

NOTES

Isn't the difficulty legitimate – וְלֹא יָאוֹת הוּא מְקֻשָּׁה: This sentence can be understood in two different ways. The first is that Rabbi Hiyya bar Ba posed this as a question, expressing his agreement with the question raised by Rabbi Ba bar Memel. What he meant is: Is there anybody who says that Rabbi Ba bar Memel did not ask a proper question? The alternative is that it is an assertion that Rabbi Ba bar Memel did not ask a good question, as in Rabbi Hiyya bar Ba's opinion there is no contradiction. This is immediately explained in the Gemara (*Korban HaEida*, second explanation).

A whole one-tenth in the morning and a whole one-tenth in the evening – שְׁלִימָה בְּשַׁחֲרִית וּשְׁלִימָה בֵּין הָעֶרְבִים: The later commentaries disagree with regard to the manner in which this whole one-tenth of an ephah was brought. Some suggest that the whole one-tenth was not sacrificed in the same way as the half-tenth brought by the High Priest himself. The High Priest would bring twelve loaves made from one-tenth of an ephah of flour, divide them into two, and sacrifice six loaves in the morning and six loaves in the evening. But when a whole one-tenth of an ephah was brought in the morning and a whole one-tenth of an ephah was brought in the evening, twelve loaves would be sacrificed on each occasion (*Tiferet Yisrael*). Others say that the whole one-tenth was brought in the same way as the half-tenth: in both cases six loaves were brought in the morning and six loaves were brought in the evening, though obviously if it was from a whole tenth, the loaves were twice the size (*Minhat Hinukh*).

בַּר בָּא: וְלֹא יָאוֹת הוּא מְקֻשָּׁה?

אֲתָא רַבִּי יַעֲקֹב בַּר אֲחָא רַבִּי אֲבָהוּ
בְּשֵׁם רַבִּי יוֹחָנָן: דְּבַר תּוֹרָה הוּא שְׁתֵּתָא
בְּאָה מִן הָעֶבֶר. הֵייתִי אוֹמֵר וְגַבּוּ לָהּ
(מִן הַיּוֹרְשִׁין) – הִתְקִינוּ שְׁתֵּתָא בְּאָה
מִתְרוּמַת הַלְּשָׁבָה.

רַבִּי יוֹסֵה אָמַר רַבִּי יוֹחָנָן בְּעֵי: מַהוּ
שְׁלִימָה בְּשַׁחֲרִית וּשְׁלִימָה בֵּין הָעֶרְבִים?
אוֹ שְׁלִימָה בְּשַׁחֲרִית וּבִטְיִלָּה בֵּין
הָעֶרְבִים?

כִּד תֵּהֵא פְּשִׁיטָא לֵיהּ, דְּכָתִיב "מִנְחַת
תָּמִיד."

שְׁלִשִׁת לֹגִין מֵה הָן, שְׁלִשִׁת לֹגִין
שַׁחֲרִית וּשְׁלִשִׁת לֹגִין בֵּין הָעֶרְבִים, אוֹ
לֹג וּמְחֻצָּה שַׁחֲרִית וְלֹג וּמְחֻצָּה בֵּין
הָעֶרְבִים?

אָמַר רַבִּי חִזְקִיָּה: אוֹף הֵדָא צְרִיכָה לֵיהּ:
שְׁנֵי קוֹמְצִין מֵה הָן, שְׁנֵי קוֹמְצִין בְּשַׁחֲרִית
וּשְׁנֵי קוֹמְצִין בֵּין הָעֶרְבִים, אוֹ קוֹמֵץ אַחַת
בְּשַׁחֲרִית וְקוֹמֵץ אַחַת בֵּין הָעֶרְבִים.

אָמַר רַבִּי יוֹסֵה: כְּלוּם לְמַדּוּ לְקוֹמֵץ – לֹא
מִמְנַחַת חוּטָא, מַה לְהֵלֵן שְׁנֵי קוֹמְצִין –
אֵף כְּאֵן שְׁנֵי קוֹמְצִין.

bar Ba said: Isn't the difficulty raised by Rabbi Ba bar Memel legitimate?^N

The Gemara answers that when Rabbi Yaakov bar Aha came, he said that Rabbi Abbahu said in the name of Rabbi Yoḥanan: In the case where the High Priest has died and not yet been replaced, by Torah law, the griddle-cake offering comes from public funds, as is derived from the words: "It is a statute forever." Rabbi Shimon did not mean to imply otherwise. As it is not a public offering but the High Priest's personal one, I might have said that it should be collected from the heirs' property. Therefore, to ensure compliance with the Torah law, the Sages instituted that it should come from the collection of the Temple treasury chamber.

§ The mishna taught that a griddle-cake offering that was brought in the interim between the tenures of two High Priests was not brought in halves, morning and evening. Instead, a whole one-tenth of an ephah was sacrificed. Rabbi Yosei said that Rabbi Yoḥanan raised a dilemma: What does this mean? Is a whole one-tenth of an ephah brought in the morning, and then a whole one-tenth of an ephah again in the evening?^N Or was a whole one-tenth of an ephah brought in the morning, and since they already brought one-tenth of an ephah that day, it was canceled in the evening?

When that question was resolved for him, it gave rise to other questions. The original question was resolved by reference to the verse, as it is written: "This is the offering of Aaron and of his sons, which they shall offer unto the Lord in the day when he is anointed: The tenth part of an ephah of fine flour for a meal-offering perpetually, half of it in the morning, and half thereof in the evening" (Leviticus 6:13). The word "perpetually" indicates that the griddle-cake offering is always brought both in the morning and in the evening.

A further question: What is the halakha with regard to the three log of oil that the High Priest would bring every day together with his griddle-cake offering, half in the morning and half in the evening? Is the halakha with regard to the oil the same, i.e., that three log of oil were brought in the morning and three log of oil were brought again in the evening? Or was only a log and a half brought in the morning and another log and a half brought in the evening?

Rabbi Hizkiya said that Rabbi Yoḥanan also wonders about this: What is the halakha with regard to the two handfuls of frankincense that were ordinarily brought every day together with the High Priest's griddle-cake offering, one with the morning offering and the other together with the evening offering? Is the halakha with regard to the frankincense the same as that of the griddle-cake offering, i.e., that two handfuls of frankincense were brought in the morning and two handfuls of frankincense were brought again in the evening? Or was only one handful brought in the morning and one handful brought in the evening?

Rabbi Yosei said: Didn't they learn (18b) that the amount of frankincense brought along with a meal-offering must be a handful by way of analogy to the handful of flour that must be taken from a sinner's meal-offering? This being the case, the halakha in the issue under discussion should also be learned from the halakha governing meal-offerings in general. Just as there, when the quantity of flour is doubled two handfuls of frankincense are required, here too, since two-tenths of an ephah are brought, the measure of the frankincense must also be doubled, that is to say, two handfuls are required.

מה תמן צריכה ליה אף הכא צריכה ליה).

The Gemara rejects this proof: Whether the measure of frankincense is doubled when a meal-offering is doubled is not completely clear: **Just as there**, with regard to meal-offerings in general, **he requires** a resolution, i.e., he does not know the answer as to whether a double measure of frankincense is required when the quantity of flour is doubled, **so too here**, with regard to the High Priest's griddle-cake offering, **he requires** a resolution as to whether a double measure is required.

אמר רבי חזקיה: כלום למדו שלישות לוגין לא מתמיד של בין הערבבים. מה להלן שלישות לוגין – אף כאן שלישות לוגין.

Rabbi Hizkiya addresses the previous question about the three *log* of oil brought as part of the High Priest's griddle-cake offering. He said: **Didn't they learn that three *log* of oil must be brought along with the griddle-cake offering from the daily evening offering**, as this is the measure of oil that must be brought as part of this offering? Accordingly, **just as there**, in the case of the daily evening offering the measure of oil is **three *log*** per one-tenth of an ephah of flour, **so too** in the case where the griddle-cake offering is brought from a whole one-tenth of an ephah, it is accompanied by **three *log*** of oil both in the morning and in the evening.

ומה תמן צריכה ליה – אף כאן צריכה ליה.

The Gemara rejects this proof as well: **And just as there**, when the daily meal offering is doubled **he requires** a resolution with regard to the measure of oil, **here too** with regard to the High Priest's griddle-cake offering, **he requires** a resolution as to whether only the original three *log* are brought, or whether three *log* are brought for each measure of one-tenth of an ephah of flour.

שלא יהיה כו'. רבי שמעון בר נחמן בשם רבי יונתן: בדין היה שימעלו בה, והו' גזרו שלא ימעלו בה.

§ The mishna taught that one who derives benefit from the ashes of a red heifer is **not** liable for misusing property consecrated to the Temple. **Rabbi Shimon bar Nahman said in the name of Rabbi Yonatan: By Torah law one should be liable for misusing it**, i.e., the ashes of a red heifer, as it is consecrated to the Temple, **but the Sages decreed that one is not liable**.

והא תני: "חטאת" – מלמד שמועלין בה! – בה מועלין ואין מועלין באפרה.

This, however, is difficult, as **it was taught** otherwise in the following *baraita*: With regard to a red heifer, the verse states: "It is a **sin-offering**" (Numbers 19:9), which **teaches** that a red heifer is treated like a sin-offering in that **one is liable for misusing** consecrated property **with it**, i.e., the animal itself. Only **with it**, the animal itself, is one **liableⁿ for misusing** consecrated property, **but he is not liable for misusing** consecrated property **with its ashes**.ⁿ Therefore, it is clear from the *baraita* that by Torah law one is not liable for misusing the ashes of a red heifer.

