

JUDAISM

The Talmud

Horayot

A massive, multi-volume compendium of rabbinic debates and commentary on the Torah that forms the basis of Jewish religious law, ethics, and practice. Presents all 37 tractates with Gemara, via Sefaria's William Davidson Talmud (the Koren Talmud Bavli translation, CC BY-NC), plus Avot and Eduyot (which have no Gemara) via Michael L. Rodkinson's 1896-1918 translation.

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Chapter 1

¹ MISHNA: If a court erroneously issued a ruling permitting the Jewish people to violate one of all the mitzvot that are stated in the Torah, and an individual proceeded and performed that transgression unwittingly on the basis of the court's ruling, then whether the judges performed the transgression and he performed it with them, or whether the judges performed the transgression and he performed it after them, or whether the judges did not perform the transgression and he performed it alone, in all these cases the individual is exempt from bringing an offering. This is due to the fact that he associated his action with the ruling of the court.

² If the court issued a ruling and one of the judges knew that they erred, despite the fact that the majority ruled against his opinion, or if he was a student and he was qualified to issue halakhic rulings, and that judge or student proceeded and performed that transgression on the basis of its ruling, then whether the judges performed the transgression and he performed it with them, or whether the judges performed the transgression and he performed it after them, or whether the judges did not perform the transgression and he performed it alone, in all these cases, the judge or the student is liable to bring an offering. This is due to the fact that he did not associate his action with the ruling of the court. This is the principle: One who associates his action with himself is liable, and one who associates his action with the ruling of the court is exempt.

³ GEMARA: Shmuel says: The judges of the court are never liable to bring an offering for an erroneous ruling until they say to those seeking a ruling: It is permitted for you. Rav Dimi from Neharde'a says: The judges are not liable unless they say to those seeking a ruling: It is permitted for you to perform this action. What is the reason that Rav Dimi says that there is liability only if the judges say: To perform this action? It is due to the fact that the ruling is not completed if they say only: It is permitted, as perhaps the judges were expressing a theoretical opinion and not issuing a ruling.

⁴ Abaye said: We learn proof for Rav Dimi's opinion in a mishna as well. The mishna teaches with regard to a rebellious elder (Sanhedrin 86b): If the Sanhedrin ruled contrary to the ruling of the elder and the elder then returned to his city, and nevertheless he taught in the manner that he was teaching previously, he is exempt from punishment. But if he instructed others to act on the basis of his ruling that stands contrary to the ruling of the Sanhedrin, he is liable to be executed.

⁵ Rabbi Abba said: We learn proof for Rav Dimi's opinion in a mishna as well. The mishna teaches (Yevamot 87b): If the court instructed a woman to marry on the basis of inaccurate testimony, but she proceeded and disgraced herself and engaged in promiscuous intercourse, she is liable to bring an offering, as they permitted her only to marry, and her conduct lacked the approval of the court. This indicates that it is not sufficient for the court to issue a general ruling to the woman; rather, the court issues a ruling that includes instruction to perform a specific action.

⁶ Ravina said: We learn proof for Rav Dimi's opinion in the mishna here, as well: If a court unwittingly issued a ruling permitting the Jewish people to violate one of all the mitzvot that are stated in the Torah, etc.; and nothing more need be said, as it is clear from the phrase: Issued a ruling to violate, that the ruling must include instruction to perform a specific action.

⁷ Some say there is a version of this amoraic dispute with the opposite opinions. Shmuel says: The judges of the court are not liable to bring an offering for an erroneous ruling until they say to those seeking a ruling: It is permitted for you to perform this action. Rav Dimi from Neharde'a says: Even if the judges say to those seeking a ruling: It is permitted for you, the ruling is completed and they are liable. Abaye said: But isn't it so that we did not learn in accordance with the opinion of Rav Dimi in a mishna with regard to a rebellious elder: If the Sanhedrin ruled contrary to the ruling of the elder and the elder then returned to his city, and nevertheless he taught in the manner that he was teaching previously, he is exempt from punishment. But if he instructed others to act on the basis of his ruling that stands contrary to the ruling of the Sanhedrin, he is liable to be executed.

⁸ Rabbi Abba said: But isn't it so that we did not learn in accordance with the opinion of Rav Dimi in a mishna: If the court instructed a woman to marry on the basis of inaccurate testimony, but she proceeded and disgraced herself and engaged in promiscuous intercourse, she is liable to bring an offering, as they permitted her only to marry, and her conduct lacked the approval of the court.

⁹ Ravina said: But isn't it so that we did not learn in accordance with the opinion of Rav Dimi in the mishna: If a court unwittingly issued a ruling permitting the Jewish people to violate one of all the mitzvot that are stated in the Torah, etc.; and nothing more need be said.

