

TRACT HAGIGA (HOLOCAUST).

CHAPTER I.

REGULATIONS CONCERNING THE HOLOCAUST, AND THE APPOINTED TIME FOR THE PEACE-OFFERING.

MISHNA: All are bound in the case of a holocaust 1 except a deaf man, a fool, a minor, and one of doubtful sex ($\alpha\tau\mu\eta\tau\omicron\varsigma$) and one of double sex (androginos), and women and bondsmen, the lame, the blind, the sick, the old, and he who is not able to go upon his feet. What is a minor? Every one who is unable to ride on his father's shoulders, and to go up from Jerusalem to the mountain of the Temple. So is the decree of the School of Shammai. But the School of Hillel say: Every one who is unable to take hold of his father's hand, and to go up from Jerusalem to the mountain of the Temple, as it is said [Ex. xxiii. 14], "Three times," 2 etc. The School of Shammai say: The holocaust involves two silver coins (one-third of a gold dinar), and the feast-offering one meah (one-sixth of a dinar). But the School of Hillel say the contrary.

GEMARA: What is meant to be added by the word "all"? It means to add a man who is half a slave (he was a slave to two men, and one gave him liberty). But according to Rabhina, who says that such a man is absolved from holocaust, what did the Mishna mean to add? One who was lame on the first day, but on the second day he became well. This would be correct according to him who says that on every day of the succeeding six days the obligation of the holocaust exists, but according to those who say that all the six days are only a completion of the

first day, and as he was not obliged the first day, although he was fit for it later, he is free from it. What did the Mishna mean to add by the expression "all"? Therefore we must say that it is as stated above (one who is a half-slave), and Rabhina's statement is in accordance with the later Mishna, which states as follows: For the sake of the world, it was ordained that the master of the slave shall be compelled to set him free for the purpose that he should be able to marry a free man, and the slave shall give him a note for it for the half of his value. And the School of Hillel retracted their decision and decided as the School of Shammai; consequently if he is yet half a slave, he is obliged, because he will be free, and the Mishna adds by "all" such a case.

"A deaf man, a fool, and a minor," etc. The Mishna mentions the deaf man together with fool, to teach us that as the fool has no intelligence, so also the deaf man is absolved when he has no intelligence, *i.e.*, when he is both deaf and dumb; but if he speaks but cannot hear, or *vice versa*, he is obliged. But did we not learn in a Boraitha: Both when he can bear but not speak, or speak and not hear, in either case he is free? Said Rabhina: The Boraitha is not completed, and must read thus: All are obliged in case of a holocaust, and to enjoy the festival, except a deaf man

who hears but speaks not, or *vice versa*, then he is free from holocaust, but not from rejoicing. But he who neither hears nor speaks is free from rejoicing also, because he is exempt from all commandments contained in the Law. And so we also learned in a Boraitha plainly.

But why is a man who hears but speaks not, or *vice versa*, exempt from holocaust? Because about holocaust he deduces from an analogy of expression as follows: It is written [Deut. xxxi. 12]: "Assemble the people together, the men and the women, and the children," and [ibid. 2]: "When all Israel came to appear before the Lord thy God." But whence do we deduce that he who hears not but speaks, etc., is exempt from pilgrimage? Because it is written [ibid. 12]: "That they may hear, etc., that they may learn." And a Boraitha taught: "May hear" to exclude one who can talk but cannot hear, and "may learn" to exclude those who can hear but cannot speak. Is that so, that he who cannot speak cannot learn? We know there were two dumb men in the neighborhood of Rabbi, who were sons of the daughter of R. Johanan b. Gudguda (and others say, sons of his sister), who, when Rabbi entered the house of learning, went

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in also, shook their heads, and muttered with their lips; and Rabbi prayed mercy for them and they were healed; and it was found that they were well versed on Halakha, and on the whole six sections of the Mishna? Said Mar Zutra: Read in the Bible: They may teach l (not "learn"), and who cannot speak cannot teach. Said R. Ashi. Assuredly, it must be so, because if learning is meant it could be deduced from the words, "and they may hear," and he who cannot hear cannot learn.

R. Tan'hum said: He who is deaf in one ear is free from holocaust, because in the verse stated above [ibid. 2] it is written: "In their *ears*" (in the plural). R. Tan'hum said again: He who is lame in one foot, is also exempt, because it is written: "Three times" [Regalim (times), which means also feet (plural)].

Rabha lectured: "It is written (Song of Songs, vii. 2): "How beautiful are thy steps in sandals, O prince's daughter." This refers to the pilgrims on the festivals (see Succah, chap. iv.). R. Kahana said: R. Nathan b. Minyumi lectured in the name of R. Tan'hum: It is written [Gen. xxxvii. 24]: "And the pit was empty, there was no water in it." If it was empty, is it not self-evident that there was no water in it? Infer from this that it was empty from water, but not from snakes and scorpions.

The rabbis taught: It happened that R. Johanan b. Broka and R. Elazar b. Hasma went to visit R. Jehoshua in the city of Pekiin, and he asked them: What news is to-day in the house of learning? They answered him . We are your disciples, and we drink only your waters. He rejoined: Nevertheless, it cannot be there should not be something new in the college; tell me whose Sabbath was it for lecturing? And they said: R. Elazar b. Azariah's. And on what verse did he lecture? (asked he again). On the portion of the Assembly. And what did R. Elazar preach? He lectured thus: It is written [Deut. xxxi. 12]: "Assemble the people together, the men and the women and the children." It is right, the men came to learn, the women came to hear; for what purpose were the children brought? Only that those who brought them should be rewarded. And he rejoined: You have had a good pearl in your hand and you wanted to deprive me of it.