NOTES

With it is one liable – **בה מועלין**: In the parallel passage in the Babylonian Talmud (*Menahot* 51b), *Tosafot* write that the word: Sin-offering was not needed to derive the that a red heifer is subject to the *halakhot* of misusing consecrated property. Rather, it was only meant to teach that there can be further liability for misusing the red heifer even after it had already been misused. Since a red heifer is considered property consecrated for Temple maintenance, there was no need to teach that it is subject to the *halakhot* of misuse, as all property consecrated for Temple maintenance is subject to those *halakhot*. However, it was necessary to teach that it is subject to the *halakhot* of misuse after misuse, in contrast to ordinary property consecrated for Temple maintenance for which the first misuse already removes it from its sacred status. This is not true of property consecrated to the altar, for there the misuse does not remove the property from its sacred status, and so the second misuse was also performed on consecrated property.

Some later commentaries argue that the derivation was needed to teach that a red heifer is subject to the *halakhot* of misuse, as without it one might have thought that a red heifer is not even considered property consecrated for Temple maintenance. It is only a means for purification, and so it should be

treated like public ritual baths, which do not have the sanctity of property consecrated to the Temple treasury (*Sefat Emet*; Rabbi Yitzhak Ze'ev Soloveitchik; *Korban Aharon*; *Hazon Ish*).

As for the assumption in *Tosafot* that a red heifer is considered property consecrated to the Temple treasury, the later commentaries discuss at length whether a red heifer is considered property consecrated for Temple maintenance or property consecrated to the altar. Some distinguish between its status before it is slaughtered, when it has only the sanctity of property consecrated for Temple maintenance and consequently can be redeemed, and its status after it is slaughtered, when it is considered property consecrated to the altar and consequently can no longer be redeemed (Rabbi Yitzhak Ze'ev Soloveitchik).

But he is not liable for misusing consecrated property with its ashes – **ואין מועלין באפרה**: The Gemara here mentions only the word sin-offering, but elsewhere (*Menahot* 52a) it brings the full derivation, which is based on the word: It. *Tosafot* in *Menahot* ask: Given the general principle that the ashes of consecrated objects are permitted (*Temura* 34a), why is it necessary to derive from the word: It, that the status of the ashes of a red heifer differs from that of the red heifer itself, such

that by Torah law they are not subject to the *halakhot* of misusing consecrated property? They explain that the principle applies only to cases where the burning of the consecrated object was a case of misuse of consecrated property, so that it reverted to a non-sacred state. In the case of a red heifer, however, the burning of the animal is not a case of misuse of consecrated property, and the ashes ought not to become non-sacred. A special derivation from the word: It, is consequently required to teach that they nevertheless do become non-sacred.

Tosafot add that the special derivation might be required for another reason: One might have thought that the ashes of the red heifer are different from the ashes of other consecrated property, since they come into being through a mitzva. The nature of the red heifer is that it is designated to be reduced to ashes through burning, and one might have thought that its sanctity would be preserved in its ashes. *Tosafot* further distinguish between other ashes, where the mitzva associated with them has already been completed, and the ashes of a red heifer, where the mitzva associated with them has not yet been performed, namely, to be mixed with water and sprinkled on the ritually impure as part of the purification process.

אָמַר רַבִּי אַבְהוּ: בְּרֵאשׁוֹנָה הָיוּ מְשַׁתְּקִין בָּהּ וְנֹתְנִין אוֹתָהּ עַל גְּבֵי מְבוֹתֵיהֶן, וְגִירוֹ שִׁימְעֵלוּ בָּהּ. כִּיּוֹן שֶׁגִּיְדָרוּ – גִּירוֹ שְׁלֵא יִמְעֵלוּ בָּהּ.

Rabbi Abbahu said: Indeed, there is no liability by Torah law for misusing the ashes of a red heifer. **At first**, however, the priests would treat the sanctity of the ashes lightly and **would clean themselves** [*mishtakshekin*]^N **with them and even apply them to their wounds**^N as medicine. **And the Sages therefore decreed that one becomes liable for misusing** consecrated property **with them**, the ashes.^N But **when** they saw that the priests **restrained themselves** and no longer used the ashes for anything except purification water, the Sages reverted to the Torah law and **decreed that one does not become liable for misusing** consecrated property if he derives benefit from a red heifer's ashes.^N

וְעַל הַקִּיּוּן כו'.

§ The mishna taught, **with regard to** the replacements for **disqualified pairs** of bird-offerings, that they should come from public funds. Rabbi Yosei disagreed and said that whoever supplies all the pairs of bird-offerings to the Temple must also supply, at no extra charge, the replacements for the disqualified birds. Having mentioned the pairs of bird-offerings, the Gemara repeats the discussion from earlier in the chapter. The mishna there (19a) taught that if money was found between the horn marked pairs of bird-offerings and the horn marked doves for burnt-offerings, it is allocated to doves for burnt-offerings, and is used exclusively for that purpose.

הָאִשָּׁה הַזֹּאת בְּמָה הִיא מְתַכַּפֶּרֶת?

The Gemara asks: If so, **how does this woman**, who had placed the money for her offering in the horn marked pairs of bird-offerings, **achieve atonement**? A woman who gave birth or is a *zava* must bring a pair of bird-offerings, one as a burnt-offering and the other as a sin-offering, as part of her purification process. If that money has now been allocated to doves for burnt-offerings, she has not completed the process.

אָמַר רַבִּי יִצְחָק: תְּנָאֵי בֵּית דִּין הוּא: הַמְסַפֵּק אֶת הַקִּיּוּן הוּא מְסַפֵּק אֶת הַפְּסוּלוֹת וְאֶת הָאוֹבְדוֹת.

Rabbi Yitzhak said: **It is a condition of the court that whoever supplies** the Temple with **the pairs** of birds, **he also supplies** extra birds to replace those birds that are **disqualified or lost**. Therefore, in any event the woman will have brought both a burnt-offering and a sin-offering.

הַדָּרֵן עֲלֶיךָ פֶּרֶק מַעוֹת שֶׁנִּמְצְאוּ

NOTES

הָיוּ – *mishtakshekin*]: This word denotes washing, cleaning, and scouring (see *Bereishit Rabba*, *Vayeitzei* 69:5). It may be derived from the word *shikhshukh*, which is referring to moving a part of the body or an object in water.

וְנֹתְנִין אוֹתָהּ עַל גְּבֵי – *mishnah*: Rav Ashi (*Menahot* 52a) maintains that applying ashes to a wound is permitted even though it might appear to involve a prohibition, as the ashes may look like a tattoo and consequently be included in the prohibition: “You shall not make any cuttings in your flesh for the dead, nor imprint any marks upon you” (Leviticus 19:28; *Makkot* 21a). This is because it is clearly evident that the ashes are being applied for a healing purpose. However, although applying the ashes of the red heifer on wounds was technically permitted, it smacked of disrespect for consecrated objects (*Tosafot* on *Menahot* 52a).

The Sages decreed that one becomes liable for misusing with them – *mishnah*: The early authorities (on *Menahot* 52a) disagree with regard to the nature of this decree. Some say that when the Sages saw that people were treating the ashes of a red heifer lightly, they decreed that the ashes are

subject to the *halakhot* of misusing consecrated property, even though according to Torah law they are not subject to these *halakhot* (Rashi). Others maintain that the Sages decreed that the ashes are consecrated with sanctity that inheres in their value. Once this consecration is in effect, one who derives benefit from the ashes is liable by Torah law for misusing consecrated property (*Shita Mekubbetzet*, citing Rashi).

They decreed that one does not become liable...from the ashes – *mishnah*: In the wake of the rabbinic decree, not only did people stop using the ashes for medicinal purposes, they even began to avoid using the ashes to purify doubtful cases of ritual impurity, lest they misuse them. When the Sages saw that their decree had undesirable consequences, they canceled it and reverted to the Torah law, according to which the ashes of a red heifer are not subject to the *halakhot* of misusing consecrated property (Rambam's Commentary on the Mishna, *Shekalim*). Later commentaries note that this conclusion may be applied to other rabbinic decrees, so that if the Sages issued a certain decree for some reason, and the decree achieved its purpose so that the reason was no longer relevant, there is room for the Sages to cancel the decree as it is no longer needed (*Korban Aharon*).

הלכה א מתני' כל הרוקין הנמצאין בירושלים טהורין, חוץ משל שוק העליון, דברי רבי מאיר.

HALAKHA 1 • MISHNA The mishna discusses the ritual purity of items found either in the Temple or in Jerusalem and its environs, in continuation of the previous chapter's discussion of found money, animals, or meat. **All the spittle^N that is found in Jerusalem^H is ritually pure.^N** Since neither ritually impure people nor gentiles were commonly present in Jerusalem, the Sages decreed an exception to the rule that spittle that is found is ritually impure since it presumably comes from one of those groups. This is the case **except for spittle found in the upper marketplace**, where gentiles and ritually impure Jews were likely to be present. This is the statement of Rabbi Meir.

רבי יוסי אומר: בשאר כל ימות השנה, שבאמצע – טמאין, שבצדדין – טהורין. ובשעת הרגל – שבאמצע טהורין שבצדדין – טמאין, מפני שהמעוטין מסתלקין לצדדין.

