

# IV

## BAVLI ZEBAHIM CHAPTER FOUR

FOLIOS 36B-47A

4:1-2

4:1

- A. The House of Shammai say, “In the case of any [offering, the tossings of the blood of which] are to be placed on the outer altar, if [on the outer altar] one [properly] tossed one tossing [of blood], has effected atonement [= M. 5:3-8].
- B. “But in the case of the sin offering, two tossings [properly tossed on the outer altar are required to effect atonement].”
- C. And the House of Hillel say, “Even in the case of a sin offering, the tossing [of the blood of which] was properly placed [in the case of] one placing, has effected atonement.”
- D. Therefore if one placed the first [tossing of the blood] in the proper manner [in silence], but the second [articulately intending to eat the flesh or burn the sacrificial portion] outside of its proper time, [the offering is valid and] it has effected atonement. [The first placing of the blood sufficed.]
- E. [If] one placed the first [intending to eat the flesh or burn the sacrificial portion] outside its proper time, and the second outside its proper place [= M. 2:4], the offering is refuse [that which permits the offering to be eaten having been offered in accord with its requirement], and they are liable on its account for extirpation.

4:2

- A. In the case of any [animal offering, the tossings of the blood of which] are to be placed on the inner altar, if one omitted one of the acts of tossing of blood, the offering has not effected atonement [= M. 5:1-2].
- B. Therefore, if one tossed all of them in the proper manner, but one of them not in its proper manner, it is invalid. But extirpation does not apply to it. [Freedman: One application of the blood does not suffice to make the sacrifice fit. A sacrifice cannot be made into refuse through an act of service that is incomplete in itself to make the sacrifice fit].

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

- B. How on the basis of Scripture do we know that **in the case of any [offering, the tossings of the blood of which] are to be placed on the outer altar, if [on the outer altar] one [properly] tossed one tossing [of blood], has effected atonement?** Scripture states, “And the blood of your sacrifices shall be poured out” (Deu. 12:27) [stated in the singular, hence one sprinkling of blood suffices].

**I.2.** A. *But is that verse of Scripture required for that purpose? Surely it is needed in line with that which has been taught on Tannaite authority:*

- B. **[37A]** How on the basis of Scripture do we know that it is necessary that all blood must be poured out at the base of the altar? Scripture states, “And the blood of your sacrifices shall be poured out” (Deu. 12:27).
- C. [The authority behind I.1B] *derives that rule from the exegesis of Rabbi, for it has been taught on Tannaite authority:*
- D. Rabbi says, “‘And the rest of the blood shall be drained out at the base of the altar’ (Lev. 5: 9) — the words ‘of the blood’ hardly have to be utilized [since the sense is clear in context]. Why then does Scripture say, ‘of the blood’? It is because we have learned only that blood that is supposed to yield four tossings must be poured out at the base, but how do we know that the same rule applies to blood that is subject to other requirements? Scripture says, ‘And the rest of the blood shall be drained out at the base of the altar’ (Lev. 5: 9).”

**I.3.** A. *But still, is that verse of Scripture required for that purpose? Surely it is needed in line with that which has been taught on Tannaite authority:*

- B. How do we know that blood that is supposed to be applied through tossing, which one has applied through pouring out, has carried out the obligation? Scripture states, “And the rest of the blood shall be drained out at the base of the altar” (Lev. 5: 9).
- C. *The framer of the proof concurs with the position of R. Aqiba, who has said, “Tossing the blood does not fall into the classification of pouring it out, and pouring it out does not fall into the classification of tossing it.” For it has been taught on Tannaite authority:*
- D. “If one has recited the blessing for the Passover offering, he thereby exempts from the requirement of the recitation of a blessing the additional offering brought on the occasion of the festival, but he he has recited the blessing for that additional offering brought on the occasion of the festival, he does not exempt the Passover offering from the requirement of a blessing,” the words of R. Ishmael. [Sprinkling the blood falls into the classification of pouring it out, but pouring it out does not fall into the classification of sprinkling.]
- E. R. Aqiba said, “The former does not exempt the latter, and the latter does not exempt the former.” [Neither mode of disposing of the blood falls into the classification of the other.]

**I.4.** A. *But still, is that verse of Scripture required for that purpose? Surely it is needed in line with that which has been taught on Tannaite authority:*

- B. R. Ishmael says, “Since it is said, ‘But the firstling of an ox or the firstling of a sheep or the firstling of a goat you shall not redeem; they are holy; you shall dash their blood against the altar and you shall make their fat smoke for an offering made by fire’ (Num. 18:17), we learn that in the case of the offering of a firstling,

there must be a placing of blood on the altar and a burning up of the sacrificial parts on the altar. How do we know that the same is required in the case of a beast designated as tithe of the herd and of a beast designated as a Passover offering? Scripture states, ‘And the rest of the blood shall be drained out at the base of the altar’ (Lev. 5: 9).”

- C. *The framer of the proof concurs with the position of R. Yosé the Galilean, for it has been taught on Tannaite authority:*
- D. R. Yosé the Galilean says, “[‘But the firstling of an ox or the firstling of a sheep or the firstling of a goat you shall not redeem; they are holy; you shall dash their blood against the altar and you shall make their fat smoke for an offering made by fire’ (Num. 18:17)] — not ‘its blood’ but ‘their blood,’ not ‘its fat’ but ‘their fat.’ This teaches concerning the case of a beast designated as tithe of the herd and of a beast designated as a Passover offering that there must be a placing of blood on the altar and a burning up of the sacrificial parts on the altar.”
- E. *And as to R. Ishmael, how does he interpret the same verse* [“And the rest of the blood shall be drained out at the base of the altar” (Lev. 5: 9)]?
- F. *Two Tannaite formulations of R. Ishmael’s view are contradictory.*
- G. *As for R. Ishmael, who deems the entire verse to refer to the firstling, that is in line with what is written: “And their meat will be yours” (Num. 18:18) [thus the priest owns the firstling; the “them” refers to the ox, sheep, and goats, listed in the prior verse of Scripture (Freedman)].*
- H. *But according to R. Yosé the Galilean, who deems the entire verse to refer to the tithe and the Passover offering as much as the firstling, holding that they are eaten by their own, then what is the meaning of “And their meat will be yours” (Num. 18:18)?*
- I. [The use of the plural means] that all the same are the unblemished and the blemished beast, **[37B]** teaching that even a blemished firstling is handed over to a priest, a proposition for which, in the rest of the entire Torah, we find no further evidence.
- J. And R. Ishmael?
- K. *He deduces that lesson from the language used at the end of the same passage, “it shall be yours.”*

**I.5.** A. *There is no problem from the perspective of R. Yosé the Galilean, who deems the entire verse to refer to the tithe and the Passover offering as much as the firstling. That is in line with the following verse: “You shall not redeem; they are holy” (Lev. 3: 7). So they are offered on the altar, but beasts designated as substitutes for them are not offered. So we have learned in the Mishnah: **The substitute of a firstling or of tithe, their offspring, and the offspring of their offspring, to infinity, lo, they are deemed equivalent to a firstling or to tithe. And they are eaten by the owners after they are blemished [M. Tem. 3:5B-D].** And we have learned in the Mishnah: 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. But if the lost beast which had been set aside for a Passover offering was found after the slaughtering of the Passover substituted in its place, it is offered as peace offerings, and so too is the rule for the beast substituted for it]” [M. Pes. 9:6] *But so far as R. Ishmael is concerned, since he insists that the whole of the cited verse refers to a firstling, how does he know that that a beast declared to be substituted for an animal set aside for a Passover offering is not offered, and that a beast declared to be substituted for an animal set aside for a Passover offering is not offered?*

- B. As regards the firstling it is analogous to the law governing the beast designated as tithe, since the word “passing” is written in the laws governing both classes of beast (Exo. 13:12, Lev. 27:33).
- C. As for the Passover offering, “lamb” is stated in that connection, so why does Scripture further state, “If he brings a lamb for his offering” (Lev. 3: 7)? It is to encompass the substitute of a Passover offering after the Passover, it is sacrificed as a peace offering. Now might you then suppose that the rule would apply also prior to Passover to a beast designated as a substitute for the Passover offering? Scripture states, “It is the sacrifice of the Lord’s Passover” (Exo. 12:27).

**I.6.** A. *Now in respect to all of these Tannaite verses that utilize the cited verse, “the blood of your sacrifices shall be poured out” for purposes other than that designated at the outset, how, for their part, do they derive from Scripture the rule: that in the case of any [offering, the tossings of the blood of which] are to be placed on the outer altar, if [on the outer altar] one [properly] tossed one tossing [of blood], has effected atonement?*

- B. *They concur with the House of Hillel, who hold, Even in the case of a sin offering, the tossing [of the blood of which] was properly placed [in the case of] one placing, has effected atonement. And the rule governing the others derives in the end from the rule governing the sin offering [which will be proved presently].*

**II.1** A. **But in the case of the sin offering, two tossings [properly tossed on the outer altar are required to effect atonement]:**

- B. *Said R. Huna, “What is the scriptural basis for the position of the House of Shammai? Scripture uses the plural form of the word for horns three times, meaning that six applications of blood are required [so four are prescribed and two are essential]. But the House of Hillel maintain that the written forms are given in the singular twice, in the plural once, thus four are required, three prescribed, but one essential.”*

- C. *But why not say that every such reference is simply a statement of what is required [but not essential]?*
- D. *Because there is no atonement without a blood rite.*
- E. *And if you prefer, I shall say that this is the basis for the position of the House of Hillel: "The way in which Scripture is read and the way in which it is written both count, but the way it is read serves in adding the requirement of one application of the blood, while the way it is written serves in subtracting one [yielding their position as given]."*

**II.2.** A. If so, when the word for frontlets [referring to phylacteries] occurs three times, two times lacking the indication of the plural, one time including that full spelling [at Deu. 6: 8, 9:18, and Exo. 13:16], [which in R. Ishmael's view] indicates there are four [sections of Scripture to be inserted into the phylacteries], *if both the way in which Scripture is read and the way in which it is pronounced both count, then five compartments should be required!*

B. *The framer of the passage concurs with R. Aqiba, who has said, "The letters for the first half of the word, in the Katpi language, stand for two, and the letters for the second half of the word, in Afriki, stand for the word two."*

**II.3.** A. If we follow the same exegetical principle, then, when the word for tabernacles (sukkot) [which occurs at Lev. 23:42-3] is written twice defectively [lacking the letter that signifies the feminine plural] and once properly, so yielding four references in all [the two read as if in the singular, the one read in the plural], *if both the way in which Scripture is read and the way in which it is pronounced both count, then one should have five walls for the tabernacle [instead of four].*

B. **[38A]** *Not so, for first of all, deduct one reference for simply announcing the matter, leaving three. The received legal tradition is that one of the walls may be of diminished size, namely, a handbreadth [with the result that, as rabbis maintain, two must be of standard size and one of a handbreadth].*

**II.3.** A. *Then how do you deal with the following: "Then she shall be unclean for two weeks" (Lev. 12: 5) — but the Hebrew word for "two weeks" can be read "seventy"! If it is the fact that both the way in which Scripture is read and the way in which it is pronounced both count, then she would have to spend forty-two days in uncleanness.*

B. *There the case is exceptional, because Scripture further clarifies the matter when it says, "as in her menstrual state" (Lev. 12: 5). [That is for seven days, so the word can only be read, two weeks, fourteen days.]*

**II.4.** A. *Now the Tannaite authority whose version follows adduces the ruling of the House of Hillel as follows:*

B. The word, "He shall make atonement" occurs three times [at Lev. 4:26, 31, 35] in connection with the sin-offering [demonstrating that if the blood is properly tossed even one time only, that suffices to attain atonement in the case of a sin-offering].

- C. The reason for that repeated stress is on account of a possible logical argument to the contrary [which, by formulating matters as it does, Scripture forestalls.]
- D. The proposed argument is as follows: the word “blood” is used with reference to tossing the blood of an offering below the red line that divided the altar into two horizontals, and the word blood is used with reference to tossing the blood of offerings that has to go above that same red line.
- E. Just as, in the case of blood that has to be tossed below the red line, if one has tossed the blood properly one time only, he has achieved atonement, so in the case of blood that is tossed above the red line, if it is properly tossed one time only, the priest has effected atonement.
- F. [At the same time,] one may take the following route:
- G. The word “blood” is used in connection with offerings the blood of which is tossed onto the outer altar, and the word “blood” is used in connection with offerings the blood of which is tossed on the inner altar.
- H. Just as blood that is tossed on the inner altar is such that, if only one of the requisite tossings of the blood should be lacking, the sacrifice is null and accomplished nothing, so with respect to blood that is tossed against the outer altar, if only one of the requisite tossings of blood is lacking, the sacrifice is nought. [This second proof, then, would vitiate the conclusion of the first.]
- I. Now let us see which is the dominant analogy: We should construct an argument concerning blood that is sprinkled on the outer altar on the basis of a case involving blood that is sprinkled on the outer altar, and let us not construct an argument concerning blood that is sprinkled on the outer altar from the case of blood that is sprinkled on the inner altar [thus rejecting the first of the two proposed arguments].
- J. Or let us take this route: Let us construct an argument governing the sprinkling of the blood of the sin-offering, which is done on the four corners of the altar, from the case of a sin-offering, with the blood sprinkled on the four corners of the altar. But let proof not derive from the case of an offering which is not a sin-offering and does not involve the four corners of the altar.
- K. [Since we can, through logical argument, produce contradictory results, it is necessary for] Scripture to state three times, “He shall make atonement.”
- L. This then deals with the problem of logic [just now spelled out, in the following way:]
- M. “He shall atone” even though he has tossed the blood only three times.
- N. “He shall atone” even though he has sprinkled the blood only two times.
- O. “He shall atone” even though he has only tossed the blood only once.