¹⁰ § The mishna teaches: And the individual proceeded and performed that transgression unwittingly on the basis of the court's ruling. The Gemara asks: And let us teach only: And performed that transgression on the basis of the court's ruling; why do I need to add: Unwittingly? Obviously, it was unwitting, as he thought his action was permitted. Rava said: The term unwittingly serves to include a case where the court issued a ruling that it is permitted to eat forbidden fat, and the forbidden fat became confused for him with permitted fat, and he ate it under the impression that he was eating permitted fat. In this case he is exempt. Then, when the mishna says: On the basis of the court's ruling, it means that he ate forbidden fat actually on the basis of the court's ruling.

¹¹ And some say that Rava said a different interpretation of the mishna: It is specifically in a case where the individual proceeded and performed that transgression unwittingly on the basis of the court's ruling that he is exempt. But if the forbidden fat became confused for him with permitted fat and he ate it under the impression that he was eating permitted fat, he is liable to bring an offering, because his unwitting transgression of eating forbidden fat was not associated solely with the ruling of the court.

¹² The Gemara comments: The matter that is obvious to Rava, that one who confuses between forbidden fat and permitted fat is either exempt, according to the first version, or liable, according to the second version, was raised as a dilemma for Rami bar Hama, as Rami bar Hama raised a dilemma: If a court ruled that forbidden fat is permitted, and the forbidden fat became confused for him with permitted fat and he ate the forbidden fat, what is the halakha?

¹³ Rava said: Come and hear proof from the mishna: The individual proceeded and performed that transgression unwittingly on the basis of the court's ruling, etc. Why do I need the redundancy: Unwittingly on the basis of the court's ruling? Is the redundancy not stated to include a case where

the court issued a ruling that it is permitted to eat forbidden fat, and the forbidden fat became confused for him with permitted fat, and he ate it under the impression that he was eating permitted fat, and the mishna is teaching that he is exempt? The Gemara rejects this: Perhaps the intent of the mishna is: It is in a case where one performed that transgression unwittingly on the basis of its ruling that he is exempt; but if the forbidden fat became confused for him with permitted fat, and he ate it under the impression that he was eating permitted fat, he is liable.

¹⁴ Some say that Rava said: Come and hear a proof from the mishna: The individual proceeded and performed that transgression unwittingly on the basis of the court's ruling. What, is it not in a case where one performed that transgression unwittingly on the basis of its ruling that he is exempt; but if the forbidden fat became confused for him with permitted fat, and he ate the forbidden fat, he is liable? The Gemara rejects this: Perhaps the mishna is saying that he is liable if he either confused forbidden fat with permitted fat and ate the forbidden fat unwittingly, or ate the forbidden fat on the basis of the court's ruling.

¹⁵ The Gemara notes: This matter was already taught in the dispute between amora'im of earlier generations: If a court ruled that forbidden fat is permitted, and the forbidden fat became confused for him with permitted fat and he ate the forbidden fat, Rav says: He is exempt, as the court ruled that it is permitted, and Rabbi Yoḥanan says: He is liable, as he did not base his conduct on its ruling. The Gemara raises an objection to the statement of Rabbi Yoḥanan from a baraita that teaches: The verse states: "And if one soul from among the common people shall sin unwittingly in performing one of the mitzvot of the Lord that are not to be done, and he is guilty" (Leviticus 4:27). This serves to exclude an apostate. When an apostate sins unwittingly, he is exempt from liability to bring a sin-offering even if he repents, as even his unwitting action is considered intentional.

¹⁶ Rabbi Shimon ben Yosei says in the name of Rabbi Shimon: It is unnecessary to derive this halakha from that phrase, as it says in the same verse: "Shall sin unwittingly in performing one of the mitzvot of the Lord that are not to be done, and he is guilty; or if his sin, which he has sinned, be known to him" (Leviticus 4:27–28). From the words "be known to him" it is inferred that only one who repents due to his awareness, i.e., he would not have sinned if he had known the act was prohibited, brings a sacrifice for his unwitting transgression in order to achieve atonement. But one who does not repent due to his awareness that he sinned, e.g., an apostate, who would have sinned even had he been aware that the act is prohibited, does not bring an offering for his unwitting action.

¹⁷ The Gemara asks: And if it is so that one who would not repent due to his awareness is exempt, isn't this person who confused forbidden fat with permitted fat considered one who will not repent due to his awareness? Even if he discovers that he ate forbidden fat he will not regret his action, as he relies on the ruling of the court that forbidden fat is permitted. This contradicts the statement of Rabbi Yoḥanan, who says that one is liable in that case.

