

VI.

THE STRUCTURE OF BABYLONIAN TALMUD ABODAH ZARAH

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I. Mishnah-Tractate Abodah Zarah 1:1

A. BEFORE THE FESTIVALS OF GENTILES:

1. I:1: Rab and Samuel in dealing with the reading of the key word of the Mishnah, translated festival, the letters of which are 'aleph daled, rather than 'ayin daled, which means, calamity:one repeated the formulation of the Mishnah as, "their festivals." And the other repeated the formulation of the Mishnah as "their calamities."

B. A THEOLOGY OF GENTILE IDOLATRY: ITS ORIGINS AND ITS IMPLICATIONS FOR HOLY ISRAEL

1. I:2: Why the gentiles rejected the Torah. R. Hanina bar Pappa, and some say, R. Simlai, gave the following exposition of the verse,"They that fashion a graven image are all of them vanity, and their delectable things shall not profit, and their own witnesses see not nor know" (Isa. 44: 9): "In the age to come the Holy One, blessed be He, will bring a scroll of the Torah and hold it in his bosom and say, 'Let him who has kept himself busy with it come and take his reward.' The kingdom of Rome comes in first. The Holy One, blessed be He, will say to them, 'How have you defined your chief occupation?' They will say before him, 'Lord of the world, a vast number of marketplaces have we set up, a vast number of bathhouses we have made, a vast amount of silver and gold have we accumulated. And all of these things we have done only in behalf of Israel, so that they may define as their chief occupation the study of the Torah.' The Holy One, blessed be He, will say to them, 'You complete idiots! Whatever you have done has been for your own convenience. You have set up a vast number of marketplaces to be sure, but that was so as to set up whorehouses in them. The bathhouses were for your own pleasure. Silver and gold belong to me anyhow: "Mine is the silver and mine is the gold, says the Lord of hosts" (Hag. 2: 8). Are there any among you who have been telling of "this," and "this" is only the Torah: "And this is the Torah that Moses set before the children of Israel' (Deu. 4:44)." So they will make their exit, humiliated. When the kingdom of Rome has made its exit, the kingdom of Persia enters afterward...." ...They say before him, 'Lord of the world, did you hold a mountain over us like a cask and then we refused to accept it as you did to Israel, as it is written, "And they stood beneath the mountain" (Exo. 19:17)." Then the Holy One, blessed be He, will say to them, 'Let us make known what happened first: "Let them announce to us former things" (Isa. 43: 9). As to the seven religious duties that you did accept, where have you actually carried them out?' "This is what the gentiles say before him, 'Lord of the world, Israel, who accepted it — where in the world have they actually carried it out?' The Holy One, blessed be He, will say to them, 'I shall bear witness concerning them, that they have carried out the whole of the Torah!' They will say before him, 'Lord of the world, is there a father who is permitted to give testimony concerning his son? For it is written, "Israel is my son, my firstborn" (Exo. 4:22).' The Holy One, blessed be He, will say to them, 'The Heaven and the earth will give testimony in their behalf that they have carried out the entirety of the Torah....'"

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

b. I:4: As above.

C. THE CRITICAL IMPORTANCE OF TORAH-STUDY FOR THE SALVATION OF ISRAEL, INDIVIDUALLY AND COLLECTIVELY

1. I:5: Said R. Levi, “To whoever stops studying the words of the Torah and instead takes up words of mere chatter they feed glowing coals of juniper.” Said R. Simeon b. Laqish, “For whoever engages in study of the Torah by night — the Holy One, blessed be He, draws out the thread of grace by day.”

2. I:6: Said R. Judah said Samuel, “What is the meaning of the verse of Scripture, ‘And you make man as the fish of the sea and as the creeping things, that have no ruler over them’ (Hab. 1:14)? Why are human beings compared to fish of the sea? To tell you, just as fish in the sea, when they come up on dry land, forthwith begin to die, so with human beings, when they take their leave of teachings of the Torah and religious deeds, forthwith they begin to die.”

D. GOD FAVORS HOLY ISRAEL OVER THE GENTILES, BECAUSE THE FORMER ACCEPT, STUDY, AND CARRY OUT THE TORAH AND THE LATTER DO NOT. THEREFORE AT THE END OF DAYS GOD WILL SAVE ISRAEL AND DESTROY IDOLATRY

1. I:7: R. Hinena bar Pappa contrasted verses of Scripture: “It is written, ‘As to the almighty, we do not find him exercising plenteous power’ (Job. 37:23), but by contrast, ‘Great is our Lord and of abundant power’ (Psa. 147: 5), and further, ‘Your right hand, Lord, is glorious in power’ (Exo. 15: 6). But there is no contradiction between the first and second and third statements, for the former speaks of the time of judgment when justice is tempered with mercy, so God does not do what he could and the latter two statements refer to a time of war of God against his enemies.”

2. I:8: R. Hama bar Hanina contrasted verses of Scripture: “It is written, ‘Fury is not in me’ (Isa. 27: 4) but also ‘The Lord revenges and is furious’ (Nah. 1: 2). But there is no contradiction between the first and second statements, for the former speaks of Israel, the latter of the gentiles.”

a. I:9: Amplification of the foregoing.

3. I:10: Raba said, “What is the meaning of the verse, ‘Howbeit he will not stretch out a hand for a ruinous heap though they cry in his destruction’ (Job. 30:24)? Said the Holy One, blessed be He, to Israel, ‘When I judge Israel, I shall not judge them as I do the gentiles, for it is written, “I will overturn, overturn, overturn it” (Eze. 21:32), rather, I shall exact punishment from them as a hen pecks.”

4. I:11: R. Abba said, “What is the meaning of the verse, ‘Though I would redeem them, yet they have spoken lies against me’ (Hos. 7:23)? ‘I said that I would redeem them through inflicting a penalty on their property in this world, so that they might have the merit of enjoying the world to come, “yet they have spoken lies against me” (Hos. 7:23).”

5. I:12: R. Pappi in the name of Raba said, “What is the meaning of the verse, ‘Though I have trained and strengthened their arms, yet they imagine mischief against me’ (Hos. 7:15)? Said the Holy One, blessed be He, I thought that I would punish them with suffering in this world, so that their arm might be strengthened in the world to come, “yet they have spoken lies against me” (Hos. 7:23).”

E. GOD'S JUDGMENT AND WRATH, GOD'S MERCY AND FORGIVENESS

1. I:13: "It is written, 'You only have I known among all the families of the earth; therefore I will visit upon you all your iniquities' (Amo. 3: 2). If one is angry, does he vent it on someone he loves?" He said to them, "I shall tell you a parable. To what is the matter comparable? To the case of a man who lent money to two people, one a friend, the other an enemy. From the friend he collects the money little by little, from the enemy he collects all at once."

2. I:14: Said R. Abba bar Kahana, "What is the meaning of the following verse of Scripture: 'Far be it from you to do after this manner, to slay the righteous with the wicked' (Gen. 18:25). Said Abraham before the Holy One, blessed be He, 'Lord of the world! It is a profanation to act in such a way a play on the Hebrew letters, shared by the words 'far be it' and 'profanation', 'to slay the righteous with the wicked' (Gen. 18:25)."

3. I:15: R. Pappa contrasted verses of Scripture: "It is written, 'God is angry every day' (Psa. 7:12) but also 'who could stand before his anger' (Nah. 1: 6). But there is no contradiction between the first and second statements, for the former speaks of the individual, the latter of the community."

F. BALAAM, THE PROPHET OF THE GENTILES, AND ISRAEL; GOD'S ANGER WITH THE GENTILES AND WITH ISRAEL

1. I:16: Our rabbis have taught on Tannaite authority: "God is angry every day" (Psa. 7:12), and how long is his anger? It is for a moment. And how long is a moment? The portion 1/53,848th of an hour is a moment. And no creature can determine that moment, except for Balaam that wicked man, of whom it is written,"who knew the knowledge of the Most High" (Num. 24:16). How can it be that a man who did not know the mind of his animal could have known the mind of the Most High?

a. I:17: Gloss of foregoing: And what is the meaning of the statement that he did not know the mind of his animal?

b. I:18: Gloss of foregoing: And what is the meaning of the statement that he could have known the mind of the Most High?

2. I:19: "O my people, remember now what Balak king of Moab consulted and what Balaam son of Beor answered him from Shittim to Gilgal, that you may know the righteousness of the Lord" (Mic. 6: 5): Said R. Eleazar, "Said the Holy One, blessed be He, to Israel, 'My people, see how many acts of righteousness I carried out with you, for I did not grow angry with you during all those perilous days, for if I had grown angry with you, there would not have remained from Israel a remnant or a survivor.'

a. I:20: Further gloss of I:16: And how long is his wrath? It is for a moment. And how long is a moment? The portion 1/53,848th of an hour is a moment. And how long is a moment?

b. I:21: When is he angry? Said Abbaye, "In the first three hours of the day, when the comb of the cock is white."

c. I:22: As above.

G. THE TIME OF GOD'S ANGER IN RELATIONSHIP TO THE GENTILES AND TO ISRAEL; THE ROLE OF IDOLATRY IN GOD'S WRATH AGAINST THE NATIONS

- 1. I:23:** It was taught as a Tannaite version in the name of R. Meir, "That time at which God gets angry comes when the kings put on their crowns on their heads and prostrate themselves to the sun. Forthwith the Holy One, blessed be He, grows angry."
- 2. I:24:** Said R. Joseph, "A person should not recite the Prayer of the Additional Service for the first day of the New Year the Day of Judgment during the first three hours of the day or in private, lest, since that is the time of judgment, his deeds may be examined, and his prayer rejected."
- 3. I:25:** R. Joshua b. Levi has said, "What is the meaning of the verse of Scripture, 'The ordinances that I command you this day to do them' (Deu. 7:11)? Today is the day to do them, but not tomorrow; they are not to be done tomorrow; today is the day to do them, but today is not the day on which to receive a reward for doing them": Said R. Joshua b. Levi, "All the religious duties that Israelites do in this world come and give evidence in their behalf in the world to come: 'Let them bring their witnesses that they may be justified, let them hear and say it is truth.'" And said R. Joshua b. Levi, "All the religious duties that Israelites do in this world come and flap about the faces of gentiles in the world to come: 'Keep them and do them, for this, your wisdom and understanding, will be in the eyes of the peoples' (Deu. 4: 6)."

H. THE SINFUL ANCESTOR OF THE MESSIAH AND GOD'S FORGIVENESS OF HIM AND OF ISRAEL

- 1. I:26:** That is in line with what R. Yohanan said in the name of R. Simeon b. Yohai: "David was really not so unfit as to do such a deed as he did with Beth Sheva: 'My heart is slain within me' (Psa. 109:22) And the Israelites were hardly the kind of people to commit such an act: 'O that they had such a heart as this always, to fear me and keep my commandments' (Deu. 5:26). So why did they do it? It was to show you that if an individual has sinned, they say to him, 'Go to the individual such as David, and follow his example, and if the community as a whole has sinned, they say to them, 'Go to the community such as Israel.'"
- 2. I:27:** That is in line with what R. Samuel bar Nahmani said R. Jonathan said, "What is the meaning of the verse of Scripture, 'The saying of David, son of Jesse, and the saying of the man raised on high' (2Sa. 23: 1)? It means, 'The saying of David, son of Jesse, the man who raised up the yoke of repentance.'"
- 3. I:28:** Said R. Samuel bar Nahmani said R. Jonathan, "Whoever does a religious duty in this world — that deed goes before him to the world to come, as it is said, 'And your righteousness shall go before you' (Isa. 58: 8). And whoever commits a transgression in this world — that act turns aside from him and goes before him on the Day of Judgment, as it is said, 'The paths of their way are turned aside, they go up into the waste and perish' (Job. 6:18)."
- 4. I:29:** Said R. Simeon b. Laqish, "Come and let us express our gratitude to our ancestors, for if it were not for their having sinned, we for our part should never have been able to come into the world: 'I said you are gods and all of you sons of

the Most High' (Psa. 82: 6). Now that you have ruined things by what you have done, 'you shall indeed die like mortals' (Psa. 82: 6)."

5. I:30: Our rabbis have taught on Tannaite authority: "If you walk in my statutes" (Lev. 26: 3) — the word "if" is used in the sense of supplication, as in the verse, O that my people would hearken to me, that Israel would walk in my ways...I should soon subdue their enemies" (Psa. 81:14-15); "O that you had listened to my commandments, then my peace would have been as a river, your seed also would have been as the sand" (Isa. 48:18).

6. I:31: Our rabbis have taught on Tannaite authority: "O that they had such a heart as this always, to fear me and keep my commandments, that it may be well with them and their children" (Deu. 5:26). Said Moses to the Israelites, "You are a bunch of ingrates, children of ingrates. When the Holy One, blessed be He, said to you, 'O that they had such a heart as this always, to fear me and keep my commandments, that it may be well with them and their children' (Deu. 5:26), they should have said, 'You give it.'"

a. I:32: Gloss of foregoing.

7. I:33: Said R. Yohanan in the name of R. Benaah, "What is the meaning of the verse of Scripture, 'Happy are you who sow beside all waters, that send forth the feet of the ox and the ass' (Isa. 32:20)? 'Happy are you, O Israel, when you are devoted to the Torah and to doing deeds of grace, then their inclination to do evil is handed over to them, and they are not handed over into the power of their inclination to do evil.'"

I. ...FOR THREE DAYS IT IS FORBIDDEN TO DO BUSINESS WITH THEM:

1. II:1: Do we impose so considerable a requirement? Have we not learned in the Mishnah....

2. II:2: The question was raised: does the reference to three days mean to include the festival days themselves, or is the required span of time exclusive of the festival days themselves?

3. II:3: The question was raised: Is the operative consideration for the rule of the Mishnah because of the profit which Israelites must not make from transactions in the service of idolatry? Or is it because "you shall not put a stumbling block before the blind" (Lev. 19:14)? Is the reason for forbidding business transactions prior to idolatrous festivals because profit might yield thanksgiving to idolatry, or perhaps the consideration is that the gentile may not know that idolatry is forbidden anyhow, and Israelites should not be a cause of making the ignorant stumble?

4. II:4: The question was raised: If one did business on those days with a gentile, what is the upshot? R. Yohanan said, "If one has done business, the proceeds are forbidden." R. Simeon b. Laqish said, "If one has done business, the proceeds are permitted."

a. II:5: Case: On his festival day a certain Min sent a Caesarean denar to R. Judah Nesiah. R. Simeon b. Laqish was in session before him. He said, "What should I do? If I accept it, he will go and give thanks. If I do not accept it, he will be offended."

J. (1) TO LEND ANYTHING TO THEM OR TO BORROW ANYTHING FROM THEM:

1. III:1: There is no problem understanding why it is forbidden to lend them anything, because that gives them benefit. But as to borrowing from them, that serves to diminish their capital?

K. (2) TO LEND MONEY TO THEM OR TO BORROW MONEY FROM THEM:

1. IV:1: There is no problem understanding why it is forbidden to lend them money, because that gives them benefit. But as to borrowing from them, that serves to diminish their capital?

L. (3) TO REPAY THEM OR TO BE REPAID BY THEM:

1. V:1: There is no problem understanding why it is forbidden to repay money to them, because that gives them benefit. But as to borrowing from them, that serves to diminish their capital?

a. V:2: Gloss on the preceding three comments to the Mishnah: And all the several instances are absolutely required.

M. R. JUDAH SAYS, “THEY ACCEPT REPAYMENT FROM THEM, BECAUSE IT IS DISTRESSING TO HIM.” THEY SAID TO HIM, “EVEN THOUGH IT IS DISTRESSING TO HIM NOW, HE WILL BE HAPPY ABOUT IT LATER.”

1. VI:1: Now does R. Judah not accept the principle, “Even though it is distressing to him now, he will be happy about it later”?

2. VI:2: Our Mishnah passage does not accord with the position of R. Joshua b. Qorhah: R. Joshua b. Qorha says, “In the case of any loan secured by a bond, one does not accept repayment from a gentile M. 1:1D, But in the case of any loan which is not secured by a bond, one does accept repayment from a gentile, because one thereby saves the capital from their power.”

N. OTHER RULINGS INVOLVING JOSHUA B. QORHA

1. VI:3: Our rabbis have taught on Tannaite authority: One on the Sabbath day should not say to his fellow, “Shall we see whether you might stand with me in the evening, to work at that time, since such a statement represents an impermissible act of engaging a worker on the Sabbath for tasks to be done thereafter.”

2. VI:4: Our rabbis have taught on Tannaite authority: He who addresses a question to a sage, who has declared the matter subject to question to be unclean, should not address a question to another sage in hope that he might declare it clean. If he asked a sage, who declared a deed forbidden, he should not address a question to another sage.

a. VI:5: Secondary expansion of the foregoing: Our rabbis have taught on Tannaite authority: “And in the case of all of them who reneged after having accepted those obligations — they are never again accepted in the future,” the words of R. Meir. R. Judah says, “If they reneged in public, they accept them again; if this was done in secret, they do not accept them again.”

II. Mishnah-Tractate Abodah Zarah 1:2

A. R. ISHMAEL SAYS, “THREE DAYS BEFORE THEM AND THREE DAYS AFTER THEM IT IS PROHIBITED:”

1. I:1: Said R. Tahalipa bar Abdimi said Samuel, “In the opinion of R. Ishmael Sunday should always be a day that is forbidden for doing business with gentiles.”

B. AND SAGES SAY, “BEFORE THEIR FESTIVALS IT IS PROHIBITED, BUT AFTER THEIR FESTIVALS IT IS PERMITTED.”

1. II:1: Is not the opinion of sages the same as that of the initial Tannaite authority at M. 1:1A, who has said, Before the festivals of gentiles for three days it is forbidden to do business with them?

a. II:2: Gloss of a tangential detail in the foregoing. Nahum the Mede says, “One day in the exilic communities before their festival it is prohibited to do business with gentiles.” They said to him, “This statement has been set aside and not stated as a formulated rule.”

C. FURTHER RULINGS OF NAHUM THE MEDE

a. II:3: Nahum the Mede says, “Israelites in time of war may sell to gentiles a male horse or a superannuated one.” They said to him, “This statement has been set aside and not stated as a formulated rule.”

b. II:4: Nahum the Mede says, “As to dill, it is subject to tithe whether in the form of seed, leaf, or pod since in all such forms, they are used as food.” They said to him, “This statement has been set aside and not stated as a formulated rule.”

c. II:5: Said R. Aha bar Minyumi to Abbaye, “A major authority is coming from our locale. In response to everything that he says, they say to him, ‘This statement has been set aside and not stated as a formulated rule.’” Said R. Aha bar Minyumi to Abbaye, “A major authority is coming from our locale. In response to everything that he says, they say to him, ‘This statement has been set aside and not stated as a formulated rule.’” He said, “There is one such case in which we do act in accord with his opinion. For it has been taught on Tannaite authority: ‘Nahum the Mede says, ‘A person may ask for his needs in the paragraph of the Prayer that ends, ‘...who hears prayer.’”

I. II:6: Gloss of a detail of the foregoing.

III. Mishnah-Tractate Abodah Zarah 1:3

A. AND WHAT ARE THE FESTIVALS OF GENTILES? (1) CALENDs, (2) SATURNALIA:

1. I:1: Said R. Hanina bar Raba, “Calends is for eight days after the winter solstice, and Saturnalia is kept for eight days prior to the same, with the mnemonic, ‘you have beset me behind and before’ (Psa. 139: 5).”

2. I:2: On the winter solstice: Our rabbis have taught on Tannaite authority: When evening fell, the first Man saw the world growing dark as the sun set. He thought

to himself, “Woe is me! Because I turned rotten, the Holy One, blessed be He, on my account brings darkness to the entire world. This is that death that has been imposed upon me as a sanction by Heaven.” So he went and sat in a fast and in prayer for eight days. When he noted the winter equinox and saw that the day was growing longer, he said, “This is the way of the world.” So he went and observed eight days of festivities. The next year he treated both these and those as festival days, and he set them up for the sake of Heaven, but the idolators set them up for the sake of idolatry.

a. I:3: Our rabbis have taught on Tannaite authority: On the day on which the first man was created, when evening fell, the first Man saw the world growing dark as the sun set, he said to himself, “Woe is me! Because I turned rotten, the Holy One, blessed be He, on my account will turn the entire world to formlessness and void.”

4. I:4: R. Mattenah raised this question: “On the occasion on which Rome celebrates Calends, as to all of the towns round about that are subjugated to her — are they, too, forbidden or are they permitted for Israelite commerce?”

a. I:5: Gloss on a detail of the foregoing, namely, And a gentile who made a banquet for his son, It has been taught on Tannaite authority: R. Ishmael says, “Israelites who live outside of the Land worship idols in all innocence. How so? A gentile who makes a banquet for his son sends and invites all the Jews in his town. Even though they bring and eat their own food and drink their own wine and take along their own servant who stands over them and pours for them, Scripture regards them as though they had eaten from sacrifices of corpses, as it is said, ‘And they will invite you and you will eat of their sacrifice’ (Exo. 34:15).”

B. (3) CRATESIS THE COMMEMORATION OF THE EMPIRE :

1. II:1: What is the festival of Cratesis?

C. THE DIVISIONS OF ISRAEL’S HISTORY; THE HISTORY OF THE WORLD IN ITS PERIODS

a. II:2: Gloss of a detail of the foregoing. Now do we know that for twenty-six years the Romans kept their faith with Israel. From that point on, they subdued them?

I. II:3: Gloss of a detail of the foregoing: One hundred and eighty years before the house of the Temple was destroyed, the wicked kingdom took over the dominion over Israel: but was it not a longer span of time than that?

A. II:4: As above.

II. II:5: The Tannaite authority of the household of Elijah stated, “The world will last for six thousand years: two thousand years of chaos, two thousand years of Torah, two thousand years of the time of the Messiah. But because of the abundance of our sins, what has passed of the foreordained time has passed.”

A. II:6: Gloss along the lines of II:4.

B. II:7: Continuation of foregoing.

g. II:8: Said R. Hanina, “When four hundred years have passed from the destruction of the Temple, if someone says to you, ‘Buy this field that is worth a thousand denars for a single denar, don’t buy it.’”

h. II:9: Illustrative case on reckoning of the years: There was a bond which was dated six years ahead. Rabbis in session before Raba considered ruling, “This falls into the classification of a postdated bond, and action on it is to be postponed until the time that is specified in it, and the funds cannot be collected.” Said R. Nahman, “The scribe of this document was meticulous, and he took into account the six years of the Greek reign in Elam, which for our part we do not reckon. The date therefore is correct.”