**II.5.** A. *[But must not Scripture say, “and he shall make atonement” to indicate that each sin is atoned for by its sin-offering, and hence] the reference is required on its own account?!*

- B. *Said Raba bar Adda, “Mari explained it to me: ‘Scripture has said, “And he shall make atonement...and he shall be forgiven” — atonement and forgiveness fall into the same classification [in which case the reference to “he shall atone” indeed is superfluous and available for the indicated purpose].”*



**II.6.** A. But might I not say the following:

- B. “He shall atone” even though he has tossed the blood only three times above the line and one below,
- C. “He shall atone” even though he has sprinkled the blood only two times above the line and two below,
- D. “He shall atone” even though he has not tossed the blood above the line but only once below!
- E. Said R. Ada bar Isaac, “If so, you will nullify the very law that the horns of the altar are to be used [but Scripture states that the blood must be put on the horns of the altar, above the red line (Freedman)]!”
- F. *But if that is the intent of the All-Merciful, then let the law be annulled!*
- G. Said Raba, “What is the category that requires three placings of blood? It is surely the horns of the altar.” [Freedman: and each statement, ‘he shall atone, makes one horn less necessary; hence the threefold repetition diminishes them by three, leaving sprinkling on one essential, for in order to render effective the application of all the four below the line, four texts would be required].
- H. But one not say, “and he shall make atonement” means that even if one made one application of blow above the red line and three below, that suffices?
- I. We do not find the blood applied half above and half below.
- J. *But don’t we now? And have we not learned in the Mishnah: [He took the blood from the one who had been stirring it [M. 4:3B]. He [again] went into the place into which he had entered and again stood on the place on which he had stood.] Then he sprinkled some [of the blood], one time upwards and seven times downwards [M. Yoma 5:3A-C].*
- K. That was done like swinging a whip. [It was not intentional that he put some up some down.]
- L. *What is the meaning of “like swinging a whip”?*
- M. [Freedman:] R. Judah showed it by imitating the movements of a whipper.
- N. **He tossed the blood on the top of the altar seven times [M. Yoma 5:6A]. [38B]** *Now surely does that not mean, on the upper half of the altar, in line with what people say, “Noon-light shines, so it is midday” [and so some of the blood must have fallen below the line]!*
- O. *Said Raba b. Shila, “No, the sense is that the altar’s top surface was cleared of ashes, for it is written, ‘And like the very heaven for clarity’ (Exo. 24:12).”*
- P. *But there is the residue of the blood [poured out at the base of the altar? So part of the blood is applied above, part below, in any case (Freedman)]!*
- Q. *Pouring out of the remainder of the blood at the altar’s base is not indispensable.*

- R. *But there is the residue of the sin offerings [blood, which is poured out on the base of the outer altar]! And according to one position, that rite is indispensable.*
- S. *Here we refer to doing so all in one and the same place [Freedman: there is no instance of the blood's being poured partly above and partly below the line on the same altar].*

**III.1** A. [Supply: **The House of Shammai say, “In the case of any [offering, the tossings of the blood of which] are to be placed on the outer altar, if [on the outer altar] one [properly] tossed one tossing [of blood], has effected atonement. But in the case of the sin offering, two tossings properly tossed on the outer altar are required to effect atonement[.]”** *It has been taught on Tannaite authority:*

- B. **R. Eliezer b. Jacob says, “The House of Shammai say, ‘Two proper acts of applying the blood in the case of the sin offering, and one in the case of all other offerings, permit [the meat to be eaten] and [if accompanied by an articulated, inappropriate intention] impart to the offering the status of refuse.’** [Freedman: only if the intentionality that yields the status of refuse is expressed during both applications does the sin offering become refuse. Since both are essential, each act of sprinkling serves only to complete half of the disposition of the parts of the beast that render the remainder permitted for eating; each act on its own is insufficient then to sustain the intentionality of that would classify the offering as refuse.]
- C. **“And the House of Hillel say, ‘All the same are the sin offering, and all other offerings, — one proper act of applying the blood permits [the meat to be eaten] and [if accompanied by an articulated, inappropriate intention] impart to the offering the status of refuse”** [T. **Zeb. 4:9A-D**].
- D. *Objected to this formulation R. Oshaia, “If so, then the rule should be repeated within the catalogue of the more lenient rulings of the House of Shammai and the more stringent rulings of the House of Hillel!”*
- E. *Said to him Raba, “When the question was initially raised, it took the form of whether the sacrifice was permitted [if only one correct application of the blood was made], so that, in that formulation of matters, the House of Shammai took the more stringent position.”*

**III.2.** A. Said R. Yohanan, “The three [final] applications of blood for sin offerings may not be done at night.

- B. “They may be done after the death of the person who presented the offering.
- C. “And he who carries them out outside of the Temple courtyard is liable.” [Freedman: though the first application is sufficient and the other three not essential, they must not be done at night, in accordance with the general law that the blood must not be kept until the night. If the owner of the sacrifice dies before the blood is sprinkled, the blood cannot be sprinkled, and the sacrifice is disposed of. If the owner dies after the first application, which has rendered the sacrifice valid, the other three are made. Since the sprinkling of these is deemed a valid sacrificial service, to sprinkle them outside of the Temple is to incur guilt.]



**III.3.** A. Said R. Pappa, “In some aspects the final three applications of blood for sin offerings are comparable to the initial application of blood, and in some aspects the final three applications of blood are comparable to the residue of the animal’s blood. In respect to sprinkling the blood outside of the Temple, court, at night, by non-priests, in a utensil that has been consecrated for service, sprinkling upon the horn of the altar, sprinkling with the finger, the washing off of the blood [if it spurts onto the priest’s garment in the first application, which must be done if the blood used for the first application spurts; that must be washed off in the holy place itself], and the disposition of the residue [Freedman: if the blood of the sin offering was received in four cups, and one application of blood is made from each, the remaining blood in each counts as the residue, which is to be poured out at the base of the altar], the blood used for the last three sprinklings is subject to the same rule as applies to the blood used for the first, and indispensable sprinkling. *But in the aspects of death* [the three applications being done after the owner’s death, just as the residue of the blood is poured out after all the applications (Freedman)], *the sprinkling of the residue’s not permitting the meat* [the first application of blood is what permits the meat of the sacrifice of the sin offering to be eaten (Freedman)], *not rendering the meat refuse* [if the first application of the blood is done with correct intentionality, that is, in silence, then any intentionality expressed with regard to the applications later on is null], *and not being taken within to the inner altar* [if the first application of blood is done at the outer altar, as is required by Lev. 6:23], then if the rest of the blood is taken inside, to the inner altar, the sacrifice remains valid, atonement having been made (Freedman)], the blood used for the final three sprinklings follows the rule governing the residue of the animal’s blood.”

B. *Said R. Pappa, “How do I know it? For we have learned in the Mishnah: [If] the blood spurted [directly] from the neck onto the garment [and was not received in a pot], it does not require washing. [If the blood spurted] from the horn or from the foundation [of the altar], it does not require washing. [If it was poured onto the pavement and one gathered it up and then it spurted onto a garment, it does not require washing. That sort of blood which requires washing is only the blood which has been received in a utensil and which is suitable for sprinkling on the altar] [M. 11:3A-D]. Lo, it then follows, that if the blood spurted that was fit for the horn [blood fit for the horn of the altar is that which is to be sprinkled, even in the last three applications (Freedman)], then the garment does require washing.”*

C. *Then in accord with your reasoning, you might maintain that [since] if the blood spurted from the base, it does not have to be washed off, so if some of the blood that was fit for the base spurted on the garment, the garment would have to be washed. But it is written, “And if any of the blood that is to be sprinkled spurt upon any garment, you shall wash that on which the blood was sprinkled in a holy place” (Lev. 6:20), — which excludes the residue on the base, which is the category of blood that has already been sprinkled! Then in accord with which authority is this rule? It accords with R. Nehemiah. For we have learned in the Mishnah: R. Nehemiah says, “The residue of the blood [of sin offerings of the inner altar (M. 5:1-3)] which one offered up outside — he is liable” [M. Zeb.*

**13:6I].** *Now granting that R. Nehemiah rules in such a way in regard to presenting the blood outside of the Temple court, since he draws an analogy to the limbs and fat pieces [Freedman: liability is incurred for presenting these outside of the Temple court though they are not blood; hence the same may hold true of the residue, even if it should not bear the status of blood], in the matter of laundering the garment that has been splattered in the same context, have you heard that he holds such a position?*

- D. *Indeed so, for has it not been taught on Tannaite authority: [39A] Blood that has to be poured out at the base of the altar also has to be washed off in the holy place should it spurt onto the priestly garment; not only so, but improper intentionality counts in regard to that blood [in rendering the offering refuse]; he who offers it up outside of the holy place is liable. Blood that is to be poured out into the sewer, by contrast, does not have to be washed off in the holy place should it spurt onto the priestly garment; improper intentionality does not count in regard to that blood [in rendering the offering refuse]; he who offers it up outside of the holy place is exempt from all liability. Now of what authority have you heard who takes the position that one who offers up blood of that classification outside of the Temple is liable? It is R. Nehemiah. And here the same position maintains that blood that has to be poured out at the base of the altar also has to be washed off in the holy place should it spurt onto the priestly garment; not only so, but improper intentionality counts in regard to that blood [in rendering the offering refuse].*
- E. *But has it not been stated as a Tannaite rule: The pouring out of the residue and the burning of limbs on the altar, which are not indispensable to the rite of atonement, are treated as exceptional, in that an improper intention expressed in connection with those aspects of the rite is null.*
- F. *[The ruling that an improper intention imparts to the offering the status of refuse] [which contradicts the foregoing] was made specifically with reference to applying the three applications of the blood of the sin offering beyond the initial, required one.*
- G. *If so, then why does the formulation state, “that has to be poured out at the base of the altar”? This is blood that is placed on the horn of the altar!*
- H. *Then reframe matters to read: that has to be poured out at the base of the altar.*
- I. *But then, how shall we make sense of the statement, improper intentionality counts in regard to that blood [in rendering the offering refuse]? Have you not stated: [But in the aspects of ...the sprinkling of the residue’s not permitting the meat, not rendering the meat refuse, and not being taken within to the inner altar “?*
- J. *When that Tannaite statement was formulated, it was in connection with blood of a sacrifice that was to be tossed on the inner altar [that is, the residue of blood of sin offerings presented on the inner altar, and in accord with the view that this is an indispensable aspect of the rite, so it can render the sacrifice refuse (Freedman)].*
- K. *Then in the case of blood that was to be tossed on the outer altar, what will you say? That he is exempt? Then instead of formulating matters about blood that is to be poured out into the sewer, let the Tannaite authority present the required distinction in the case at hand, in the following way: Under what circumstances? In the case of blood that was to be tossed on the inner altar. But in the case of blood tossed on the outer altar, he is exempt.*

- L. *But lo, who is the authority behind this statement? It is R. Nehemiah, who has said, "For residue of the blood of [sin]-offerings offered on the outer altar, one is liable," and the Tannaite framer of the passage could not then list three instances of exemption to correspond to three instances of liability* [Freedman: the formulation gives us three cases in which residue bears the full status of blood, three where it does not; but if the Tannaite authority drew a distinction between the residue of sacrifices offered on the inner altar and the residue of the blood of sacrifices offered on the outer altar, he could not maintain that parallelism].

**III.4.** A. [With reference to the cited passage, If the blood spurted] from the horn or from the foundation of the altar, it does not require washing,] Rabina said, "'...from the horn...' is meant literally, but 'from the base' refers to blood that is fit for the base."

B. *Said to Rabina R. Tahalipa bar Geza, "Might I maintain that both speak of blood that is fit for the base?"*

C. *"How is that possible, since you maintain that even blood fit for the horn does not have to be washed off in a holy place, so does one have to say that that rule applies also to blood fit for the base? [Obviously not!]* Thus '...from the horn...' is meant literally, but 'from the base' refers to blood that is fit for the base."

**IV.1** A. **In the case of any animal offering, the tossings of the blood of which are to be placed on the inner altar, if one omitted one of the acts of tossing of blood, the offering has not effected atonement:**

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

C. [With reference to the sin offering presented in behalf of the entire community, which is offered on the inner altar,] "Then shall he do with the bullock as he did with the bullock of the sin offering, so shall he do with this" (Lev. 4:20) — how come Scripture duplicates the statement of the law of sprinkling? It is to teach that if the priest omitted one of the applications of the blood on the horn of the altar, he has done nothing at all. [The sacrifice is null.]

D. I know that this applies only to the seven applications of blood [before the veil of the ark], which are in fact indispensable in all instances. How do I know that the same indispensability pertains to the four applications of the blood?

E. It is from the wording, "so shall he do with this" (Lev. 4:20).

F. "With the bullock" refers to the bullock that is offered on the Day of Atonement.

G. **[39A]** "as he did with the bullock" refers to the bullock of the anointed priest.

H. "of the sin offering" refers to the goats that are brought as a sin offering on account of an inadvertent act of idolatry. [Details are omitted elsewhere, because the rule given here pertains to them.]

I. Might one think that I should extend the same rule even to the goats that are presented on the Festivals and to the goats that are presented on the New Moon? Scripture states to the contrary, "...with this."

J. Then how come you extend the rule to the items listed earlier but exclude from the rule the items just now enumerated?

K. After Scripture has extended the rule and also limited the application of the rule, I extend the rule to these, which achieve atonement for a known violation of a religious duty, and I exclude the others, which do not make atonement for the

known violation of a religious duty [for the goats on the Festival and New Moon atone for inadvertent uncleanness caused to the Temple, of which people may not have been informed at all].