He also lectured on the verse Deut. xxvi. 17. (See Berachoth.)

[paragraph continues] The same lectured again: It is written [Eccl. xii. 2]: "The words of the wise are like goads, and like nails planted 1 are the words of the men of the assemblies which are given by one shepherd." As the goad keeps the animal which ploughs (to make it straight) furrows, so as to produce sustenance for the world, so also the words of the Law (keep those who study them) away from the ways of death for the ways of life. But if you would say, that as the goad is movable so also the words of Law. Therefore it is written: "Nails." But if you will say, as the nail (makes a hole in the wall and) diminishes (and does not add to it), so also the words of the Law diminish and do not add. Therefore it is written: "Planted"; as a plant is fruitful and multiplies, so also the words of the Law. "The men of assemblies," which means the scholars who sit in assembly, studying the Law and discussing-these make clean, the others make unclean, these prohibit and those allow, these make valid, those make invalid. But if one may say: If it is so, how can I learn the Torah? Therefore it is written: "Given by one shepherd." One God gave them, and one Master (Moses) said it from the mount of the Lord of all creatures, blessed be He, As it is written [Ex. xx. i]: "And God spoke all these words." And therefore you must make your ears as an *επιχυσις* (a kind of strainer which receives but lets not out), and gain an understanding heart to comprehend the reason why these make unclean, those clean, etc. Then R. Jehoshua rejoined: I tell you, it is not an orphan generation in the midst of which R. Elazar b. Azariah lives. Why did they not tell him at once the news in the house of learning? Because of the occurrence stated in the following Boraitha:

It happened once that R. Jose, the son of a Damascene woman, went to visit R. Eliezer in the city of Luda, and R. Elazar asked him: What news was there in the house of learning to-day? And he answered: It was voted, and the decision was that in the lands of Amman and Moab the tithe to the poor is to be given on the Sabbatical year (this is explained in Tract Maasroth), and he told him: Jose, stretch out your hand, and take out your eyes. And he did so. Then R. Elazar wept and said: It is written [Ps. xxv. 14]: "The sacred counsel of the Lord is for those that fear him, and his covenant to make it known to them." And he said to R. Jose: Go and tell

them, you should not doubt about your conclusion to-day, because I have a tradition from R. Johanan b. Zakkai, who heard it from his master, and his master from *his* master, etc., up to Moses on Sinai, that the land of Amman and Moab may give the tithe to the poor on the Sabbatical year. [The reason is because those who went out of Egypt subjugated many fortified cities, but those who went out from Babylon did not, and the first sanctification had sanctified the land only for that time, but not for the future. And those who went out from Babylon left these lands for the poor; they should be supported on them on the Sabbatical year. In another Boraitha it was taught: After R. Elazar became calm he prayed that it should be the will of God that Jose's eyes be cured, and they were cured.]

The rabbis taught: What is called a fool? He who goes out alone in the night, and who sleeps in a cemetery, and who tears the clothes he wears. It was taught: R. Huna said: It is only when he does all these things together. How is the case? If because he is a fool, then any of these is sufficient, and if he does it not through folly, what is the proof of all these? It is meant he does it through folly; but when he does all these things, he is like an ox goring another ox, a camel, and an ass, after which he is considered vicious as to all creatures, so he is considered a fool in all

respects. Said R. Papa: If R. Huna had heard the following Boraitha, which states, Who is a fool? When he destroys all things that are given to him, he would have retracted his decree.

"*One of doubtful sex*," etc. The rabbis taught: It could be written [Deut. xvi. 16]: "The males," which would exclude only the women, but it is written "*Thy males*," which means to exclude also those of doubtful as of double sex. But why is needed a verse to exclude the women? Is not this a commandment which is dependent upon the time? and it is known that of all commandments which are dependent upon the time the women are exempt. This verse is needed, for at the first glance one might say that it shall be drawn from an analogy of expression, "the assembly"; as to the assembly women are also bound, so would be the case here, therefore, it comes to teach us. The master said: "All thy males to include the minors. But did not we learn in our Mishna, Except a deaf man, a fool, and a minor?" Said Abayi: It presents no difficulty: There is the case of a minor who has not arrived at the age of education yet, and here is the case when he has arrived at such age. When a

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minor who has arrived at such age, his duty is only rabbinical. Why then is needed a verse? Yea, it is only rabbinical, and the verse is only a support. But to what else does the verse apply? To that of the following Boraitha: Anonymous teachers said: Those whose work imparts to them a bad odor which accompanies them wherever they go, are exempt from the holocaust, because it is written, "*All thy males*," *i.e.*, all that can go together with others, but not such as cannot be in others' company.

