TO THE SIDES.**

1. II:1: Our rabbis have taught on Tannaite authority: Manure which is in the middle they remove to the sides, and that which is in the stall and courtyard they take out to the dung heap (T. **Pisha 3:18 O-P**).

a. II:2: Analysis of the foregoing.

**C. THEY TAKE AND BRING UTENSILS TO THE HOUSE OF A CRAFTSMAN, EVEN THOUGH THEY ARE NOT NEEDED FOR THE FESTIVAL.**

1. III:1: Said R. Pappa, “Raba examined us as follows: We have learned in the Mishnah, They take and bring utensils to the house of a craftsman, even though they are not needed for the festival. But by contrast: They may not bring utensils from the house of a craftsman, but if one fears that they may be stolen, he may take them into another safer courtyard! And we replied to him: ‘No problem, the one speaks of the fourteenth of Nisan, the other, the intermediate days of the festival.’ And if you wish, I shall say: both speak of the intermediate days of the festival, and there is no problem. The one speaks of a case in which one trusts the

craftsman, the other, a case in which one doesn't trust the craftsman. And so it has been taught on Tannaite authority: They bring utensils from the house of a craftsman, for instance, a pitcher from the potter's house, a glass goblet from a glass maker's house; but one may not bring wool from the dyer's house or vessels from a craftsman's house. But if the craftsman has nothing to eat, he must pay him his fee and leave the utensil with him; but if he doesn't trust him, he puts the utensils in a nearby house; and if he is afraid they may be stolen, he may bring them home discretely."

### **XXX. Mishnah-Tractate Pesahim 4:8**

#### **A. SIX RULES DID THE MEN OF JERICHO MAKE. FOR THREE, SAGES REPROVED THEM, AND FOR THREE THEY DID NOT REPROVE THEM.**

1. I:1: Our rabbis have taught on Tannaite authority: King Hezekiah did six things. On account of three of them sages praised him, and on account of three they did not praise him.

#### **B. THESE ARE THE THREE FOR WHICH THEY DID NOT REPROVE THEM: (1) THEY GRAFTED PALMS ON THE FOURTEENTH OF NISAN THE WHOLE DAY:**

1. II:1: How so? Said R. Judah, "They brought fresh myrtle, juice of bay fruit, and barley flour that had been stored in a utensil for less than forty days and boiled them together and injected them into the heart of the palm tree; and every tree within four cubits of that one, if not so treated, withers on the spot."

#### **C. (2) THEY DID NOT MAKE THE PRESCRIBED DIVISIONS IN THE SHEMA.**

#### **AND (3) THEY REAPED AND STACKED WHEAT BEFORE THE OFFERING OF THE SHEAF OF FIRST BARLEY OMER – AND THEY DID NOT REPROVE THEM.**

1. III:1: How so? Said R. Judah, "They say, 'Hear O Israel, the Lord is our God, the Lord alone' but they made no pause prior to the next sentence."

2. III:2: Our rabbis have taught on Tannaite authority: How did they not make the prescribed divisions in the Shema? "They say, 'Hear O Israel, the Lord is our God, the Lord alone' but they made no pause prior to the next sentence," the words of R. Meir. R. Judah says, "They did pause, but they wouldn't say, 'blessed be the glorious name of his kingdom forever and ever'" (T. Pisha 3:19K-M).

a. III:3: Secondary expansion of the foregoing.

b. III:4: As above.

#### **D. TOPICAL AND FORMAL SUPPLEMENT**

1. III:5: Our rabbis have taught on Tannaite authority: "The men of Jericho did three things, three in accord with the wishes of sages, three not in accord with the wishes of sages. And these are in accord with the wishes of sages: they grafted palms on the fourteenth of Nisan for the whole day; they did not make the prescribed divisions in the recitation of the Shema; and they reaped and stacked wheat before the offering of the first sheaf of barley. And these are not in accord with the opinion of sages: they permit use of Egyptian figs from stems that had been dedicated to the Temple; they ate on the Sabbath fruit that fell from the tree on that day; and they made holes in the garden and orchard walls so the poor could

come in and eat the fallen fruit on Sabbaths and festivals in a time of drought,” the words of R. Meir. Said to him R. Judah, “If it is in accord with the opinion of sages, then let everybody do it. But both these and those actions were done not with the approval of sages. But in the case of three, they stopped them, and in the case of three, they did not: namely, in these cases they did not stop them: they grafted palms on the fourteenth of Nisan for the whole day; they did not make the prescribed divisions in the recitation of the Shema; and they reaped and stacked wheat before the offering of the first sheaf of barley. And in the case of these, they stopped them: (1) they permit use of branches of carob and sycamore trees that had been dedicated to the Temple; (2) they made holes in their gardens and orchards to permit the poor to eat fallen fruit in times of famine on the Sabbath or festivals; and (3) they leave over the corner of the field peah in the case of vegetables — and sages did reprove them (T. Pes. 3:19).”

a. III:6: Gloss of the principal statement.

b. III:7: As above.

c. III:8: As above.

**E. AND THESE ARE THE THREE FOR WHICH THEY REPROVED THEM: (1) THEY PERMIT USE OF EGYPTIAN FIGS FROM STEMS WHICH HAD BEEN DEDICATED TO THE TEMPLE; (2) THEY EAT ON THE SABBATH FRUIT WHICH HAD FALLEN UNDER A TREE; AND (3) THEY LEAVE OVER THE CORNER OF THE FIELD PEAH IN THE CASE OF VEGETABLES — AND SAGES DID REPROVE THEM.**

1. IV:1: So don't the men of Jericho concur in that which we have learned in the Mishnah: They stated a governing principle concerning the designation of produce as peah: Whatever is edible, privately owned, grown from the ground, harvested as a crop, and can be preserved in storage, is subject to designation as peah (M. **Pe. 1:4A-B**).

2. IV:2: Our rabbis have taught on Tannaite authority: At first they would leave peah for turnips and cabbages. R. Yosé says, “Also for porret” (T. **Pisha 3:20B-C**).

a. IV:3: Gloss of foregoing.

3. IV:4: Our rabbis have taught on Tannaite authority: The son of Boyayyan gave peah for vegetables, and his father came and found the poor carrying vegetables and standing at the door of the kitchen garden. He said to them, “My children, toss it away, and I'll give you twice as much out of fully tithed produce, so it's not because I'm niggardly but because sages have said, ‘They do not give peah for vegetables which therefore remain subject to tithes’” (T. **Pisha 3:20D-E**).

a. IV:5: Gloss of foregoing.

4. IV:6: Our rabbis have taught on Tannaite authority: At first they would put hides of Holy Things in the chamber of the Bet Happarvah. Then in the evening they would divide them up among the members of the father's house that was in charge at that time. But thugs would take them by force. So they ordained that they should divide them up on the eve of the Sabbath, so that all of the priestly watches would come and take their share together....A Tannaite statement: Abba Saul says, “There were sycamore beams in Jericho, and thugs grabbed them by

force. So the owner of the offerings went and sanctified them to Heaven. Concerning them and those like them said Abba Saul b. Botnit in the name of Abba Joseph b. Hanin, “Woe is me because of the house of Boethus, woe is me because of their sticks, woe is me because of the house of Hanin, woe is me because of their defamation, woe is me because of the house of Qatros, woe is me because of their libel, woe is me because of the house of Ishmael b. Phiabi, woe is me because of their thuggery! For they are high priests, and their sons, treasures, their sons-in-law trustees, and their slaves beat up on the people with clubs” (T. **Men. 13:20**).

a. IV:7: Supplement.

I. IV:8: Gloss of the foregoing.

### **XXXI. Mishnah-Tractate Pesahim 5:1**

**A. THE DAILY WHOLE-OFFERING OF THE AFTERNOON GENERALLY WAS SLAUGHTERED AT HALF AFTER THE EIGHTH HOUR AFTER DAWN, AND OFFERED UP AT HALF AFTER THE NINTH HOUR. ON THE EVE OF PASSOVER, THE DAILY WHOLE-OFFERING WAS SLAUGHTERED AT HALF AFTER THE SEVENTH HOUR AND OFFERED UP AT HALF AFTER THE EIGHTH HOUR, WHETHER ON AN ORDINARY DAY OR ON THE SABBATH. IF, HOWEVER, THE EVE OF PASSOVER COINCIDED WITH THE EVE OF THE SABBATH FRIDAY, IT WAS SLAUGHTERED AT HALF AFTER THE SIXTH HOUR AND OFFERED UP AT HALF AFTER THE SEVENTH HOUR, AND THEN THE PASSOVER-OFFERING WAS SLAUGHTERED AFTER IT.**

1. I:1: What is the scriptural source of this rule?

2. I:2: Our rabbis have taught on Tannaite authority: “Just as is the order governing it during the week, so is the order governing it on the Sabbath,” the words of R. Ishmael. R. Aqiba says, “It is in the order governing it on the eve of Passover.”

a. I:3: Gloss of the foregoing: What’s going on here?

3. I:4: Our rabbis have taught on Tannaite authority: How on the basis of Scripture do we know that nothing whatsoever should take precedence over the daily whole-offering that is presented at dawn? Scripture says, “And he shall lay the burnt-offering in order upon it” (Lev. 6: 5).

a. I:5: Gloss of the foregoing.

b. I:6: As above.

c. I:7: As above.

4. I:8: Our rabbis have taught on Tannaite authority: The daily whole-offering in the evening is presented before the Passover-offering, the Passover-offering is presented before the burning of the evening incense, the evening incense is burned before the kindling of the lamps.

a. I:9: Explanation of the rule just now given.

5. I:10: Our rabbis have taught on Tannaite authority: You have nothing prior to the daily whole-offering of dawn except for the burning of the incense of the

morning alone, in regard to which the language, “in the morning in the morning” is used.

**a. I:11: Gloss of the foregoing.**

**6. I:12:** Continuation of I:10: And you have nothing that may be postponed until after the evening daily whole-offering except for the burning of incense, lighting the lamps, slaughtering of the Passover-offering, and the matter of one who, on the eve of Passover is lacking in the completion of his atonement rite an unclean person who has not yet brought a sacrifice after immersion, for example, a person afflicted with the flux of Lev. 15, a person afflicted with the skin ailment of Lev. 13, and a woman after childbirth, Lev. 12; such a person immerses a second time and eats his or her Passover in the evening. R. Ishmael b. R. Yohanan b. Beroqa says, “So, too, on the rest of the days of the year one who is lacking in the completion of his atonement rite an unclean person who has not yet brought a sacrifice after immersion, for example, a person afflicted with the flux of Lev. 15, a person afflicted with the skin ailment of Lev. 13, and a woman after childbirth, Lev. 12; such a person immerses a second time and eats Holy Things in the evening.”

**a. I:13: Gloss of the foregoing.**

**7. I:14:** R. Kahana contrasted these verses: “Neither shall the fat of my feast remain all night until the morning’ (Exo. 23:18) — so only until morning may it not remain all night, but it may be kept for the whole night until then he has the whole night for burning the fat; and by contrast, ‘and he shall burn thereon the fat of the peace-offerings’ (Lev. 6: 5), meaning, after it complete all the sacrifices.”

**8. I:15:** R. Safra pointed out to Raba the following contradiction of verses: “Neither shall the sacrifice of the feast of the Passover be left to the morning’ (Exo. 34:25) — so only until morning may it not be left, but it may be kept all night of the festival; and by contrast, ‘the burnt-offering of the Sabbath shall be burned on its Sabbath’ (Num. 28:10) — but not the burnt-offering of a weekday on the Sabbath nor the burnt-offering of a weekday on a festival.” The altar portions of the Passover sacrifice are burnt; these belong to a sacrifice offered on a weekday, that is, the fourteenth of Nisan, but they are burned on the night, which is the festival day itself.

## **XXXII. Mishnah-Tractate Pesahim 5:2**

**A. AN ANIMAL THAT HAD ORIGINALLY BEEN DESIGNATED AS A PASSOVER SACRIFICE WHICH ONE SLAUGHTERED UNDER AN IMPROPER DESIGNATION “NOT FOR ITS NAME,” THAT IS, FOR ANOTHER PURPOSE THAN THE ONE FOR WHICH THE BEAST HAD BEEN SELECTED, NAMELY, AS A PASSOVER SACRIFICE, OR RECEIVED THE BLOOD AND TOSSED THE BLOOD OF WHICH UNDER AN IMPROPER DESIGNATION, OR UNDER ITS PROPER DESIGNATION AND UNDER AN IMPROPER DESIGNATION, OR UNDER AN IMPROPER DESIGNATION AND UNDER ITS PROPER DESIGNATION, HOW IS IT DONE BOTH UNDER ITS PROPER DESIGNATION AND NOT UNDER ITS PROPER DESIGNATION? IF ONE SLAUGHTERED IT FOR THE SAKE OF A PASSOVER-OFFERING AND FOR THE SAKE OF PEACE-OFFERINGS. UNDER AN**

**IMPROPER DESIGNATION AND UNDER A PROPER DESIGNATION? IF ONE SLAUGHTERED IT FOR THE SAKE OF PEACE-OFFERINGS AND FOR THE SAKE OF A PASSOVER-OFFERING.**

1. I:1: Both under its proper designation and not under its proper designation: R. Pappa raised this question: “Have we learned our Mishnah rule with respect to a single act of service the priest said that one of the acts of service was done both for the proper designation and not for that proper designation, or with respect to two distinct acts of service? Have we learned our Mishnah rule with respect to a single act of service, and the passage represents the position of R. Yosé, who has said, ‘One is responsible even for the final statement that he makes’? For if we should maintain that the passage accords with the view of R. Meir, well, lo, he has said, ‘One is responsible only for the first statement that he makes’ and not for the final statement that he makes, so once he makes one statement, the contradictory one is no longer effective; hence the situation at hand could represent only Yosé’s position on this intersecting principle! Or perhaps we have learned the rule at hand with respect to two distinct acts of service, in which case, it is even in accord with R. Meir, who has said, ‘One is responsible only for the first statement that he makes’? And even from the perspective of R. Meir, who has said, ‘One is responsible only for the first statement that he makes,’ that is the rule only in regard to a single act of service, but as to acts of service, he would agree that the rite is invalidated.”

2. I:2: The question was raised: As to an animal designated as a Passover-offering that one slaughtered on any other day of the year except for the fourteenth of Nisan both for the purpose for which the animal had been designated and also not for that purpose — what is the law? Does the purpose of slaughtering the beast for some other designation come along and invalidate the original designation of this beast and so validate it as an offering? Or is that not the case?

3. I:3: The question was raised: An animal designated as a Passover-offering by a specific owner, which they slaughtered on other days of the year not the fourteenth of Nisan with a change of ownership it is slaughtered as a Passover-offering, but for someone other than the one who originally designated the beast as a Passover-offering — what is the law? Do we treat a change of ownership as equivalent to a change in the purpose, as to sanctification, of the beast, and so validate the offering since it is no longer a Passover-offering? Or is that not the case?

### **XXXIII. Mishnah-Tractate Pesahim 5:3**

**A. IF ONE SLAUGHTERED IT NOT FOR THOSE WHO CAN EAT IT OR NOT FOR THOSE WHO ARE REGISTERED FOR IT, FOR UNCIRCUMCISED MEN OR FOR UNCLEAN ONES, IT IS INVALID. IF ONE SLAUGHTERED IT FOR THOSE WHO EAT IT AND NOT FOR THOSE WHO EAT IT, FOR THOSE WHO ARE REGISTERED FOR IT AND NOT FOR THOSE WHO ARE REGISTERED FOR IT, FOR THOSE WHO ARE CIRCUMCISED AND FOR THOSE WHO ARE UNCIRCUMCISED, FOR THOSE WHO ARE UNCLEAN AND FOR THOSE WHO ARE CLEAN, IT IS VALID.**

**IF ONE SLAUGHTERED IT BEFORE MIDDAY, IT IS INVALID, SINCE IT IS SAID, “AT TWILIGHT” (EXO. 12: 6). IF ONE SLAUGHTERED IT BEFORE THE TIME OF THE**



**DAILY WHOLE-OFFERING, IT IS VALID, SO LONG AS SOMEONE STIRS ITS BLOOD UNTIL THE BLOOD OF THE DAILY WHOLE-OFFERING IS TOSSED. BUT IF ITS BLOOD WAS TOSSED BEFORE TOSsing THE BLOOD OF THE DAILY WHOLE-OFFERING, IT IS VALID.**

1. I:1: Our rabbis have taught on Tannaite authority: What would be a case in which he slaughtered it not for those who can eat it? If one slaughtered the animal designated as a Passover-offering for a sick person or an old person who cannot eat an olive's bulk of the meat. And what would be a case in which he slaughtered it not for those who are registered for it? If one slaughtered it for the sake of another group than the one registered for this animal (T. **Pisha 4:2I-L**).

a. I:2: Secondary analysis.

2. I:3: If one slaughtered the animal designated as a Passover-offering for circumcised persons, on the stipulation that uncircumcised persons also should gain atonement that is, should be registered for the beast with the blood of the beast when it is sprinkled – R. Hisda said, "It is invalid." Rabbah said, "It is valid."

3. I:4: Said Mar Zutra b. R. Mari to Rabina, "The Tannaite formulation is: Since uncircumcision invalidates one's right to share in the Passover-offering, and uncleanness invalidates as well, just as in the case of uncleanness, Scripture has not treated uncleanness of part of those who register for the animal as equivalent to uncleanness of all of those who do in the former case, the offering is valid, so the uncircumcision of some of those who register for an animal should not be treated as equivalent to the uncircumcision of them all. Now as to this uncleanness to which reference is made, how is it to be defined? Should I say that we speak of uncleanness pertaining to a person, and what is the meaning of, just as in the case of uncleanness, Scripture has not treated uncleanness of part as equivalent to uncleanness of all? It is, if there are four or five unclean persons and four or five clean ones signed up for the same lamb, the unclean persons don't invalidate the offering for the clean ones, then, in the case of a mixture of uncircumcised and circumcised persons, they don't invalidate the offering, since we have learned in the Mishnah: for those who are circumcised and for those who are uncircumcised...it is valid (M. **5:3E-G**). In that case, how is uncleanness different, in that he is certain about the rule, from uncircumcision, in which case he is doubtful about the rule so that one has to be deduced from the other as in the argument here? So at issue must be uncleanness affecting the meat itself, and what is the meaning of, just as in the case of uncleanness, Scripture has not treated uncleanness of part as equivalent to uncleanness of all? It is, if one of the limbs contracted uncleanness, then the one that contracted uncleanness do we burn, but the other limbs we eat."

4. I:5: What is the distinction that differentiates a Passover-offering that is presented both for the purpose for which the beast was originally designated and for some other classification of offering which is invalid and one that is presented in behalf of both those who can eat it and those who cannot eat it which is valid?

a. I:6: Secondary extension of a narrative detail of the foregoing.

5. I:7: It has been taught on Tannaite authority: Others say, "If in his formulation of his intentionality, the priest gave priority to the circumcised before the

uncircumcised saying, ‘I am doing this for circumcised persons, and then, I am doing this for uncircumcised persons,’ the act is valid. If the officiating priest gave precedence, in his intentionality, as to slaughtering the Passover animal, first to the uncircumcised persons then the circumcised ones, the act is invalid.” While slaughtering the Passover lamb in behalf of a number of people, both circumcised and not, the priest cut one organ of the animal’s throat in behalf of one class of people, then the second on behalf of the other.

6. I:8:

#### **XXXIV. Mishnah-Tractate Pesahim 5:4**

**A. HE WHO SLAUGHTERS THE PASSOVER-OFFERING WITH LEAVEN STILL IN HIS POSSESSION TRANSGRESSES A NEGATIVE COMMANDMENT (EXO. 34:25).**

1. I:1: Said R. Simeon b. Laqish, “In point of fact, one is liable only if the leaven belongs to the one who slaughters the animal or to the one who tosses the blood, or to one of the members of the association formed for the purpose of offering that particular beast; and only if the leaven is with him in the Temple court.” R. Yohanan said, “Even though it is not with him in the Temple court, he is liable.”

2. I:2: R. Oshayya asked this question of R. Ammi: “If the one who slaughters the Passover-offering has no leaven, but one of the members of the association owning the animals does, what is the rule?”

**B. R. JUDAH SAYS, “ALSO: THE DAILY WHOLE-OFFERING FOR THE FOURTEENTH OF NISAN.”**

1. II:1: What is the scriptural basis for the position of R. Judah?

**C. R. SIMEON SAYS, “HE WHO SLAUGHTERS THE PASSOVER-OFFERING ON THE FOURTEENTH WITH LEAVEN IN HIS POSSESSION UNDER THE PROPER DESIGNATION IS LIABLE.”**

1. III:1: What is the scriptural basis for the position of R. Simeon?

**D. IF HE DID SO NOT UNDER THE PROPER DESIGNATION, HE IS EXEMPT. AND SO TO ALL OTHER OFFERINGS, WHETHER HE SLAUGHTERED THEM UNDER THE PROPER DESIGNATION OR UNDER AN IMPROPER DESIGNATION, HE IS EXEMPT. AND ON THE FESTIVAL ITSELF, IF HE SLAUGHTERED IT UNDER A PROPER DESIGNATION, HE IS EXEMPT. IF HE SLAUGHTERED IT UNDER AN IMPROPER DESIGNATION, HE IS LIABLE. AND AS TO ALL OTHER OFFERINGS, WHETHER HE SLAUGHTERED THEM UNDER THEIR PROPER DESIGNATION OR UNDER AN IMPROPER DESIGNATION, HE IS LIABLE, EXCEPT FOR A SIN-OFFERING WHICH HE SLAUGHTERED UNDER AN IMPROPER DESIGNATION.”**

1. IV:1: The operative consideration is that it is for a purpose other than that for which the beast was originally designated. Then if the purpose of the beast’s consecration for an offering is not specified, he would be exempt. But why should that be the rule? After all, the beast that is suitable for a Passover-offering when offered at any other day in the year is simply classified as a peace-offering willy-nilly so why is it necessary explicitly to designate it for the stated purpose? So that proves that the animal that serves as a Passover-offering during the rest of the year



would require the nullification of its character as a Passover-offering and this is not done willy-nilly but only articulately.

### **XXXV. Mishnah-Tractate Pesahim 5:5-10**

**A. THE PASSOVER -OFFERING IS SLAUGHTERED BY PEOPLE DIVIDED INTO THREE GROUPS, AS IT IS SAID, “AND THE WHOLE ASSEMBLY OF THE CONGREGATION OF ISRAEL SHALL SLAUGHTER IT” (EXO. 12: 6) — THIS YIELDS ASSEMBLY, CONGREGATION, AND ISRAEL.**

1. I:1: Said R. Isaac, “The Passover-offering is slaughtered only by three groups made up of thirty men. How come? ‘Assembly...congregation...Israel’ — we are subject to doubt whether that means simultaneously or consecutively. Therefore we require that there be three groups made up of thirty men. For if they are simultaneous, then the requisite number obviously is there; but if consecutively, the requisite number still is there. And therefore fifty also would suffice, for thirty go in and prepare their offering, ten enter and ten leave, another ten enter and another ten leave.”

**B. WHEN THE FIRST GROUP ENTERED, THE COURTYARD WAS PACKED, THEN THE DOORS OF THE COURTYARD WERE LOCKED.**

**THEY BLEW ON THE SHOFAR A SUSTAINED, A QUAVERING, AND A SUSTAINED NOTE:**

1. II:1: It was stated: Abbayye said, “We repeat the Mishnah wording as locked themselves.” Raba said, “We repeat the Mishnah wording as they locked.”

2. II:2: Our rabbis have taught on Tannaite authority: No one was ever crushed in the Temple court, except for one Passover that took place in the time of Hillel, on which someone was crushed to death, and they would call it, “The Passover of the crushed.”

3. II:3: Our rabbis have taught on Tannaite authority: Once Agrippa the king wanted to know the census of the population. He said to the high priest, “Look at the Passover sacrifices.” So he took one kidney from each, and 600,000 pairs of kidneys turned up, twice as many as those who had made the exodus from Egypt, not counting the ones who were unclean or were away on a distant trip who would celebrate Passover on the second go-around, in the coming month. And you have no Passover lamb on which more than ten people hadn’t registered, so they called it “the crowded Passover” (T. **Pisha 4:15**).

a. II:4: Gloss of the foregoing.

**C. THE PRIESTS STOOD IN ROWS, WITH BASINS OF SILVER AND GOLD IN THEIR HANDS. ONE ROW HAD WHOLLY SILVER ONES, ANOTHER WHOLLY GOLD ONES; THEY WERE NOT MIXED UP.**

1. III:1: How come? Should I say that it was, lest they take a basin of gold but give back one of silver? Here, too, they might take a basin that would hold two hundred and hand back one of one hundred so that cannot be the operative consideration. Rather, it is, it is nicer this way.

**D. AND THE BASINS DID NOT HAVE BASES, LEST THEY PUT THEM DOWN, AND THE BLOOD OF THE PASSOVER SACRIFICE CONGEAL.**

1. IV:1: Our rabbis have taught on Tannaite authority: None of the basins in the Temple had flat bottoms, except the basins of the frankincense for the showbread, lest they put them down on the rows of bread and they break up the bread.