D. (4) THE EMPEROR’S ANNIVERSARY:

1. III:1: What is the emperor’s anniversary? Said R. Judah, “It is the day on which the gentile king is raised to the throne.” This would be exemplified by the case of Severus, son of Antoninus, who reigned in his father’s stead, by reason of inheritance.

E. COLLECTION OF STORIES ABOUT RABBI AND ANTIGONUS

a. III:2: Gloss of a detail of the foregoing. Said Antigonus to Rabbi, “I want Severus, my son, to reign in my stead, and to declare Tiberias a colony. But while if I should ask for one of these things, it would be granted to me, two of them would not be carried out.” Said Antigonus to Rabbi, “I want Severus, my son, to reign in my stead, and to declare Tiberias a colony. But while if I should ask for one of these things, it would be granted to me, two of them would not be carried out.” Rabbi brought a man and had him ride on the shoulders of another, handed him a dove, and instructed the one who carried him to order the one on his shoulders to free it.

b. III:3: A further item in the same collection. He said to him, “Important Roman authorities are giving me trouble.” He brought him into a garden. Every day he pulled up a radish, one at a time.

c. III:4: A further item in the same collection. He had a daughter, named Gira, who committed a sin. He sent to Rabbi a rocket herb, who replied with coriander. He sent him some leeks, and he sent him lettuce.

d. III:5: A further item in the same collection.

e. III:6: A further item in the same collection.

f. III:7: A further item in the same collection.

g. III:8: As above.

1. III:9: Gloss of a detail of the foregoing

h. III:10: A further item in the same collection. Antoninus served Rabbi as disciple, Ardaban served Rab. When Antoninus died, Rabbi said, “The bond is cut.” When Ardaban died, Rab said, “The bond is cut.”

i. III:11: A further item in the same collection. Onqelos son of Qalonymus converted to Judaism. Caesar sent a troop of Roman soldiers after him.

j. III:12: A further item in the same collection. “And the Lord said to her, Two nations are in your womb” (Gen. 25:23): Said R. Judah said Rab, “Do not read the letters that spell out the word ‘nations’ in that way, but read them as they bore the vowels to be read ‘lords.’ This refers to Antoninus and Rabbi.”

F. (5) HIS BIRTHDAY, “AND (6) THE DAY OF HIS DEATH,” THE WORDS OF R. MEIR. AND SAGES SAY, “IN ANY CASE OF DEATH RITES IN WHICH THERE IS A BURNING, THERE IS IDOLATRY, AND IN WHICH THERE IS NO BURNING, THERE IS NO IDOLATRY:”

1. IV:1: Is it to be inferred, then, that R. Meir takes the view that there is no distinction to be drawn between a death followed by an immolation of articles and one in which there is no immolation of articles, with idolatry being practiced in either case? Therefore the immolation of articles on its own is not a mark of idolatry? And then is it to be inferred that, from the viewpoint of rabbis, the burning of articles at a funeral does mark an act of idolatry?

a. IV:2: Gloss of a detail of the foregoing.

G. (1) ON THE DAY ON WHICH A GENTILE SHAVES OFF HIS BEARD AND LOCK OF HAIR, (2) ON THE DAY ON WHICH HE CAME UP SAFELY FROM AN OCEAN VOYAGE, (3) ON THE DAY ON WHICH HE GOT OUT OF PRISON. AND A GENTILE WHO MADE A BANQUET FOR HIS SON — IT IS PROHIBITED FOR ONLY THAT DAY, AND IN REGARD TO ONLY THAT INDIVIDUAL ALONE:

1. V:1: The question was raised: Is the sense of the statement, On the day on which a gentile shaves off his beard and lock of hair, the day of the shaving of the beard when the lock of hair is left, or the annual shaving of the beard when the lock of hair is removed?

H. OTHER FESTIVALS OF IDOLATRY

1. V:2: Said R. Judah said Samuel, “They have yet another festival in Rome, once in seventy years. They bring a healthy man and make him ride on a cripple, and clothe him in the garments of the first Adam, and they put on his head the scalp of R. Ishmael, and hang around his neck pieces of fine gold weighing four zuz. They pave the marketplaces through which the procession passes with onyx stones. They proclaim before him, ‘The reckoning of the ruler is wrong. Here is the brother of our lord, the imposter. Let anyone who sees it see it; whoever does not see it now will never see it. What good is the treason of the traitor and the lie of the liar?’ And this is how they conclude: ‘Woe to this one when the other will arise.’”

2. V:3: Now, why does not the Tannaite authority of our Mishnah paragraph not include this festival in his catalogue?

3. V:4: These are all Roman festivals. What about the Persian ones? They are Mutardi, Turyaskai, Muharneikai, Muharin. These are the festivals of the Romans

and the Persians. What about the Babylonian ones? They are Muharneikai, Aknayata, Bahnani, and the tenth of Adar.

4. V:5: Said R. Hanan bar R. Hisda said Rab, and some say, said R. Hanan bar Raba said Rab, “There are five permanent temples to idolatry, and what are they? the house of Bel in Babylonia, the house of Nebo in Kursi, Tarata in Mapug, Zerifa in Ashkelon, Nishtra in Arabia.”

5. V:6: Said Samuel, “In the Exile the prohibition applies solely to the actual day of their festival alone.”

IV. Mishnah-Tractate Abodah Zarah 1:4A-F

A. A CITY IN WHICH THERE IS AN IDOL — IN THE AREA OUTSIDE OF IT IT IS PERMITTED TO DO BUSINESS. IF AN IDOL WAS OUTSIDE OF IT, IN THE AREA INSIDE IT IS PERMITTED.

1. I:1: What is the meaning of outside of it?

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

B. WHAT IS THE RULE AS TO GOING TO THAT PLACE? WHEN THE ROAD IS SET ASIDE FOR GOING TO THAT PLACE ONLY, IT IS PROHIBITED. BUT IF ONE IS ABLE TO TAKE THAT SAME ROAD TO SOME OTHER PLACE, IT IS PERMITTED.

1. II:1: Our rabbis have taught on Tannaite authority: “As to a town in which an idol is being worshipped, it is forbidden to go into it, nor from it to some other town,” the words of R. Meir. And sages say, “So long as the road leads only to that place, it is forbidden. But if the road does not lead only to that place, it is permitted.”

a. II:2: Amplification of a detail of the foregoing.

b. II:3: Continuation of the foregoing.

V. Mishnah-Tractate Abodah Zarah 1:4G-I

A. A TOWN IN WHICH THERE IS AN IDOL, AND THERE WERE IN IT SHOPS WHICH WERE ADORNED AND SHOPS WHICH WERE NOT ADORNED — THIS WAS A CASE IN BETH SHEAN, AND SAGES RULED, “THOSE WHICH ARE ADORNED ARE PROHIBITED, BUT THOSE WHICH ARE NOT ADORNED ARE PERMITTED.”

1. I:1: Said R. Simeon b. Laqish, “This ruling has been repeated only with reference to shops that are decorated with garlands of roses and myrtle, in which case the Israelite enjoys the benefit of the good smell, but if the shops are decorated with fruit, one may go into them.” And R. Yohanan said, “Even if they are decorated only with fruit, they also are forbidden. This is by an argument a fortiori: If it is forbidden to derive benefit from the smell, should it not be forbidden to confer benefit?”

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

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

4. I:4: R. Jonah came upon R. Ilai who was standing at the gate of Tyre and said to him, “It has been taught as a Tannaite formulation: ...a beast that he purchases is to be disabled. What is the rule as to a slave? As to an Israelite who is a slave, there can be no question, of course. But as to a gentile slave, what is to be done?”

5. I:5: Said R. Jeremiah to R. Zira, “It has been taught as a Tannaite statement: Israelites may go to a fair of gentiles and buy from them beasts, slave boys and slave girls. Does this refer only to an Israelite slave, or perhaps it speaks even of a gentile slave?”

a. I:6: Illustrative case.

VI. Mishnah-Tractate Abodah Zarah 1:5

A. WHAT ARE THE THINGS THAT ARE FORBIDDEN TO SELL TO GENTILES? (1) FIR CONES:

1. I:1: What is the definition of fir cones?

B. (2) WHITE FIGS:

1. II:1: Said Rabbah bar bar Hana said R. Yohanan, “They are figs that are white.”

C. (3) AND THEIR STALKS:

1. III:1: Said Rabbah bar bar Hana said R. Yohanan, “What is taught is not ‘and’ but ‘with their stalks.’”

D. (4) FRANKINCENSE:

1. IV:1: Said R. Isaac said R. Simeon b. Laqish, “Clear frankincense.”

2. IV:2: It has been taught as a Tannaite statement: And of any one of them, one would sell them a bundle. And how much is a bundle? R. Judah b. Beterah says, “In the case of frankincense, it is no less than three manehs.”

E. AND (5) A WHITE COCK.

1. V:1: Said R. Jonah said R. Zira said R. Zebid, and some repeat the matter as, said R. Jonah said R. Zira, “If a gentile asks, ‘Who has a cock,’ it is permitted to sell a white cock to him. If he asks, ‘Who has a white cock?’ it is forbidden to sell one to him.”

2. V:2: R. Ashi raised the question, “If someone asks, ‘Who has a mutilated white cock,’ what is the law as to selling him a healthy white cock? Do we say that, since he has specified that he wants a mutilated one, it is not for the purposes of idolatry that he wants it? Or perhaps he is really just practicing deceit?”

F. R. JUDAH SAYS, “IT IS PERMITTED TO SELL HIM A WHITE COCK AMONG OTHER COCKS. AND WHEN IT IS ALL BY ITSELF, ONE CUTS OFF ITS SPUR AND SELLS IT TO HIM, FOR THEY DO NOT OFFER TO AN IDOL ONE WHICH IS LACKING A SPUR.” AND AS TO EVERYTHING ELSE, IF THEY ARE LEFT WITHOUT SPECIFICATION AS TO THEIR PROPOSED USE, IT IS PERMITTED, BUT IF THEY ARE SPECIFIED FOR USE FOR IDOLATRY, IT IS PROHIBITED.

R. MEIR SAYS, “ALSO FINE DATES, HASAB DATES, AND NICOLAUS DATES IT IS PROHIBITED TO SELL TO GENTILES.”

1. VI:1: Said R. Hisda to Abimi, “We have learned that the tractate Abodah Zarah that was learned by Abraham, our father, contained four hundred chapters, but we have learned as our Mishnah only five chapters, yet we do not know what we say even in regard to these! And what is the contradiction that I have in mind? It is taught on Tannaite authority in our Mishnah, R. Meir says, “Also as to fine dates, Hasab dates, and Nicolaus dates it is prohibited to sell them to gentiles. So it is only fine dates that we must not sell to them, but bad dates we may sell. Yet we have learned as well: They do not sell them any produce whatsoever as yet unplucked. But one may sell it one it has been harvested (M. 1:8D-E).”

2. VI:2: Hasab dates: this is a species of dates called Qisba.

3. VI:3: and Nicolaus dates: When R. Dimi came, he said R. Hamam bar Joseph said, “It is Quriti dates.”

VII. Mishnah-Tractate Abodah Zarah 1:6

A. IN A PLACE IN WHICH THEY ARE ACCUSTOMED TO SELL SMALL CATTLE TO GENTILES, THEY SELL THEM. IN A PLACE IN WHICH THEY ARE ACCUSTOMED NOT TO SELL SMALL CATTLE TO THEM, THEY DO NOT SELL THEM.

1. I:1: Does this rule then bear the implication that there is no real prohibition involved, but that it is only a matter of custom, so that where it is customary to prohibit selling them, it is prohibited, and where it is customary to permit selling to them, it is permitted? And an objection is to be raised: They do not leave cattle in gentiles’ inns, because they are suspect in regard to bestiality.

B. AND IN NO PLACE DO THEY SELL THEM LARGE CATTLE,

1. II:1: What is the operative consideration here?

a. II:2: Illustrative case.

b. II:3: Illustrative case.

c. II:4: Illustrative case.

2. II:5: Said R. Dimi bar Abba, “Just as it is forbidden to sell to a gentile, so it is forbidden to sell to an Israelite mugger.”

3. II:6: Our rabbis have taught on Tannaite authority: They do not sell them shields. And some say, “They do sell them shields.”

4. II:7: Said R. Adda bar Ahbah, “They do not sell them bars of iron. Why not? Because they hammer weapons of war out of them.”

C. ...CALVES, OR FOALS, WHETHER WHOLE OR LAME. R. JUDAH PERMITS IN THE CASE OF LAME ONES.

1. III:1: It has been taught on Tannaite authority: R. Judah permits doing so in the case of a lame one, which is not subject to healing (M. 1:6D). They said to him, “Lo, he will put it out to stud, and the mate will give birth.”

D. AND BEN BETERAH PERMITS IN THE CASE OF A HORSE.

1. IV:1: It has been taught on Tannaite authority: Ben Beterah permits in the case of a horse, which does not perform any sort of labor on the Sabbath on account of

which they are liable to a sin-offering. But Rabbi prohibits doing so on two counts, on the count of not selling to them weapons of war, and on the count of not selling to them a large beast,

2. IV:2: The question was raised: As to a fattened ox, what is the law? The question is to be addressed to R. Judah, and the question is to be addressed to rabbis.

VIII. Mishnah-Tractate Abodah Zarah 1:7

A. THEY DO NOT SELL THEM (1) BEARS OR (2) LIONS, OR (3) ANYTHING WHICH IS A PUBLIC DANGER.

1. I:1: Said R. Hanina b. R. Hisda, and some say, said R. Hanan b. Raba in the name of Rab, “To large cattle the same rule applies as to small cattle when it comes to the criterion of struggling, specifically, that, after slaughter, the animal must show signs of struggling to be fit for food; otherwise we assume it died prior to slaughter and is carrion; the struggle in the case of small cattle must be stretching out and bending back of a leg, in the case of large cattle, one or the other. But that is not the case when it comes to selling the beast which is governed by local custom. But, for my part, I say that the same is so even in regard to selling: in a place in which it is customary to sell such beasts, they sell them, and if it is customary not to sell such beasts, they do not sell them.”

2. I:2: Rabina contrasted a Mishnah teaching with a Tannaite teaching external to the Mishnah and he resolved the contradiction: “We have learned in the Mishnah: They do not sell them (1) bears or (2) lions, or (3) anything which is a public danger. The operative consideration, then, is that these constitute a public danger. Lo, if there is no danger to the public, they may sell such beasts to gentiles. And by contrast: And just as they do not sell them a large domesticated beast, so they do not sell them a large wild beast (M. 1:6B). And also in a situation in which they do not sell them a small domesticated beast, they do not sell them a small wild beast (T. A.Z. 2: 2). Now he further harmonized these two teachings: the Mishnah refers to a mutilated lion, and accords with the view of R. Judah.”

3. I:3: And as to a large wild beast, to what sort of labor is it suited?

4. I:4: Said R. Zira, “When we were at the household of R. Judah, he said to us, ‘Learn from me the following statement, for I have heard it from a preeminent authority, though I do not know whether it was from Rab or from Samuel: ‘As to large wild beasts, the same rule applies as to small cattle when it comes to the criterion of struggling, specifically, that, after slaughter, the animal must show signs of struggling to be fit for food; otherwise we assume it died prior to slaughter and is carrion; the struggle in the case of small cattle must be stretching out and bending back of a leg, in the case of large cattle, one or the other.’”

B. THEY DO NOT BUILD WITH THEM (1) A BASILICA, (2) SCAFFOLD, (3) STADIUM, OR (4) JUDGES’ TRIBUNAL. BUT THEY BUILD WITH THEM (5) PUBLIC BATHHOUSES OR (6) PRIVATE ONES:

1. II:1: Said Rabbah bar bar Hana said R. Yohanan, “There are three classifications of basilicas: those belonging to gentile kings, those belonging to bathhouses, and those belonging to storehouses.”

C. THE TRIAL OF ELIEZER B. HYRCANUS. IN THE MATTER OF MINUT

1. II:2: Our rabbis taught on Tannaite authority: When R. Eliezer was arrested on charges of Minut being a Christian, they brought him up to the judge’s tribunal to be judged. The hegemon said to him, “Should a sage such as yourself get involved in such nonsense as this?” He said to him, “I acknowledge the Judge.” The hegemon supposed that he was referring to him, but he referred only to his father who is in Heaven. He said to him, “Since I have been accepted by you as an honorable judge, demos! You are acquitted.” When he got to his household, his disciples came to him to console him, but he did not accept consolation. Said to him R. Aqiba, “My lord, will you let me say something to you from among the things that you have taught me?” He said to him, “Speak.” He said to him, “Perhaps some matter pertaining to Minut has come into your domain and given you some sort of satisfaction, and on that account you were arrested?”

a. II:3: Secondary gloss of a detail of the foregoing.

I. II:4: As above.

II. II:5: As above.

III. II:6: As above.

A. II:7: Amplification of a detail of the foregoing.

2. II:8: Reversion of the theme of how the government corrupts justice; how Minut causes problems. “The horse leech has two daughters: Give, give” (Pro. 30:15) — What is the meaning of “Give, give”? Said Mar Uqba, “It is the voice of the two daughters who cry out from Gehenna, saying to this world, ‘Bring, bring.’ And who are they? They are Minut and the government.”

a. II:9: Gloss of a detail of the foregoing.

I. II:10: And if one renounces sins other than Minut, does one not die?

D. IDOLATRY AND LEWDNESS

1. II:11: R. Hanina and R. Jonathan were going along the way and came to a crossroads, with one road that led by the door of a temple of idol worship, the other by a whorehouse. Said one to the other, “Let’s go by the road that passes the door of the temple of idol worship, for in any case the impulse that leads to that in our case has been annihilated.”

a. II:12: As to the verse, “She shall watch over you against lewdness, discernment shall guard you” (Pro. 2:11), said rabbis to Raba, “What is the meaning of the word translated ‘lewdness’? Shall it be ‘the Torah,’ since the word translated lewdness in the Aramaic translation is rendered, ‘it is a counsel of the wicked’ and Scripture has the phrase, ‘wonderful is his counsel and great is his wisdom’ (Isa. 28:29)?”

E. ROMAN JUSTICE, JEWISH MARTYRDOM

1. II:13: Our rabbis have taught on Tannaite authority: When R. Eleazar b. Parta and R. Hanina b. Teradion were arrested, R. Eleazar b. Parta said to R. Hanina b. Teradion, “You are fortunate, for you have been arrested on only one count. Woe is me, that I have been arrested on five counts.”

2. II:14: When R. Yosé b. Qisma fell ill, R. Hanina b. Teradion went to visit him. He said to him, “Hanina, my brother, don’t you know that from Heaven have they endowed this nation Rome with dominion? For Rome has destroyed his house, burned his Temple, slain his pious ones, and annihilated his very best — and yet endures! And yet I have heard about you that you go into session and devote yourself to the Torah and even call assemblies in public, with a scroll lying before you in your bosom.”

a. II:15: Beruriah, the wife of R. Meir, was the daughter of R. Hanina b. Teradion. She said to him, “It is humiliating for me that my sister should be put into a whorehouse.”

F. THE STADIUM, THE CIRCUS, THE THEATER

1. II:16: He who goes to a stadium or to a camp to see the performances of sorcerers and enchanters or of various kinds of clowns, mimics, buffoons, and the like — lo, this is a seat of the scoffers, as it is said, “Happy is the man who has not walked in the counsel of the wicked...nor sat in the seat of the scoffers. But his delight is in the Torah of the Lord” (Psa. 1:12). Lo, you thereby learn that these things cause a man to neglect the study of the Torah.

2. II:17: Our rabbis have taught on Tannaite authority: “People may not go to theaters or circuses for there they ‘make dung’ for idolatry,” the words of R. Meir. And sages say, “In a place in which they ‘make dung’ for idolatry, it is forbidden by reason of suspicion that idolatry is taking place, but in a place in which they do not ‘make dung’ for idolatry, it is permitted.”

G. HAPPY IS THE MAN WHO HAS NOT WALKED IN THE COUNSEL OF THE WICKED, NOR STOOD IN THE WAY OF SINNERS, NOR SAT IN THE SEAT OF THE SCORNFUL

1. II:18: R. Simeon b. Pazzi gave an exposition: “What is the meaning of the verse, ‘Happy is the man who has not walked in the counsel of the wicked, nor stood in the way of sinners, nor sat in the seat of the scornful’ (Psa. 1: 1)? Since he has not walk in that way, how could he stand there? And since he did not stand there, he surely did not sit among them, and since he did not sit among them, he also could not have scorned! It is to tell you that if one has merely walked in such a way, in the end he will stand, and if he stands, he will end up sitting, and if he sat, he will end up scorning, and if he scorned, in his regard Scripture says, ‘If you are wise, you are wise for yourself, and if you scorn, you alone shall bear the consequence’ (Pro. 9:12).”

a. II:19: Said R. Eleazar, “As to him who scoffs, affliction will come upon him: ‘Now therefore do you not scoff, lest your punishment be made severe’ (Isa. 28:22).”

2. II:20: R. Simeon b. Pazzi gave an exposition: “‘Happy is the man who has not walked’ — to theaters and circuses of gentiles; ‘nor stood in the way of sinners’ — he does not attend contests of wild beasts...”

3. II:21: Further exposition of the same verse of Scripture: Said R. Samuel bar Nahmani said R. Jonathan, “‘Happy is the man who has not walked in the counsel of the wicked’: this refers to Abraham our father, who did not walk in the counsel of the men of the generation of the division. For they were wicked, as it is said, ‘Come, let us build us a city and a tower with its top in Heaven’ (Gen. 11: 4). ‘nor stood in the way of sinners’: for he did not stand in the locus of the Sodomites, who were sinful: ‘Now the men of Sodom were wicked and sinful against the Lord exceedingly’ (Gen. 13:13); ‘nor sat in the seat of the scornful’: for he did not take a seat in the counsel of the Philistines, who were scoffers: ‘And it came to pass, after their hearts were merry, that they said, Call for Samson, that he may make us sport’ (Judges 16:25).”

4. II:22: Further exposition of the same verse of Scripture.

5. II:23: Further exposition of the same verse of Scripture.

6. II:24: Further exposition of the same verse of Scripture.

7. II:25: Further exposition of the same verse of Scripture. “By streams of water”: Said R. Tanhum, “A person should always divide into thirds one’s years of study, a third to be devoted to Scripture, a third to the Mishnah, and a third to the Talmud.”

8. II:26: Further exposition of the same verse of Scripture.

a. II:27: Secondary expansion of foregoing.

