

אמר רבי יוסי: קיימתיה בהא דאמר רבי שמואל בשם רבי זעירא: כל שאינה יכולה ליקרב לא היא ולא דמיה – לא קדשה אלא הקדש דמים. ואת אמרת יאות, להקריבו אין את יכול – דכתיב "בבקר" ולא עופות, לפדותו אין את יכול – שאין לעוף פדיון. לפום בן צריך מימר לא קדשה אלא קדושת דמים.

חברייא בשם רבי יוחנן, רבי אייבו בר נגרי אמר קומי רבי אילא בשם רבי יוחנן: טעמא דהין תנאי וואם כל בהמה טמאה אשר לא יקריבו ממנה קרבן לה.

מה תלמוד לומר "טמאה"? אלא אפילו טמאה באותו השם.

וקשיא: בדיא כתיב "והעמיד והעריך".

רבי זעירא בשם רבי אלעזר לא אמר בן, אלא: "ואם כל בהמה טמאה אשר לא יקריבו ממנה קרבן לה" – כל שאינה ראוי ליקרב לא כאן ולא במקום אחר אינו עושה תמורה.

יצאת נקבה לעולה, אף על פי שאינה ראוי ליקרב כאן – ראוי ליקרב במקום אחר.

The Gemara answers: **Rabbi Yosei said: I established Rabbi Eliezer's opinion as being in accordance with that which Rabbi Shmuel said in the name of Rabbi Ze'eira: Anything that cannot be sacrificed on the altar, neither itself nor its monetary value, as it cannot be redeemed, is consecrated only with sanctity that inheres in its monetary value.**<sup>N</sup> And therefore, you, Rabbi Eliezer, said correctly: You are not able to sacrifice this bird on the altar, as it is written: "Of the cattle," and not birds. You are not able to redeem the bird were it to have inherent sanctity, as there is no concept of redemption for birds.<sup>H</sup> Therefore, you must say that it is consecrated only with sanctity that inheres in its value.

**S** In the *baraita* cited above, Rabbi Shimon ben Yehuda said in the name of Rabbi Shimon that if one consecrates a female animal for a burnt-offering, a Paschal lamb, or a guilt-offering, it is endowed only with sanctity that inheres in the animal's value, since a female animal is invalid for these offerings. Consequently, a substitute cannot be made from it. **The group of students said in the name of Rabbi Yohanan, and Rabbi Ayyevu bar Nagri said in the presence of Rabbi Ila, in the name of Rabbi Yohanan: The source for the opinion of this tanna, Rabbi Shimon, is the verse in the passage about substitution: "And if it be any unclean animal, of which they may not bring an offering to the Lord" (Leviticus 27:11), which indicates that an unclean animal that was consecrated cannot make a substitution.**

What is the meaning when the verse states "unclean," as it certainly is not referring to an animal of an unclean species of animal, i.e., a non-kosher animal, since they are already disqualified by a different verse? **Rather, it is referring even to an animal of a clean, kosher species that is only unclean, i.e., unsuitable, for that particular category of offering.**

The Gemara notes: **It is difficult to justify this source as the basis for Rabbi Shimon's opinion because, with regard to this, it is written in the continuation of the verse: "Then he shall stand the animal before the priest. And the priest shall value it"**<sup>NH</sup> (Leviticus 27:11–12), indicating that before being redeemed, the animal must be stood before the priest for valuation. However, Rabbi Shimon himself holds that this process is necessary only for animals that have inherent sanctity. Perforce, this verse and the previous one are referring to cases where the animal has inherent sanctity. If so, these verses cannot be used as the basis for Rabbi Shimon's opinion in the *baraita*.

**Rabbi Ze'eira, in the name of Rabbi Elazar, did not say that this verse is the basis of Rabbi Shimon's opinion. Rather, he explained it as the basis for the opposing opinion: "And if it be any unclean animal, of which they may not bring an offering to the Lord."** The superfluous word "offering" indicates that any animal that is not suitable to be sacrificed, neither here, for the type of offering for which it was consecrated, nor anywhere else, as any other type of offering, is never endowed with inherent sanctity. Therefore, a substitute cannot be made from it.

This principle excludes the case of a female animal that was consecrated for a burnt-offering. **Although it is not suitable to be sacrificed here, as an animal burnt-offering, it is suitable to be sacrificed in another place, such as a bird burnt-offering.** This verse therefore serves as a source for the opinion of the first *tanna* in that *baraita*, who holds that a female animal consecrated for a burnt-offering, a guilt-offering, or a Paschal lamb is endowed with inherent sanctity, and therefore a substitute can be made from it.

NOTES

Anything that cannot be sacrificed, neither itself nor its monetary value, is consecrated only with sanctity that inheres in its monetary value – יכולה ליקרב לא היא – כל שאינה יכולה ליקרב לא היא ולא דמיה לא קדשה אלא הקדש דמים: This principle is based on the following assumption: Since one is aware that if the item is sanctified with inherent sanctity for the altar, there will be no recourse for it, he therefore intends from the outset to consecrate it only with sanctity that inheres in its value. This provides the possibility to redeem and eventually sacrifice at least the item's value on the altar (*Talmid HaRashbash*).

**Then he shall stand and shall value – והעמיד והעריך:** The Torah states: "And if it be any unclean animal, of which they may not bring an offering unto the Lord, then he shall stand the animal before the priest. And the priest shall value it" (Leviticus 27:11–12). The Sages taught that "unclean animal" is not referring to an animal of a non-kosher species but any animal that is unsuitable as an offering, such as one that is blemished. All such animals may be redeemed, but they must first be stood before a priest for valuation.

HALAKHA

**שאיין לעוף פדיון – Fine flour, wine, oil, frankincense, birds, wood, or a sacred vessel that was disqualified for use or became ritually impure cannot be redeemed, as the verse states: "He shall stand... shall value" (Leviticus 27:11–12).** That which is stood before the court can be valued. Since these are not stood before the court, they can never be redeemed (Rambam *Sefer Avoda, Hilkhhot Issurei Mizbe'ah* 6:4).

**והעמיד והעריך – One who consecrated a living animal and now wishes to redeem it, whether it is of a kosher or non-kosher species, whether the consecration is for Temple maintenance or to the altar, whether it is blemished, or even, in certain circumstances, if it is unblemished and suitable to be sacrificed on the altar, it must be stood before the court of priests and valued. Therefore, if it dies before it is valued, it can never be redeemed; rather, it is buried.** This is in accordance with the opinion of Rabbi Yohanan (Rambam *Sefer Hafla'a, Hilkhhot Arakhin VaHaramim* 5:12).

## HALAKHA

An animal that sodomizes a person or an animal that is sodomized – הַרְבֵּעַ וְהַנִּרְבָּע: An animal that sodomized or was sodomized, although it may be eaten, is disqualified for sacrifice on the altar (Rambam *Sefer Avoda, Hilkhot Issurei Mizbe'ah* 3:6).