- L. “And the priest shall make atonement [and it shall be forgiven to them]” (Num. 15:28) — even though he did not lay hands on the bullock.
- M. “and it shall be forgiven to them” (Num. 15:28) — even though he had not poured out the residue [of the blood on the outer altar].
- N. Now how come you treat the offering as invalid in the case of [omission of] sprinkling [the blood], but treat the offering as valid in the case of omission of laying on of hands and pouring out of the residue of the blood?
- O. So you may state matters: I invalidate the offering in a case of sprinklings of blood, since in other matters these are indispensable to the rite, but I validate the offering in the case of the omission of the laying on of hands and the pouring out of the residue of the blood, for these actions are not treated elsewhere as indispensable to the proper conduct of any rite.

**IV.2.** A. [40A] A master has said: “I know that this applies only to the seven applications of blood [before the veil of the ark], which are in fact indispensable in all instances.”

- B. *Where are these seven applications of blood indispensable to the proper realization of the rite?*
- C. Said R. Pappa, “In the rites of the red cow [Num. 19: 2-4], and purification from the skin ailment [Lev. 14: 1ff].”
- D. As to the requirement of applying the blood four times, whence is this derived?
- E. Scripture states, “so shall he do.”
- F. *And what differentiates the seven applications? Is it because they are both stated in Scripture once but then restated? Then the specification that these are required is both stated once and then duplicated! [Why is an additional text required to show that all four applications are indispensable? The reiteration of the seven applications serves the four willy-nilly (Freedman).]*
- G. *Said R. Jeremiah, “It is required solely from the perspective of R. Simeon. That is in line with what has been taught on Tannaite authority:”*
- H. “In an earlier passage [Lev. 4: 1-12] the word ‘horns’ is written, while the singular, horn, would suffice, and the use of the plural implies that the blood must be put on two horns, and in the lower section [Lev. 4:13-21], ‘horns’ instead of ‘horn’ is used, with the same implication, hence four applications are indispensable,” the words of R. Simeon.
- I. R. Judah says, “Such a demonstration based on the usage of Scripture is hardly required, for lo, Scripture says, ‘in the tent of meeting’ (Lev. 4: 7, 18), which pertains to whatever takes place in the tent of meeting.” [Freedman: so all the horns that Scripture has prescribed for the tent of meeting are to be used as specified.]
- J. *And then how does R. Judah interpret the exclusionary formulation cited earlier, “so shall he do with this” (Lev. 4:20)? [“I know that this applies only to the seven applications of blood before the veil of the ark, which are*

in fact indispensable in all instances. How do I know that the same indispensability pertains to the four applications of the blood? It is from the wording, “so shall he do with this” (Lev. 4:20).]

- K. *He requires that phrase in line with what has been taught on Tannaite authority:*
- L. Since in the case of the bullock of the Day of Atonement we do not know the rule governing the laying on of hands and the residue of the blood, whence do we derive the rule?
- M. It is from the verse, “so shall he do with this” (Lev. 4:20).
- N. But is it the fact that in the case of the bullock of the Day of Atonement we do not know the rule governing the laying on of hands and the residue of the blood, we have not learned that rule in some other way? Surely you have said, “‘with the bullock’ refers to the bullock of the Day of Atonement”!
- O. *The proof just now presented nonetheless is required. For you might otherwise have supposed that the stated rule pertains to an act of service that is indispensable for achieving atonement [to which the statement is added, “and the priest shall make atonement for them”], but to an act of service that is dispensable for achieving atonement, I might have supposed that the rule does not apply. So we are informed that it does.*
- P. *And how does R. Simeon interpret the language, “in the tent of meeting” (Lev. 4: 7, 18)?*
- Q. *He requires the language, “in the tent of meeting” (Lev. 4:7, 18) to show that, if the ceiling of the inner sanctum was broken, the priest would not sprinkle the blood.*
- R. *And the other party?*
- S. *He derives the same point from “which is” [deemed otherwise superfluous].*
- T. *And the other party?*
- U. *He derives no lesson from the language “which is.”*
- V. *Abayye said, “Even from R. Judah’s perspective, it was still necessary to provide a textual proof for the besought proposition, for you might have supposed that we draw an analogy to laying on of hands and pouring on the residue of the blood. Even though these are set forth as requirement and then reiterated, they are not indispensable, and you might then argue that four applications also are not indispensable. So we are informed that that is not the case.”*

**IV.3.** A. [A master has said:] “‘With the bullock’ refers to the bullock that is offered on the Day of Atonement.”

- B. *For what purpose in law is this proof provided? If it is to show that the four applications of the blood are indispensable to the rite, that is a self-evident fact, for in that regard the word “statute” is written [at Lev. 16:29, and this is taken to mean that every detail of the rite is indispensable for the rite’s accomplishing its expiatory purpose].*
- C. *Said R. Nahman bar Isaac, “The specification is nonetheless required, solely within the perspective of R. Judah, for he has said, ‘When the word “statute” is*

written, it refers solely to rites that are done when the priest is wearing the white garments, working at the inner altar, indicating that if he has given priority to a deed to be done only later on in the order, he has done nothing. But as to actions that are carried out in the white garments but only on the outer altar, if the priest gave priority to a deed that is done only later than another, what he has done has been validly done.’ *Now I might have maintained that since their being done in proper order is not indispensable to the effect of the rite, the proper number of sprinklings of the blood likewise is not indispensable. So we are informed that that is not the case.*”

- D. *To this proposition objected R. Pappa, “But can you really state matters in that way? Has it not been taught on Tannaite authority:”*
- E. “‘And he shall make an end of atoning for the holy place and the tent of meeting and the altar’ (Lev. 16:20) — if he atoned [by carrying out the rites required for atonement in other matters, e.g., the four sprinklings on the altar, the seven before the vil (Freedman)], he has completed the rite, but if he has not atoned, he has not completed the rite,” the words of R. Aqiba.
- F. Said to him R. Judah, “Why should we not say, if he made an end to the rite, he has atoned, and if not, he did not atone? [So the rites, including the four applications, are necessary, and it is on that basis that that fact is to be demonstrated].”
- G. [Rather,] said R. Pappa, “[‘with the bullock’] was necessary only in regard to deriving rules from the appearance of the untranslated accusative particle, ‘et,’ and those relating to the blood and the dipping.” [Freedman: In connection with the anointed priest’s bullock it is written, “And the priest shall dip + accusative particle et + his finger in the blood and sprinkle the blood seven times before the Lord” (Lev. 4: 6). The accusative particle is treated as an extension also in the phrases “he shall dip” and “in the blood.” That usage then yields a number of additional laws about sprinkling and dipping. Through the present exegesis, that “with the bullock” applies to the Day of Atonement bullock, Scripture assimilates the rules governing it with those governing the bullock of the anointed priest and so teaches that what is deduced from the accusative particle applies here too.]”
- H. As to the accusative particle et: *said R. Aha bar Jacob, “That is required only to present the rule that [40B] if there is a wart on the finger of the priest, it is nonetheless fit.*
- I. “In the blood” teaches that there must be sufficient blood [in a single utensil] to begin with to dip [and we do not collect blood in two utensils and pour the blood together to form enough].
- J. “And he shall dip” teaches — but not sponge it up [Freedman: by wiping around the sides of the utensil].
- K. *And it is necessary to present the word as both “and he shall dip” and also to write the words “in the blood.” For if the All-Merciful had written only “and he shall dip,” I might have supposed that even where the blood is to begin with insufficient for dipping, it would be acceptable. Therefore Scripture wrote, “in the blood.” And if the All-Merciful had written only, “in the blood,” I might have supposed that even if one sponges up the*



*blood, it would be acceptable. Accordingly, Scripture used the wording, “and he shall dip.”*

- L. And what purpose is served by the language, “the altar of sweet incense” (Lev. 4: 7)?
- M. It is to make the point that, if the altar had not been dedicated by sweet incense, the priest would not sprinkle blood on it.
- N. *It has been taught on Tannaite authority in line with the view of R. Pappa:*
- O. “‘Thus shall he do...as he did...’ Why does Scripture say, ‘with the bullock’? It is to encompass the bullock of the Day of Atonement within all the rules that are set forth in the passage at hand,” the words of Rabbi. [Better: R. Aqiba.]
- P. Said R. Ishmael, “That fact derives from an argument a fortiori [and a proof text is not required to make the point:] if in a case in which one offering is not treated as analogous to another, the rules governing the rites of various sacrifices apply uniformly, in a case in which one offering is treated as analogous to another, should not the rules governing the rites of various sacrifices apply uniformly?”
- Q. “And what purpose is served when Scripture states, ‘Thus shall he do...as he did.with the bullock’? This refers to the bullock that is presented on the occasion of an unwitting transgression on the part of the community, and the other ‘with the bullock’ refers to the bullock of the anointed priest.”

- IV.4.** A. A master has said: “If in a case in which one offering is not treated as analogous to another, [the rules governing the rites of various sacrifices apply uniformly, in a case in which one offering is treated as analogous to another, should not the rules governing the rites of various sacrifices apply uniformly]?”
- B. *What is the meaning of the phrase, “If in a case in which one offering is not treated as analogous to another”?*
  - C. If I should say that it is to the bullock of the Day of Atonement and the goat of the Day of Atonement [differentiated and yet subject to the same rule that if one of the required acts of sprinkling of the blood is omitted, the offering is invalid], *there is the possibility of challenging the analogy drawn from them in the following way:* what differentiates these from other offerings is that the blood is taken into the inner sanctum [which is not the case with the blood of the bullock of the community, which is not taken into the inner sanctum]!
  - D. Rather, the reference is to the bullock that is brought in behalf of the community for an unwitting transgression and the goats that are offered on account of an unwitting act of idolatry.
  - E. *There too there is the possibility of challenging the analogy drawn from them in the following way:* what differentiates these is that their rites are the same because they effect atonement for the violation of a known religious duty.
  - F. Rather, the reference is to the bullock brought in behalf of the community for an unwitting transgression and the he-goat of the Day of Atonement, *and this is the sense of the statement at hand:* “if where the designating offerings are not the same, one being a bullock and the other a goat, the rites are the same so far as what is prescribed in their case goes [that is, in the matter of sprinkling, which

Scripture specifies for both; both with the finger, on the horns of the altar, before the veil. Hence they are alike even though the blood of one is brought into the inner altar and the blood of the other is not, and one sprinkles eight of the one and only seven of the other's blood], then where the offerings are comparable, with one a bullock and the other a bullock, it is surely reasonable that [41A] the rites should be treated as analogous.

- G. It follows that the rules for the rite governing the bullock brought for the Day of Atonement should derive from those for the bullock of the anointed priest, so that the latter will derive from the accusative particle, from the language "in the blood," and from the mention of "dipping."
- H. And the rites governing the goat of the Day of Atonement also should be derived from those of the goats that are brought on account of idolatry a fortiori [that is, if where the offerings are not comparable, the rites prescribed for both are alike, where the offerings are the same, the rites surely should be the same (Freedman)].
- I. But can a rule that is derived by appeal to an analogy in turn produce an argument a fortiori?
- J. *Said R. Pappa, "The Tannaite authority of the household of R. Ishmael takes the view that a rule that is derived by appeal to an analogy in turn indeed does produce an argument a fortiori."*

**IV.5.** A. "with the bullock" — this refers to the bullock that is brought in behalf of the community on account of an unwitting transgression:

- B. *But the entire passage of Scripture at hand refers to that very matter!*
- C. *Said R. Pappa, "Because the framer of the passage wants the bullock that is brought in behalf of the community on account of an unwitting transgression to provide the rule that the lobe above the liver and the two kidneys of the goats brought on account of idolatry have to be burned on the altar, though that is not specified in the passage that deals with the bullock that is brought in behalf of the community on account of an unwitting transgression but derives from an argument based on analogy, the language 'with the bullock' is required, to show that it is as if it were specified in the actual text, with the result that this is not a case in which a rule that is derived by appeal to an analogy in turn indeed does produce an argument a fortiori."*
- D. *So too it has been taught on Tannaite authority in accord with the position of R. Pappa:*
- E. "Thus shall he do [with the bullock] as he did" — why does Scripture say, "with the bullock"?
- F. Since it is stated, "And they have brought their offering, an offering made by fire to the Lord, and their sin offering before the Lord, for their error" (Num. 15:25), "their sin offering" refers to the he goats that are brought on account of idolatry, and "their error" refers to the bullock brought in behalf of the community on account of an unwitting transgression. So when the verse says, "and their sin offering before the Lord, for their error," the sense is, "Lo, you must treat their sin offering as their offering for error." [Freedman: the lobe above the liver and the two kidneys of the goats brought on account of idolatry have to be burned on the altar].

- G. And whence have you derived the rule governing the offering that is brought for error? Is it not through an argument based on analogy? Is it the fact, then, that a rule that is derived by appeal to an analogy in turn indeed does produce an argument a fortiori?
- H. Accordingly, Scripture states, “as he did with the bullock,” which speaks of the bullock brought by the community on account of transgression, and the other reference to “with the bullock” refers to the bullock of the anointed priest.

**IV.6.** A. A master has said: “‘their sin offering’ refers to the he goats that are presented on account of an unwitting act of idolatry.”