**E. AN ISRAELITE SLAUGHTERED THE PASSOVER LAMB:**

1. V:1: Is it essential that it be an Israelite? Couldn't a priest do it?

**F. AND A PRIEST RECEIVED THE BLOOD:**

1. VI:1: So we are informed that from the receiving of the blood onwards, it is the task of the priest to carry out the rite.

**G. HANDED IT TO HIS FELLOW, AND HIS FELLOW TO HIS FELLOW:**

1. VII:1: This yields the inference that carrying without moving the feet is classified as an act of carrying.

**H. EACH ONE RECEIVING A FULL BASIN AND HANDING BACK AN EMPTY ONE:**

1. VIII:1: But not the other way around is this the fixed order? Then that sustains the position of R. Simeon b. Laqish, for said R. Simeon b. Laqish, "People are not to bypass commandments but must do them as soon as possible."

**I. THE PRIEST NEAREST THE ALTAR TOSSED THE BLOOD IN A SINGLE ACT OF TOSSING, TOWARD THE BASE.**

1. IX:1: Who is the Tannaite authority who takes the view that it is necessary to sprinkle on the corners of the altar the blood of the Passover-offering and the blood isn't just poured on the altar?

**J. THE FIRST GROUP WENT OUT AND THE SECOND GROUP CAME IN. THE SECOND GROUP WENT OUT AND THE THIRD GROUP CAME IN. IN ACCORD WITH THE RITE OF THE FIRST GROUP WERE THE RITES OF THE SECOND AND THIRD. THE LEVITES MEANWHILE PROCLAIMED THE HALLEL PSALMS 113-118. IF THEY COMPLETED THE RECITATION, THEY REPEATED IT, AND IF THEY COMPLETED THE SECOND TIME, THEY REPEATED IT FOR A THIRD — EVEN THOUGH THEY NEVER IN ALL THEIR DAYS HAD TO REPEAT IT A THIRD TIME. R. JUDAH SAYS, "IN ALL THE DAYS OF THE THIRD GROUP THEY NEVER EVEN REACHED THE VERSE, I LOVE THE LORD BECAUSE HE HAS HEARD MY VOICE (PSA. 116: 1), BECAUSE ITS NUMBERS WERE SMALL."**

1. X:1: A Tannaite statement: It is called the slothful group (T. [Pisha 4:11G](#)).

**K. IN ACCORD WITH THE RITE AS CONDUCTED ON AN ORDINARY DAY, SO WAS THE CONDUCT OF THE RITE ON THE SABBATH. AND THE PRIESTS MOPPED UP THE COURTYARD ON THE SABBATH, JUST AS ON A WEEKDAY, CONTRARY TO SAGES' WISHES.**

1. XI:1: Against the wishes of whom in particular?

**L. R. JUDAH SAYS, "A CUP WAS FILLED WITH THE MINGLED BLOOD WHICH HAD BEEN SPILLED. ONE TOSSED IT WITH A SINGLE ACT OF TOSSING ON THE ALTAR." AND SAGES DID NOT CONCUR WITH HIM.**

1. XII:1: It has been taught on Tannaite authority: R. Judah says, "The priest would fill one cup with mingled blood and sprinkle it once against the base of the altar for if the blood of one of them was mixed in, this would turn out to validate

it.” They said to him, “And is it not so that it is not received in a utensil? And blood which has not been received in a utensil is invalid for the altar. Another matter: this is blood that exudes at the end, and blood that merely exudes at the end, not life blood, is invalid for use on the altar.” He said to them, “If so, then why do they stop up the courtyard, so that the priests slipped around in blood up to their ankles?” They said to him, “It is a good thing for the priests to walk in blood up to their ankles” (T. **Pes. 4:12D-I**).

2. XII:2:

**M. HOW DO THEY HANG UP THE CARCASSES AND FLAY THEM? IRON HOOKS WERE SET INTO THE WALLS AND PILLARS, ON WHICH THEY WOULD HANG UP AND FLAY THE CARCASSES. AND FOR WHOEVER DID NOT HAVE SPACE FOR HANGING AND FLAYING HIS CARCASS, THERE WERE THIN SMOOTH POLES, AND ONE WOULD PUT ONE END ON HIS SHOULDER AND ONE ON THE SHOULDER OF HIS FELLOW, AND THEREON HANG AND FLAY THE CARCASS. R. ELIEZER SAYS, “ON THE FOURTEENTH OF NISAN WHICH COINCIDED WITH THE SABBATH, HE WOULD PUT HIS HAND ON THE SHOULDER OF HIS FELLOW, AND THE HAND OF HIS FELLOW ON HIS SHOULDER, AND THEREON SUSPEND AND FLAY THE CARCASS.” HE SLIT OPEN THE CARCASS AND REMOVED ITS SACRIFICIAL PORTIONS, PUT THEM ON A TRAY AND A PRIEST BURNED THEM ON THE ALTAR.**

1. XIII:1: Did he himself burn them?

**N. WHEN THE FOURTEENTH OF NISAN COINCIDED WITH THE SABBATH, THE FIRST GROUP WENT OUT AND TOOK SEATS ON THE TEMPLE MOUNT, THE SECOND ON THE RAMPART, AND THE THIRD REMAINED IN ITS PLACE. ONCE IT GOT DARK, THEY WENT OUT AND ROASTED THEIR PASSOVER LAMBS.**

1. XIV:1: A Tannaite statement: Each one would put his Passover lamb into its hide and sling it over his shoulder.”

## **XXXVI. Mishnah-Tractate Pesahim 6:1-2**

**A. THESE MATTERS REGARDING THE PASSOVER SACRIFICE OVERRIDE THE PROHIBITIONS OF THE SABBATH: (1) SLAUGHTERING IT, (2) TOSSING ITS BLOOD:**

1. I:1: Our rabbis have taught on Tannaite authority: This law was lost by the Sons of Betera. Once the fourteenth of Nisan coincided with the Sabbath. People forgot and didn't know whether or not the rite of the Passover-offering overrides the restrictions of the Sabbath. They said, “Is there anybody around who knows whether or not the rite of the Passover-offering overrides the restrictions of the Sabbath?” They said to them, “There's a fellow who has just emigrated from Babylonia, named Hillel the Babylonian, who has served as disciple to the two preeminent authorities of the generation, Shemayya and Abtalion, and who knows whether or not the rite of the Passover-offering overrides the restrictions of the Sabbath” T. Pisha 4:13.

a. I:2: Gloss of the foregoing.

b. I:3: As above.

c. I:4: As above.

**d. I:5:** As above.

**I. I:6:** Secondary expansion on the theme of I:5.

**II. I:7:** As above.

**e. I:8:** Reversion to the exposition undertaken at I:5.

**I. I:9:** Expansion on the operative rule of the foregoing.

**f. I:10:** Continuation of the analysis of I:8.

**I. I:11:** Expansion on the operative rule of the foregoing.

**II. I:12:** As above.

### **B. (3) SCRAPING ITS ENTRAILS:**

**1. II:1:** To what does scraping its entrails refer? R. Huna said, "They are to be pierced with a knife for the shit to fall out." Hiyya bar Rab said, "Remove the viscous substance of the bowels, which exudes through the knife's pressure."

**a. II:2:** Further comment on the proof-text operative in the foregoing.

### **C. COMPOSITE ON THE RESURRECTION OF THE DEAD, INSERTED IN EXTENSION OF II:2**

**I. II:3:** Said R. Samuel bar Nahmani said R. Jonathan, "The righteous are destined to resurrect the dead, as it is said, 'There shall yet old men and old women sit in the broad places of Jerusalem, every man with his staff in his hand for very age' (Zec. 8: 4), and, 'and lay my staff upon the face of the child' (1Ki. 4:29)."

**II. II:4:** Ulla contrasted these verses: "'He will swallow up death for ever' (Isa. 25: 8) and by contrast, 'for the youngest shall die a hundred years old' (Isa. 65:20). No problem: the one speaks of Israel, the other, gentiles. And what are gentiles doing in that context at all? 'And strangers shall stand and feed your flocks, and aliens shall be your plowmen and your vine dressers' (Isa. 56: 5)."

**III. II:5:** R. Hisda contrasted these verses: "'Then the moon shall be confounded and the sun ashamed' (Isa. 24:23), and by contrast, 'Moreover the light of the moon shall be as the light of the sun, and the light of the sun seven-fold as the light of the seven days' (Isa. 30:26). No problem: the one speaks of the world to come, the other, the days of the Messiah."

**IV. II:6:** Raba contrasted these verses: "'I kill and I make alive' (Deu. 32:39) and 'I wound and I heal' (Deu. 32:39). The former implies that one is resurrected just as he was at death, thus with blemishes, and the other implies that at the resurrection all wounds are healed. Said the Holy One, blessed be He, 'What I kill I bring to life,' and then, 'What I have wounded I heal.'"

**V. II:7:** Our rabbis have taught on Tannaite authority: "I kill and I make alive" (Deu. 32:39). Is it possible to suppose that there is death for one person and life for the other, just as the world is accustomed now? Scripture says, "I wound and I heal"

(Deu. 32:39). Just as wounding and healing happen to one person, so death and then resurrection happen to one person. From this fact we derive an answer to those who say, “There is no evidence of the resurrection of the dead based on the teachings of the Torah.”

**D. AND (4) BURNING ITS SACRIFICIAL PIECES OF FAT. BUT ROASTING IT AND RINSING ITS ENTRAILS DO NOT OVERRIDE THE PROHIBITIONS OF THE SABBATH.**

1. III:1: It has been taught on Tannaite authority: Said R. Simeon, “Come and see how valued is a religious duty done at the proper time. For lo, while the burning up of the sacrificial fat, limbs, and fat pieces is validly done the whole night, still, we don’t wait for burning them until nightfall but start the burning even on the Sabbath.”

**E. CARRYING IT TO THE TEMPLE, BRINGING IT FROM OUTSIDE TO INSIDE THE SABBATH LIMIT, AND CUTTING OFF A WEN WHICH IS ON IT DO NOT OVERRIDE THE PROHIBITIONS OF THE SABBATH.**

1. IV:1: And by contrast: They cut off a wen from an animal designated as an offering in the Temple but not in the provinces. But if it is done with a utensil, here and there it is prohibited to cut off a wen (M. [Er. 10:13E-F](#)). R. Eleazar and R. Yosé bar Hanina — one said, “Both refer to a soft wen, but there is no conflict, the one refers to removing a wen by hand, the other, with an instrument.” The other said, “Both refer to one that can be removed by hand, but there is no conflict, the one refers to a soft wen, the other to a dry one.”

**F. R. ELIEZER SAYS, “THEY DO OVERRIDE THE PROHIBITIONS OF THE SABBATH.” SAID R. ELIEZER, “NOW IS IT NOT LOGICAL THAT THESE, TOO, SHOULD OVERRIDE THE PROHIBITIONS OF THE SABBATH? NOW IF SLAUGHTERING, WHICH IS PROHIBITED UNDER THE CATEGORY OF LABOR, OVERRIDES THE PROHIBITIONS OF THE SABBATH, THESE, WHICH ARE PROHIBITED ONLY BY REASON OF SABBATH REST RELYING NOT UPON THE SCRIPTURAL PROHIBITION OF ACTUAL LABOR — SHOULD THEY NOT OVERRIDE THE PROHIBITIONS OF THE SABBATH?” SAID TO HIM R. JOSHUA, “A FESTIVAL DAY WILL PROVE TO THE CONTRARY. ON FESTIVAL DAYS IT IS PERMITTED TO PREPARE NECESSARY FOOD (EXO. 12:16). FOR THEY PERMITTED WORK TO BE DONE ON THAT DAY WHICH IS NORMALLY PROHIBITED BY REASON OF LABOR, BUT IT IS PROHIBITED TO DO ON THAT DAY OTHER ACTIONS WHICH ARE PROHIBITED MERELY BY REASON OF SABBATH REST. SAID TO HIM R. ELIEZER, “NOW WHAT IS THE MEANING OF THIS, JOSHUA? HOW SHALL PROOF BE DERIVED FROM THAT WHICH IS AN OPTIONAL DEED FOR THAT WHICH IS AN OBLIGATORY ONE?”**

1. V:1: R. Joshua is consistent with opinions held elsewhere, for he has said that rejoicing on the festival also is a religious obligation, for it has been taught on Tannaite authority: R. Eliezer says, “A person has nothing to do on a festival day except either to eat and drink or to sit and study.”

2. V:2: Said R. Eleazar, “All concur with respect to Pentecost that we do require ‘for you’ as well. How come? It is the day on which the Torah was given.” Said Rabbah, “All concur with respect to the Sabbath that we do require ‘for you’ as well. How come? ‘And you shall call the Sabbath a delight’ (Isa. 58:13).” Said

R. Joseph, “All concur with respect to Purim that we do require ‘for you’ as well. How come? ‘Days of feasting and gladness’ is written in that regard (Est. 9:22).”

a. V:3: Illustrative case on rabbinical practice.

b. V:4: Illustrative case on rabbinical practice.

c. V:5: Illustrative case on rabbinical practice.

3. V:6: Reversion to the proposition of V:2. Said R. Ashi, “In line with what R. Eliezer has said, namely, rejoicing on a festival is optional, there is the following refutation of his argument: If on a festival, when labor that is optional is permitted for example, slaughtering an animal, which yields meat to eat and that is a source of rejoicing, labor that is forbidden by means of Sabbath rest that accompanies the act is not permitted, then, on the Sabbath, on which only labor required for carrying out a religious duty is permitted, doesn’t it stand to reason that one should permit alongside those acts that would otherwise be forbidden by reason of Sabbath rest?”

4. V:7: It has been taught on Tannaite authority: Said R. Eliezer, “Now from my perspective, if the things required for the doing of a religious duty override the restrictions of the Sabbath, for example, after the act of slaughter, in which case the religious duty has already been done, shouldn’t the things that are required for the doing of a religious duty prior to the doing of the duty, for example, the act of slaughter, also override the restrictions of the Sabbath?” Said to him R. Aqiba, “Now from my perspective, if the things required for the doing of a religious duty override the restrictions of the Sabbath, for example, after the act of slaughter, that is because the act of slaughter itself has overridden the restrictions of the Sabbath. But will you say that the things required for the act of slaughter prior to the act of slaughter should override the restrictions of the Sabbath, at which point, the act of slaughter itself will not have overridden the restrictions of the Sabbath? Another matter: Perhaps the offering will turn out to be invalid, in which case, one will turn out to have profaned the Sabbath retrospectively” (T. **Pisha 5: 1**).

**G. R. AQIBA REPLIED AND SAID, “SPRINKLING PURIFICATION WATER ON AN UNCLEAN PERSON WILL PROVE THE CASE. FOR IT IS AN OBLIGATORY DEED, AND IT IS NORMALLY PROHIBITED BY REASON OF SABBATH REST, AND IT DOES NOT OVERRIDE THE PROHIBITIONS OF THE SABBATH. SO YOU, DO NOT BE SURPRISED CONCERNING THESE MATTERS, FOR EVEN THOUGH THEY ARE OBLIGATORY DEEDS, AND THEY ARE PROHIBITED MERELY BY REASON OF SABBATH REST, THEY SHOULD NOT OVERRIDE THE PROHIBITION OF THE SABBATH.” SAID TO HIM R. ELIEZER, “AND UPON THIS VERY FACT I BASE MY REASONING NOW, IF SLAUGHTERING, WHICH IS PROHIBITED BY REASON OF CONSTITUTING AN ACT OF LABOR, OVERRIDES THE PROHIBITIONS OF THE SABBATH, SPRINKLING PURIFICATION WATER ON AN UNCLEAN PERSON, WHICH IS PROHIBITED MERELY BY REASON OF SABBATH REST — IS IT NOT LOGICAL THAT IT TOO SHOULD OVERRIDE THE PROHIBITIONS OF THE SABBATH?” SAID TO HIM R. AQIBA, “MATTERS ARE JUST THE OPPOSITE. NOW IF SPRINKLING PURIFICATION WATER ON AN UNCLEAN PERSON, WHICH IS PROHIBITED BY REASON OF SABBATH REST, DOES NOT OVERRIDE THE PROHIBITIONS OF THE SABBATH, SLAUGHTERING, WHICH IS PROHIBITED BY REASON OF CONSTITUTING A PROHIBITED ACT OF LABOR — IS IT**

**NOT LOGICAL THAT IT, TOO, SHOULD NOT OVERRIDE THE PROHIBITIONS OF THE SABBATH?" SAID TO HIM R. ELIEZER, "AQIBA, YOU HAVE UPROOTED THAT WHICH IS WRITTEN IN THE TORAH: AT THE TWILIGHT, AT ITS APPOINTED TIME (NUM. 9: 3) — WHETHER THIS BE AN ORDINARY DAY OR THE SABBATH." HE SAID TO HIM, "RABBI, BRING ME AN 'APPOINTED TIME' REFERRING TO THESE MATTERS JUST AS 'APPOINTED TIME' REFERS TO THE ACTUAL ACT OF SLAUGHTERING."**

**1. VI:1:** It has been taught on Tannaite authority: Said to him R. Eliezer, "Aqiba! Have you now refuted me by reference to an act of slaughter? May your death come about through an act of slaughter." He said to him, "My lord, do not make atonement in the time of judgment and say that my death will atone for my sins, that is, do not be angry with me. This is what I have received from you as a tradition: sprinkling the water of purification is prohibited only by reason of the consideration of Sabbath rest, and therefore will not override the prohibitions of the Sabbath."

**a. VI:2:** Well, now, since he himself had taught him the rule, how come he reversed himself?

**b. VI:3:** Said Rabbah, "From the perspective of R. Eliezer that a person who cannot carry out the religious duty is not subject to the obligation to do so, if there is a healthy infant, one may heat the water for him to heal him and circumcise him on the Sabbath, since it is fit for him; if the infant is sickly, one may not heat the water for him to heal him and circumcise him, since it is not fit for him." But that distinction pertains only to Eliezer's position; according to Aqiba, it would be forbidden under all circumstances, just as sprinkling is forbidden.

**H. A GOVERNING PRINCIPLE DID R. AQIBA STATE, "ANY FORM OF LABOR WHICH IT IS POSSIBLE TO CARRY OUT ON THE EVE OF THE SABBATH DOES NOT OVERRIDE THE SABBATH. SLAUGHTERING, WHICH IT IS NOT POSSIBLE TO CARRY OUT ON THE EVE OF THE SABBATH, DOES OVERRIDE THE SABBATH."**

**1. VII:1:** Said R. Judah said Rab, "The decided law accords with R. Aqiba."

### **XXXVII. Mishnah-Tractate Pesahim 6:3-4**

**A. WHEN DOES ONE ALSO BRING A FREEWILL FESTAL-OFFERING WITH IT OVER AND ABOVE THE PASSOVER-OFFERING? WHEN THE PASSOVER-OFFERING IS OFFERED ON AN ORDINARY DAY, WITH MOST PEOPLE IN A STATE OF CLEANNES, AND MEAT OF THE PASSOVER-OFFERING IS NOT SUFFICIENT FOR ALL REGISTERED FOR IT. BUT WHEN IT IS OFFERED ON THE SABBATH, AND MEAT IS ABUNDANT, AND MOST PEOPLE ARE IN A STATE OF UNCLEANNES, THEY DO NOT BRING WITH IT A FREEWILL FESTAL-OFFERING. A FESTAL-OFFERING DERIVES FROM THE FLOCK OF SHEEP OR FROM THE HERD OF OXEN, FROM LAMBS OR FROM GOATS, FROM MALES OR FROM FEMALES.**

**1. I:1:** When does one also bring a freewill festal-offering with it over and above the Passover-offering: What prior Tannaite rule explains why, all of a sudden, the Tannaite rule should make reference to the festal-offering?

**a. I:2:** Secondary exposition.



**b. I:3:** As above.

**B. AND IT IS EATEN FOR TWO DAYS AND THE INTERVENING NIGHT TO THE NIGHT OF THE FIFTEENTH OF NISAN.**

**1. II:1:** Our Mishnah rule is not in accord with Ben Tema, for it has been stated on Tannaite authority.

**a. II:2:** Secondary development of the problem: The question was raised: From Ben Tema's perspective, is it eaten roasted or not eaten roasted? Do we say, when the All-Merciful treated it as comparable to the Passover, it was with respect to its being eaten overnight, but not with respect to its being roasted? Or maybe there is no such distinction?

**b. II:3:** Secondary development of the problem: The question was raised: From Ben Tema's perspective, does the animal have to come from the herd or doesn't it have to come from the herd; does it derive from females or does it not derive from females; does it derive from beasts that are two years old, or does it not derive from beasts two years old? Do we say, when the All-Merciful treated it as comparable to the Passover, it was with respect to its being eaten, but not with respect to these other matters? Or maybe there is no such distinction?

**c. II:4:** As above: The question was raised: From Ben Tema's perspective, as to the festal-offering that is presented along with the Passover-offering — is it subject to the prohibition against breaking its bone or is it not subject to the prohibition as to breaking its bone? Do we say, even though, when the All-Merciful treated it as comparable to the Passover, yet the Scripture says, "Neither shall you break a bone thereof" meaning, "thereof, but not of the festal-offering" (Exo. 12:46), or maybe, "thereof" refers to one that is fit but not one that is unfit?

**2. II:5:** It has been taught on Tannaite authority: Judah b. Doretai took his leave, he and his son, Doretai, and went and settled in the South. He said, "If Elijah should come and say to Israel, 'How come you didn't make a festal-offering on the Sabbath,' what are they going to say to him? I'll be surprised at the two greatest authorities of the generation, Shemayyah and Abtalion, who are eminent sages and eminent public authorities, but who have not instructed Israel: 'The festal-offering overrides the restrictions of the Sabbath.'" Said Rab, "What is the scriptural basis behind the position of the son of Doretai? 'And you shall sacrifice the Passover to the Lord your God, of the flock and of the herd' (Deu. 16: 2) — but isn't it the fact that the Passover-offering derives only from lambs or goats? So flock refers to the Passover-offering, while herd speaks of the festal-offering, and the All-Merciful has said, 'And you shall sacrifice the Passover.'"

**3. II:6:** Said Ulla said R. Eleazar, "Peace-offerings that one slaughtered on the eve of the festival — one does not discharge with them his obligation either to present an offering of rejoicing or a festal-offering; not offering of rejoicing, because it is written, 'and you shall sacrifice peace-offerings and rejoice' (Deu. 27: 7), meaning, we require that the act of sacrifice take place in the time of rejoicing, and that condition has not been met; or a festal-offering, for this is an obligatory sacrifice, and all obligatory sacrifices derive only from unconsecrated animals."



4. II:7: When Rabin came, he said R. Eleazar said, “With peace-offerings that one slaughtered on the eve of a festival one carries out the obligation of rejoicing on the festival, but he cannot carry out with them his obligation to present a festal-offering — one carries out the obligation of rejoicing on the festival: we don’t require that the act of sacrifice take place at the moment of rejoicing; but he cannot carry out with them his obligation to present a festal-offering: that involves an obligatory matter, and any beast that meets an obligation may derive only from unconsecrated animals.”

5. II:8: Said R. Kahana, “How do we know that the sacrificial parts that are to be burned that derive from the festal-offering prepared on the fifteenth of Nisan are invalidated if they are kept overnight? Because it is said, ‘Neither shall the fat of my festal-offering remain all night until morning’ (Exo. 23:18), and, nearby, ‘the first’ is stated, bearing the implication that this ‘morning’ is the first morning.”

### **XXXVIII. Mishnah-Tractate Pesahim 6:5-6**

#### **A. THE ANIMAL DESIGNATED AS A PASSOVER-OFFERING WHICH ONE SLAUGHTERED UNDER AN IMPROPER DESIGNATION ON THE SABBATH WHICH COINCIDES WITH THE FOURTEENTH OF NISAN — ONE IS LIABLE ON THAT ACCOUNT FOR A SIN-OFFERING.**

1. I:1: The animal designated as a Passover-offering which one slaughtered under an improper designation on the Sabbath which coincides with the fourteenth of Nisan — one is liable on that account for a sin-offering. And as to animals designated for any other animal-offerings, which one slaughtered for the sake of a Passover sacrifice — if they are not appropriate to be offered as a Passover sacrifice, one is liable. But if they are appropriate, for example, male lambs, to be offered as a Passover sacrifice — R. Eliezer declares him liable for a sin-offering. And R. Joshua declares him exempt: With what situation do we deal? Should I say we deal with a case in which he made a mistake assuming the animal was designated for a different sacrifice? Then it would follow that if one in error abrogates the status originally assigned to a consecrated beast slaughtering the animal for a different purpose from that for which it was designated, the abrogation is effective. So does it deal with someone who deliberately abrogates its status? But then note what follows: And as to animals designated for any other animal-offerings, which one slaughtered for the sake of a Passover sacrifice — if they are not appropriate to be offered as a Passover sacrifice, one is liable. But if they are appropriate for example, male lambs, to be offered as a Passover sacrifice — R. Eliezer declares him liable for a sin-offering. And R. Joshua declares him exempt. Now, if we are dealing with someone who deliberately abrogates its status, what difference does it make to me whether or not they are appropriate for example, male lambs, to be offered as a Passover sacrifice? Since he deliberately abrogates its designation, he is certainly not erring in thinking that he is performing a religious act, so why does Joshua not hold him liable? So it obviously speaks of one who errs.