Once every thirty days the prices are set for the Temple chamber – אַחַת לְשָׁלְשִׁים יוֹם מְשַׁעְרִין אֶת הַלְּשָׁכָה: The prices for wine and fine flour were set every thirty days by the one appointed over the libations. If during that time the general price rose, the merchant had to provide the goods at the price they had set. If it fell, he had to provide the goods at the lower price (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 7:13).

## NOTES

The prices are set for the chamber – מְשַׁעְרִין אֶת הַלְּשָׁכָה: Some explain that this is not the fixing of prices for the various goods but the setting of the next month's budget, based on how much money was spent during the previous month and how much will be needed for the next month, in order to cover matters whose cost is borne by the collection of the chamber (Rabbeinu Meshulam). Others explain that when the flour or wine supplier claims payment from the Temple at the end of thirty days, he may not insist on a particular currency. Rather, he is paid in local currency and must bear the costs of the exchange himself (*Tosefta Shekalim* 2:11; Rav Yehuda ben Rav Binyamin HaRofeh).

If the wine turned to vinegar – וְאִם הִחְמִיץ יַיִן: The Gemara describes that the wine used for the libations, which was brought from the region of Judea, was miraculously blessed in that it never turned to vinegar (*Pesahim* 42b). The commentaries therefore wonder why the mishna here delineates the protocol for a case in which it did turn to vinegar. Some explain the mishna's ruling by noting that the Gemara in tractate *Pesahim* states that wine would turn into vinegar if barley fell into it, and there the mishna's ruling is referring to such a case. Even there, the merchant continued to bear responsibility for the wine. Another suggestion is that if the wine never actually spoiled, this was a miraculous event. Since it is improper to rely on a miracle, it is therefore necessary to define a protocol for when the miracle does not occur (*Tosefot Yom Tov on Demai* 1:1).

רַבִּי אַבּוּן וְרַבִּי בּוּן בְּעֵזֶן קוֹמֵי רַבִּי זְעִירָא: הָרִי הָרוּבֵעַ וְהַנִּרְבָּע, שְׂאִינָן רָאוּיִן לִיקָרֵב לֹא כָּאֵן וְלֹא בְּמִקּוּם אַחֵר וְהָרִי הֵן עוֹשִׂין תְּמוּרָה. אָמַר לֹא: אִף אֲנִי לֹא אֶמְרֵתִי אֶלְיָא טַמְאָה מִמֶּשׁ.

וְקָשִׁיא: בְּדָא כְּתִיב 'וְהֶעֱמִיד וְהֶעֱרִיךְ'.

הַלְּבָה הַ מִתְּנִי אַחַת לְשָׁלְשִׁים יוֹם מְשַׁעְרִין אֶת הַלְּשָׁכָה. כָּל הַמִּקְבֵּל עָלָיו לְסַפֵּק סֵלֹתוֹת מֵאַרְבַּע, עִמְדוּ מִשְׁלֵשׁ – יִסְפֵּק מֵאַרְבַּע. מִשְׁלֵשׁ וְעִמְדוּ מֵאַרְבַּע – יִסְפֵּק מֵאַרְבַּע. שִׂיד הַקֶּדֶשׁ עַל הָעֲלִיּוֹנָה.

אִם הִתְלִיעָה סוּלֶת – הִתְלִיעָה לוֹ, וְאִם הִחְמִיץ יַיִן – הִחְמִיץ לוֹ. אִינוּ מִקְבֵּל מְעוֹתָיו עַד שִׁיֵּהָא הַמִּזְבֵּחַ מְרֻצָּה.

גַּמִּי תִנִּי בְּשֵׁם רַבִּי שְׁמַעוֹן: מִיָּד הָיוּ מְקַבְּלִין אֶת מְעוֹתֵיהֶן, וְהַכֹּהֲנִים זְרִיזִין הֵן.

הַדְרִין עֲלֶיךָ פֶּרֶק הַתְּרוּמָה

The Gemara challenges this principle: **Rabbi Avun and Rabbi Bun asked in the presence of Rabbi Ze'ira: But there is the case of an animal that sodomizes a person or an animal that is sodomized,<sup>11</sup> which are not suitable to be sacrificed, neither here, for the kind of offering for which it was consecrated, nor anywhere else as any other kind of offering, and yet a substitute can be made from it.** The Gemara answers: **He said to them: Even I said this principle only with regard to an animal that is actually unclean, i.e., from a non-kosher species. But it does not apply to an animal of a kosher species that is disqualified for some other reason.**

The Gemara notes: **But it is difficult** to claim that “unclean” is referring to an animal of an unclean, non-kosher species, because **with regard to this, it is written** in the subsequent verses: “**Then he shall stand the animal before the priest. And the priest shall value it**” (Leviticus 27:11–12), indicating the procedure for redeeming the animal. This certainly cannot refer to an animal of a non-kosher species, since a verse later on (Leviticus 27:27) addresses that case. Rabbi Ze'ira's derivation is therefore problematic.

**HALAKHA 5 • MISHNA** Once every thirty days, the prices at which the Temple supplies such as wine, flour, or oil will be purchased are set for the Temple chamber.<sup>NH</sup> This set price is implemented in the following way: **Any merchant who undertakes to provide fine flour** after the chamber set a price of **four se'a per sela**, even if the general market price rose and **stood at three se'a per sela**, he must provide fine flour based on the set price of **four se'a per sela**. However, if the chamber's set price was **three se'a per sela**, and the general market price rose to **four se'a per sela**, he must now provide fine flour based on the new market price of **four se'a per sela**. This is in order that the Temple treasury of consecrated property always has the upper hand.

If the fine flour became wormy, it became wormy for the merchant, i.e., he bears the loss of the ruined fine flour and must provide new fine flour in its place. Similarly, if the wine turned to vinegar,<sup>N</sup> it turned to vinegar for the merchant. This is because the merchant **only receives**, i.e., earns, his money **once the altar is satisfied**, i.e., the transaction is only realized once the items have been sacrificed on the altar.

**GEMARA** It was taught in a *baraita* in the name of Rabbi Shimon: The merchants would immediately receive their money. And there was no concern that the items would spoil, because priests are vigilant and ensure that no item has a chance to spoil.

הלכה א מתני' אלו הן הממונים  
שהיו במקדש: יוחנן בן פנחס על  
החזתמות, אחייה על הנסכים, מתיה  
בן שמואל על הפייסות.

**HALAKHA 1 • MISHNA** These are the officials<sup>HN</sup> who served in specific positions in the Temple: Yoḥanan ben Pineḥas was responsible for the seals.<sup>B</sup> One who paid for a specific type of sacrificial item received a seal, which he presented to the Temple official in exchange for that item. Aḥiyya was responsible for the libations, i.e., the wine, oil, and flour prepared with the level of ritual purity necessary for the libation offerings and the meal-offerings, which accompanied many animal offerings. Aḥiyya supplied the libations to those who presented the appropriate seal. Matya ben Shmuel was responsible for the lotteries, which were used to select priests for the various Temple services each day.

פתחיה על הקנין.