¹⁸ Rav Pappa said that Rabbi Yoḥanan holds: Since once it becomes known to the court that it erred, the judges will retract their erroneous ruling, and this individual will also repent when he discovers that he ate forbidden fat which the court erroneously permitted, we characterize him as one who repents due to his awareness, and he is liable to bring an offering.

¹⁹ Rava says: Even though Rav says the individual is exempt, and his sin is dependent on the court, Rav concedes that in a case where one confused forbidden fats with permitted fats, he does not complete a majority of the congregation. The court is liable to bring an offering only when the

majority of the congregation performs a transgression based on its ruling. This individual who thought the fat was permitted is not included in the majority of the congregation. What is the reason? It is as the verse states: “For all the people it was performed unwittingly” (Numbers 15:26), from which it is derived: There is no liability unless they are all unwitting in one and the same manner; and the action of this individual is unwitting in a different manner than the rest of the transgressors.

²⁰ § The mishna teaches: Whether the judges performed the transgression and he performed it with them, or whether the judges performed the transgression and he performed it after them, or whether the judges did not perform the transgression and he performed it alone, in all these cases the individual is exempt. The Gemara asks: Why did the tanna in the mishna need to teach all of these cases? Granted, in the first clause of the mishna, the tanna teaches the mishna employing the style: Not only this but also that, i.e., not only is he exempt if the judges performed the transgression with him, but he is exempt even if he performed the act after the judges, and even if he alone performed the transgression. But in the latter clause of the mishna, where the tanna is teaching liability, the tanna should have taught the opposite. He should have started with the case where he is most likely to be liable, the case where the judges performed no transgression and he sinned alone.

²¹ The Gemara answers: In the latter clause, the tanna teaches the mishna employing the style: This, and it is unnecessary to say that, i.e., the cases are arranged with each case more obvious than the one that preceded it.

²² § The mishna teaches: And one of the judges knew that they erred, or if he was a student and he is qualified to issue halakhic rulings. The Gemara asks: Why do I need two cases? As a student qualified to issue halakhic rulings is the equivalent of one of the judges, why did the tanna mention both? Rava said: It was necessary to state both, as it may enter your mind to say that this statement that he is liable applies specifically to one who is learned and analytical, but that one who is learned but not analytical, no, he should not be liable to bring an offering. Therefore, the tanna cites both the case of a judge and the case of a student qualified to issue halakhic rulings, to teach that even one who is learned but not analytical is liable in this case.

²³ Abaye challenged this and said to Rava that the term: A student qualified to issue halakhic rulings, indicates that he is both learned and analytical. Rava said to Abaye: This is what I am saying: If the tanna had taught the halakha from that first halakha with regard to one of the judges, I would say that this statement applies only to one who is both learned and analytical, but if he was learned and not analytical, no, he would not be liable. Therefore, the tanna taught the additional case of a student qualified to issue halakhic rulings, and from the extraneous case in the mishna one can infer that the halakha applies even to one who is learned but not analytical or one who is analytical but not yet learned. Since he associates his action with himself, he is liable.

²⁴ § The mishna teaches: Qualified to issue halakhic rulings. The Gemara asks: Like whom? Who is an example of one qualified to issue halakhic rulings? Rava said: It is one like Shimon ben Azzai or Shimon ben Zoma, who, although they were among the most outstanding Torah scholars of their generation, were not ordained. Abaye said to Rava: In a case like this, he is an intentional sinner, as a scholar of that caliber would certainly not err. If he ruled that a prohibited action is permitted, it is assumed that he acted with intent, and he is exempt from bringing an offering.

²⁵ Rava said to Abaye: But according to your reasoning, that which is taught in a baraita that cites the verse: “In performing one” (Leviticus 4:27), from which it is derived that an individual who

performs a transgression on his own is liable, while one who performs a transgression based on the ruling of the court is exempt; how so? When does this apply? If the court ruled that forbidden fat is permitted, and it became known to one of the judges that they erred, or if he was a student who was sitting before them and he is qualified to issue halakhic rulings, e.g., Shimon ben Azzai, might one have thought that he would be exempt? To counter this, the verse states: “In performing one,” from which it is derived that an individual who performs a transgression on his own is liable, while one who performs a transgression on the basis of the ruling of the court is exempt.

²⁶ Rava continues: Rather, the baraita is difficult; how can you find these circumstances where a judge or a prominent Torah scholar would be considered an unwitting sinner? The Gemara answers: It is in a case where the judge or the scholar knew that the action with regard to which the court issued a ruling that it is permitted is in fact prohibited, but he erred with regard to the mitzva of heeding the statements of the Sages. He believed that there is a mitzva to heed the directives of the Sages even when he is certain that they are mistaken. If so, according to my understanding too, the reference is to one like Shimon ben Azzai or Shimon ben Zoma; it is also a case where they erred with regard to the mitzva of heeding the statements of the Sages. Due to that error, they are liable to bring an offering.