Rabbi Yosei says: On all the other days of the year, i.e., any day that is not on one of the three pilgrim Festivals, Passover, Shavuot, and Sukkot, spittle that is found in the middle of the street is ritually impure, and spittle that is found on the sides of the street is ritually pure. According to Rabbi Yosei, it was common for people who were ritually impure to be present in the streets of Jerusalem. They would be careful to walk in the middle of the street, while the ritually pure who wished to remain so would walk on the sides. Therefore, it is reasonable to presume that spittle found in the middle of the street is from one who is impure, while spittle found on the side of the street is from one who is pure. **But during the time of the Festival, when most of the people in Jerusalem were there for the Festival and were ritually pure, the spittle found in the middle of the street was ritually pure, and that found on the sides of the street was ritually impure.** The difference is due to the fact that at the time of the Festival, the ritually impure minority moves to the sides of the streets.

כל הכלים הנמצאין בירושלים דרך ירידה לבית הטבילה – טמאין, ודרך עליה – טהורין. שלא כירידתן עליתן, דברי רבי מאיר. רבי יוסי אומר: כולן טהורין, חוץ מן הסל והמגריפה והמריצה המיוחדין לקברות.

The mishna continues: **All the vessels that are found in Jerusalem^N on the way down into the bathhouse, wherein one purifies vessels in a ritual bath, are ritually impure, and those that are found on the way up^N are ritually pure.** The mishna explains: **Their descent into the bathhouse is not by the same route as their ascent out of it, and it can be assumed that those found on the way down have not yet been immersed, while those found on the way up have been.** This is the statement of Rabbi Meir. However, **Rabbi Yosei says: They are all ritually pure, except for the basket, and the shovel,^B and the meritza,^B which are specifically used for graves, to gather up the bones of the dead.** These tools must be presumed to be ritually impure, but in general, vessels are presumed to be pure.

HALAKHA

Spittle that is found in Jerusalem – הרוקין הנמצאין בירושלים: The Sages decreed that on any day of the year besides the pilgrim Festivals, spittle found in the middle of the streets of Jerusalem is impure like spittle found anywhere else. However, spittle found on the side of the street is ritually pure, since those who were vigilant about the halakhot of ritual purity would walk on the sides of the street in order not to be rendered ritually impure by coming into contact with an *am ha'aretz*, who was not so careful. During the pilgrim Festivals, spittle found in the middle of Jerusalem's streets is ritually pure, for all the Jews are ritually pure during the Festival and they walk down the middle of the street. Spittle found on the sides of the streets is impure, for those who are ritually impure are the minority, and therefore they walk on the sides of the street. This ruling is in accordance with Rabbi Yosei's opinion (Rambam *Sefer Tahara, Hilkhot She'ar Avot HaTumot* 13:8).

BACKGROUND

Shovel – מגריפה: This is referring to several possible tools. When it is associated with a basket, as it is here, it means a shovel with a wide head and a long handle, held in both hands, used for digging as well as the collection of bones for burial. It was additionally used to shovel dried figs (Rashi, *Shabbat* 122b). This shovel could be made of metal or wood.

Meritza – מריצה: In modern Hebrew, a *meritza* is a wheelbarrow, but that is not what the Gemara is referring to here. In this context, *meritza* means a tool similar to a pickaxe, also called a dolabra, with which one could extract large stones and then push them into place to close a burial cave.



Roman dolabras

NOTES

All the spittle – כל הרוקין: The mishna (*Teharot* 4:5) explains that the Sages decreed that spittle found in the markets and streets is ritually impure out of concern that it came from people who were ritually impure as a result of impurity due to bodily emissions, i.e., a *zav*, a *zava*, a menstruating woman, and a woman after childbirth. Similarly, the Sages decreed that a gentile has the impurity of a *zav* or *zava*, even though biblically there is no ritual impurity for gentiles. The Sages also decreed that the spittle of an *am ha'aretz* must be avoided, as he cannot be expected to be careful about ritual impurity. The spittle found in Jerusalem has a different status, as the Gemara explains.

Spittle that is found in Jerusalem is ritually pure – הרוקין הנמצאין בירושלים טהורין: This leniency is based upon the fact that only a minority of the people in Jerusalem were ritually impure. In other places, the impure were presumably also a minority; nevertheless, the Sages decreed ritual impurity on spittle found in any other place, since there was a significant minority who were impure (*Tosafot, Avoda Zara* 40b, s.v. *kol hatzelamim*). In Jerusalem the impure were an insignificant

minority, as one who was classified as a *zav* would refrain from entering the city. Furthermore, although a significant minority of women were impure due to menstruation, women did not frequent the streets and markets, as "all the glory of the king's daughter is on the inside" (*Psalms* 45:14; *Tiferet Yisrael*).

The vessels that are found in Jerusalem – הכלים הנמצאין בירושלים: The mishna (*Teharot* 4:5) explains that the Sages decreed that all vessels found in the markets and streets are ritually impure, out of concern that they had been rendered impure by contact with a corpse. The streets of Jerusalem are an exception to this rule.

The way down ...and the way up – ודרך עליה... ודרך ירידה: Some explain that vessels that had already been immersed would be positioned in a different manner than those that had not. According to this interpretation, Rabbi Meir's statement that their descent into the bathhouse is not the same as their ascent out of it is referring to the vessels' position (*Me'iri*). Others explain that there were two paths into the bathhouse: The entrance, or way down, for the impure, and the exit, or way up, for

those who had already immersed themselves. This would help ensure that the ritually pure would avoid coming into contact with the impure. According to this reading, Rabbi Meir's statement is referring to the distinct entrances and exits (Rosh; Rav Yehuda ben Rav Binyamin HaRofeh; Rabbi Ovadya Bartenura).



Ancient ritual bath in Jerusalem with two openings

HALAKHA

The vessels that are found in Jerusalem... a knife that was found on the fourteenth – סבין שנמצאת בארבעה עשר – הכלים הנמצאים בירושלם... סבין – שנמצאת בארבעה עשר: All the vessels that are found in Jerusalem are ritually pure, even if they were found on the way down to the place of immersion, except for vessels used to deal with the bones of a corpse. The Sages decreed that vessels found in Jerusalem are ritually pure except for knives used to slaughter offerings, due to the gravity with which offerings are regarded. However, if the knife is found on the fourteenth of Nisan, it can be used to slaughter an offering immediately, even if the fourteenth of Nisan occurs on Shabbat, as the Sages did not decree knives found on the fourteenth of Nisan to be ritually impure. This ruling is in accordance with Rabbi Yosef's opinion (Rambam *Sefer Tahara, Hilkhot She'ar Avot HaTumot* 13:5; Ra'avad; *Kesef Mishne*).

A knife that was found... on the thirteenth – סבין שנמצאת...: If one finds a knife on the thirteenth of Nisan, one sprinkles purification water on it and immerses it before using it. According to the Ra'avad, there is no need to sprinkle it; it is sufficient just to immerse it (Rambam *Sefer Tahara, Hilkhot She'ar Avot HaTumot* 13:6).

LANGUAGE

Cleaver [*kofitz*] – קופיץ: From the Greek *κοπίς*, *kopis*, a person, tool, or machine that chops. Typically, it is a large knife used to slice or chop up hard items.



A large chopping knife, or cleaver, used to cut meat

סבין שנמצאת בארבעה עשר – שוחט בה מיד. בשלשה עשר – שוחט ומטביל.

קופיץ – בזה ובה שונה ומטביל. כל ארבעה עשר להיות בשבת – שוחט בה מיד.

The mishna continues with another ruling about ritual purity: One may slaughter immediately with a knife that was found^N on the fourteenth^{HN} of Nisan, i.e., the day the Paschal lamb is slaughtered, and need not be concerned that it is ritually impure. Presumably it was immersed the day before so that it could be used to slaughter the Paschal offering. If he found it on the thirteenth^H of Nisan, he immerses it again.^N Perhaps its owners had not yet immersed it, since they still had time to do so before the evening.

If one finds a cleaver [*kofitz*],^L which is used to slaughter an animal and break its bones, whether it was on this day, i.e., the fourteenth, or on that day, i.e., the thirteenth, he immerses it again^N out of doubt. Since breaking the bones of the Paschal lamb is prohibited, its owners would have no need for it on the fourteenth, and it cannot be presumed that it has already been immersed to make it ritually pure. However, if the fourteenth occurs on Shabbat, he may slaughter with the cleaver immediately. Since immersing a vessel is prohibited on Shabbat, and presumably the owner of the cleaver wants it to be ritually pure on the fifteenth, one can assume that he immersed it already on Friday, the thirteenth of Nisan. It is therefore ritually pure.

NOTES

A knife that was found – סבין שנמצאת: The *Me'iri* (*Pesahim* 70a) explains why the principle that vessels found in Jerusalem are presumed to be pure does not apply to knives: Since most vessels are carried together in a bag or a basket, people ensure that they are ritually pure so that they do not render one another impure. Knives are generally not carried together in a basket with other vessels, so it is conceivable that one would not take pains to ensure that a knife does not become impure.

One may slaughter immediately with a knife that was found on the fourteenth – סבין שנמצאת בארבעה עשר שוחט – בה מיד: After immersion, a person or a vessel does not become fully pure until the conclusion of the day upon which the immersion took place. Until dark such a person is called a *tevul yom*, i.e., one who immersed that day. By Torah law, one who immersed himself that day does not render items fully impure, in that they cannot subsequently render other things impure, but he does render them unfit for consecrated use. However, the Sages decreed that one who immersed that day does render items impure. According to the opinion of Abba Shaul, he confers first-degree ritual impurity, and according to the opinion of the Rabbis, he confers second-degree impurity (*Me'ila* 8a).