Petaḥya was responsible for the pairs<sup>N</sup> of birds,<sup>BN</sup> i.e., the turtledoves or pigeons, brought by a *zav*, a *zava*, a woman after childbirth, and a leper. They placed the appropriate sum of money into the horn designated for this purpose, and each day Petaḥya oversaw the purchase of birds from that money and their sacrifice in the proper manner.

פתחיה זהו מרדכי ולמה נקרא שמו  
פתחיה – שהיה פותח דברים ודורשן.  
וידע בשבעים לשון.

Incidentally, the Gemara mentions: Petaḥya is Mordecai from the book of Esther. And why was he named called Petaḥya, which resembles the word for opening [*petaḥ*]? The reason is that he would open, i.e., elucidate, difficult topics and interpret them<sup>N</sup> to the people, and because he knew all seventy languages<sup>N</sup> known at the time.<sup>N</sup>

#### HALAKHA

These are the officials – אלו הן הממונים: There was a permanent need for special Temple officials responsible for the following fifteen areas: (1) The timetable of Temple duties, (2) locking the gates, (3) guarding, (4) Levite singers, (5) the cymbal and other musical instruments, (6) lotteries, (7) pairs of birds, (8) seals, (9) libations, (10) healing the priests suffering from intestinal disease, (11) the water supply, (12) preparation of the shewbread, (13) preparation of the incense, (14) preparation of the Temple curtains, (15) and the preparation of the priestly garments. This is the opinion of the Rambam. The Ra'avad questions his omission of an official responsible for the garment shreds used for wicks (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 7:1, and the comment of the *Kesef Mishne*).

#### BACKGROUND

The seals – החזתמות: Although each individual was permitted to supply his own animal and flour for his offering, in practice this was difficult for those who visited the Temple from far away. They would purchase the necessary items either in the markets of Jerusalem or through the appropriate Temple official. Buying the offering in the Temple ensured that their offering would not be defective in any way. When the petitioner paid the official for the sacrificial item, he received a receipt in the form of a seal. He presented this seal to another official, who supplied him with the appropriate item. At the end of each day, both the receipts and the amount of money actually collected were tallied and the amounts compared. In the event of a deficit, the official who received the payments was required to make up the difference from his own pocket. Each day's seals were stored in a place called the chamber of seals.

The pairs of birds – הקנין: The two types of birds that can be brought as offerings are pigeons [*benei yona*] and turtledoves [*torim*] (Leviticus 1:14). The *tor* is identified as *Streptopelia turtur*, while the *yona* is identified as *Columba livia domestica*.

#### NOTES

These are the officials – אלו הן הממונים: According to one opinion, all the officials who served in the various positions during the entire Temple period were called by the name of the first person who served in that role. Some authorities mention that this was also the practice of the Egyptian kings, who were all called Pharaoh after the first one, and the dynasties of Abimelech and Melchizedek (Vilna Gaon; *Tiferet Yisrael*). This interpretation can be accepted only according to the second opinion mentioned in the Gemara, that the *tanna* of the mishna enumerates those who lived in his generation, and thus bore the names associated with their offices. According to the other opinion, that the names of particularly righteous officials are listed, then the officials must have had individual names.

Petaḥya was responsible for the pairs – פתחיה על הקנין: Because Petaḥya is identified with Mordecai, whose father was from the tribe of Benjamin and mother was from Judah (*Megilla* 12b). Some later commentaries conclude that these officials did not have to be from the tribe of Levi (Rav Ya'akov Emden on *Menahot* 65a).

It was necessary to appoint a great scholar, such as Mordecai, over the distribution of pairs of birds because the *halakhot* for when the *zav*, *zava*, and a woman after childbirth bring offerings are numerous and complex. Another explanation is that a great scholar was required for this position because it was sometimes unclear from the statements of those bringing these offerings if the offerings were for their ritual purification or intended as the thanks-offering of a poor person (*Maharsha*).

The pairs of birds – הקנין: There are several cases in which one must bring a pair of birds, consisting of either turtledoves or

pigeons. One bird is sacrificed as a burnt-offering, while the other is a sin-offering. These offerings must be brought in specific situations, e.g., the sin-offering of a poor person (Leviticus 5:7–10), a poor woman after childbirth (Leviticus 12:8), a poor leper (Leviticus 14:22), and a *zav* (Leviticus 15:14–15) or *zava* (Leviticus 15:29–30) who have undergone ritual purification.

That he would open difficult topics and interpret them – שהיה פותח דברים ודורשן: The later commentaries note that, according to *Tosafot* (*Menahot* 64b), the name Mordecai from the book of Esther was given to all those who fulfilled this function in the Temple. Since the original Mordecai was described as “interpreting for the good of his people” (Esther 10:3), all officials named after him were expected to be able to interpret complex issues (*Iyyun Ya'akov* on *Menahot* 65a).

And he knew all seventy languages – וידע בשבעים לשון: The Gemara (*Menahot* 65a) asks: What was exceptional about Mordecai? After all, every member of the Sanhedrin had to know all seventy languages. The Gemara explains that Mordecai was exceptional in that he could even mix other languages and interpret, i.e., he knew all those languages well enough to pun on the various meanings of their words (see 13b; see *Menahot* 64b).

All seventy languages known at the time – בשבעים לשון: Although there are many more than seventy languages in the world, the commentators note that these seventy were the basic, primary ones. At the time of the Tower of Babel, God mixed all the languages so that many additional ones developed from the original seventy (*Tiferet Yisrael*).

**PERSONALITIES**

**Nehunya the well digger – נחוניא חופר שיחין** – The formal position of Nehunya the well digger was to take care of the water supply for Jerusalem, especially for those visiting the capital on the pilgrimage Festivals. The Gemara mentions that Nehunya was an expert in locating water sources and would dig wells along the water channels so that they drew water from underground sources in addition to collecting rainfall. The Gemara further praises him for transferring the ownership of these wells to the public domain.

**HALAKHA**

**Temple crier – כרוז** – This was the official responsible for the Temple timetable. At the appropriate time, he or one of his staff announced: Arise, priests, to your service; and Levites to your platform to sing; and Israelites to your watch; as a group of Israelites represented the entire nation at the sacrifice of the communal offerings. Upon hearing this announcement, each group went to their designated duty (Rambam *Sefer Avoda, Hilkhot Kelei HaMikdash* 7:2).

**BACKGROUND**

**Preparation of the shewbread – מעשה לֶחֶם הַפָּנִים** – Due to its unique shape, special skill was needed for its preparation.



Priests replacing the shewbread

בן אחייה על חולי מעיים, נחוניא חופר שיחין, גביני כרוז, בן גבר על נעילת שערים.

בן בבי ממונה על הפקיע, בן ארזא על הצלצל, הוגרס בן לוי על השיר, ופנחס המלביש.

בית גרמו על מעשה לחם הפנים, בית אבטינס על מעשה הקטורת, ואלעזר על הפרוכת, ופנחס המלביש.

גמי רבי חזקיה אמר רבי סימון ורבנן, חד אמר: בשירי דור ודור בא למנות עליהן, וחרנה אמר: מי שהיה באותו דור מנה מה שבדורו.