- B. *But why not deduce that rule from the earlier verse (Lev., 7:19)? For a master has said, “‘the sin offering’ extends the rule to cover the he goats brought on account of idolatry” [Freedman: by this inclusion its rites are brought into line with those of the other sacrifices alluded to in that verse and hence include the burning of the lobe and the kidneys on the altar].*
- C. *Said R. Pappa, “It was necessary [to prove matters in this explicit fashion,] for otherwise it might have entered your mind to suppose that the extension of the rule applies solely to sprinkling the blood [Freedman: teaching that the blood of the he goats must be sprinkled in the same way as that of the bullock of the community], which are specified in the verse itself, [41B] but as for burning the lobe and the two kidneys on the altar, which is not made explicit in context, I might have supposed that the rule does not apply. The text informs us that that proposed conclusion is false.”*
- D. *Said R. Huna b. R. Nathan to R. Pappa, “But lo, the Tannaite authority has said, “‘with the bullock’ extends to the bullock of the Day of Atonement all of the rules that are set forth in context’!”*
- E. *There is a contradiction between Tannaite formulations of the rule, for the Tannaite authority of the household of Rab extends the rule in one way, while the Tannaite version of the household of R. Ishmael extends it in another.*
- F. *The Tannaite authority of the household of R. Ishmael taught as a Tannaite version, “On what account are the lobe and two kidneys mentioned in the context of the bullock presented by the anointed priest but not in connection with the bullock presented by the community on account of unwitting transgression? The matter may be compared to the case of a mortal king who grew angry with his friend but, out of love for him, abbreviated talk of his offense.” [Freedman: in the same way God treats the community’s offense more briefly and leaves a number of details to be deduced, rather than state them explicitly.]*
- G. *The Tannaite version of the household of R. Ishmael also taught as a Tannaite statement, “Why is reference made to ‘the veil of the sanctuary’ in the context of the bullock presented by the anointed priest but not in connection with the bullock presented by the community on account of unwitting transgression? The matter may be compared to the case of a mortal king against whom a city revolted. If it was a minority that revolted, his retainers stay, but if the majority did, his retainers do not stay”*

[there [for the king withdraws them; where the whole community sins, God withdraws his holiness and there is no sanctuary left (Freedman)].

- V.1 A. Therefore, if one tossed all of them in the proper manner, but one of them not in its proper manner, it is invalid. But extirpation does not apply to it:**
- B. *There we have learned in the Mishnah: [If one formed and expressed an improper intention, such that he has] (1) made refuse the handful [of meal for the meal offering] but not the frankincense, (2) the frankincense but not the handful — R. Meir says, “It is refuse, and they are liable on its account to extirpation.” And sages say, “Extirpation does not apply to it, until [through improper intention to eat or offer up the whole outside the proper time] he will render refuse the whole of that which renders the offering permissible.” [And sages concur with R. Meir in the case of the meal offering of a sinner and the meal offering of a woman accused of adultery neither of which is accompanied by incense, that if one has imparted the status of refuse to the handful [of the meal offering], it is refuse, and they are liable to extirpation on its account. For it is solely] the handful of meal offering which renders the offering permissible] [M. Men. 2:5A-D].*
- C. *Said R. Simeon b. Laqish, “Do not draw the conclusion [from the issue above, that if one formed and expressed an improper intention, such that he has] (1) made refuse the handful [of meal for the meal offering but not the frankincense, (2) the frankincense but not the handful] that the operative consideration behind the ruling is that an improper intentionality yielding the classification of the offering as refuse that concerns only half of the disposition of the rites that permit the offering to be eaten actually does bear the consequence of rendering the offering refuse. Rather, with what sort of case do we deal here? It is one in which the priest presented the handful of the meal offering on the altar along with the articulated intention that would render the offering refuse, but then he put on the frankincense on the offering in commendable silence [there being no improper intentionality connected with this other phase of the offering of the meal offering]. [Meir] takes the position that whatever the priest does is treated as an expression of the initially attitude taken in the rite. [And that improper intentionality, therefore, governed the entire matter, beginning to end.] How do you know that that is the case? Since it has been taught on Tannaite authority: **Therefore, if one tossed all of them in the proper manner, but one of them not in its proper manner, it is invalid. But extirpation does not apply to it [M. 4:2B].** Lo, if the priest had applied one correctly and all the others incorrectly, it would have been deemed not merely invalid but refuse. Now with whom does this conclusion accord? If it were with rabbis, lo, rabbis say that **improper intention to eat or offer up the whole outside the proper time does not render refuse only part of that which renders the offering permissible. So it can only conform to the view of R. Meir. And if the premise of R. Meir were that you do have the power through improper intention to eat or offer up the whole outside the proper time to render refuse only part of that which renders the offering permissible, then even in the circumstances in which the passage at hand has been formulated, the same rule should apply. Therefore is it not because the***

*operative consideration is that whatever the priest does is treated as an expression of the initially attitude taken in the rite?"*

- D. *Said R. Samuel b. Isaac, "In point of fact before us is the position of rabbis. And what is the meaning of the word, **in the proper manner?** In a manner proper so as to impart to the offering the status of refuse. [Freedman: thus the first application was done with the intention that yields the classification of refuse, and the others were done in silence.]"*
- E. *But since the language is used, **Therefore, if one tossed all of them in the proper manner, but one of them not in its proper manner, it is invalid. But extirpation does not apply to it, surely the meaning of not in its proper manner should be, in a manner to make it fit*** [Freedman: for silence could not be called "incorrectly"].
- F. *Said Raba, "What is the meaning of the language, **not in its proper manner?** It means, with the intentionality of eating the meat outside of the proper place."*
- G. *R. Ashi said, "It means, 'not for the purpose for which the beast was originally designated as an offering.' So [since the sin offering is invalidated and therefore cannot be rendered refuse at all], does it follow that if the priest did not carry out the rite with the intention of eating the meat in the wrong place or not for the purpose for which the beast was originally designated as an offering, one is liable?"* [Freedman: if the second application was made in silence, the offering is refuse, which shows that we regard the second action as done with the same intention as the first; but that is R. Meir's position, not that of the rabbis.]
- H. *Because the opening clause contains the formulation, **[If] one placed the first [intending to eat the flesh or burn the sacrificial portion] outside its proper time, and the second outside its proper place [= M. 2:4], the offering is refuse [that which permits the offering to be eaten having been offered in accord with its requirement], and they are liable on its account for extirpation, the second clause formulates matters in this way: Therefore, if one tossed all of them in the proper manner, but one of them not in its proper manner, it is invalid. But extirpation does not apply to it.***
- I. *An objection was raised based on the following: Under what circumstances [is it the fact that the sacrifice becomes refuse when improper intentionality accompanies a single act of applying the blood to the altar]? It is when the blood is to be put on the outer altar. **[42A]** But if the blood is put on the inner altar, for example, the forty-three applications of blood done on the Day of Atonement, the eleven applications of blood of the anointed priest's bullock, the eleven applications of blood of the bullock offered in behalf of the community for an unwitting transgression, if the priest declared the intentionality that would yield the classification of the offering as refuse, whether this was at the first, second, or third application of the blood [applications in the inner most sanctuary on the veil and on the golden altar] — R. Meir says, "The offering is classified as refuse, and the penalty of extirpation is incurred." Sages say, "It involves the classification of extirpation only if the priest has declared the improper intention that yields the classification of refuse in connection with the whole of the preparation of those parts of the sacrifice that render the meat of the offering permissible for priestly consumption." Now, *en passant*, the passage notes, if the priest declared the*

intentionality that would yield the classification of the offering as refuse, whether this was at the first, second, or third application of the blood [applications in the inner most sanctuary on the veil and on the golden altar] — *and yet R. Meir dissents!* [Freedman: thus if he declared his intention at the second application only, though not at the first, the offering still is refuse, though here he was certainly not continuing his prior intention; hence he must hold that one can render a sacrifice refuse in connection with only a portion of the offering of that which renders the offering permissible, and that contradicts the position of Simeon b. Laqish.]

- J. *Said R. Isaac bar Abin, “With what sort of a case do we deal here? It is one in which the priest at the very moment of slaughtering the beast has declared an intention that would render the beast refuse, and that intentionality affects one of the application of blood, which is a component of the rite that renders the meat permissible.”* [When the priest was slaughtering the beast, he said that he would make the second applications of the blood after the proper time (Freedman).]
- K. *If so, whatever could have persuaded rabbis to take the position that they do?*
- L. *Said Raba, “Who is ‘sages’ in this context? It is R. Eliezer, for we have learned in the Mishnah: (1) The handful, and (2) the frankincense, and (3) the incense, and (4) the meal offering of priests, and (5) the meal offering of the anointed priest, and (6) the meal offering which goes along with drink offerings, an olive’s bulk of one of which one offered up outside — he is liable. R. Eleazar declares free, until he will offer up the entire [volume of the meal offering] [M. Zeb. 13:4D-E].”* [Freedman: thus even when he actually presents it outside of the Temple court, Eleazar holds that he is not liable, since it was done with only a portion of that which renders the offering permissible for eating; this proves that it does not count as an act of service unless he completes the whole service. So here too, although the act of slaughter is an act of service complete in itself, since this particular act of service was merely to make up another act of service, necessitated because the blood was spilt, it is incomplete and therefore cannot render the rite refuse.]
- M. *But did not Raba state, “R. Eliezer concedes the rule in the matter of blood, for we have learned, R. Eliezer and R. Simeon say, ‘From the place at which he left us, there he commences’?”* [Freedman: since he recommences from where he left off, where the blood was spilled, it shows that what he did do is a complete service; hence the offering can be made refuse on that account, and this refutes Raba’s explanation that sages represent the position of Eliezer.]
- N. *Rather, said Raba, “We deal with a case in which the officiating priest expressed an intentionality that yields the classification of refuse at the first application of the blood, was silent at the second, and repeated that intention that yielded the classification of refuse at the third application of the blood. What might you have supposed? One might have taken the view that, if you claim he acts solely governed by his original intentionality, why should he then repeat the improper intentionality that yields refuse at the third of the applications? So he tells us that we do not take such a view.”*
- O. *Objected R. Ashi to this proposition, “Does the formulation of the passage state that he was silent at all?”*



P. *Rather, said R. Ashi, "With what sort of a situation do we deal here? It is one in which at the first, second, and third applications of blood the officiating priest expressed the intentionality that would impart to the offering the status of refuse. What might you have supposed? If you had supposed that whoever takes an action does so within the initially expressed intentionality, then why in the world would the officiating priest go and repeat this same invalidating intention another time and a third time? So we are informed that we do not invoke that argument."*

Q. **[42B]** *But lo, the language is used, "whether...or..."!*

R. *That is a problem.*

**V.2.** A. A master has said, **"[If one formed and expressed an improper intention, such that he has] (1) made refuse the handful [of meal for the meal offering] but not the frankincense, (2) the frankincense but not the handful —] R. Meir says, "It is refuse, and they are liable on its account to extirpation" [M. Men. 2:5A-D]."**

B. *But is it not the fact that one is liable to extirpation only when all of those aspects of the rite that permit the meat of the sacrifice to be eaten have been correctly carried out? For a master has said, "As is the process that gains acceptability for a valid rite, so is the process that gains acceptability for an invalid one. Just as the process that gains acceptability for a valid rite is such that all of those aspects of the rite that permit the meat of the sacrifice to be eaten have been correctly carried out, so the process that gains acceptability for an invalid one is such that all of those aspects of the rite that permit the meat of the sacrifice to be eaten have been correctly carried out." But in the present case, once the priest has formed the intentionality within the courtyard, it is as if he had not sprinkled the blood at all; when he sprinkles again in the outer altar, he is merely sprinkling water. [Freedman: this is a difficulty on the view that Meir's reason is that one can make a sacrifice refuse at a half way point in the process of permitting the meat to be eaten. Granted that this is possible in the case of the fistful and the frankincense of a meal offering, it is surely impossible in the case of sprinkling for the reason stated. The sacrifice is invalid before the blood is sprinkled.]*

C. *Said Rabbah, "You may find such a case with four bullocks and four he goats."* [Freedman: The priest declared the intention resulting in the classification of refuse for the offering during all the applications of blood; then the blood was spilt; another animal was slaughtered. He sprinkled the blood on the veil, not having to repeat what had already been done. Then the blood was spilt. The same thing happened with application of blood on the horns of the altar, the same with the sprinklings on the top of the altar. Here all of the rites that permit the meat to be eaten have been presented, and each serves as a valid sprinkling, because each is from the blood of a different animal. The first of the animals is now refuse.]

E. *Raba said, "You may even take the view that R. Meir makes such a ruling in the case of a single bullock and a single he goat: the sprinkling serves in regard to the status as refuse."* [Freedman: if the priest declares an intention that yields the classification of refuse during the slaughtering of the beast, he invalidates the sacrifice; but the sprinklings that follow count in respect to accomplishing those aspects of the rite that permit the beast's meat to be eaten. So they are obviously efficacious to stamp the animal as refuse, for otherwise an animal could not

become refuse at slaughter. In the same way then Meir holds that when some of the sprinklings are done with an intention that will yield the classification of refuse, the subsequent sprinklings of blood count in regard to permitting the meat to be eaten so as to make the offering refuse.]