A knife that was found on the fourteenth of Nisan can be presumed to have been immersed by its owners the day before, so that it will become ritually pure at nightfall of the thirteenth, enabling its use in time for the slaughtering of the Paschal lamb on the fourteenth. If the knife were found on the thirteenth, there are no grounds for such a presumption. The owners may not yet have immersed it, as there is still time left to do so before sunset.

He immerses it again – שונה ומטביל: The Rambam explains that this phrase means to sprinkle purification water on the knife to remove any possible ritual impurity imparted from a corpse, and then to immerse it. In his opinion, the instruction

could not mean merely to immerse it again, since the motivation for immersing at all is the presumption that it has not yet been immersed.

A cleaver... whether it was on this day or on that day, he immerses it again – קופיץ בזה ובה שונה ומטביל: Since it is prohibited to break the bones of the Paschal lamb, there is no presumption that the cleaver was immersed in time for use on the fourteenth. The Gemara (*Pesahim* 70a-b) asks: Since it was customary to bring a Festival peace-offering along with the Paschal lamb to ensure that there was enough meat to satisfy the entire group, and it is permitted to break the bones of a Festival peace-offering, why do we not presume that a cleaver found on the fourteenth was purified in order to use it to cut up the Festival peace-offering?

The Gemara there offers two answers: First, it answers that the mishna is in accordance with the opinion of ben Teima that the Festival peace-offering of the fourteenth takes on some of the *halakhot* of the Paschal lamb and it is forbidden to break its bones as well.

Second, the Gemara points out that even if one subscribes to the Rabbis' opinion, that a Festival peace-offering on the fourteenth is no different from any other Festival peace-offering and its bones may be broken, there are two overlapping doubts with regard to whether the owner of the cleaver would sacrifice a Festival peace-offering. First, the owner's group may not require an additional offering if it is small enough that the Paschal lamb will suffice. Second, it is possible that most of the populace will become impure; this would be the case if, for example, the *Nasi* would die and everyone was obligated to occupy themselves with his burial. In such a situation, the Paschal lamb is nevertheless sacrificed, but it is prohibited to add the Festival peace-offering, since it may not be offered when one is impure. In such a case of two overlapping doubts, it cannot be presumed that there would be a Festival peace-offering and that therefore the cleaver was immersed on the thirteenth.

בַּחֲמִשָּׁה עָשָׂר שׁוּחַט בַּהּ מִיָּד. נִמְצְאָה
קִשׁוּרָה לְסָכִין – הֲרֵי הִיא פְּסָכִין.

גַּמְ' רַבִּי אֲבִין בְּשֵׁם רַבִּי יְהוֹשֻׁעַ בֶּן לִוִּי:
קִצְרָן שֶׁל נְכָרִים הִיא שָׁם.

אָמַר רַבִּי חֲנִינָה: עֲרוּדוֹת הֵיוּ נוֹחֲרִין
בִּירוּשָׁלַיִם, וְהָיוּ עוֹלֵי רַגְלִים מִשְׁתַּקְּעִין
בָּדָם עַד אֲרֻבּוֹתֵיהֶן. וּבָאוּ לִפְנֵי
חֲכָמִים וְלֹא אָמְרוּ לָהֶן דָּבָר. (רַבִּי
שְׁמַעוֹן בֶּר אָבָא בְּשֵׁם רַבִּי חֲנִינָה:
קִצְרָן שֶׁל נְכָרִים הִיא שָׁם.)

רַבִּי סִימוֹן בְּשֵׁם רַבִּי יְהוֹשֻׁעַ בֶּן לִוִּי:
מַעֲשֵׂה בַּפְּרָדָה מִשָּׁל בֵּית רַבִּי שְׁמַתָּה,
וְטָהְרוּ אֶת דְּמֵיהָ מִשּׁוּם נְבִילָה. רַבִּי
אֶלְעָזָר שְׂאִיל לְרַבִּי סִימוֹן: עַד כַּמָּה?
וְלֹא אָנְיָבִיחָהּ. שְׂאִיל לְרַבִּי יְהוֹשֻׁעַ בֶּן
לִוִּי: אָמַר לִיָּהּ: עַד רַבִּיעִית – טָהוֹר,
יֹתֵר מִיֶּכֶן – טָמֵא. וּבָאֵשׁ לְרַבִּי לְעוֹר
דְּלֵא חוֹר לִיָּהּ רַבִּי סִימוֹן שְׁמוּעָתָא.

If the cleaver was found **on the fifteenth** of Nisan, i.e., if it was found on the Festival itself, he may slaughter **with it immediately**. The owners of the cleaver would have immersed it so that they could use it on the fifteenth to cut up the bones of a Festival peace-offering. If the cleaver was found **attached to a knife**,^h it is like a knife, i.e., if it was found on the thirteenth of Nisan it is presumed impure, and if it was found on the fourteenth he may slaughter with it immediately, as it was certainly immersed on the day before.

GEMARA The mishna taught that according to Rabbi Meir, all spittle that is found in Jerusalem is ritually pure, except if it were found in the upper marketplace. With regard to this, **Rabbi Avin in the name of Rabbi Yehoshua ben Levi** explains: **A fortress [katzran] of gentiles was thereⁿ** in the upper marketplace. The Sages decreed that gentiles have the ritual impurity of a zav (see *Shabbat* 17b and *Nidda* 34a), therefore their spittle is impure. The Roman soldiers were gentiles, so any spittle found in the upper marketplace was presumably theirs.

The Gemara recounts an incident about this fortress. **Rabbi Hanina said: Once they were killing wild donkeys^s in Jerusalem, to feed the lions in the circus (see *Menahot* 103b), and the pilgrims coming to Jerusalem to celebrate the Festival were wading in blood up to their ankles from the large amount of blood coming from the wild donkeys. And they came before the Sages to find out if they had been rendered ritually impure, and they, the Sages, did not say anything**, as the blood of an animal carcass does not render one ritually impure, even though the carcass itself does. Where did this story take place? **Rabbi Shimon bar Abba said in the name of Rabbi Hanina: There was a gentile, i.e., Roman, fortress there**, in the upper marketplace of Jerusalem, and that was where they were killing the wild donkeys.

Apropos the ritual impurity of blood from an animal carcass, the Gemara recounts that. **Rabbi Simon said in the name of Rabbi Yehoshua ben Levi: There was an incident with regard to a mule from Rabbi Yehuda HaNasi's household that died, and the Sages ruled its blood to be ritually pure** and not subject to the impurity imparted by an animal carcass. On this topic, **Rabbi Elazar asked Rabbi Simon: Up to how much blood from an animal carcass does not render one ritually impure? And he did not answer him. He then went and asked Rabbi Yehoshua ben Levi. Rabbi Yehoshua ben Levi, said to him: Up to the size of a quarter-logⁿ is ritually pure; more than that is ritually impure. And Rabbi Elazar was annoyed that Rabbi Simon did not respond with the halakha** that the minimal size for ritual impurity is a quarter-log, as he certainly heard it from Rabbi Yehoshua ben Levi.

NOTES

A fortress [katzran] of gentiles was there – קִצְרָן שֶׁל נְכָרִים הִיא – שָׁם: An alternate explanation interprets the word *katzran* to mean launderers rather than fortress. Accordingly, the upper marketplace was populated by gentile launderers, and therefore any spittle found there was presumed impure, as the Sages decreed that gentiles have the ritual impurity of a zav (*Korban Netanel; Tiklin Haditin*).

Up to the size of a quarter-log – עַד רַבִּיעִית: The opinion that a quarter-log of the blood of an animal carcass confers ritual impurity is that of Beit Hillel according to Rabbi Yehuda (*Eduyyot* 5:1). A different mishna records Rabbi Yehoshua ben Beteira's testimony that the blood of an animal carcass is ritually pure

(*Eduyyot* 8:1). The minimal measure of a quarter-log is derived from the fact that that amount of blood, when dried, measures approximately an olive-bulk. Ra'avad explains (*Eduyyot* 5:1) that since dried blood is similar to the meat of the animal, the Sages decreed that it imparts ritual impurity as well. They further decreed that even in liquid form, the same amount of blood will confer impurity. Later authorities inferred from Ra'avad's explanation that the blood of an animal carcass is a source of ritual impurity only by rabbinic law. This is evident from the fact that the minimal measure is a quarter-log. If it were the case that animal carcass blood conferred impurity by Torah law, then the minimum amount would be an olive-bulk, as an olive-bulk is the standard minimal measure (*Avi Ezri*).

HALAKHA

If the cleaver were found attached to a knife – נִמְצְאָה בְּקִשְׁוֹרָה לְסָכִין: If one found, whether on the Festival or not, one knife attached to another knife, then if the state of purity is known with regard to one of them, then the other has the same status, be it pure or impure. This ruling is in accordance with the mishna (*Rambam Sefer Tahara, Hilkhot She'ar Avot HaTumot* 13:7).

BACKGROUND

Wild donkeys – עֲרוּדוֹת: The wild donkey or onager, *Equus hemionus*, is an untamed animal that lives in the desert. Nowadays it survives mostly in the Asian deserts, and it is often mentioned in the Bible as a symbol of freedom and lack of inhibition.