²⁷ § The mishna teaches: This is the principle: One who associates his action with himself is liable. The Gemara asks: What case that was not already mentioned in the mishna does this principle serve to include? The Gemara answers: It serves to include one who disdains halakhic rulings in general, treating them with contempt and relying only on his own understanding.

²⁸ The mishna teaches the second part of that principle: And one who associates his action with the ruling of the court is exempt. The Gemara explains: This principle serves to include an additional case that was not yet mentioned in the mishna, namely, where the court issued a ruling and the judges discovered that they erred and reversed their decision. If one was unaware that the court reversed their decision, and acted based on their initial ruling, he is deemed one who associates his action with the ruling of the court and is exempt. The Gemara challenges: The tanna teaches this halakha explicitly in the next mishna (3b), and consequently there is no need for an allusion in this mishna. The Gemara explains: The tanna teaches it ambiguously, and then teaches it explicitly.

²⁹ § Rav Yehuda says that Shmuel says: This halakha in the mishna, which states that an individual who performs a transgression on the basis of a ruling issued by the court is exempt from liability to bring an offering, is the statement of Rabbi Yehuda. But the Rabbis say: An individual who performs a transgression on the basis of the ruling of the court is liable. The Gemara asks: What is the opinion of Rabbi Yehuda to which Shmuel refers? It is as it is taught in a baraita: The verse states: “And if one soul from among the common people shall sin unwittingly in performing one of the mitzvot of the Lord” (Leviticus 4:27). These are three exclusionary terms: “One,” “unwittingly,” and “in performing,” and one of these exclusions serves to teach that one who performs a transgression on his own is liable, while one who performs a transgression on the basis of the ruling of the court is exempt.

³⁰ The Gemara asks: What is the opinion of the Rabbis? It is as it is taught in a baraita: Still I say: Each member of a minority of the congregation that sinned based on the ruling of a court is liable to bring an offering for his unwitting transgression, as the court does not bring a bull for an unwitting communal sin on the basis of the minority’s transgression. One might have thought that each member

of a majority of the congregation that sinned based on the ruling of a court would be exempt from liability to bring an offering for his unwitting transgression, as the court brings a bull for an unwitting communal sin on the basis of the majority's transgression. To counter this, the verse states with regard to a sin-offering brought for an unwitting transgression: "From among the common people," from which it is derived that even members of the majority of the congregation, and even members of the entire congregation, are not exempt because of the ruling of the court.

³¹ The Gemara asks: In what circumstances did the majority of the congregation sin? If we say that the reference is to a transgression with unwitting performance of an action unrelated to a ruling of the court, why does the tanna say: As the court brings a bull for an unwitting communal sin on the basis of the majority's transgression? Given that this is a case where a court did not issue a ruling, what action did the court perform? Since it was not on the basis of the ruling of the court, does the court bring a bull for an unwitting communal sin that was performed not on the basis of its ruling? Rather, the reference in the baraita must be to a case where the majority of the congregation performed a transgression on the basis of the ruling of the court. If so, the question arises: But when it is written with regard to a sin-offering brought for an unwitting transgression: "From among the common people," it is with regard to a transgression with unwitting performance of an action that it is written.

³² Rather, is it not that this is what the tanna is saying: The baraita is incomplete and must be taught in this manner: Each member of a minority of the congregation that sinned with unwitting performance of an action is liable to bring an offering for his unwitting transgression, as the court does not bring a bull for an unwitting communal sin on the basis of the minority's transgression in a case where the court issued an erroneous ruling. But a minority of the congregation that sinned unwittingly on the basis of the ruling of the court is also liable.

³³ The baraita continues: One might have thought that a majority of the congregation that sinned with unwitting performance of an action would be exempt, as the court brings a bull for an unwitting communal sin on the basis of the majority's transgression in a case where the court issued an erroneous ruling. Therefore, the verse states: "From among the common people," from which it is derived that even members of the majority of the congregation are liable. If the unwitting transgression was performed not on the basis of the ruling of the court, there is no difference between a minority and a majority of the people. This is proof that according to the Rabbis both an individual and a minority of the congregation who performed a transgression on the basis of the ruling of the court are liable.

³⁴ Rav Pappa said: From where do you draw this conclusion? Perhaps in the case where a minority of the congregation performs a transgression on the basis of the ruling of the court, neither do those individuals bring an offering, because they associated their action with the court, nor does the court bring an offering, because it was only a minority of the congregation that performed a transgression on the basis of the ruling of the court.