#### **B. SAID TO HIM R. ELIEZER, “THE PUBLIC OFFERINGS WILL PROVE THE MATTER. FOR THEY ARE PERMITTED WHEN OFFERED UNDER THE PROPER DESIGNATION.**

**BUT HE WHO SLAUGHTERS OTHER OFFERINGS UNDER THEIR DESIGNATION ON THE SABBATH IS LIABLE.” SAID TO HIM R. JOSHUA, “NO. IF YOU HAVE STATED THE RULE IN THE CASE OF THE SACRIFICIAL PARTS OF PUBLIC OFFERINGS, WHICH ARE SUBJECT TO A LIMITED NUMBER, WILL YOU SAY THE SAME OF A PASSOVER-OFFERING, WHICH IS NOT SUBJECT TO A LIMITED NUMBER?” R. MEIR SAYS, “ALSO: HE WHO SLAUGHTERS OTHER ANIMAL-OFFERINGS UNDER THE DESIGNATION OF SACRIFICIAL PARTS OF A PUBLIC OFFERING IS EXEMPT FROM LIABILITY.”**

1. II:1: Said to him R. Eliezer, “The public offerings will prove the matter. For they are permitted when offered under the proper designation. But he who slaughters other offerings under their designation on the Sabbath is liable.” Said to him R. Joshua, “No. If you have stated the rule in the case of the sacrificial parts of public offerings, which are subject to a limited number, will you say the same of a Passover-offering, which is not subject to a limited number”: Well, then, is that to imply that wherever there is a limit, R. Joshua would hold him liable? And yet there is the case of infants, that are subject to a limit in the case that follows, there is a clear limit that only one child is to be circumcised on the Sabbath, and when he circumcises another, his error is inexcusable, and yet we have learned in the Mishnah....

**C. AND AS TO ANIMALS DESIGNATED FOR ANY OTHER ANIMAL-OFFERINGS, WHICH ONE SLAUGHTERED FOR THE SAKE OF A PASSOVER SACRIFICE — IF THEY ARE NOT APPROPRIATE TO BE OFFERED AS A PASSOVER SACRIFICE, ONE IS LIABLE. BUT IF THEY ARE APPROPRIATE FOR EXAMPLE, MALE LAMBS, TO BE OFFERED AS A PASSOVER SACRIFICE — R. ELIEZER DECLARES HIM LIABLE FOR A SIN-OFFERING. AND R. JOSHUA DECLARES HIM EXEMPT. SAID R. ELIEZER, “NOW IF FOR A PASSOVER-OFFERING, WHICH IS PERMITTED WHEN OFFERED UNDER THE CORRECT DESIGNATION — WHEN ONE OFFERED IT UNDER SOME OTHER THAN THE CORRECT DESIGNATION, HE IS LIABLE, FOR ANIMAL-OFFERINGS, WHICH ARE PROHIBITED WHEN OFFERED UNDER THEIR PROPER DESIGNATION — WHEN HE OFFERED THEM UNDER SOME OTHER DESIGNATION, IS IT NOT LOGICAL THAT HE SHOULD BE LIABLE TO A SIN-OFFERING?” SAID TO HIM R. JOSHUA, “NO. IF YOU HAVE STATED THE RULE IN THE CASE OF A PASSOVER SACRIFICE, IN WHICH CASE HE HAS OFFERED IT UNDER ANOTHER, PROHIBITED DESIGNATION, WILL YOU SAY THE SAME IN THE CASE OF ANIMAL SACRIFICES, IN WHICH CASE HE HAS OFFERED THEM UNDER ANOTHER, PERMITTED DESIGNATION?”**

1. III:1: Who is the Tannaite authority who draws a distinction between beasts that are appropriate to a given classification of offering and those that are not?

2. III:2: Said R. Bibi said R. Eleazar, “R. Meir would decree an exemption from liability even in the case of a calf designated as a sacrifice of a peace-offering that one slaughtered under the designation of a Passover-offering even though it would be impossible to imagine that a calf could serve for a Passover-offering!”

a. III:3: Secondary analysis of the foregoing: Raba addressed this question to R. Nahman: “What is the rule in R. Meir’s view if one sacrificed unconsecrated beasts under the designation of a Passover?”

3. III:4: In session, R. Zira and R. Samuel bar R. Isaac, at the hall of R. Samuel bar Isaac's household, and, in session, they said, "Said R. Simeon b. Laqish, 'If someone confused a spit containing meat in the status of leftover with a spit of meat that was simply roast meat and ate it, he is liable to a sin-offering, for he has inadvertently eaten leftover sacrificial meat.' Eating sacrificial meat is a religious duty in line with Exo. 29:33, so one is liable even if he made a mistake in thinking he was fulfilling a religious duty when he wasn't. "And R. Yohanan said, 'If his wife was menstruating and he had sexual relations with her, he is liable; if his deceased childless brother's widow was menstruating and he had levirate sexual relations with her, he is exempt.' The latter is a religious duty, so one is not liable if he made a mistake in thinking he was fulfilling a religious duty when he wasn't."

a. III:5: Secondary gloss of the foregoing.

**D. IF ONE SLAUGHTERED THE PASSOVER SACRIFICE ON THE SABBATH NOT FOR THE SAKE OF THOSE WHO MAY EAT IT, NOT FOR THE SAKE OF THOSE WHO ARE COUNTED ON IT, FOR UNCIRCUMCISED PEOPLE, OR FOR UNCLEAN PEOPLE, HE IS LIABLE. IF HE SLAUGHTERED IT FOR THOSE WHO MAY EAT IT AND FOR THOSE WHO MAY NOT EAT IT, FOR THOSE WHO ARE REGISTERED WITH IT AND FOR THOSE WHO ARE NOT REGISTERED WITH IT, FOR THOSE WHO ARE CIRCUMCISED AND FOR THOSE WHO ARE UNCIRCUMCISED, FOR THOSE WHO ARE CLEAN AND FOR THOSE WHO ARE UNCLEAN, HE IS EXEMPT. IF HE SLAUGHTERED IT ON THE SABBATH AND IT TURNED OUT TO BE BLEMISHED, HE IS LIABLE.**

1. IV:1: But that's pretty obvious, since in that case it is unfit, here he is liable, too, the same principles being involved in both cases!

2. IV:2: Said R. Huna bar Hinena to his son, "When you go to the presence of R. Zeriqa, ask him the following question: 'In the opinion of him who says, he who does damage by making a wound is not liable to a penalty for violating the Sabbath, since violating the Sabbath comes about only when there is a positive result,' if one who slaughtered the Passover not for the sake of those who are signed up to eat it, he is liable — but what of positive value has he accomplished?"

**E. IF HE SLAUGHTERED IT AND IT TURNED OUT TO BE TEREFAH IN ITS INNER PARTS, HE IS EXEMPT. IF HE SLAUGHTERED IT AND THEN IT BECAME KNOWN THAT THE OWNER HAD WITHDRAWN HIS HAND FROM TAKING A SHARE IN IT, OR HAD DIED, OR HAD BECOME UNCLEAN, HE IS EXEMPT, BECAUSE HE SLAUGHTERED IT AT A TIME WHEN IT WAS PERMITTED TO DO SO.**

1. V:1: Said R. Huna said Rab, "In the case of a beast designated as a guilt-offering that was transferred to the pasture, but that was not set out but rather slaughtered for an unspecified purpose, it is deemed valid as a burnt-offering." Therefore he takes the view that an explicit act of abrogation is not required to abrogate its status as a guilt-offering. But if that is the case, then even if it was transferred, the same rule should apply that is, even if it was slaughtered as a burnt-offering, and its owner died on the spot, the same rule should apply, without an act of abrogation of its prior status.

## **XXXIX. Mishnah-Tractate Pesahim 7:1-2B**

### **A. HOW DO THEY ROAST THE PASSOVER OFFERING? THEY BRING A SPIT OF POMEGRANATE WOOD**

1. I:1: They bring a spit of pomegranate wood: But why not use a spit made of metal?
2. I:2: Our Mishnah-passage does not accord with R. Judah, for it has been taught on Tannaite authority....

### **B. AND STICK IT THROUGH THE CARCASS FROM THE MOUTH TO THE BUTTOCKS. "AND ONE PUTS ITS LEGS AND ENTRAILS INSIDE IT," THE WORDS OF R. YOSÉ THE GALILEAN. R. AQIBA SAYS, "THAT WOULD BE A KIND OF COOKING. BUT ONE HANGS THEM OUTSIDE THE CARCASS."**

1. II:1: It has been taught on Tannaite authority: R. Ishmael calls it, "Tokh tokh" when the knees are put inside, it makes the sound of boiling. R. Tarfon calls it, "A helmeted goat."
2. II:2: Our rabbis have taught on Tannaite authority: What is the definition of a helmeted goat, which these days is forbidden for eating on the night of Passover? It is any the whole of which is roasted at once. If a limb was cut from it, or if a limb was boiled, it is not a helmeted goat (T. Yom Tob (=Besah) 2:15).
3. II:3: Said Rabbah, "A stuffed lamb is permitted."
4. II:4: Raw meat, eggs, and the jugular vein: there is a dispute on that matter involving R. Aha and Rabina.
5. II:5: Raw met that turns red — its serum is forbidden. If it doesn't turn red, its serum is permitted. Rabina said, "Even if it doesn't turn red, the serum is forbidden, since it surely contains streaks of blood."
6. II:6: Said Mar bar Amemar to R. Ashi, "Vinegar that has been used one time for contracting meat to bind the blood vessels and the blood — father wouldn't use it again for the same purpose since it loses its power to do that."

### **C. THEY DO NOT ROAST THE PASSOVER OFFERING EITHER ON A METAL SPIT OR ON A GRILL. SAID R. SADOQ, "M'SH B: RABBAN GAMALIEL SAID TO TABI HIS SERVANT, 'GO AND ROAST THE PASSOVER OFFERING FOR US ON A GRILL.'"**

1. III:1: So is the purpose of the precedent to contradict the rule?!
2. III:2: R. Hinena bar Idi asked this question of R. Abba bar Ahbah: "In the case of an oven that was fired up with the shells of nuts of a tree in the first three years of its growth, and which one swept out, and in which one then baked bread — what is the law in the opinion of the one who forbids the use of such bread that is, in line with the view of Rabbi in the following: If a loaf of bread was baked in that oven — Rabbi says, "The bread is forbidden." And sages say, "The bread is permitted." If he baked the loaf on the coals, all concur that it is permitted?" He said to him, "The bread is permitted." He said to him, "But R. Hinena the Elder said R. Assi said R. Yohanan said, 'An oven that one heated up and then swept out, in which one roasted a Passover — this is not regarded as roasted in fire, as it

is said, “roast with fire” two times at Exo. 12: 8, 9, so the fire must do the roasting, not merely the heat.’ So the operative consideration is that the All-Merciful has exposed the matter by repeating twice, ‘roast with fire,’ so if the All-Merciful had not revealed it, I might have said, it really is ‘roast with fire.’”

**3. III:3:** Our rabbis have taught on Tannaite authority: If one cut the Passover offering without dividing it up and put it on live coals — Rabbi says, “I say that this falls into the classification of ‘roast with fire.’”

**a. III:4:** Secondary gloss.

**b. III:5:** Continuation of the foregoing.

**l. III:6:** Independent gloss of III:3.

**A. III:7:** Minor gloss of a detail of the foregoing.

## **XL. Mishnah-Tractate Pesahim 7:2C-E, 7:3**

**A. IF IT TOUCHED THE EARTHENWARE PART OF AN OVEN, ONE SHOULD SCALE OFF THAT PLACE WHICH HAS BEEN ROASTED BY THE HEAT OF THE OVEN’S SIDE. IF SOME OF ITS GRAVY DRIPPED ON THE EARTHENWARE AND WENT BACK ONTO IT, HE MUST TAKE SOME OF THE MEAT AWAY FROM THAT PLACE AND BURN IT. IF SOME OF ITS GRAVY DRIPPED ON THE FLOUR, HE MUST TAKE A HANDFUL AWAY FROM THAT PLACE.**

**IF ONE BASTED IT WITH OIL IN THE STATUS OF HEAVE OFFERING — IF IT WAS AN ASSOCIATION OF PRIESTS WHO WERE REGISTERED FOR THIS OFFERING, THEY MAY EAT IT. IF IT WAS ONE OF ISRAELITES, IF IT WAS YET RAW, LET ONE RINSE IT OFF. IF IT WAS ALREADY ROASTED, LET ONE SCALE OFF THE OUTER SURFACE. IF ONE BASTED IT WITH OIL IN THE STATUS OF SECOND TITHE, HE MAY NOT CHARGE ITS VALUE AGAINST THE MEMBERS OF THE ASSOCIATION REGISTERED FOR THAT OFFERING. FOR THEY DO NOT REDEEM SECOND TITHE FOR FUNDS IN JERUSALEM ITSELF.**

**1. I:1:** It has been stated: If what is hot fell into what is hot hot milk into hot meat, or hot forbidden meat into hot permitted meat, all parties concur that the mixture is forbidden. If what is cold fell into what is cold, all parties concur that the mixture is permitted. If what is hot fell into what is cold, or what is cold fell into what is hot — Rab said, “The upper prevails” if hot falls into cold, the hot heats the cold, and that is as if hot fell into hot, and vice versa. And Samuel said, “The lower prevails.”

**a. I:2:** Gloss of the foregoing.

**l. I:3:** Illustrative case.

**2. I:4:** Said Rab, “Fat meat of a properly slaughtered animal that was roasted along with lean meat of carrion is forbidden. How come? Because they fatten each other.” And Levi said, “Even lean meat of a properly slaughtered animal that one roasted with fat meat of carrion is permitted. How come? Because it’s nothing more than a fragrance, and fragrance is insubstantial.”

3. I:5: R. Kahana b. R. Hinena the Elder repeated as a Tannaite rule: “A loaf of bread that one baked with roasted meat in the oven is forbidden for consumption with a relish that has milk in it.”

## **XLI. Mishnah-Tractate Pesahim 7:4**

**A. FIVE THINGS ARE OFFERED IN A STATE OF CULTIC UNCLEANNESS BUT ARE NOT EATEN IN A STATE OF CULTIC UNCLEANNESS: (1) THE FIRST SHEAF OF BARLEY PRESENTED ON THE SIXTEENTH OF NISAN OMER LEV. 23:10, (2) THE TWO LOAVES OF BREAD LEV. 23:17, (3) THE SHOW BREAD LEV. 24:51, (4) COMMUNAL PEACE OFFERINGS LEV. 23:19, AND (5) THE GOATS WHICH ARE OFFERED AT THE NEW MONTH. BUT THE PASSOVER OFFERING, WHICH IS OFFERED IN A STATE OF CULTIC UNCLEANNESS, IS EATEN IN A STATE OF CULTIC UNCLEANNESS, FOR TO BEGIN WITH IT IS OFFERED ONLY FOR EATING.**

1. I:1: Five things: excluding what?

2. I:2: But why not encompass in the Tannaite rule also the goats offered on the festivals?

a. I:3: Secondary continuation of the foregoing.

l. I:4: Gloss of the foregoing.

3. I:5: It was taken for granted that all parties concur that considerations of uncleanness are set aside in the case of the community, which explains why the head plate is required to propitiate in line with Exo. 28:38: “and the head-plate shall be upon Aaron’s forehead, and Aaron shall bear the iniquity committed in the Holy Things...and it shall always be upon his forehead, that they may be accepted before the Lord. The iniquity is understood to refer to a case in which a sacrifice accidentally became unclean, and the head-plate atones for it, so that it remains fit. Since we hold that even in the case of a community uncleanness is overridden but not actually permitted, the head-plate is required for propitiation even then. For there is no Tannaite authority who is known to maintain that uncleanness is wholly permitted in the case of a community offering except for R. Judah. For it has been taught on Tannaite authority: “Whether or not the front-plate is actually on the high priest’s forehead, it propitiates,” the words of R. Simeon. R. Judah says, “While it is still on his forehead, it propitiates. If it is no longer on his forehead, it does not propitiate.”...It was further taken for granted that all parties concur that the head-plate does not propitiate when it comes to edible food. If meat or meal offering that is eaten is made unclean, the offering cannot be completed; the head-plate propitiates only if the blood or handful burned on the altar is made unclean. For there is no Tannaite authority who is known to maintain that the head-plate does not propitiate when it comes to edible food, except for R. Eliezer, for it has been taught on Tannaite authority: R. Eliezer says, “The priestly frontlet does not atone for portions of the offering that may be eaten.” R. Yosé says, “The priestly frontlet atones for portions of the offering that may be eaten.” May we therefore say that our Mishnah-rule is not in accord with R. Joshua?

a. I:6: Secondary development of the major inquiry of the foregoing.

l. I:7: Tertiary development of the foregoing.

## **XLII. Mishnah-Tractate Pesahim 7:5**

**A. IF THE MEAT OF THE PASSOVER, OFFERED BY CLEAN SACRIFICERS WAS MADE UNCLEAN BUT THE FAT CONTINUED CLEAN, ONE DOES NOT TOSS THE BLOOD. IF THE FAT WAS MADE UNCLEAN BUT THE MEAT CONTINUED CLEAN, ONE DOES TOSS THE BLOOD:**

**1. I:1:** Said R. Giddal said Rab, “If the blood was tossed, the Passover-offering is made acceptable and no other is required. But lo, we require the possibility of eating the meat and the owner can’t eat unclean meat!”

**a. I:2:** Secondary analysis of the foregoing proposition.

**b. I:3:** Continuation of the foregoing.

**c. I:4:** Continuation of the foregoing.

**d. I:5:** Continuation of the foregoing.

**e. I:6:** Continuation of the foregoing.

**f. I:7:** Continuation of the foregoing.

**B. AND IN THE CASE OF OTHER THINGS WHICH HAVE BEEN CONSECRATED IT IS NOT SO, BUT EVEN THOUGH THE MEAT IS MADE UNCLEAN, IF THE FAT CONTINUED CLEAN, ONE DOES TOSS THE BLOOD:**

**1. II:1:** In accord with which authority is our Mishnah-rule? It is in accord with R. Joshua, for it has been taught on Tannaite authority R. Joshua says, “All the sacrifices that are mentioned in the Torah of which there remained an olive’s bulk of meat and an olive’s bulk of fat — the priest sprinkles the blood on its account. If there remained only a half olive’s bulk of meat or a half olive’s bulk of fat, he does not toss the blood on its account. And in the case of a burnt offering, even if there is a half olive’s bulk of meat or a half olive’s bulk of fat, one tosses the blood on its account, because in any event all of it is suitable for burning. And in the case of a meal offering, if there did not remain of the sacrifice a half olive’s bulk of meat or a half olive’s bulk of fat, even if the whole meal offering in its entirety remains available, one does not sprinkle the blood on its account. As to the Passover, if there is an olive’s bulk for each and every participant, one tosses the blood, and if not, one does not toss the blood” (T. [Zeb. 4:3A-F](#)).

**a. II:2:** Gloss of a detail of the foregoing.

**b. II:3:** What is the source of this rule that the blood may be sprinkled even though only an olive’s bulk of fat remained?

## **XLIII. Mishnah-Tractate Pesahim 7:6**

**A. IF THE CONGREGATION WAS MADE UNCLEAN, OR THE GREATER PART OF IT, OR IF THE PRIESTS WERE UNCLEAN WHILE THE CONGREGATION REMAINED CLEAN, THE PASSOVER OFFERING IS PREPARED IN A STATE OF UNCLEANNESS. IF A MINORITY OF THE CONGREGATION WAS MADE UNCLEAN, THOSE WHO REMAIN CLEAN KEEP THE FIRST PASSOVER OFFERING, AND THOSE WHO ARE UNCLEAN KEEP THE SECOND.**

1. I:1: Our rabbis have taught on Tannaite authority: Lo, if the Israelites were unclean but the priests and utensils of service clean, or if the Israelites were clean and the priests and utensils of service unclean, or even if the Israelites and priests were clean but the utensils of service unclean, they should prepare the Passover offering in a condition of uncleanness, because an offering presented by the community is not divided with some clean, some unclean; the majority are unclean, so the minority make their presentation in a state of uncleanness as well.

a. I:2: Gloss of the foregoing.

2. I:3: It has been stated: Lo, if the Israelites were half clean and half unclean — Rab said, “Half and half is resolved as a majority.” And R. Kahana said, “Half and half is not resolved as a majority.”

a. I:4: Footnote to a detail of the foregoing.

3. I:5: It has been stated: If half of the Israelites were clean and half unclean — said Rab, “They impart uncleanness to one of them with a dead creeping thing” so that the majority is now unclean.

4. I:6: It has been stated: If most of them were unclean with flux uncleanness Lev. 15 and a minority were unclean with corpse uncleanness — said Rab, “Those who had contracted corpse uncleanness do not prepare the Passover on the first Passover or on the second: they don’t do it on the first, because they are a minority, and the minority that is unclean with corpse uncleanness doesn’t prepare the offering on the first Passover; but they also don’t prepare it on the second, because in any case in which the community prepares the Passover on the first Passover, an individual does it on the second, but in any case in which the community at large doesn’t prepare it on the first Passover, the individual also doesn’t prepare it on the second.”

5. I:7: It has been stated: If most of them were unclean with corpse uncleanness and a minority with flux uncleanness — R. Huna said, “There is no making up a Passover offering that is presented in a state of uncleanness those with flux uncleanness do not observe the second Passover, since that can be observed only if the majority is unclean with corpse uncleanness.” And R. Adda bar Ahbah said, “There is making up a Passover offering that is presented in uncleanness.”

6. I:8: It has been stated: If a third of the community was afflicted with flux uncleanness, a third was clean, and a third was afflicted with corpse uncleanness — Said R. Mani bar Pattish, “Those who are afflicted with corpse uncleanness do not prepare the Passover offering either on the occasion of the first Passover or on the occasion of the second.

## **XLIV. Mishnah-Tractate Pesahim 7:7**

**A. A PASSOVER OFFERING, THE BLOOD OF WHICH WAS TOSSED, AND AFTERWARD IT BECOMES KNOWN THAT IT THE PASSOVER OFFERING WAS MADE UNCLEAN AFTER IT HAD BEEN SLAUGHTERED — THE HIGH PRIEST’S FRONTLET EFFECTS ACCEPTANCE. IF THE PERSON OF ANY OF THE SACRIFICERS WAS MADE UNCLEAN, THE HIGH PRIEST’S FRONTLET DOES NOT EFFECT ACCEPTANCE. FOR THEY HAVE STATED: AS TO THE NAZIRITE AND ONE WHO PREPARES THE PASSOVER OFFERING,**



**THE HIGH PRIEST'S FRONTLET EFFECTS ACCEPTANCE DESPITE UNCLEANNESS AFFECTING THE BLOOD, BUT THE HIGH PRIEST'S FRONTLET DOES NOT EFFECT ACCEPTANCE FOR UNCLEANNESS AFFECTING THE PERSON OF THE SACRIFIER (THE ONE FOR WHOM THE RITE IS PERFORMED):**

1. I:1: So the operative consideration is only that it was first sprinkled and then became known that it was unclean; but if it first became known and then the blood was sprinkled afterwards, it does not propitiate. But by contrast: For what does the high priest's head plate atone? For blood, meat, and forbidden fat, that had become unclean whether inadvertently or deliberately, accidentally or intentionally, whether in the case of an offering in behalf of an individual or an offering in behalf of the community.

**B. IF ONE WAS MADE UNCLEAN BY REASON OF UNCLEANNESS IN THE NETHERMOST DEPTHS, THE HIGH PRIEST'S FRONTLET EFFECTS ACCEPTANCE.**

1. II:1: This question was raised by Rami bar Hama, "As to a priest who propitiates with their sacrifice, is the uncleanness of the deep remitted so far as he is concerned, or is the uncleanness of the deep not remitted so far as he is concerned?" If the priest who offers the Passover sacrifice or the offerings of a Nazirite on behalf of the owners was made unclean with uncleanness emanating from the deep, does the head-plate propitiate, so that the offering is a valid one, or is that not the case? Do we invoke the argument that, when we have learned the rule about the uncleanness of the deep, it pertains to the owner of the beast, but we have learned no tradition with respect to the priest? Or maybe, we have a tradition that concerns the offering itself, without regard to whether it is the owners or the priest who is made unclean?"

a. II:2: Secondary surmise.

b. II:3: Continuation of the foregoing.

c. II:4: As above.

2. II:5: R. Joseph raised this question: "The priest who officiates at the daily whole offering — by the priestly frontlet is uncleanness remitted to him or is it not remitted to him? If you should choose to say, the uncleanness of the deep is remitted to the priest who officiates at their the Nazirite's or the Passover-observers' sacrifices, what about the priest who officiates at the continual offering? Do we invoke the argument that, when we have learned the rule about the uncleanness of the deep, it pertains to the Passover, but as to the daily whole offering, we have learned no tradition? Or perhaps the rule governing the daily whole offering ought to derive from the Passover's rule?"