Onager

BACKGROUND

Quarter-log – רביעית: A unit of liquid measurement. In Hebrew, it is literally a quarter. Unless indicated otherwise, a quarter refers to a quarter-log. The log is a talmudic measurement of volume equal to six egg-bulks, which is equivalent to approximately 346 ml according to Rabbi Hayyim Na'e's standard method of converting talmudic measurements. A quarter-log measures approximately 86.5 ml, or slightly less than half a cup.

The quarter-log is a standard unit of measurement in certain matters. For example, a quarter-log is the minimum amount of wine over which kiddush may be recited, the amount of wine for which a nazirite is punished for drinking, and the minimum quantity of certain edible liquids for which one is liable for violating the prohibition against transferring objects from one domain to another on Shabbat. A quarter-log of blood from a corpse confers ritual impurity.

NOTES

Ritually pure in that it does not render an item susceptible to impurity – טהור מלהכשיר: A food item does not become susceptible to ritual impurity unless it comes into contact with water, or one of six other liquids. The seven liquids that cause an item to become susceptible to impurity are wine, honey, oil, milk, dew, blood, and water (Makhshirin 6:4). Once it has come into contact with one of these liquids, food is susceptible to impurity, even if it subsequently becomes dry. Only these seven liquids can confer susceptibility to impurity, as it appears from the Gemara's interpretation of the testimony of Rabbi Yehoshua ben Petora that animal carcass blood does not render food susceptible to impurity.

HALAKHA

The blood of a creeping animal – דם השרץ: Blood of a creeping animal has the same status as its flesh and the two combine to form the requisite lentil-bulk for ritual impurity as long as it is attached to the flesh. This is in accordance with the mishna (Rambam Sefer Tahara, Hilkhot She'ar Avot HaTumot 4:7).

רב ביבי היה יתיב מתני הדין עובדא. אמר ליה רבי יצחק בר ביסנא: עד כמה? אמר ליה: עד רביעית – טהור, יותר מיכן – טמא. ובעט ביה.

אמר ליה רבי זריקא: בגין דהוה שאיל לך את בעיט ביה? אמר ליה: בגין דלא הוות דעתני בי, דאמר רבי חנין: "והיו חייך תלואים לך מנגד" – זה שהוא לוקח לו חטין לשנה, "ופחדת לילה ויומם" – זה שהוא לוקח מן הפדקי, "ולא תאמין בחיך" – זה שהוא לוקח מן הפלטור. ואנא סמיך אפלטירא.

מאי כדון, העיד רבי יהושע בן פתורה על דם נבילות שהוא טהור. מהו טהור – טהור מלהכשיר, הא ליטמות – מטמא.

תמן תנינן: דם השרץ מטמא כבשרו, מטמא ואינו מכשיר, ואין לנו ביוצא בו.

ואין לנו ביוצא בו כשיעור טומאתו, אבל דמו מטמא כבשרו.

אמר רבי יוסי: פליגי בה תרין אמוראי, חד אמר: טמא, וחד אמר: טהור.

מאן דאמר טמא – כרבבי יהודה, ומאן דאמר טהור – כרבבי יהושע בן פתורה.

The Gemara continues: Rav Beivai was sitting and teaching this story of the mule from Rabbi Yehuda HaNasi's household, in which the Sages ruled that the blood of a carcass does not render one impure. Rabbi Yitzhak bar Bisna said to him: Up to how much blood from an animal carcass does not render one ritually impure? Rav Beivai said to him: Up to a quarter-log⁸ is ritually pure; more than that is impure. And then he kicked him.

Rabbi Zerika said to Rav Beivai: You kicked him because he asked you a question? He said to Rabbi Zerika: Because my mind was unsettled, and not because he did anything wrong. As Rabbi Hanin said in expounding the verse: "And your life shall hang in doubt before you; and you shall fear night and day, and shall have no assurance of your life" (Deuteronomy 28:66). "And your life shall hang in doubt before you"; this is one who buys for himself wheat for a year, who has no financial security with regard to the following year. "And you shall fear night and day"; this is one who is so poor that he buys wheat from the storekeeper a bit at a time, with the attendant concern that he might not have enough for the morrow. "And shall have no assurance of your life"; this is one who is so poor he buys from the baker and cannot afford to buy wheat in advance to assure even one future meal. And I rely on the baker, i.e., I am on this lowest level of poverty, and therefore I do not have the presence of mind to answer his questions.

The Gemara asks: What then is the halakhic ruling regarding the ritual impurity of the blood of an animal carcass? In response, the Gemara quotes a mishna (Eduyyot 8:1): Rabbi Yehoshua ben Petora testified that the blood of animal carcasses is ritually pure, which implies that it is ritually pure regardless of the amount, even more than a quarter-log. The Gemara rejects this answer: What does the mishna mean by ritually pure? That such blood is ritually pure in that it does not render an item susceptible to impurity.⁹ Even though blood is one of the seven liquids that render an item susceptible to ritual impurity, the blood of an animal carcass is not deemed blood for this purpose. Nevertheless, with regard to conferring impurity, such blood does render something ritually impure.

The Gemara asks: Didn't we learn in a mishna there (Makhshirin 6:5): The blood of a creeping animal¹⁰ confers ritual impurity, as does its flesh? It confers impurity, but does not render an item susceptible to impurity, and we have nothing else like it that confers impurity but does not render something susceptible to impurity. The implication is that the blood of an animal carcass would either both confer impurity and render an item susceptible to impurity or do neither.

The Gemara answers: When the mishna said that we have nothing else like it, it meant that we have nothing else like it with regard to the measure required for this substance to confer impurity. The measure of both the blood and the flesh of a creeping animal required for conferring impurity is a lentil-bulk. Creeping animals are unique in this regard, since the measures of blood and flesh that confer impurity from an animal carcass are different. An olive-bulk of flesh is sufficient to confer impurity, while a quarter-log of blood is required. However, the Gemara concludes, its blood, i.e., that of an animal carcass, nevertheless confers impurity like its flesh.

Rabbi Yosei said: Two amora'im disputed this point, whether the blood of an animal carcass confers ritual impurity. One said a quarter-log of this blood renders one ritually impure, and one said that even after contact with this blood, one remains ritually pure.

The one who said ritually impure holds like the opinion of Rabbi Yehuda as it appears in a mishna (Eduyyot 5:1). Rabbi Yehuda asserts there that this issue is the subject of a dispute between Beit Shammai and Beit Hillel. The halakha would follow the opinion of Beit Hillel, which is that carcass blood does confer impurity. And the one who said ritually pure holds like the opinion of Rabbi Yehoshua ben Petora, who testified (Eduyyot 8:1) that the blood of an animal carcass is ritually pure. It appears that this amora interprets Rabbi Yehoshua ben Petora's statement literally, implying that even more than a quarter-log of blood does not confer impurity.

On the rest of the days of the year the ritually impure proceed down the middle of the street in a group – **בְּשָׂאָר יְמוֹת הַשָּׁנָה** – **הֵטְמֵאִין מֵהֶלְכִין שִׁיבוּלַת**. On days that are not pilgrim Festivals, spittle found in the middle of the street is ritually impure by decree of the Sages, as is the *halakha* for spittle in any other place. However, in Jerusalem, spittle found on the sides of the street is ritually pure. Those who were vigilant about ritual purity would walk on the sides of the street in order to avoid contact with an *am ha'aretz*, and presumably the spittle on the sides comes from the ritually pure. This ruling is in accordance with the opinion of Rabbi Yosei (Rambam *Sefer Tahara*, *Hilkhot She'ar Avot HaTumot* 13:8).

NOTES

וְהֵטְהוּרִין מֵהֶלְכִין כְּתָם – **וְהֵטְהוּרִין מֵהֶלְכִין כְּתָם** – The text of the Gemara is in accordance with that of Rav Yehuda ben Rav Binyamin HaRofeh. However, some versions of the text have: The ritually impure proceed ordinarily, while the ritually pure tell them to stay away... the ritually pure proceed ordinarily, while the ritually impure tell them to stay away (Venice edition, and that of Rambam, Rosh, *Talmid HaRashbash*, Rash Sirilio, and the Vilna Gaon). According to that version, the warning to stay away lest the pure be rendered impure is always the task of whoever proceeds along the sides of the street, whether it is the impure during the Festival or the ritually pure during the rest of the year. Those who walk in the middle simply proceed ordinarily.

אָמַר לֵיהּ רַב אַבְדוּמָה דְּמִן נְחוּתָהּ: וְיֵאוּת, דְּרַבִּי יְהוּדָה מוֹרִינָה דְּבִי נְשִׂיאָה הָוָה.

Rav Avduma of the descenders, i.e., travelers from Eretz Yisrael to Babylonia, bringing with them the Torah taught in Eretz Yisrael, said to him: **And it is right**, that which you explained is correct, as **Rabbi Yehuda was the halakhic authority for the house of the Nasi**. Rabbi Yehuda ruled then that the blood of the dead mule was pure only because there was less than a quarter-log of it.

”כֹּל הָרוֹקִין” וְכוּ: לֹא בֵּן אָמֵר רַבִּי אַבְהוּ בְּשֵׁם רַבִּי יוֹסֵי בֶּן חֲנִינְיָה: לֹא גִזְרוּ עַל הָרוֹקִין שְׁבִירוֹשָׁלַיִם! הֵא אֵיתְמַר עֲלֵיהּ, רַבִּי אָבִין בְּשֵׁם רַבִּי יְהוֹשֻׁעַ בֶּן לֹוִי: קִצְרוֹן שֶׁל גּוֹיִם הֵיא שָׁם.