"Women and bondsmen." This is correct as to women, as it was said above, but whence do we deduce about bondsmen? Said R. Huna: Because it is written there [ibid. ibid.]: "Before the Lord thy God," which means one who has only one Lord, but not such as has another lord. Let us see: To what purpose is needed a separate verse? It is known that all the commandments which are obligatory to a woman are so also to a bondsman and all the commandments from which a woman is exempt a bondsman is also exempt, and this is inferred from an analogy of expressions [Deut. xxiv. 1]: "Write her," and [Lev. xix. 20] "Her freedom given her," hence a woman and bondsman are equal in duties. Said Rabbina: The verse is needed for one who is half a slave and half free, and it seems to be so because the Mishna taught: Women and bondsmen who were not freed. To what purpose is stated "not freed"? If it is meant that they were not freed at all, "bondsmen" alone is enough. We must say, therefore, that the Mishna meant those who were not wholly free. And what can that be? One who is half a slave and half free.

"*The lame, blind, sick*," etc. The rabbis taught: It is written "Regalim" to exclude the lame, sick, blind, and old men who cannot go with their feet. What is meant to be added by "who cannot go with their feet"? Said Rabha: Such delicate persons as cannot walk without shoes (and in the Temple it was not permitted to go in shoes), as it is written [Is. i. 12]: "When you come to appear in my presence, who had required this at your hand to tread down my courts?"

We have learned in a Boraitha: If one is uncircumcised, or unclean, he is exempt from the holocaust. It is right of one unclean, because it is written [Dent. xii. 5, 6]: "And thither shalt thou come, and ye shall bring thither." From this we infer, that he who can come in ought to bring, but he who cannot, should not; (and he who is unclean cannot come into the Temple).

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But of an uncircumcised, wherefrom is it deduced? This is in accordance with R. Aqiba, who makes an uncircumcised equal to an unclean one, as we have learned in the following Boraitha: R. Aqiba said: It is written [Lev. xxii- 4]: "Any man whatsoever of the seed of Aaron." "Any man"--it could be written "a man." Why "any man," to include that "the uncircumcised shall be equal to the unclean ones"?

The rabbis taught: R. Johanan b. Dahabai said in the name of R. Jehudah: A man blind in one eye is exempt from the holocaust, because it is written [Deut. xvi. 16]: "Shall appear," 1 as if one comes to see, it is with both eyes; so if he appears, he must be with both eyes. R. Huna, when he came to the verse above cited, used to weep and say: That a slave whose master exhorts him to come to see him should be debarred from seeing him, as it is written [Is. i. 12]: "When you come to appear in my presence, who had required this at your hands to tread my courts?" Also when he came to the following verse [Deut. xxvii. 7]: "And thou shalt slay peace-offerings, and eat there." A slave who is invited to eat from his master's table, shall be debarred from seeing him, as it is written [Is. i. i]: "Or what serveth me the multitude of your sacrifices?" R. Elazar, when he came to this verse [Gen. xlv. 3]: "And his brothers could not answer him, because they were terrified at his presence," he wept and said: If one is thus terrified when a human being has recognized his guilt, how much the more will it be before the Holy One, blessed be He.

Also when he came to the verse [1 Sam. xxviii. 15]: "And Samuel said to Saul: Why hast thou disquieted me, to bring me up?" If Samuel, the upright, was afraid of the judgment, so much the more must we be afraid of it. How shall this be understood? It is written [ibid. 12]: "And the woman said unto Saul: Divine beings have I seen ascending (Olim) out of the earth." Olim is plural. (Who were they?) It was Samuel and Moses, because Samuel was afraid. Perhaps he was asked to the judgment, and he had gone to Moses and asked him to testify, that he (Samuel) had done all that was written in his Law. R. Ammi, when he came to the following verse, used to cry [Lam. iii. 29]: "That he put his mouth in the dust, perhaps there still is hope." He said: After so much had been done

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nevertheless it is said "*perhaps*." Also when he came to the following verse [Zeph. ii. 3]: "Seek righteousness, seek meekness, perhaps ye will be protected," he said: After so much will have been done, still it will be "*perhaps*." R. Asi, when he came to the following passage, used to cry [Amos v. 15]: "Hate the evil and love the good, and establish justice firmly in the gate: perhaps the Lord, the God of hosts." He said: After so much will have been done, it will still be "*perhaps*."

R. Joseph, when he came to the verse [Prov. xiii. 23]: "But there are many who are taken away without justice," 1 cried. R. Johanan, when he came to the following passage [Job ii. 3]: "And thou hast incited him against me to destroy him without cause," he cried. He said: If a slave persuades his master, and the master is persuaded, what cure can there be? Also, when he came to the following passage [ibid. xv. 15]: "In his holy one he putteth no trust," he cried and said: If he puts no trust in his holy one, whom will he believe? Once when on the road he saw a man pick figs from a tree. He left the ripe ones and picked the unripe ones. R. Johanan asked him: Are not the ripe ones better? He answered: These which are unripe I need for the route, because the ripe ones will be spoilt, but not these. Then said R. Johanan: This is as what is written: He

putteth no trust in his holy ones (*i.e.*, they are gathered in before they are tempted to sin).

R. Johanan, when he came to the following verse [Mal. iii. 5] he wept: "And I will come near unto you to hold judgment, and I will be a swift witness against the sorcerers, and against the adulterers, and against those that swear falsely, and against those that withhold the wages of the hired laborer, fear me not, saith the Lord of hosts."