- V.3.** A. [With regard to the statement above, “Under what circumstances is it the fact that the sacrifice becomes refuse when improper intentionality accompanies a single act of applying the blood to the altar? It is when the blood is to be put on the outer altar. But if the blood is put on the inner altar, for example, the forty-three applications of blood done on the Day of Atonement, the eleven applications of blood of the anointed priest’s bullock, the eleven applications of blood of the bullock offered in behalf of the community for an unwitting transgression, if the priest declared the intentionality that would yield the classification of the offering as refuse, whether this was at the first, second, or third application of the blood [applications in the inner most sanctuary on the veil and on the golden altar] — R. Meir says, “The offering is classified as refuse, and the penalty of extirpation is incurred,”] *are there only forty-three? Surely there are forty-seven, for lo, it has been taught on Tannaite authority, “Forty seven”!*
- B. *The first formulation concurs with the position that the blood of the bullock and the he goat is mingled together for sprinkling on the horns, and the second with the position that the blood of the bullock and the he goat is not mingled together for sprinkling on the horns.*
- C. *But lo, it has been taught on Tannaite authority: forty-eight.*
- D. *That accords with the position of him who has said, “Pouring out the residue at the base of the altar is indispensable to the rite,” and the other, “Pouring out the residue is not indispensable to the rite.”*

**V.4.** A. *An objection was raised [to the proposition that a meal offering may become refuse at one service [in line with the passage cited above, ““[If one formed and expressed an improper intention, such that he has] (1) made refuse the handful of meal for the meal offering but not the frankincense, (2) the frankincense but not the handful — R. Meir says, “It is refuse, and they are liable on its account to extirpation” (M. Men. 2:5A-D)]: Under what circumstances? In the case of the taking of the handful, placing it in a utensil, and carrying it [each act of service is a singleton]. But if one has come to the burning of the fistful and the frankincense, if the priest presents the handful with the stated intention that makes it refuse and the frankincense in silence, or the handful of meal in silence and the frankincense with such a refuse-making intention, R. Meir says, “It is refuse, and they are liable on its account to extirpation.” And sages say, “It involves the penalty of extirpation only if the priest will express the refuse-making intention in regard to the entire sequence of rites that render the meal permissible for the priests to eat.” Now in any event, it has been indicated, the handful of meal in silence and the frankincense with such a refuse-making intention, and in such a case R. Meir dissents [and here the second act is not done with the same intention as the first, so he must maintain that one can assign to the offering the status of refuse*

even in regard to only part of the rite that renders the meat permissible for eating].

- B. *Formulate the rule in this language:* having presented the frankincense with an intention that imparts to the offering the status of refuse.
- C. *First of all, that is the first clause, Furthermore, it is in fact formulated as, “and after that”!*
- D. *That’s quite a problem.*

4:3-4

4:3

- A. These are things on account of which they are not liable because of [transgression of the law of] refuse [if the offering itself is refuse, the following are not affected, so if the priest took a handful intending to eat the residue the next day, the entire offering is refuse, but there is no liability for eating the handful itself. The status of refuse applies only to what is subject to eating only through a valid rite performed at some other aspect of the sacrifice, for instance, the rest of the meal offering is ordinarily permitted to be eaten when the handful is taken out, but the handful itself is not permitted through anything else the same is so of incense, frankincense, and the rest (Freedman)]:
  - (1) the handful [Lev. 2: 1-2],
  - (2) and the frankincense [Lev. 2: 1-2],
  - (3) and the incense offering [Exo. 30: 7-8],
  - (4) [43A] and the meal offering of the priests [Lev. 6:16],
  - (5) and the meal offering of the anointed priest [Lev. 6:15],
  - (6) and the meal offering [which accompanies] the drink offerings [Num. 15: 2ff.],
  - (7) and the blood.
- B. (8) “And drink offerings which come by themselves [but not those which come with a sacrifice, vs. No. 6],” the words of R. Meir
- C. (9) And sages say, “Also: those which come along with a beast. [= No. 6. Meir’s view is that the blood of the sacrifices permits the drink offering to the altar. Sages point out that the drink offering may come later (= Meir, G.)].
- D. As to (10) the log of oil of the mesora [person afflicted with the skin ailment] [Lev. 14:10] —
- E. R. Simeon says, “They are not liable on its account because of [transgression of the law of] refuse [if the guilt offering is made refuse].”
- F. And R. Meir says, “They are liable on its account because of [violation of the laws of] refuse [if the guilt offering is made refuse].
- G. “For the blood of the guilt offering renders it permitted [for offering or eating],

- H. “and on account of whatever has that which renders the offering permissible [for offering or eating], whether for man or for the altar are they liable because of [transgression of the law of] refuse.”

4:4

- A. (1) The whole offering — its blood renders permissible its flesh for the altar, and its hide for the priests.
- B. (2) The whole offering of fowl — its blood renders permissible its flesh for the altar
- C. (3) The sin offering of fowl — its blood renders permissible its flesh for the priests [Lev. 5: 9].
- D. (4) Bulls which are to be burned and (5) he-goats which are to be burned — their blood renders it permissible to offer their sacrificial portions.
- E. R. Simeon says, “Any [offering, the blood of which is] not [sprinkled] on the outer altar, as in the case of peace offerings — they are not liable on its account because of [transgression of the laws of] refuse.”

- I.1 A. Said Ulla, “As to a handful of meal offering in the status of refuse that actually is put upon the altar, the status of refuse is removed from it. For if it can impart to other components of the rite the status of refuse, how much the more so it itself!”
- B. *What is the sense of the foregoing statement?*
- C. *This is what the master has wished to say: if the handful of meal offering itself is not accepted by the altar [not being fit for burning thereon because of the disqualifying intentionality that has been expressed concerning it], how in the world is it going to impose the status of refuse on any other component of the rite?*
- D. *Then what is the fresh point that the master conveys to us? If it is that people are not liable on account of the handful because of the considerations of refuse, we have learned in the Mishnah itself: **These are things on account of which they are not liable because of transgression of the law of refuse: the handful, and the frankincense, and the incense offering, and the meal offering of the priests, the meal offering of the anointed priest, and the meal offering that accompanies the drink offerings, and the blood.***
- E. *Rather, what he wishes to tell us is that if it has gone up onto the altar, it is not removed therefrom. [Freedman: the handful loses its status as refuse so that once it is put on the altar, it remains there and is not removed as refuse.]*
- F. *That we also have learned in the following passage of the Mishnah: **And what are those things which, if they have gone up, should not go down? (1) That which remains overnight, (2) and that which is unclean, (3) and that which goes forth [from its proper bounds], (4) and that which is slaughtered [with the intention to burn the sacrificial parts or to eat the flesh] outside of its proper time or outside of its proper place, (5) and that, the blood of which unfit people [M. 2:11] have received or tossed [M. 9:2A].***
- G. *Rather, what he wishes to tell us is that if it has been removed from the altar, it is to be put back there.*

- H. *But we have learned in the following passage of the Mishnah: Just as, if they have gone up, they should not go down, so if they have gone down, they should not [once more] go up [M. Zeb. 9:4A]!*
- I. *No, Ulla's statement pertains only to a case in which the fire of the altar has already taken hold of the sacrificial material [in which case even though it has been removed from the altar, it must be put up there again].*
- J. *But this too Ulla has already stated elsewhere, for Ulla has said, "The stated rule applies only in a case in which the fire of the altar has not taken hold of the sacrificial material, but if the fire of the altar has taken hold of the sacrificial material, it is to be put back on the altar.*
- K. *But what might you have maintained? That that statement applies [43B] only in the case of a limb, which is entire, but as for a handful of meal, which is granular, I might say that that is not the case. So he tells us that the rule is otherwise.*
- L. *Said R. Ahai, "Therefore if there is a half of a handful of meal that is in the status of refuse, lying on the ground, and the other half of the handful has been taken up onto the wood pile on the altar, and if the fire has taken hold of the later, then even to begin with, one must put up the rest of the handful onto the altar."*
- I.2.** A. *Said R. Isaac said R. Yohanan, "As to an offering in the status of refuse, left-over meat, or unclean meat, that actually has been put upon the altar, — the prohibited status is removed from it."*
- B. *Said R. Hisda, "My lord, is the altar then an immersion pool that purifies [of prohibited status] whatever is put thereon?!"*
- C. *Said R. Zira, "The stated rule pertains where the fire has taken hold of the material."*
- D. *To this statement objected R. Isaac bar Bisna, "[We have in hand the following, cited in full below:] 'Others say, "When Scripture states, 'But the soul that eats of the meat of the sacrifice of peace offerings...having his uncleanness upon him, that soul shall be cut off from his people' (Lev. 7:20) — that pertains, then, to one from whom uncleanness can depart, excluding meat, from which uncleanness can never depart.'" Now if this is the case, lo, uncleanness does depart from me through the action of fire!'"*
- E. *Said Raba, "The point that we made is, through the action of an immersion pool!"*
- F. *But is the formulation explicit that an immersion pool is at issue?*
- G. *Rather, said R. Pappa, "We deal with the meat that derives from peace offerings, which is not placed upon the altar at all [and never can emerge from the condition of uncleanness, once made unclean]."*
- H. *Rabina said, "'...having his uncleanness upon him...', means, one whose uncleanness may depart from him while he is yet whole, excluding meat, from which uncleanness departs not when it is whole but only when it is damaged [by the fire]."*

**I.3.** A. *Reverting to the body of the prior text:*

- B. “But the soul that eats of the meat of the sacrifice of peace offerings...having his uncleanness upon him, that soul shall be cut off from his people” (Lev. 7:20) — it is of a person that Scripture speaks.
- C. You maintain that it is of a person that Scripture speaks. But perhaps it speaks only of uncleanness affecting the meat of the offering?
- D. Here we find the language, “having his uncleanness upon him,” elsewhere, “his uncleanness is yet upon him” (Num. 19:13). Just as the latter passage speaks only of uncleanness affecting the person, so the present passage speaks only of uncleanness affecting the person.
- E. R. Yosé says, “Since when Scripture speaks of ‘Holy Things,’ it is in the plural, while when it speaks of ‘uncleanness,’ it is in the singular, Scripture must mean to refer to uncleanness affecting the person and not the meat.”
- F. Rabbi says, “‘and eat...’ indicates that Scripture speaks of uncleanness affecting the person [not the meat].”
- G. Others say, “When Scripture states, ‘But the soul that eats of the meat of the sacrifice of peace offerings...having his uncleanness upon him, that soul shall be cut off from his people’ (Lev. 7:20) — that pertains, then, to one from whom uncleanness can depart, excluding meat, from which uncleanness can never depart.”

**I.4.** A. A master has said, “Rabbi says, “‘and eat...’ indicates that Scripture speaks of uncleanness affecting the person [not the meat]:”

B. *How does this imply the point?*

C. *Said Raba, “Every passage of Scripture that R. Isaac bar Abodimi did not expound, and every passage on Tannaite authority which R. Zeiri did not expound, are not really explained. In point of fact, this is what R. Isaac bar Abodimi said, ‘Since Scripture commenced in the feminine form and ended in the feminine form but uses the masculine form in the middle, Scripture can speak here only of the person and not of the meat.’” [It is logical to assume that uncleanness of the person is referred to in light of the usages of Lev. 7:19-21 (Freedman)].*

**I.5.** A. “...every passage on Tannaite authority:”

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

C. [As to eating Holy Things while one is unclean,] if the rule governing eating [while one is unclean] Holy Things in a lighter level of sanctification is stated, then what need is there for the rule governing eating [while one is unclean] Holy Things in a weightier level of sanctification, and if the rule governing eating [while one is unclean] Holy Things in a weightier level of sanctification is stated, then what need is there for the rule governing eating [while one is unclean] Holy Things in a lighter level of sanctification?

D. The answer is, if the rule governing eating [while one is unclean] Holy Things in a lighter level of sanctification were stated, but not the rule governing eating [while one is unclean] Holy Things in a weightier level of sanctification, I might have supposed that the former involve violation of a mere negative commandment, the



latter, the death penalty, so the more stringent ones have to be spelled out.

- E. And if the rule governing eating [while one is unclean] Holy Things in a weightier level of sanctification were stated, but not the rule governing eating [while one is unclean] Holy Things in a lighter level of sanctification, I might have supposed that the weightier ones involve liability, the lighter ones not, so the lighter ones have to be spelled out.

**I.6.** A. And what is the definition of Holy Things in a lighter level of sanctification and of Holy Things in a weightier level of sanctification?

- B. *If I say that the ones that are in a lighter level of sanctification are tithe, the weightier, food designated as priestly rations [Lev. 22: 6-7], then can you make the statement, “I might have supposed that the former involve violation of a mere negative commandment, the latter, the death penalty”? Surely here too involved is the death penalty [which is made explicit at Lev. 22: 6-7 in connection with eating priestly rations in a state of uncleanness]! If then it had not been stated explicitly, would I have proposed that the death penalty is involved? Surely it would have been sufficient for the conclusion to accord with the premise.* [If the rule governing priestly rations were not stated, it would have been derived from the rule for tithe; but the punishment for tithe is for violating a negative injunction, not the death penalty at all (Freedman)].
- C. *If I say that the ones that are in a lighter level of sanctification are uncleanness deriving from a dead creeping thing, and the weightier, uncleanness deriving from a corpse, then to what sacred food does the rule refer? If it is to priestly rations, then uncleanness deriving from either source would yield the same penalty, which is death!*
- D. *And in that context, can you really say, “[I might have supposed that the former involve violation of a mere negative commandment, the latter, the death penalty,] so the more stringent ones have to be spelled out”? If the matter involved priestly rations, obviously the death penalty is involved, and if it speaks of eating tithe, can you make the statement, [44A] “I might have supposed that the former involve violation of a mere negative commandment, the latter, the death penalty, so the more stringent ones have to be spelled out”? Here too, it would have derived in any event from the uncleanness imparted by a dead creeping thing, and once more, kit suffices for the conclusion to share the traits of the premise!*

- E. Said Zeiri, “‘The lighter levels of sanctification’ refers to the uncleanness imparted by a dead creeping thing, and the weightier levels of uncleanness involve the uncleanness involving a corpse, *but this is the sense of the matter*: if uncleanness deriving from a dead creeping thing had been stated, and tithe and priestly rations had furthermore been spelled out, but the uncleanness deriving from a corpse had not been stated, I might have concluded that the lighter source of defilement involves violating a negative commandment in regard to something that is at a lighter level of Holy Things, and the death penalty pertains only to the more stringent. And sine the lighter source of uncleanness involves the death penalty in regard to Holy Things at a weightier level of sanctification, the uncleanness deriving from the weightier source involves the death penalty even in regard to Holy Things at a lighter level of sanctification. So the more stringent source of defilement has to be articulated, to prevent reaching these false conclusions.”