9. II:28: Further exposition of the same verse of Scripture.

a. II:29: Said R. Joshua b. Levi, “This matter is written in the Torah, repeated in the Prophets, and further repeated in the Writings: ‘Whoever is devoted to study of the Torah — his property prospers for him.’”

b. II:30: R. Alexandri proclaimed, “Who wants life? Who wants life?” Everybody came running to him, saying, “Give us life!” He said to them, “‘Who is the one who desires life and loves days that he may see good therein? Keep your tongue from evil and your lips from speaking guile, depart from evil and do good, seek peace and pursue it’ (Psa. 34:12-15).”

H. ONCE THEY REACH THE VAULTING ON WHICH THEY SET UP AN IDOL, IT IS FORBIDDEN TO HELP BUILD ANY LONGER.

1. III:1: Said R. Eleazar said R. Yohanan, “But if he has actually built that part, still, his salary is permitted.”

IX. Mishnah-Tractate Abodah Zarah 1:8A-F

A. AND THEY DO NOT MAKE ORNAMENTS FOR AN IDOL: (1) NECKLACES, (2) EARRINGS, OR (3) FINGER RINGS. R. ELIEZER SAYS, “FOR A WAGE IT IS PERMITTED TO DO SO.”

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

a. I:2: Extension of the exegesis of the proof-text adduced at I:1.

I. I:3: Continuation of the foregoing. But the matter of whether or not it is permitted to give them gratuitous gifts is subject to a conflict between Tannaite rulings.

II. I:4: Continuation of the foregoing.

B. COMPOSITE ON THE PROHIBITION OF STARING IN A LASCIVIOUS OR OTHERWISE IMPROPER MANNER

A. I:5: one should not stare at a beautiful woman, even if she is not married, or at a married woman, even if she is ugly, or at a woman's exquisite clothing; or at male or female asses; or at a pig and a sow; or at fowls when they are mating; even if one is all eyes like the angel of death.

B. I:6: They say of the angel of death that the whole of him is made up of eyes.

1. I:7: Gloss.

2. I:8: As above.

3. I:9: As above.

4. I:10: As above.

C. I:11: "You shall keep yourself from every evil thing" (Deu. 23:10): one should not fantasize by day and so produce a nocturnal emission.

C. THEY DO NOT SELL THEM PRODUCE AS YET UNPLUCKED. BUT ONE MAY SELL IT ONCE IT HAS BEEN HARVESTED. R. JUDAH SAYS, "ONE MAY SELL IT TO HIM WITH THE STIPULATION THAT HE WILL HARVEST IT."

1. II:1: Our rabbis have taught on Tannaite authority: "They sell a gentile a tree on the stipulation that he will cut it down, but then he must cut it down," the words of R. Judah. And R. Meir says, "They sell to them trees only that have been cut down." They sell a gentile growth for fodder on the stipulation that he will cut it down, but then he must cut it down," the words of R. Judah.

2. II:2: The question was raised: What is the rule governing the case of selling a beast on condition that it be slaughtered? In the other cases, the reason that R. Judah permits such an action is that the things are not in the gentile's domain, so they could not be left there, while cattle, which is in his own domain, might be kept by him without his slaughtering it? Or is there no distinction?

X. Mishnah-Tractate Abodah Zarah 1:8G-L, 9A-D

A. "THEY DO NOT RENT THEM HOUSES IN THE LAND OF ISRAEL, AND, IT GOES WITHOUT SAYING, FIELDS:

1. I:1: What is the meaning of, and, it goes without saying, fields?

B. "IN SYRIA THEY RENT HOUSES TO THEM, BUT NOT FIELDS:

1. II:1: Why is the selling of houses exceptional and not allowed?

C. “AND ABROAD THEY SELL THEM HOUSES AND RENT THEM FIELDS,” THE WORDS OF R. MEIR:

1. III:1: As to a field, in which two considerations are in play, rabbis made a decree, but as to a house, to which two considerations do not apply, no such decree was made.

D. R. YOSÉ SAYS, “IN THE LAND OF ISRAEL THEY RENT THEM HOUSES, BUT NOT FIELDS:

1. IV:1: What is the operative consideration?

E. “IN SYRIA THEY SELL THEM HOUSES AND RENT THEM FIELDS:

1. V:1: R. Yosé takes the view that an area that was conquered only by an individual but not by the entire nation of Israel also is not classified as part of the initial conquest. Now as to a field, in which two considerations are in play, rabbis made a decree, but as to a house, to which two considerations do not apply, no such decree was made.

F. “AND ABROAD THEY SELL THEM BOTH THE ONE AND THE OTHER:”

1. VI:1: What is the operative consideration?

2. VI:2: Said R. Judah said Samuel, “The decided law accords with the view of R. Yosé.”

G. EVEN IN THE SITUATION CONCERNING WHICH THEY HAVE RULED THAT THEY MAY RENT, IT IS NOT FOR USE AS A RESIDENCE THAT THEY RULED THAT IT IS PERMITTED, BECAUSE HE BRINGS AN IDOL INTO IT, AS IT IS SAID, “YOU SHALL NOT BRING AN ABOMINATION INTO YOUR HOUSE” (DEU. 7:26).

1. VII:1: Does that formulation bear the implication that there is a locale in which one may not rent out a house? Then the anonymous formulation of the rule accords with the position of R. Meir, for if it were in accord with R. Yosé, in point of fact it is permitted to rent out to them in all locales.

H. AND IN NO PLACE MAY ONE RENT HIM A BATHHOUSE, SINCE IT WOULD BE CALLED BY HIS THE ISRAELITE’S NAME AND ITS USE ON THE SABBATH WILL BE ATTRIBUTED TO THE ISRAELITE.

1. VIII:1: It has been taught on Tannaite authority: R. Simeon b. Gamaliel says, “In no place may one rent out his bathhouse to a gentile, since it would be called by the Israelite’s name, and people will wash in it on the Sabbath” (T. [A.Z. 2:9E](#)).

2. VIII:2: It has been taught on Tannaite authority: R. Simeon b. Eleazar says, “In no place may one rent out his field to a Samaritan, since it would be called by the Israelite’s name, and they will perform acts of labor in it on the intermediate days of festival days” (T. [2:9F](#)).

a. VIII:3: Illustrative case.

b. VIII:4: Illustrative case.

3. I:5: The question was raised: What if there is no stipulated arrangement?

XI. Mishnah-Tractate Abodah Zarah 2:1A-F

I. A. THEY DO NOT LEAVE CATTLE IN GENTILES' INNS, BECAUSE THEY ARE SUSPECT IN REGARD TO BESTIALITY:

1. I:1: With regard to the rule, They do not leave cattle in gentiles' inns, because they are suspect in regard to bestiality, an objection was raised: They purchase from gentiles cattle for an offering, and need not scruple on the count of the gentile's having practiced bestiality with it or suffered bestiality from it, or having set aside the beast for idolatrous worship, or having actually worshipped the beast (T. **A.Z. 1:1G-H**).

a. I:2: Secondary expansion of the foregoing Tosefta-passage.

i. I:3: Proof for a subordinate proposition of the foregoing.

b. I:4: As above, I:2.

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

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

a. I:7: The difference of opinion between R. Eliezer and rabbis is only with regard to the possibility of bestiality, but if there is no doubt that an act of bestiality has taken place, the beast is unfit. What follows from that fact is that the red cow falls into the classification of Holy Things that are designated for the altar. For if you maintain that since it is not offered in the Temple but outside it falls into the classification of Holy Things designated for the upkeep of the Temple house, then does an act of bestiality invalidate a beast in that classification?

I. I:8: Gloss of a detail of the foregoing.

II. I:9: Gloss of a detail of the foregoing.

III. I:10: Gloss of a detail of the foregoing.

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

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

I. I:12: Amplification of a proof-text of the foregoing.

II. I:13: Continuation of the issue of gentiles’ offerings, raised at I:11.

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

I. I:15: Further on a proof-text of the foregoing.

II. I:16: Gloss of a proof-text in the foregoing.

III. I:17: As above.

IV. I:18: As above.

V. I:19: As above.

VI. I:20: As above.

VII. I:21: As above.

VIII. I:22: As above.

IX. I:23: As above.

X. I:24: As above.

XI. I:25: As above.

XII. I:26: As above.

XIII. I:27: As above.

B. AND A WOMAN SHOULD NOT BE ALONE WITH THEM, BECAUSE THEY ARE SUSPECT IN REGARD TO FORNICATION:

1. II:1: With what sort of case do we deal?

C. AND A MAN SHOULD NOT BE ALONE WITH THEM, BECAUSE THEY ARE SUSPECT IN REGARD TO BLOODSHED.

1. III:1: Our rabbis have taught on Tannaite authority: When an Israelite goes along with a gentile, he puts him at his right hand, and he does not put him at his left hand.

a. III:2: Illustrative story.

b. III:3: Illustrative story.

c. III:4: Illustrative story.

XII. Mishnah-Tractate Abodah Zarah 2:1G-L

A. AN ISRAELITE GIRL SHOULD NOT SERVE AS A MIDWIFE TO A GENTILE WOMAN, BECAUSE SHE SERVES TO BRING FORTH A CHILD FOR THE SERVICE OF IDOLATRY. BUT A GENTILE WOMAN MAY SERVE AS A MIDWIFE TO AN ISRAELITE GIRL:

1. I:1: Our rabbis have taught on Tannaite authority: An Israelite girl should not serve as a midwife to a gentile woman, because she serves to bring forth a child for the service of idolatry. And a gentile girl should not serve as a midwife for an Israelite girl, because they are suspect as to the taking of life,” the words of R. Meir. And sages say, “A gentile girl serves as midwife for an Israelite girl when others are supervising her. But if they are all by themselves, it is prohibited, because they are suspect as to the taking of life” (T. **A.Z. 3:3D-J**).

a. I:2: Illustrative case.

B. AN ISRAELITE GIRL SHOULD NOT GIVE SUCK TO THE CHILD OF A GENTILE WOMAN. BUT A GENTILE WOMAN MAY GIVE SUCK TO THE CHILD OF AN ISRAELITE GIRL, WHEN IT IS BY PERMISSION.

1. II:1: Our rabbis have taught on Tannaite authority: “An Israelite girl should not give suck to the child of a gentile woman because she raises a child for the service of idolatry. And a gentile woman should not give suck to the child of an Israelite girl, because they are suspect of manslaughter,” the words of R. Meir. And sages say, “And a gentile woman may give suck to the child of an Israelite girl, when others are standing by, but not when she is all alone with the child.”

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

2. II:3: Continuation of II:1: An objection was raised: A Jewish woman may serve as a midwife to a gentile woman if she is paid, but not free of charge.

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

4. II:5: As to an apostate, R. Aha and Rabina — one said, “He who eats forbidden food with gusto is an apostate, and he who does it for sheer spite is a Min.” The other said, “Even if he did it for sheer spite, he is classified as an apostate. And what is the definition of a Min? It is one who worships idols.”

a. II:6: Gloss of foregoing.

5. II:7: An Israelite circumcises a gentile for purposes of conversion. That excludes doing so for the purpose of removing a worm lodged in the foreskin,

which one may not remove through circumcision. “But a gentile should not circumcise an Israelite, because they are suspect of bloodshed,” the words of R. Meir. And sages say, “A gentile may circumcise an Israelite when others are supervising him. But if they are all alone, it is prohibited, because they are suspect of bloodshed” (T. **A.Z. 3:12A-E**).

a. II:8: Proof from Scripture for a detail of the foregoing.

b. II:9: Proof from Scripture for a detail of the foregoing.

XIII. Mishnah-Tractate Abodah Zarah 2:2

A. THEY ACCEPT FROM THEM HEALING FOR PROPERTY, BUT NOT HEALING FOR A PERSON.

1. I:1: What is the definition of healing for property, and what is the definition of healing for a person?

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

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

b. I:4: As above.

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

4. I:6: Continuation of foregoing.

a. I:7: Gloss of foregoing.

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

a. I:9: Gloss of a detail of the foregoing.

b. I:10: As above.

c. I:11: As above.

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

B. APPENDIX ON THE SYMPTOMS OF VARIOUS AILMENTS AND THEIR CURES

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

2. I:14: Said Raba, “An abscess is a forerunner of fever.”

a. I:15: Case: R. Jacob was pained by a slit in the rectum, and R. Ammi — some say, R. Assi — instructed him to take seven grains of purple colored alkali, wrap them up in the collar of a shirt, tie it around with a white

thread of cattle hair, dip it in white naphtha, and burn it, and apply the ashes to the sore.

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

3. I:17: Said Rabbah bar Zutra said R. Hanina, “People may raise up the ear into proper position on the Sabbath.”

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

a. I:19: Case.

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

6. I:21: Said R. Judah, “The wasp’s sting, the thorn’s prick, an abscess, a sore eye, or an inflammation — for all of these a bathhouse is dangerous.”

7. I:22: Our rabbis taught on Tannaite authority: He who has blood let should not eat milk, cheese, onions, or pepperwort.

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

9. I:24: Our rabbis have taught on Tannaite authority: Six things heal a sick person to recover from illness and really do cure: cabbage, beets, a mixture of dry sisin, tripe, womb, and the lobe above the liver; some say, also small fish.

C. “AND THEY DO NOT ALLOW THEM TO CUT HAIR UNDER ANY CIRCUMSTANCES,” THE WORDS OF R. MEIR. AND SAGES SAY, “IN THE PUBLIC DOMAIN IT IS PERMITTED, BUT NOT IF THEY ARE ALONE.”

1. I:1: Our rabbis have taught on Tannaite authority: An Israelite who is getting a haircut from a gentile watches in the mirror. If it is from a Samaritan, he does not watch in the mirror. An Israelite who is giving a haircut to a gentile, when he has reached the forelock, removes his hand from the hair and does not cut it off (T. **A.Z. 3:5A-B, 3:6A**).

a. I:2: Gloss of the foregoing.

i. I:3: Illustrative case.

b. I:4: Gloss of I:1.

i. I:5: Mnemonic for a saying of the foregoing.

XIV. Mishnah-Tractate Abodah Zarah 2:3-5

A. THESE THINGS BELONGING TO GENTILES ARE PROHIBITED, AND THE PROHIBITION AFFECTING THEM EXTENDS TO DERIVING ANY BENEFIT FROM THEM AT ALL: (1) WINE:

1. I:1: What is the source in scripture for this prohibition?

B. (2) VINEGAR OF GENTILES WHICH TO BEGIN WITH WAS WINE:

1. II:1: So what’s new! Merely because the wine has turned to vinegar, does the prohibition affecting it disappear?

2. II:2: Said R. Ilai, We have repeated as an authoritative rule: wine that has been boiled, which belongs to gentiles, that to begin with was raw wine belonging to a gentile, is forbidden.” So what’s new! Merely because the wine has been boiled, does the prohibition affecting it disappear?

3. II:3: Our rabbis have taught on Tannaite authority: Boiled wine and aromatic water belonging to gentiles — lo, these are prohibited because they begin as wine. Aromatic water in its natural condition — lo, this is permitted (T. **A.Z. 4:12A-B**).

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

a. II:5: Case.

b. II:6: Case.

c. II:7: Case.

d. II:8: Case.

I. II:9: Gloss of a detail of the foregoing: Said R. Pappa, “They have made that statement only of wine that has been well diluted, but if it is only slightly diluted, a snake might drink of it.”

A. II:10: Case.

B. II:11: Case.

5. II:12: Said R. Joshua b. Levi, “There are three classes of wine to which the consideration of covering up does not apply, and these are they: what is strong, bitter, and sweet.”

6. II:13: Said R. Simeon b. Laqish, “Qarina wine is not subject to prohibition because of being left uncovered.”

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

8. II:15: Our rabbis have taught on Tannaite authority: Wine in the first stages of fermentation is not subject to prohibition on the count of having been left uncovered.

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

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

11. II:18: Said R. Hiyya bar Ashi said Samuel, “The opening of a fig just picked and left overnight is not prohibited under the rule of liquids left uncovered.”

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

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

a. II:20: Gloss of a detail of the foregoing.

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

a. II:22: Gloss of foregoing.

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

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

a. II:25: Gloss of foregoing.

16. II:26: Our rabbis have taught on Tannaite authority: At first they ruled: wine of En Bushi is forbidden because of the close proximity of Birat Sirika; wine of Borkata is forbidden because of the close proximity of Kefar Parshai; wine of Zagdar is forbidden because of the close proximity of Kefar Shalem.

18. II:27: It has been stated: How come beer of gentiles has been prohibited? R. Ammi b. Hama said R. Isaac said, “On account of the possibility of intermarriage.” R. Nahman said, “Because it might have been left uncovered.”

a. II:28: Illustrative case.

b. II:29: Illustrative case.

c. II:30: Illustrative case.

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

C. (3) HADRIANIC EARTHENWARE:

1. III:1: What is the meaning of Hadrianic?

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

3. III:3: The question was raised: What is the law as to resting the legs of a bed on these sherds? Is it permitted or forbidden to keep what is forbidden for a purpose other than that on account of which the thing is forbidden? By using the sherds for

such a purpose, the person wants to keep them, even though not for the wine therein; an act that involves preserving libation wine is forbidden.

a. III:4: Gloss of a detail of the foregoing.

D. AND (4) HIDES PIERCED AT THE HEART:

1. IV:1: Our rabbis have taught on Tannaite authority: What are hides pierced at the heart? Any which is perforated at the heart of the beast, and made into a kind of peephole, but if it is straight, it is permitted — if there is a drop of coagulated blood, it is forbidden. But if there is no drop of coagulated blood, it is permitted.

E. RABBAN SIMEON B. GAMALIEL SAYS, “WHEN THE TEAR IN THE HIDE IS ROUND, IT IS PROHIBITED. IF IT IS STRAIGHT, IT IS PERMITTED.”

1. V:1: Said R. Joseph said R. Judah said Samuel, ‘The decided law is in accord with Rabban Simeon b. Gamaliel.’

F. MEAT WHICH IS BEING BROUGHT IN TO AN IDOL IS PERMITTED.

1. VI:1: Who is the Tannaite authority behind this rule?

G. “BUT THAT WHICH COMES OUT IS PROHIBITED, BECAUSE IT IS LIKE SACRIFICES OF THE DEAD (PSA. 106:28),” THE WORDS OF R. AQIBA.

1. VII:1: What is the operative consideration here? Who is the Tannaite authority behind this rule?

H. WITH THOSE WHO ARE GOING TO AN IDOLATROUS PILGRIMAGE — IT IS PROHIBITED TO DO BUSINESS.

1. VIII:1: Said Samuel, “With those idolators who are going to an idolatrous pilgrimage — it is prohibited to do business — because they will go and give thanks to the idol. But with those that are coming back it is permitted — for what was was. As to an Israelite, it is permitted to do business with him when he is on a pilgrimage to worship an idol, since he may change his mind and not make the trip; but when he is coming back, it is forbidden, since he has already joined to the idol, so he will keep going back.”

2. VIII:2: It has been taught on Tannaite authority: With a gentile who is going to a fair, whether going or coming home, it is permitted to do business; with an Israelite going to a fair, en route to the fair, it is permitted to do business, when he is coming home, it is forbidden.

I. WITH THOSE THAT ARE COMING BACK IT IS PERMITTED.

1. IX:1: Said Simeon b. Laqish, “That teaching is repeated as authoritative only if they do not form a caravan together, but if they form a caravan together, they are forbidden, for I say that they plan to go back again.”

J. “SKINS OF GENTILES AND THEIR JARS, WITH ISRAELITE WINE COLLECTED IN THEM — THEY ARE PROHIBITED, AND THE PROHIBITION AFFECTING THEM EXTENDS TO DERIVING BENEFIT FROM THEM AT ALL,” THE WORDS OF R. MEIR. AND SAGES SAY, “THE PROHIBITION AFFECTING THEM DOES NOT EXTEND TO DERIVING BENEFIT FROM THEM.”

1. X:1: Our rabbis have taught on Tannaite authority: Skins belonging to gentiles — those that are scraped, if new, are permitted. If old or lined with pitch, they are

forbidden. If, while an Israelite supervises him, a gentile works it and pitches it, one may collect wine or oil in it without scruple (T. **A.Z. 4:10A-C**).

a. X:2: Illustrative case.

2. X:3: Our rabbis have taught on Tannaite authority: Jars belonging to gentiles — new ones that have been stripped are permitted. Old ones that have been pitched are prohibited. And one in which a gentile collected water — If an Israelite filled it up, an Israelite is permitted also to put wine or oil into it. And if a gentile collected wine in it, an Israelite may forthwith put in bran or brine without scruple (T. **A.Z. 4:10G-L**).

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

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

a. X:6: Illustrative case.

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

a. X:8: Illustrative case.

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

7. X:10: As to earthenware drinking cups used only for water — R. Assi prohibits them, And R. Ashi permits them.

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

9. X:12: “The decided law is as follows: as to bottles belonging to gentiles, the decided law is that after twelve months of desuetude, they are permitted.

K. “GRAPE PITS AND GRAPE SKINS BELONGING TO GENTILES ARE PROHIBITED, AND THE PROHIBITION AFFECTING THEM EXTENDS TO DERIVING ANY BENEFIT FROM THEM AT ALL,” THE WORDS OF R. MEIR. AND SAGES SAY, “IF THEY ARE MOIST, THEY ARE FORBIDDEN. IF THEY ARE DRY, THEY ARE PERMITTED.”

1. XI:1: Our rabbis have taught on Tannaite authority: Grape pits and grape skins belonging to gentiles, when moist are forbidden, but when dry are permitted.

2. XI:2: Said Rabbah bar bar Hana said R. Yohanan, “When they are forbidden, the prohibition extends even to deriving benefit from them. When they are permitted, they are permitted even for eating.”

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

L. “FISH BRINE...BELONGING TO GENTILES ARE PROHIBITED, AND THE PROHIBITION OF THEM EXTENDS TO DERIVING ANY BENEFIT FROM THEM AT ALL,” THE WORDS OF R. MEIR. AND SAGES SAY, “THE PROHIBITION OF THEM DOES NOT EXTEND TO DERIVING BENEFIT FROM THEM.”

1. XII:1: Our rabbis have taught on Tannaite authority: Fish brine prepared by experts who do not use unclean fish is permitted. R. Judah b. Gamaliel says in the name of R. Hanina b. Gamaliel, “Even brine of hiliq fish prepared by an expert is permitted.

a. XII:2: Illustrative case.

M. “...BYTHINIAN CHEESE BELONGING TO GENTILES ARE PROHIBITED, AND THE PROHIBITION OF THEM EXTENDS TO DERIVING ANY BENEFIT FROM THEM AT ALL,” THE WORDS OF R. MEIR. AND SAGES SAY, “THE PROHIBITION OF THEM DOES NOT EXTEND TO DERIVING BENEFIT FROM THEM.”