R. Johanan b. Zakkai said: Woe is to us, the verse makes equal for us light sins as well as grave sins." (Rashi explains it that the light sin is that of those who withhold the wages of the hired laborer, who is here equal to sorcerers, etc.) R. Hanina bar Papa said: When a man commits a sin and soon repents of it, he is forgiven immediately, because it is written [ibid.]: "And fear me not, saith the Lord of hosts." When he fears and asks for forgiveness, he is pardoned. R. Johanan, when he came to the verse [Eccl. xii. 14]: "For every deed will God bring into the

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judgment, concerning everything that had been hidden," he cried. He said: If there is a slave whose master reckons his unintentional sins as his intentional sins, what cure can there be? What is meant by "everything that hath been hidden"? Said Rabh: When one kills a louse in another man's presence, and makes himself disagreeable thereby to him. And Samuel says: Even if he spits in the presence of his neighbor, and makes himself disagreeable.

What is meant [ibid.], "Whether it be good, or whether it be bad"? The disciples of R. Janai said: That applies to a man who gives charity to a poor man publicly. As R. Janai saw a man give a Zuz to a poor man publicly, he said to him: It would be better if you gave him not at all than as you did now, and put him to shame. The disciples of R. Shila said: It means a man who gives charity to a woman secretly, which brings on him suspicion.

It is written [Deut. xxxi. 21]: "And it shall come to pass when many evils and troubles." What is meant by "evils and troubles"? Said Rabh: Evils that trouble one another; for instance, a man who was bitten by a bee and by a scorpion--for the bee's sting warm water is needed, and for a scorpion's bite cold water is needed, hence the use of either will harm the other wound. Samuel said: What is written before, "whether good or bad," means one who (whether he is in good or bad circumstances) gives money to the poor only when the latter is in extreme poverty. Said Rabha: This is what people say: A Zuz for pleasure is not to be obtained, but a Zuz for trouble must be found (at any time).

It is written [Deut. xxxi. 17]: "And my anger shall be kindled against them on that day, and I will forsake them, and I will hide my face from them, and they shall be given to be devoured." Said R. Bardala bar Tebiumi in the name of Rabh: A man from whom God hides not his face is not an Israelite, and he who is not given to be devoured is not an Israelite, either. Said the rabbis to Rabha: It seems to us that you are neither included in the "hiding of the face" nor in the "devouring." And he rejoined: Can you know how much I must spend secretly on the government? Nevertheless the rabbis looked at him with an evil eye, and finally they came from the government and robbed him of everything. Said he: This is what R. Simeon b. Gamaliel said: Whatever the sages looked at with their eyes, either death or poverty followed.

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It is written [ibid.]: "And I will hide my face from them." Said Rabha: The Holy One, blessed be He, said: "Although I have hidden my face from them, nevertheless I will talk to them in the dream." R. Joseph said: Still His hand is inclined to us, as it is written [Is. li. 16]: "With the shadow of my hand have I covered thee."

R. Joshua b. Hanania was before the Emperor (Cæsar). A Min who stood by showed him with his hand a people from whom God had turned away His face. R. Joshua b. Hanania showed him with his hand that "His hand is still over us." Asked the Emperor of R. Joshua: Do you know what the Min has shown you with his hand? He replied: Yes, he showed me a people from whom God had turned away His face. He asked him: What have you shown him with your hand? He answered: I showed him that God's hand is still inclined over us. The Emperor then asked the Min: What have you shown to R. Joshua b. Hanania? He said the same. And he asked him: What did he show you? He replied: I do not know. Then the Emperor said: A man that does not know what is shown to him by a sign, should he dare to raise his hand in the presence of an emperor? He ordered, and the Min was killed.

When R. Joshua b. Hanania was dying, the rabbis asked him: What will become of us with the Minim? He rejoined: It is written [Jer. xlix. 7]: "Is counsel vanished from the sons, is their wisdom become corrupt?" And this must be interpreted: When the children of God love their adviser the wisdom of their adversaries becomes corrupt. [And if you wish, we can infer it from the following passage (Gen. xxxiii. 12): 11 Let us depart and move farther, and I will travel near 1 thee," which means we will be always equal to those against us.]

R. Ula, when ascending the steps of the house of Rabba bar Shila, heard a child read the following passage [Amos iv. 13]: "He that formeth the mountains, and createth the wind and declareth unto man what is his thought." And he said: If there is a slave whose master can declare him what his secret thought is, what cure can there be? What is meant by "He declareth"? Said Rabh: Even a superfluous conversation between a man and his own wife is mentioned to him at the time of his death.

It is written [Jer. xiii. 17]: "My eye shall weep sorely and run down with tears, because the flock of the Lord is driven

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away captive." Said R. Elazar: What signify the three tears? 1 One over the first, one over the second Temple, and one over the exile of Israel from their land.

The rabbis taught: For the following three things the Holy One, blessed be He, weeps every day: For him who has the power to study the Law every day and does not; for him whose circumstances do not allow him to study, but who nevertheless does, and for a chief of the congregation who is haughty toward his congregation. Rabbi held the book of Lamentations and read. When he came to the verse [Lam. ii. 2]: "He had cast down from heaven unto the earth," the book dropped out of his hand. He said: It fell from the highest attic to the lowest pit.

Rabbi and R. Hyya were on the road. When they came to a city they said: If here is a scholar we will go to pay him a visit. They were told: There is here a young scholar, but he is blind. Said R.