**II.1 A. ...and on account of whatever has that which renders the offering permissible [for offering or eating], whether for man or for the altar are they liable because of [transgression of the law of] refuse:**

- B. *Our rabbis have taught on Tannaite authority:*
- C. But perhaps the rule of accountability for refuse pertains only to that which bears analogous traits to peace offerings [for it is peace offerings that generate the rule of refuse to begin with], for instance:
- D. Just as peace offerings are marked as particular by the trait that they are to be eaten over the span of two days and the intervening night, so whatever is eaten over the span of two days and the intervening night [is subject to the law of refuse].
- E. Then how on the basis of Scripture do we know that an offering the meat of which is eaten over the span of a single day and the following night is also subject to the law of refuse?
- F. Scripture states, “And if any of the flesh of the sacrifice of his peace offerings” (Lev. 7:18) [a verse that addresses the issue of refuse]. The sense is, any offering, the remainder of which is eaten [is subject to the law of refuse].
- G. As to a burnt offering, the remainder of which is not eaten, how do we know that [an intentionality expressed at the time of slaughter renders such an offering refuse too]?
- H. Scripture states, “the sacrifice” [which at Lev. 7:18 is deemed superfluous].
- I. How do I know that the law of refuse extends also to bird offerings and meal offerings, even to the *log* of oil brought by a person healed of the skin ailment?
- J. Scripture states, “‘which they hallow to me.’”
- K. *Now the rule governing left-over meat derives from the matter of uncleanness, because the word “profanation” is stated in the context of sacrificial meat of both*

*categories [meat that has become unclean, meat that has been left over], and the consideration of refuse derives from the discussion of left-over meat, because the word “sin” is written in the context of both items. [The law of refuse is stated in Scripture in reference to a peace offering. But when Scripture speaks of uncleanness, Lev. 22: 2, it gives a rule that applies to all sacrifices. Peace offering is not specified. We treat as analogous uncleanness and refuse. And that means other sacrifices also are included within the law of refuse (Freedman).]*

- L. Now since Scripture in the end encompasses all classifications of sacrifices, why is the matter stated specifically with reference to peace offerings in particular?
- M. It is to tell you what characterizes peace offerings in particular is that that classification of offering is subject to a rite that permits both man and the altar to consume the meat. Therefore any classification of offering that is subject to a rite that permits both man and the altar to consume the meat is governed by the law of refuse in such wise that priests are liable if they violate that law [through the formation and expression of an improper intentionality in regard to the disposition of the meat of the animal that they are in process of sacrificing].

**III.1 A. (1) The whole offering — its blood renders permissible its flesh for the altar, and its hide for the priests. (2) The whole offering of fowl — its blood renders permissible its flesh for the altar. (3) The sin offering of fowl — its blood renders permissible its flesh for the priests [Lev. 5: 9]. (4) Bulls which are to be burned and (5) he-goats which are to be burned — their blood renders it permissible to offer their sacrificial portions.**

- B. But I exclude from the rule of refuse the handful of meal offering, the frankincense, incense, meal offering of the priest, meal offering of the anointed priest, meal offering that accompanies drink offerings, and the blood.
- C. R. Simeon says, “What characterizes peace offerings in particular is that that classification of offering is presented on the outer altar [where the blood is sprinkled, and people are liable for the offering; so **any [offering, the blood of which is] not [sprinkled] on the outer altar, as in the case of peace offerings — they are not liable on its account because of [transgression of the laws of] refuse.** Excluded then are bulls which are to be burned and he-goats which are to be burned, since their blood, unlike that of peace offerings, is not sprinkled on the outer altar. Then **they are not liable on its account because of [transgression of the laws of] refuse.**”

**III.2. A.** A master has said, “...that which is analogous to a peace offering:”

- B. *What would this might be?*
- C. It is a firstling, which is eaten over a span of two days and the intervening night.
- D. *But what is the exegetical principle that generates this rule? If it is by analogy, one can refute that analogy: just as a peace offering is subject to the law of refuse because it is subject to the laying on of hands, the addition of drink offerings, and the waving of the breast and the shoulder, [can you say the same of the firstling? Obviously not, since it is not subject to those other rites and requirements.]*
- E. Rather, perhaps the matter derives from the verse, “And if there be at all eaten any of the flesh of the sacrifice of his peace offerings on the third day...it shall be refuse” (Lev. 7:18)? [The language, being eaten, is eaten, yields two

generalizations, that is, anything which is eaten is followed by peace offerings, a specification of the foregoing. A rule of exegesis is that the generalization includes everything that is similar in its general features, even if not in every detail, to the specific proposition. Hence the firstling is included, since it is in general similar to the peace offering, though it differs in some details (Freedman)].

- F. *But then we have two generalizations that are immediately continuous.* [Freedman: but the exegetical rule applies to two generalizations that are separated by the specific proposition.]
- G. *Said Raba, "It is as they say in the West: in any passage in which you find two generalizations immediately contiguous to one another, assign a specific proposition between them and then interpret them within the principles that govern the case of a generalization followed by a specific proposition followed by another generalization"* [Freedman: hence the firstling would be included, but not sacrifices that are eaten on one day only; these differ even in general features, therefore recourse must be had to the other texts.]

**III.3.** A. "even to the *log* of oil brought by a person healed of the skin ailment:"

- B. *Now who is the authority behind this position? It is R. Meir. For it has been taught on Tannaite authority:*
- C. **"On account of the *log* of oil brought by a person healed of the skin ailment people are liable should they violate the law of refuse," the words of R. Meir [T. *Zebahim* 5:2A-B].**
- D. *Then I point to the continuation of the same passage: "But I exclude from the rule of refuse ... meal offering that accompanies drink offerings, and the blood"! And that position accords with the view of rabbis vis a vis R. Meir, as has been taught on Tannaite authority:*
- E. **"For the drink offerings that are presented along with a beast are priests liable on the count of the laws of refuse, because the blood of the sacrifice is what permits them to be eaten when it is properly offered up," the words of R. Meir.**
- F. **And sages say, "They are not liable on their account because of the laws of refuse, for someone may bring his sacrifice today but the drink offerings twenty days later."**
- G. **Said to them R. Meir, "Also I for my part have stated the rule only in reference to the case in which one has sanctified it in a utensil of service."**
- H. **They said to him, "Even though one has sanctified it in a proper utensil, one can transfer them to another sacrifice" [T. *Zeb.* 5:1A-D].**
- I. *Said R. Joseph, "Lo, who is the authority behind the cited passage? It is Rabbi, who has said, 'As to the log of oil brought by a person healed of the skin ailment, the applications of the oil render the residue permitted [Lev. 14:16ff.]'"* [Rabbi concurs that the drink offering can be brought after the sacrifice, the blood of the sacrifice subjected to an improper intentionality still does not render the drink offering refuse. When the log of oil can be rendered refuse, it does not mean that the blood of the guilt offering that the person healed of the skin ailment presents renders it

refuse. The sprinklings of the oil itself however have that effect, if the priest sprinkles the oil with the intention of eating the residue after the proper time (Freedman)]. *And since it is the fact that the applications of the oil render the residue permitted, the laws of refuse apply to it. For it has been taught on Tannaite authority:*”

- J. The laws of sacrilege apply to the log of oil brought by a person healed of the skin ailment, until the blood has been sprinkled. Once the blood has been sprinkled, while one may not make use of the oil, one also does not commit sacrilege if he does so.’
- K. Rabbi says, “They laws of sacrilege apply to the log of oil brought by a person healed of the skin ailment, until one has put the oil upon the specified parts of the person who has been healed.”
- L. But both parties concur that it is forbidden for the priests to eat the residue until the seven sprinklings and the applications on the thumbs have been carried out. [So Rabbi maintains that the oil is available for eating not once the blood of the sacrifice has been tossed but once the oil itself has been sprinkled.]
- M. *They reported this before R. Jeremiah, who said, “Can an eminent authority such as R. Joseph made such a stupid statement? [44B] Lo, as to the log of oil that is presented on its own [some days after the person who has been healed of the skin ailment has presented his guilt offering], all parties concur that while the application of the oil is what renders the residue permitted, nonetheless, the laws of refuse do not apply to it in any event. For it has been taught on Tannaite authority:”*
- N. **“For the log of oil of the person healed of the skin ailment are priests liable on the count of the laws of refuse, because the blood of the guilt offering is what permits the application of the oil to the places on the body of that person, on which the oil is to be placed],” the words of R. Meir.**
- O. And sages say, “They are not liable on their account because of the laws of refuse, for someone may bring his guilt offering today but the log of oil twenty days later.”
- P. Said to them R. Meir, “Also I for my part have stated the role only in reference to the case in which it is presented along with a guilt offering.” [They said to him, “Even though one has sanctified it in a proper utensil, one can transfer it to the guilt offering of another person healed of the skin ailment” (T. [Zeb. 5:2A-E](#))].
- R. *Rather, said R. Jeremiah, “In point of fact the passage does accord with the position of R. Meir, but delete the reference to ‘drink offerings’ from the passage.”*
- S. *Said Abayye, “In point of fact do not make that deletion. But the framer first presents the rule about the log of oil that comes with the guilt offering [indicating that this is not subject to the law of refuse], and the same then applies to the drink offering that accompanies the sacrifice. And then he presents the law that applies to the drink offering that is presented on its*

*own [this too is not subject to the law of refuse], and the same applies to the log of oil that is presented separately.”*

**IV.1 A. The sin offering of fowl — its blood renders permissible its flesh for the priests:**

- B. *How on the basis of Scripture do we know this rule?*
- C. *It has been taught by Levi as a Tannaite statement: “This shall be yours...every offering of theirs’ (Num. 18: 9) — this encompasses even the log of oil that is presented by the person healed of the skin ailment.”*
- D. *Might you have supposed that I should say that the Torah has stated, “reserved from the fire” (Num. 18: 9), while this is not “reserved from the fire” [since no part of it was burned at all]? So we are informed that that is not the case.*
- E. *“Even every meal offering of theirs’ (Num. 18: 9) — this serves to encompass the meal offering of the first sheaf of barley and the meal offering of jealousy.”*
- F. *Might you have supposed that I should say that the Torah has stated, “And they shall eat these things wherewith atonement was made” (Num. 5:12-15), while the purpose of the meal offering of the new barley crop serves to permit the use of new grain, while the meal offering of jealousy serves to establish guilt? The verse then shows us that these arguments are null.*
- G. *And every sin-offering of theirs’ (Num. 18: 9) — this serves to encompass the sin offering made of fowl.*
- H. *You might have supposed that since this is carrion [not having been properly slaughtered the way a beast is], [it may not be eaten]. The verse then shows us that that is not the correct conclusion to be drawn here.*
- I. *“And every guilt offering of theirs’ (Num. 18: 9) —this serves to encompass the guilt offering presented by a Nazirite at the end of the span of his uncleanness and the guilt offering presented by the person healed of the skin ailment.*
- J. *You might have supposed that these are presented so as to render each party suitable [in the case of the Nazirite, to resume the observance of his Nazirite vow, in the case of the person healed of the skin ailment to partake of Holy Things, so no atonement is involved here]. Therefore the verse tells us that that is not a valid conclusion.*
- K. *But in point of fact, Scripture explicitly states that the guilt offering presented by the person healed of the skin ailment is eaten [Lev. 14:13]!*
- L. *It serves only to extend the law to the guilt offering presented by the Nazirite, showing that it falls under the same rule as the guilt offering presented by the person healed of the skin ailment.*
- M. *“Which they may render” (Num. 18: 9) — this extends the law to what is stolen from a proselyte [if a proselyte died and left no heirs, property unlawfully taken from him goes to the priest].*
- N. *“Shall be for you” (Num. 18: 9) — it shall be yours even so that you may use the property in order to betroth a woman.*

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

- B. **R. Eleazar says in the name of R. Yosé the Galilean, “If one had an intention that imposes the status of refuse concerning an action that is done in**



connection with a rite on the out altar, that indeed imposes the status of refuse upon the sacrifice. But if one had an intention that imposes the status of refuse concerning an action that is done in connection inner altar, he has not imposed upon an offering the status of refuse.

- C. “How so? If one slaughtered and received the blood on the professed intention of tossing the blood on the next day, he has not imposed the status of refuse. For that is an intentionality formed at the outer altar concerning an action that is done on the inner altar. So he has not imposed the status of refuse.
- D. “If he was standing inside and said, ‘Lo, I am sprinkling the blood with the expressed intentionality of burning up the sacrificial parts that are to be burned, or to pour out the residue of the blood, only tomorrow, he has not imparted to the offering the status of refuse, for this is an intentionality expressed at the inner altar concerning something that is carried out at the outer altar.
- E. “But if he was standing at the outer altar and said, ‘Lo, I am slaughtering this beast with the intention of pouring out the residue of the blood tomorrow, or of offering up the sacrificial parts tomorrow, he has imparted the status of refuse to the offering. For this is an intentionality expressed at the outer altar concerning something that is done at the outer altar” [T. [Zeb. 5:4A-G, 5:5A-D](#)].
- F. *Said R. Joshua b. Levi, “What verse of Scripture sustains this view? ‘As is taken from the ox of the sacrifice of peace offerings’ (Lev, 4:10). And what, in point of fact, do we learn from the case of the ox of the sacrifice of peace offerings? Scripture here establishes an analogy between the anointed priest’s bullock and the ox of the sacrifice of peace offerings, so as to tell you the following: just as the rule of refuse applies to the ox of the sacrifice of peace offerings only when all of the deeds concerning it and the intentionalities concerning those deeds pertain to what is done at the outer altar, so in the case of the bullock of the anointed priest, the law of refuse pertains only when all of the deeds concerning it and the intentionalities concerning those deeds pertain to what is done at the outer altar.”*
- G. *Said R. Nahman said Rabbah bar Abbuha said Rab, “The decided law accords with that which R. Eleazar has said in the name of R. Yosé.”*
- H. *Said Raba, [\[45A\]](#) “So what do I need a decided law for, if it pertains only for the day of the Messiah [there now being no Temple anyhow]!”*
- I. *Said to him Abayye, “Then there is no call to repeat the entirety of the laws concerning slaughtering Holy Things, for the entire matter is merely a law that applies only when the Messiah comes. But the rational is, expound the matter and receive your record for the exposition, and here too, expound the matter and so receive a reward for the effort.”*
- J. *[He said to him,] “That’s what I meant.”*
- K. *Another version:*
- L. *[He said to him,] “Then why should someone specify the decided law?”*

## 4:5A-C

- A. As to Holy Things presented by gentiles — they are not liable on their account because of [transgression of the laws of] refuse, remnant, and uncleanness.
- B. “And he who slaughters them outside [the courtyard] is free of liability,” the words of R. Meir.
- C. R. Yosé declares one liable [for refuse, remnant, uncleanness, and slaughter outside the courtyard].