1. XIII:1: Said R. Simeon b. Laqish, “On what account have sages prohibited Bythinian cheese? It is because most of the calves which have supplied the rennet for making the cheese are slaughtered in honor of sacrifices for idols.”

N. SAID R. JUDAH, “R. ISHMAEL ASKED R. JOSHUA AS THEY WERE GOING ALONG THE ROAD. HE SAID TO HIM, ‘ON WHAT ACCOUNT DID THEY PROHIBIT CHEESE MADE BY GENTILES?’ HE SAID TO HIM, ‘BECAUSE THEY CURDLE IT WITH RENNET FROM CARRION.’ HE SAID TO HIM, ‘AND IS NOT THE RENNET FROM A WHOLE-OFFERING SUBJECT TO A MORE STRINGENT RULE THAN RENNET FROM CARRION, AND YET THEY HAVE SAID, ‘A PRIEST WHO IS NOT SQUEAMISH SUCKS IT OUT RAW?’ (BUT THEY DID NOT CONCUR WITH HIM AND RULED, “IT IS NOT AVAILABLE FOR THE PRIEST’S BENEFIT, WHILE IT ALSO IS NOT SUBJECT TO THE LAWS OF SACRILEGE.”) HE WENT AND SAID TO HIM, ‘BECAUSE THEY CURDLE IT WITH RENNET OF SALVES SACRIFICED TO IDOLS.’ HE SAID TO HIM, ‘IF SO, THEN WHY HAVE THEY NOT ALSO EXTENDED THE PROHIBITION AFFECTING IT TO THE MATTER OF DERIVING BENEFIT FROM IT?’

1. XIV:1: Said R. Ahadeboi said Rab, “He who consecrates a woman with the exchange of a token that consists of the shit of an ox that is to be stoned — the woman is deemed consecrated since the shit is held to have the value of at least two pennies. If he did so with the shit of calves that were consecrated to idolatry, the woman is not betrothed.

O. HE MOVED HIM ON TO ANOTHER SUBJECT. HE SAID TO HIM, ‘ISHMAEL, MY BROTHER, HOW DO YOU READ THE VERSE: “FOR YOUR MASCULINE LOVE IS BETTER THAN WINE, OR, YOUR FEMININE LOVE IS BETTER THAN WINE” (SON. 1: 2)?’ HE SAID TO HIM, ““FOR YOUR FEMININE LOVE IS BETTER THAN WINE.”” “HE SAID TO HIM, ‘THE MATTER IS NOT SO. FOR ITS NEIGHBOR TEACHES CONCERNING IT, “YOUR MASCULINE OINTMENTS HAVE A GOODLY FRAGRANCE” (SON. 1: 3).”

1. XV:1: What is the meaning of the verse, “For your love is better than wine” (Son. 1: 3)?

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

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

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

XV. Mishnah-Tractate Abodah Zarah 2:6

A. AND WHAT ARE THINGS OF GENTILES WHICH ARE PROHIBITED, BUT THE PROHIBITION OF WHICH DOES NOT EXTEND TO DERIVING BENEFIT FROM THEM? (1) MILK DRAWN BY A GENTILE WITHOUT AN ISRAELITE’S WATCHING HIM:

1. I:1: On what account should he take precautions?

B. (2) THEIR BREAD:

1. II:1: Said R. Kahana said R. Yohanan, “Their bread was never declared by a court to be permitted though Judah the Patriarch’s court permitted Israelites to use their oil.”

a. II:2: Illustrative case.

C. AND (3) THEIR OIL — (RABBI AND HIS COURT PERMITTED THEIR OIL):

1. III:1: As to oil, Rab said, “Daniel made a decree against it.” And Samuel said, “It is the residue from their utensils, which are unclean, that imposes a prohibition upon it.”

2. III:2: But was it Daniel who made the decree against their oil? And did not Bali say Abimi the Nabataean said Rab said, “As to decrees against their bread, oil, wine, and daughters, all of them are among the eighteen decrees made in the upper room of Hananiah when the House of Shammai outnumbered the House of Hillel.” How could anyone suppose Daniel had made that decree anyhow?

a. III:3: Gloss of foregoing.

l. III:4: As above.

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

a. III:6: Gloss of a secondary item of the foregoing.

b. III:7: As above.

c. III:8: As above.

d. III:9: As above.

e. III:10: As above.

D. (4) STEWED AND PICKLED VEGETABLES INTO WHICH IT IS CUSTOMARY TO PUT WINE AND VINEGAR

1. IV:1: What is the scriptural source for this rule?

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

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

4. IV:4: Said R. Barona said Rab, “If a gentile lit a fire in uncleared ground to prepare it for cultivation, all of the locusts that turned up roasted in that uncleared ground are forbidden for Israelite consumption as having been cooked by gentiles.”

a. IV:5: Gloss of a detail of the foregoing. Said R. Hanan b. Ammi said R. Pedat said R. Yohanan said, “If a gentile singed the head of an animal slaughtered by an Israelite, so as to remove the hair, one is permitted to eat even from the tip of the ear”

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

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

6. IV:8: As to fish salted by a gentile.

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

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

9. IV:11: What is the law on a roasted egg?

10. IV:12: Our rabbis have taught on Tannaite authority: Caperflower, leeks, and liverwort preserved by gentiles, water boiled by them, and ears of grain roasted by them, are permitted, but an egg roasted by them is forbidden.

11. IV:13: It has been taught on Tannaite authority: The same rule pertains to both liverwort and pesilya beans and Egyptian beans.

12. IV:14: Our rabbis have taught on Tannaite authority: As to date husks left after the juice has been pressed that derive from a gentile, if boiled in a large cauldron, they are prohibited, but if boiled in a small cauldron, they are permitted since something unclean will not fit into the small cauldron.

13. IV:15: Said R. Sheshet, “Cooked oil of an Aramaean is forbidden.”

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

15. IV:17: As for shatita a beverage made from roasted flour, with the sweetness cut by vinegar — Rab permits it. The father of Samuel and Levi both prohibit it.

E. AND PICKLED VEGETABLES INTO WHICH IT IS CUSTOMARY TO PUT WINE AND VINEGAR

1. V:1: Said Hezekiah, “This rule is only if it is customary that they do so. But if it is certain that they do so, then the food is prohibited even to derive benefit from such food.”

F. (5) MINCED FISH; (6) BRINE WITHOUT KILKIT FISH FLOATING IN IT:

1. VI:1: What is hileq fish? Said R. Nahman bar Abba said Rab, “It is sultanit fish.” How come it is prohibited?

2. VI:2: Our rabbis have taught on Tannaite authority: If a species of fish has no fins and scales now but is going to grow them later on, for example, the sultanit fish and the aphis fish, lo, this species of fish is permitted.
3. VI:3: R. Abbahu proclaimed in Caesarea: “The innards of fish and fish roe may be purchased from anyone at all,” in the assumption that they derive only from Pelusium and Aspamia where no forbidden fish flourish.
4. VI:4: Said Abbaye, “The sea-ass is permitted, the sea-ox is forbidden, and your mnemonic is that the unclean ass is permitted, and the clean ox is forbidden.”
 - a. VI:5: Illustration of rabbis’ decisions.

G. (7) HILEQ FISH, (8) DROPS OF ASAFOETIDA:

1. VII:1: How come they are forbidden when deriving from a gentile?
 - a. VII:2: Illustration through a concrete case.
 - b. VII:3: Illustration of the same principle as above, but a different case.
 - l. VII:4: Gloss of foregoing.
 - A. VII:5: Illustration of the principle of the foregoing, that we confirm the prevailing supposition.
6. VII:6: Said Rab, “Milk, meat, wine, and blue wool deriving from a gentile with only a single seal are forbidden, but asafoetida, fish sauce, bread, and cheese marked with only a single seal are permitted.
7. VII:7: Our rabbis have taught on Tannaite authority: In Syria they do not buy wine, brine, milk, sal-conditum, asafoetida, or cheese, except from an expert. But any of these may be eaten in the home of one who is not an expert, and one need not scruple on that account (T. **A.Z. 4:13E-G**).

H. AND (9) SAL-CONDITUM:

1. VIII:1: What is the definition of sal-conditum?
2. VIII:2: Our rabbis have taught on Tannaite authority: “Black sal-conditum is prohibited, white is permitted,” the words of R. Meir. R. Judah says, “White is prohibited, black permitted.” R. Judah b. Gamaliel says in the name of R. Hanina b. Gamaliel, “Both are forbidden” (T. **A.Z. 4:12H-J**).

I. LO, THESE ARE PROHIBITED, BUT THE PROHIBITION AFFECTING THEM DOES NOT EXTEND TO DERIVING BENEFIT FROM THEM:

1. IX:1: What does this concluding generalization mean to exclude?
2. IX:2: The anonymous therefore authoritative statement of the Mishnah is in accord with the position of R. Meir.

XVI. Mishnah-Tractate Abodah Zarah 2:7

A. THESE ARE THINGS WHICH TO BEGIN WITH ARE PERMITTED FOR ISRAELITE CONSUMPTION. (1) MILK WHICH A GENTILE DREW, WITH AN ISRAELITE WATCHING HIM:

1. I:1: That which we repeat as the Tannaite statement before us sustains that which our rabbis have taught on Tannaite authority. An Israelite may sit at the side of his the gentile's corral, and a gentile may milk the cows and bring the milk to him, and one does not scruple (T. 4:11P).

B. (2) HONEY:

1. II:1: On what account should one take precautions in connection with honey?

C. (3) GRAPE CLUSTERS, (EVEN THOUGH THEY DRIP WITH MOISTURE, THEY ARE NOT SUBJECT TO THE RULE OF IMPARTING SUSCEPTIBILITY TO UNCLEANNES AS LIQUID):

1. III:1: An objection was raised: He who gleans grapes for the wine press — Shammai says, "The grapes have been rendered susceptible to uncleanness." Hillel says, "The grapes have not been rendered susceptible to uncleanness." But Hillel concurred with Shammai.

D. (4) PICKLED VEGETABLES INTO WHICH IT IS NOT CUSTOMARY TO PUT WINE OR VINEGAR; (5) UNMINCED FISH; (6) BRINE CONTAINING FISH:

1. IV:1: Our rabbis have taught on Tannaite authority: What is the definition of herring that has not been minced? It is a fish in which the head and backbone are to be discerned

2. IV:2: It has been stated: R. Huna said, "Herring is regarded as minced only if the head and backbone are to be discerned." R. Nahman said, "Herring is regarded as minced if either the head or the backbone is to be discerned."

a. IV:3: Illustrative case.

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

4. IV:5: Said R. Barona said Rab, "The innards of fish and their roe should be bought only from an expert."

a. IV:6: Why do I need an expert to examine the distinctive traits? For it has been taught on Tannaite authority: The definitive traits of birds are the same as the definitive traits of fish.

b. IV:7: And what is to be done if there is no available expert?

E. (7) A WHOLE LEAF OF ASAFOETIDA:

1. V:1: That is self-evident!

F. AND (8) PICKLED OLIVE CAKES:

1. VI:1: That is self-evident!

G. R. YOSÉ SAYS, "THOSE WHICH ARE SODDEN ARE PROHIBITED."

1. VII:1: What is the meaning of "sodden"?

H. LOCUSTS WHICH COME FORM THE SHOPKEEPER'S BASKET ARE FORBIDDEN. THOSE WHICH COME FROM THE STOCK OF HIS SHOP ARE PERMITTED:

1. VIII:1: Our rabbis have taught on Tannaite authority: Locusts, capers, and leeks that come from storage, the storehouse, or a ship — lo, these are permitted. But if they are sold in a basket in front of a store, lo, they are prohibited, because they sprinkle them with wine so as to improve their appearance (T. **A.Z. 4:12F-G**).

2. VIII:2: Our rabbis have taught on Tannaite authority: Once Rabbi suffered bowel trouble and said, “Is there anybody who knows whether a gentile’s apple cider is forbidden or permitted?”

I. AND SO IS THE RULE FOR HEAVE-OFFERING.

1. IX:1: What is the meaning of the statement, And so is the rule for heave-offering?

XVII. Mishnah-Tractate Abodah Zarah 3:1

A. “ALL IMAGES ARE PROHIBITED, BECAUSE THEY ARE WORSHIPPED ONCE A YEAR,” THE WORDS OF R. MEIR:

1. I:1: If the idols are worshipped once a year, then how come rabbis permit them?

2. I:2: Said R. Judah said Samuel, “We have learned to repeat the rule of the Mishnah only with reference to royal statues.” Said Rabbah bar bar Hana said R. Yohanan, “We have learned to repeat the rule of the Mishnah only with reference to statues that are located at the gate of the city.”

B. AND SAGES SAY, “PROHIBITED IS ONLY ONE WHICH HAS IN ITS HAND A STAFF, BIRD, OR SPHERE.”

1. II:1: A staff, for it rules the whole world as with a staff; A bird, for it holds the whole world in its hand like a bird;

2. II:2: It has been taught as a Tannaite statement: They added to the list a sword, crown, and ring;

C. RABBAN SIMEON B. GAMALIEL SAYS, “ANY WHICH HAS ANYTHING AT ALL IN ITS HAND.”

1. III:1: It has been taught as a Tannaite statement: Even a pebble, even a chip of wood.

2. III:2: R. Ashi raised the question, “If it was holding in its hand a piece of shit, what is the law? Do we maintain that in the idol’s view, everybody is like shit? Of perhaps, in everybody’s view, the idol is like shit?”

XVIII. Mishnah-Tractate Abodah Zarah 3:2

A. HE WHO FINDS THE SHERDS OF IMAGES — LO, THESE ARE PERMITTED. IF ONE FOUND A FRAGMENT SHAPED LIKE A HAND OR A FOOT, LO, THESE ARE PROHIBITED, BECAUSE OBJECTS SIMILAR TO THEM ARE WORSHIPPED.

1. I:1: Said Samuel, “Even sherds of idols are permitted.”

2. I:2: We have learned in the Mishnah: If one found a fragment shaped like a hand or a foot, lo, these are prohibited, because objects similar to them are worshipped. Now why should this be so? Lo, they are mere sherds!

3. I:3: It has been stated: An idol that broke on its own and was not deliberately demolished — R. Yohanan said, “Its sherds are forbidden.” R. Simeon b. Laqish said, “Its sherds are permitted.”

XIX. Mishnah-Tractate Abodah Zarah 3:3A-B

A. HE WHO FINDS UTENSILS UPON WHICH IS THE FIGURE OF THE SUN, MOON, OR DRAGON, SHOULD BRING THEM TO THE SALT SEA.

1. I:1: Does the Mishnah’s statement bear the implication that these in particular they worship, while other things they do not worship? But an objection may be raised from the following: He who carries out an act of slaughter of an animal for the sake of seas, rivers, a desert, the sun, moon, stars, planets, Michael the Great Prince, a tiny worm — lo, these are classified as “sacrifices of the dead.” So gentiles worship just about anything.

2. I:2: R. Sheshet would gather difficult passages of the Mishnah and repeat them: Icons of all planets are permitted, except for those of the sun and the moon; icons of all faces are permitted, except for a human face; icons of all figures are permitted, except for that of a dragon.

a. I:3: Gloss of foregoing.

3. I:4: Our rabbis have taught on Tannaite authority: What is the sort which has a dragon, which is prohibited? R. Simeon b. Eleazar says, “Any from which the projections go forth from the shoulder of the figure. But if it was smooth, lo, this is permitted” (T. **A.Z. 5:2R-T**).

4. I:5: Story that yields these rules: a gentile may nullify his idol and that belonging to his fellow; the second is that one who knows the character of an idol and its appurtenances may nullify an idol, but one who does not know the character of an idol and its appurtenances may not nullify an idol, and the third is that a gentile may be forced to nullify an idol.

5. I:6: There we have learned in the Mishnah: A picture of the shapes of the moon did Rabban Gamaliel have on a tablet and on the wall of his upper room, which he would show ordinary folk, saying, “Did you see it like this or like that?” (M. **R.H. 2:8A**). Now is doing so permitted? And has it not been written, “You shall not make with me” (Exo. 20:23), meaning, you not make anything that looks like my attendants, who serve before me in the heights”?

a. I:7: Continuation of foregoing.

b. I:8: Continuation of foregoing.

I. I:9: Gloss of foregoing.

II. I:10: Continuation of foregoing.

B. RABBAN SIMEON B. GAMALIEL SAYS, “THOSE THAT ARE FOUND ON OBJECTS OF VALUE ARE PROHIBITED, BUT THOSE THAT ARE FOUND ON OBJECTS OF NO WORTH ARE PERMITTED.”

1. II:1: Which ones are treated with honor, and which ones are treated with indifference?

XX. Mishnah-Tractate Abodah Zarah 3:3C-D

A. R. YOSÉ SAYS, “ONE BREAKS THEM INTO PIECES AND THROWS THE POWDER TO THE WIND OR DROPS THEM INTO THE SEA.” THEY SAID TO HIM, “ALSO: THEY MAY BE MADE INTO MANURE, AS IT IS SAID, ‘AND THERE WILL CLEAVE NOTHING OF A DEVOTED THING TO YOUR HAND’ (DEU. 13:18).”

1. I:1: It has been taught on Tannaite authority: Said to them R. Yosé, “Lo, it says, ‘Then I took the sinful thing, the calf which you had made, and burned it with fire and crushed it, grinding it very small, until it was as fine as dust, and I threw the dust of it into the brook that descended out of the mountain’ (Deu. 9:21).”

a. I:2: Gloss of foregoing.

2. I:3: Continuation of I:1.

a. I:4: Analysis of foregoing, with interest in the contradictions between proof-texts.

I. I:5: Exegesis of proof-text cited in foregoing.

II. I:6: As above.

III. I:7: As above.

IV. I:8: As above.

XXI. Mishnah-Tractate Abodah Zarah 3:4

A. PEROQELOS B. PELOSEPOS ASKED RABBAN GAMALIEL IN AKKO, WHEN HE WAS WASHING IN APHRODITE’S BATHHOUSE, SAYING TO HIM, “IT IS WRITTEN IN YOUR TORAH, ‘AND THERE SHALL CLEAVE NOTHING OF THE DEVOTED THING TO YOUR HAND’ (DEU. 13:18). HOW COME YOU’RE TAKING A BATH IN APHRODITE’S BATHHOUSE?” HE SAID TO HIM, “THEY DO NOT GIVE ANSWERS IN A BATHHOUSE.” WHEN HE WENT OUT, HE SAID TO HIM, “I NEVER CAME INTO HER DOMAIN. SHE CAME INTO MINE. THEY DON’T SAY, ‘LET’S MAKE A BATHHOUSE AS AN ORNAMENT FOR APHRODITE.’ BUT THEY SAY, ‘LET’S MAKE APHRODITE AS AN ORNAMENT FOR THE BATHHOUSE.’ ANOTHER MATTER: IF SOMEONE GAVE YOU A LOT OF MONEY, YOU WOULD NEVER WALK INTO YOUR TEMPLE OF IDOLATRY NAKED OR SUFFERING A FLUX, NOR WOULD YOU URINATE IN ITS PRESENCE. YET THIS THING IS STANDING RIGHT AT THE HEAD OF THE GUTTER AND EVERYBODY URINATES RIGHT IN FRONT OF HER. IT IS SAID ONLY, ‘...THEIR GODS’ (DEU. 12: 3) — THAT WHICH ONE TREATS AS A GOD IS PROHIBITED, BUT THAT WHICH ONE TREATS NOT AS A GOD IS PERMITTED.”

1. I:1: Now how could Gamaliel have done any such thing? For has not Rabbah bar bar Hana said R. Yohanan said, “In all locations it is permitted to reflect on Torah sayings, except for the bathhouse and the privy.” And should you say that he spoke with him in a profane language and not in Hebrew, has not Abbaye said, “It is permitted to state profane things in the holy language, but it is forbidden to state holy things in a profane language.”

2. I:2: Said R. Hama bar Joseph b. Ribbi said, “R. Oshaia said, ‘Rabban Gamaliel gave him a fraudulent answer to that hegemon,’ but I say, ‘It was not a fraudulent answer.’ Now what made it a fraudulent answer? He said to him, ‘Yet this thing is standing right at the head of the gutter and everybody urinates right in front of her,’ but if people urinate in front of it, what difference does it make? Has not Raba said, ‘Peor proves the opposite, because people shit in front of it every day, but in consequence it is not treated as nullified.’ but I say, ‘It was not a fraudulent answer.’ For in the case of Peor, that is how people worship it, but with Aphrodite, that is not how people worship it.”

XXII. Mishnah-Tractate Abodah Zarah 3:5

A. GENTILES WHO WORSHIP HILLS AND VALLEYS — THESE HILLS OR VALLEYS ARE PERMITTED, BUT WHAT IS ON THEM IS FORBIDDEN FOR ISRAELITE USE, AS IT IS SAID, “YOU SHALL NOT COVET THE SILVER OR GOLD THAT IS UPON THEM NOT TAKE IT.” R. YOSÉ SAYS, “THEIR GODS ARE ON THE MOUNTAINS, AND THE MOUNTAINS ARE NOT THEIR GODS. THEIR GODS ARE IN THE VALLEYS, AND THE VALLEYS ARE NOT THEIR GODS.” ON WHAT ACCOUNT IS AN ASHERAH PROHIBITED? BECAUSE IT HAS BEEN SUBJECT TO MANUAL LABOR, AND WHATEVER HAS BEEN SUBJECT TO MANUAL LABOR IS PROHIBITED. SAID R. AQIBA, “I SHALL EXPLAIN AND INTERPRET THE MATTER BEFORE YOU: IN ANY PLACE IN WHICH YOU FIND A HIGH MOUNTAIN, A LOFTY HILL, OR A GREEN TREE, YOU MAY TAKE FOR GRANTED THAT THERE IS AN IDOL THERE.”

1. I:1: The opinion of R. Yosé the Galilean is the same as that of the initial Tannaite authority!

a. I:2: R. Yosé b. R. Judah likewise takes the view that a tree that was planted and only later on was worshipped is prohibited.

b. I:3: A Tannaite memorizer repeated as a Tannaite version before R. Sheshet, “Gentiles who worship hills and valleys (M. 3:5A) — even though the hills and valleys are permitted, those who worship them are put to death by the sword. If they worshipped plants and grass, the latter are prohibited, and the worshippers are put to death with the sword.”