3. II:6: And as to the law about the uncleanness of the deep, where is that law itself written in Scripture?

4. II:7: Said Mar bar R. Ashi, "They have repeated this rule the head-plate propitiates for uncleanness of the deep for the Nazirite and the one who is performing the Passover rite only if the fact that he had been made unclean by uncleanness of that sort after the sprinkling of the blood. Then, when the blood was sprinkled, it was sprinkled quite properly. But if it was known to him prior to the sprinkling of the blood, it does not propitiate at all."

a. II:8: Tannaite source appended to the foregoing.

## **XLV. Mishnah-Tractate Pesahim 7:8**

**A. IF THE WHOLE OR THE LARGER PART OF THE PASSOVER OFFERING WAS MADE UNCLEAN, THEY BURN IT BEFORE THE TEMPLE BUILDING, WITH WOOD SET ASIDE FOR THE ALTAR HEARTH:**

1. I:1: What is the reason for the public burning?

**B. IF THE LESSER PART OF IT WAS MADE UNCLEAN, AND AS TO THAT WHICH REMAINS OVER AND IS NOT EATEN IN THE TIME LIMIT SET FOR THE EATING OF THE PASSOVER OFFERING — THEY BURN IT IN THEIR COURTYARDS OR ON THEIR ROOFS WITH THEIR OWN WOOD. BUT THE CHEAPSKATES BURN IT BEFORE THE TEMPLE BUILDING, SO AS TO ENJOY THE USE OF WOOD SET ASIDE FOR THE ALTAR HEARTH INSTEAD OF USING THEIR OWN.**

1. II:1: And by contrast: And so too: He who went forth from Jerusalem and remembered that he had in hand meat in the status of Holy Things, if he had already passed Mount Scopus, he burns it right where he is. But if not, let him go back and burn it before the Temple pile with wood which has been set aside for the altar hearth (M. **3:8A-C**). Even a small portion is burned in this way.

2. II:2: Our rabbis have taught on Tannaite authority: If they come to burn it in their own courtyards with wood of the altar pile, we do not listen to them and permit them to do that. If they wanted to do it before the Temple pile with their own wood, we do not listen to them (T. **Pisha 3:3G-I**).

a. II:3: Gloss of the foregoing.

## **XLVI. Mishnah-Tractate Pesahim 7:9**

**A. THE PASSOVER OFFERING WHICH WENT FORTH FROM JERUSALEM OR WHICH WAS MADE UNCLEAN IS TO BE BURNED IMMEDIATELY ON THE FOURTEENTH:**

1. I:1: The Passover offering which went forth from Jerusalem or which was made unclean is to be burned immediately on the fourteenth: There is no problem understanding why that is the rule if it is made unclean, since it is written, “And the meat that touches any unclean thing shall not be eaten, it shall be burned with fire” (Lev. 7:19). But how on the basis of Scripture do we know the same rule applies to that which went forth from Jerusalem?

a. I:2: Secondary expansion of the foregoing.

b. I:3: As above.

c. I:4: As above.

**B. IF THE OWNER WAS MADE UNCLEAN OR DIED, ITS APPEARANCE IS ALLOWED TO SPOIL, AND IT IS TO BE BURNED ON THE SIXTEENTH OF NISAN. R. YOHANAN B. BEROQAH SAYS, “ALSO: HIS IS TO BE BURNED IMMEDIATELY, FOR IT HAS NO ONE TO EAT IT.”**

1. II:1: Said R. Joseph, “The dispute pertains to a case in which the owner became unclean after the tossing of the blood, in which case the meat had been suitable for

eating, but if the owner had contracted uncleanness prior to the sprinkling of the blood, in which case the meat had not been suitable for eating, all parties concur that it is to be burned immediately.” And R. Yohanan said, “The dispute pertains also to the situation after the sprinkling of the blood.”

## **XLVII. Mishnah-Tractate Pesahim 7:10**

### **A. BONES, SINEWS, AND THAT WHICH IS LEFT OVER AND NOT EATEN WITHIN THE STATED LIMITS ARE TO BE BURNED ON THE SIXTEENTH OF NISAN:**

1. I:1: Bones, sinews, and that which is left over are to be burned on the sixteenth of Nisan: Said R. Mari bar Abbuha said R. Isaac, “Bones of Holy Things that served as the container for left-over sacrificial material; marrow left in them after the time permitted for eating the sacrifice having become left-over, for which the bones served as a container impart uncleanness to hands, since they have served as the basis for something forbidden.”

a. I:2: Secondary gloss of the foregoing.

2. I:3: Said R. Judah said Rab, “All sinews are classified as meat except for the sinews of the neck.” We have learned in the Mishnah: Bones, sinews, and that which is left over and not eaten within the stated limits are to be burned on the sixteenth of Nisan. Now what can be the character of these sinews? If we say that they are sinews in the category of meat, well, then, let’s eat them. If they had been left over, then they fall into the category of left over of Holy Things. So they must be sinews of the neck. Now, there is no problem if I say that they fall into the category of meat, and that’s why they have to be burned. But if you maintain that they don’t fall into the category of meat, why do they have to be burned?

### **B. IF THE SIXTEENTH OF NISAN COINCIDES WITH THE SABBATH, THEY ARE TO BE BURNED ON THE SEVENTEENTH. FOR BURNING THEM DOES NOT OVERRIDE THE PROHIBITIONS EITHER OF THE SABBATH OR OF A FESTIVAL DAY**

1. II:1: But why should this be so? Let the commandment involving affirmative action come and override the negative commandment since if the two conflict, the affirmative sets aside the negative; the affirmative command is to burn the left over, Exo. 12:10, the negative, not to work on the festival, Exo. 12:16.

## **XLVIII. Mishnah-Tractate Pesahim 7:11A-B**

### **A. WHATEVER IS EATEN OF A FULL-GROWN OX MAY BE EATEN OF A TENDER LAMB, EVEN THE ENDS OF THE SHOULDER BLADES AND THE GRISTLY PARTS.**

1. I:1: Rabbah introduced the contrast: “We have learned in the Mishnah: Whatever is eaten of a full-grown ox may be eaten of a tender lamb. So what cannot be eaten of the one may not be eaten of the other. And by contrast note what follows: even the ends of the shoulder blades and the gristly parts. But lo, these can’t be eaten in the case of a full-grown ox at all!”

2. I:2: It has been stated: Sinews that ultimately harden; sinews of the neck of a young lamb fit for a Passover offering are soft but when it grows older they harden and are unfit for food — R. Yohanan said, “People may sign up for them in

connection with the Passover offering.” R. Simeon b. Laqish said, “People may not sign up for them in connection with the Passover offering.”

a. I:3: Expansion of the foregoing.

## **XLIX. Mishnah-Tractate Pesahim 7:11C-D**

**A. HE WHO BREAKS THE BONE OF A PASSOVER OFFERING WHICH IS IN A STATE OF CULTIC CLEANNES — LO, THIS PERSON RECEIVES FORTY STRIPES. BUT ONE WHO LEAVES OVER ANY PART OF A PASSOVER OFFERING WHICH IS IN A STATE OF CULTIC CLEANNES AND ONE WHO BREAKS A BONE OF A PASSOVER OFFERING WHICH IS IN A STATE OF CULTIC UNCLEANNES DO NOT RECEIVE FORTY STRIPES.**

1. I:1: There is no problem understanding the rule concerning him who leaves over meat of a clean offering, for it has been taught on Tannaite authority: “And you shall let nothing remain of it until the morning, and that which remains of it until the morning you shall burn with fire” (Exo. 12:10): Scripture comes to set forth an affirmative commandment after a negative one, so as to indicate that on that account, one does not incur flogging,” the words of R. Judah. R. Jacob says, “That is not the pertinent consideration here, but rather because we deal with a negative commandment that does not involve the commission of an actual deed, and in the case of any negative commandment that does not involve a concrete deed, flogging is not incurred.” But how on the basis of Scripture do we know the rule covering one who breaks a bone of an unclean one?

2. I:2: Our rabbis have taught on Tannaite authority: “Neither shall you break a bone thereof” (Exo. 12:46) — “thereof” if it is valid, not if it is invalid. Rabbi says, “In one house shall it be eaten...neither shall you break a bone thereof” (Exo. 12:46) — whatever is suitable for eating is subject to the prohibition against breaking a bone, and whatever is not suitable for eating is not subject to the prohibition against breaking a bone.”

a. I:3: Gloss of the foregoing.

I. I:4: Secondary comment on the gloss.

3. I:5: It has been stated: A limb that doesn’t have an olive’s bulk of meat on it at this point, but it does have an olive’s bulk of meat on it at some other point — R. Yohanan said, “It is subject to the prohibition against breaking the bone.” R. Simeon b. Laqish said, “It is not subject to the prohibition against breaking the bone.”

4. I:6: There we have learned in the Mishnah: As to what has been rendered refuse by a priest’s improper intention and what is left over from an offering beyond the valid time for eating it impart uncleanness to hands (M. **Pes. 10: 6**). R. Huna and R. Hisda — one said, “It is because of suspects in the priesthood who intentionally injured the donor by ruining his offering; the priest who handles that offering is unclean, and that would discourage doing so.” The other said, “Because of lazy priests” who didn’t trouble to eat the meat at the proper spell and permitted it to become left over.

5. I:7: The question was raised: as to what is taken outside of Jerusalem, did rabbis decree uncleanness for that meat or did they not do so? Do we invoke the argument that it was in respect to left over in particular that they imposed uncleanness, because the priests might turn out to be slovenly in dealing with it; but as to that which goes outside, they are certainly not going to carry it out with their own hands, so rabbis did not issue a decree of uncleanness in that regard? Or maybe there's no difference between the one and the other?

6. I:8: And one who takes out the meat of a Passover offering from one association to another — how on the basis of Scripture do we know that he violates a negative commandment?

7. I:9: Said R. Ammi, "One who takes out the meat of a Passover offering from one association to another is liable only if he leaves it there. For we find reference to 'carrying out' with respect to this matter and with respect to the Sabbath: just as in the case of the Sabbath, liability is incurred only when the same person has carried out the lifting up and the putting down, so here too, liability is incurred only if one has accomplished both the lifting up and the putting down."

## **L. Mishnah-Tractate Pesahim 7:12**

**A. A LIMB OF A PASSOVER OFFERING PART OF WHICH PROJECTED OUTSIDE OF JERUSALEM — ONE CUTS IT AWAY UNTIL HE REACHES THE BONE, PARES OFF THE FLESH UNTIL HE REACHES THE JOINT, AND THEN HE CUTS IT AWAY. AND IN THE CASE OF HOLY THINGS, HE SIMPLY CHOPS IT OFF WITH A CHOPPER. FOR TO ANY OF THE HOLY THINGS EXCEPT FOR THE PASSOVER OFFERING, THE LAW AGAINST BREAKING A BONE DOES NOT APPLY.**

**FROM THE DOORSTEP AND TOWARD THE INNER PART OF THE CITY IS AN AREA DEEMED INSIDE THE CITY. FROM THE DOORSTEP AND OUTWARD IS AN AREA DEEMED OUTSIDE THE CITY:**

1. I:1: Said R. Judah said Rab, "And the same rule applies to prayer." A quorum of ten includes someone standing inside of the door stop, but if he is standing outside, he is not counted.

2. I:2: Lo, there is a contradiction in the body of the rule. First you say, From the doorstep and toward the inner part of the city is an area deemed inside the city. Then the doorstep itself is classified as outside of the city. But then note what follows: From the doorstep and outward is an area deemed outside the city. Then the doorstep itself is classified as inside of the city.

**B. THE WINDOWS AND THE THICK PART OF THE WALL ARE DEEMED AN AREA INSIDE THE CITY**

1. II:1: Said Rab, "The rules and upper chambers weren't sanctified so offerings couldn't be eaten there."

## **LI. Mishnah-Tractate Pesahim 7:13**

**A. TWO ASSOCIATIONS REGISTERED FOR TWO SEPARATE PASSOVER OFFERINGS THAT WERE EATING IN ONE ROOM — THESE TURN THEIR FACES TO ONE SIDE AND**

EAT, AND THOSE TURN THEIR FACES TO THE OTHER SIDE AND EAT. AND THE KETTLE IS IN THE MIDDLE BETWEEN THEM. AND WHEN THE WAITER WHO EATS WITH ONE ASSOCIATION BUT SERVES THEM BOTH STANDS UP TO MIX THE WINE OF THE COMPANY WITH WHICH HE IS NOT EATING, HE SHUTS HIS MOUTH AND TURNS HIS FACE AWAY UNTIL HE GETS BACK TO HIS OWN ASSOCIATION, AND THEN CONTINUES EATING:

1. I:1: In accord with what authority is our Mishnah-rule?

**B. AND A BRIDE TURNS HER FACE ASIDE WHILE SHE EATS:**

1. II:1: How come?

a. II:2: Illustrative story.

I. II:3: Second example of the same story.

2. II:4: Said R. Huna, “The members of an association enter by threes and leave one at a time.”

## **LII. Mishnah-Tractate Pesahim 8:1**

**A. A WOMAN, WHEN SHE IS IN THE HOME OF HER HUSBAND — IF HER HUSBAND SLAUGHTERED A PASSOVER OFFERING IN HER BEHALF, AND HER FATHER SLAUGHTERED A PASSOVER OFFERING IN HER BEHALF, SHE SHOULD EAT OF THAT WHICH IS SLAUGHTERED BY HER HUSBAND. IF SHE WENT TO OBSERVE THE FIRST FESTIVAL AFTER MARRIAGE IN HER FATHER’S HOUSE, IF HER FATHER SLAUGHTERED A PASSOVER OFFERING IN HER BEHALF, AND HER HUSBAND SLAUGHTERED A PASSOVER OFFERING IN HER BEHALF, LET HER EAT IN WHICHEVER PLACE SHE WANTS:**

1. I:1: That yields the inference that retrospective selection is effective since the woman now may eat whichever offerings she wants, though when the animal was killed and the blood sprinkled, she had made no choice; the offering may be eaten only by those who signed up for it, so her present choice allows her to eat it because retrospective choice is effective. Not at all: what is the meaning of she wants? It means, at the time of slaughtering the animal. By way of objection: a woman, on the first festival, eats her father’s offering; from that point on, if she wants, she eats her father’s, if she wants, she eats her husband’s. No problem: that case speaks of her yearning to go to her father’s house, here in our Mishnah it speaks of a case in which she’s not yearning to go there. That is in line with the verse, “Then I was in his eyes as one that found peace” (Song 8:10), and said R. Yohanan, “Like a bride found flawless by her father-in-law’s house, who is anxious to go home and tell her success in her father’s household.”

**B. COMPOSITE ON DAUGHTERS AND WIVES, WITH SPECIAL REFERENCE TO HOSEA**

1. I:2: “And it shall be at that day says the Lord that you will call my ‘My man,’ and not ‘My master” (Hos. 2:18) — Said R. Yohanan, “Like a bride in the household of her father-in-law, not like a bride in the household of her father.”

2. I:3: “We have a little sister, and she has no breasts” (Son. 8: 8): R. Yohanan said, “This refers to Elam, which had sufficient inherited merit to learn but didn’t have sufficient inherited merit to teach.”

**3. I:4:** “I am a wall and my breasts are like towers” (Song 8:10). Said R. Yohanan, “‘I am a wall’ refers to the Torah, ‘and my breasts are like towers’ refers to disciples of the sages.”

**4. I:5:** Said R. Zutra bar Tobiah said Rab, “What is the meaning of the verse of Scripture, ‘We whose sons are as plants grown up in their youth, whose daughters are as corner pillars carved after the fashion of the Temple’ (Psa. 144:12)? ‘We whose sons are as plants grown up in their youth’ refers to Israelite youngsters, who have never tasted the flavor of sin. ‘...whose daughters are as corner pillars carved after the fashion of the Temple’ refers to Israelite girls, who seal their doors to save them for their husbands, and so Scripture says, ‘and they shall be filled like the basins, like the corners of the altar’ (Zec. 9:15).”

**5. I:6:** “The word of the Lord that came to Hosea son of Beeri in the days of Uzziah, Jotham Ahaz, and Hezekiah, kings of Judah” (Hos. 1: 1): Four prophets prophesied in the same period, but the greatest of them all was Hosea, for it is said, “The Lord spoke first with Hosea” (Hos. 1: 2). But did he speak first of all with Hosea? Is it not the fact that, from Moses to Hosea, there were numerous prophets? Said R. Yohanan, “‘first,’ means, he was the first of the four prophets who prophesied at that same time, and these are they: Hosea, Isaiah, Amos, and Micah....”

**6. I:7:** So he went and took Gomer the daughter of Diblaim’ (Hos. 1: 3).” “Gomer:” said Rab, “For everybody finished up on her.”

**7. I:8:** Another interpretation: “Gomer:” Said R. Judah, “It is because they wanted to destroy the capital of Israel in her time.” R. Yohanan said, “They despoiled and finished it up: ‘For the king of Aram destroyed them and made them like the dust in threshing’ (2Ki. 13: 7).”

**8. I:9:** After two sons and a daughter were born to him, said the Holy One, blessed be he to Hosea, “Shouldn’t you have learned the lesson from your lord, Moses? As soon as I spoke with him, he desisted from sexual relations with his wife. You too, desist from sexual relations with her.” He said to him, “Lord of the world, I have children by her, and I can’t expel her or divorce her.” Said to him the Holy One, blessed be he, “Now you, with a whore for a wife and with children of harlotry, and not knowing whether your children are yours or belong to someone else, are the way you are, then Israel, who really are my children, the children of those whom I have favored, Abraham, Isaac, and Jacob; who are one of the four possessions that I have acquired in this world — “and you can use such language as, ‘exchange them for some other nation.’?!”

**a. I:10:** Secondary expansion.

**b. I:11:** Secondary expansion.

**9. I:12:** Said R. Eleazar, “Even at the time of the wrath of the Holy One, blessed be he, he remembers mercy: ‘for I will no more have compassion upon the house of Israel’ (Hos. 1: 6).”

**10. I:13:** And said R. Eliezer, “The Holy One, blessed be he, exiled the Israelites among the nations only so that converts should join them: ‘And I will sow her unto

me in the land' (Hos. 2:25). Certainly someone sows a seah of seed to harvest many kor of seed."

**11. I:14:** Said R. Yohanan in the name of R. Simeon b. Yohai, "What is the meaning of the verse of Scripture: 'Don't slander a servant to his master, lest he curse you and you be found guilty' (Pro. 30:10)? And it is written, 'a generation that curse their father and do not bless their mother' (Pro. 30:11)? Is the sense, because they curse their father and don't bless their mother, don't slander? But the sense is, even if the slaves are a generation that curse their father and don't bless their mother, don't slander them. On what basis do we know that fact? From Hosea."

### **C. THE EXILE AND HOSEA'S PROPHECY**

**1. I:15:** Said R. Oshayya, "What is the meaning of the verse of Scripture: 'Even the righteous acts of his ruler in Israel' (Jud. 5:11)? The Holy One, blessed be he, did an act of righteousness with Israel when he scattered them among the nations."

**2. I:16:** R. Hiyya taught on Tannaite authority, "What is the meaning of the verse of Scripture: 'God understood her way and he knew her place' (Job. 28:23)? The Holy One, blessed be he, knew that the Israelites wouldn't be able to take the Romans' persecution, so he drove them to Babylonia."

**3. I:17:** And said R. Eleazar, "The Holy One, blessed be he, exiled Israel to Babylonia only because it is as deep as hell: 'I shall ransom them from the power of the netherworld, I shall redeem them from death' (Hos. 13:14)."

**a. I:18:** Gloss of a detail of the foregoing.

**4. I:19:** Ulla said, "They were sent into exile so that they might eat dates and have the free time to get busy with the Torah."

**a. I:20:** Illustrative story.

**5. I:21:** And said R. Eleazar, "What's the meaning of the verse of Scripture, 'And many people shall go and say, Come and let's go up to the mountain of the Lord, to the house of the god of Jacob' (Isa. 2: 3)? The God of Jacob, not the God of Abraham or Isaac? But we shall not be like Abraham, in whose regard 'mountain' is written: as it is said to this day, in the mountain where the Lord is seen' (Gen. 22:14), nor like Isaac, in regard to whom 'field' is written, 'And Isaac went out to meditate in the field at eventide' (Gen. 24:63), but let us be like Jacob, who called him 'home,' 'and he called the name of that place Beth El' God is a home' (Gen. 28:19)."

**7. I:22** Said R. Yohanan, "The ingathering of the exiles is as great as the day on which heaven and earth were created: 'And the children of Judah and the children of Israel shall be gathered together, and they shall appoint themselves one head and shall go up out of the land, for great shall be the day of Jezreel' (Hos. 2: 2), and 'and there was evening and there was morning, one day' (Gen. 1: 4)."

### **D. A MINOR ORPHAN IN BEHALF OF WHOM SEVERAL GUARDIANS HAVE SLAUGHTERED A PASSOVER OFFERING EATS IN THE PLACE WHICH HE WANTS:**

**1. II:1:** That yields the inference that retrospective selection is effective since the orphan now may eat whichever offerings he wants, though when the animal was



killed and the blood sprinkled, he had made no choice; the offering may be eaten only by those who signed up for it, so his present choice allows her to eat it because retrospective choice is effective.

**2. II:2:** Our rabbis have taught on Tannaite authority: “A lamb for a household” (Exo. 12: 3) — This teaches that a man may present a lamb and slaughter it in behalf of his minor son and daughter and in behalf of his Canaanite slave or slave-girl, whether with their knowledge and consent or not with their knowledge and consent. But he slaughters in behalf of his adult son or daughter or his Hebrew slave or slave-girl or his wife only with their knowledge and consent.

**a. II:3:** What differentiates the wife?

**3. II:4:** There is a contradiction in the body of the Tannaite rules. First you say, except in the case of one’s wife who in such a case fulfils his obligation with one she did for herself, since she has the power to protest and reject her husband’s support, so the operative consideration is that she has the power to protest; so if she didn’t protest, then she fulfils her obligation with the lamb that her husband has prepared for her. But then the opening clause states: ...or his wife except with their knowledge and consent. Lo, if the matter is left unarticulated, she cannot fulfil her obligation in that way!

#### **E. A SLAVE BELONGING TO TWO PARTNERS SHOULD NOT EAT OF A PASSOVER OFFERING BELONGING TO EITHER ONE OF THEM:**

**1. III:1:** R. Ina the Elder pointed out to R. Nahman the following contrast: “We have learned in the Mishnah, a slave belonging to two partners should not eat of a Passover offering belonging to either one of them, and by contrast, it has been taught on Tannaite authority: if he wanted, he eats from this one’s, and if he wants, he eats from that one’s!”

#### **F. HE WHO IS HALF-SLAVE AND HALF-FREE SHOULD NOT EAT OF THE PASSOVER OFFERING OF HIS MASTER:**

**1. IV:1:** It is of his master’s that he may not eat, but he may eat his own. But lo, it has been taught on Tannaite authority: he may not eat of either his own or his master’s.

### **LIII. Mishnah-Tractate Pesahim 8:2**

#### **A. HE WHO SAYS TO HIS SLAVE, “GO AND SLAUGHTER A PASSOVER OFFERING IN MY BEHALF” — IF HE SLAUGHTERED A KID, LET HIM EAT IT. IF HE SLAUGHTERED A LAMB, LET HIM EAT IT. IF HE SLAUGHTERED BOTH A KID AND A LAMB, LET HIM EAT FROM THE FORMER.**

**1. I:1:** It is obvious that if he slaughtered a kid, let him eat it, even though he usually eats a lamb. If he slaughtered a lamb, let him eat it, even though he usually eats a kid. But what about: If he slaughtered both a kid and a lamb, let him eat from the former? Lo, it has been taught on Tannaite authority: people may not sign up for two Passover offerings simultaneously!