³⁵ The Gemara rejects this: If so, why does the tanna specifically seek a source with regard to the majority for liability? Why did the tanna seek to introduce the halakha that even if a majority of the congregation sinned they would be liable to bring an offering? Can one not, by inference, conclude with regard to a minority that acts on the basis of the ruling of the court, that he holds that they are liable even though they acted on the basis of the ruling of the court? According to Rav Pappa's opinion, let the tanna first seek to cite proof about a minority that each of its members is liable to

bring a sin-offering for unwitting performance of an action, and ultimately seek to cite proof about a majority to establish liability for each of its members to bring a sin-offering for unwitting performance of an action, as it has not yet been established with regard to a minority that each of its members is liable to bring a sin-offering for unwitting performance of an action.

³⁶ Rather, can one not make an inference from the fact that the tanna did not first seek to cite proof about a minority that each of its members is liable to bring a sin-offering for unwitting performance of an action and then seek to cite proof about a majority to establish liability for each of its members to bring a sin-offering for unwitting performance of an action? Accordingly, one can conclude from it that it was clear to the tanna that in a case of a minority that acts on the basis of the ruling of the court, each member of the minority is liable to bring a female lamb or a female goat as a sin-offering, and for unwitting performance of an action not on the basis of the ruling of the court, each member of the minority is similarly liable.

³⁷ The Gemara asks: Now, we learned both of the baraitot unattributed. From where may it be ascertained that the tanna of the first baraita is Rabbi Yehuda and the tanna of the latter baraita is the Rabbis? Say the opposite. The Gemara answers: Whom did you hear that interprets exclusionary terms in this way? It is Rabbi Yehuda, as it is taught in a baraita that Rabbi Yehuda says:

³⁸ “This is the law of the burnt-offering, it is that which goes up on its pyre on the altar” (Leviticus 6:2); these are three exclusionary terms: “This,” “the burnt-offering,” and “it is,” which serve to exclude three offerings concerning which the halakha is that even if they are placed on the altar they are subsequently removed: A burnt-offering slaughtered at night, a burnt-offering whose blood was spilled before it was sprinkled, and a burnt-offering whose blood was taken outside the courtyard. Apparently, it is Rabbi Yehuda who interprets multiple exclusionary terms.

³⁹ And if you wish, say that proof for the attribution of the baraitot may be cited from the second baraita, which begins with the phrase: Still I say. You cannot interpret that baraita in accordance with the opinion of Rabbi Yehuda, as the baraita teaches: One might have thought that each member of a majority of the congregation that sinned based on the ruling of a court is exempt from liability to bring an offering for his unwitting transgression, as the court brings a bull for an unwitting communal sin on the basis of their transgression. And if this baraita is in accordance with the opinion of Rabbi Yehuda, didn’t he say: It is the congregation that brings the bull as an offering, and not the court? As we learned in a mishna (5a) that Rabbi Yehuda says: Seven tribes that sinned bring seven bulls. The tribes bring the offerings, not the court.

⁴⁰ § Up to this point, the Gemara explained the mishna in accordance with the opinion of Rabbi Yehuda and contrary to the opinion of the Rabbis, who disagree with him. And Rav Nahman says that Shmuel says: The mishna is the statement of Rabbi Meir, but the Rabbis say: An individual who performed a transgression on the basis of the ruling of the court is liable. The Gemara asks: What is the opinion of Rabbi Meir and what is the opinion of the Rabbis to which Shmuel referred? It is as it is taught in a baraita: If the court issued a ruling and the judges performed a transgression on the basis of that ruling, Rabbi Meir deems them exempt and the Rabbis deem them liable.

⁴¹ The Gemara asks: Who performed the transgression? If we say that it is the members of the court who performed the transgression, what is the reasoning of the Rabbis, who deem him liable? But isn’t it taught in a baraita: One might have thought that if the court issued a ruling and the members of the court performed the transgression, one might have thought they would be liable to bring a bull

for an unwitting communal sin. The verse states with regard to that bull: “And the matter is hidden from the eyes of the congregation and they performed” (Leviticus 4:13), from which it is derived that the action is dependent on the congregation and the ruling is dependent on the court.

⁴² Rather, the case in the baraita is where the court issued a ruling and the majority of the congregation performed a transgression on the basis of that ruling. If so, what is the reasoning of Rabbi Meir, who deems them exempt? Rather, is it not referring to a case where the court issued a ruling and a minority of the congregation performed a transgression on the basis of that ruling, and it is with regard to this matter that the tanna'im disagree: One Sage, Rabbi Meir, holds: An individual who performed a transgression on the basis of the ruling of the court is exempt; and one Sage, the Rabbis, holds: An individual who performed a transgression on the basis of a ruling of the court is liable. The mishna, which states that an individual who performs a transgression on the basis of a ruling of the court is exempt, is in accordance with the opinion of Rabbi Meir.