2. I:4: It has been stated: As to boulders of a mountain, which had rolled off — the sons of R. Hiyya and R. Yohanan: one said, “They are forbidden.” And the other said, “They are permitted.”

3. I:5: The question was raised by R. Ammi bar Hama, “He who bows down to a mountain — what is the law as to using boulders from the mountain for the altar? Does the law that prohibits the use for the Temple service of objects that have been worshipped apply to things that were attached to the ground, or does that law not apply to things that were attached to the ground? And if you should say that the law that prohibits the use for the Temple service of objects that have been worshipped apply to things that were attached to the ground, are things that are used in preparation of an offering classified as equivalent to an offering or are things that are used in preparation of an offering not classified as equivalent to an offering?”

4. I:6: R. Ammi bar Hama raised the following question: “He who bows down to standing grain in a field — what is the law as to using that grain for meal-offerings? Does a change in the condition of material make it permissible to use for such a purpose what has been used for idolatry, or does a change in the condition of material not make it permissible to use for such a purpose what has been used for idolatry?”

5. I:7: R. Simeon b. Laqish raised the following question: “He who worships a palm tree — as to its branch, what is the law on using it for the religious duty of taking a palm branch on Tabernacles?”

a. I:8: R. Pappa raised the following question: “He who bows down to an animal — as to its wool, may it be used for blue thread?”

6. I:9: Rabbah raised the question: “He who bows down to a spring of water, what is the law as to using the water of that spring for libation offerings?”

XXIII. Mishnah-Tractate Abodah Zarah 3:6

A. HE THE WALL OF WHOSE HOUSE WAS ADJACENT TO AND ALSO SERVED AS THE WALL OF THE TEMPLE OF AN IDOL, AND WHOSE HOUSE FELL DOWN — IT IS FORBIDDEN TO REBUILD IT. WHAT SHOULD HE THEN DO? HE PULLS BACK WITHIN FOUR CUBITS INSIDE HIS OWN PROPERTY AND THEN REBUILDS HIS HOUSE. IF THERE WAS A WALL BELONGING BOTH TO HIM AND TO THE TEMPLE OF AN IDOL, IT IS JUDGED TO BE DIVIDED HALF AND HALF. THE STONES, WOOD, AND MORTAR DERIVING FROM IT IMPART UNCLEANNESS IN THE STATUS OF A DEAD CREEPING THING, FOR IT IS SAID, “YOU WILL UTTERLY DETEST IT” (DEU. 7:26). R. ‘AQIBA SAYS, “IN THE STATUS OF A MENSTRUANT’S UNCLEANNESS, AS IT IS SAID, ‘YOU SHALL CAST THEM AWAY AS A MENSTRUAL THING; YOU SHALL SAY UNTO IT, GET YOU HENCE (ISA. 30:22). JUST AS A MENSTRUATING WOMAN IMPARTS UNCLEANNESS TO ONE WHO CARRIES HER OR OBJECTS THAT SHE CARRIES, SO ALSO AN IDOL IMPARTS UNCLEANNESS TO ONE WHO CARRIES IT.”

1. I:1: But lo, if he does as directed, he enlarges the space for the temple!

XXIV. Mishnah-Tractate Abodah Zarah 3:7-10

A. THERE ARE THREE SORTS OF HOUSES SO FAR AS USE AS A SHRINE FOR IDOLATRY IS CONCERNED: (1) A HOUSE WHICH WAS BUILT TO BEGIN WITH FOR THE PURPOSES OF IDOLATRY — LO, THIS IS PROHIBITED. (2) IF ONE STUCCOED AND DECORATED IT FOR IDOLATRY AND RENOVATED IT, ONE REMOVES THE RENOVATIONS. (3) IF ONE BROUGHT AN IDOL INTO IT AND TOOK IT OUT — LO, THIS IS PERMITTED.

1. I:1: Said Rab, “He who bows down to a house has prohibited its use.” Therefore he takes the view that an object that was not attached to the ground but subsequently became attached to the ground is classified as an object that is not attached to the ground.

B. THERE ARE THREE SORTS OF STONES: (1) A STONE WHICH ONE HEWED TO BEGIN WITH FOR A PEDESTAL — LO, THIS IS FORBIDDEN. (2) IF HE SET UP AN IDOL ON AN EXISTING STONE AND THEN TOOK IT OFF, LO, THIS IS PERMITTED.

1. II:1: Said R. Ammi, “The prohibition pertains only if he plastered and stuccoed in the stone itself using the stucco not just for ornament but making incisions in the stone and inserting the stucco.”

C. THERE ARE THREE KINDS OF ASHERAHS: (1) A TREE WHICH ONE PLANTED TO BEGIN WITH FOR IDOLATRY — LO, THIS IS PROHIBITED. (2) IF HE CHOPPED IT AND TRIMMED IT FOR IDOLATRY, AND IT SPROUTED AFRESH, HE MAY REMOVE THAT WHICH SPROUTED AFRESH. (3) IF HE SET UP AN IDOL UNDER IT AND THEN ANNULLED IT, LO, THIS IS PERMITTED.

1. III:1: Said members of the household of R. Yannai, “With reference to the rule, If he chopped it and trimmed it for idolatry, and it sprouted afresh, he may remove that which sprouted afresh, that is the rule if one has trained a branch and grafted it on the trunk of the tree then what grows on the grafted branch is forbidden, but if he merely trimmed the tree without grafting on to it, it is not prohibited.”

2. III:2: Said Samuel, “He who bows down to a tree — the later growth on the same tree is forbidden.”

D. WHAT IS AN ASHERAH? ANY TREE UNDER WHICH IS LOCATED AN IDOL. R. SIMEON SAYS, “ANY TREE WHICH PEOPLE WORSHIP.” M[‘]SH: IN SIDON THERE WAS A TREE WHICH PEOPLE WORSHIPPED, AND THEY FOUND A PILE OF STONES UNDERNEATH IT. SAID TO THEM R. SIMEON, “INVESTIGATE THE CHARACTER OF THIS PILE OF STONES.” THEY DID INVESTIGATE IT AND FOUND AN IMAGE ON IT. HE SAID TO THEM, “SINCE THEY ARE WORSHIPPING THE IMAGE AND NOT THE TREE, LET US PERMIT THEM TO MAKE USE OF THE TREE ITSELF.”

1. IV:1: What is an asherah? But, lo, we have learned in the Mishnah: There are three kinds of asherahs!

3. IV:2: How do we know that an unidentified tree is in fact an asherah?

E. ONE SHOULD NOT SIT IN ITS AN ASHERAH’S SHADE, BUT IF HE SAT IN ITS SHADE, HE IS CLEAN:

1. V:1: One should not sit in an asherah’s shade: so what else is new

F. AND HE SHOULD NOT PASS UNDERNEATH IT, BUT IF HE PASSED UNDERNEATH IT, HE IS UNCLEAN.

1. VI:1: What is the operative consideration that leads us to say he is unclean?

2. VI:2: Who is the authority behind this unassigned rule?

G. IF IT WAS OVERSHADOWING PUBLIC DOMAIN, TAKING AWAY PROPERTY FROM PUBLIC USE, AND ONE PASSED BENEATH IT, HE IS CLEAN.

1. VII:1: The question was raised: “Is the proper reading, ‘has passed’ or ‘passes’?” Are we dealing with an act that is to begin with prohibited but condoned after the fact?

a. VII:2: Case.

H. AND THEY SOW SEEDS UNDERNEATH IT IN THE RAINY SEASON, BUT NOT IN THE DRY SEASON. BUT AS TO LETTUCE, NEITHER IN THE DRY SEASON NOR IN THE RAINY SEASON MAY ONE PLANT IT THERE. R. YOSÉ SAYS, “ALSO: UNDER AN

ASHERAH ONE MAY NOT PLANT VEGETABLES IN THE RAINY SEASON, BECAUSE THE FOLIAGE DROPS ON THEM AND SERVES AS MANURE FOR THEM.”

1. VIII:1: Does this rule bear the implication that R. Yosé takes the view that the result of multiple causes, one of which is forbidden, is prohibited. We deal with vegetables planted in winter; manure is the prohibited cause, the soil is permitted, and rabbis take the view that the result of multiple causes, one of which is prohibited, is permitted?

a. VIII:2: But does R. Yosé really take the view that the result of multiple causes, one of which is forbidden, is prohibited?

I. VIII:3: Case.

I. IF ONE HAS TAKEN PIECES OF WOOD FROM AN ASHERAH, THEY ARE PROHIBITED FOR BENEFIT. IF HE LIT A FIRE IN THE OVEN WITH THEM, IF IT IS A NEW OVEN, IT IS TO BE OVERTURNED. IF IT IS AN OLD OVEN, IT MUST BE ALLOWED TO COOL DOWN. IF HE BAKED A LOAF OF BREAD IN THE OVEN HEATED BY THE WOOD OF AN ASHERAH, IT IS PROHIBITED FOR BENEFIT. IF THE LOAF OF BREAD WAS MIXED UP WITH OTHER LOAVES OF BREAD, ALL OF THEM ARE PROHIBITED AS TO BENEFIT. R. ELIEZER SAYS, “LET HIM TAKE THE FUNDS RECEIVED FOR THE SALE AS A BENEFIT FROM THE TREE TO THE SALT SEA.” THEY SAID TO HIM, “THERE IS NO FORM OF REDEMPTION FOR AN IDOL.”

1. IX:1: Both baking and weaving were required by way of example. For had we been given the former, one might have thought that it is in particular in the case of baking that R. Eliezer takes the position that he does, because at the moment that the bread is finished baking, the wood that is the prohibited material has been consumed, but in the case of weaving, since the shuttle remains discernible as a forbidden object after the weaving has been concluded, we may have supposed that he concurs with rabbis. And had we been given only the case of the shuttle, one might have supposed that here rabbis take the position that they do, but in the case of baking the loaf, they concur with R. Eliezer. So both cases are necessary.

2. IX:2: Said R. Hiyya b. Rabbah bar Nahmani said R. Hisda said Zeiri, “The decided law is in accord with R. Eliezer.”

3. IX:3: Said R. Adda b. Ahbah, “They formulate matters as they do only in the case of a loaf, but not in the case of a cask of wine where Eliezer concedes that there is no form of redemption for an idol.

a. IX:4: Case.

J. IF ONE TOOK A PIECE OF WOOD FOR A SHUTTLE, IT IS FORBIDDEN FOR BENEFIT. IF HE WOVE A GARMENT WITH THE SHUTTLE, THE GARMENT IS FORBIDDEN FOR BENEFIT. IF IT WAS MIXED UP WITH OTHER GARMENTS, AND OTHER GARMENTS WITH STILL OTHERS, ALL OF THEM ARE FORBIDDEN FOR BENEFIT. R. ELIEZER SAYS, “LET HIM TAKE THE FUNDS DERIVED FROM THE BENEFIT TO THE SALT SEA.” THEY SAID TO HIM, “THERE IS NO REDEMPTION PRICE FOR A MATTER OF IDOLATRY.”

HOW DOES ONE DESECRATE AN ASHERAH? IF ONE TRIMMED IT OR PRUNED IT, TOOK FROM IT A BRANCH OR TWIG, EVEN A LEAF — LO, THIS CONSTITUTES

DESECRATION. IF ONE HAS TRIMMED IT FOR THE GOOD OF THE TREE, IT REMAINS FORBIDDEN. IF HE TRIMMED IT NOT FOR THE GOOD OF THE TREE, IT IS PERMITTED.

1. X:1: And as to the chips off the asherah, what is to be done with them? R. Huna and Hiyya b. Rab differed on that matter: One said, "Utilization of the chips is forbidden." And the other said, "Utilization of the chips is permitted."

2. X:2: It has been stated: An idol that broke on its own — Rab said, "One has to nullify every sherd." And Samuel said, "An idol can be nullified only as it has taken shape in its natural form." If it has been damaged, it ceases to be an idol, and further annulment is unnecessary.

XXV. Mishnah-Tractate Abodah Zarah 4:1

A. R. ISHMAEL SAYS, "THREE STONES, ONE BESIDE THE OTHER, BESIDE A MERKOLIS STATUE, ARE FORBIDDEN. TWO, HOWEVER, ARE PERMITTED." AND SAGES SAY, "THOSE WHICH APPEAR TO BELONG TO IT ARE FORBIDDEN, AND THOSE WHICH DO NOT APPEAR TO BELONG TO IT AS PERMITTED."

1. I:1: Now there is no problem in understanding the position of rabbis, who take the view that gentiles worship the sherds of idols, and, since these stones appear associated with the idol, it is taken for granted that they fell from the idol and are prohibited; if they do not appear to be connected with the idol, they are permitted. But what can explain the position of R. Ishmael? If gentiles worship the sherds, then even two stones should be forbidden. And if they do not worship the sherds, then even three, too, should not be forbidden.

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

B. A MISCELLANY OF CASES ON SPECIFIC IDOLS AND HOW THEY ARE WORSHIPPED

1. I:3: The house of King Yannai was destroyed. Gentiles came and set up in it a statue of Merkolis. Other gentiles came, who did not worship Merkolis. They took the stones and with them paved the roads and streets. There were rabbis who kept distant from those roads and streets, and there were rabbis who did not.

a. I:4: Said R. Joseph bar Abba, "Rabbah bar Jeremiah came to our town. When he came, he brought with him a Mishnah teaching in hand: A gentile who brought stones from a Merkolis statue and paved roads and streets with them — they are permitted. If an Israelite brought stones from a Merkolis statue and paved roads and streets with them, they are forbidden. But there is no craftsman let alone a disciple of a craftsman who can unravel this teaching."

I. I:5: Said R. Joseph bar Abba, "Rabbah bar Jeremiah came to our town. When he came, he brought with him a Mishnah teaching in hand: People may remove worms from a tree or patch the bark with dung during the Sabbatical Year when ordinary agricultural work is suspended, but people may not remove worms or patch the bark during the intermediate days of a festival. During neither type of time, however, may people prune trees. And they may smear oil on

the place of pruning both during the intermediate days of the festival and during the Sabbatical Year. But there is no craftsman let alone a disciple of a craftsman who can unravel this teaching.”

2. I:6: Said R. Judah said Rab, “In the case of an idol that is worshipped by tapping a stick before it, if an Israelite broke a stick before it, he is liable; if he threw a stick before it, he is exempt.”

3. I:7: Said R. Nahman said Rabbah bar Abbuha said Rab, “In the case of an idol that is worshipped by tapping a stick before it, if an Israelite broke a stick before it, he is liable and the stick is prohibited; if he threw a stick before it, he is liable, but the stick is not prohibited.”

4. I:8: We have learned in the Mishnah: If one found on its a Merkolis’s head coins, clothing, or utensils, lo, these are permitted. If one found bunches of grapes, garlands of corn, jugs of wine or oil, or fine flour, or anything the like of which is offered on the altar of the Temple in Jerusalem — it is forbidden (M. **4:2A-D**). Now there is no problem in understanding the rule affecting jugs of wine or oil, or fine flour, since they have their counterpart among things that are offered within the Temple, and, further, they resemble that which is sprinkled, since they are broken up. But as to bunches of grapes, garlands of corn, these have no counterpart among things that are offered within the Temple, and, furthermore, they do not resemble that which is sprinkled, which is broken up.

5. I:9: Said R. Abbahu said R. Yohanan, “How on the basis of Scripture do we know that one who sacrifices to an idol a blemished beast is exempt from all penalty? As it is said, ‘He who sacrifices to any god except to the Lord alone shall be utterly destroyed’ (Exo. 22:19). What the Torah has prohibited is that which is within the Temple and that would then exclude a blemished animal.”

6. I:10: Said R. Eleazar, “How on the basis of Scripture do we know that one who sacrifices a beast to Mercury is liable? It is said, ‘They shall no more offer their sacrifices to demons’ (Lev. 17: 7). Now if it cannot speak of a mode of worship that is the ordinary and accepted one, since it is already stated, ‘How did these nations serve their gods...’ (Deu. 12:30) proving that routine modes of worship are penalized if done for idols, apply it to an unusual mode of worship of those gods. In that case, such an abnormal mode of worship is subject to punishment.”

XXVI. Mishnah-Tractate Abodah Zarah 4:2

A. IF ONE FOUND:

1. I:1: What is the source in Scripture for this rule?

B. IF ONE FOUND ON ITS HEAD COINS:

1. II:1: But this is an ornament, therefore, coins should be forbidden!

C. IF ONE FOUND ON ITS HEAD...CLOTHING:

1. III:1: But this is an ornament in line with the foregoing, therefore, coins should be forbidden!

D. UTENSILS, LO, THESE ARE PERMITTED:

IF ONE FOUND BUNCHES OF GRAPES, GARLANDS OF CORN, JUGS OF WINE OR OIL, OR FINE FLOUR, OR ANYTHING THE LIKE OF WHICH IS OFFERED ON THE ALTAR — IT IS FORBIDDEN.

1. IV:1: But this is an ornament in line with the foregoing, therefore, coins should be forbidden!

1. IV:2: Said R. Assi bar Hiyya, “Whatever is within the veils that hang in front of the idol, even water or salt, is prohibited; among things that are located outside of the veils, what is decorative is forbidden, and what is not decorative is permitted.

XXVII. Mishnah-Tractate Abodah Zarah 4:3-4B

A. AN IDOL WHICH HAD A GARDEN OR A BATHHOUSE — THEY DERIVE BENEFIT FROM THEM WHEN IT IS NOT TO THE ADVANTAGE OF THE TEMPLE. IF THERE IS NO NEED TO OFFER THANKS, BUT THEY DO NOT DERIVE BENEFIT FROM THEM WHEN IT IS TO THE ADVANTAGE OF THE TEMPLE. IF IT BELONGED BOTH TO THE IDOL AND TO OUTSIDERS, THEY DERIVE BENEFIT FROM THEM WHETHER OR NOT IT IS TO THE ADVANTAGE OF THE TEMPLE.

1. I:1: ...not to...advantage...but they do not derive benefit from them when it is to...advantage: said Abbaye, “‘Advantage’ refers to the advantage of the priests to whom a fee would be paid, and ‘not...advantage’ means, not to the advantage of the priests. This then excludes the case in which the payment is made to those who worship the idols, in which case it is a permitted arrangement.”

B. AN IDOL BELONGING TO A GENTILE IS PROHIBITED FORTHWITH WHEN IT IS MADE. AND ONE BELONGING TO AN ISRAELITE IS PROHIBITED ONLY AFTER IT WILL HAVE BEEN WORSHIPPED.

1. II:1: Who is the authority behind this anonymous rule?

a. II:2: Gloss of foregoing.

1. I:3: Following up on the results of the foregoing, R. Hamnuna raised the question, “If one has riveted a broken utensil to an idol, what is the law?”

3. I:4: R. Yohanan raised the question to R. Yannai: “As to that which has been offered to an idol, consisting of food, what is the law? Does the act of nullification of the idol serve to purify them of the uncleanness affecting them or not?”

4. I:5: R. Yosé b. Saul asked Rabbi, “As to utensils that were used in the temple of Onias, what is the law as to making use of them in the house of the sanctuary?”

XXVIII. Mishnah-Tractate Abodah Zarah 4:4C-F

A. A GENTILE HAS THE POWER TO NULLIFY AN IDOL BELONGING EITHER TO HIMSELF OR HIS FELLOW GENTILE. BUT AN ISRAELITE HAS NOT GOT THE POWER TO NULLIFY AN IDOL BELONGING TO A GENTILE. HE WHO NULLIFIES AN IDOL HAS NULLIFIED ITS APPURTENANCES. IF HE NULLIFIED ONLY ITS APPURTENANCES, ITS APPURTENANCES ARE PERMITTED, BUT THE IDOL ITSELF REMAINS PROHIBITED.

1. I:1: Rabbi repeated the Mishnah to R. Simeon the son of Rabbi: “A gentile has the power to nullify an idol belonging either to himself or his fellow gentile.” He said to him, “My lord, you have repeated it for us in your youth in the following language: a gentile may nullify an idol belonging to himself or to an Israelite.”

XXIX. Mishnah-Tractate Abodah Zarah 4:5

A. HOW DOES ONE NULLIFY IT? IF HE HAS CUT OFF THE TIP OF ITS EAR, THE TIP OF ITS NOSE, THE TIP OF ITS FINGER, IF HE BATTERED IT, EVEN THOUGH HE DID NOT BREAK OFF ANY PART OF IT, HE HAS NULLIFIED IT:

1. I:1: But since one does not diminish the volume of material of the idol, exactly how does one nullify it?

B. IF HE SPIT IN ITS FACE, URINATED IN FRONT OF IT, SCRAPPED IT, THREW SHIT AT IT, LO, THIS DOES NOT CONSTITUTE AN ACT OF NULLIFICATION:

1. II:1: What is the scriptural source for this rule that these gestures of disrespect do not constitute acts of nullification of the idol?

C. IF HE SOLD IT OR GAVE IT AS A PLEDGE ON A LOAN — RABBI SAYS, “HE HAS NULLIFIED IT.” AND SAGES SAY, “HE HAS NOT NULLIFIED IT.”

1. III:1: Zeiri said R. Yohanan, and R. Jeremiah bar Abba said Rab: One said, “The dispute concerns the case of selling or giving it to a gentile smelter who may worship the idol, not melt it, but if it was to an Israelite smelter, all parties concur that that is an act of nullification.” The gentile assumes he will destroy the idol. And the other said, “The dispute concerns handing it over to an Israelite smelter.” Rabbis maintain that the idol is not nullified.

2. III:2: Our rabbis have taught on Tannaite authority: If a gentile borrowed money using the idol as collateral, or in an earthquake ruins fell on it and he does not dig it out, or if robbers stole it, or if the owner left it and went overseas, if they are going to return to claim it, as in the war fought by Joshua against the Amorites, it is not nullified.

a. III:3: Gloss of foregoing.

l. III:4: As above.

XXX. Mishnah-Tractate Abodah Zarah 4:6

A. AN IDOL, THE WORSHIPPERS OF WHICH HAVE ABANDONED IT IN TIME OF PEACE, IS PERMITTED. IF THEY ABANDONED IT IN TIME OF WAR, IT IS FORBIDDEN:

1. I:1: Said R. Jeremiah bar Abba said Rab, “The Temple of Nimrod the Tower of Babel lo, it is in the classification of an idol the worshippers of which have abandoned it in time of peace, and so it is permitted.