מאן דאמר בשירי כל דור ודור בא למנות – על כולן הוא אומר "זכר צדיק לברכה".

מאן דאמר מי שהיה באותו דור מנה מה שבדורו – על כולן הוא אומר "ושם רשעים ירקב". ועל מי נאמר "זכר צדיק לברכה" – על בן קטין ויחביריו.

The mishna resumes the list of officials. **Ben Ahiyya** was responsible for the care of the priests who suffered from **intestinal disease**. **Nehunya** was the **well digger**<sup>f</sup> for pilgrims on their way to Jerusalem for the Festivals. **Gevini** was the **Temple crier**<sup>h</sup> who would awaken the priests and the Levites for their Temple duties. **Ben Gever** was responsible for **locking the Temple gates** in the evening and for unlocking them in the morning.

**Ben Bevai** was appointed over the **shreds** of garments,<sup>n</sup> which were formed into wicks for the Temple candelabra. He also supervised the twisting of those wicks into the appropriate thickness for the various nights during the different seasons of the year. **Ben Arza** was responsible for the **cymbal**, which was rung as a signal that the Levites should commence their song. **Hugras ben Levi** was responsible for the **song**. He taught and conducted the singers in the Temple.

The house of **Garmu** was responsible for the **preparation of the shewbread**;<sup>g</sup> the house of **Avtinas** was responsible for the **preparation of the incense**; and **Elazar** was responsible for **weaving the Temple curtains**; and **Pinehas** was the **valet**, who assisted the priests in fitting their clothes and dressing themselves for their Temple service.

**GEMARA** The mishna lists fifteen names of officials who filled specific positions in the Temple, despite the fact that during the many years of the Temple there must have been far more than fifteen officials who served those functions. **Rabbi Hizkiyah** said that **Rabbi Simon and the Rabbis** disagreed as to why the mishna mentions only these fifteen names. **One of them said**: The mishna comes to enumerate those who were the most fit of all the officials who served in each position, from whatever generation they were from. **And the other said**: The *tanna* who was in that generation enumerated those functionaries who served in his generation.

Several of these officials are also mentioned in the mishna in *Yoma*, some for praise (37a), and others for censure (38a). The Gemara notes that this issue is related to the aforementioned dispute. **The one who said** that the mishna comes to enumerate the most fit of those who served from whatever generation claims that when the mishna in *Yoma* says: “**The memory of a righteous person shall be for a blessing**” (Proverbs 10:7) it is in reference to all of them. According to this opinion, the *tanna* in *Yoma* maintains that the reason these officials did not teach their specialties to others was because they wanted to prevent their knowledge from being used for idol worship. The only officials censured are those like **ben Kamtzar**, who refused to divulge their secrets for unworthy reasons, but these people are not mentioned in the mishna.

Conversely, **the one who said** that the *tanna* who was in that generation enumerated those officials who served in his generation, he claims that the mishna in *Yoma* says: “**But the name of the wicked shall rot**” (Proverbs 10:7) in reference to all of them. **And with regard to whom is the tanna in Yoma speaking** when he cites the verse: “**The memory of a righteous person shall be for a blessing**”? He is referring only to **ben Katin**, who improved the basin for the priests in the Temple, and his colleagues.

**NOTES**

**Gevini the crier – גביני כרוז**: The *Me’iri*, in his commentary on *Yoma* 28a, explains that Gevini the Temple crier stood on the Temple roof every morning at daybreak to determine when the sky was sufficiently bright and the time of the slaughter of the daily offering had arrived. At the appropriate moment, he would proclaim: *Barkai*; it is light! In the Jerusalem Talmud it is asked how they could rely upon a single witness in this regard, as slaughtering the daily offering at the wrong time violates a prohibition. The Gemara there answers that even a single witness is trusted with regard to a matter whose truth can easily be verified (Jerusalem Talmud, *Yoma* 3:1).

**על הפקיע**: The interpretation in the commentary is in accordance with the statement (14a) that a fixed amount of oil, i.e., a half-log, was placed in each cup of the candelabrum throughout the year. Consequently, it was necessary to adjust the thickness of the wicks so that the half-log of oil would last the entire night during all seasons of the year. Thicker wicks caused the oil to burn more quickly. The Babylonian Talmud (*Yoma* 23a) interprets this phrase entirely differently. According to the Gemara there, *pakia* means lashes. This official, whom the Gemara calls *Biva’i*, was in charge of the physical punishment meted out to those who were negligent in their Temple duties.

אָמַר רַבִּי יוֹנָה: כְּתִיב "לִבְנֵי אַחֲלָק לֹא בְּרַבִּים וְאֶת עֲצוּמִים יַחֲלַק שְׁלֵל" – זֶה רַבִּי עֲקִיבָא שְׁהִתְקִין מִדְּרַשׁ הַהֲלָכוֹת וְהִגְדֹּת.

וַיֵּשׁ אֲמָרִים: אֵלֹו אֲנִשִּׁי כְּנֶסֶת הַגְּדוּלָה הַתִּיקָנוּ, אֵלָא מַה תִּיקֵן זֶה? כְּלָלוֹת וּפְרָטוֹת.

אָמַר רַבִּי אַבְהוּ: כְּתִיב "מִשְׁפַּחַת סוֹפְרִים יוֹשְׁבֵי יַעֲבֹץ" מַה תִּלְמוּד לֹאמַר "סוֹפְרִים" – אֵלָא שְׁעָשׂוּ אֶת הַתּוֹרָה סְפוּרוֹת:

חֲמִשָּׁה לֹא יִתְרוֹמוּ תְרוּמָה, חֲמִשָּׁה דְּבָרִים חִיבִין בְּחֻלָּה, חֲמִשׁ עֶשְׂרֵה נְשִׁים פּוֹטְרוֹת צְרוּתֵיהֶן, שְׁלֹשִׁים וְשֵׁשׁ כְּרִיתוֹת בַּתּוֹרָה, שְׁלֹשׁ עֶשְׂרֵה דְּבָרִים נֶאֱמָרוּ בְּנִבְלַת הָעוֹף הַטָּהוֹר, אַרְבַּע אַבּוֹת נִיּוּקִין, אַבּוֹת מְלָאכּוֹת אֲרָבַעִים חֶסֶר אַחַת.

אָמַר רַבִּי אֱלִיעֶזֶר: כְּתִיב "לְעֹזֵר אֶבְיָוֹן הַסּוֹפֵר" מַה תִּלְמוּד לֹאמַר "סוֹפֵר"? אֵלָא כִּשְׁם שְׁהֵיָה סוֹפֵר בְּדַבְרֵי תּוֹרָה כִּךְ הָיָה סוֹפֵר בְּדַבְרֵי חֻקִּים.