#### **B. IF THE SLAVE FORGOT WHAT HIS MASTER SAID TO HIM, WHAT SHOULD HE DO? LET HIM SLAUGHTER BOTH A KID AND A LAMB AND SAY, “IF MY MASTER TOLD ME**

**TO PREPARE A KID, THE KID IS HIS AND THE LAMB IS MINE, AND IF MY MASTER TOLD ME TO PREPARE A LAMB, THE LAMB IS HIS AND THE KID IS MINE.”**

**2. II:2: Mine?! But what the slave has acquired, his master has acquired.**

**C. IF THE SLAVE DID AS SPECIFIED BUT HIS MASTER FORGOT WHAT HE HAD SAID TO HIM, BOTH OF THEM THE ANIMALS KILLED BY THE SLAVE GO OUT TO THE PLACE OF BURNING. BUT THEY ARE EXEMPT FROM THE REQUIREMENT OF PREPARING THE SECOND PASSOVER.**

**1. III:1: Said Abbayye, “They have repeated this rule only for a case in which he forgot after the tossing of the blood, so that, at the time of the tossing of the blood, it was suitable for eating; but if the master forgot before the tossing of the blood, so that, at the time the blood was tossed it was not suitable for eating, they are liable to the requirement of preparing the second Passover.”**

**a. III:2: Secondary expansion of a detail of the foregoing.**

### **LIV. Mishnah-Tractate Pesahim 8:3A-B**

**A. HE WHO SAYS TO HIS CHILDREN, “LO, I SHALL SLAUGHTER THE PASSOVER OFFERING IN BEHALF OF THE ONE OF YOU WHO WILL GET UP TO JERUSALEM FIRST” — ONCE THE FIRST CHILD POKED HIS HEAD AND THE GREATER PART OF HIS BODY INTO THE CITY, HE HAS EFFECTED ACQUISITION OF HIS SHARE AND HAS FURTHERMORE EFFECTED ACQUISITION IN BEHALF OF HIS BROTHERS ALONG WITH HIMSELF.**

**1. I:1: That yields the inference that retrospective selection is effective.**

### **LV. Mishnah-Tractate Pesahim 8:3C-E**

**A. UNDER ALL CIRCUMSTANCES DO PEOPLE REGISTER WITH A PASSOVER OFFERING SO LONG AS THERE IS AN OLIVE’S BULK OF MEAT FOR EACH AND EVERY ONE OF THEM.**

**1. I:1: So what’s the point?**

**B. THEY REGISTER AND THEN WITHDRAW THEIR REGISTRATION FROM IT UNTIL THE MOMENT THAT ONE WILL SLAUGHTER IT. R. SIMEON SAYS, “UNTIL ONE WILL TOSS THE BLOOD ON HIS BEHALF.”**

**1. II:1: Said Abbayye, “At issue in the dispute is with regard to withdrawing from this animal, for rabbis hold that the verse, ‘and if the household be too little for being for a lamb’ (Exo. 12: 4) bears the sense, ‘during the being, or lifetime, of the lamb,’ while R. Simeon maintains that the sense is, during the existence of the lamb. But so far as registering on the animal, all concur that that can be done only until the animal is killed, since the Scripture says, ‘according to the number of the soul’s, and then, ‘you shall make your count’ (Exo. 12: 4).”**

### **LVI. Mishnah-Tractate Pesahim 8:4**

**A. HE WHO REGISTERED OTHERS IN HIS SHARE OF THE PASSOVER OFFERING — THE OTHER MEMBERS OF THE ASSOCIATION HAVE THE RIGHT TO GIVE HIM HIS**

## **SHARE TO EAT ELSEWHERE, AND HE EATS WHAT IS HIS, AND THEY EAT WHAT IS THEIRS.**

**1. I:1:** The question was raised: in the case of members of an association, the hands of one of the members of which were skilful at grabbing food —what is the law on their saying to him, “Take your share and get out of here”? Do we invoke the argument that he can say to them, “Yeah, but you accepted me as a member”? Or do we say, they can say to him, “When we accepted you as a member, it was for making the sacrifice, but we never accepted you with the notion that you’d eat more than we”?

**a. I:2:** Gloss of language used in the foregoing.

**b. I:3:** Further gloss of the foregoing.

**I. I:4:** Illustrative case.

**2. I:5:** Our rabbis have taught on Tannaite authority: He who signs up others with him for his Passover and his festal offering presented on the fourteenth and eaten before the Passover offering by those signed up for that offering — the money he holds in hand is unconsecrated. He who sells his burnt offering and piece offerings has done nothing, and the money he has in hand, whatever the sum, is assigned to a thank offering (T. Pisha 7:8Jff.)

**a. I:6:** Gloss of the foregoing.

**a. I:7:** Gloss of the foregoing.

**3. I:8:** Said Ulla, and others say, R. Oshayya, “Is it possible that our Babylonian colleagues know the operative consideration behind the following rule: this party designated a lamb for his Passover offering, and that party designated money for the purchase of his Passover offering. Now how is it possible for the status of sanctification to take hold of what is already sanctified, that the Tannaite rule should say, the money he holds in hand is unconsecrated?” Money consecrated for a sacrifice can revert to unconsecrated status only if an animal of unconsecrated status is bought therewith, whereby the animal receives the sanctify of the money, which in turn loses it and becomes unconsecrated. Here, however, the money was consecrated and given for an animal, or part of it, which was already consecrated for a Passover offering. How then can the additional sanctity fall upon the animal, in the sense that the sanctify of the money is transferred to it, leaving the money unconsecrated?

**a. I:9:** Secondary case, testing the propositions offered in the foregoing.

## **LVII. Mishnah-Tractate Pesahim 8:5**

**A. A PERSON AFFLICTED WITH FLUX UNCLEANNESS WHO HAS EXPERIENCED TWO APPEARANCES OF FLUX — THEY SLAUGHTER THE PASSOVER OFFERING IN HIS BEHALF ON THE EVENING OF THE SEVENTH DAY. IF HE EXPERIENCED THREE, THEY SLAUGHTER THE PASSOVER OFFERING IN HIS BEHALF ON HIS EIGHTH DAY.**

**1. I:1:** Said R. Judah said Rab, “They slaughter the beast and toss the blood in behalf of one who has immersed on that very day and awaits sunset for the completion of his purification rite and also for one who lacks atonement that is, the

completion of the offerings required for his atonement rite, but they do not slaughter the beast and toss the blood in behalf of one who has contracted uncleanness from a dead creeping thing.” And Ulla said, “Also, they do slaughter the beast and toss the blood in behalf of one who has contracted uncleanness from a dead creeping thing.”

a. I:2: Secondary analytical development.

**B. A WOMAN WHO AWAITS DAY BY DAY SINCE SHE HAD A FLOW DURING THE ELEVEN DAYS BETWEEN ONE MENSTRUAL PERIOD AND THE NEXT AND HAS IMMERSSED AND NOW AWAITS A COMPLETE DAY FREE OF FLOW, AFTER WHICH SHE IS CLEAN — THEY SLAUGHTER A PASSOVER OFFERING IN HER BEHALF ON HER SECOND CLEAN DAY FOR THE REASON GIVEN ABOVE.**

**IF SHE EXPERIENCED A FLOW ON TWO SUCCESSIVE DAYS, THEY SLAUGHTER A PASSOVER OFFERING IN HER BEHALF ON THE THIRD DAY. AND AS TO A WOMAN AFFLICTED WITH FLUX UNCLEANNESS HAVING HAD THREE DISCHARGES, THEY SLAUGHTER A PASSOVER OFFERING IN HER BEHALF ON THE EIGHTH DAY.**

1. II:1: A Tannaite authority recited the following Tannaite formulation before R. Adda bar Ahbah: As to a woman afflicted with flux who has to wait for sunset after she has immersed, who immerses in the evening after sunset and so has to wait for the following evening before eating Holy Things, they slaughter the Passover offering for her on her seventh day.

a. II:2: Further exposition in connection with the foregoing.

### **LVIII. Mishnah-Tractate Pesahim 8:6**

**A. IN BEHALF OF (1) ONE WHO SUFFERS A BEREAVEMENT OF A CLOSE RELATIVE ON THAT SAME DAY, (2) ONE WHO HAS THE TASK OF CLEARING AWAY A RUIN AND MAY, IN FACT, THEREBY SUFFER CORPSE UNCLEANNESS, AND SO TOO:**

**(3) ONE WHOM THEY HAVE PROMISED TO FREE FROM PRISON**

**(4) A SICK PERSON, AND (5) A SENILE PERSON, BOTH OF WHOM CAN EAT AN OLIVE’S BULK OF THE MEAT OF A PASSOVER OFFERING — THEY SLAUGHTER A PASSOVER OFFERING.**

1. I:1: one whom they have promised to free from prison: Said Rabbah bar bar Hannah said R. Yohanan, “They have stated this rule only in the case of a gentile prison, but if it is an Israelite prison, they slaughter it for him separately, since if they made such a promise to him, he will certainly be released, as it is said, ‘The remnant of Israel shall not do iniquity nor lie’ (Zep. 3:13).”

**B. IN THE CASE OF ALL OF THESE, HOWEVER, THEY DO NOT SLAUGHTER A PASSOVER OFFERING IN THEIR BEHALF ALONE, LEST THEY LEAD THE PASSOVER OFFERING TO SUFFER INVALIDATION.**

**THEREFORE, IF SOME FORM OF INVALIDATION BEFELL THEM, THEY ARE EXEMPT FROM HAVING TO PREPARE A SECOND PASSOVER OFFERING, EXCEPT IN THE CASE OF ONE WHO HAS THE TASK OF CLEARING AWAY A RUIN, FOR IF HE UNCOVERS A CORPSE HE IS UNCLEAN TO BEGIN WITH AT THE TIME THAT HE ANIMAL WAS SACRIFICED.**

1. II:1: Said Rabbah bar bar Hannah said R. Yohanan, “They have stated this rule only in the case of a round heap which can cover a person, in which case the rescuer must have stood and overshadowed the corpse to begin with, but if it was an elongated heap, he is exempt from having to make a second Passover. I say, he was clean at the time of the slaughtering of the beast.”

### **LIX. Mishnah-Tractate Pesahim 8:7**

**A. “THEY DO NOT SLAUGHTER A PASSOVER OFFERING IN BEHALF OF A SINGLE INDIVIDUAL,” THE WORDS OF R. JUDAH. AND R. YOSÉ PERMITS DOING SO. EVEN IF THERE IS AN ASSOCIATION OF A HUNDRED PEOPLE WHO CANNOT EAT AN OLIVE’S BULK OF THE MEAT — THEY DO NOT SLAUGHTER A PASSOVER OFFERING IN THEIR BEHALF. THEY DO NOT FORM AN ASSOCIATION CONSISTING ONLY OF WOMEN, SLAVES, AND OR CHILDREN.**

1. I:1: Our rabbis have taught on Tannaite authority: “How on the basis of Scripture do we know that they do not slaughter a Passover offering in behalf of a single individual? Scripture states, ‘You may not sacrifice the Passover offering for one’ (Deu. 16: 5),” the words of R. Judah. And R. Yosé says, “If it is an individual and he can eat it up, one may slaughter it for him; if they are ten but can’t eat it up, one may not slaughter in their behalf.”

a. I:2: Analysis of the foregoing.

2. I:3: R. Uqba bar Hinena of Parishna pointed out to Raba the following contradiction: “Did R. Judah really say, they do not slaughter a Passover offering in behalf of a single individual? And by contrast: ‘As to a woman, on the first Passover one may slaughter the offering for her on her own, but on the second Passover one adds her to that of others,’ the words of R. Judah (T. Pisha 8:10A)!

a. I:4: Gloss of the foregoing.

I. I:5: Secondary gloss.

II. I:6: Secondary gloss.

III. I:7: Secondary gloss.

3. I:8: Said R. Jacob said R. Yohanan, “They do not form an association made up entirely of converts, lest they prove too particular and invalidate it objecting to points that are inconsequential, not knowing the law very exactly.”

4. I:9: Our rabbis have taught on Tannaite authority: The Passover offering, unleavened bread, and bitter herbs, on the first Passover are obligatory. From that point forward, they are optional. R. Simeon says, “For men they are obligatory, for women they are optional” (T. **Pisha 2:22**).

### **LX. Mishnah-Tractate Pesahim 8:8**

**A. ONE WHO HAS SUFFERED A BEREAVEMENT OF A CLOSE RELATIVE IMMERSSES AND EATS HIS PASSOVER OFFERING IN THE EVENING, BUT HE MAY NOT EAT ANY OTHER HOLY THINGS IN THAT EVENING.**

1. I:1: He takes the view that the law covering one who has suffered a bereavement applies by night only by the authority of rabbis, and, in connection with the Passover, sages didn't impose their rule in a case that involves extirpation; but when it came to Holy Things in general, they did impose their rule where there is a mere commandment of affirmative action that is involved.

**B. HE WHO HEARS WORD OF THE DEATH OF A CLOSE RELATIVE, AND HE WHO IS GATHERING UP BONES FOR SECONDARY BURIAL IMMERSSES AND EATS HOLY THINGS.**

1. II:1: But doesn't he require sprinkling on the third and seventh day after contamination?

**C. A PROSELYTE WHO CONVERTED ON THE EVE OF PASSOVER THE FOURTEENTH OF NISAN — THE HOUSE OF SHAMMAI SAY, "HE IMMERSSES AND EATS HIS PASSOVER OFFERING IN THE EVENING." AND THE HOUSE OF HILLEL SAY, "HE WHO TAKES HIS LEAVE OF THE FORESKIN IS AS IF HE TOOK HIS LEAVE OF THE GRAVE AND MUST BE SPRINKLED ON THE THIRD AND SEVENTH DAY AFTER CIRCUMCISION AS IF HE HAD SUFFERED CORPSE UNCLEANNESS."**

1. III:1: Said Rabbah bar bar Hannah said R. Yohanan, "The dispute concerns a gentile who was not circumcised, for the House of Hillel take the view that it is a precautionary decree that he may not eat the offering in the evening, lest, in the year to come, he contract corpse uncleanness, and he argue, 'Didn't I immerse last year and eat the Passover offering that night? This year, too I'll immerse and eat right away.' And he won't understand that last year he was a gentile and not susceptible to corpse uncleanness, but this year he is an Israelite and he is susceptible to the full course of corpse uncleanness. for the House of Shammai take the view that we make no such decree. But when it comes to an uncircumcised Israelite, all parties concur that he immerses and eats his Passover offering that night. We do not make a precautionary decree covering an uncircumcised Israelite on account of the condition of an uncircumcised gentile."

2. III:2: Said Raba, "In the matters of circumcision one who is circumcised on the eve of Passover, sprinkling, and a knife, the sages imposed their rule even when extirpation is involved. In the case of the one who has suffered a bereavement and not yet buried his dead, the person afflicted with the skin ailment, and the grave area, they didn't impose their rule where extirpation is involved."

## **LXI. Mishnah-Tractate Pesahim 9:1**

**A. "THE LORD SAID TO MOSES, SAY TO THE PEOPLE OF ISRAEL, IF ANY MAN OF YOU OR OF YOUR DESCENDANTS IS UNCLEAN OR IS ON A LONG JOURNEY" (NUM. 9: 9-10): HE WHO WAS UNCLEAN OR ON A LONG JOURNEY – AND DID NOT OBSERVE THE FIRST PASSOVER, LET HIM KEEP THE SECOND PASSOVER ON THE FOURTEENTH OF IYYAR. IF HE INADVERTENTLY OR UNDER CONSTRAINT FAILED TO OBSERVE THE FIRST PASSOVER, LET HIM KEEP THE SECOND PASSOVER. IF SO, WHY IS IT SAID, "UNCLEAN...OR ON A LONG JOURNEY"? FOR THESE ARE EXEMPT FROM PUNISHMENT BY EXTIRPATION, AND THOSE ARE LIABLE TO PUNISHMENT BY**

## **EXTIRPATION IF THEY DELIBERATELY REFRAIN FROM OBSERVING THE SECOND PASSOVER.**

1. I:1: It has been stated: He who was on a distant journey, in behalf of whom they slaughtered and tossed the blood — R. Nahman said, “It is accepted and he doesn’t have to keep the second Passover.” R. Sheshet said, “It is not accepted and he does have to keep the second Passover.”

2. I:2: Our rabbis have taught on Tannaite authority: These are the ones that prepare the second Passover: males subject to flux uncleanness, females subject to flux uncleanness, menstruating women, those who are afflicted with the skin ailment, those who had sexual relations with menstruating women and those who have given birth; those who do not observe the first Passover inadvertently, those who do not do so under constraint, those who are unclean and those who were on a journey afar off. If so, why is it said, “Unclean”? It is to exempt him from the penalty of extirpation (T. **Pisha 8: 1**).

a. I:3: So is a woman liable to observe the second Passover? And lo, it has been taught on Tannaite authority: Might one suppose that only those who are unclean with corpse uncleanness and one who was away on a distant journey should observe the second Passover, so how do we know that those afflicted by flux uncleanness and persons afflicted with the skin ailment Lev. 13 and those who had sexual relations with a menstruating woman should, too? Therefore Scripture says, “any man,” including these as well excluding reference to women.

3. I:4: Our rabbis have taught on Tannaite authority: “One is liable to extirpation on account of failing to observe the first Passover, and one is liable to extirpation on account of failing to observe the second if he fails to observe both,” the words of Rabbi. R. Nathan says, “He is liable to extirpation for failing to observe the first Passover but exempt as to the second.” R. Hanania b. Aqabya said, “One is not even liable to extirpation on account of the first unless he deliberately fails to observe the second” (T. **Pisha 8:7D-E**).

a. I:5: Gloss. And they are consistent with principles espoused by them elsewhere, for it has been taught on Tannaite authority:

b. I:6: Gloss. What is at issue between them?

## **LXII. Mishnah-Tractate Pesahim 9:2**

**A. WHAT IS THE MEANING OF “A LONG JOURNEY”? “A JOURNEY TO ANY PLACE FROM MODIIN AND BEYOND, AND IN ACCORD WITH THIS SAME DISTANCE IN ALL OTHER DIRECTIONS,” THE WORDS OF R. AQIBA.**

1. I:1: Said Ulla, “From Modiim to Jerusalem is a distance of fifteen miles.”

a. I:2: Gloss of the foregoing.

b. I:3: Gloss of I:1.

2. I:4: Our rabbis have taught on Tannaite authority: If someone was located beyond Modiim but can enter if he goes by horse or by mule, one might think that, if he doesn’t do so, he is liable. Therefore Scripture states, “and is not on a



journey,” but this man was on a journey. If he was standing on the hither side of Modiim to Jerusalem and cannot get there because of camels and wagons, which impeded his journey, might one think he is not liable? Scripture states, “and is not on a journey,” and lo, this one wasn’t on a journey. He could have walked.

## **B. COMPOSITE ON THE DIMENSIONS OF THE WORLD**

1. I:5: Said Raba, “Six thousand parasangs is the length of the world. The thickness of the firmament is a thousand parasangs. The first one of these facts derives from tradition, the second, reason.”

2. I:6: Our rabbis have taught on Tannaite authority: The sages of Israel say, “The celestial sphere is stationary, and the fixed stars revolve.” The sages of the nations of the world say, “The celestial sphere revolves, and the fixed stars are stationary.”

3. I:7: It has been taught on Tannaite authority: R. Nathan says, “In summer the sun travels in the heights of Heaven, so the whole world is hot but the wells are cold. In winter the sun travels at the lower ends of the sky so the whole world is cold but the wells warm.”

4. I:8: Our rabbis have taught on Tannaite authority: Over four courses the sun travels: Nisan, Iyyar, and Sivan, over mountains, to melt the snow; Tammuz, Ab, and Elul, over the settled world, to ripen the produce; Tishré, Marheshvan, and Kislev, over the sea, to dry up the rivers; Tebet, Shebat and Adar, through the wilderness, so as not to dry up the seed in the ground.

## **C. R. ELIEZER SAYS, “A JOURNEY BEYOND THE VERY THRESHOLD OF THE TEMPLE COURTYARD.”**

1. II:1: Even if he can enter the town, we don’t say to him, “Get up and go in.”

## **D. SAID R. YOSÉ, “THEREFORE THERE IS A POINT OVER THE LETTER HÉ, TO TELL YOU THAT IT IS NOT BECAUSE IT IS REALLY A DISTANT JOURNEY, BUT EVEN ONE WHO IS ANYWHERE OUTSIDE THE THRESHOLD OF THE TEMPLE COURTYARD AND BEYOND FALLS UNDER THE RULE.”**

1. III:1: It has been taught on Tannaite authority: R. Yosé the Galilean says, “By ‘a journey afar off’ might I understand a trip of two or three days? Scripture states, ‘and is not on a journey,’ it teaches that the distance from the threshold of the Temple court and outward is classified as a journey” (T. Pisha 8:3B).

## **LXIII. Mishnah-Tractate Pesahim 9:3**

### **A. WHAT IS THE DIFFERENCE BETWEEN THE FIRST PASSOVER AND THE SECOND? THE FIRST PASSOVER IS SUBJECT TO THE PROHIBITION ABOUT LEAVEN: “IT SHALL NOT BE SEEN AND IT SHALL NOT BE FOUND” (EXO. 12:19, 13: 7). AS TO THE SECOND, UNLEAVENED BREAD AND LEAVEN MAY BE IN THE HOUSE RIGHT ALONGSIDE ONE ANOTHER:**

1. I:1: Our rabbis have taught on Tannaite authority: “According to all the statute of the Passover they shall keep it the second Passover” (Num. 9:12) – Scripture refers to the ordinance pertaining to the sacrifice itself, but not to the religious duties that are indirectly connected with it. How do we know the rule governing indirectly related matters? “They shall eat it with unleavened bread and bitter



herbs” (Num. 9:12). Might one suppose that even the religious duties that are not indirectly related to the rite itself are covered? Scripture states, “Nor shall they break the bone thereof” (Num. 9:12) — just as the breaking of the bone is singular in that it is a religious duty pertaining to the rite itself, so every religious duty that pertains to the rite itself pertains, but that then excludes those that are not directly relevant. Issi b. Judah says, “‘They shall keep it’ — Scripture deals with regulations that pertain to the rite itself” so the language, “nor shall they break a bone thereof” is unnecessary for that purpose (Sifré to Numbers 59:5.2).

a. I:2: Gloss of the foregoing.

b. I:3: As above.

2. I:4: Our rabbis have taught on Tannaite authority: “According to all the statute of the Passover they shall keep it the second Passover” (Num. 9:12) – might one suppose that, just as on the first Passover there is a prohibition against seeing or finding leaven, so on the second Passover there is the same prohibition? Scripture states, “They shall eat it with unleavened bread and bitter herbs” (Num. 9:12).

3. I:5: And what is encompassed in the general proposition, “they shall eat it with unleavened bread and bitter herbs”?

4. I:6:

**B. THE FIRST PASSOVER REQUIRES THE RECITATION OF THE HALLEL PSALMS WHEN IT IS EATEN, BUT THE SECOND PASSOVER DOES NOT REQUIRE THE RECITATION OF HALLEL PSALMS WHEN IT IS EATEN.**

1. II:1: What is the source of this statement?

**C. THIS AND THAT REQUIRE A HALLEL PSALM TO BE SUNG WHILE THEY ARE BEING PREPARED:**

1. III:1: What is the operative consideration?

**D. AND BOTH PASSOVER-OFFERINGS ARE EATEN ROASTED, WITH UNLEAVENED BREAD AND BITTER HERBS. AND BOTH PASSOVER-OFFERINGS OVERRIDE THE PROHIBITIONS OF THE SABBATH.**

1. IV:1: Does the rite override only the restrictions of the Sabbath but not the considerations of uncleanness? Then our Mishnah rule does not accord with the position of R. Judah, for it has been taught on Tannaite authority: the second Passover overrides the prohibitions of the Sabbath but not the considerations of uncleanness. R. Judah says, “It also overrides the considerations of uncleanness.”

2. IV:2: Our rabbis have taught on Tannaite authority: The first Passover overrides the restrictions of the Sabbath, the second Passover overrides the restrictions of the Sabbath. The first Passover overrides the considerations of uncleanness, and the second Passover overrides the considerations of uncleanness. The first Passover requires spending the night in Jerusalem, and the second Passover requires spending the night in Jerusalem.

a. IV:3: Gloss of the foregoing.

## **LXIV. Mishnah-Tractate Pesahim 9:4**

**A. A PASSOVER-OFFERING WHICH WAS OFFERED IN UNCLEANNESS — MALES AFFLICTED WITH FLUX UNCLEANNESS, FEMALES AFFLICTED WITH FLUX UNCLEANNESS, MENSTRUATING WOMEN AND WOMEN UNCLEAN BY REASON OF CHILDBIRTH SHOULD NOT EAT FROM IT. BUT IF THEY ATE FROM IT, THEY ARE EXEMPT FROM THE PUNISHMENT OF EXTIRPATION. R. ELIEZER DECLARES THEM EXEMPT FROM EXTIRPATION EVEN ON ACCOUNT OF COMING INTO THE SANCTUARY.**

1. I:1: Our rabbis have taught on Tannaite authority: R. Joshua says, “As to a Passover-offering that was presented in a state of uncleanness, from the meat of which male and female persons afflicted with flux uncleanness, menstruating women and women unclean by reason of childbirth took a share — M. Pes. 9:4B might one suppose that they are liable on that account? Scripture says, ‘All who are clean may eat flesh, but the person who eats of the flesh of the sacrifice of the Lord’s peace-offerings while an uncleanness is on him, that person shall be cut off from his people. And if anyone touches an unclean thing, whether the uncleanness of man or an unclean beast or any unclean abomination, and then eats of the flesh of the sacrifice of the Lord’s peace-offerings, that person shall be cut off from his people’ (Lev. 7:19) — That which is slaughtered for clean persons yields liability on account of uncleanness. But that which is slaughtered for unclean persons does not yield liability on account of uncleanness.”

2. I:2: R. Joseph raised this question: “If on the occasion of a Passover-offering that is presented in uncleanness, those unclean with corpse uncleanness forced their way and entered the Temple hall containing the golden altar beyond the court, what is the law? Since the uncleanness that affects the courtyard has been remitted for the occasion, the uncleanness that affects the Temple hall likewise has been remitted? Or maybe, what was remitted was remitted, what not, not?”

3. I:3: R. Joseph raised this question: “If on the occasion of a Passover that is presented in uncleanness, those unclean with corpse uncleanness forced their way and ate the sacrificial parts of a Passover-offering, what is the law? If the prohibition of uncleanness affecting the meat has been remitted, the prohibition of uncleanness affecting the sacrificial parts also is remitted? Or maybe, what was remitted was remitted, what not, not?”