The mishna states that according to Rabbi Meir’s opinion, **all the spittle** found in Jerusalem is pure, except for spittle found in the upper marketplace. The Gemara asks: **Didn’t Rabbi Abbahu say this in the name of Rabbi Yosei ben Hanina**: The Sages **did not decree the spittle found in Jerusalem** to be ritually impure? If so, why is the spittle found in the upper marketplace ritually impure? The Gemara answers: **But wasn’t it stated with regard to that marketplace that Rabbi Avin said in the name of Rabbi Yehoshua ben Levi: A fortress of gentiles was there**, and since the Sages decreed that gentiles have the ritual impurity of a *zav*, any spittle found there must be from them and therefore is ritually impure.

בְּשָׂאָר יְמוֹת הַשָּׁנָה הֵטְמֵאִין מֵהֶלְכִין שִׁיבוּלַת וְהֵטְהוּרִין מֵהֶלְכִין מִן הַצֵּד, וְהֵטְהוּרִין מֵהֶלְכִין כְּתָם, וְהֵטְמֵאִים אוֹמְרִין לָהֶן “פְּרוֹשׁוּ”. בְּשַׁעַת הָרֶגֶל הֵטְהוּרִים מֵהֶלְכִין שִׁיבוּלַת, וְהֵטְמֵאִין מֵהֶלְכִין מִן הַצֵּד, הֵטְמֵאִין מֵהֶלְכִין כְּתָם, וְהֵטְהוּרִין אוֹמְרִים לָהֶן “פְּרוֹשׁוּ”.

The mishna also states Rabbi Yosei’s opinion that for most of the year, all spittle found in the middle of the street was impure and spittle found on the sides was pure; during the pilgrim Festival, the spittle in the middle was pure and that on the sides was impure. The Gemara discusses a *baraita* that explains this opinion: **On the rest of the days of the year, the ritually impure proceed down the middle of the street in a group,^H and the pure proceed on the side** to avoid contact that would render them impure. **And the ritually pure proceed ordinarily^N** and don’t warn the ritually impure not to touch them, while the **impure** are the ones who **say to** those who are ritually pure: **Stay away. During the period of the pilgrim Festival the ritually pure proceed in a group in the middle of the street and the impure proceed on the side of the street. The impure proceed ordinarily** and do not warn the ritually pure not to touch them, **and the ritually pure** are the ones who **say to** those who are impure: **Stay away**, i.e., be careful not to touch us and render us impure.

”וְכֹל הַכֵּלִים הַנִּמְצָאִים” כּוּ. לֹא בֵּן אָמֵר רַבִּי אַבְהוּ בְּשֵׁם רַבִּי יוֹחָנָן לֹא גִזְרוּ עַל הַכֵּלִים שְׁבִירוֹשָׁלַיִם? מִכֵּיּוֹן שֶׁנִּמְצְאוּ דְּרַךְ יְרִידָה לְבֵית הַטְּבִילָה – נִעֲשֶׂה הוֹכֵיחַ.

The mishna further states: **And all the vessels that are found in Jerusalem**, if they are found on the way down to the **bathhouse**, where one purifies vessels in a ritual bath, they are ritually impure, and if they are found on the way up, they are ritually pure. The Gemara asks: **Didn’t Rabbi Abbahu say this in the name of Rabbi Yohanan**: The Sages **did not decree ritual impurity with regard to the vessels found in Jerusalem**? The Gemara answers: **Since they were found on the way down to the bathhouse**, it becomes as if it had been conclusively **demonstrated** that they are ritually impure, for one does not bring a vessel to be immersed if it is not ritually impure.

אָבָא שְׂאוּל הֵיא קוֹרָא אוֹתָן צִיפּוֹרִין. מֵאֵן דְּאָמַר צִיפּוֹרִין – שְׂהֵיא דוֹמָה לְצִיפּוֹרִין, מֵאֵן דְּאָמַר מְרִיצָה – שְׂמְרִיצָה אֵת הָאָבֶן לְבֵית הַקְּבֻרוֹת.

The mishna also states that Rabbi Yosei is of the opinion that all vessels that are found in Jerusalem are ritually pure, except for the basket, the shovel, and the *meritza*, which are specifically used for graves. The Gemara recounts that **Abba Shaul**, who was a gravedigger and regularly used such tools, **would call them**, the tools referred to by the name *meritza*, **finger nails** [*tzipporin*]. The Gemara explains: **The one who said to call it tzipporin** did so because this tool was **similar** in appearance to a **finger nail**, with a sharp point. **The one who said to call it a meritza**, literally, a runner, did so because it is a tool with which **one runs**, i.e., moves **the stone** used to close the entrance to the burial cave **to the cemetery**.

קוֹפִיץ וְכוּ. תִּנְיִי: הַפְּכִין קְשׁוּרָה לָהּ – הֵיא זוֹ כְּמוֹתָהּ.

The mishna also states that if the **cleaver** is found tied to a knife, it has the same rule as the knife with regard to ritual impurity. The Gemara quotes: **It was taught** in a *baraita* that disagrees with the *halakha* in the mishna, and in its view, if **the knife were tied to the cleaver**, it has the same *halakha* as the cleaver, and if the cleaver is ritually impure, the knife is also ritually impure.

Bench [itztabba] – אִיצְטַבָּא: From the Greek *στοῖα*, *stoa*, meaning roofed colonnade or cloister. In *Kiddushin* 70a it refers to a row of pillars, but also to a covering on top of such pillars, whence developed the meaning used by the Rabbis. In the vernacular it is anything that juts out, even a bench.

A curtain that became ritually impure from a secondary source of impurity – פְּרוֹכֵת שֶׁנִּטְמָאת בְּלוֹד הַטּוֹמְאָה: If the curtain of the Temple became ritually impure from a secondary source of ritual impurity, it is immersed in the courtyard. If it is removed from the Temple in order to immerse it, it is brought back inside immediately after immersion, as there is no need to wait until dark.

If it became ritually impure from a primary source of ritual impurity, it is immersed outside the Temple and is spread out to dry on the rampart, as it becomes ritually pure only once it is dark. If it is a new curtain, it is spread out to dry on the bench so that the nation will see that its work is beautiful. This ruling is in accordance with the mishna (Rambam *Sefer Avoda Hilkhot Kelei HaMikdash* 7:18).

The curtain has the thickness of a handbreadth – פְּרוֹכֵת טַפַּח עוֹבֵינָה טַפַּח: Two curtains each year were made to separate between the Sanctuary and the Holy of Holies. The curtain was woven from four different types of yarn: Fine linen, sky-blue wool, purple wool, and scarlet wool. Each strand was made of six threads of each, for a total of twenty-four threads. The curtain was woven in seventy-two looms and was one handbreadth thick. It was forty cubits long and twenty cubits wide. This ruling is in accordance with the mishna (Rambam *Sefer Avoda Hilkhot Kelei HaMikdash* 7:16).

הַלְכָה בַּמִּתְנִי פְּרוֹכֵת שֶׁנִּטְמָאת בְּלוֹד הַטּוֹמְאָה – מִטְבִּילִין אוֹתָהּ בַּפְּנִים, וּמְכַנְסִין אוֹתָהּ מִיָּד.

וְשֶׁנִּטְמָאת בְּבַב הַטּוֹמְאָה – מִטְבִּילִין אוֹתָהּ בַּחוּץ, וְשׁוֹטְחִין אוֹתָהּ בַּחֵיל, מִפְּנֵי שֶׁהִיא צְרִיכָה הָעֶרֶב שָׁמֵשׁ אִם הִיְתָה חֲדָשָׁה – שׁוֹטְחִין אוֹתָהּ עַל גַּג הָאִיצְטַבָּא, כְּדֵי שְׂרִיפָהּ הָעֵם אֶת מְלֶאכֶתָהּ שֶׁהִיא נְאֻהָ.

רַבֵּן שִׁמְעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר מִשּׁוּם רַבִּי שִׁמְעוֹן בֶּן הֶסְגֵּן: פְּרוֹכֵת עוֹבֵינָה טַפַּח עַל שִׁבְעִים וְשָׁתַיִם נִימִים נֶאֱרָתָה עַל כָּל נִימָה וְנִימָה עֶשְׂרִים וְאַרְבָּעָה חוּטִין. אַרְבָּה אַרְבָּעִים אֲמָה וְרַחֲבָה עֶשְׂרִים, וּמִשְׁמוֹנִים וְשָׁתַיִם רְבּוּא הִיְתָה נְעֻשִׂית, וְשָׁתַיִם עוֹשִׂין בְּכָל שָׁנָה, וְשָׁלֹשׁ מֵאוֹת כְּהֻנִּים מִטְבִּילִין אוֹתָהּ.

HALAKHA 2 • MISHNA With regard to a curtain that became ritually impure from a secondary source of impurity, since its ritual impurity is by rabbinic law and not Torah law, there is no need to remove it from the Temple. Rather, it is immersed inside the Temple. And if it were removed to outside the courtyard in order to immerse it, it can be brought back into the courtyard immediately. Since it is ritually impure only by rabbinic law, there is no need to wait until sunset before returning it.