After recording the praises of certain historical figures, the Gemara continues in a similar vein. **Rabbi Yona said that it is written: "Therefore will I divide him a portion among the great, and he shall divide the spoil with the mighty; because he bared his soul until death, and was numbered with the transgressors"** (Isaiah 53:12). **This verse is referring to Rabbi Akiva,<sup>PN</sup> who conveyed the Oral Law to the people by arranging the halakhic and homiletic midrash.**

**And some say that the members of the Great Assembly arranged these compilations of Torah knowledge. But if so, what did this Sage, Rabbi Akiva, arrange? He arranged the interpretive method of generalizations and details.**

**Rabbi Abbahu said:** The lineage of Salma, son of Caleb, son of Hur, is listed in the book of Chronicles. **It is written there: "And the families of scribes that dwelt at Jabez: The Tirathites, the Shimeathites, the Sucathites; these are the Kenites that came of Hammath, the father of the house of Rechab" (1 Chronicles 2:55).** **What is the meaning when the verse states the word scribes, literally, counters? It does not mean that they were scribes; rather, it means that they crafted the halakhot of the Torah into numbered groups.** They categorized and brought together disparate halakhot into a mnemonic device to assist learners.

The Gemara lists some examples of this numerical categorization: **Five categories of people may not separate teruma; five types of grain require the separation of halla from their dough; fifteen categories of women exempt their co-wives from levirate marriage and halitza if they were both married to the same man who died childless; thirty-six transgressions for which one is liable to receive karet are listed in the Torah; thirteen matters are stated with regard to the unslaughtered carcass of a kosher bird; there are four primary categories of damages; and the number of primary categories of labor prohibited on Shabbat is forty-less-one.**

The Gemara cites a different interpretation for the Hebrew word for scribe. **Rabbi Eliezer said: It is written:** "Now this is the copy of the letter that the king Artaxerxes gave to Ezra the priest the scribe, a scribe of the words of the mitzvot of the Lord, and of His statutes to Israel" (Ezra 7:11). **What is the meaning when the verse states the word scribe [sofer]<sup>1</sup> twice? "Scribe" can be interpreted as scholar. The verse is not redundant; rather, it means that just as Ezra was a scholar in matters of Torah, so was he a scholar in matters of the Sages,<sup>N</sup> i.e., the Oral Law.**

NOTES

Therefore will I divide him a portion among the great... this is Rabbi Akiva – אָמַר רַבִּי יוֹנָה... זֶה רַבִּי עֲקִיבָא... The later commentaries explain why this verse is a particularly apt description of Rabbi Akiva. The phrase: "Therefore will I divide him a portion among the great," is interpreted as referring to God's promise to allocate a portion in paradise to Rabbi Akiva and his 24,000 students who died in a plague (see *Yevamot* 62b and *Bereishit Rabba* 61:3). The statement: "And he shall divide the spoil with the mighty," is referring to the martyrs of Lod, the brothers Pappas and Lulianus, who were called mighty because they falsely confessed to killing a princess and delivered themselves over to execution, thereby saving the rest of the Jews from a decree of persecution (see *Pesachim* 50a and Rashi there). The verse is hinting that Rabbi Akiva will share the spoils of the heavenly rewards with these righteous men.

The subsequent phrase: "Because he bared his soul until death," relates to Rabbi Akiva's sacrifice of his life when he violated the imperial decree and taught Torah in public. Finally, the

phrase: "And was numbered with the transgressors," is an allusion to his place amongst those martyred by the Roman empire, a list that also includes Rabban Shimon ben Gamliel and Rabbi Yishmael. This last phrase of the verse alludes to Rabbi Yishmael's comment to Rabban Shimon ben Gamliel after their arrest: Do not suppose that I am crying over our execution; I am crying only over the fact that we are to be executed like murderers and Shabbat transgressors (*Semahot* 8:8; see *Avot DeRabbi Natan* 41).

**Just as he was a scholar in matters of Torah, so was he a scholar in matters of the Sages – כִּשְׁם שְׁהֵיָה סוֹפֵר בְּדַבְרֵי תּוֹרָה –** According to some commentaries, this statement is also based on the meaning of scribe as a counter. The phrase: Just as he was a scholar in matters of Torah, means that he counted the letters of the Written Law and thereby established the accurate text, while the phrase: So was he a scholar in matters of the Sages, means that he tallied the Sages' halakhic rulings (*Korban HaEida*).

PERSONALITIES

**Rabbi Akiva – רַבִּי עֲקִיבָא:** Akiva ben Yosef was one of the greatest of the *tanna'im* from just after the destruction of the Second Temple until the bar Kokheva revolt.

According to legend, Rabbi Akiva began his studies at the age of forty, when Rachel, the daughter of the wealthy Kalba Savua, agreed to marry him on condition that he would go and study Torah. Rabbi Akiva became the student of Rabbi Eliezer ben Hyrcanus and Rabbi Yehoshua ben Hananya. Ultimately, he became a great scholar, with 24,000 students of his own.

Rabbi Akiva's foremost students included Shimon ben Azzai and Shimon ben Zoma, with whom he studied esoteric elements of the Torah. Later, he taught Rabbi Meir and Rabbi Shimon bar Yoḥai, among others. He supported bar Kokheva's revolt against the Roman authorities, declaring him the Messiah. Even when Hadrian banned the study of Torah, Rabbi Akiva continued gathering Jews and teaching Torah. Finally, he was captured and executed. He is listed as one of the ten martyrs.

Rabbi Akiva collected early rabbinic teachings and worked to organize the Oral Torah systematically. The work done by Rabbi Akiva and his students served as the basis for the Mishna that was later redacted by Rabbi Yehuda HaNasi and his disciples.

LANGUAGE

**Scribe [sofer] – סוֹפֵר:** The word for a scribe in the language of the Sages bears several related meanings. One of these denotations is a Torah scholar, one who understands the sacred books. The title Ezra the Scribe is referring to his status as a Torah scholar. The Sages sometimes refer to rabbinic law in general as matters of the scribes, for the same reason. Another meaning of this word is closer to the English meaning of the term scribe: One who prepares documents and books, not only sacred writings, but also contracts, bills of divorce, and the like, both for the use of the courts and for private citizens. A third meaning of this word is a children's teacher who instructs them how to read.

The former were akin to angels, etc. – **היון קדמאין מלאכיין**: **וכו**: One explanation of this metaphor is that if the former generations are considered by us as angels, i.e., if we relate to their statements as sacred, as though they were issued by heavenly angels, we can be considered human. However, if we consider the former generations as merely human, appointing ourselves as the judges of possible errors in their statements and rulings, we have placed ourselves on the level of donkeys (*Hut HaMeshulash*, citing Rabbi Akiva Eiger).

## HALAKHA

One who purchases grain for feeding an animal, etc. – **הלוקח זרע לבהמה וכו**: For certain items, the Sages did not require the separation of tithes from doubtfully tithed produce. Examples of such produce include grain purchased for planting or for animal fodder, flour for processing animal hides or for medicinal purposes, oil for lighting a lamp or for polishing utensils, and wine for healing the eyes. If an *am ha'aretz*, one who is ignorant and neglectful about tithes, states that tithes have been separated from this produce, his claim is accepted and one need not separate tithes (Rambam *Sefer Zera'im*, *Hilkhot Ma'aserot* 13:14).