4. I:4: R. Zira raised this question: “Where were the sacrificial parts of the Passover-offering presented in Egypt burned up?”

## **LXV. Mishnah-Tractate Pesahim 9:5**

**A. WHAT IS THE DIFFERENCE BETWEEN THE PASSOVER OF EGYPT AND THE PASSOVER OF THE SUCCEEDING GENERATIONS? AS TO THE PASSOVER OF EGYPT — THE LAMB’S DESIGNATION TOOK PLACE ON THE TENTH OF NISAN. IT REQUIRED SPRINKLING OF THE BLOOD OF THE LAMB WITH A BRANCH OF HYSSOP ON THE LINTEL OF THE DOOR AND ON THE TWO DOORPOSTS.**

1. I:1: How do we know this?

2. I:2: But the designation of the Passover-offering observed by succeeding generations does not take place on the tenth of Nisan.

**B. AND IT WAS EATEN IN HASTE IN A SINGLE NIGHT.**

1. II:1: How do we know this?

**C. BUT THE PASSOVER OBSERVED BY THE SUCCEEDING GENERATIONS APPLIES TO LEAVEN FOR ALL SEVEN DAYS AND NOT ONLY FOR ONE NIGHT.**

1. III:1: To what is reference made here? Should I say, to the Passover-offering, then is there a Passover-offering all seven days? So it must refer to leaven. So it follows that at the Passover of Egypt, leaven was forbidden only for one night and no longer.

**LXVI. Mishnah-Tractate Pesahim 9:6**

**A. SAID R. JOSHUA, “I HAVE HEARD: (1) THAT A BEAST DECLARED TO BE SUBSTITUTED FOR AN ANIMAL SET ASIDE FOR A PASSOVER-OFFERING IS OFFERED, AND (2) THAT A BEAST DECLARED TO BE SUBSTITUTED FOR AN ANIMAL SET ASIDE FOR A PASSOVER-OFFERING IS NOT OFFERED. AND I CANNOT EXPLAIN THE CONTRADICTION BETWEEN THESE TWO OPINIONS.” SAID R. AQIBA, “I SHALL EXPLAIN THE TWO SAYINGS. IN THE CASE OF A BEAST DESIGNATED AS A SUBSTITUTE FOR AN ANIMAL SET APART AS A PASSOVER-OFFERING WHICH WAS LOST, THE LOST PASSOVER-OFFERING WHICH TURNED UP BEFORE THE SLAUGHTERING OF THE SUBSTITUTED PASSOVER-OFFERING IS SET OUT TO PASTURE UNTIL IT IS BLEMISHED, THEN IS SOLD, AND PEACE-OFFERINGS ARE TO BE PURCHASED WITH THE MONEY RECEIVED FOR IT, AND SO, TOO, IS THE RULE FOR THE BEAST SUBSTITUTED FOR IT:”**

1. I:1: Why not formulate the issue: The Passover-offering is offered, and the Passover-offering is not offered rather speaking about the substitute?

2. I:2: It has been stated: Rabbah said, “We have learned to repeat the rule, before slaughtering and after slaughtering” before the slaughtering of the substituted Passover-offering...after the slaughtering of the Passover-offering substituted in its place. R. Zira said, “The language that we have learned is, before noon and after noon when the Passover-offering is slaughtered.”

a. I:3: Gloss.

**B. “BUT IF THE LOST BEAST WHICH HAD BEEN SET ASIDE FOR A PASSOVER-OFFERING WAS FOUND AFTER THE SLAUGHTERING OF THE PASSOVER-OFFERING SUBSTITUTED IN ITS PLACE, IT IS OFFERED AS PEACE-OFFERINGS, AND SO, TOO, IS THE RULE FOR THE BEAST SUBSTITUTED FOR IT.”**

1. II:1: Said Raba, “That rule applies only if it was found after the slaughtering, and he substituted another beast for it after the slaughtering. But if it was found before the slaughtering, but he substituted another beast for it after the slaughtering, then its substitute comes on the authority of what has been rejected as sacred and so it cannot be offered.” Since the original is rejected, the substitute is rejected.

2. II:2: Said Samuel, “In any situation in which, in the case of an animal designated as a sin-offering, the animal is left to die, in the case of a Passover-offering, the animal is offered as peace-offerings. And in any case in which, in the instance of an animal designated as a sin-offering, the beast is left to pasture, in the case of a Passover-offering, too, it is left to pasture.” And R. Yohanan said, “The only animal designated as a Passover-offering that is offered as peace-offerings is one that is found after the slaughtering of the Passover animals, but if it is found prior to the slaughter of the Passover lambs, that is not the case.”

a. II:3: Expansion of the foregoing.

## **LXVII. Mishnah-Tractate Pesahim 9:7**

**A. HE WHO DESIGNATES A FEMALE ANIMAL FOR HIS PASSOVER-OFFERING WHICH MUST BE MALE (EXO. 12: 5), OR A MALE TWO YEARS OLD THOUGH IT MUST BE ONE YEAR OLD — THE ANIMAL SO DESIGNATED IS SET OUT TO PASTURE UNTIL IT SUFFERS A BLEMISH, THEN IT IS SOLD, AND THE COINS RECEIVED FOR IT FALL FOR A FREEWILL-OFFERING.**

1. I:1: Said R. Huna b. R. Joshua, “Three inferences are to be drawn: One may deduce, first of all, that a beast that is consecrated can be removed forever from sacred use and even though later on they became fit to be offered, they cannot be offered, since they have prior been suspended from use on the altar for some reason. And one may deduce, second, that if, to begin with, at the point of its consecration an animal is removed from sacred use, then the suspension remains valid forever. And you may deduce, third, that the consecration of animals that have been dedicated as to their value can be removed.”

**B. HE WHO DESIGNATES AN ANIMAL FOR HIS PASSOVER-OFFERING AND WHO DIED — HIS SON SHOULD BRING IT IN HIS STEAD NOT AS A PASSOVER-OFFERING, BUT AS PEACE-OFFERINGS.**

1. II:1: Our rabbis have taught on Tannaite authority: He who designates an animal for his Passover-offering and then died – if his son was registered with him, let him bring it after him for the sake of a Passover-offering. But if not, he should bring it on the sixteenth of Nisan as peace-offerings (T. **Pisha 9:16A-C**).

a. II:2: Analysis of the foregoing.

b. II:3: As above. When did the father die? If I should say that he died prior to noon, then how come if his son was registered with him, let him bring it after him for the sake of a Passover-offering? But lo, to begin with, the status of bereavement has overtaken him! So it must be that he died after noon. But then, but if not, he should bring it on the sixteenth of Nisan as peace-offerings! But lo, the advent of noon has already assigned to the beast the status of a Passover-offering, and it cannot be offered for some other purpose but is rejected permanently!

## **LXVIII. Mishnah-Tractate Pesahim 9:8**

**A. AN ANIMAL SET ASIDE FOR A PASSOVER-OFFERING WHICH WAS CONFUSED WITH ANIMALS SET APART FOR OTHER ANIMAL SACRIFICES — ALL OF THEM ARE TO BE SET OUT TO PASTURE UNTIL THEY SUFFER A BLEMISH, THEN ARE TO BE SOLD, AND WITH THE PROCEEDS OF THE BEST OF THEM ONE IS TO BRING AN ANIMAL OF ONE SORT OF SACRIFICE, AND WITH THE PROCEEDS OF THE BEST OF THEM HE IS TO BRING AN ANIMAL OF ANOTHER SORT, AND HE MUST MAKE UP THE DIFFERENCE IN THE COST FROM HIS OWN POCKET.**

**IF IT WAS CONFUSED WITH FIRSTLINGS — R. SIMEON SAYS, “IF IT IS FOR AN ASSOCIATION OF PRIESTS, LET THEM EAT IT.”**

1. I:1: R. Simeon says, “If it is for an association of priests, let them eat it”: But lo, he is bringing sacrifices to an unfit place! A firstling may be eaten two days and the intervening night, the Passover, only the first night; if it is not eaten by morning, he has to burn it; but here it would still be fit.

2. I:2: And as to rabbis, how are we to act when a Passover-offering is mixed up with a firstling? Even when blemished, a firstling is not redeemed so that it becomes unconsecrated; it has to be eaten by a priest once it is blemished; but a Passover-offering that is blemished is redeemed and secularized?

## **LXIX. Mishnah-Tractate Pesahim 9:9-11**

**A. AN ASSOCIATION, THE PASSOVER-OFFERING OF WHICH WAS LOST, AND WHICH SAID TO SOMEONE, “GO AND FIND AND SLAUGHTER ANOTHER ONE FOR US,” AND THAT ONE WENT AND FOUND AND SLAUGHTERED ANOTHER, BUT THEY, TOO, WENT AND BOUGHT AND SLAUGHTERED ONE FOR THEMSELVES — IF HIS WAS SLAUGHTERED FIRST, HE EATS HIS, AND THEY EAT WITH HIM OF HIS. BUT IF THEIRS WAS SLAUGHTERED FIRST, THEY EAT OF THEIRS, AND HE EATS OF HIS. AND IF IT IS NOT KNOWN WHICH OF THEM WAS SLAUGHTERED FIRST, OR IF BOTH OF THEM WERE SLAUGHTERED SIMULTANEOUSLY, THEN HE EATS OF HIS, AND THEY DO NOT EAT WITH HIM, AND THEIRS GOES FORTH TO THE PLACE OF BURNING, BUT THEY ARE EXEMPT FROM HAVING TO OBSERVE THE SECOND PASSOVER. IF HE SAID TO THEM, “IF I COME BACK LATE, GO AND SLAUGHTER A PASSOVER-OFFERING IN MY BEHALF,” NOW HE WENT AND FOUND AN ANIMAL AND SLAUGHTERED IT, AND THEY PURCHASED AND SLAUGHTERED AN ANIMAL AS WELL. IF THEIRS WAS SLAUGHTERED FIRST, THEY EAT OF THEIRS, AND HE EATS WITH THEM. AND IF HIS WAS SLAUGHTERED FIRST, HE EATS OF HIS, AND THEY EAT OF THEIRS. AND IF IT IS NOT KNOWN WHICH OF THEM WAS SLAUGHTERED FIRST, OR IF THEY WERE SLAUGHTERED SIMULTANEOUSLY, THEY EAT OF THEIRS, AND HE DOES NOT EAT WITH THEM. AND HIS GOES FORTH TO THE PLACE OF BURNING. AND HE IS EXEMPT FROM HAVING TO OBSERVE THE SECOND PASSOVER.**

**IF HE GAVE INSTRUCTIONS TO THEM, AND THEY GAVE INSTRUCTIONS TO HIM WITH THE SAME CONSEQUENCES AS BEFORE, ALL OF THEM EAT FROM THE FIRST. BUT IF IT IS NOT KNOWN WHICH OF THEM WAS SLAUGHTERED FIRST, BOTH OF THEM GO FORTH TO THE PLACE OF BURNING. IF HE DID NOT GIVE INSTRUCTIONS TO THEM,**

**AND THEY DID NOT GIVE INSTRUCTIONS TO HIM, THEY ARE NOT RESPONSIBLE FOR ONE ANOTHER.**

1. I:1: Our rabbis have taught on Tannaite authority: If he instructed them and they instructed him, they must all eat of the first. If he did not instruct them and they did not instruct him, they are not responsible for one another. On this basis, said sages, “Silence is a good trait for sages, all the more so for fools: ‘Even a fool when he holds his peace is thought wise’ (Pro. 17:28)” (T. **Pisha 9: 2**).

**B. TWO ASSOCIATIONS, THE PASSOVER-OFFERINGS OF WHICH WERE CONFUSED – THESE TAKE DRAW POSSESSION OF ONE OF THEM FOR THEMSELVES, AND THOSE TAKE POSSESSION OF ONE OF THEM FOR THEMSELVES. ONE MEMBER OF THESE GOES TO THE OTHERS, AND ONE MEMBER OF THE OTHERS COMES TO THESE. AND THUS DO THEY SAY, “IF THIS PASSOVER-OFFERING IS OURS, WITHDRAW FROM YOURS AND REGISTER WITH OURS. AND IF THIS PASSOVER-OFFERING IS YOURS, WE WITHDRAW FROM OURS AND REGISTER WITH YOURS.” AND SO, TOO, FIVE ASSOCIATIONS, EACH WITH FIVE OR TEN MEMBERS — EACH ONE OF THE ASSOCIATIONS TAKES POSSESSION OF ONE OF THE CONFUSED PASSOVER-OFFERINGS AND SO DO THEY DECLARE.**

**TWO PEOPLE WHOSE PASSOVER-OFFERINGS WERE CONFUSED — THIS ONE TAKES POSSESSION OF ONE OF THE ANIMALS, AND THAT ONE TAKES POSSESSION OF ONE OF THE ANIMALS. THIS ONE REGISTERS WITH HIMSELF A THIRD PARTY, AND THAT ONE REGISTERS WITH HIMSELF A THIRD PARTY. THIS ONE APPROACHES THAT, AND THAT ONE APPROACHES THIS, AND THUS DO THEY DECLARE: “IF THIS PASSOVER-OFFERING IS MINE, THEN YOU WITHDRAW FROM YOURS AND REGISTER WITH MINE. AND IF THIS PASSOVER-OFFERING IS YOURS, THEN I WITHDRAW FROM MINE AND REGISTER WITH YOURS.”**

1. II:1: May we say that our Mishnah paragraph is not in accord with R. Judah? For it has been taught on Tannaite authority: “‘And if the household be too little for a lamb’ (Exo. 12: 4) — this teaches that they may continue to diminish in numbers, on condition that one of the original group remains,” the words of R. Judah. R. Yosé says, “...on condition that they do not leave the Passover-offering as is and ownerless” (T. **Pisha 7:7H-I**).

## **LXX. Mishnah-Tractate Pesahim 10:1**

**A. ON THE EVE OF PASSOVER FROM JUST BEFORE THE AFTERNOON PRAYER THE AFTERNOON’S DAILY WHOLE-OFFERING, A PERSON SHOULD NOT EAT, UNTIL IT GETS DARK:**

1. I:1: On the eve of Passover from just before the afternoon’s daily whole-offering, a person should not eat, until it gets dark: Why stress that the rule applies to the eve of Passover when the same law applies to the eve of Sabbaths and other festivals? For it has been taught on Tannaite authority: “A person should not eat on the eve of the Sabbath or festivals from before the afternoon’s daily whole-offering onward, so that he should enter the Sabbath when he has a good appetite,” the words of R. Judah. R. Yosé says, “He may go on eating until it gets dark” (T. **Ber. 5:1A-C**).

**a. I:2:** Illustrative story.

**B. TOPICAL COMPOSITE ON EATING TOWARD THE TIME OF THE DAILY WHOLE-OFFERING OF THE AFTERNOON. THE ORDER OF BLESSINGS AT THE END OF THE SABBATH AND FESTIVALS.**

**1. I:3:** So, too, it has been taught on Tannaite authority: They agree that they do not bring the table of food for each person unless one has recited the sanctification of the day.

**2. I:4:** One Tannaite version: They agree that they do not begin a meal from the time of the daily whole-offering of the afternoon onward, and another Tannaite version: They agree that they do begin a meal from the time of the daily whole-offering of the afternoon onward.

**3. I:5:** People who did not sanctify the day in the synagogue hearing the sanctification prayer read there – Said Rab, “They have not carried out their obligation in regard to wine and they have to say a blessing over the wine when they drink it at home, but they have carried out their obligation in respect to the sanctification of the day which they do not have to repeat at home.” And Samuel said, “Also they have not carried out their obligation in regard to reciting the sanctification of the day.”

**4. I:6:** But R. Yohanan said, “They also have carried out their obligation in regard to blessing over the wine, too, so that when they get home, they don’t have to say a blessing over the wine, having heard that in the synagogue.”

**5. I:7:** In session R. Idi bar Abin before R. Hisda, and in session, R. Hisda stated in the name of R. Huna, “Lo, as to that which you have said, in the case of a change of place, one has to bless..., that has been taught only in respect to moving from house to house, but not in respect to moving from place to place in the same house.”

**6. I:8:** Our rabbis have taught on Tannaite authority: “Members of an association who were reclining, and the day became sanctified with sunset on Friday bring a cup of wine and one says over it the sanctification of the day; a second cup is brought, and over it one recites the Grace after meals,” the words of R. Judah. R. Yosé says, “One keeps eating until it gets dark. When they complete the meal, one recites the Grace after meals over the first cup and the sanctification of the day over the second.”

**a. I:9:** Secondary analysis of the foregoing.

**I. I:10:** Footnote to an item of the foregoing.

**A. I:11:** Illustrative story.

**B. I:12:** As above.

**C. I:13:** As above.

**1. I:14:** Footnote to the foregoing.

**a. I:15:** Gloss to the foregoing.

**b. I:16:** Reversion to the issue of I:8: Said R. Joshua b. Levi, “He who says the prayer that distinguishes the Sabbath from secular time has to say something like the points of distinction that are stated in the Torah.”

**I. I:17:** Gloss of the foregoing.

**A. I:18:** Illustrative story.

**B. I:19:** As above.

**7. I:20:** Rabina raised this question to R. Nahman bar Isaac: “He who didn’t recite the sanctification prayer on the eve of the Sabbath — what is the rule on his reciting the sanctification prayer at any point as the day wears on?” He who recites the prayer that separates the Sabbath from secular time has to say that prayer over a cup of wine; Grace after meals requires a cup of wine; the cup of wine for Grace after meals is subject to a minimum measure; he who says a blessing has to taste that which he has blessed; if he tastes it, he has made it unfit for some further purpose, as will be explained; even when one has tasted food, he has to say the prayer that distinguishes the Sabbath from secular time; one may say two prayers of sanctification over the same cup of wine;

**a. I:21:** Gloss of the foregoing.

#### **C. SANCTIFYING THE SABBATH DAY WITH WINE**

**1. I:22:** Our rabbis have taught on Tannaite authority: “Remember the Sabbath day to keep it holy” (Exo. 20: 8): Remember it with wine. I know only that that is the case by day. How do I know that that is the case by night? Scripture states, “Remember the Sabbath day to keep it holy” (Exo. 20: 8).

**2. I:23:** What blessing does he say by day? Said R. Judah, “Blessed...who creates the fruit of the vine.”

**a. I:24:** Illustrative story.

**3. I:25:** The sons of R. Hiyya say, “He who didn’t recite the prayer that distinguishes the Sabbath from secular time at the end of the Sabbath may say that prayer at any time as the week wears on” — till when?

**4. I:26:** Said R. Barona said Rab, “He who washes his hands before eating must not recite the prayer of sanctification before he eats bread, which would interrupt the process of washing hands and eating bread.”

**5. I:27:** Said R. Huna said Rab, “If one has tasted food, he may not recite the prayer of sanctification.”

**6. I:28:** R. Hana bar Hinena asked this question of R. Huna, “If one has tasted food, what is the law on his reciting the prayer that distinguishes the Sabbath from secular time?”

**a. I:29:** Illustrative story.

**7. I:30:** Said R. Joseph said Samuel, “If one has tasted food, he does not recite the sanctification prayer. If one has tasted food, he does not recite the prayer that distinguishes the Sabbath from secular time.” And Rabbah said R. Nahman said Samuel said, “If one has tasted food, he does recite the sanctification prayer. If



one has tasted food, he does recite the prayer that distinguishes the Sabbath from secular time.”

**a. I:31:** Gloss of a secondary expansion of the foregoing.

**I. I:32:** Illustrative story. That story yields three facts: one who recites the prayer that distinguishes the Sabbath from secular time in the Prayer has to say the same prayer over a cup of wine anyhow; it is forbidden for someone to eat prior to saying the prayer that distinguishes the Sabbath from secular time; he who did not recite the prayer that distinguishes the Sabbath from secular time may do so throughout the following week.

**8. I:33:** R. Huna addressed this question to R. Hisda: “What is the law on reciting the sanctification prayer over beer?”

**a. I:34:** Recapitulation of the foregoing.

**I. I:35:** Illustrative story.

**A. I:36:** Topical appendix.

**9. I:37:** Our rabbis have taught on Tannaite authority: They recite the sanctification prayer only over wine, and they recite a blessing only over wine.

**a. I:38:** Gloss.

**10. I:39:** Our rabbis have taught on Tannaite authority: They do not recite the sanctification prayer over beer. In the name of R. Eleazar bar R. Simeon they said, “They recite the sanctification over it.”

**11. I:40:** Said R. Huna said Rab, and so R. Giddal of Nersh stated as a Tannaite rule: “He who says the sanctification prayer and tasted a mouthful has carried out his obligation, but if not, he has not carried out his obligation.”

**D. FROM JUST BEFORE THE AFTERNOON PRAYER, A PERSON SHOULD NOT EAT, UNTIL IT GETS DARK:**

**1. II:1:** This question was found troubling: Have we learned the Mishnah phrase as just before the major afternoon prayer or is it just before the lesser afternoon prayer 12:30 p.m. and afterward, as against two and a half hours prior to nightfall? Just before the major afternoon prayer — because of the Passover-offering, lest one come to draw it out and neglect the Passover-offering; or is it just before the lesser afternoon prayer — because of the unleavened bread, lest one merely fill up on unleavened bread?

**a. II:2:** Gloss and illustrative story.

**b. II:3:** Illustrative story.

**c. II:4:** As above.

**E. AND EVEN THE POOREST ISRAELITE SHOULD NOT EAT UNTIL HE RECLINES AT HIS TABLE.**

**1. III:1:** It has been stated: Eating unleavened bread requires reclining at table, eating bitter herbs doesn’t require reclining at table.

2. III:2: As to reclining in connection with wine – It has been stated in the name of R. Nahman, “Drinking it requires reclining.” And it has been stated in the name of R. Nahman, “It doesn’t require reclining.”
3. III:3: Lying on the back is not classified as reclining. Lying on the right side is not classified as reclining.
4. III:4: A woman in her husband’s house does not have to recline, and if she is a woman of standing, she has to recline. A son at his father’s house has to recline. The question was raised: As to a disciple at the master’s house, what is the rule?
5. III:5: The question was raised: What is the rule governing a waiter?

**F. AND THEY SHOULD PROVIDE HIM WITH NO FEWER THAN FOUR CUPS OF WINE:**

1. IV:1: And said R. Joshua b. Levi, “Women are obligated to drink these four cups, for they, too, participated in that miracle.”
2. IV:2: Said R. Judah said Samuel, “These four cups — it is necessary that they contain a generous helping. If one drank them straight, he has carried out his obligation. If one drank them all at once, he has carried out his obligation. If he gave some to his children and household to drink, he has carried out his obligation.”
3. IV:3: Our rabbis have taught on Tannaite authority: All are obligated to drink these four cups of wine: all the same are men, women, and children.
4. IV:4: It has been taught on Tannaite authority: R. Eliezer says, “They gobble up unleavened bread on the night of Passover, for the children’s sake, that they not doze off.”
5. IV:5: It has been taught on Tannaite authority: They said concerning R. Aqiba that in his whole life, in the house of study he never said, “The time has come to adjourn,” except for the eve of Passover and the eve of the Day of Atonement. The eve of Passover: on account of the children, that they not doze off; and the eve of the Day of Atonement: so as to feed the children.
6. IV:6: Our rabbis have taught on Tannaite authority: A man is obligated to give pleasure to his children and householders on the festival, as it is said, “And thus shall you rejoice in your feast, you and your son and your daughter” (Deu. 16: 4). With what does he give them joy? With wine. R. Judah says, “To men one gives what’s suitable for them, to women, what’s suitable for them” (T. **Pisha 10: 4**).
- a. IV:7: Gloss of the foregoing.
- b. IV:8: Topical gloss: modes of rejoicing.
7. IV:9: Said R. Isaac, “The xestes-measure for muries in Sepphoris was equivalent to the log-measure of the Temple, and by that measure they would reckon the quarter-log volume required for Passover.”
- a. IV:10: Topical supplement.
8. IV:11: And they should provide him with no fewer than four cups of wine: But how in the world can our rabbis have ordained something that endangers life, for hasn’t it been taught on Tannaite authority: A man shouldn’t eat in pairs = twice in rapid succession or drink in pairs = twice in rapid succession or wipe himself in

pairs = twice in rapid succession or have sexual relations in pairs = twice in rapid succession?

**a.** IV:12: Complement to the foregoing.

**b.** IV:13: Gloss of IV:11. Conclusion: Said Abbaye, “This is the sense of the statement: A man shouldn’t eat twice in rapid succession and drink twice in rapid succession; or have sexual relations even once after doing so, lest he be weakened and have problems.

**G. TOPICAL APPENDIX: DRINKING IN PAIRS; THE DANGER OF DOING DEEDS IN PAIRS**

**I.** IV:14: Topical complement to the foregoing: Our rabbis have taught on Tannaite authority: He who drinks twice in rapid succession — his blood is upon his own head.

**II.** IV:15: Said Ulla, “Ten cups are not forbidden by reason of forming pairs.”

**III.** IV:16: R. Hisda and Rabbah bar R. Huna both say, “The word ‘peace’ joins for good, but not for ill; but the number six is dangerous by reason of pairs.”