Hyia to Rabbi: You, as a Nasi, stay here, not to degrade your dignity, and I will go to see him. Rabbi did not listen, but perforce accompanied him. The blind man said to them when they were departing: You have come to see a countenance that can be seen, but cannot see; therefore ye should deserve to see that countenance which sees all, but which no one sees. Said Rabbi (to R. Hyia): If I had listened to you, and refrained to accompany you, I could not have received this blessing. They then asked the blind man: From whom have you heard this beautiful saying? (That to visit a scholar is so great a merit.) He replied: I heard it at the lecture of R. Jacob of the village of Hitaya, who used to visit his master every day. When he became old, his master said to him: Do not take this trouble now, for you are too aged to walk every day. He answered: Is this slight in your estimation what is written about scholars [Ps. xlix. 10]: "Should he still live forever, and not see the pit, for he must see that wise men die"? Now, if he who sees the wise die lives forever, much more so he who comes to see them when alive.

R. Idi, the father of R. Jacob bar Idi, had the custom to be three months on the road, and one day in college. The students of the college called him "the single-day student." So he became discouraged, and said in application to himself the verse [Job xii. 4]: "I am as one laughed at by his friends." Said R.

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Johanah to him "I pray thee, do not cause the rabbis to be punished (by Heaven for their wrong to him), and he himself went and lectured thus: It is written [Is. lviii. 2]: "Yet me do they ever seek day by day, and to know my ways do they always desire," and said: Do they seek only by day, and not in the night? This comes to teach us that he who studies the Law even one day in the year, the verse makes him equal to one who studied the whole year.

"Every one unable to ride on his father's shoulders," etc. R. Zera was opposed to this teaching, and asked: "And who brought him as far as Jerusalem?" Abayi answered: As his mother is bound to rejoice, she brought him, and there if he can go up to the Temple mountain with his father, he is no longer a minor. To defend the teaching of the School of Hillel, Rabbi replied thus: It is written in 1 Sam. i. 22: Hannah said: "So soon as the child shall be weaned, I will bring him." Why did she let him wait till he would be weaned, since the father could have carried him? Said Abayi 1 to him: According to your question, why did Hannah herself fail to go, since she was bound to rejoice? It must be said, that because of the too delicate condition of the child (which his mother noticed in him) she did not want to go.

"Beth Shammai say two silver coins," etc. The rabbis taught: Beth Shammai say two silver coins for holocaust, because the sacrifice is a burnt-offering and must be more valuable, but for the feast-offering, which is only a peace-offering, one meah suffices. And we find also in case of Pentecost, about which the Law commands the burnt-offering should cost more than the peace-offering. And the Beth Hillel say: For the holocaust only one silver coin is sufficient. But the feast-offering had existed before the Law was given to Moses, as it is written [Ex. xxiv. 5]: "And they offered burnt-offerings and peace-offerings." (Although in the Bible it is written after the Law was given, this occurred before.) And we also find when the princes of Israel offered sacrifices, the cost of the peace-offerings was greater than the burnt-offerings.

Abayi said: Beth Shammai (R. Elazar and R. Ishmael) all hold that the sacrifice the Israelites offered in the desert was a holocaust-offering, and the Beth Hillel (R. Aqiba and R. Jose the Galilean) all hold that it was the daily offering, but not that of holocaust. We have learned in

things have no biblical prescribed quantity: Peah (the corner); the first-fruit [Deut. xxvi.], and the holocaust-offering, and the conferring of kindness and the studying of the Law. R. Johanan taught to say: They have no prescribed maximum, but they have a prescribed minimum, until R. Oshia the Great came and taught: The holocaust has no prescribed quantity, even a minimum. But the sages said: The holocaust-offering should not be of less worth than a silver coin, and the feast-offering not less than two.

The expression in the above-cited Mishna for the holocaust is "the seeing" (Haraion). Now the question arises what is meant by "the seeing"? R. Johanan said: He can come to the court as many times as he likes to see it; the sacrifice, however, is only once in each festival. Resh Lakish, however, said: Every time he comes to visit the court he must offer a sacrifice. And they differ only during the whole year, not in the festivals. According to R. Johanan he may visit it without a sacrifice, but according to Resh Lakish he must bring a sacrifice, but both agree, in the festivals, he must come with a sacrifice, and one is sufficient for all days of the feast. And Resh Lakish agrees also that when one comes to visit in the middle of the year without a sacrifice, he may nevertheless enter the court and the Temple, but they differ when he came in the middle of the year and brought a sacrifice with him. According to R. Johanan it must not be accepted from him as an offering of the holocaust, because it is not prescribed how many times he should visit, but is prescribed that only one sacrifice in each festival. And according to Resh Lakish it may be accepted, because there is no prescribed quantity for sacrifices also, and he can sacrifice as much as he likes.

We have learned in a Boraitha: It is written [Prov. xxv. 17]: "Make thy foot scarce to the house of thy friend." From this we may infer: Thou shalt forbear to bring too many sin-offerings. Whence do we deduce this? Perhaps it means too many burnt-offerings or peace-offerings? It cannot be, for it is written [Ps. lxvi. 13]: "I will enter thy house with burnt-offerings; I will pay unto thee my vows (peace-offerings)." Now we see that burnt-offerings and peace-offerings he can offer when he likes. What, then, does the verse mean? Sin-offerings.

MISHNA: Burnt-offerings on the intermediate days come from ordinary things, but the peace-offerings from second-tithe. On the first day of Passover the School of Shammai say that

they come from ordinary things, but the School of Hillel say that they come from the second-tithe. Israelites generally fulfil their duty with vows and voluntary offerings, and with cattle-tithe, and the priests by the eating of sin-offering and of the trespass-offering, and by the first-born, and by the breast which hath been waved, and the shoulder which hath been lifted up, but not by eating of birds or of meal-offerings.