But if it became impure from a primary source of impurity, e.g., it came into contact with the carcass of one of the eight creeping animals that confer impurity by Torah law, it is immersed outside the courtyard and is spread out to dry on the rampart. This is the low wall surrounding the Temple courtyard and the buildings within it, which has a lower level of holiness than the courtyard. The reason for this policy is because the sun needs to set on it. Immersion does not confer ritual purity on an item that became impure by Torah law until after the sun has set. And if this curtain were new, it is spread out to dry on top of the bench [itztabba],¹ a prominent place on the Temple Mount, so that the people will see its craftsmanship and perceive its beauty.^h

The Gemara discusses the aforementioned curtain that separated the Holy of Holies from the Sanctuary. Rabban Shimon ben Gamliel says in the name of Rabbi Shimon the son of the deputy High Priest: The curtain has the thickness of a handbreadth,^h and it is woven from seventy-two strands of yarn. And each and every strand from those seventy-two is made from twenty-four threads.ⁿ The curtain was made from four materials: Sky-blue wool, purple wool, scarlet wool, and fine linen, and a strand was made up of six threads of each type of material. And with regard to the dimensions of the curtain, its length was forty cubits, as the height of the ceiling of the Sanctuary; and its width was twenty cubits, to match the width of the entrance; and it was made from eighty-two ten-thousands,ⁿ i.e., 820,000 golden dinar. And they used to make two new curtains every year.ⁿ And the curtain was so heavy that they needed three hundred priests to carry it when they would immerse it.ⁿ

NOTES

Twenty-four threads – עֶשְׂרִים וְאַרְבָּעָה חוּטִין: The Sages derived that every time a verse uses the term *sheish* with regard to sacred garments or cloth, that material is linen, and each thread of it is in turn spun from six smaller threads. As the curtain is made up of four materials, fine linen, purple wool, scarlet wool, and sky-blue wool, it is clearly understood, or in the Gemara's terminology: There is no ruling and there is no judge that can argue otherwise, that it is woven from twenty-four threads (*Yoma* 71b–72a).

And the curtain was made from eighty-two ten-thousands – מִשְׁמוֹנִים וְשָׁתַיִם רְבּוּא הִיְתָה נְעֻשִׂית: The text follows the interpretation of the Rambam that this number is referring to the cost of the curtain. Other commentaries claim that it is referring to the number of young girls who have not yet menstruated and are therefore certainly ritually pure, who were needed to weave the curtain. Weaving was traditionally women's work, and in the Temple women would weave the curtain and were paid to do so (see Commentary on tractate *Tamid*). According to this view, the text should read eighty-two *riivot*, meaning girls, rather than *ribo*, meaning ten-thousands. Some explain that the number is referring to the number of threads that were in the curtain (Rabbeinu Barukh).

And they used to make two new curtains every year – וְשָׁתַיִם עוֹשִׂין בְּכָל שָׁנָה: Some explain that this is referring to the two

curtains that separated the Holy of Holies and the Sanctuary in the Second Temple. These were spaced a cubit apart, and they replaced the cubit-width dividing wall, called the *amma traksin*, of the First Temple. The wall was replaced by curtains because the Second Temple was much taller than the first (most sources say it was one hundred cubits high, or forty cubits high according to Rashi on *Bava Batra* 3a), and they could not build a self-supporting wall that was only one cubit wide to that height. They also could not widen the space allotted for the wall, as the verse states, "All this [do I give you] in writing, as the Lord has made me wise by His hand upon me, even all the works of this pattern" (1 Chronicles 28:19), i.e., every detail in the Temple is set by prophecy and may not be changed (*Eiruv* 104a). Therefore, they made two curtains, side by side with some space between, whose entire width was one cubit. As each curtain was one handbreadth thick, the space between them of four handbreadths allowed a priest to walk between them (see Commentary on tractate *Tamid*). An alternate explanation of the two curtains is that one is for the Holy of Holies and the other for the Entrance Hall (Rashi on *Hullin* 90b). Some explain that they needed new ones each year, because the curtains were ruined by the large quantity of smoke produced from the incense (Rosh).

They would immerse it – מִטְבִּילִין אוֹתָהּ: The early authorities discussed the reason for this immersion. Some said that it was a

custom that the last step in the creation of a ritually pure vessel for consecrated use was to immerse it in a ritual bath (Rosh). Others question this explanation, as the curtain cannot become ritually impure, since it is part of a building and not meant for human use, and therefore it has the same status as a building, which cannot become impure (see *Shevi'it* 10:7).

Some explain that even though the curtain is considered attached to the earth, it may nevertheless become impure in that it is in one aspect a tent, as the verse says about the curtain: "And you shall screen [*vesakota*] the Ark with the curtain" (Exodus 40:3). In explanation of this verse, the Sages said that the curtain should not be completely straight, but rather should be slightly horizontal at its top. The horizontal portion of the curtain is based on an analogy to the roofing of a *sukka*, which comes from the same root as *vesakota* (*Sukka* 7b). There are consequently early authorities who believe that the curtain can be rendered impure, and they understand that this immersion took place only when that happened (Rosh; Rashi on *Hullin* 90b).

Other authorities claim that when they immersed the curtain after it was woven, before hanging it, one of the weavers became ritually impure from menstruation and inadvertently rendered the curtain ritually impure while she worked on it (see Commentary on tractate *Tamid*). Even though, as mentioned, the weavers were young girls who did not yet menstruate, it was not impossible that that might occur.

The work of the embroiderer...the work of the skillful workman – **מַעֲשֵׂה רוֹקֵם...מַעֲשֵׂה חוֹשֵׁב**: Any place in the Torah where it says “the work of the embroiderer,” it is referring to images made by weaving that can be seen from only one side of the cloth. When it says “the work of the skillful workman,” it is referring to images that can be seen from both sides of the cloth. This ruling is in accordance with Rabbi Neḥemya’s opinion (*Yoma* 72b; *Kesef Mishneh*; Rambam *Sefer Avoda*, *Hilkhot Kelei HaMikdash* 8:15).

LANGUAGE

Exaggeration [*guzma*] – **גּוּזְמָא**: The source of this term is not clear. Possibly this meaning is a development of the root *gazam*, meaning cut, which in turn came to mean, in rabbinic Hebrew, a threat or an attempt to frighten. From there, perhaps, it came to refer to any statement that is made merely to make an impression, without being taken literally.

BACKGROUND

Kor – **כּוֹר**: A *kor* is a measure of volume equaling 30 *se’a*, which is about 250 *ℓ* according to the mainstream opinion.

גַּמְ' אֵילוּ אָמַר חוּט – אֶחָד, כְּפוּל – לְשָׁנִים, שְׁזוּר – לְשֵׁלֶשֶׁה, מְשוּר – לְשֵׁשֶׁה. אַרְבַּע מִכָּאן – הָא עֲשָׂרִים וְאַרְבָּעָה. **GEMARA** The mishna stated that every one of the strands of yarn used to weave the curtain was made of twenty-four threads. The Gemara explains the biblical source for this: The verse says: “And you shall make a curtain of sky-blue wool, purple wool, scarlet wool, and fine twined linen” (Exodus 26:37). **Had** the verse about the curtain **said a thread**, it would mean **one** thread. Had it said **doubled**, it would be expanded to **two** threads. **Twisted** would be increased to **three** threads. **Twined**, which is what the verse in fact says, must mean double that, i.e., **to six** threads. Since the curtain was woven from **four** types of thread, i.e., sky-blue wool, purple wool, scarlet wool, and fine linen, **from here this** count tells us that each strand used in the curtain was made from **twenty-four** threads.

תַּנָּא: שְׁלֹשִׁים וּשְׁתַּיִם, אֵילוּ אָמַר חוּט – אֶחָד, כְּפוּל – לְשָׁנִים, שְׁזוּר – לְאַרְבַּע, מְשוּר – לְשִׁמּוֹנָה, אַרְבַּע מִכָּאן – הָא תְּלַתִּין וּתְרִין. Another opinion was **taught** in a *baraita*: Each strand of the curtain was made from **thirty-two** threads. This is how that *tanna* expounds the verse: **Had** the verse about the curtain **said a thread**, it would mean **one** thread. Had it said **doubled**, it would be expanded to **two** threads. **Twisted** would be increased to **four** threads. **Twined**, which is what the verse in fact says, must mean double that, i.e., **to eight** threads. Since the curtain was woven from **four** types of thread, **from here this** count tells us that each strand used in the curtain was made from **thirty-two** threads.

תַּנָּא אַרְבַּעִים וּשְׁמוֹנָה, אֵילוּ אָמַר חוּט – אֶחָד, כְּפוּל – לְשָׁנִים, קְלִיעָה – לְשֵׁלֶשֶׁה, שְׁזוּר – לְשֵׁשֶׁה, מְשוּר – לְשָׁנִים עָשָׂר, אַרְבַּעָה מִכָּאן – הָא אַרְבַּעִים וּתְמַנָּא. Another *baraita* **taught**: Each strand of the curtain was made from **forty-eight** threads. That *tanna* expounds the verse as follows: **Had** the verse about the curtain **said a thread**, it would mean **one** thread. Had it said **doubled**, it would be expanded to **two** threads. **Wound** would be increased to **three** threads. **Twisted** would be increased to **six** threads. **Twined**, which is what the verse in fact says, must mean double that, i.e., **to twelve** threads. Since the curtain was woven from **four** types of thread, **from here this** count tells us that each thread used in the curtain was made from **forty-eight** threads.