## PERSONALITIES

**Ben Azzai** – **בן עזאי**: Shimon ben Azzai was one of the *tanna'im* in the city of Yavneh. Although he did not receive formal ordination, which is why he is never referred to with an honorific but only by his name, and often only by his father's name, he was respected as one of the great Torah scholars of his generation.

It appears that ben Azzai did not study Torah in his youth until he met the daughter of Rabbi Akiva, who promised to marry him if he were to commit himself to learn Torah. He began his studies with Rabbi Yehoshua and Rabbi Yishmael and ultimately became a devoted student and colleague of Rabbi Akiva, whom he considered the leading sage of the generation. His devotion to Torah study was so complete that he was unable to live a normal family life and either he never actually married Rabbi Akiva's daughter or perhaps he married her but only lived with her for a brief period.

We find ben Azzai's teachings in both *halakha* and *aggada* throughout the Talmud, and he served as a mentor for such students as Rabbi Meir and Rabbi Shimon.

Aside from his study of the revealed Torah, ben Azzai was involved in the study of its esoteric traditions. According to the Gemara, together with Rabbi Akiva, ben Zoma, and Elisha ben Avuya, ben Azzai entered the Pardes, i.e., delved into esoteric mystical matters, with only Rabbi Akiva surviving unscathed while ben Azzai is described as having gazed and died (*Hagiga* 14b). With regard to him the verse states, "Precious in the eyes of God is the death of His pious ones" (Psalms 116:15).

**Ben Zoma** – **בן זומא**: Shimon, son of Zoma, was a disciple of Rabbi Yehoshua and a student and colleague of Rabbi Akiva. Ben Zoma was considered one of the great Sages of his time, but he never received formal ordination, apparently due to his youth. For this reason, he is not referred to by the honorific Rabbi, but only by his father's name. Many of his statements are found in both *halakha* and *aggada* throughout the Talmud, and he was particularly acclaimed for his sermons on the Bible, to the extent that it is stated: Upon ben Zoma's death the sermonizers came to an end (*Sota* 49a).

**Ben Hakhinai** – **בן חכניאי**: Rabbi Hannanya, or Hannina, son of Hakhinai, was one of those who deliberated before the Sages in Yavne and was identified as one of those who knew seventy languages. Ben Hakhinai was an especially devoted student of Rabbi Akiva. Traditions reported in his name can be found throughout the Mishna, the *Tosefta*, various compilations of halakhic midrash, and the Talmud. In one midrash he is listed among the renowned ten martyrs.

**רבי חגי בשם רבי שמואל בר נחמן**: **הראשונים חרשו וזרעו, ניכשו, כיסחו, עדרו, קצרו, עמרו, דשו, זרו, ברו, טחנו, הרקידו, לשו, קיטפו, ואפו. ואנו אין לנו מה לאכול.**

**רבי אבא בר זמינא בשם רבי זעירא**: **אין היון קדמאין מלאכיין – אמן בני אנוש, ואין היון בני אנוש – אמן חמורין. אמר רבי מנא**: **בההיא שעתא אמרין: אפילו בחמרתיה דרבי פינחס בן יאיר לא איזמינון.**

**חמרתיה דרבי פינחס בן יאיר גנבתה לייסטיאי בליליא. עבדת טמירא גבון תלתא יומין ולא טעמה בלום. בתר תלתא יומין אימלכו מחורתה. אמרין: אפקינו מן הכא, דלא תימות גבון. אפקונה, אולת וקמת לה על תרעא דמרה, שרית מנהקת. אמר לון: פתחון להדא עלובתא דאית לה תלת יומין דלא טעמה בלום. פתחין לה ועלת לה.**

**אמר לון: יתבו לה בלום תיכול. יתבו קומה שעורין ולא בעית למיכל. אמרין ליה: רבי, לא בעית למיכל. אמר לון: מתקנו אינון? אמרו ליה: אין. אמר לון: וארימתון דמיין?**

**אמרין ליה: לא בן אלפון רבי, הלוקח זרע לבהמה, קמו לעורות, שמן לאור – פטור מן הדמאי? אמר לון: מה עבד לה להדא עלובתא דהיא מחמרה על גרמה סגין. וארימן דמיין, ואכלת.**

**"פתחיה על הקינן". בא וראה מה גדול הוא כחו של אותו האיש פותח דברים ודורשן. "יודע בשבעים לשון". תני: סנהדרין שיש בה שנים שיכולין לדבר וכולן ראוין לשמוע – הרי זו ראויה לסנהדרין.**

**שלשה – הרי זו בינונית, ארבעה – הרי זו חכמה, ובינה היו בה ארבעה: בן עזאי, ובן זומא, ובן חכניאי, ורבי אלעזר בן מתיה.**

Rabbi Haggai said in the name of Rabbi Shmuel bar Nahman: The former Sages, i.e., the scholars of earlier generations, metaphorically plowed and planted, weeded, cleared thorns, hoed, harvested, gathered sheaves into a pile, threshed the sheaves, winnowed the threshed grain, separated the bad grain from the good, ground the remainder into flour, sifted the flour in a sieve, kneaded the dough, smoothed the surface of the unbaked loaves with liquid, and baked the bread. They prepared everything so that we should be able to grasp Torah concepts; and yet, after all that, we have nothing to eat, as we are still unable to understand the Torah properly.

The Gemara cites another metaphor with regard to the relationship between the earlier and later generations. Rabbi Abba bar Zemina said in the name of Rabbi Ze'ira: If the former generations were akin to angels,<sup>n</sup> we are akin to humans; and if they were akin to humans, we are akin to donkeys. Rabbi Mana said: At that hour, when the previous statement was issued, they also said: We are not even comparable to the female donkey of Rabbi Pinehas ben Yair.

**S** The Gemara explains the reference to this particular donkey. The donkey of Rabbi Pinehas ben Yair was stolen by robbers one night. It was kept hidden by them for three days, and yet it did not eat anything. After three days, they reconsidered and decided to return it. They said: Let's get it out of here, so that it shouldn't die in our possession and leave a stench in our cave. When they set it free it went and stood by its master's gate and began braying. Rabbi Pinehas said to the members of his household: Open up for that poor creature, which has gone three days without eating anything. They opened the gate for it, and it entered Rabbi Pinehas' courtyard.

He told them: Give it something to eat. They placed barley before it, but it would not eat. They said to him: Rabbi, it will not eat. He said to them: Has the barley been tithed so that it is fit to eat? They replied: Yes. He then asked them: And have you separated their doubtfully tithed produce? Did you tithe the grain about which there is doubt as to whether it has been tithed properly?

They replied: Didn't you teach us the following, Rabbi: One who purchases grain for feeding an animal,<sup>h</sup> or flour for processing animal hides, or oil for lighting a lamp, is exempt from separating doubtfully tithed produce? There is no need to separate tithes from doubtfully tithed produce to feed a donkey. He said to them: What can we do for that poor creature, which is very strict with itself and will not eat even from doubtfully tithed produce, despite this exemption? And they therefore separated tithes from the doubtfully tithed produce, and the donkey finally ate the barley grains.