GEMARA: According to this Mishna, burnt-offerings are only to be sacrificed on the intermediate days, but not on the festival itself, and this would not be according to the School of Hillel concerning the Mishna in the next chapter? The Mishna is not completed, but must read thus: Burnt, vow, and voluntary offerings can be brought only on the intermediate days, not on

the festival itself. The holocaust-offering, however, may be brought even on the festival. And when it is brought it must be only from ordinary things, but the peace-offerings of enjoying may be brought also from the second-tithe; the feast-offering, however, on the first day of Passover, the School of Shammai say, from ordinary things, and the School of Hillel say, from second-tithe. And so it was taught plainly in a Boraitha. Why is the feast-offering on the first day of the Passover different? Said R. Ashi: The Mishna comes to teach us only the feast-offering of the fifteenth of Nisan may be brought on the festival, but not of the fourteenth (which is brought together with the Paschal lamb). [From this we see that R. Ashi holds that the feast-offering of the fourteenth is not biblical.]

The Mishna says. The School of Hillel say: It may be brought from the second-tithe. Why? Is this not a duty-offering, and all that is a duty-offering must come from ordinary things? Said Ula: They meant to say, when he added the money of the second-tithe to the ordinary money. Hezkyah, however, said: An animal from second-tithe can be added to an ordinary animal, but with money it cannot be done so. R. Johanan, however, said: That, on the contrary, money to money can be added, but an animal to an animal cannot be added.

We have learned in one Boraitha in accordance with Hezkyah, another in accordance with R. Johanan.

"*Israelites fulfil their duty*," etc. The rabbis taught: It is written [Deut. xvi. 14]: "Thou shalt rejoice on thy feast," that is to add, all the moneys you have for rejoicing you can add to the money for this rejoicing. (It is said in, another place that there is no rejoicing without meat, and as he has money

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for the second-tithe as for other rejoicing, he can use it to eat the meat of the peace-offerings.) From this the sages infer that the Israelites can fulfil their duty with vow and voluntary offerings and with cattle-tithe; and the priest with sin and trespass-offerings, with the firstlings, and wave (breast) and heave (shoulder), lest one say, also with birds or meal-offerings. It is therefore written: "Thou shalt rejoice *thy* feast," and from this we may infer that all the things of which a feast-offering may be brought can be used for enjoying, excluding the above, of which a feast-offering cannot be brought. And R. Ashi said: From the expression only "Thou shalt *rejoice*" it can be inferred, because meal and fowls are not used for rejoicing.

MISHNA: He who has many to eat with him and few possessions brings more peace-offerings and fewer burnt-offerings. He who has more possessions than persons to eat with him brings more burnt-offerings and fewer peace-offerings. If one has little of both, to this case applies the saying about the meah of silver and the two pieces of silver. If he have enough of both, to this case applies the words: "Every man shall give as he is able, according to the blessing of the Lord thy God, which he hath given you" [Deut. xvi. 17].

GEMARA.. More peace-offerings? Where should he take them? Said R. Hisda: He should add money, and shall bring a large bull. Ula said in the name of Resh Lakish: If one have separated ten animals for his feast-offerings, if he have offered five on the first festival, he may offer the other five on the second day of the festival. R. Johanan, however, said: As soon as he stopped offering, he shall not do it more. Said R. Abba: They do not differ, however. R. Johanan says he

must do so, when he stopped, without any condition, but Resh Lakish meant the case when he said, when he stopped, that he would offer more. So It was taught also, that R. Shaman bar Abba said in the name of R. Johanan: The case where he cannot continue his offerings is only when he has no time to continue this day, and did not do so, but when he had time he may continue on the morrow.

MISHNA: If one has not offered the feast-offering on the first day of the festival, he may do it on any of the seven intermediate days, and even on the last day of the festival; but if the feast is over and he has not done it, he is not responsible for this. Of such a person is said [Eccl. i. 15]: "That what is crooked cannot be made straight, and what is defective cannot

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be numbered." R. Simeon b. Manassea, however, said: Who is this that is crooked that cannot be made straight? That is he who forms an illegitimate connection and begets therefrom a bastard child. If you should say: Nay, it has to do with theft and plunder, then he could make restitution of it and be made straight? R. Simeon b. Jo'hai said: Nothing is called crooked that was not straight at the beginning and has become crooked. And what is this? A scholar that separates himself from the Law.

GEMARA: Whence do we deduce this? Said R. Johanan in the name of R. Ishmael: It is written of the seven days of Passover: "Assembly," and it is also written of the eighth day of the Feast of Tabernacles: "Assembly." As the eighth day of the Feast of Tabernacles is a completion, so also is the seventh day of Passover, and this expression is "empty" (seemingly superfluous), because if it would not be superfluous it could be objected to that the seventh day of Passover is not separated in anything from the former days, but the eighth day of the Feast of Tabernacles is separated from the former days in the offerings and in many things (as is stated in Succah). And in reality this expression "assembly" is superfluous: for let us see: What is meant by "assembly to the Lord thy God"? They shall assemble not to do any labor, and this is already written above [Deut. xvi. 8]: "You shall not do any labor." Why "assembly" again? Infer from this to make it "empty" for the analogy stated above. But the Tana of the Boraitha infers this from the following passage: It is written [Lev. xxiii. 41]: "Ye shall celebrate it as a feast unto the Lord seven days in the year." Might we assume he shall celebrate the holidays all the seven-days? Therefore it is written "it"--*it* but not *all* the seven days. And for what purpose then is it written "seven days"? You must say, they are only for a completion. But whence do you know that if he has not offered the feast-offering on the first day, he may do so on all the succeeding six days of the festivals? Therefore it is written [ibid.]: "In the seventh month shall ye celebrate." If the seventh month, one might assume that he shall celebrate the whole month? Therefore it is written "it" (on the festival), but ye cannot do so outside of the festival.