**A.** IV:17: Gloss of the foregoing.

**IV.** IV:18: Said R. Joseph, “Said to me Joseph the demon, ‘Ashmodai, king of demons, is appointed over all pairs,’ and a king is never designated as an evil spirit.”

**V.** IV:19: Said R. Pappa, “Said to me Joseph the demon, ‘For a pair of two, we kill, for a set of four we don’t kill, but for four we do harm. For two we do harm, whether the pair is formed inadvertently or deliberately; for four we do harm only if it is deliberate but not if it is inadvertent.’

**A.** IV:20: Said Amemar, “Said to me the head sorceress, ‘Someone who meets sorceresses should say this: ‘Hot shit in wicker baskets into your mouths, witches! May your heads grow bald....’”

**VI.** IV:21: In the West they’re not careful about pairs.

**A.** IV:22: Case.

**VII.** IV:23: The governing principle is this: In any case in which one is himself careful about the matter, the demons are particular about him; if one is not careful about the matter, demons aren’t careful to pay attention to him — but in any event people had better take care.

**VIII.** IV:24: When R. Dimi came, he said, “Two eggs, two nuts, two cucumbers, and something else — these derive from law revealed by God to Moses at Sinai.”

**IX.** IV:25: Said R. Avira, “Plates and loaves are not subject to the concern about pairs.”

**X. IV:26:** Said R. Hinena b. R. Joshua, “Asparagus wine combines with other wines for good but not ill.”

**XI. IV:27:** Said Rabina in the name of Raba, “A doubt concerning pairs is resolved in a stringent way.” Others say, “...in a lenient way.”

**XII. IV:28:** Said R. Joseph, “Two cups of wine and one of beer don’t combine, two of beer and one of wine do.”

**XIII. IV:29:** Said R. Nahman said Rab, “Two cups before the meal and one during combine, one before and two during don’t.”

**XIV. IV:30:** Said R. Judah said Samuel, “All mixed drinks combine to form pairs, except for water.”

**XV. IV:31:** Said R. Simeon b. Laqish, “There are four things which, if one does them, bring his blood on his own head, and for which he is liable for his life, and these are they: taking a crap between a palm tree and a wall, passing between two palm trees, drinking borrowed water, and passing over spilled water, even if his wife poured it out in his presence.”

**XVI. IV:32:** Our rabbis have taught on Tannaite authority: There are three who are not to pass between two men, and others may not pass between them, a dog, a palm tree, and a woman.

**A. IV:33:** Topical gloss.

## **H. COMPOSITE ON THE DANGER OF SHADE. DEMONS.**

**I. IV:34:** Said R. Isaac, “What’s the meaning of this verse of Scripture: ‘Yes, though I walk through the valley of the shadow of death, I will fear no evil for you are with me’ (Psa. 23: 4)? This refers to someone who sleeps in the shadow of a single palm tree or in the shadow of the moon.

**II. IV:35:** One who takes a crap on the stump of a palm tree — the demon Palga will grab him.

**III. IV:36:** Shade is in four classifications: the shade of a single palm tree, the shade of a kanda tree, the shade of a caper tree, and the shade of sorb bushes....The governing rule is this: Whatever has a lot of branches — its shade is dangerous, and whatever has hard prickles — its shade is dangerous, except for the service tree, the shade of which isn’t harmful though the wood of which is hard, since the demon Shida said to her son, “Fly from a service tree, since that’s what killed your father,” and it also killed him.

**IV. IV:37:** The demons of caper trees are called spirits; those of sorb bushes are called demons; those that haunt roofs are called fiery bolts.

**V. IV:38:** The demons of sorb bushes are called demons.

**A. IV:39:** Illustrative story.

**VI. IV:40:** “Bitter destruction” (Deu. 32:24) being the name of a demon — there are two Bitter Destructions, one who works before noon, the other afterward; the one before noon is called Bitter Destruction and looks like a ladle that turns in a jug of milk and bread crumb sauce; the one of the afternoon is called Destruction that Wastes at Noon day; it looks like a goat’s horn and it is surrounded by wings.

**A. IV:41:** Illustrative story.

**VII. IV:42:** From the first of Tammuz to the sixteenth, they’re certainly around, from that time on, they may or may not be around. They’re found in the shadow of a shrub that hasn’t grown a cubit, and in the morning and evening shade, when these are less than a cubit in length, but mainly they’re in the shadow of a privy.

**VIII. IV:43:** Said R. Joseph, “These three things ruin the eyesight: combing the hair when it is dry; drinking the drip-drop of wine, and putting shoes on wet feet.”

**IX. IV:44:** The genius governing food is called Cleanness, the genius over poverty is called Filth.

**X. IV:45:** A Tannaite statement: Food and drink under the bed, even if covered in iron pots — an evil spirit rests on them.

**XI. IV:46:** Our rabbis have taught on Tannaite authority: A person shouldn’t drink wine on the nights prior to Wednesdays or Sabbaths, and if he does, his blood is on his own head, because of danger.

**XII. IV:47:** Our rabbis have taught on Tannaite authority: A person should not drink water from rivers or pools with his mouth directly or with one hand, and if he does so, his blood will be upon his head, for fear of danger.

## **I. AND EVEN IF THE FUNDS COME FROM PUBLIC CHARITY.**

**1. V:1:** That’s obvious!

**2. V:2:** The Tannaite authority of the household of Elijah: Even though R. Aqiba has said, “Treat your Sabbath as a weekday but don’t fall into need of support from other people,” still, one should make some small thing in his own home to honor the Sabbath, even though he eats at the soup kitchen.

## **J. APPENDIX ON WISE COUNSEL OF SAGES TO THEIR SONS AND DISCIPLES**

**1. V:3:** Our rabbis have taught on Tannaite authority: Seven things did R. Aqiba command his son R. Joshua, “My son, don’t take up residence at the high point of a town or study there, and don’t take up residence in a town that is headed by disciples of sages, and don’t enter your own home suddenly, all the more so your neighbor’s home, and don’t hesitate to wear shoes. Get up early to eat, in summer because of the heat, in winter because of the cold. Treat your Sabbath as a weekday but don’t fall into need of support from other people. Make every effort with someone on whom the hour smiles.”

**2. V:4:** Five things did R. Aqiba command R. Simeon b. Yohai when he was imprisoned. He said to him, “My lord, teach me Torah.”

**3. V:5:** Four things did Our Holy Rabbi command his children: “Don’t take up residence in Shekansib, since they are cynical and will lead you to cynicism. Don’t sit on the bed of a Syrian woman.”

**4. V:6:** Said Abbaye, “A hide, fish, a cup, hot water, eggs, and vermin in linen, are all bad for ‘something else’ the skin ailment of Lev. 13-14.”

**5. V:7:** Said R. Pappa, “Into a house where there’s a cat someone shouldn’t enter without shoes. How come? Because the cat may kill a snake and eat it; the snake has little bones; if a bone sticks into the foot it won’t come out, and it’s dangerous for him.”

**6. V:8:** Three things did R. Ishmael b. R. Yosé command Rabbi, “Don’t make a blemish on yourself.”

**7. V:9:** Three things did R. Yosé b. R. Judah command Rabbi, “Don’t go out alone by night, don’t stand naked in front of a lamp, and don’t go into a new bathhouse, lest the floor split.”

**a. V:10:** Gloss of the foregoing.

**b. V:11:** As above.

**A. V:12:** Extension of illustrative story in the foregoing.

**8. V:13:** Said Rab to R. Assi, “Don’t dwell in a town where horses don’t neigh and dogs don’t bark, don’t dwell in a town where the head of the community is a physician, and don’t marry two women, but if you do marry two, then marry a third.”

**9. V:14:** Said Rab to R. Kahana, “Deal in carcasses but not in words, flay carcasses in the market and earn a living, but don’t say, ‘I’m a priest and I’m an eminent authority, and it’s beneath my dignity.’ Even if you merely go up to the roof, take food with you. Even if a hundred pumpkins cost only a zuz in town, start hoarding them.”

**10. V:15:** Said Rab to Hiyya, his son, “Don’t take drugs which form habits, don’t take big jumps, don’t have a tooth pulled, don’t sick serpents, and don’t sick a Syrian woman.”

**11. V:16:** Our rabbis have taught on Tannaite authority: There are three that are not to be provoked, and these are they: an inconsequential gentile, a little snake, and a humble disciple.

**12. V:17:** Said Rab to Aibu his son, “I have worked hard with you in learning traditions, but nothing has come of it. Come, and I’ll teach you things of this world: sell your wares with sand yet on your feet as soon as you come to market with what you’ve bought, you may sell anything and regret it except for wine, which you should sell without regret; untie your purse, then open your sacks pocket the money, then deliver the goods; better a qab from the ground than a kor from the roof stay near home. When the dates are in your bag, go running to the brewery” to make them into beer, but don’t eat them; beer will bring more return.

**13. V:18:** Said R. Pappa, “Every bill will be collected, in every sale on credit there’s a doubt whether the money will be forthcoming, and when it comes, it may be bad coin.”

**14. V:19:** Three things did R. Yohanan say in the name of the men of Jerusalem, “When you go out to war, don’t go out first but go out last, so you can come in first. Treat your Sabbath as a weekday but don’t fall into need of support from other people. Make every effort with someone on whom the hour smiles.”

**15. V:20:** Three things did R. Joshua b. Levi say in the name of the men of Jerusalem, “Don’t spend too much time on the roof because of that incident of David and Bath Sheva; when your daughter reaches puberty, free your slave and give him to her; beware of your wife with her first son-in-law.”

**16. V:21:** Said R. Yohanan, “There are three who are among those who inherit the world to come, and these are they: he who dwells in the Land of Israel, he who raises his sons for the study of the Torah, and he who over wine says the prayer that distinguishes the Sabbath from secular time at the end of the Sabbath.”

**17. V:22:** Said R. Yohanan, “Over three does the Holy One, blessed be He, issue a proclamation every day: a single man who lives in a big city without sin, a poor man who returns lost and found to the owner, and a wealthy man who tithes his produce in secret.”

**a. V:23:** Illustrative story.

**18. V:24:** There are three whom the Holy One, blessed be He, loves: he who doesn’t lose his temper, he who doesn’t get drunk, and he who doesn’t insist on his viewpoint. There are three whom the Holy One, blessed be He, hates: he who is insincere, he who knows testimony for his fellow but doesn’t testify for him, and he who sees something improper in his neighbor and gives sole testimony against him ruining his name but not inflicting legal punishment on him.

**19. V:25:** Our rabbis have taught on Tannaite authority: There are three whose lives are no lives: the lugubrious, the temperamental, and the picky.

**20. V:26:** Our rabbis have taught on Tannaite authority: There are three who hate each other, and these are they: dogs, chickens, and Magi.”

**21. V:27:** Our rabbis have taught on Tannaite authority: There are three who love each other: converts, slaves, and ravens. There are four who are intolerable: a poor man who is arrogant, a wealthy man who flatters, an old man who is lecherous, and a leader who without cause lords it over the community.

**22. V:28:** Five things did Canaan command his sons: love one another, love thievery, love lewdness, hate your masters, and don’t tell the truth. Six things were said about a horse: he loves promiscuity, loves battle, is proud, hates sleep, eats a lot and shits a little.

**23. V:29:** Said Rabbah bar bar Hanah said Samuel bar Mareta said Rab in the name of R. Yosé of Husal, “How on the basis of Scripture do we know that people are not to consult Chaldaeans? As it is said, ‘You shall be wholehearted with the Lord your God’ (Deu. 18:13).’ And how do we know that one who knows his fellow is greater than he even in one matter must pay him respect? Because of

‘because a surpassing spirit was in him, and the thing thought to set him over the whole realm’ (Dan. 6: 4).”

**24.** V:30: And she who is waiting on clean blood that is, in the period after childbirth, a woman waits for thirty-three days for a male, or sixty-six days for a female, beginning on the eighth or fifteenth day after childbirth, until she is clean; then she is classified as a woman who is waiting on clean blood, in which she may not have sexual relations and not realize that any blood discharge is unclean, though before that it was clean — how long is she forbidden to have sexual relations?

**a.** V:31: Gloss on the authority of V:29.

**25.** V:32: Said Rabbah bar bar Hannah said R. Yohanan in the name of R. Judah bar Ilai, “Eat onions and sit in the shade and don’t eat geese or chicken lest your heart run after you; having a greedy appetite, so you are always wanting to eat; eat less food and drink and spend more on your house.”

## **LXXI. Mishnah-Tractate Pesahim 10:2**

**A. WHEN THEY HAVE MIXED THE FIRST CUP OF WINE — THE HOUSE OF SHAMMAI SAY, “HE SAYS A BLESSING OVER THE DAY, AND AFTERWARD HE SAYS A BLESSING OVER THE WINE.” AND THE HOUSE OF HILLEL SAY, “HE SAYS A BLESSING OVER THE WINE, AND AFTERWARD HE SAYS A BLESSING OVER THE DAY.”**

**1.** I:1: Our rabbis have taught on Tannaite authority: The things which are between the House of Shammai and the House of Hillel in regard to a meal: The House of Shammai say, “One blesses over the day and afterward blesses over the wine, for the day causes the wine to come, and the day has already been sanctified, while the wine has not yet come.” And the House of Hillel say, “He blesses over the wine and afterward blesses over the day, for the wine causes the sanctification to be said. Another matter: The blessing over the wine is perpetual, and the blessing over the day is not perpetual. Between that which is perpetual and that which is not perpetual, that which is perpetual takes precedence” (T. **Ber. 5:25**).

## **LXXII. Mishnah-Tractate Pesahim 10:3**

**A. WHEN THEY BRING HIM THE FOOD, HE DIPS THE LETTUCE IN VINEGAR BEFORE HE COMES TO THE BREAKING OF THE BREAD.**

**1.** I:1: Said R. Simeon b. Laqish, “That is to say, in order to carry out one’s obligation in performing a commandment, proper intentionality is necessary. Since one doesn’t eat the first lettuce at the time at which bitter herbs are obligatory, he says the blessing, ‘...who creates the fruit of the earth,’ and, since it may be that he didn’t intend to fulfill the obligation of eating bitter herbs, therefore he has to dip it again, with the articulated purpose of eating bitter herbs. For if it should enter your mind that in order to carry out one’s obligation in performing a commandment, proper intentionality is not necessary, why do you have to have two dippings! Surely he’s already dipped once.” The first lettuce is eaten before it is obligatory; hence the ordinary blessing for vegetables is recited, not “who has



commanded us concerning the eating of bitter herbs,” though later it will be eaten as an obligation. Thus he didn’t discharge his duty of eating bitter herbs with the first lettuce, because that was not his intention; that proves one does not discharge one’s duty unless it is expressly done with that intention.

**B. THEY BROUGHT HIM UNLEAVENED BREAD, LETTUCE, AND A MIXTURE OF APPLES, NUTS, AND WINE, RESEMBLING MORTAR, AND TWO DISHES:**

1. II:1: What are the two dishes?

2. II:2: It is clear that in a situation in which there are other vegetables, one recites at the first dipping the blessing, “who creates the fruit of the earth” over the other vegetables, eats the lettuce, then recites at the second dipping, “who has commanded us concerning the eating of bitter herbs” and eats that. But what is the rule if all he has is lettuce?

3. II:3: Said Rabina, “Said to me R. Mesharshayya b. R. Nathan, ‘This is what Hillel said in the name of tradition: “A person should not make a sandwich of unleavened bread and bitter herbs together to eat them, because we maintain at this time that unleavened bread derives from the authority of the Torah, while the eating of bitter herbs derives from the authority of rabbis, and the bitter herbs, deriving only from the authority of rabbis, will then come along and abrogate the eating of the unleavened bread, which derives from the authority of the Torah. And even from the perspective of him who maintains that the religious duties do not abrogate one another, that is the case when the religious duties in question both derive from the Torah or both derive from the authority of rabbis, but if one derives from the Torah and another from the authority of rabbis, the one deriving from the authority of rabbis does come along and abrogate the one that derives from the Torah.”’”

4. II:4: Said R. Eleazar said R. Oshayya, “Whatever is dipped in a liquid vegetables dipped into a dip of vinegar requires the washing of hands.”

5. II:5: And said R. Pappa, “One shouldn’t keep bitter herbs in the mixture of apples, nuts, and wine resembling mortar for any amount of time, lest the sweetness of the spices neutralize the bitterness, but the flavor of bitter herbs we require but it is absent.”

6. II:6: R. Hisda appointed Rabbana Uqba as public lecturer and declared, “If one has washed his hands at the first dipping, nonetheless he is to wash his hands at the second as well.”

7. II:7: Said Raba, “If one swallowed unleavened bread, he has fulfilled his obligation, if he has swallowed bitter herbs, he has not fulfilled his obligation. If he swallowed unleavened bread and bitter herbs, he has fulfilled his obligation concerning unleavened bread but not concerning bitter herbs. If he wrapped them in bast and swallowed them, he has not fulfilled his obligation in respect to unleavened bread either.”

8. II:8: Said R. Simi bar Ashi, “Unleavened bread is to be before each person; bitter herbs are to be before each person, and a mixture of apples, nuts, and wine resembling mortar is to be before each person, but they remove the table from before only the one who recites the Haggadah-Narrative.”

9. II:9: Why do they remove the table?

a. II:10: Illustrative story.

10. II:11: Said Samuel, “‘Bread of grief’ means, bread over which many words are recited” for example, at the Passover banquet.

**C. EVEN THOUGH A MIXTURE OF APPLES, NUTS, AND WINE, RESEMBLING MORTAR IS NOT A RELIGIOUS OBLIGATION.**

1. III:1: So if it’s not a religious obligation, then why serve it?

**D. R. ELEAZAR B. R. SADOQ SAYS, “IT IS A RELIGIOUS OBLIGATION.” AND IN THE TIME OF THE TEMPLE THEY WOULD BRING BEFORE HIM THE CARCASS OF THE PASSOVER-OFFERING.**

1. IV:1: Why is it a religious obligation?

### **LXXIII. Mishnah-Tractate Pesahim 10:4**

**A. THEY MIXED FOR HIM A SECOND CUP OF WINE. AND HERE THE SON ASKS HIS FATHER QUESTIONS. BUT IF THE SON HAS NOT GOT THE INTELLIGENCE TO DO SO, THE FATHER TEACHES HIM TO ASK BY POINTING OUT:**

1. I:1: Our rabbis have taught on Tannaite authority: If the son is sagacious, the father asks him, and if he is not sagacious, his wife asks him, and if there is no wife, he asks him. And even two disciples of sages who know the laws of Passover ask one another.

**B. “HOW DIFFERENT IS THIS NIGHT FROM ALL OTHER NIGHTS! FOR ON ALL OTHER NIGHTS WE EAT LEAVENED OR UNLEAVENED BREAD. BUT THIS NIGHT ALL OF THE BREAD IS UNLEAVENED. FOR ON ALL OTHER NIGHTS WE EAT DIVERSE VEGETABLES, BUT ON THIS NIGHT, ONLY BITTER HERBS. FOR ON ALL OTHER NIGHTS WE EAT MEAT WHICH IS ROASTED, STEWED, OR BOILED. BUT THIS NIGHT ALL OF THE MEAT IS ROASTED.**

**FOR ON ALL OTHER NIGHTS WE DIP OUR FOOD ONE TIME, BUT ON THIS NIGHT, TWO TIMES.”**

**IN ACCORD WITH THE INTELLIGENCE OF THE SON THE FATHER INSTRUCTS HIM.**

1. II:1: Raba objected, “Is dipping even one time required on all other days?”

**C. HE BEGINS ANSWERING THE QUESTIONS WITH DISGRACE AND CONCLUDES WITH GLORY, AND EXPLAINS THE SCRIPTURES FROM, “A WANDERING ARAMEAN WAS MY FATHER...” (DEU. 26: 5FF) UNTIL HE COMPLETES THE ENTIRE SECTION.**

1. III:1: What’s the disgrace?

a. III:2: Story.

### **LXXIV. Mishnah-Tractate Pesahim 10:5-6**

**A. RABBAN GAMALIEL DID STATE, “WHOEVER HAS NOT REFERRED TO THESE THREE MATTERS CONNECTED TO THE PASSOVER HAS NOT FULFILLED HIS OBLIGATION, AND THESE ARE THEY: PASSOVER, UNLEAVENED BREAD, AND BITTER HERBS. PASSOVER — BECAUSE THE OMNIPRESENT PASSED OVER THE HOUSES OF**

**OUR FOREFATHERS IN EGYPT. UNLEAVENED BREAD — BECAUSE OUR FOREFATHERS WERE REDEEMED IN EGYPT. BITTER HERBS — BECAUSE THE EGYPTIANS EMBITTERED THE LIVES OF OUR FOREFATHERS IN EGYPT. IN EVERY GENERATION A PERSON IS DUTY-BOUND TO REGARD HIMSELF AS IF HE PERSONALLY HAS GONE FORTH FROM EGYPT, SINCE IT IS SAID, ‘AND YOU SHALL TELL YOUR SON IN THAT DAY SAYING, IT IS BECAUSE OF THAT WHICH THE LORD DID FOR ME WHEN I CAME FORTH OUT OF EGYPT’ (EXO. 13: 8).”**

1. I:1: Said Raba, “He has to say, ‘and us did he bring forth from there.’”

2. I:2: Said R. Aha bar Jacob, “A blind person is exempt from reciting the Haggadah-Narrative. Here it is written, ‘it is because of this,’ and elsewhere, ‘This son of ours’ (Deu. 21:20). Just as in that case blind are excluded, so here, too, blind are excluded.”

**B. “THEREFORE WE ARE DUTY-BOUND TO THANK, PRAISE, GLORIFY, HONOR, EXALT, EXTOL, AND BLESS HIM WHO DID FOR OUR FOREFATHERS AND FOR US ALL THESE MIRACLES. HE BROUGHT US FORTH FROM SLAVERY TO FREEDOM, ANGUISH TO JOY, MOURNING TO FESTIVAL, DARKNESS TO GREAT LIGHT, SUBJUGATION TO REDEMPTION, SO WE SHOULD SAY BEFORE HIM, HALLELUJAH.”**

1. II:1: Said R. Hisda said R. Yohanan, “The words, hallelujah, kesjah Exo. 17:16 and yedidiah 2Sa. 12:25 are single words.” Rab said, “Kesyah and merhabyah Psa. 118: 5 are single words.” Rabbah said, “Merhabyah is a single word.”

2. II:2: Said R. Judah said Samuel, “The Song in the Torah Exo. 25 Moses and Israel said when they came up out of the sea.”

3. II:3: It has been taught on Tannaite authority: R. Meir would say, “All of the praises that are set forth in the book of Psalms did David recite, for it is said, ‘The prayers of David son of Jesse are ended’ (Psa. 72:12) — read not ‘are ended’ but ‘all these.’”

4. II:4: Who recited this Hallel = Psa. 113-118?

5. II:5: Our rabbis have taught on Tannaite authority: All the psalms and praises that David said in the book of Psalms – R. Eliezer says, “He said them about himself.” R. Joshua says, “He said them about the community.” And sages say, “Some of them concern the community, and some of them concern himself. Those that are stated in the first person singular concern himself, and those that he said in the plural concern the community.”

6. II:6: Our rabbis have taught on Tannaite authority: Who recited this Hallel Psa. 113-118? R. Eliezer says, “Moses and Israel said it at the time that they stood at the sea. They said, ‘Not unto us, not unto us’ (Psa. 115: 1), and the Holy Spirit responded, ‘For my own sake will I do it’ (Isa. 48:11).” R. Judah says, “Joshua and Israel said it when the kings of Canaan attacked them. They said, ‘Not unto us, not unto us’ (Psa. 115: 1), and the Holy Spirit responded, ‘For my own sake will I do it’ (Isa. 48:11).”

7. II:7: Said R. Hisda, “‘Hallelujah’ marks the end of a chapter.” Rabbah bar R. Huna said, “‘Halleluyah’ marks the beginning of a chapter.”

**C. TO WHAT POINT DOES ONE SAY HALLEL? THE HOUSE OF SHAMMAI SAY, “TO A JOYFUL MOTHER OF CHILDREN (PSA. 113: 9).” AND THE HOUSE OF HILLEL SAY, “TO A FLINTSTONE INTO A SPRINGING WELL (PSA. 114: 8).”**

**AND HE CONCLUDES WITH A FORMULA OF REDEMPTION.**

**R. TARFON SAYS, “....WHO REDEEMED US AND REDEEMED OUR FOREFATHERS FROM EGYPT.’ AND HE DID NOT SAY A CONCLUDING BENEDICTION.” R. AQIBA SAYS, “....SO, LORD, OUR GOD, AND GOD OF OUR FATHERS, BRING US IN PEACE TO OTHER APPOINTED TIMES AND FESTIVALS, REJOICING IN THE REBUILDING OF YOUR CITY AND JOYFUL IN YOUR TEMPLE WORSHIP, WHERE MAY WE EAT OF THE ANIMAL SACRIFICES AND PASSOVER-OFFERINGS,’ ETC., UP TO, ‘BLESSED ARE YOU, LORD, WHO HAS REDEEMED ISRAEL.’”**

**1. III:1:** Said Raba, “The end of the blessing that follows the recitation of the Shema and of Hallel is ‘who redeemed Israel’ past tense; that of the Prayer on weekdays is, ‘who redeems Israel.’ How come? Because it is a prayer for mercy for the future.” Said R. Zira, “That of the Sanctification prayer is, ‘who sanctified us with his commandments and commanded us...;’ that of Prayer is, ‘sanctify us with your commandments.’ How come? Because it is a prayer for mercy for the future.”