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

- B. As to Holy Things presented by a gentile, they are not liable on their account because of the transgression of the laws of remnant and uncleanness, and while people are not to derive benefit from those Holy Things, nonetheless the laws of sacrilege do not apply. And they do not impart the status of substitute to animals designated in their stead.
- C. “But while gentiles may not present drink offerings, still the animals that they offer do require drink offerings,” the words of R. Simeon.
- D. Said R. Yosé, “I deem the law in the case of all of them to be stringent, for it is said, ‘Any man that brings his offering to the Lord’ (Lev. 22:18).”
- E. Under what circumstances? In the case of Holy Things that are offered on the altar itself.
- F. But in the case of Holy Things that are presented for the upkeep of the Temple house, [R. Simeon concedes that] they are subject to the laws of sacrilege in their regard [T. Zeb. 5:6A-G].

**I.2.** A. and while people are not to derive benefit from those Holy Things, nonetheless the laws of sacrilege do not apply:

- B. and while people are not to derive benefit from those Holy Things— *by the law on the authority of rabbis.*
- C. ...**nonetheless the laws of sacrilege do not apply** — *for the law governing the offering for sacrilege is analogous to the law that pertains to priestly rations, in both of which cases the word “sin” occurs. Just as in the case of priestly rations, “the children of Israel” is written [Lev. 22:15], meaning, Israelites’ but not gentiles’, the same pertains here.*

**I.3.** A. ...**they are not liable on their account because of the transgression of the laws of remnant and uncleanness:**

- B. *What is the scriptural basis for this provision?*
- C. *The application of the laws of refuse derives from the rule of left-over meat, since the word “iniquity” is stated in both contexts, and the application of the rules governing left over meat derives from the rule governing uncleanness, since in both contexts the word “profanation” occurs, and in the context of uncleanness, “the children of Israel” is made explicit [at Lev. 22: 2], thus excluding the offerings of gentiles from the rule at hand.*

**I.4.** A. **And they do not impart the status of substitute to animals designated in their stead:**

- B. *What is the scriptural basis for this provision?*
- C. *The rule of substitution is rendered comparable to the rule governing the disposition of the tithe of the herd, and the rule of the tithe of the herd is treated as comparable to the rule governing tithe of grain, and in connection with the tithe of grain “the children of Israel” is written — excluding gentiles.*
- D. *But can a lesson that is derived by appeal to such an analogy go and itself impart a lesson through a further analogy?*
- E. *[When Holy Things are concerned, such a lesson may not be derived, but] the tithe of grain is unconsecrated [in which case such a procedure is permitted].*
- F. *That answer serves perfectly well from the perspective of him who has said that the rules governing the generative analogy take priority, but from the perspective of him who maintains that the rules governing the derivative analogy take priority, what is there to be said?*
- G. *Rather: the tithe of the herd is obligatory, and no fixed time applies, and what is obligatory but subject to no fixed time is presented only by Israelites but not by gentiles [who can give only votive offerings but not obligatory ones].*

**I.5. A. But while gentiles may not present drink offerings, still the animals that they offer do require drink offerings:**

- B. *It has been taught on Tannaite authority:*
- C. *“All that are home born shall do these things after this manner” (Num. 15:13) —*
- D. *It is the home born who brings drink offerings, and a gentile does not present drink offerings.*
- E. *But might one then take the view that a burnt offering presented by him would itself not require bring offerings?*
- F. *Scripture says, “thus...” (Num. 15:11).*

**I.6. A. Said R. Yosé, “I deem the law in the case of all of them to be stringent, for it is said, ‘Any man that brings his offering to the Lord’ (Lev. 22:18). Under what circumstances? In the case of Holy Things that are offered on the altar itself. , But in the case of Holy Things that are presented for the upkeep of the Temple house, [R. Simeon concedes that] they are subject to the laws of sacrilege in their regard:**

- B. *What is the operative consideration?*
- C. *He takes the view that when since the application of the laws of refuse derives from the rule of left-over meat, since the word “iniquity” is stated in both contexts, and the application of the rules governing left over meat derives from the rule governing uncleanness, since in both contexts the word “profanation” occurs, therefore the analogy to priestly rations must be drawn. Just as the sanctity of priestly rations is intrinsic, while what is consecrated for the upkeep of the Temple is only the value thereof, [so the laws of sacrilege will apply].*

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

- B. *Blood that had become unclean which one tossed — if this was done inadvertently, the sacrifice is accepted. [45B] If this is done deliberately, the sacrifice is not accepted.*

- C. Under what circumstances? In the case of an offering in behalf of a private party. But in behalf of an offering made in behalf of the community, whether the action is done inadvertently or deliberately, the offering is accepted.
- D. As to an offering presented by a gentile, if the action is done inadvertently or deliberately, the offering is not accepted.
- E. *Rabbis stated this proposition in the presence of R. Pappa, "In accord with the position of what known authority is this rule? It cannot accord with R. Yosé, for he has said, 'I deem the law in the case of all of them to be stringent, for it is said, 'Any man that brings his offering to the Lord' (Lev. 22:18)."* [Freedman: He regards the gentile's sacrifice the same as an Israelite's, and the same rule should apply to both.]
- F. *He said to them, "You may even take the view that the rule accords with R. Yosé, but the case is exceptional, since Scripture states, 'That it may be accepted for them before the Lord' (Exo. 28:38), meaning, for them but not for gentiles."*
- G. *Said R. Huna b. R. Nathan to R. Pappa, "But what about the following: 'Speak to Aaron and to his sons, that they may separate themselves from the Holy Things of the children of Israel, which they consecrated to me' (Lev. 22: 2). Does this too mean, 'they but not gentiles'?"* [Freedman: Unclean priests need not separate themselves from the sacrifices of gentiles. But that would then not represent the stringent view.]
- H. *Rather said R. Ashi, "Scripture states, 'that it may be accepted for them,' and gentiles simply are not subject to the consideration of 'acceptance.'"*

#### 4:5D-F

- D. **Things on account of which they [priests who express an inappropriate intentionality or do an improper deed] are not liable because of [transgression of the laws of ] refuse [ = M. 3:4-5, 4:3], on their account are they [nonetheless] liable because of [transgression of the laws of] remnant, because of [transgression of the laws of] uncleanness, except for the blood [M. 4:3A7].**
- E. **R. Simeon says, "[This is the rule] for something which is usually eaten.**
- F. **"But [in the case of something not usually eaten], for example, wood, and frankincense, and the incense offering, they are not liable on their account because of [transgression of the laws of] uncleanness." [Supply, following D: And sages say, "Also: something which is not usually eaten — they are liable because of uncleanness."] [The affect of the laws of uncleanness is not solely upon food.]**
- I.1 A.** [Supply: **Things on account of which [priests who express an inappropriate intentionality or do an improper deed are not liable because of transgression of the laws of ] refuse , on their account are they nonetheless liable because of transgression of the laws of uncleanness]:** *Our rabbis have taught on Tannaite authority:*
- B. Might one suppose that people should be liable in connection with violating uncleanness only in respect to that which is subject to the valid completion of rites that render eating permissible, in regard to both man and the altar?

- C. That proposition, after all, is a matter of logic. If liability by reason of imparting the status of refuse to an offering is incurred solely on account of an offering that is subject to the valid completion of rites that render eating permissible, in regard to both man and the altar, even though it is of fixed value, and even though liability is incurred in a single spell of awareness, and even though there is no remission from a prevailing prohibition [Freedman: the sin offering for eating refuse is fixed, it is the same for rich and poor and so of invariable value, it is incurred in one spell of awareness, so that, to be liable to the offering, it is not necessary that one should know to begin with that the meat is refuse, then forget and eat it, and then become aware of it once more, as is the rule for uncleanness; the prohibition of refuse is never remitted, even if all the sacrifices of the entire community have become refuse. In the case of uncleanness, by contrast, one is liable only if one ate unclean meat unwittingly, not having known that it was unclean, but then became aware; in the case of uncleanness, the prohibition is lifted if the entire community was unclean, and then, for instance, the Passover offering may be presented and eaten,]
- D. then it is logical that uncleanness itself should involve liability only in regard to an offering that is subject to the valid completion of rites that render eating permissible, in regard to both man and the altar, since expiation for violation of the law of uncleanness involves an offering of variable value; it requires two spells of awareness; and the prevailing prohibition of uncleanness may be remitted!
- E. So [in connection with the matter of uncleanness] Scripture states to the contrary, “Speak to Aaron and to his sons, that they separate themselves from the holy things of the children of Israel that the sanctify to me” (Lev. 22: 2) [and that statement extends the prohibition of uncleanness to all things that are sanctified].
- F. Might one suppose that liability is incurred forthwith?
- G. Scripture states, “Whoever he be...who approaches the Holy Things...having his uncleanness upon him — that soul shall be cut off from before me” (Lev. 22: 3).
- H. Said R. Eleazar, “But is there one who merely touches Holy Things that is then liable?” [Of course not, one is culpable only for eating Holy Things, not merely touching them.] Who then does Scripture states, ‘...who approaches...’? It is to teach that Scripture refers to meat that has been made fit to be offered.
- I. “How so? If an offering is subject to the valid completion of rites that render eating permissible, in regard to both man and the altar, then one is liable only when those rites have been properly carried out; if an offering is not is subject to the valid completion of rites that render eating permissible, in regard to both man and the altar, then one is liable as soon as the dedicated material is sanctified in a consecrated utensil of service.”

**II.1 A. [Supply: Things on account of which priests who express an inappropriate intentionality or do an improper deed are not liable because of transgression of the laws of refuse, on their account are they nonetheless liable because of transgression of the laws of remnant:]** *Thus far we have proved the rule for the matter of uncleanness. How on the basis of Scripture do we prove that the rule pertains also to the matter of remnant?*

- B. *Where the law on uncleanness pertains, the law on remnant also applies, since the word “profanation” is written in connection with both considerations.*

- C. *But then why not take the position that the law is the same as the one for refuse, since the word “sin” occurs in both contexts?*
- D. *It is more reasonable that the rule governing the application of the prohibition of remnant should derive from the matter of uncleanness, because they are alike in regard to three considerations: first, the disqualification is intrinsic [that is, in regard to what happens to the body of the thing, and it is not imposed, as in the case of refuse, by a merely external issue of the priest’s intentionality]; second, remnant and uncleanness do not disqualify the offering at the stage of the sprinkling of the blood, but only afterward, while the intentionality yielding the classification of refuse affects the offering at the sprinkling of the blood; third, the word “profanation” occurs in regard to remnant and uncleanness, not in connection with refuse.*
- E. *To the contrary, the rule governing the application of the prohibition of remnant should derive from the matter of refuse, for the following resemblances between the two rules are to be noted: both are never subject to remission; both are never subject to the propitiation of the headplate; both are clean [by definition by contrast to what is unclean!]; both are subject to consideration of time; [which is what disqualifies, either by reason of priestly intention or because of priestly inaction] both affect the character of that which is offered [the sacrifice itself, while uncleanness affects the priest who offers the sacrifice] — and these outnumber those that are shared with uncleanness.]*
- F. *Rather, the proof is in accord with that which Levi has taught as a Tannaite formulation.*
- G. *For Levi has taught as a Tannaite formulation: “how on the basis of Scripture do we know that Scripture treats the consideration of time as a matter of disqualification of an offering [e.g., as in the case of remnant, or leaving over meat beyond the correct span of time in which it is to be eaten]?”*
- H. *“Scripture states, ‘That they may not profane my holy name’ (Lev. 22: 2) [46A]. Scripture speaks of two media of profanation, the disqualification by reason of remnant, and the disqualification by reason of uncleanness.”*

### **III.1 A. except for the blood:**

- B. *What is the scriptural basis for this rule?*
- C. Said Ulla, “Said Scripture, ‘For the life of the meat is in the blood, and I have given it to you upon the altar to make atonement for your souls’ (Lev. 17:11). It belongs to you.” [It is yours in that in regard to sacrilege it is treated as secular and so there would be no offering if it is stolen from the cult. The deductions that follow make the same point. So we have three texts that show blood does not involve sacrilege. Three are two too many, so they serve further to teach that blood does not involve liability in regard to the considerations of remnant, sacrilege, and uncleanness (Freedman).]
- D. *The household of R. Ishmael framed its Tannaite statement as follows: “Said Scripture, ‘To make atonement’ — ‘I have given it to you to make atonement, but not to be subject to sacrilege.’”*
- E. R. Yohanan said, “Said Scripture, ‘...it is...,’ meaning, as it is before atonement, so it is after atonement. Just as the law of sacrilege does not apply after the blood has



made atonement [been sprinkled so effecting atonement, and can then be used in a secular way, having served its sacred purpose (Freedman)], so the law of sacrilege does not apply before the blood has made atonement.