"*If the feast is over,*" etc. Said Ben Hei Hei to Hillel: If it is so, why is it written, "Cannot be numbered"? It should be written, "Fulfilled"? We must therefore say that this verse means,

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that if a man was numbered among his colleagues for a religious duty, and he did not want to be numbered--of him is said the verse. So also we have learned plainly in a Boraitha (Berachoth). Ben Hei Hei again asked Hillel: It is written [Mal. iii. 18] "And ye shall return and see the difference between the righteous and the wicked, between him that serveth God and him that has

not served him." What is the difference between the righteous and the servant of God, or the wicked and him who serves not God? Is it not the same? And he answered: Both he who serves God and serves not are really upright men, but when one repeats his chapter of the Law one hundred times he is not equal to him who does it one hundred and one times. Said Ben Hei Hei again: Can the man be called upright who serves not God, because he did not repeat the one hundredth and first time? And he said: Yea, go and learn from the marketplace, where asses are hired: when one hires an ass for ten porsa, he pays one Zuz, but if for eleven, he must pay two.

Elijah said to Ben Hei Hei, according to others to R. Elazar: It is written [Is. xlvi. 10]: "Behold, I have refined thee, though not into silver: I have approved thee in the crucible of affliction." [1](#) Infer from this when the Holy One, blessed be He, looked for merits given to Israel, he found only poverty. Said Samuel, and according to others R. Joseph: This is what people say: Poverty becomes Israel as a red leather trapping a white horse.

"R. Simeon b. Menassea," etc. If born, yea, but if not, nay? Did we not learn in a Boraitha: Simeon b. Manassea said: If one has stolen something, he can return it and repair his sin; if one has robbed, he can return, and make all good, but he who has had a connection with his neighbor's wife, and disqualified her for his neighbor, this man is destroyed from the world, and is lost? R. Simeon b. Jo'hai said: We do not say, one shall examine a camel, or one shall examine a pig (because they are unfit, and there is nothing to examine). But what is to be examined? A sheep (which is fit for an offering). Perhaps it has received a blemish which makes it unfit--that is, a scholar who has departed from the Law. R. Jehudah b. Lakish said: Of a scholar who separated himself from the Law the verse [Prov. xxvii. 8] said: "As a bird that wandereth away from her nest so is a man that wandereth away from his place." Of him is also

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written [Jer. ii. 5]: "What fault did your fathers find in me, that they went away from me?" (Now we see, however, that he who has a connection with his neighbor's wife, although he has no bastard born, is also destroyed from the world? It presents no difficulty: If he forced her, she may continue with her husband and he may repent and make it good, but if a bastard was born, she cannot live with her husband, and he is lost; but if he did it with her will, even when there is no bastard, he is lost). And if you wish I will say: In both cases it is when he used force. If he had a connection with the wife of a priest (who cannot live with her husband in any case), he is lost even when no bastard was born; and when it is stated that he is lost only when a bastard is born, the wife of a common man is meant.

It is written [Zech. viii. 10]: "And for him that went out or came in there was no peace." Said Rabh: That means, if a man goes out from the study of the Mishna to read the verses of the Bible, this man can have no more peace (because nothing can be decided from the verses without the commentary of the Mishna). Samuel, however, said: Even the man who separates himself from the Talmud to learn the Mishna (because nothing can be decided from the Mishna without the explanation of the Talmud). R. Johanan said: Even he who separates himself from the Palestinian Talmud, and goes to the Babylonian Talmud (because nothing is to be decided from the Babylonian Talmud, as it is said in Sanhedrin: "In dark places that he set me to dwell," etc. [Lam. iii. 6], which means, the Babylonian Talmud); and so explains Rashi; but Tosphath says, it can be explained *vice versa*, i.e., one who goes from the Babylonian Talmud before understanding it thoroughly to the Palestinian Talmud, who will surely not understand it.

MISHNA: The laws about the dissolving of vows hang in the air, and have no basis (in the Bible). The Halakhath concerning Sabbath, feast-offerings, and [trespasses](#) are as mountains suspended by a hair, because the verses of the Bible concerning this are very few, and the Halakhath are very many. The jurisprudence, the Temple services, and the purification, and uncleanness, and the cases of illegal unions, have a basis in the Bible, and they are the essential parts of the Law.