⁴³ Rav Pappa said: There is no proof that the dispute between Rabbi Meir and the Rabbis relates to the mishna, as their dispute can be understood differently. Perhaps everyone agrees that an individual who performed a transgression on the basis of the ruling of the court is exempt. Rather, the tanna'im disagree with regard to whether the members of the court combine with the members of the congregation to complete a majority of the congregation. The members of the congregation who sinned constitute less than a majority. When the judges of the court who sinned are added to that minority, the total of people who sinned constitute a majority.

⁴⁴ He explains: One Sage, the Rabbis, holds: The members of the court combine with the members of the congregation to complete a majority of the congregation. And one Sage, Rabbi Meir, holds: The members of the court do not combine with the members of the congregation to complete a majority of the congregation; therefore, those who sinned on the basis of the ruling of the court constitute less than a majority and the court is exempt from liability to bring an offering. The mishna is not only in accordance with the opinion of Rabbi Meir, as in the case of the mishna, but even the Rabbis agree.

⁴⁵ And if you wish, say instead that the dispute between Rabbi Meir and the Rabbis is in a case where the court issued a ruling and a majority of the congregation performed a transgression on the basis of that ruling, and everyone agrees that the court is liable to bring a bull as an offering for an unwitting communal sin. Rabbi Meir deems the members of the congregation exempt from bringing an offering. And who are the Rabbis who deem them liable to bring an offering? It is Rabbi Shimon, who said: The congregation brings an offering and the court brings an offering.

⁴⁶ And if you wish, say instead that the dispute between Rabbi Meir and the Rabbis is in the case of a tribe that performed a transgression on the basis of the ruling of its tribal court. Rabbi Meir holds that there is no liability to bring a bull as an offering for an unwitting communal sin for a ruling issued by a tribal court; therefore, he deems the court exempt from bringing an offering. And who are the Rabbis who deem the tribal court liable to bring an offering? It is Rabbi Yehuda, as it is taught in a baraita: In the case of a tribe that performed a transgression on the basis of a ruling of its tribal court, that tribe is liable.

⁴⁷ And if you wish, say instead that the dispute between Rabbi Meir and the Rabbis is in a case where six of the twelve tribes sinned and, although they do not constitute a majority of the number of the tribes, in terms of population they constitute a majority of the congregation. Or seven tribes

sinned, and even though in terms of population they are not a majority of the congregation, they constitute a majority of the tribes. And whose opinion is expressed in the baraita as the opinion of the Rabbis? It is the opinion of Rabbi Shimon ben Elazar.

⁴⁸ This is as it is taught in a baraita: Rabbi Shimon ben Elazar says in the name of Rabbi Meir: If six tribes sinned and in terms of population they are a majority of the congregation, or if seven tribes sinned even though in terms of population they are not a majority of the congregation, they are liable. All these alternative understandings of the dispute between Rabbi Meir and the Rabbis lead to the conclusion that there is no proof for the statement of Rav Nahman in the name of Shmuel that the mishna is in accordance with the opinion of Rabbi Meir.

⁴⁹ § Rav Asi says: And with regard to the definition of the majority that establishes liability for performance of a transgression on the basis of the ruling of a court, follow the majority of the residents of Eretz Yisrael, as it is stated: “And Solomon held the feast at that time, and all Israel with him, a great congregation, from the entrance of Hamath until the Brook of Egypt, before the Lord our God, seven days and seven days, fourteen days” (I Kings 8:65). The Gemara clarifies the words of this verse: Since it is written: “And all Israel with him,” why do I need to add: “A great congregation, from the entrance of Hamath until the Brook of Egypt”? Conclude from it: It is these residents of Eretz Yisrael who are characterized as a congregation; but those who reside outside Eretz Yisrael are not characterized as a congregation.

⁵⁰ § The Gemara continues defining the majority that establishes liability. It is obvious that the case of when those who performed a transgression on the basis of the ruling of the court were numerous, i.e., they constituted a majority, and their percentage diminished, e.g., if some sinners died and they now constitute a minority of the congregation; that is the dispute between Rabbi Shimon and the Rabbis, who disagree in a mishna (10b) with regard to an anointed High Priest or a king who performed an unwitting transgression before assuming his position. The Rabbis hold: Since they were laymen when they sinned, they are liable to bring the offering of a layman. Rabbi Shimon holds: If they became aware of their transgression while still laymen, they bring the offering of a layman. If they became aware of their transgression after they assumed their positions, they are exempt. Accordingly, in the case of a majority whose number diminished, the Rabbis hold that since it was a majority that sinned, they bring an offering. Rabbi Shimon holds that it depends on their status when they became aware they had unwittingly sinned.