**S** The mishna states that Petahya was responsible for the pairs of birds. The Gemara mentions some of the talents of this Petahya. Come and see how great was the skill of that man. He could open, i.e., elucidate, difficult topics and interpret them. As mentioned in the mishna, he understood all seventy languages. The Gemara adds: It was taught in a *baraita*: A Sanhedrin that includes two members who are able to speak all the seventy languages, and all of its members are at least capable of understanding those languages, this court is minimally fit to serve as a Sanhedrin.

If it has three who can speak those languages, it is a medium level Sanhedrin. If it has four, it is a wise Sanhedrin. In Yavne, the Sanhedrin included four who could speak all seventy languages: Ben Azzai,<sup>p</sup> ben Zoma,<sup>p</sup> ben Hakhinai,<sup>p</sup> and Rabbi Elazar ben Matya.

Gagot Tzerifin – גגות צריפין: An alternate version of the text reads: The gardens of Tzerifin. Either way, this place is generally identified with modern-day Tzerifin, a name preserved in Arabic as صرفند العمار, *ṣarafand al-amār*, which was a village east of Rishon LeTzion, along the road from Ramle to Jaffa.



Map showing location of Tzerifin and the surrounding area

Ein Sokher – עין סוכר: The accepted identification of Ein Sokher is the valley called in Arabic سهل عسكر, *sahl 'askar*. It is located southwest of Mount Ebal, and the main road from Shechem to Jerusalem runs through it. The name is apparently derived from a deep well [*ein*] located in a neighboring village.



Map showing location of Ein Sokher and the surrounding area



Mikhetmet Valley, which includes the valley of Ein Sokher

אמר רבי חסדא: פעם אחת יבשה ארץ ישראל ולא ידעו מהיכן להביא עומר.

The Gemara cites a story that exemplifies Petahya's skills at understanding linguistic allusions. **Rabbi H̄isda said: Once Eretz Yisrael dried up.** There was a drought, no grain grew there, and the Sages did not know from where they could bring the omer, the measure of barley brought as a communal offering on the sixteenth of Nisan.

והוה תמן חד אלם, דהוה יהיב חד ידיה על גגות, וחד ידיה על צריפין. אייתוניה קמיה דפתחיה. אמר להו: אית אתר דמתקריא גגות צריפין או צריפין גגות? אזלו ל תמן ואשכחן.

And there was a mute present there who knew where barley was growing that year. He came to the Sages and gestured to them with his hands. He placed one of his hands on roofs [*gagot*] and the other hand on huts [*tzerifin*], alluding to the name of the place where barley could be found. Since they did not understand his allusions, they brought Petahya before him, who observed the actions of the mute and said to them: Is there a place called Gagot Tzerifin<sup>8</sup> or Tzerifin Gagot? They remembered that there was indeed such a place. They went there and found barley for the omer offering.

אמר רבי יוסה בי רבי בון: פעם אחת נשדף כל העולם כולו ולא היו יודעין מהיכן להביא העומר. והוה תמן חד אלם, דהוה יהיב ידיה על עיניה וידיה על סוכרא. אייתוניה לגבי פתחיה, אמר לון: אית אתר דמיתקריא עין סוכר או סוכר עין? ואזלו תמן ואשכחן.

The Gemara relates a similar story. **Rabbi Yosei, son of Rabbi Bun, said: Once all the grain in the entire world was blighted,** and the Sages did not know from where they could bring barley for the omer. And again there was a mute present there who knew where barley was growing. He came before the Sages and gestured to them with his hands. He placed one hand on his eye and the other hand on a doorjamb [*sokhara*].<sup>1</sup> Since the Sages were unable to understand his allusions, they brought Petahya before him, who observed his actions and said to them: Is there a place called Ein Sokher<sup>9</sup> or Sokher Ein? They remembered that there was indeed such a place. They went there and found barley for the omer offering.

שלש נשים הביאו קיניהן, אחת אומרת "לעינתי" ואחת אומרת "לזיבתי" ואחת אומרת "לזיבתי".

The Gemara cites yet another story that exemplifies Petahya's deciphering skills. There were three women<sup>9</sup> who brought their own pair of birds to the Temple. It was not clear which type of offering each of them intended to bring. One of the women said: This pair of birds is for my fountain; and the second one said: It is for my sea; and the third one said: It is for my ziva.

זו שאומרת "לעינתי" סברין מימר: שופעת כמעין. אמר לון: בעינא סכנת.

With regard to that woman who said: For my fountain, the Rabbis thought to say that she meant that her post-menstrual blood was flowing like a fountain.<sup>9</sup> She was therefore bringing the pair of birds of a zava, as a sin-offering and a burnt-offering for her ritual purity. However, Petahya said to them: She was endangered in a fountain. She has brought this pair of birds as a thanks-offering for her escape from that life-threatening situation.

LANGUAGE

Doorjamb [*sokhara*] – סוכרא: Several interpretations have been suggested for this Aramaic term. Some say it is referring to the hole in the doorpost into which the bolt is inserted, as it is spelled similarly to the Aramaic root *sgr*, which means to close (Rashi; *Sefer HaArukh*). Another interpretation is that it means a dam that stops the flow of water in a river (*Tosafot*). Alternatively, it means a grave (*Tosafot*).



Roman dam near Mérida, in Extremadura, Spain, dating from the first or second century CE

NOTES

Three women – שלש נשים: This incident is cited to teach that Petahya not only understood many languages, he was also acquainted with the dialects and idioms used in different communities. Consequently, even when the other Sages understood the literal meaning of what each woman said, he alone perceived that each woman actually had an entirely different intention in mind.

Flowing like a fountain – שופעת כמעין: In the Babylonian Talmud the text reads: For my period [*onati*], which the other Sages thought was a reference to the time for her offering, i.e., the eighth day of purity after she had been a zava (*Menahot* 64b; and see Rashi there). Petahya explained that the woman was actually referring to her delivery from a life-threatening infection of her eye [*einati*].

NOTES

**For my sea** – לַיָּם: Some commentaries explain that because the term for sea is similar to the word for day [yom], the Sages took her statement to mean that she had completed the days of her zava status and was now bringing the offerings for her ritual purity (Rabbeinu Gershom on *Menahot* 64b).

Since the priests would walk barefoot... they would contract intestinal disease – על יְדֵי שִׁהֵי הַכֹּהֲנִים מֵהִלְכִין יַחֲפִים... הֵיוּ בְּאֵין לַיָּדִי חוֹלֵי הַמַּעֲסִים: The later commentaries are puzzled as to how the priests could contract illnesses, as the verse states: "One who keeps a mitzva shall know no evil thing" (Ecclesiastes 8:5). This seems to indicate that no harm will befall someone who is performing a sacred service. Even if one would say that a miraculous intervention would be necessary to prevent barefoot priests from falling ill, it would be fitting for this to occur in the Temple, as the Sages have stated that miracles occurred regularly there (see *Avot* 5:5).