B. IDOL PEDESTALS SET UP FOR KINGS — LO, THESE ARE PERMITTED, SINCE THEY SET IMAGES UP ON THEM ONLY AT THE TIME KINGS GO BY:

1. II:1: Is it the fact that, merely since they set images up on them only at the time kings go by, they are permitted?!

2. II:2: When Ulla came, he went into session on a damaged pedestal. Said R. Judah to Ulla, “Now lo, both Rab and Samuel have said, ‘A damaged pedestal is forbidden.’ And even in line with the position of him who has said, ‘Gentiles do not worship the sherds of idols,’ that ruling pertains in particular to an idol because it is a humiliating matter to worship sherds, but, in this case, one does not care whether or not it is damaged; an idol can still be put there.”

3. II:3: What differentiates a pedestal from an altar so that we know which is for a base, which for offerings?

4. II:4: An animal that was worshipped — if it belonged to the one who did the worshipping, it is forbidden; if it belonged to someone else, it is permitted.

3. II:5: When R. Dimi came he said R. Yohanan said, “Even though sages have said, ‘He who bows down to the earth has not prohibited it, if he dug in the earth wells, pits, or caves as an act of worship, he has indeed forbidden it.’”

4. II:6: When R. Samuel bar Judah came, he said R. Yohanan said, “Even though sages have said, ‘He who bows down to an animate creature has not forbidden it, if he traded them for an idol, he has forbidden them.’”

5. II:7: When Rabin came, he said, “There was a dispute in this matter between R. Ishmael b. R. Yosé and rabbis. One party said, ‘While what has been exchanged for an idol is forbidden, what has been exchanged for what has been exchanged for an idol is permitted.’ The other said, ‘Even what has been exchanged for what has been exchanged for an idol also is forbidden.’”

XXXI. Mishnah-Tractate Abodah Zarah 4:7

A. THEY ASKED SAGES IN ROME, “IF GOD IS NOT IN FAVOR OF IDOLATRY WHY DOES HE NOT WIPE IT AWAY?” THEY SAID TO THEM, “IF PEOPLE WORSHIPPED SOMETHING OF WHICH THE WORLD HAD NO NEED, HE CERTAINLY WOULD WIPE IT AWAY. BUT LO, PEOPLE WORSHIP THE SUN, MOON, STARS, AND PLANETS. NOW DO YOU THINK HE IS GOING TO WIPE OUT HIS WORLD BECAUSE OF IDIOTS? THEY SAID TO THEM, “IF SO, LET HIM DESTROY SOMETHING OF WHICH THE WORLD HAS NO NEED, AND LEAVE SOMETHING WHICH THE WORLD NEEDS!” THEY SAID TO THEM, “THEN WE SHOULD STRENGTHEN THE HANDS OF THOSE WHO WORSHIP THESE WHICH WOULD NOT BE DESTROYED, FOR THEN THEY WOULD SAY, ‘NOW YOU KNOW FULL WELL THAT THEY ARE GODS, FOR LO, THEY WERE NOT WIPED OUT!’”

1. I:1: Our rabbis have taught on Tannaite authority: Philosophers asked sages in Rome, “If God is not in favor of idolatry, why does he not wipe it away?”

2. I:2: A philosopher asked Rabban Gamaliel, “It is written in your Torah, ‘For the Lord your God is a devouring fire, a jealous God’ (Deu. 4:24). How come he is more jealous against the worshippers of the idol than against the idol itself?”

3. I:3: Prince Agrippa asked Rabban Gamaliel, “It is written in your Torah, “For the Lord your God is a devouring fire, a jealous God’ (Deu. 4:24). Is there jealousy, except on the part of a sage for another sage, on the part of a great

athlete for another great athlete, on the part of a wealthy man for another wealthy man?”

4. I:4: Zeno asked R. Aqiba, “In my heart and in your heart we both know that there is no substance whatsoever in idolatry. But lo, we see people go into a shrine crippled and come out cured. How come?”

5. I:5: Raba b. R. Isaac said to R. Judah, “There is a temple to an idol in our locale. When there is need for rain, the idol appears in a dream and says to them, ‘Kill someone for me and I shall bring rain.’ So they kill someone for her, and she brings rain.”

XXXII. Mishnah-Tractate Abodah Zarah 4:8-9

A. THEY PURCHASE FROM GENTILES THE CONTENTS OF A WINE PRESS WHICH HAS ALREADY BEEN TRODDEN OUT, EVEN THOUGH THE GENTILE TAKES THE GRAPES IN HAND AND PUTS THEM ON THE HEAP “APPLE:”

1. I:1: Said R. Huna, “Once wine has begun to flow, it may be turned into libation wine by the appropriate act on the part of a gentile.”

B. FOR IT IS NOT MADE INTO WINE USED FOR LIBATIONS UNTIL IT DRIPS DOWN INTO THE VAT:

1. II:1: But have we not learned in the Mishnah: At what point after the harvest must tithes be removed from produce? As to wine — after he skims the scum from the fermenting juice in the receiving tank. Even though he has skimmed, he collects liquid from the upper vat where the grapes are trod and from the duct which connects the latter to the receiving tank, and drinks without tithing. (M. **Maaserot 1:7A-B**)? That is, when the substances on the top of the wine at the time of fermentation are skimmed off, and this is a later stage than that mentioned in the Mishnah.

2. II:2: The question was raised: Is it “skimming” of the wine while it is in the vat, or is it skimming of the wine when it is in the cask?

C. AND IF WINE HAS DRIPPED INTO THE VAT, WHAT IS IN THE CISTERN IS PROHIBITED, WHILE THE REST IS PERMITTED.

1. III:1: Said R. Huna, “That rule has been repeated only in the case in which one did not return the network used as a strainer before the juice flows from the pipe into the vat to the press, but if he returned it to the press, the whole is prohibited even what is in the upper trough.”

D. ISRAELITES TREAD A WINE PRESS WITH A GENTILE IN THE GENTILE’S VAT. BUT THEY DO NOT GATHER GRAPES WITH HIM.

AN ISRAELITE WHO PREPARES HIS WINE IN A STATE OF UNCLEANNES — THEY DO NOT TRAMPLE OR CUT GRAPES WITH HIM. BUT THEY DO TAKE JARS WITH HIM TO THE WINE PRESS, AND THEY BRING THEM WITH HIM FROM THE WINE PRESS. A BAKER WHO PREPARES BREAD IN A STATE OF UNCLEANNES — THEY DO NOT KNEAD OR CUT OUT DOUGH WITH HIM. BUT THEY MAY TAKE BREAD WITH HIM TO THE DEALER.

1. IV:1: There was a youngster who repeated the Tannaite materials on idolatry at the age of six. He was asked, “What is the law on whether an Israelite tread grapes together with a gentile in a press?” He said to them, “An Israelite may tread grapes together with a gentile in a press.”

a. IV:2: Case. There was an incident in Nehardea, in which an Israelite and a gentile pressed out wine together. Samuel protracted for three months before making his ruling.

b. IV:3: Case. There was an incident in Biram, in which a gentile climbed a palm tree and brought down one of its branches. When he was climbing down, by accident with the tip of the palm branch he touched some wine.

I. IV:4: Gloss.

A. IV:5: Gloss.

d. IV:6: Case. There was a case in Mahuza. A gentile came and went into an Israelite shop. He said to them, “Do you have any wine for sale?”

e. IV:7: Case. R. Yohanan b. Arza and R. Yosé b. Nehorai were in session and drinking wine. Someone came in, to whom they said, “Come, pour out some wine for us.” After he had poured out wine into the cup, it became clear that he was a gentile.

2. IV:8: R. Assi raised this question to R. Yohanan: “In the case of wine that a gentile has mingled, what is the law?”

a. IV:9: Case. R. Jeremiah came to Sabta. He saw wine that a gentile had mixed, and an Israelite drank from it, and he prohibited the wine on the principle of, ‘We say to a Nazirite, keep off, go around the vineyard and do not approach it.’”

b. IV:10: Case.

c. IV:11: Case.

3. IV:12: R. Kahana was asked: “As to a gentile’s bringing grapes to the wine press, what is the law?”

a. IV:13: Case

4. IV:14: Said R. Ashi, “If a gentile intentionally turned the wine of an Israelite into libation wine, even though it is forbidden to sell the wine to some other gentile, the owner can recover costs from the person who made the wine prohibited. How come? It is because he has caused the loss.”

a. IV:15: Case.

5. IV:16: If wine was being poured from a barrel into a cask, R. Pappa said, “If a gentile was holding the barrel, and an Israelite the cask, the wine is forbidden. What is the operative consideration? It is because it is the gentile who provides the motive force for the transfer of liquid. But if an Israelite was holding the barrel and a gentile the cask, the wine is permitted. If the gentile tilts the cask sideways, the wine is forbidden.”

6. IV:17: R. Pappa said, “If a gentile carried a skin bottle of wine, and an Israelite follows behind to supervise and make sure he does not touch the wine, if the skin

is full, it is permitted, since the wine does not splash about. But if it is not full, it is forbidden, for it is possible that the gentile may shake the wine. If it is a full cask, the wine is forbidden, because the gentile might have touched it, but if it is not full, it is permitted, because it is less likely that he will have touched it.”

7. IV:18: Wine from a press where beams are used to crush the grapes, so that the treader does not touch the wine — R. Pappi permits. R. Ashi — and some say R. Shimi bar Ashi — forbids.

a. IV:19: Case.

b. IV:20: As above.

XXXIII. Mishnah-Tractate Abodah Zarah 4:10

A. A GENTILE WHO IS FOUND STANDING BESIDE A CISTERN OF WINE — IF HE HAD A LIEN ON THE VAT, IT IS PROHIBITED. IF HE HAD NO LIEN ON IT, IT IS PERMITTED.

1. I:1: Said Samuel with reference to the statement, A gentile who is found standing beside a cistern of wine — if he had a lien on the vat, it is prohibited, But that rule pertains only when the lien applies to that wine that is in the vat.

B. IF HE FELL INTO THE VAT AND CLIMBED OUT:

1. II:1: Said R. Pappa, “That rule that the wine may be sold applies only if he is brought back a corpse, but if he had climbed out alive, it would have been forbidden.”

C. OR (2) IF GENTILES MEASURED IT WITH A REED — OR (3) IF HE FLICKED OUT A HORNET WITH A REED, OR IF (4) HE PATTED DOWN THE FROTH ON THE MOUTH OF A JAR — IN REGARD TO EACH OF THESE THERE WAS A CASE, AND SAGES RULED, “LET IT BE SOLD.” AND R. SIMEON PERMITS ISRAELITES EVEN TO MAKE USE OF IT.

1. III:1: Said R. Adda b. Ahbah, “Blessings on his head, for when he permits the wine, he permits even drinking it, and when he forbids wine, he forbids even deriving benefit from it.”

D. IF (5) HE TOOK A JAR AND THREW IT IN A FIT OF TEMPER INTO THE VAT — THIS WAS A CASE, AND THEY DECLARED IT VALID.

1. IV:1: Said R. Ashi, “Anything that is made unclean by a person afflicted with flux uncleanness in line with Lev. 15 under the same circumstances will be rendered into libation wine by a gentile, and whatever is not made unclean by a person afflicted with flux uncleanness will not make wine into libation wine in the case of a gentile.”

XXXIV. Mishnah-Tractate Abodah Zarah 4:11-12

A. HE WHO IN A CONDITION OF CLEANNES PREPARES THE WINE BELONGING TO A GENTILE, AND LEAVES IT IN HIS DOMAIN, IN A HOUSE WHICH IS OPEN TO THE PUBLIC DOMAIN, IN A TOWN IN WHICH THERE ARE BOTH GENTILES AND ISRAELITES — THE WINE IS PERMITTED. IF IT IS IN A TOWN IN WHICH ALL THE RESIDENTS ARE GENTILES, THE WINE IS PROHIBITED, UNLESS HE SETS UP A GUARD.

AND THE GUARD NEED NOT SIT THERE AND WATCH THE ROOM ALL THE TIME. EVEN THOUGH HE COMES IN AND GOES OUT, THE WINE IS PERMITTED:

1. I:1: In a town that is entirely made up of gentiles, the wine should be permitted without supervision, since lo, there are Israelite spice sellers going hither and yon in the cities!
2. I:2: Said R. Joseph, “And a window is classified as public domain, and a garbage dump is classified as public domain, and a date palm is classified as public domain so in all these cases a gentile is afraid to tamper with the wine.”
3. I:3: The top of the date palm that was cut off so that the Israelite would not have occasion to climb the tree, in which case the gentile would not be concerned about the Israelite’s observing his actions — there was a dispute between R. Aha and Rabina — one prohibited the wine, and the other permitted it.
4. I:4: Our rabbis have taught on Tannaite authority: All the same are the one who purchases and the one who rents a house in the courtyard belonging to a heathen and filled it with jugs of wine, if an Israelite dwells in that courtyard, the wine is permitted, and that is the case even though the key and seal of the wine is not in the Israelite’s possession. If an Israelite dwells in some other courtyard, the wine is permitted if the key and seal are in his possession.

B. R. SIMEON B. ELEAZAR SAYS, “WHATEVER WAS IN THE DOMAIN OF A GENTILE IS SUBJECT TO THE SAME LAW THAT A WATCHMAN IS REQUIRED WHETHER OR NOT THE SHOP WAS OPEN TO THE PUBLIC DOMAIN, AND WHETHER OR NOT THE TOWN WAS HALF-ISRAELITE.”

HE WHO PREPARES THE WINE OF A GENTILE IN A CONDITION OF CLEANNES AND LEAVES IT IN HIS DOMAIN, AND THE LATTER WROTE FOR THE ISRAELITE A RECEIPT, SAYING, “I RECEIVED ITS PRICE FROM YOU” — IT IS PERMITTED. BUT IF AN ISRAELITE WANTS THEN TO REMOVE THE WINE, AND THE GENTILE WOULD NOT LET HIM DO SO UNLESS HE PAID THE PRICE OF THE WINE — THIS WAS A CASE IN BET SHEAN, AND SAGES DECLARED THE WINE FORBIDDEN.

1. II:1: The question was raised: Is the ruling of R. Simeon b. Eleazar meant to produce a lenient ruling or a strict ruling?
 - a. II:2: Case. Israelites bought grapes from members of the household of Parzaq Ruffa, made wine with the grapes, and left the wine with his tenant farmers.
 - b. II:3: Case. In a certain village there was wine belonging to an Israelite, and a gentile was found standing among the jars.

XXXV. Mishnah-Tractate Abodah Zarah 5:1

A. A GENTILE WHO HIRES AN ISRAELITE WORKER TO WORK WITH HIM IN THE PREPARATION OF LIBATION WINE — THE ISRAELITE’S SALARY IS FORBIDDEN:

1. I:1: What is the reason that the Israelite’s salary is forbidden?
2. I:2: The question was raised: “If one has hired the workman to work on wine belonging to gentiles that has not been used for libation wine in particular, what is the law on the disposition of the salary? Do we maintain that, since the prohibition

of such wine belonging to gentiles is as strict as that applying to libation wine, the wage is also prohibited as before, or do we hold that just as the power of such wine in regard to uncleanness is mitigated, the wage for working on it likewise is subjected to a less strict rule?"

a. I:3: Concrete case illustrative of a tangential detail of I.1.

I. I:4: Gloss of a tangential detail of I.1.

A. I:5: As above, I:3, 4.

3. I:6: R. Nahman, Ulla, and Abimi b. Pappi were in session, and R. Hiyya bar Ammi was in session with them. They were in session and raised this question: "If an Israelite was hired to break a cask of libation wine and pour out its contents, what is the law? Do we maintain that, since he has an interest in the cask specifically, being paid to break it, the salary is forbidden? Or perhaps any action that serves to diminish impropriety in the world is praiseworthy?"

7. I:7: Again, the same authorities were in session and raised the following question: "As to funds deriving from the sale of an idol in the possession of a gentile, what is the law? Does the prohibition affect the money that is in the hand of the gentile, or is that not the case?"

8. I:8: Again, the same authorities were in session and raised the following question: "As to a resident proselyte, what is the law on his nullifying an idol? One who bows down to an idol can nullify it, and one who does not bow down to an idol may not nullify it? Or perhaps the rule is that anyone who is one of them a gentile, whether or not an idolator can nullify it, and this one is one of them?"

a. I:9: Illustrative case to gloss a tangential detail of the foregoing.

b. I:10: As above.

B. IF HE HIRED HIM TO DO SOME OTHER KIND OF WORK, EVEN THOUGH HE SAID TO HIM, "MOVE A JAR OF LIBATION WINE FROM ONE PLACE TO ANOTHER," HIS SALARY IS PERMITTED:

1. II:1: But is his wage permitted, even if he did not ask him to move the libation wine only towards evening after he had done the day's work? Then the fee is for moving the libation wine as part of the day's work!

C. HE WHO HIRES AN ASS TO BRING LIBATION WINE ON IT — ITS FEE IS FORBIDDEN. IF HE HIRED IT TO RIDE ON IT, EVEN THOUGH THE GENTILE ALSO PUT A FLAGON OF LIBATION WINE ON IT, ITS FEE IS PERMITTED:

1. III:1: Now why do I need yet another statement of the same matter? Is not the latter formulation the same as the former?

2. III:2: Contrasting the right of the one who hires the ass to put on food for the whole journey, while the ass driver gets to bring only food for that day, how is such a case to be treated? If there will be food to buy, the ass driver should be permitted to object and say, stopping to buy food prolongs the journey, and if there is no food for the ass driver to buy, then the one who hires the ass should not be allowed to object to the driver's carrying food for the whole journey!

a. III:3: Illustrative case.

XXXVI. Mishnah-Tractate Abodah Zarah 5:2

A. LIBATION WINE WHICH FELL ON GRAPES — ONE MAY RINSE THEM OFF, AND THEY ARE PERMITTED. BUT IF THE GRAPES WERE SPLIT, THEY ARE PROHIBITED. IF IT FELL ON FIGS OR DATES, IF THERE IS SUFFICIENT LIBATION WINE ABSORBED TO IMPART A FLAVOR TO THEM, THEY ARE FORBIDDEN. THERE WAS THE CASE OF BOETHUS B. ZONEN, WHO BROUGHT DRIED FIGS BY SHIP, AND A JAR OF LIBATION WINE BROKE OPEN AND DRIPPED ON THEM, AND HE ASKED SAGES, WHO PERMITTED THE FIGS, ONCE THEY HAD BEEN RINSED:

1. I:1: Is the purpose of the cited case to contradict the rule?

a. I:2: Case. There was a cask of libation wine that fell on a heap of wheat. Raba permitted selling it to gentiles.

3. I:3: Vintage wine that falls on grapes, all concur, prohibits the grapes if the volume is such that the wine imparts a flavor. As to new wine that falls on grapes — Abbayye says, “The requisite volume is any small amount at all.” And Raba said, “The requisite volume is such that the wine imparts a flavor.”

4. I:4: Wine vinegar that was mixed with malt vinegar, or wheat yeast with barley yeast the wine vinegar being classified as libation wine, the wheat leaven being classified as food in the status of priestly rations or heave-offering — Abbayye says, “The requisite volume is any small amount at all, we are guided by the criterion of flavor, and since each has its own flavor, it is a case in which two distinct substances are mixed, and, in such a case, the requisite volume is such that the wine imparts a flavor.” And Raba said, “The requisite volume is any small amount at all. We are guided by the criterion of the classification, and since this is called vinegar and that is called vinegar, this is called yeast and that is called yeast, it is a case in which two like substances are mixed, and, in such a case, the requisite volume is any small amount at all.”

5. I:5: If vinegar that was forbidden fell into wine that was permitted, all parties concur that the operative criterion is whether or not the vinegar imparts a flavor to the wine. If forbidden wine fell into permitted vinegar — Abbayye said, “The requisite volume is any amount at all.” And Raba said, “The operative criterion is whether or not the wine imparts a flavor to the vinegar.”

6. I:6: A gentile smelled the wine of an Israelite through the bung hole to see whether the wine had matured — it is all right. If an Israelite smelled the wine of a gentile — Abbayye declared the wine prohibited. Raba declared the wine permitted.

a. I:7: Secondary development of foregoing.

B. THIS IS THE GOVERNING PRINCIPLE: ANYTHING WHICH BESTOWS BENEFIT THROUGH IMPARTING A FLAVOR IS FORBIDDEN, AND ANYTHING WHICH DOES NOT BESTOW BENEFIT THROUGH IMPARTING A FLAVOR IS PERMITTED — FOR EXAMPLE, VINEGAR FROM LIBATION WINE WHICH FALLS ON CRUSHED BEANS.

1. II:1: Said R. Judah said Samuel, “That is indeed the law that when wine or vinegar causes deterioration in the value of food stuff, the food is permitted.” And

said R. Judah said Samuel, “That rule applies only when the vinegar fell into hot crushed beans which then are spoiled. But if it fell into cold split beans so improving the flavor and then the man warmed them up to remove the vinegar, it is treated as a case in which the effect was first of all to improve the broth and only at the end to leave it deteriorated, and so they are forbidden.”

2. II:2: Said R. Simeon b. Laqish, “When they spoke of not bestowing benefit through imparting a flavor, it is not that people determine, this broth needs salt, this broth has too much salt, this broth needs spices, this broth has too much spice. Rather, it is any that lacks for nothing but still is not eaten on account of this mixture. The bad taste resulted from the mixture with the disqualifying matter; only in that circumstance does it become permitted.”

3. II:3: Said R. Abbahu said R. Yohanan, “In any case in which the flavor and the substance of the prohibited component of the mixture are perceptible, it is forbidden, and one who eats it is subject to flogging. And that is a quantity equal to the volume of an olive of the prohibited component mixed with a quantity equal to the value of a half a loaf of bread. If, however, the taste is perceptible but the substance is not to be discerned having dissolved in the mixture, while the mixture is prohibited, one is not flogged on account of eating it. And if, finally, the taste of the mixture have been intensified by the forbidden component in such a way as to spoil the broth, then it is permitted.”

4. II:4: Said R. Kahana, “From the statements of all of them Judah, Dimi, Simeon b. Laqish, Abbahu we learn that anything which does not bestow benefit through imparting a flavor is permitted.”

a. II:5: Gloss of a detail of the foregoing.

I. II:6: The question was raised: Is the sense that there is a dispute when the flavor is spoiled to begin with, but if it was improved and then spoiled, all parties concur that the mixture is forbidden, or perhaps one way or the other, there is a dispute?