- F. *“Might I say the opposite: as it is before atonement, so it is after atonement. Just as before atonement the law of sacrilege applies to it, so after atonement the law of sacrilege applies to it?”*
- G. *“You have nothing that is subject to the law of sacrilege after the religious duty that pertains to it has been carried out.”*
- H. Now we don’t, don’t we? But what about the ashes that are taken up from the altar [and placed on the east side of the altar; that ash may not be used, even though the function of the offering of the wood had been carried out, but the ash was left on the spot]!
- I. That is because the rule governing the priestly vestments [the additional four worn by the high priest on the Day of Atonement when he entered the inner sanctum; on leaving it he removed them and they could not be put to secular use either] and the one covering the ashes that are taken up from the altar represent two matters that are dealt with each in its own verse, and yet which serve the same purpose [namely, specifying that the law of sacrilege applies even after the function has been carried out], and if you have such a situation, then there is no further lesson to be drawn from these verses [as to any other aspect of the cult, and these represent the only matters to which the rule applies that something may be subject to the law of sacrilege after the religious duty that pertains to it has been carried out].
- J. *That poses no problems to rabbis, who maintain, “‘And Aaron shall take off the linen garments...and shall leave them there’ (Lev. 16:23) teaches that the garments must then be stored away [being subject to sacrilege].”*
- K. *But to R. Dosa, who has said, “They are available for use by an ordinary priest, on condition that he not make use of them on any other Day of Atonement,” what is to be said?*
- L. It is because, in another aspect, in the rule governing the taking up of the ashes and the heifer the neck of which is broken on the occasion of the discovery of a neglected corpse [Deu. 21: 9ff.], we have two matters that are dealt with each in its own verse, and yet which serve the same purpose [the other is now Deu. 21: 9, which indicates that the heifer has to be buried and not used thereafter, hence is subject to sacrilege even after it has served its purpose]. If you have such a situation, then there is no further lesson to be drawn from these verses [as to any other aspect of the cult, and these represent the only matters to which the rule applies that something may be subject to the law of sacrilege after the religious duty that pertains to it has been carried out].
- M. *That poses no problem for the position of him who maintains that, indeed, there is no further lesson to be drawn from these verses. But from the perspective of him who says that there is a further lesson to be drawn from these verses, what is to be said?*
- N. *In the pertinent verse we have an exclusionary usage, for here it is written, “over the heifer whose neck was broken” (Deu. 21: 6*

[“the” means, only this animal, whose function has been performed, may still not be used, but no other, similar sacred animal, e.g., one that has served its purpose, is subject to a similar prohibition (Freedman)], and there, “And he shall take up the ashes and he shall but them beside the altar” (Lev. 6: 3).

- O. [Reverting to A-E, broken off from F to N:] *And as to these three verses in regard to the blood, what need is served by them? One excludes the blood from the laws of sacrilege, the second, from the laws of remnant, and the third from the laws of uncleanness [and on these three counts one who mistreats the blood is not culpable].*
- P. *But as to the consideration of refuse, we require no verse of Scripture at all, for we have learned in the Mishnah: “and on account of whatever has that which renders the offering permissible [for offering or eating], whether for man or for the altar are they liable because of [transgression of the law of] refuse” [M. 4:4H], and the sprinkling of the blood itself represents a rite that serves to render it permissible to eat the meat!*

- III.2.** A. Said R. Yohanan, “As to the three references [Lev. 7:20, 21, 22:3] to the penalty of extirpation that we find with reference to peace offerings, what purpose is served by each of them?
- B. **[46B]** “One serves to state an encompassing rule [concerning uncleanness], the next to particularize the foregoing, and the third to deal with things that are not eaten [wood used on the altar and frankincense].”
- C. *And from the perspective of R. Simeon, who takes the view that what is not eaten also is not subject to the prohibition on account of uncleanness, what is encompassed?*
- D. *What is covered is sin offerings on the inner altar. For you might have supposed that, since R. Simeon has said, “Whatever is not presented on the outer altar, by analogy to peace offerings, does not involve liability by reason of refuse,” then it also does not involve liability by reason of uncleanness. So we are informed that that is not a conclusion to be drawn.*

- IV.1** A. R. Simeon says, “[This is the rule] for something which is usually eaten. But [in the case of something not usually eaten], for example, wood, and frankincense, and the incense offering, they are not liable on their account because of [transgression of the laws of] uncleanness:”
- B. *It has been stated:*
- C. R. Yohanan and R. Simeon b. Laqish, R. Eleazar and R. Yosé b. R. Hanina —
- D. *one of this pair, and one of that pair —*
- E. One said, “The dispute concerns uncleanness of the meat, but in respect to uncleanness affecting the priest’s own body, all parties concur that one is not flogged [on account of the wood and the incense, should one make them unclean].”
- F. And the other said, “As is the dispute in the one matter, so is the dispute in the other matter.”
- G. *[Add: Said Raba, “It is reasonable to suppose that as is the dispute in the one matter, so is the dispute in the other matter.] Since the verse of Scripture, ‘And*

the meat that touches any unclean thing' (Lev. 7:19) *applies to the meat, then the verse, 'having his uncleanness upon him (Lev. 7:20) pertains just as well. [The former verse applies to wood and frankincense, then the latter does just as much.]*"

- H. *That is the way in which R. Tabeyumi repeated the matter.*
- I. *But this is how R. Kahana stated it:*
- J. R. Yohanan and R. Simeon b. Laqish, R. Eleazar and R. Yosé b. R. Hanina —
- K. *one of this pair, and one of that pair — with respect to the final clause [that is, Simeon's declaring exemption from liability altogether] —*
- L. One said, "The dispute concerns uncleanness of affecting the priest's own body, the meat, but in respect to uncleanness affecting the meat, all parties concur that one is flogged."
- M. And the other said, "As is the dispute in the one matter, so is the dispute in the other matter."
- N. *Said Raba, "It is reasonable to suppose that as is the dispute in the one matter, so is the dispute in the other matter. Since the verse of Scripture, 'having his uncleanness upon him (Lev. 7:20) does not apply, the verse, 'And the meat that touches any unclean thing' (Lev. 7:19) also does not pertain."*
- O. But surely a master has said, "'and the meat' serves to encompass also wood and frankincense"!
- P. *That serves as a routine disqualification [on rabbinical authority, and the proof from Scripture is not the main support for the rule].*

#### 4:6

- A. **For the sake of six things is the animal offering sacrificed:**
    - (1) **for the sake of the animal offering,**
    - (2) **for the sake of the one who sacrifices it,**
    - (3) **for the sake of the Lord,**
    - (4) **for the sake of the altar fires,**
    - (5) **for the sake of the odor,**
    - (6) **for the sake of the pleasing smell.**
  - B. **And as to the sin offering and the guilt offering, for the sake of the sin [expiated thereby].**
  - C. **Said R. Yosé, "Even if one who was not [mindful] in his heart [that he performed the various rites] for the sake of any one of all of these correct points of intentionality, [but slaughtered without specifying that he did so with these things properly in mind] — it is valid. For it is a condition imposed by the court, that intentionality follows only [the mind and will and attitude of] the one who carries out the act [not the owner; and the officiant does not have to specify the six considerations at all. If he acts in commendable silence, that suffices]."**
- I.1** A. Said R. Judah said Rab, "“It is an burnt offering, an offering made by fire, of a pleasing odor to the Lord' (Lev. 1:13):

- B. “‘a burnt offering’ means that the designated beast must be slaughtered under the classification of a burnt offering, *excluding the case in which it is slaughtered as a peace offering, in which instance the offering does not carry out the owner’s obligation.*”
- C. “‘made by fire:’ it must be under the classification of an offering made by fire, *excluding the case in which the meat is merely charred, which is invalid.*”
- D. “‘of a [pleasing] odor:’ it must be done so as to produce a good aroma, *excluding the case in which the limbs are roasted somewhere else and then put up on the altar, and that is invalid.*”
- E. For said R. Judah said Rab, “If one roasted the limbs and then put them up on the altar, it is invalid because the requirement of producing a pleasing odor has not been met.”
- F. “‘pleasing:’ it must be to please the Lord, done for the sake of Him who by an act of speech brought the world into being.”

**I.2.** A. Said R. Judah said Rab, “An animal designated for use as a sin offering that one slaughtered under the classification of a burnt offering is invalid. If he did so under the classification of an entirely secular offering, the action is valid.”

B. *Said R. Eleazar, “What is the scriptural basis for the position of Rab? It is written, ‘And they shall not profane the holy things of the children of Israel’ (Lev. 22:15) — Holy Things have the power to profane Holy Things, but unconsecrated things [e.g., a rite not carried out under the classification of Holy Things] do not have the power to profane Holy Things.”*

C. *Objected Rabbah, “‘Said R. Yosé, “Even if one who was not [mindful] in his heart [that he performed the various rites] for the sake of any one of all of these correct points of intentionality, [but slaughtered without specifying that he did so with these things properly in mind] — it is valid. For it is a condition imposed by the court, that intentionality follows only [the mind and will and attitude of] the one who carries out the act.”’ So it is only because the one who did the slaughtering had no intentionality in mind at all. But if he had the intentionality of slaughtering the beast in the classification of unconsecrated things, it is invalid!”*

D. *Said to him Abayye, “But perhaps this is the conclusion to be drawn: If he had no intentionality at all, the act of sacrifice is valid and propitiates; but if he had the intentionality of slaughtering the beast under the classification of secular things, the act is valid though the offering does not propitiate [so the owner has to bring what he is obligated to do].”*

**I.3.** A. Said R. Eleazar, “As to an animal designated as a sin offering, which [knowing that the beast had been designated as a sin offering] one slaughtered as unconsecrated things is valid. If [thinking that it was unconsecrated to begin with] he slaughtered the beast as an unconsecrated beast, it is invalid. [He did not have in mind a sacrificial action at all.]”

B. *Samuel asked R. Huna, [47A] “How on the basis of Scripture do we know that, if one was unaware but was involved in Holy Things [slaughtering a beast designated as a sacrifice without the*

intentionality of doing so], the offering is invalid? As it is said, ‘And he shall kill the bullock before the Lord’ (Lev. 1: 5), meaning that the act of slaughter must be for the sake of the bullock [that has been designated as a sacrifice].”

- C. He said to him, “This was have in hand. But how do we know that it is indispensable?”
- D. He said to him, “‘...then you shall slaughter it at will’ (Lev. 19: 5), meaning, the act of slaughter must be done with full knowledge and forethought [so awareness is indispensable].”

**II.1 A. Intention follows only [the mind of] the one who carries out the act [not the owner; and the officiant does not specify the six things at all]:”**

- B. *The formulation of our Mishnah-paragraph does not accord with the position of the following Tannaite teaching, for it has been taught on Tannaite authority:*
- C. Said R. Eleazar b. R. Yosé, “I have heard that the improper intentionality of the owner of the designated animal may serve to classify the beast as refuse.”
- D. *Said Raba, “What is the Scriptural basis for the position of R. Eleazar b. R. Yosé? It is that Scripture has said, ‘Then shall he who offers his offering present to the Lord’ (Num. 15: 4).”*

**II.2. A. Said Abayye, “R. Eleazar b. R. Yosé, R. Eliezer, and R. Simeon b. Eleazar all take the view that one party may validly express an affective intention while another party actually carries out the deed [concerning which the intentionality is expressed].**

- B. *“R. Eleazar b. R. Yosé, as we have just now said.*
- C. *“R. Eliezer, in line with that which we have learned in the Mishnah: He who slaughters [a gentile’s beast] on behalf of a gentile — his act of slaughter is valid. And R. Eliezer declares [it] invalid. Said R. Eliezer, “Even if he slaughtered it so that the gentile might eat from its midriff [and an Israelite consumes the rest], it is invalid. For the unstated intention of a gentile is [deemed to be] for the purpose of idolatry.” Said R. Yosé, “It is an argument from the less to the greater: Now if in a situation in which intention invalidates, namely, in the case of Holy Things, all matters follow only [the intention] of the one who performs the rites [required in the offering], in a situation in which [improper] intention does not invalidate, namely, in the case of unconsecrated things, is it not logical that all matters should follow only [the intention] of the one who performs the act of slaughter?” [M. Hul. 2:7].*
- D. *“R. Simeon b. Eleazar, as has been taught on Tannaite authority: An encompassing principle did R. Simeon b. Eleazar state, ‘In the case of anything that is not regarded as suitable for storage, the like of which in general people do not store away, but which a given individual has deemed fit for storage and has stored away, and which another party has come along and removed from storage and taken from one domain to another on the Sabbath — the party who moved the object across the line that separated the two domains has become liable by reason of the intentionality of the party who stored away this thing that is not ordinarily stored.”*

- E. *“Both R. Eliezer and R. Simeon b. Eleazar concur with the position of R. Eleazar b. R. Yosé. For if we take the stated position concerning matters done outside of the Temple, will there be any problem concerning matters done inside of the Temple? [Obviously not.]*
- F. *“But R. Eleazar b. R. Yosé need not concede the position of the others, for perhaps it is specifically within the Temple that he holds that position, while as to matters done outside of the Temple, we do not necessarily maintain it.*
- G. *“R. Simeon b. Eleazar must concur with R. Eliezer: if we invoke that consideration when it has to do with the observance of the Sabbath, will there be any question as to idolatry?*
- H. *“But R. Eleazar need not concur with R. Simeon b. Eleazar, for perhaps you rule as you do only in the context of idolatry, for it bears an analogy to what is done within the Temple, but in the case of the Sabbath, what the Torah has forbidden is only an act of labor that is carried out with the intention of performing on the Sabbath a forbidden act of labor.”*