**a. III:2:** Gloss of a detail of the foregoing.

**2. III:3:** Said Raba, “I came across the elders of Pumbedita in session, saying, ‘On the Sabbath, both in the Prayer the seven blessings recited on the Sabbath and festivals and in the Sanctification, we conclude with, ‘who sanctifies the Sabbath.’ On a festival, both in the Prayer and in the Sanctification, it is ‘who sanctifies Israel and the festival seasons.’ So I said to him, ‘To the contrary! for the Prayer of both the Sabbath and a festival, it is, who sanctifies Israel; in the sanctification of the Sabbath, it is, who sanctifies the Sabbath. For that of the festival, it is, who sanctifies Israel and the seasons. And I will spell out the reason for both my position and yours. Yours is, since the Sabbath is permanently fixed, therefore both in the Prayer and in the Sanctification, the language that is used is, who sanctifies the Sabbath. On festivals, which are declared by Israel, which is responsible for intercalating the months and declaring the beginnings of years, the language is, who sanctifies Israel and the seasons. And my reason is this: the Prayer, which is stated in community, has, who sanctifies Israel; the Sanctification, which is said at home, on the Sabbath, ends, who sanctifies the Sabbath, and on festivals, who sanctifies Israel and the seasons.”

**a. III:4:** Illustrative cases.

## **LXXV. Mishnah-Tractate Pesahim 10:7**

**A. THEY MIXED THE THIRD CUP FOR HIM. HE SAYS A BLESSING FOR HIS FOOD.**

**1. I:1:** Said R. Hanan to Raba, “That yields the inference that recitation of the Grace after Meals requires a cup of wine.”

**B. AND AT THE FOURTH CUP, HE COMPLETES THE HALLEL PSALMS AND AFTER IT HE SAYS THE GRACE OF SONG.**

**BETWEEN THESE SEVERAL CUPS OF WINE, IF HE WANTS TO DRINK MORE WINE, HE MAY DO SO. BUT BETWEEN THE THIRD AND THE FOURTH CUP OF WINE, HE MAY NOT DRINK MORE WINE.**

**1. II:1:** What is the meaning of the grace of song?

**2. II:2:** Our rabbis have taught on Tannaite authority: “At the fourth cup one concludes the Hallel Psalms and recites the great Hallel,” the words of R. Tarfon. And there are those who say, “‘The Lord is my shepherd, I shall not want’ (Psa. 23: 1).”

#### **C. TOPICAL COMPOSITE ON THE GREAT HALLEL**

**1. II:3:** What comprises the great Hallel?

**2. II:4:** Said R. Joshua b. Levi, “The twenty-six references to ‘praise’ — to what do they correspond? They correspond to the twenty-six generations that the Holy One, blessed be He, created in the world, to whom he did not give the Torah; he sustained them by his love since they had no merit of their own.”

**3. II:5:** Said R. Hisda, “What is the meaning of the verse of Scripture, ‘Give thanks to the Lord for he is good’ (Psa. 136: 1)? Give thanks to the Lord, who exacts a person’s debts through his goodness: from the wealthy man through his ox, the poor through his sheep, the fatherless through his egg, the widow through her pigeon.”

#### **D. TOPICAL COMPOSITE ON THE DIFFICULTY OF MAKING A LIVING**

**1. II:6:** Said R. Yohanan, “Providing the sustenance of a person is twice as hard as giving birth, for with reference to giving birth it is written, ‘in pain you shall bring forth children’ (Gen. 3:16), while of sustenance, ‘in toil you shall eat’ (Gen. 3:17).”

**2. II:7:** Said R. Joshua b. Levi, “When the first man heard what the Holy One, blessed be He, said to him, namely, ‘You shall eat the herb of the field,’ his eyes filled with tears; and he said before him, ‘Lord of the world, shall I and my cattle eat in a single crib?’ But when he heard him say to him, ‘in the sweat of your face you shall eat bread’ (Gen. 3:19), his mind was eased (Fathers according to R. Nathan XIV.3).”

**3. II:8:** Said R. Shizbi in the name of R. Eleazar b. Azariah, “Providing the sustenance of a person is harder than splitting the Sea of Reeds: ‘who gives food to all flesh’ (Psa. 146:25) alongside ‘to him who divided the Reed Sea in two’ (Psa. 136:13).”

**4. II:9:** Said R. Eleazar b. Azariah, “As difficult is constipation as the day of death and the splitting of the Sea of Reeds: ‘The prisoner hastens to be loosed and he shall not go down dying into the pit, neither shall his bread fail’ (Psa. 51:14), and then, ‘for I am the Lord your God who stirs up the sea, that the waves thereof roar’ (Isa. 51:15).”

**a. II:10:** Different topic, same authority.

**b. II:11:** As above.

#### **E. REVERSION TO THE EXPOSITION OF THE GREAT HALLEL**

**1. II:12:** Now that there is the great Hallel, how come we recite this one Psa. 113-118? It is because it contains these five references: the exodus from Egypt, dividing the Reed Sea, giving of the Torah, resurrection of the dead, and the anguish of the Messiah.

**a. II:13:** And said R. Yohanan, “‘The phrase, ‘not to us, Lord, not to us’ refers to the subjugation to the kingdoms.”

**2. II:14:** Continuation of II:12. R. Nahman bar Isaac said, “It is because it alludes to the deliverance of the souls of the righteous from Gehenna: ‘I beseech you, Lord, deliver my soul’ (Psa. 116: 4).” Hezekiah said, “It is because it contains a reference to the descent of the righteous into the fiery furnace and their ascent from it. Their descent: ‘not unto us, Lord, not to us’ was said by Hananiah; ‘but to your name give glory’ was said by Mishael; ‘for your mercy and for truth’s sake’ was said by Azariah; ‘wherefore should the nations say’ was said by all of them. It refers to their ascent: ‘praise the Lord all you nations’ was said by Hananiah; ‘laud him all you peoples’ was said by Mishael; ‘for his mercy is great toward us’ was said by Azariah; ‘and the truth of the Lord endures forever’ was said by all of them.”

**a. II:15:** On the righteous in the fiery furnace.

**3. II:16:** R. Nathan says, “‘And the truth of the Lord endures forever’ was said by the fish in the sea.”

**a. II:17:** Gloss of a proof-text in the foregoing.

**b. II:18:** As above.

**c. II:19:** As above.

**4. II:20:** Said R. Simeon b. Laqish, “What is the meaning of the verse of Scripture, ‘Who makes the barren women dwell in her house’ (Psa. 113: 9)? Said the Community of Israel before the Holy One, blessed be He, ‘Lord of the world, your sons have made me like a weasel that lives in the vaults of houses’ being so ashamed of their sins.”

**5. II:21:** Expounded Raba, “What is the meaning of the verse of Scripture, ‘I love that the Lord should hear my voice and my supplications’ (Psa. 116: 1)? Said the Community of Israel before the Holy One, blessed be He, ‘Lord of the world, when am I loved by you? When you hear the voice of my supplications.”

**6. II:22:** Said R. Kahana, “When R. Ishmael b. R. Yosé fell ill, Rabbi sent word to him: ‘Tell us two or three of the things that you said to us in the name of your father.’ He sent word to him, ‘This is what father said: “What is the meaning of the verse of Scripture, ‘Praise the Lord all you nations’ (Psa. 117: 1)? What are the nations of the world doing in this setting? This is the sense of the statement, ‘Praise the Lord all you nations’ (Psa. 117: 1) for the acts of might and wonder that he has done with them; all the more so us, since ‘his mercy is great toward us.’””

**a. II:23:** Further exegesis of a proof-text adduced in the foregoing.

**b. II:24:** As above.

**I. II:25:** Secondary expansion of the foregoing.

**A. II:26:** Exegesis of a proof text cited in the foregoing.

**B. II:27:** Exegesis of a proof text cited in the foregoing.

**C. II:28:** As above.

**7. II:29:** Said R. Kahana in the name of R. Ishmael b. R. Yosé, “What is the meaning of the verse of Scripture, ‘for the leader, a psalm of David’? Sing praises to him who rejoices when they conquer him! Come and notice how different is the character of the Holy One, blessed be He, from the character of a mortal. In the case of a mortal, when they conquer him, he is sad, but in the case of the Holy One, blessed be He, when they conquer him, he is glad, as it is said, ‘Therefore he said that he would destroy them, had not Moses his chosen stood before him in the breach to turn back his wrath’ (Psa. 106:23).”

**a. II:30:** Same attributive formula, different verse.

**8. II:31:** Said R. Judah said Samuel, “All the silver and gold in the world did Joseph collect and bring to Egypt: ‘And Joseph gathered up all the money that was found in the land of Egypt and in the land of Canaan’ (Gen. 47:14). I know only about what was in the land of Egypt and in the land of Canaan. How do I know about that in other lands? Scripture says, ‘And all the countries came to Egypt to Joseph to buy grain’ (Gen. 41:57). And when the Israelites went up from Egypt, they brought it up with them: ‘and they despoiled the Egyptians’ (Exo. 12:36).”

**a. II:32:** Expansion on the foregoing theme: Said R. Hama b. R. Hanina, “Three treasures did Joseph hide in Egypt; one was revealed to Korah, one to Antoninus son of Severus, and one is held in storage for the righteous in the world to come.”

**b. II:33:** As above.

**9. II:34:** Said R. Samuel bar Nahmani said R. Jonathan, “‘I will give thanks to you, for you have answered me’ (Psa. 118:21) — this was said by David; ‘the stone that the builders rejected is become the chief cornerstone’ — this was said by Jesse; ‘this is the Lord’s doing’ (Psa. 118:23) — this was said by his brothers; ‘This is the day that the Lord has made’ (Psa. 118:23) — this was said by Samuel. ‘We beseech you, Lord, save us now’ (Psa. 118:25) — this was said by his brothers.

## **F. REVERSION TO THE EXPOSITION OF THE MISHNAH-RULE**

**1. II:35:** There we have learned in the Mishnah: Where they are accustomed to repeat the last nine verses of Psa. 118, let one repeat. Where it is the custom to say them only once, let one say them only once. Where it is the custom to say a blessing after it, let one say a blessing after it. Everything follows the custom of the locality (M. **Sukkah 3:11A-D**). Said Abbaye, “That rule pertains only to saying a blessing after the Hallel Psalms. But as to reciting a blessing before repeating them, it is one’s religious duty to say such a blessing.”

**2. II:36:** It has been taught on Tannaite authority: Rabbi repeats certain words in the passage. R. Eleazar b. Parta adds some words (T. **Pisha 10:9A-B**).

**3. II:37:** R. Avira expounded, sometimes making his statement in the name of Rab, sometimes making his statement in the name of R. Ashi, “What is the meaning of the verse of Scripture, ‘And the child grew and was weaned and Abraham made a

great feast on the day that Isaac was weaned' (Gen. 21: 8)? In the future the Holy One, blessed be He, is going to make a banquet for the righteous on the day on which he manifests his love to the seed of Isaac the word for manifest and wean sharing the same consonants....He will say to David, 'Take it and say the Grace after meals.' He will say, 'I will say the Grace after meals, and it is quite right that I should do so, since it is said, "I will lift up the cup of salvation and call upon the name of the Lord" (Psa. 116:13).'"

## **LXXVI. Mishnah-Tractate Pesahim 10:8A**

### **A. AND AFTER THE PASSOVER MEAL THEY DO NOT CONCLUDE WITH DAINTIES:**

1. I:1: What is the meaning of the word dainties?
2. I:2: Said R. Judah said Samuel, "They don't conclude after the last unleavened bread with dainties."
3. I:3: Said Raba, "Eating unleavened bread at this time after the destruction of the Temple and the end of the Passover-offering derives from the authority of the Torah, but eating bitter herbs derives from the authority of rabbis."

## **LXXVII. Mishnah-Tractate Pesahim 10:8B-D, 10:9A-B**

### **A. IF SOME OF THOSE PRESENT FELL ASLEEP, THEY MAY EAT AGAIN. BUT IF ALL FELL ASLEEP, THEY MAY NOT EAT AGAIN.**

### **R. YOSÉ SAYS, "IF THEY MERELY DROWSED, THEY MAY EAT AGAIN, BUT IF THEY FELL INTO A DEEP SLEEP, THEY MAY NOT EAT AGAIN."**

1. I:1: What is the definition of a case in which they merely drowsed?
  - a. I:2: Illustrative case.

### **B. THE PASSOVER-OFFERING AFTER MIDNIGHT WHEN IT MAY NOT BE EATEN ANY LONGER IMPARTS UNCLEANNESS TO HANDS.**

1. II:1: Therefore from midnight it falls into the category of leftover. And who is the Tannaite authority behind that view?
  - a. II:2: Extension of the foregoing.

### **C. THAT WHICH HAS BEEN MADE REFUSE OR REMNANT IMPART UNCLEANNESS TO THE HANDS.I**

1. III:1: R. Huna and R. Hisda – one said, "It is because of suspects in the priesthood." The other said, "It is because of lazy priests." One said, "As much as an olive's bulk imparts uncleanness." The other said, "As much as an egg's bulk."

## **LXXVIII. Mishnah-Tractate Pesahim 10:9C-D**

### **A. "IF ONE HAS SAID THE BLESSING FOR THE PASSOVER-OFFERING, HE RENDERS UNNECESSARY A BLESSING OVER ANY OTHER ANIMAL SACRIFICE THAT HE MAY EAT. IF HE SAID A BLESSING OVER ANY OTHER ANIMAL SACRIFICE THAT HE ATE, HE HAS NOT MADE UNNECESSARY A BLESSING OVER THE PASSOVER-OFFERING,"**



**THE WORDS OF R. ISHMAEL. R. AQIBA SAYS, “THIS ONE DOESN’T RENDER THAT UNNECESSARY, AND THAT ONE DOESN’T RENDER THIS UNNECESSARY.”**

**1. I:1:** When you examine the matter, you will find, in the opinion of R. Ishmael, tossing the blood is encompassed under pouring out the blood, but pouring out the blood is not encompassed under tossing the blood, while in the opinion of R. Aqiba, pouring out the blood is not covered by tossing it, nor is tossing it covered by pouring it out. Ishmael holds that if the blood of the festal-offering is poured out instead of being tossed, the obligation of tossing it has been carried out; blessing the Passover-offering therefore includes that of the festal-offering, since in both the blood may be poured on the base of the altar. But if the blood of the Passover-offering is tossed, the obligation has not been met, so the blessing for the festal-offering, the blood of which is normally tossed, does not exempt the Passover-offering; Aqiba maintains neither covers the other.

**a. I:2:** Further example of the same theoretical problem, now in another context.

## Points of Structure

### **1. DOES BABYLONIAN TALMUD-TRACTATE PESAHIM FOLLOW A COHERENT OUTLINE GOVERNED BY A CONSISTENT RULES?**

The framers of the tractate have given a systematic commentary to the Mishnah-tractate assigned to them, omitting reference to only a few lines. The coherent outline is governed by the Mishnah-tractate. I see only occasional sequences of compositions (all the more so composites) in which a single coherent problem other than Mishnah-commentary governs the discussion of a Mishnah-rule. There are, to be sure, free-standing composites, not formed around the requirement of Mishnah-analysis or secondary expansion, but these are few and occur episodically and not in accord with a large-scale redactional program. The sole redactional principle of sequence, order, and cogency derives from the Mishnah-tractate.

### **2. WHAT ARE THE SALIENT TRAITS OF ITS STRUCTURE?**

The Mishnah's phrases, clauses, or rules dictate the order and program of the Talmud's compositions and composites, with the Tosefta's or an external Tannaite rule's phrases or propositions occasionally contributing to the same. Secondary expansion then fills up the bulk of the tractate, e.g., analysis of a proposition, testing of a proposed solution, or exposition of the exegesis of the written Torah that underpins the rule at hand.

### **3. WHAT IS THE RATIONALITY OF THE STRUCTURE?**

The Mishnah's rules, in the sequence in which they occur, tell the framers what comes first and what must follow, on the one side, and how one thing holds together with another, on the other side.

### **4. WHERE ARE THE POINTS OF IRRATIONALITY IN THE STRUCTURE?**

A number of free-standing composites, formed around topics or problems not contributed by the Mishnah-tractate, occur. These are dealt with below.

## Points of System

### **1. DOES THE BABYLONIAN TALMUD-TRACTATE PESAHIM SERVE ONLY AS A REPRESENTATION OF THE MISHNAH-TRACTATE OF THE SAME NAME?**

The answer is qualifiedly affirmative, since not every line of the Mishnah is supplied with a gloss, and, further, the free-standing composites lead in directions not to be predicted on the basis of the Mishnah's materials. But the omitted sentences of the Mishnah are few, and the proportion of free-standing composites negligible. The Talmud-tractate is formed with the purpose of commenting on the Mishnah and accomplishes that purpose, and, seen whole, it accomplishes no other purpose.

### **2. HOW DO THE TOPICAL COMPOSITES FIT INTO THE TALMUD-TRACTATE AND WHAT DO THEY CONTRIBUTE THAT THE MISHNAH-TRACTATE OF THE SAME NAME WOULD LACK WITHOUT THEM?**

I present the account in three sections. On the left hand margin are important propositional composites that do not address the Mishnah's propositions but do affect them. At the right are the composites that complement the Mishnah's statements with topically relevant amplifications or that carry forward the Mishnah's principle to new data. Finally, I underline and also position in the center column large composites that strike me as entirely out of phase with the Mishnah, lacking all point of contact, whether topical or in principle or even theme, broadly construed. Identifying these items and distinguishing them from those on the right hand margin involve a measure of subjectivity, and for that reason, I have tried to impose the most rigorous and narrowest possible definition of what is both free-standing and also affective of the rest. In the center I give those utterly anomalous composites that ignore the principle of propositional or at least topical cogency altogether.

I.B: Composite on the Use of Refined  
Language and Euphemisms  
in General. The Problem of  
word-choices is expanded and  
made a matter of morality.

I.F: Those who are agents to  
carry out a religious duty  
are not injured either when they go  
or when they come back.  
Secondary observation  
in connection with a Mishnah-Rule.

X.B: Topical Appendix on Rules  
governing the Misappropriation  
of Food in the state of  
Heave-Offering. Free-Standing Analysis  
Utilizing the Mishnah-Rule

XI.I: Topical Appendix Concerning  
the definition of Bread-Dough

XVIII.B: Free-Standing Composite  
Inserted for Formal Reasons

XXII.B: A Meal as a Religious Duty.  
Marriage to a Disciple of a Sage.  
The Unlettered Person and  
the Disciple of the Sage. The Mishnah-rule  
augmented here is shifted to stress on the  
particular merit accruing to the disciple  
of a sage.

XXIII.C: Thematic Composite:  
Sloth, The Correct Attitude to Work  
and to Religious Duties. This places  
the Mishnah-rule in a new context.

XXV.B: Topical Composite on  
the Sabbath Light

XXV.C: Formal Composite  
Supplementing the Foregoing

XXXI.D: Topical and  
Formal Supplement

XXXVI.C: Composite on the Resurrection  
of the Dead, Inserted in Extension of II:2  
This is included for solely formal  
reasons and has no relationship  
to its broader context, fore or aft.

LII.B: Composite on Daughters and Wives,  
with Special Reference to Hosea

LII.C: The Exile and Hosea's Prophecy

LXII.B: Composite on the  
Dimensions of the World

LXX.B: Topical Composite on Eating toward  
the Time of the Daily Whole-Offering  
of the Afternoon. The Order of Blessings  
at the End of the Sabbath and Festivals.

LXX.C: Sanctifying the Sabbath Day with Wine

LXX.G: Topical Appendix:  
Drinking in Pairs; the Danger of  
Doing Deeds in Pairs

LXX.H: Composite on  
the Danger of Shade. Demons

LXX.J: Appendix on Wise Counsel of  
Sages to their Sons and Disciples

LXXV.C, E: Topical Composite on the Great Hallel

LXXV.D: Topical Composite on the  
Difficulty of Making a Living

The bulk of the composites not devoted to Mishnah-exegesis are formulated around free-standing topics and inserted as topical supplements to composites devoted to Mishnah-exegesis and amplification. A handful are formulated around formal, and not substantive, principles of aggregation and cohesion; but as usual, these prove negligible in number and unimportant in proportion. Determining which, if any, free-standing composites actually affect the sense or meaning of the Mishnah or require us to read a rule of the Mishnah in an unanticipated context proves remarkable subjective, and thoughtful readers may well assign to the right hand column every item that strikes me as belonging to the re-visioning of the Mishnah-tractate. I bring to the matter the experience acquired in the analysis of other tractates, where the imposition of the dimension of Torah-study and sages' particular concerns clearly reshapes our reading of the topic of the Mishnah (e.g., Moed Qatan), in a way in which, in this tractate, we are scarcely required to concede. So, in all I see the bulk of the autonomous composites as topical in formulation — lacking important and sustaining propositions — and bearing slight affect upon the presentation of the Mishnah-tractate. The composites that I have identified as essentially distinct from the labor of Mishnah-exegesis and amplification turn out to leave untouched the Talmud's reading of the Mishnah.

### **3. CAN WE STATE WHAT THE COMPILERS OF THIS DOCUMENT PROPOSE TO ACCOMPLISH IN PRODUCING THIS COMPLETE, ORGANIZED PIECE OF WRITING?**

Some tractates of the Mishnah provide information on a topic, others explore the inner logic and deeper dimensions of that same topic. The comparison between Mishnah-tractate Rosh Hashanah, which is informative but hardly sustained by a profound problematic of a theoretical character, and Mishnah-tractate Besah suffices to exemplify the distinction at hand; numerous other contrasts can serve with equal effect, e.g., Mishnah-tractates Terumot, Ohalot, and Tohorot as against Mishnah-tractates Sanhedrin, Berakhot, and Negaim.\* Overall, I should point to the Divisions of Agriculture and Purities as comprising mostly tractates of a profoundly theoretical character, and to the Divisions of Appointed Times and Women as made up mostly of tractates that inform but hardly provoke deep, abstract thought. The hypothesis I wish now to propose is, in intellectual ambition the Talmud-tractates match the Mishnah-tractates.

*A History of the Mishnaic Law of Purities* (Leiden, 1974ff.: E. J. Brill) etc., in forty-three volumes, and *Judaism. The Evidence of the Mishnah*. Chicago, 1981: University of Chicago Press. Second edition, augmented: Atlanta, 1987: Scholars Press for Brown Judaic Studies, suffice to spell out the point that the tractates of the Mishnah vary in important and profound ways and can be classified by objective traits; some are merely informative concerning their topic, others profoundly speculative concerning theirs.

In that context we may take up the Talmud as well, with the present tractate as our example. Clearly, the Mishnah-tractate includes only a few provocative and profound passages but a great many merely informative ones; Chapter Ten provides a fine example of a chapter that is intellectually inert, even though rich in theological and ritual statements. Now what I find striking is that where we are given composites not required for Mishnah-exegesis, most of them prove merely informative; they collect a great many statements of a topical character, but none of them vastly changes the sense, context, or meaning of the Mishnah-tractate, either as to its specific rulings, or, more to the point, as to its deeper dimensions of meaning. Just as Mishnah-tractate Sanhedrin amasses vast composites of information, so its Talmud, completing the exposition of the Mishnah's topics, enriches those topics with more information; but the theoretical reading of the

subject-matter of the tractate is untouched. And the same is so here. Where, by contrast, the Mishnah-tractate pursues a topic in such a way as to expose its theoretical complexity, there the appended, free-standing composites will carry forward the complete representation of the Mishnah-tractate, the cases of Moed Qatan and Besah sufficing to exemplify the point.

Masters of the Talmud quite rightly insist that the tractates are all pretty much the same, and that is the fact when matters of a formal character are examined. The coherence and cogency of the Talmud overall strike anyone who moves from one tractate to another. These derive from the rigid forms of rhetoric and philosophical argument that prevail throughout, as I shall show in detail in my planned *The Talmud. A Phenomenology. Why the Talmud Works*. The Talmud when reading the Mishnah finds the way to say the same thing about many different things, and that forms part of its remarkable power of coherent discourse. But the tractates, devoted to the Mishnah's various topics, themselves lay claim to a careful analysis in their own terms, and, when they get it, they turn out to exhibit quite diverse traits of mind and capacity of intellect, some providing a recapitulation of the Mishnah's topic in its own terms, others asking us to imagine the Mishnah's topic in another context and manner altogether. The present tractate, with its burden of topical appendices that add masses of information but hardly reshape the face of things, shows us how a given Mishnah-tractate's own intellectual limitations will be replicated, and, I think, vastly magnified, by the Talmud's Mishnah-exegetes. These masters — surely the same figures, or, at any rate, bearing the same names from one tractate to another — prove brilliant where brilliance is required, mundane and merely informed and informative where mere erudition suffices.