GEMARA: We have learned in a Boraitha: R. Elazar, however, said: They have a basis in the Bible, as it is written: [Lev. xxvii. 2]: "If a man make a particular vow," and [Num. vi. 2]

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it is written again: "Pronounce an especial vow." Why twice? It is to signify--one is to make the vow, the other is to dissolve it. R. Joshua said also: They have a basis, as it is written: [Ps. xcvi. 11]: "So that I swore in my wrath." From this we infer, what I have sworn in my wrath, which later I recalled (and from this we infer, who swears, or vows when he is excited, or so, may later ask to have it dissolved). R. Itzhak said: There is a basis from the following [Ex. xxxv. 5]: "Whosoever is of a willing heart." From this we may infer, he can make a vow with a willing heart, but otherwise he can ask for its being dissolved. Hananiah the son of R. Jehoshuah's brother said: Their basis is the following verse [Ps. cxix. 106]: "I have sworn and I will perform it, to observe thy righteous ordinances," and when he says, "I will perform it," he may sometimes not do it, although he has sworn, because he will ask it to be dissolved. Said R. Jehudah in the name of Samuel: If I would be there I would say to them: The following verse would be better than yours, viz. [Num. xxx. 3]: "He shall not profane his word." *He* shall not profane, but others can make him profane it. Said Rabha: To all said above I can object, but what Samuel said could not be objected to.

"*The Halakhath concerning Sabbath.*" Are not written many verses about Sabbath? Why do they say, they are as mountains suspended by a hair? It is prohibited only to labor with an intention, but what is and what is not labor with an intention is not written at all; but the Talmud concludes that it is such that was done in the Tabernacle, because the commandment of Sabbath immediately precedes the building of the Tabernacle [Ex. xxv.].

"*The offering of peace.*" Why, it is written? (It is said above, "Ye shall celebrate"? Yea, it is written, "Ye shall celebrate it," but where is it written an offering shall, be brought?) This may be inferred from an analogy of expressions. It is written [Ex. v. 1]: "That they may hold a feast unto me in the *wilderness*," and it is written [Amos v. 25]: "Have ye offered unto me sacrifices and meat-offerings in the wilderness?" Hence as there is plainly stated "offerings," so also "hold a feast" means to bring offerings. Why, then, is it said, they are as mountains hanging by a hair? Because between the words of the law of the Pentateuch and the words of the Prophets we do not draw any analogies.

"*Trespass.*" Is that not written? Said Rabha: It means as

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a case of the following Boraitha: If the owner has remembered, but his messenger did not remember, the messenger has trespassed. Now, what has the poor messenger done to trespass?

That is, these laws are as mountains hanging by a hair.

"*In the Bible are very few,*" etc. We have learned in a Boraitha: That about plagues, tents for a dead body, the verses are few, and the Halakhath are many. Is that so? Of plagues there are very many verses? Said R. Papa: The Boraitha meant to say thus: About plagues there are many verses, but few Halakhath; but about tents there are few verses, but many Halakhath. And what is the difference? That is, if one is doubtful in a Halakha concerning plagues, he should look up the Bible, but if he is doubtful concerning tents, he must look up the Mishnas.

"*Jurisprudence.*" (The Mishna says, it has only a basis. Is it only that?) Is it not written all about it? It is meant a case as in the following Boraitha: Rabbi said: What is written [Ex. xxi. 23]: "Life for life" means money. But whence do we deduce this? Perhaps it means life in the reality? Therefore here it is written: "Thou shalt give," and in the preceding verse it is written: "He shall give by the decision of thee judges." As there it is to pay money only, so it is here.

"*The Temple services.*" Is this not written? It means to say about the bringing of the blood to the altar, as we have learned in a Boraitha. The passage [Lev. iv.] "shall *bring*" means "*receiving*" the blood, as it is a service that must be done by the priest with the observation of all the regulations of the Law.

"*Clean and unclean.*" Is this not written? The Mishna means, the prescribed quantity for a legal bath, which is not, written at all. But about unclean things, is it not written? It means to say, the size of a lentil from a reptile defiles, which is not written.

"*Illegal unions.*" Is it not written about this plainly? It was necessary to meet the case of the daughter of a woman whom he has forced, which is not written about in the Bible and that is only drawn from an analogy of expression.

"*And they are the essentials of the Law.*" Are only these the essential parts? and the former not? Say, they are also.

Footnotes

[1:1](#) The Hebrew term is •••• which means "appearing" [*vide* Deut. xvi. 16], and because of the statement [*ibid.*], "And no one shall appear before the Lord empty," it is construed to mean the sacrifice; *i.e.*, the holocaust.

[1:2](#) The Hebrew expression for "times" is "Regalim," the singular of which is "Regel," and means "a foot" also, hence the meaning "if the minor can go with his feet."

[3:1](#) The expression "Ylmdu," which means "to learn" and Mar Zutra said it should be read "Yelamedu," which means "to teach."

[4:1](#) *Netuim*, "planted" or "fastened."

[7:1](#) The Hebrew expression is •••••• which means "shall be seen the same letters with following punctuation •••••• would be "shall see," hence the analogy.

[8:1](#) Here is a legend of what happened to R. Bibi bar Abayi with the Angel of Death, who killed a man prematurely, which is omitted according to our method. This, however, can be found in the translation of Mr. Streane.

[10:1](#) *Lnegdecho* and *Neged* mean "against."

[11:1](#) In this verse in the Hebrew "tears" is mentioned three times.

[12:1](#) This must be Abayi the Elder, who lived at that time.

[17:1](#) *Oni* is translated "affliction," but by the Talmud "poverty."

[Next: Chapter II: Regulations Concerning Public Lectures: Which Are And Which Are Not Allowed.](#)