⁵¹ If those who performed a transgression on the basis of the ruling of the court were few, i.e., they constituted a minority, and their percentage increased, e.g., if some non-sinners died and the sinners now constitute a majority of the congregation, what is the halakha? Do Rabbi Shimon and the Rabbis disagree with regard to this matter as well? That would mean that Rabbi Shimon, who follows the status at the time of awareness, deems the court liable, and the Rabbis, who follow the status at the time of the transgression, deem the court exempt. Or do they not disagree? What is the conclusion?

⁵² And can you understand that this case is contingent on the dispute between Rabbi Shimon and the Rabbis? Say that you heard that Rabbi Shimon follows the status at the time of awareness as well, i.e., in a case where both the awareness and the transgression were in a period of liability, either liability as a layman or liability as a king or as an anointed High Priest, the sinner is liable to bring an offering. But in a case where the awareness was during a period of liability, but the transgression was not, did you hear Rabbi Shimon say the court is liable?

⁵³ The Gemara clarifies: As, if it is so that Rabbi Shimon holds that the period of awareness is the sole determining factor, let the High Priest and the king bring an offering according to their present status. If they became aware of the transgression after assuming their positions, let them bring the offering appropriate for a High Priest or a king. Why, then, does Rabbi Shimon say that in that case they are exempt? Rather, apparently Rabbi Shimon requires that both the transgression and the awareness take place in a period of liability. There is no resolution for the dilemma that was raised.

⁵⁴ § A dilemma was raised before the Sages: If the court issued a ruling that forbidden fat is permitted, and a minority of the congregation performed the transgression of eating forbidden fat on the basis of that ruling, and the court reversed their decision and then reversed their decision again and issued a ruling that forbidden fat is permitted, and a different minority of the congregation performed the transgression, what is the halakha? The Gemara elaborates: Is it that since there are two disparate experiences of awareness, the first minority does not combine with the second minority, even though the two minorities together would constitute a majority? Or perhaps, since both this transgression and that transgression are the same, eating forbidden fat, the first minority combines with the second minority, and the two minorities together constitute a majority.

⁵⁵ And if you say in that case: Since both this transgression and that transgression are the same, eating forbidden fat, the first minority combines with the second minority, then there is another dilemma: In a case where a minority performed a transgression on the basis of the first ruling of the court and ate forbidden fat that is upon the maw, and a minority performed a transgression on the basis of the second ruling of the court and ate forbidden fat that is upon the small intestine, what is the halakha? The Gemara elaborates: Here, certainly, since these transgressions come from two different verses, the first minority does not combine with the second minority; or perhaps, since both this transgression and that transgression are the same, eating forbidden fat, the first minority combines with the second minority, and the two minorities together constitute a majority.

⁵⁶ And if you say in that case: It is the name of forbidden fat that they both have in common, and the first minority combines with the second minority, then there is another dilemma: In a case where a minority performed a transgression on the basis of the first ruling of the court and ate forbidden fat, and a minority performed a transgression on the basis of the second ruling of the court and ate forbidden blood, what is the halakha? The Gemara elaborates: Here, certainly, they are two distinct prohibitions, and since the nature of their prohibition is not identical, the first minority does not combine with the second minority. Or perhaps, since their offerings are identical, as one is liable to bring a sin-offering for unwitting violation of either of these prohibitions, the first minority combines with the second minority.

⁵⁷ And if you say in that case: Since their offerings are identical, the first minority combines with the second minority, then there is another dilemma: In a case where a minority performed a transgression on the basis of the first ruling of the court and ate forbidden fat, and a minority performed a transgression on the basis of the second ruling of the court and engaged in idol worship, what is the halakha? Here, certainly, neither are their prohibitions identical nor are their offerings identical, because an individual who unwittingly engages in idol worship may bring only a female goat for atonement. Therefore, the first minority does not combine with the second minority. Or perhaps, since for both this transgression and that transgression one is liable to receive excision from the

World-to-Come [karet] if he performs it intentionally, the first minority combines with the second minority. The Gemara concludes: The dilemma shall stand unresolved.

⁵⁸ § A dilemma was raised before the Sages: If the court issued a ruling that forbidden fat is permitted, and a minority of the congregation performed the transgression of eating forbidden fat on the basis of that ruling, and the members of that court died and another court stood in their place, and again issued the same ruling that forbidden fat is permitted, and a different minority performed the transgression of eating forbidden fat on the basis of that ruling, what is the halakha?

⁵⁹ The Gemara elaborates: According to the opinion of the one who said that only the court brings the offering, do not raise the dilemma, as those judges who issued the original ruling on the basis of which the minority performed a transgression are no longer alive. Rather, when should you raise the dilemma? Raise it according to the opinion of the one who said that the congregation brings the offering. What is the halakha? The Gemara elaborates: The congregation exists, as together the two minorities constitute a majority of the congregation who performed the transgression.