II. II:7: Gloss of II:5.

A. II:8: Secondary development of a detail of the foregoing.

1. II:9: Case.

2. II:10: Theoretical question flowing from the foregoing.

XXXVII. Mishnah-Tractate Abodah Zarah 5:3-5

I. A. A GENTILE WHO WITH AN ISRAELITE WAS MOVING JARS OF WINE FROM PLACE TO PLACE — IF THE WINE WAS ASSUMED TO BE WATCHED, IT IS PERMITTED. IF THE ISRAELITE INFORMED HIM THAT HE WAS GOING AWAY THE WINE IS PROHIBITED IF HE WAS GONE FOR A TIME SUFFICIENT TO BORE A HOLE IN A JUG OF WINE AND STOP IT UP AND FOR THE CLAY TO DRY. RABBAN SIMEON B. GAMALIEL SAYS, “TIME SUFFICIENT TO OPEN THE JAR AND STOP IT UP AND FOR THE CLAY TO DRY.”

1. I:1: What is the meaning of if the wine was assumed to be watched?

B. HE WHO LEAVES HIS WINE ON A WAGON OR IN A BOAT AND WENT ALONG BY A SHORTCUT, ENTERED INTO A TOWN AND BATHED — IT IS PERMITTED:

1. II:1: It is necessary to specify both cases. For if the Tannaite framer of the passage had made reference only to the gentile conveying jars of wine, the operative consideration might have been that, since he was thinking, “Perhaps he will come and see me,” I shall be careful not to pollute the wine with my touch,” but in the case of a wagon or a boat, I might have supposed that since the gentile might cast off the moorings of the boat and do whatever he wanted, I might have thought that that is not the rule.

C. BUT IF HE INFORMED OTHERS THAT HE WAS GOING AWAY, THE WINE IS PROHIBITED IF HE WAS GONE FOR A TIME SUFFICIENT TO BORE A HOLE AND STOP IT UP AND FOR THE CLAY TO DRY. RABBAN SIMEON B. GAMALIEL SAYS, “TIME SUFFICIENT TO OPEN THE JAR AND STOP IT UP AND FOR THE CLAY TO DRY.”

HE WHO LEAVES A GENTILE IN A STORE, EVEN THOUGH HE IS GOING OUT AND COMING IN ALL THE TIME — IT IS PERMITTED. BUT IF HE INFORMED HIM THAT HE WAS GOING AWAY, THE WINE IS PROHIBITED IF HE WAS GONE FOR A TIME SUFFICIENT TO BORE A HOLE AND STOP IT UP AND FOR THE CLAY TO DRY. RABBAN SIMEON B. GAMALIEL SAYS, “TIME SUFFICIENT TO OPEN THE JAR AND STOP IT UP AND FOR THE CLAY TO DRY.” IF AN ISRAELITE WAS EATING WITH A GENTILE AT THE SAME TIME, AND HE PUT A FLAGON OF WINE ON THE TABLE AND A FLAGON ON A SIDE TABLE, AND HE LEFT IT AND WENT OUT — WHAT IS ON THE TABLE IS FORBIDDEN. BUT WHAT IS ON THE SIDE TABLE IS PERMITTED. AND IF HE HAD SAID TO HIM, “YOU MIX AND DRINK WINE,” EVEN THAT WHICH IS ON THE SIDE TABLE IS FORBIDDEN. JARS WHICH ARE OPEN ARE FORBIDDEN. AND THOSE WHICH ARE SEALED ARE FORBIDDEN IF HE WAS GONE FOR A TIME SUFFICIENT TO BORE A HOLE AND STOP IT UP AND FOR THE CLAY TO DRY.

1. III:1: Said Rabbah bar bar Hana said R. Yohanan, “The dispute concerns a stopper made of lime, but as to one made of clay, all parties concur that he must have been away for a span of time sufficient to bore a hole and stop it up and for the clay to dry.”

2. III:2: Said Raba, “The decided law accords with the position of Rabban Simeon b. Gamaliel.

3. III:3: Said Raba, “In the case of a gentile whore, with Israelites reclining at table with her — the wine is permitted. The reason is that, granting that desire would be strong in them, the desire for libation wine would not be strong in them and they would stop her from touching the wine.”

a. III:4: Raba’s ruling on this case: In a certain house wine belonging to an Israelite was stored. A gentile came in and locked the door behind him. Through a crack in the door the gentile was found standing among the jugs.

b. III:5: Raba’s ruling on this case: Israelite wine was stored in a house in which an Israelite dwelled upstairs, a gentile downstairs. They heard the racket of a fight. They went out. The gentile came back first, locking the door behind him.

- c. III:6: Raba's ruling on this case: At an inn was stored wine belonging to an Israelite, and a gentile was turned up among the jugs.
- d. III:7: Raba's ruling on this case: In a house in which wine was stored a gentile was discovered among the jugs.
- e. III:8: Raba's ruling on this case: An Israelite and a gentile were sitting and drinking wine together. The Israelite heard the sound of prayer in the synagogue, so he got up and went.
- f. III:9: Raba's ruling on this case: An Israelite and a gentile were sitting on a ship. The Israelite heard the sound of the ram's horn, proclaiming the advent of the Sabbath, so he left and went ashore.
- g. III:10: Raba's ruling on this case: Once a lion roared in an Israelite's wine press, and a gentile worker heard it and hid among the kegs.
- h. III:11: Raba's ruling on this case: Some thieves went up to Pumbedita and opened up a great many jugs of wine.
- i. III:12: Raba's ruling on this case: A gentile girl was found standing among jugs of wine, holding some of the froth in her hand.
- j. III:13: Illustrative case. A platoon of soldiers came into Nehardea and opened up a great many jugs of wine.
- k. III:14: Illustrative case. An Israelite woman who traded in wine handed over the key to the door of the wine cellar to a gentile woman.

XXXVIII. Mishnah-Tractate Abodah Zarah 5:6

A. A BAND OF GENTILE RAIDERS WHICH ENTERED A TOWN IN PEACETIME — OPEN JARS ARE FORBIDDEN, CLOSED ONES, PERMITTED. IF IT WAS WARTIME, THESE AND THOSE ARE PERMITTED. BECAUSE THERE IS NO TIME FOR MAKING A LIBATION.

1. I:1: An objection was raised: A town that was conquered in a siege — all women married to priests in the town are disqualified to their husbands assumed to have been raped by men whom they may not legally marry (M. **Ket. 2:9D**)!

XXXIX. Mishnah-Tractate Abodah Zarah 5:7A-B

A. ISRAELITE CRAFTSMEN, TO WHOM A GENTILE SENT A JAR OF LIBATION WINE AS THEIR SALARY, ARE PERMITTED TO SAY TO HIM, "GIVE US ITS VALUE." BUT IF IT HAS ALREADY ENTERED THEIR POSSESSION, IT IS PROHIBITED.

1. I:1: Said R. Judah said Rab, "A person is permitted to say to a gentile, 'Go and pay off the government's share of the crop for me' even though the gentile will then use libation wine, from which an Israelite may derive no benefit, to pay the share of the crop that the Israelite and gentile owe as joint holders."

XL. Mishnah-Tractate Abodah Zarah 5:7C-E

A. HE WHO SELLS HIS WINE TO A GENTILE AND AGREED ON A PRICE BEFORE HE HAD MEASURED IT OUT — PROCEEDS PAID FOR IT ARE PERMITTED. IF HE HAD MEASURED IT OUT BEFORE HE HAD FIXED ITS PRICE, PROCEEDS PAID FOR IT ARE PROHIBITED.

1. I:1: Said Amemar, “The act of drawing an object in the case of a gentile effects the transfer of title. You may know that that is the case, for the Persians send gifts to one another and never retract.”

a. I:2: Case.

b. I:3: Case.

2. I:4: If he said to him, “When the article has been valued by three persons, we will have our price, then even if two of the three concur, the price must be accepted; but if he had said, “As three will declare the price, then there must be three who concur on that price.

XLI. Mishnah-Tractate Abodah Zarah 5:7F-J

A. IF HE TOOK THE FUNNEL AND MEASURED IT OUT INTO THE FLASK OF THE GENTILE AND THEN WENT AND MEASURED WINE INTO THE FLASK OF AN ISRAELITE, IF THERE REMAINED IN THE FUNNEL A DROP OF WINE FROM WHAT HAD BEEN POURED INTO THE GENTILE’S FLASK, THEN WHAT IS IN THE ISRAELITE’S FLASK IS FORBIDDEN. HE WHO POURS WINE FROM ONE UTENSIL TO ANOTHER — THAT FROM WHICH IS EMPTIED THE WINE IS PERMITTED. BUT THAT INTO WHICH HE EMPTIED THE WINE IS FORBIDDEN.

1. I:1: There in the Mishnah we have learned: A jet of liquid, water on an incline, and flowing liquid — they are not a connector either for uncleanness or for cleanness. The rut of water is a connector for uncleanness and for cleanness (M. **Tohorot 8:9D-F**). Said R. Huna, “A jet of liquid, water on an incline, and flowing liquid for purposes of determining whether wine has been made into libation wine indeed do form connectors.” This is shown by our passage: If he took the funnel and measured it out into the flask of the gentile and then went and measured wine into the flask of an Israelite, if there remained in the funnel a drop of wine from what had been poured into the gentile’s flask, then what is in the Israelite’s flask is forbidden. Now as to the wine left in the funnel, how has it been made prohibited? Is it not through the outflow? Then one must draw the conclusion that the outflow is a connector.

a. I:2: Concrete case. Said R. Hisda to Israelite wine dealers, “When you pour out wine for gentiles, cut off the flow or pour it in with a splash to avoid a connecting flow; it does form a link.”

b. I:3: As above.

2. I:4: Said Mar Zutra b. R. Nahman, “A utensil that holds several straws — it is permitted to drink therefrom even including a gentile, so long as the Israelite stops

drinking first, but not if the gentile stops drinking first since what he had drawn into his straw would flow back.”

XLII. Mishnah-Tractate Abodah Zarah 5:8

A. LIBATION WINE IS FORBIDDEN AND IMPARTS A PROHIBITION TO WINE WITH WHICH IT IS MIXED IN ANY MEASURE AT ALL. IF IT IS WINE POURED INTO WINE, OR LIBATION WATER POURED INTO WATER, IN ANY QUANTITY WHATEVER IT IS FORBIDDEN. IF IT IS WINE POURED INTO WATER OR WATER POURED INTO WINE, IT IS FORBIDDEN IF IT IMPARTS FLAVOR:

1. I:1: When R. Dimi came, he said R. Yohanan said, “He who pours out libation wine from a jug into a vat, even if he does so all day long, as each drop falls into the vat, it is nullified.” Each portion of libation wine is absorbed as it falls into the vat, however large the aggregate may be. Is this contrary to the implication of our rule?

2. I:2: When R. Isaac bar Joseph came, he said R. Yohanan said, “He who pours libation wine from a small cooler into a vat, even if he does so all day long, as each drop falls into the vat, it is nullified.”

3. I:3: When Rabin came, he said R. Yohanan said, “Libation wine that fell into a vat, and a flask of water also fell into it, we regard the permitted part of the wine in the vat as though it were not present, and as for the rest, the water forms a greater portion of the whole than the libation wine and therefore nullifies it.”

4. I:4: It has been stated: In the case of libation wine that fell into a vat, and afterward a flask of water fell into it — said Hezekiah, “If the mixture in the vat was increased through the admixture of the forbidden element, it is all forbidden. The water fell into the pure wine, and then the libation wine fell into it; although the water is more than sixty times the forbidden element, the whole is prohibited, contrary to Rabin. If it was increased through the admixture of the permitted element, it is permitted.” The pure wine fell in last; then the libation wine was nullified by the water before the other wine fell into it, and so the mixture is permitted. R. Yohanan said, “Even if it was increased through the admixture of the prohibited element, it is permitted.” Since the water fell in first, it is not a case of a species meeting with its own species.

B. THIS IS THE GOVERNING PRINCIPLE: IF IT IS ONE SPECIES POURED INTO ITS OWN SPECIES B, IT IS FORBIDDEN IN ANY MEASURE AT ALL. IF IT IS NOT POURED INTO ITS OWN SPECIES C, IT IS FORBIDDEN IF IT IMPARTS FLAVOR.

1. I:1: Both Rab and Samuel say, “In the case of all those things that are forbidden in the Torah, if there is a mixture of the same species, then the volume of disqualification is any small amount at all; if it is a mixture of two different species, then the mixture is forbidden when the prohibited component imparts its flavor to the whole. As to the language, This is the governing principle: What does this phrase serve to encompass? It serves to encompass all those things that are forbidden in the Torah.” Both R. Yohanan and R. Simeon b. Laqish say, “As to all those things that are forbidden in the Torah, whether a mixture is of two components made of the same species or of two different species, the mixture is

forbidden if the prohibited element imparts a flavor, excepting only produce from which heave-offering has not yet been designated and libation wine. In these cases, if there is a mixture of the same species, then the volume of disqualification is any small amount at all; if it is a mixture of two different species, then the mixture is forbidden when the prohibited component imparts its flavor to the whole. As to the language, This is the governing principle: What does this phrase serve to encompass? It serves to encompass produce from which heave-offering has not yet been designated.”

XLIII. Mishnah-Tractate Abodah Zarah 5:9

A. THESE ARE FORBIDDEN AND IMPOSE A PROHIBITION IN ANY MEASURE AT ALL: (1) LIBATION WINE, (2) AN IDOL, (3) HIDES WITH A HOLE AT THE HEART, (4) AN OX WHICH IS TO BE STONED, (5) A HEIFER, THE NECK OF WHICH IS TO BE BROKEN, (6) BIRDS BELONGING TO A MESORA‘, (7) THE HAIR CUT OFF A NAZIR (NUM. 6:18), (8) THE UNREDEEMED FIRSTBORN OF AN ASS (EXO. 13:13), (9) MEAT IN MILK, (10) THE GOAT WHICH IS TO BE SENT FORTH, (11) UNCONSECRATED BEASTS WHICH HAVE BEEN SLAUGHTERED IN THE TEMPLE COURTYARD —

1. I:1: On what foundation does the Tannaite authority of this rule enumerate the items that he does? If he counts objects that are commonly numbered so each one is deemed a separate entity, on which basis a single one of them may impart a prohibition to however large a volume of that same species, then he should also include on his list pieces of meat from carrion. If he has in mind the enumeration of objects that may not be used in any wise, then he should include leaven during Passover.

B. LO, THESE ARE FORBIDDEN AND IMPOSE A PROHIBITION IN ANY MEASURE AT ALL.

1. II:1: What does this further statement serve to exclude?

XLIV. Mishnah-Tractate Abodah Zarah 5:10

A. LIBATION WINE THAT FELL INTO A VAT — THE WHOLE OF THE VAT IS FORBIDDEN FOR BENEFIT. RABBAN SIMEON B. GAMALIEL SAYS, “LET THE WHOLE OF IT BE SOLD TO A GENTILE, EXCEPT FOR THE VALUE OF THAT OF LIBATION WINE WHICH IS IN IT.”

1. I:1: Said Rab, “The decided law accords with the opinion of Rabban Simeon b. Gamaliel if it is a case in which a jug of wine was confused with other jugs of wine, but not when it is wine mixed with other wine.”

XLV. Mishnah-Tractate Abodah Zarah 5:11

A. A STONE WINE PRESS WHICH A GENTILE COVERED WITH PITCH — ONE SCOURS IT, AND IT IS CLEAN. AND ONE OF WOOD — RABBI SAYS, “LET HIM SCOUR IT.” AND SAGES SAY, “LET HIM SCALE OFF THE PITCH.” AND ONE OF EARTHENWARE — EVEN THOUGH ONE HAS SCALED OFF THE PITCH, LO, THIS IS FORBIDDEN.

1. I:1: Said Raba, “That is the rule, in particular, if he covered it with pitch, but not if he trod his grapes in it without coating it; then rinsing is enough.”

a. I:2: Case.

2. I:3: Our rabbis have taught on Tannaite authority: As to a gentile’s wine press, ladle, and funnel — Rabbi permits using them after they have been scoured. Sages forbid.

a. I:4: Gloss of foregoing.

3. I:5: Raba expounded the law, “Scald the vat of a gentile before using it.”

4. I:6: It has been stated The household of Rab in the name of Rab say, “The number of steps in cleansing is two and three.” If the traces of the wine had dried in the vat, it is rinsed with water and then rubbed with ashes, but if the moisture of the wine was still present, the order was reversed. And Samuel said, “Three, four” — with a moist vat first ashes, then water; with a dry vat, first water, then ashes, and again water.

5. I:7: This question was addressed to R. Abbahu: “As with wicker nets used by Aramaeans, what is the law about cleaning them for Israelite use; they are placed over grapes to prevent them from being scattered during pressing?”

a. I:8: Gloss of foregoing.

6. I:9: Said R. Judah, “As to filter bags used by gentiles, if they are made of hair, they are to be rinsed; if they are made of wool, they must be scoured; if they are made of flax, they are to be left unused for twelve months; if there are any knots in them, they must be untied before being rinsed or scoured.”

7. I:10: It has been stated: A person not meticulous about cultic cleanness who stretched out his hand into a wine press and touched one of the clusters — Rabbi and R. Hiyya — One said, “The grape-cluster and everything about it are unclean, but the entirety of the wine press is clean.” And the other said, “The entire wine press likewise is unclean.”

XLVI. Mishnah-Tractate Abodah Zarah 5:12

A. HE WHO PURCHASES UTENSILS FOR USE WITH FOOD FROM A GENTILE — THAT WHICH IS USUALLY IMMersed ONE MUST IMMERSE:

1. I:1: It has been taught as a Tannaite statement: And all of them in any event require immersion in forty seahs of water. What is the source of this rule?

2. I:2: Said R. Nahman said Rabbah bar Abbuha, “Even new utensils are covered, since when old utensils are made white hot, they are regarded as new, and nonetheless they have to be immersed so entirely new utensils have also to be immersed.”

a. I:3: Case.

3. I:4: Said R. Ashi, “As to glass utensils, since, when they are broken, they can be repaired, are in the classification of metal utensils.”

4. I:5: The question was asked: As to a new utensil that was handed over by a gentile as a pledge, what is the law?

5. I:6: Our rabbis have taught on Tannaite authority: He who purchases utensils from gentiles — in the case of things which one knows have not been used, one immerses them, and they are clean. In the case of things which one knows have been used for cold things, in the instance of cups and flasks, one rinses them in cold water and immerses them and they are clean. If they were used for hot things, such as pitchers and water kettles, frying pans, kettles, one rinses them in boiling water and immerses them and they are clean. In the case of things that were used in fire, such as knives, spits, and grid irons, one heats them to a white heat, and immerses them and they are clean. In the case of all of them which have been used, before they have been polished, if one has scalded, immersed, or heated them to white heat, one Tannaite version has, this is forbidden. And another Tannaite version has, lo, this is permitted (T. **A.Z. 8:**).

a. I:7: Gloss of foregoing.

b. I:8: As above.

B. THAT WHICH IS USUALLY SCALDED ONE MUST SCALD. THAT WHICH IS USUALLY HEATED TO A WHITE-HOT FLAME ONE MUST HEAT TO A WHITE-HOT FLAME. A SPIT OR GRIDIRON ONE MUST HEAT TO A WHITE-HOT FLAME:

1. II:1: With reference to the clauses, That which is usually scalded one must scald....That which is usually heated to a white-hot flame one must heat to a white-hot flame, how long must the metal utensils be made white hot?

C. A KNIFE ONE MUST POLISH, AND IT IS CLEAN.

1. III:1: Said R. Uqba bar Hama, “He sticks it into the ground ten times.” Said R. Huna b. R. Joshua, “It must be into untilled soil.” Said R. Kahana, “It must be a knife that is in good shape and has no notches.”

a. III:2: Illustrative case.

Points of Structure

1. DOES BABYLONIAN TALMUD-TRACTATE ABODAH ZARAH FOLLOW A COHERENT OUTLINE GOVERNED BY A CONSISTENT RULES?

In general, our tractate is organized around the Mishnah-tractate of the same name. But as we shall note, it contains numerous, enormous, and important free-standing compositions and composites, which in no way comment on the Mishnah.

2. WHAT ARE THE SALIENT TRAITS OF ITS STRUCTURE?

Where the Tractate focuses upon the Mishnah, it takes up, ordinarily in this order, the meanings of words and phrases, the scriptural basis for Mishnah-rules, and the name of the authority behind an anonymous passage. It will then proceed to questions of a secondary order, e.g., implications of a statement, possible contradictions, in rule or in principle, between two distinct statements in the Mishnah or in other Tannaite compilations, and, then may come essays on the principle of law or the theme of law of the subject.

3. WHAT IS THE RATIONALITY OF THE STRUCTURE?

The focus upon Mishnah-commentary tells us what enters into the composite, and why one item takes priority over another.

4. WHERE ARE THE POINTS OF IRRATIONALITY IN THE STRUCTURE?

We have to distinguish among the large composites that do not directly address the amplification of the Mishnah between two types. The first is the composite that is tacked on for formal reasons, e.g., more sayings that bear the same attributive formula as the saying that has served the Mishnah, or more information on a subject that the Mishnah treats. The second is the composite that in no way relates to the Mishnah's rules, principles, or authorities. I place the former in parentheses, and catalogue the latter, which then are treated in the proper context: the question of how the intruded ("irrational") composites have affected and drastically changed the re-presentation of the Mishnah-tractate.

These are the composites that diverge from Mishnah-commentary: I.B, C, D,E, F, G, H; I.N (other rulings of Joshua b. Qorha); II.C (other rulings of Nahum the Mede); III.C, E; III.H (other festivals of idolatry); VIII.C, D, E, F, G; IX.B; XIII.B (Appendix on the Symptoms of Various Ailments and their Cures).

Points of System

1. DOES THE BABYLONIAN TALMUD-TRACTATE ABODAH ZARAH SERVE ONLY AS A RE-PRESENTATION OF THE MISHNAH-TRACTATE OF THE SAME NAME?

The Bavli tractate serves not only but mainly as a re-presentation of the Mishnah-tractate of the same name. That is to say, the Bavli-tractate presents the Mishnah-tractate but imparts to the received statement a vast, additional message of its own, one that puts into perspective and imparts depth and significance to the Mishnah-tractate's rules. The full meaning of that statement becomes clear presently.

2. HOW DO THE TOPICAL COMPOSITES FIT INTO THE TALMUD-TRACTATE ABODAH ZARAH AND WHAT DO THEY CONTRIBUTE THAT THE MISHNAH-TRACTATE OF THE SAME NAME WOULD LACK WITHOUT THEM?