The commentaries explain that it is God's will that the Temple service should entail some suffering. Alternatively, only priests who were not absolutely sincere but were haughty and profane seeking would fall prey to these illnesses (*Minhat Elazar*).

HALAKHA

Since the priests would walk barefoot, etc. – על יְדֵי שִׁהֵי הַכֹּהֲנִים: Because the priests serving in the Temple would invariably stand directly on the stone floor, eat a lot of meat, and wear a single garment, they would frequently contract intestinal disease. Consequently, an official was appointed over this matter to heal their sicknesses and constantly look after their welfare, along with a specially designated staff (*Rambam Sefer Avoda, Hilkhhot Kelei HaMikdash* 7:14).

זו שאומרת "לַיָּם" סָבְרִין מִימָר שׁוֹפְעֵת בָּיָם, אָמַר לוֹן: בִּימָה סָבְנָת.

זו שאומרת "לַיָּבֵתִי" סָבְרִין מִימָר זָבָה מִמַּשׁ, אָמַר לוֹן: זָבָה בָּא לִיטוֹל אֶת בְּנָה.

"בֶּן אַחֲיָיָה" וכו'. עַל יְדֵי שִׁהֵי הַכֹּהֲנִים מֵהִלְכִין יַחֲפִים עַל הָרֶצֶף, וְהָיוּ אוֹכְלִין בָּשָׂר וְשׁוֹתִין מַיִם, הָיוּ בְּאֵין לַיָּדִי חוֹלֵי הַמַּעֲסִים, וְהָיוּ יֹדְעֵי הָאֵי דִין חָמֵר טֵב לְמַעֲיָא, וְהָיוּ יֹדְעֵי חָמֵר סָמָם לְמַעֲיָא.

"נְחֻנְיָא חוֹפֵר שִׁיחִין". שִׁהֵי חוֹפֵר שִׁיחִין וּמְעָרוֹת, וְהָיוּ יֹדְעֵי

With regard to that woman who said: For my sea,<sup>N</sup> the Rabbis thought to say that she meant that her post-menstrual blood was flowing like the sea, which likewise means that she was a zava bringing her offerings for ritual purity. But Petahya said to them: She was endangered in the sea, so she too has brought this pair of birds as a thanks-offering.

Finally, with regard to that woman who said: For my ziva, the Rabbis thought to say that she meant that she was an actual zava, and she was therefore bringing an offering for ritual purity. But Petahya said to them: A wolf [ze'ev], a word that is similar to the one she used, came and attempted to snatch her son, but he was ultimately saved. She, too, has brought this pair of birds as a thanks-offering.

**S** The mishna states that ben Ahiyya was appointed to treat those priests who suffered from intestinal disease. The Gemara explains why priests were particularly susceptible to this ailment. Since the priests would walk barefoot<sup>H</sup> on the floor, even when it was cold, as their feet had to be in contact with the stones of the Temple floor, and since they would eat a lot of meat from the offerings and drink a lot of water, they would contract intestinal disease.<sup>N</sup> And ben Ahiyya knew that this particular type of wine was good for healing the intestines, and that this other type of wine was effective intestinal medicine.

The mishna states that Nehunya was the well digger. The Gemara explains that he would dig wells and caves, where rain-water would collect, for pilgrims to use on their way to Jerusalem for the Festivals. And he knew

Perek V  
Daf 14 Amud a

הָאֵי דִין בִּיף מְקוֹרֵר מַיָּא, וְהָאֵי דִין בִּיף אֵית בֵּיה שְׂרָבְרוּבִי, וְעַד הִכֵּן שְׂרָבְרוּבִיתִיה מְטָא. אָמַר רַבִּי אֱלִיעֶזֶר: וּמַת בְּנֹו בְּצַמָּא.

אָמַר רַבִּי חֲנִינְיָא: מֵאֵן דְּאָמַר רַחֲמֵנָא וְוַתְרֹן – יְתוּוֹתְרֹן בְּנִי מַעֲוִי. אָלָא מֵאֵיךְ רִוּחִיה וּגְבִי דִידִיה.

which rock contains water,<sup>N</sup> and which rock contains fissures in which water may be found, and how far those fissures extend. This would enable him to calculate how deep he had to dig to reach water. Rabbi Eliezer said: And his son died of thirst.<sup>N</sup>

Since the previous passage mentioned God's rigorously exacting attitude toward righteous people like Nehunya, the Gemara discusses how God relates to sinners. Rabbi Hanina said: Whoever says that the Merciful One overlooks<sup>N</sup> the punishment due to sinners, his intestines will be overlooked, i.e., cease functioning. The reason sinners often appear to go unpunished is rather that God extends His patience with evildoers to give them a chance to repent, but eventually He collects His due and punishes the wicked.

NOTES

**Which rock contains water** – הָאֵי דִין בִּיף מְקוֹרֵר מַיָּא: An alternative explanation of the phrase is: Which rock produces cold water, with the next phrase reading: And which stone produces hot water. The third phrase is: And how far does its heat extend, i.e., what is the temperature of the water (*Korban HaEida; Tiklin Hadatin*).

**And his son died of thirst** – וּמַת בְּנֹו בְּצַמָּא: A similar incident is reported at length in the Babylonian Talmud (*Bava Kama* 50a; *Yevamot* 121b): The daughter of Nehunya the well digger fell into a great water pit, and people came and notified Rabbi Hanina ben Dosa. After one hour, he said to them: She is at peace, unharmed, in the pit. After two hours, he told them: She is still at peace. After three hours, he declared: She has ascended from the pit. Later, they asked her: Who pulled you

up? She replied: A ram happened by, led by a certain elderly man. The Gemara adds that they asked Rabbi Hanina ben Dosa whether he was a prophet, as he could accurately report on the girl from so far away. He replied: I am neither a prophet nor the son of a prophet, but I simply reasoned that the offspring of that righteous man could not possibly come to harm through the very object over which he takes so much trouble for the public benefit.

The obvious question is why his merit was to no avail in the situation mentioned in the Gemara here, where his son died. Some explain that Rabbi Hanina's logical reasoning actually included a prayer to God. In other words, it was not only Nehunya's own merit that caused his daughter's salvation, but also Rabbi Hanina's mention of his good deeds in his prayers. However, no one prayed for Nehunya's son, and since God

is exacting with the righteous, that misfortune came upon him (Rabbi Yeshaya in the *Shita Mekubbetzet; Penei Yehoshua*). Others maintain that the two incidents are not precisely the same, as pits, which are the very objects that Nehunya dug, could never cause his offspring harm, whereas dehydration is not identical to anything Nehunya himself dealt with, and therefore his offspring could be injured in this manner (see *Tosafot*).

**The Merciful One overlooks** – רַחֲמֵנָא וְוַתְרֹן: Although God defers his anger toward evildoers, and sometimes it appears as though He were not repaying them their due, this is not because He overlooks their misdoings. Rather, judgment is rendered for every action, as God will ultimately punish every transgressor appropriately for each of his sins.