כְּתוּב אֶחָד אוֹמֵר “מַעֲשֵׂה רוֹקֵם” וְכְתוּב אֶחָד אוֹמֵר “מַעֲשֵׂה חוֹשֵׁב.” “מַעֲשֵׂה רוֹקֵם” – פְּרָצוּף אֶחָד, “מַעֲשֵׂה חוֹשֵׁב” – שְׁנֵי פְּרָצוּפוֹת. The Gemara compares the workmanship of the curtain, which separated the Holy of Holies from the Sanctuary, with that of the screen, which was hung at the entrance to the Sanctuary: **One** verse, about the screen, says that it is “**the work of the embroiderer**” (Exodus 26:36), and **one** verse, about the curtain, says that it is “**the work of the skillful workman**” (Exodus 26:31).⁴ The Gemara explains: “**The work of the embroiderer**” means **one** face was on both sides of the curtain; “**the work of the skillful workman**” means there were **two** different faces, one on each side.

רַבִּי יְהוּדָה וְרַבִּי נְחֵמְיָה, חֵד אָמַר: “מַעֲשֵׂה רוֹקֵם” – אַרְי מִכָּאן וְאַרְי מִכָּאן, “מַעֲשֵׂה חוֹשֵׁב” – אַרְי מִכָּאן וְחִלְק מִכָּאן. וְחִרְנָה אָמַר: “מַעֲשֵׂה רוֹקֵם” – אַרְי מִכָּאן וְחִלְק מִכָּאן, “מַעֲשֵׂה חוֹשֵׁב” – אַרְי מִכָּאן וְנֶשֶׁר מִכָּאן. Rabbi Yehuda and Rabbi Neḥemya disagreed about this: **One** said that “**the work of the embroiderer**” means that there was an image embroidered that could be seen from both sides, e.g., a **lion from here**, on one side, and a **lion from there**, on the other side. “**The work of the skillful workman**” means that the **lion** could be seen **from here**, from one side, and it was **smooth** with no image **from there**, on the other side. **And the other said**: “**The work of the embroiderer**” means that there was an image like a **lion from here**, on one side, and **smooth** without an image **from there**. “**The work of the skillful workman**” means that from each side a different image could be seen, e.g., a **lion from here and an eagle from there**.

בְּשִׁמּוֹנִים וּשְׁתַּיִם רְבוּא הָיְתָה נַעֲשִׂית וְכוּ'. רַבִּי יִצְחָק בַּר בִּינְיָאן בִּישָׁם שְׁמוּאֵל: גּוּזְמָא. תַּמָּן תַּנִּינָן: פְּעָמִים הָיְתָה עֲלֵיהָ כְּשֵׁלֶשׁ מֵאוֹת כּוֹר. רַבִּי יוֹסֵי בִּי רַבִּי בּוֹן בִּישָׁם שְׁמוּאֵל: גּוּזְמָא. The mishna stated that the curtain was **made from eighty-two ten-thousands**, i.e., 820,000 golden dinar, and that it needed three hundred priests in order to immerse it. **Rabbi Yitzḥak bar Bizna** said **in the name of Shmuel**: Three hundred priests is an **exaggeration** [*guzma*],⁴ and really a much smaller number of priests were needed. Similarly, **we learned** in a mishna **there** (*Tamid* 28b) with regard to the pile of ash on the altar, that **at times there was on it as much as three hundred kor**.⁵ Regarding this, **Rabbi Yosei, son of Rabbi Bun**, said **in the name of Shmuel**: This is an **exaggeration**.

It all should be burned inside except for that which became impure from a primary source of ritual impurity outside – הכל – ישרף בפנים חוץ משנטמא באב הטומאה בחוץ: Even though it is prohibited by Torah law to bring a ritually impure item into the Temple or to leave such an item there, this *halakha* does not refer to impure food, including the flesh of offerings. Only an item that became a primary source of ritual impurity, or that can become ritually pure by immersion in a ritual bath (see *Eirubin* 104b) is prohibited by Torah law from entering the Temple. The flesh of an offering, like other foods, can never become ritually impure beyond first-degree ritual impurity, and it also cannot be rendered pure by immersion (Rav Yehuda ben Rav Binyamin HaRofeh; *Tiklin Haditin*, citing the Vilna Gaon). However, even though the consecrated flesh that has been rendered ritually impure may be burned in the Temple courtyard according to Torah law, the Sages prohibited allowing it into the courtyard except under certain circumstances (Ra'avad on *Torat Kohanim*, *Parashat Tzav*, 8:6–7). The Sages disagree in the mishna as to what those circumstances are.

הלכה ג מתני' בשר קדשי קדשים שנטמא בין באב הטומאה בין בולד הטומאה, בין בפנים בין בחוץ, בית שמאי אומרים: הכל ישרף בפנים, חוץ משנטמא באב הטומאה בחוץ. בית הלל אומרים: הכל ישרף בחוץ, חוץ משנטמא בולד הטומאה בפנים.

HALAKHA 3 • MISHNA With regard to the flesh of offerings of the most sacred order that became impure, whether it became impure from a primary source of impurity or from a secondary source of impurity, whether it became impure inside the courtyard or outside, it must be burned. There is a dispute among the *tanna'im* with regard to where it is burned. **Beit Shammai say: It all should be burned inside** the Temple courtyard, **except for that which became impure from a primary source of ritual impurity outside**,^N as under such circumstances, it is not appropriate to bring it inside the Temple. **Beit Hillel say: It all should be burned outside** the Temple courtyard, **except for that which became ritually impure by a secondary source of impurity inside**. In such a case the flesh need not be removed from the courtyard and is burned there.

Perek VIII
Daf 22 Amud a

HALAKHA

That became ritually impure – שנטמא: There is a positive commandment to burn all consecrated meats that become ritually impure, as the verse states: "And the flesh that touches any unclean thing shall not be eaten; it shall be burnt with fire" (Leviticus 7:19). Where is it burnt? If it became ritually impure inside, it is burnt inside, and if it became ritually impure outside, it is burnt outside; this is the case whether it became ritually impure from a primary source of ritual impurity or a secondary source of ritual impurity. This ruling is in accordance with the view of Rabbi Akiva (Rambam *Sefer Avoda*, *Hilkhot Pesulei HaMukdashin* 19:1 and 19:6).

רבי אלעזר אומר: שנטמא באב הטומאה, בין בפנים בין בחוץ – ישרף בחוץ, שנטמא בולד הטומאה בין בחוץ בין בפנים – ישרף בפנים. רבי עקיבא אומר: מקום טומאתו שם שריפתו.

Rabbi Elazar says: Flesh from offerings of the most sacred order that became ritually impure from a primary source of ritual impurity, whether it became so inside the courtyard or outside, is burned outside. Since its ritual impurity is of the most stringent type, it is not brought into the courtyard, or allowed to remain there. However, an item that became ritually impure from a secondary source of ritual impurity, whether it became ritually impure outside or inside, is burned inside. Since its ritual impurity is of a lenient type, it can be brought into the courtyard in order to be burned. **Rabbi Akiva says: The place of its impurity is where its burning should occur.** Therefore, regardless of whether the source is primary or secondary, such flesh is burned wherever it presently is.^H

גמ' בר קפרא אומר: אב הטומאה – דבר תורה, ולד הטומאה – מדבריהם. רבי יוחנן אומר: בין זה דבר תורה.

GEMARA The opinions in the mishna, with the exception of that of Rabbi Akiva, distinguish between impurity conferred by a primary source and that conferred by a secondary source. The Gemara presents a dispute as to the nature of this distinction. **Bar Kappara said: The primary source of ritual impurity mentioned in the mishna is referring to a scenario where the flesh of the offering became impure by Torah law, and the secondary source of ritual impurity mentioned in the mishna is referring to impurity by rabbinic ordinance.** **Rabbi Yoḥanan said: Both this and that**, both the primary and secondary sources of ritual impurity mentioned, refer to cases of impurity by Torah law.

וקשיא דרבי יוחנן על דבית שמאי, דבית שמאי אומרים: הכל ישרף בפנים, חוץ משנטמא באב הטומאה בחוץ. מה בין אב הטומאה בחוץ מה בין ולד הטומאה בחוץ, זה וזה לא דבר תורה הוא?

The Gemara asks: **And there is a difficulty with Rabbi Yoḥanan's opinion that arises from Beit Shammai's opinion in the mishna.** It was taught in the mishna that **Beit Shammai say: It all should be burned inside** the courtyard of the Temple, **except for that which became impure from a primary source of impurity outside**. In accordance with the opinion of Rabbi Yoḥanan, **what is the distinction between a primary source of impurity outside and a secondary source of impurity outside?** After all, are not **this and that**, both the flesh that became impure from the primary source and that which became impure from the secondary source, impure by Torah law?

ואפילו על דבית הלל לא מקשיא, דבית הלל אומר: הכל ישרף בחוץ – חוץ מה שנטמא בולד הטומאה בפנים, מה בין ולד הטומאה בפנים מה בין אב הטומאה בפנים, זה וזה לא דבר תורה הוא?

And is this not difficult even according to the opinion of Beit Hillel? As the mishna stated that **Beit Hillel said: It all should be burned outside** the courtyard of the Temple, **except for what became ritually impure by a secondary source of impurity inside**. In accordance with the opinion of Rabbi Yoḥanan, **what is the distinction between consecrated flesh that became ritually impure from a secondary source of impurity inside and consecrated flesh that became ritually impure from a primary source of impurity inside?** Are not **this and that** Torah law, and shouldn't the principle be the same?