Our task is now to survey those large-scale composites that accomplish a task other than that of Mishnah-exegesis. I have already catalogued them above. I omit reference to those items that are mere topical appendices or compilations of sayings in the name of an authority who figures in a Mishnah-comment. These are specified above. The remainder are as follows:

I.B: A THEOLOGY OF GENTILE IDOLATRY: ITS ORIGINS AND ITS IMPLICATIONS FOR HOLY ISRAEL: Why the gentiles rejected the Torah. It was offered to each of them, but they were too much absorbed by their own matters to accept God's will. They did not even carry out the seven commandments of the children of Noah.

I.C: THE CRITICAL IMPORTANCE OF TORAH-STUDY FOR THE SALVATION OF ISRAEL, INDIVIDUALLY AND COLLECTIVELY: Why are human beings compared to fish of the sea? To tell you, just as fish in the sea, when they come up on dry land, forthwith begin to die, so with human beings, when they take their leave of teachings of the Torah and religious deeds, forthwith they begin to die.

I.D: GOD FAVORS HOLY ISRAEL OVER THE GENTILES, BECAUSE THE FORMER ACCEPT, STUDY, AND CARRY OUT THE TORAH AND THE LATTER DO NOT. THEREFORE AT THE END OF DAYS GOD WILL SAVE ISRAEL AND DESTROY IDOLATRY: R. Hinena bar Pappa contrasted verses of Scripture: "It is written, 'As to the almighty, we do not find him exercising plenteous power' (Job. 37:23), but by contrast, 'Great is our Lord and of abundant power' (Psa. 147: 5), and further, 'Your right hand, Lord, is glorious in power' (Exo. 15: 6). But there is no contradiction between the first and second and third statements, for the former speaks of the time of judgment when justice is tempered with mercy, so God does not do what he could and the latter two statements refer to a time of war of God against his enemies."

I.E: GOD'S JUDGMENT AND WRATH, GOD'S MERCY AND FORGIVENESS FOR ISRAEL: "It is written, 'You only have I known among all the families of the earth; therefore I will visit upon you all your iniquities' (Amo. 3: 2). If one is angry, does he vent it on someone he loves?" He said to them, "I shall tell you a parable. To what is the matter comparable? To the case of a man who lent money to two

people, one a friend, the other an enemy. From the friend he collects the money little by little, from the enemy he collects all at once.”

I.F: BALAAM, THE PROPHET OF THE GENTILES, AND ISRAEL; GOD’S ANGER WITH THE GENTILES BUT NOT WITH ISRAEL: The prophet of the gentiles was a fool, but he did have the power to curse; Israel was saved by God. Said R. Eleazar, “Said the Holy One, blessed be He, to Israel, ‘My people, see how many acts of righteousness I carried out with you, for I did not grow angry with you during all those perilous days, for if I had grown angry with you, there would not have remained from Israel a remnant or a survivor.’”

I.G: THE TIME OF GOD’S ANGER IN RELATIONSHIP TO THE GENTILES AND TO ISRAEL; THE ROLE OF IDOLATRY IN GOD’S WRATH AGAINST THE NATIONS: That time at which God gets angry comes when the kings put on their crowns on their heads and prostrate themselves to the sun. Forthwith the Holy One, blessed be He, grows angry.

I.H: THE SINFUL ANCESTOR OF THE MESSIAH AND GOD’S FORGIVENESS OF HIM AND OF ISRAEL: God’s forgiveness of David is the archetype of God’s forgiveness of Israel. If an individual has sinned, they say to him, ‘Go to the individual such as David, and follow his example, and if the community as a whole has sinned, they say to them, ‘Go to the community such as Israel. TORAH-STUDY IS THE ANTIDOTE TO SIN: “What is the meaning of the verse of Scripture, ‘Happy are you who sow beside all waters, that send forth the feet of the ox and the ass’ (Isa. 32:20)? ‘Happy are you, O Israel, when you are devoted to the Torah and to doing deeds of grace, then their inclination to do evil is handed over to them, and they are not handed over into the power of their inclination to do evil.’”

III.C: THE DIVISIONS OF ISRAEL’S HISTORY; THE HISTORY OF THE WORLD IN ITS PERIODS: here we deal with the history of Israel by its periods, with special attention to Israel’s relationships with Rome, on the one side, and the point at which the Messiah will come, on the other, ca. 468: When four hundred years have passed from the destruction of the Temple, if someone says to you, ‘Buy this field that is worth a thousand denars for a single denar, don’t buy it.

III.E: COLLECTION OF STORIES ABOUT RABBI AND ANTIGONUS: Rabbi maintained cordial relationships with the Emperor, in which Rabbi gave the sage advice, and the emperor took it.

VIII.C: THE TRIAL OF ELIEZER B. HYRCANUS. IN THE MATTER OF MINUT: Reference to the idolators’ judges’ tribunal, scaffold, and stadium, calls to mind the trial of the sage by reason of the charge of Minut, or, in context, Christianity. It is no different in its workings from the state: “the two daughters who cry out from Gehenna, saying to this world, ‘Bring, bring.’ And who are they? They are Minut and the government.”

VIII.D: IDOLATRY AND LEWDNESS: the antidote is Torah-study.

VIII.E: ROMAN JUSTICE, JEWISH MARTYRDOM: Hanina, my brother, don’t you know that from Heaven have they endowed this nation Rome with dominion? For Rome has destroyed his house, burned his Temple, slain his pious ones, and annihilated his very best — and yet endures! And yet I have heard about you that

you go into session and devote yourself to the Torah and even call assemblies in public, with a scroll lying before you in your bosom.

VIII.F: THE STADIUM, THE CIRCUS, THE THEATER: He who goes to a stadium or to a camp to see the performances of sorcerers and enchanters or of various kinds of clowns, mimics, buffoons, and the like — lo, this is a seat of the scoffers, as it is said, “Happy is the man who has not walked in the counsel of the wicked...nor sat in the seat of the scoffers. But his delight is in the Torah of the Lord” (Psa. 1:12). Lo, you thereby learn that these things cause a man to neglect the study of the Torah.

VIII.G: HAPPY IS THE MAN WHO HAS NOT WALKED IN THE COUNSEL OF THE WICKED, NOR STOOD IN THE WAY OF SINNERS, NOR SAT IN THE SEAT OF THE SCORNFUL. “‘Happy is the man who has not walked’ — to theaters and circuses of gentiles; ‘nor stood in the way of sinners’ — he does not attend contests of wild beasts...”

IX.B: COMPOSITE ON THE PROHIBITION OF STARING IN A LASCIVIOUS OR OTHERWISE IMPROPER MANNER

3. CAN WE STATE WHAT THE COMPILERS OF THIS DOCUMENT PROPOSE TO ACCOMPLISH IN PRODUCING THIS COMPLETE, ORGANIZED PIECE OF WRITING?

Clearly, our sages of blessed memory have made a massive and governing transformation of the tractate. We know that is the fact because the topic, idolatry, that emerges from the Bavli is presented in a quite different way from the manner in which the Mishnah has portrayed it. And the shift takes place in the extraneous composites. In this tractate, strikingly, the real re-presentation of the topic takes place in the opening pages, as though the framers wished to make certain we would address the subject of idolatry in the proper context. Here is a fine case of what one may call “re-contextualization.”

Specifically, the large and fundamental composites that accomplish other than the exegesis of the Mishnah, many of them standing at the very head of the tractate, place the subject, idolatry, into an entirely new framework, a historical one. Everything is recast in light of our sages’ perception of matters, their definition of the context in which we are to discuss this particular subject. Consequently, I doubt that any other tractate has been so thoroughly or profoundly recast into the image, after the likeness, of sages’ Judaic system than this one. These strong judgments require ample demonstration, which I shall now provide.

A full grasp of what our sages have accomplished in this tractate requires that we compare the foregoing outline with the outline of the topic as it is set forth in the Mishnah-tractate. The first point to note is that the Mishnah-tractate restates the Written Torah’s theology of idolatry and imparts to it a practical and concrete character. We have therefore to examine the three principal stages in the unfolding of the Torah’s teachings on idolatry, the Written one, the oral one, and the authoritative re-presentation of the oral one, for Scripture, the Mishnah, and the Talmud, respectively. First comes the relationship of the Mishnah to Scripture.

A. SCRIPTURE

The tractate devoted to idolatry illustrates that relationship between Mishnah and Scripture in which Mishnah makes concrete and everyday the general conceptions of

Scripture. Specifically, what our tractate does is to supply rules and regulations to carry out the fundamental Scriptural commandments about the destruction of idols and all things having to do with idolatry. It follows that while our tractate deals with facts and relies upon suppositions which Scripture has not supplied, its basic viewpoint and the problem it seeks to solve in fact derive from the Mosaic code. Before proceeding, we had best review those general statements which Scripture does make:

Exo. 23:13

“Take heed to all that I have said to you; and make no mention of the names of other gods, nor let such be heard out of your mouth.”

Exo. 23:24

“When my angel goes before you, and brings you in to the Amorites, and the Hittites, and the Perizzites, and the Canaanites, the Hivites, and the Jebusites, and I blot them out, you shall not bow down into their gods, nor serve them, nor do according to their work, but you shall utterly overthrow them and break their pillars in pieces.”

Exo. 23:32-33

“You shall make no covenant with them or with their gods. They shall not dwell in your land, lest they make you sin against me; for if you serve their gods, it will surely be a snare to you.”

Exo. 34:12-16

The Lord said to Moses, “Come up to me on the mountain, and wait there; and I will give you the tables of stone, with the law and the commandment, which I have written for their instruction.” So Moses rose with his servant Joshua, and Moses went up into the mountain of God. And he said to the elders, “Tarry here for us, until we come to you again; and, behold Aaron and Hur are with you; whoever has a cause, let him go to them.”

Then Moses went up on the mountain, and the cloud covered the mountain. The glory of the Lord settled on Mount Sinai, and the cloud covered it six days; and on the seventh day he called to Moses out of the midst of the cloud.

Deu. 7:1-5

“When the Lord your God brings you into the land which you are entering to take possession of it, and clears away many nations before you, the Hittites, the Girgashites, the Amorites, the Canaanites, the Perizzites, the Hivites, and the Jebusites, seven nations greater and mightier than yourselves, and when the Lord your God gives them over to you, and you defeat them; then you must utterly destroy them; show no mercy to them. You shall not make marriages with them, giving your daughters to their sons or taking their daughters for your sons. For they would turn away your sons from following me, to serve other gods; then the anger of the Lord would be kindled against you, and he would destroy you quickly. But thus shall you deal with them:

you shall break down their altars, and dash in pieces their pillars, and hew down their Asherim, and burn their graven images with fire.”

Deu. 7:25-26

“The graven images of their gods you shall burn with fire; you shall not covet the silver or the gold that is on them, or take it for yourselves, lest you be ensnared by it; for it is an abomination to the Lord your God. And you shall not bring an abominable thing into your house, and become accursed like it; you shall utterly detest and abhor it; for it is an accursed thing.”

Deu. 12:2-3

“You shall surely destroy all the places where the nations whom you shall dispossess served their gods, upon the high mountains and upon the hills and under every green tree; you shall tear down their altars, and dash in pieces their pillars, and burn their Asherim with fire; you shall hew down the graven images of their gods, and destroy their name out of that place.”

B. FROM SCRIPTURE TO THE MISHNAH

The tractate which proposes to realize these commandments in ordinary life is in three parts, moving from the general to the specific. It turns, first, to commercial relationships, second, to matters pertaining to idols, and, finally, to the very urgent issue of the prohibition of wine, part of which has served as a libation to an idol. There are a number of unstated principles before us. What a gentile is not likely to use for the worship of an idol is not going to be prohibited. What may serve not as part of idolatry but as an appurtenance thereto is prohibited for Israelite use but permitted for Israelite commerce. What serves for idolatry is prohibited for use and for benefit. Certain further assumptions about gentiles, not pertinent specifically to idolatry, are expressed. Gentiles are assumed routinely to practice bestiality, bloodshed, and fornication, without limit or restriction. This negative image of the gentile finds expression in the laws before us. The outline of the tractate follows.

I. Commercial relationships with gentiles. 1:1-2:7

A. Festivals and fairs. 1:1-4

- 1:1 For three days before gentile festivals it is forbidden to do business with them.
- 1:2 Ishmael: Three days afterward also.
- 1:3 These are the festivals of gentiles.
- 1:4 A city in which there is an idol – in the area outside of it, it is permitted to do business.

B. Objects prohibited even in commerce. 1:5-2:2

- 1:5 These are things which it is forbidden to sell to gentiles.
- 1:6 In a place in which they are accustomed to sell small cattle to gentiles, they sell them (the consideration being use of the beasts for sacrifices to idols).
- 1:7 They do not sell them bears, lions, or anything which is a public danger. They do not help build with them a basilica, scaffold, stadium, or judges' tribunal.

1:8-9 They do not make ornaments for an idol, sell them produce which is not yet harvested, sell them land in the Holy Land.

2:1 They do not leave cattle in gentiles' inns, because they are suspect in regard to bestiality.

2:2 They accept healing for property (e.g., animals) but not for a person.

C. Objects prohibited for use but permitted in trade. 2:3-7

2:3 These things belonging to gentiles are prohibited, and the prohibition concerning them extends to deriving any benefit from them at all: wine, vinegar, earthenware which absorbs wine, and hides pierced at the heart.

2:4 Skins of gentiles and their jars, with Israelite wine collected in them – they are prohibited, the prohibition extends to deriving benefit, so Meir. Sages: Not to deriving benefit.

2:5 On what account did they prohibit cheese made by gentiles?

2:6-7 These are things of gentiles which are prohibited, but the prohibition does not extend to deriving benefit from them. Milk, bread, oil, etc.

2:7 These are things which to begin with are permitted for Israelite consumption.

II. Idols. 3:1-4:7

A. General Principles. 3:1-7

3:1 All images are prohibited, because they are worshipped once a year, so Meir, Sages: Prohibited is only one which has an emblem of authority.

3:2-3 He who finds the shreds of images – lo, these are permitted.

3:4 Gamaliel: What gentiles treat as a god is prohibited.

3:5 Gentiles who worship hills and valleys – the hills or valleys are permitted, but what is on them is forbidden.

3:6 If one's house-wall served also as the wall of a Temple and it fell down, one may not rebuild it.

3:7 There are three states in regard to idolatry: what is built for idolatrous purposes is forbidden. What is improved is forbidden until the improvement is removed. What merely happens to be used for an idol is permitted once the idol is removed.

B. The Asherah. 3:7-10

3:7 What is an asherah?

3:8-9 Use of an asherah-tree.

3:10 Desecrating an asherah-tree.

C. The Merkolis. 4:1-2

4:1-2 Three stones beside a Merkolis (= Hermes) are forbidden, so Ishmael.

D. Nullifying an idol. 4:3-7

4:3 An idol which had a garden or bathhouse.

4:4-6 An idol belonging to a gentile is prohibited forthwith. One belonging to an Israelite is forbidden only once it has been worshipped. How one nullifies an idol.

4:7 If God does not favor idolatry, why does he not wipe it away?

III. Libation-wine. 4:8-5:12

4:8 They purchase from gentiles the contents of a winepress which has already been trodden out, for it is not the sort of wine which gentiles use for a libation until it has dripped down into the vat.

4:9 Israelites tread a winepress with a gentile, but they do not gather grapes with him.

4:10 A gentile who is found standing beside a cistern of wine – if he had a lien on the vat, it is prohibited. If he had no lien on it, it is permitted.

4:11 He who prepares the wine belonging to a gentile in a condition of cleanness and leaves it in his domain.

5:1 He who hires an Israelite worker to work with him in the preparation of libation-wine – the Israelite's salary is forbidden.

5:2 Libation-wine which fell on grapes – one may rinse them off, and they are permitted. If the grapes were split and absorbed wine, they are prohibited.

5:3-4 A gentile who with an Israelite was moving jars of wine from place to place – if the wine is assumed to be watched, it is permitted. If the Israelite told the gentile he was going away for any length of time, the wine is prohibited.

5:5 The same point, now in the context of eating at the same table.

5:6 A band of gentile raiders which entered a town peacefully – open jars are forbidden, closed ones permitted.

5:7 Israelite craftsmen, to whom a gentile sent a jar of libation-wine as salary, may ask him to pay in money instead, only if this is before the wine has entered their possession. Afterward it is forbidden.

5:8-9 Libation-wine is forbidden and imparts a prohibition on wine with which it is mixed in any measure at all. If it is wine poured into water, it is forbidden only if it imparts a flavor.

5:10 Libation-wine which fell into a vat – the whole of the vat is forbidden for benefit. Simeon b. Gamaliel: All of it may be sold except the value of the volume of libation-wine which is in it.

5:11-12 A stone winepress which a gentile covered with pitch – one dries it off, and it is clean. One of wood, one of earthenware.

The opening unit unfolds in a fairly orderly way, from a prologue on the special problems of fairs, to the general matter of things Israelites may not even buy or sell, as against things they may not use but may trade, I.B, C. The second unit lays down some general principles about images, then presents special ones on two specific kinds of idols, II.B, C, and at the end asks the logical necessary question about how one nullifies an idol entirely. The third unit is a very long essay about libation-wine and its effect upon Israelite-gentile commerce. I do not see any coherent subdivisions of this sizable discussion, which goes over the same ground time and again.

C. FROM THE MISHNAH TO THE TALMUD

From its initial insertion of a massive account of gentile idolatry, the Talmud reframes issues. The Mishnah asks not a single question of history or theology. It deals only with 1 commercial relationships with gentiles, so far as these are affected by idolatry, 2 idols, and 3 libation wine. So the topic at hand is treated in a routine and commonplace manner. The Talmud transforms and transcends the topic. It transforms it by reframing the issue of idolatry so that at stake is no longer relationships between Israel and idolatrous nations but rather, those between idolatrous nations and God. It then transcends the topic by introducing the antidote to idolatry, which is the Torah. So Israel differs from idolatrous nations by reason of the Torah, and that imparts a special character to all of Israel's everyday conduct, not only its abstinence from idol-worship. In fact, the Talmud makes this tractate into an occasion for reflection on the problem of Israel and the nations.

Predictably, our sages of blessed memory invoke the one matter that they deem critical to all else: the Torah. Israel differs from the gentiles not for the merely negative reason that it does not worship idols but only an invisible God. It differs from them for the positive reason that the Torah that defines Israel's life was explicitly rejected by the gentiles. Every one of them had its chance at the Torah, and all of them rejected it. When the gentiles try to justify themselves to God by appealing to their forthcoming relationships to Israel, that is dismissed as self-serving. The gentiles could not even observe the seven commandments assigned to the Noahides. From that point, the composite that stands at the head of the tractate and imparts its sense to all that will follow proceeds to the next question, that is, from the downfall of the gentiles by reason of their idolatry and rejection of the Torah to the salvation of Israel through the Torah.

Lest we miss the point, the reason for God's favor is made explicit: God favors Israel because Israel keeps the Torah. God therefore is strict with the gentiles but merciful to Israel. This is forthwith assigned a specific illustration: Balaam, the gentiles' prophet, presents the occasion to underscore God's anger toward the gentiles and his mercy to Israel. Bringing us back to the beginning, we then are shown how God's anger for the gentiles comes to the fore when the gentiles worship idols: when the kings who rule the world worship nature rather than nature's Creator. How God forgives Israel is then shown in respect to David's sin, and Torah-study as the antidote to sin once more is introduced. It is difficult to conclude other than that the framers of the Talmud have added to the presentation of the topic the results of profound thought on idolatry as a force in the history of humanity and of Israel. They thus have re-presented the Mishnah's topic in a far more profound framework of reflection than the Mishnah, with its rather petty interests in details of this and that, would have lead us to anticipate.

The next set of free-standing composites present episodic portraits of the matters introduced at the outset. The first involves world history and its periods, divided, it goes without saying, in relationship to the history of Israel, which stands at the center of world history. Rome defines the counterpart, and Israel's and Rome's relationships, culminating in the coming of the Messiah, are introduced. The next two collections form a point and counterpoint. On the one side, we have the tale of how Rabbi and the Roman Emperor formed a close relationship, with Rabbi the wise counsellor, the ruler behind the throne. So whatever good happens in Rome happens by reason of our sages' wisdom, deriving as it does from the Torah, on which the stories predictably are going to harp. Then comes as explicit a judgment upon Christianity in the framework of world-history as I think we are likely to find in the Talmud. The set of stories involves Eliezer b. Hyrcanus and how he

was tried for Minut, which the story leaves no doubt stands for Christianity. Now “Minut” and the Roman government are treated as twin-sources of condemnation. And it is in that very context that the stories of Roman justice and Jewish martyrdom, by reason of Torah-study, are introduced. Not only so, but — should we miss the contrast the compilers wish to draw — the very same setting sets forth the counterpart and opposite: the stadium, circus, and theater, place for scoffers and buffoons, as against the sages’ study-center, where people avoid the seat of the scornful but instead study the Torah.

The Talmud’s associations with idolatry then compare and contrast these opposites: Israel and Rome; martyrdom and wantonness; Torah and lewdness and other forms of sin; probity and dignity and buffoonery; and on and on. The Mishnah finds no reason to introduce into the consideration of idolatry either the matter of the Torah or the issue of world history. The Talmud cannot deal with the details of conduct with gentiles without asking the profound questions of divine intentionality and human culpability that idolatry in the world provokes. And yet, if we revert to the Mishnah’s fabricated debates with the philosophers, we see the issue introduced and explored. What the Mishnah lacks is not a philosophy of monotheism in contrast with polytheism and its idols, but a theology of history and a theodicy of Israel’s destiny, a salvific theory. These the Talmud introduces, with enormous effect. And, we note, once these propositions have been inserted, the Talmud allows the systematic exposition of the Mishnah to go forward without theological intrusion of any kind. The point has been made.

Now, we wonder, where have our sages learned to interpret the issue of idolatry in a historical and theological framework, rather than in a merely practical and reasonable one, such as the Mishnah’s authorship provides? A glance at the verses of Scripture given earlier answers the question. Idolatry explains the fate of the nations, Israel’s covenant through the Torah, Israel’s. But the verses of Scripture cited earlier hardly serve as source for the reflections on Israel and Rome, the ages of human history, the power of God to forgive, and, above all, the glory of the Torah as the mediating source of God’s love and forgiveness. All of this our sages of blessed memory themselves formulated and contributed. Scripture provided important data, the Mishnah, the occasion, but for the theology of history formed around the center of the Torah, we look to our sages for the occasion and the source. And sages’ success in meeting the challenge of the topic at hand explains why no tractate more successfully demonstrates how the Talmud’s framers’ massive insertions transform the Mishnah’s statement into one of considerably enhanced dimensions and depth. None more admirably matched their capacities of deep reflection on the inner structure of Israel’s history with the promise and potential of a subject of absolutely primary urgency.