⁶⁰ Or perhaps, for liability we require the awareness of the same court that issued the ruling, and that court no longer exists. The Gemara concludes: The dilemma shall stand unresolved.

⁶¹ § Rabbi Yonatan says: Even in the case of one hundred judges who convened to issue a ruling and erred, they are not liable to bring an offering unless they all issue that ruling, as it is stated with regard to liability to bring the offering: “And if the entire assembly of Israel shall act unwittingly” (Leviticus 4:13). From the term “entire” it is derived that the judges are not liable until they all act unwittingly, and the ruling must disseminate and be adopted throughout the entire assembly of Israel, i.e., the Sanhedrin. Rav Huna, son of Rav Hoshaya, said: So too it is reasonable to conclude this, as throughout the entire Torah we maintain the principle: The legal status of the majority of an entity is considered like all of that entity, and here: “The entire assembly,” is written. Since it is so, a majority does not suffice. Even if they are one hundred judges, they are liable only if the erroneous ruling was unanimous.

⁶² We learned in the mishna: If the court issued that ruling, and one of the judges knew that they erred, despite the fact that the majority ruled against his opinion, or if he was a student and was qualified to issue halakhic rulings, and that judge or student proceeded and performed that transgression on the basis of the court’s ruling, then whether the judges performed the transgression and he performed it with them, or whether the judges performed the transgression and he performed it after them, or whether the judges did not perform the transgression and he performed it alone, in all these cases the judge or the student is liable to bring an offering. This is due to the fact that he did not associate his action with the ruling of the court.

⁶³ The Gemara notes that one may infer: It is this judge or student who is liable, but another who acts on the basis of the ruling of the court is exempt. But why would he be exempt? The ruling is not completed if it is not unanimous. The Gemara answers: What are we dealing with here? We are dealing with a case where the one dissenting judge among them bowed his head and indicated his agreement with the remaining judges.

⁶⁴ The Gemara suggests: Come and hear proof from a mishna (4b): If the court issued a ruling, and one of the judges knew that they erred and he said to them: You are mistaken, they are exempt. One may infer: The reason that they are exempt is that the judge said to them: You are mistaken. But if he was silent, they are liable, and the ruling is complete. And why, according to Rabbi Yonatan, would

they be liable? But isn't it so that not all of them issued the same ruling? The Sages say in response: So too here, it is a case where the dissenting judge bowed his head.

⁶⁵ Rav Mesharshiyya raises an objection to the statement of Rabbi Yonatan from a baraita: Our Sages relied on the statement of Rabban Shimon ben Gamliel and on the statement of Rabbi Elazar, son of Rabbi Tzadok, who would say: One does not issue a decree upon the congregation unless the majority of the congregation is able to withstand it.

⁶⁶ And Rav Adda bar Abba said: What is the verse from which this principle is derived? It is derived from the verse: "With the curse you are cursed, yet you rob Me, the entire nation" (Malachi 3:9). The verse is referring to the oath taken by the entire people to observe the halakhot of tithes, and they violated those halakhot. But here it is written: "The entire nation," and yet, Rabban Shimon ben Gamliel and Rabbi Elazar, son of Rabbi Tzadok, relied on this verse to derive that the legal status of the majority of an entity is like that of the entire entity, and therefore if a majority of the congregation can withstand the decree the court may issue it. The Gemara concludes: The refutation of the opinion of Rabbi Yonatan is indeed a conclusive refutation.

⁶⁷ The Gemara asks: Rather, now that Rabbi Yonatan's opinion has been refuted, what is derived from the phrase "the entire assembly" that the Merciful One states? This is what it is saying: If there are all the judges present and they issue that ruling based on the majority, it is a ruling, and if not, it is not a ruling.

⁶⁸ With regard to a court session Rabbi Yehoshua says: When there are ten judges who sit in judgment, the chain [kolar] placed around the neck of the person taken to his punishment is suspended around the neck of all of them, i.e., they are all responsible for the decision. The Gemara asks: Isn't this obvious? The Gemara answers: This teaches us that even a student before his teacher may not be silent in deference to his teacher, as he bears responsibility for an erroneous ruling.

⁶⁹ The Gemara relates: Rav Huna, when he would go out to the court to sit in judgment, would bring ten tanna'im, i.e., people who recited mishnayot and baraitot in the study hall, to sit before him and serve as partners in judgment with him. He said: I do this so that we will each receive a splinter from the beam, i.e., each of us will bear only a small part of the responsibility. The Gemara relates on a similar note: Rav Ashi, when they would bring a slaughtered animal before him to determine whether or not it was a tereifa, would bring ten slaughterers from Mata Meḥasya and sit them before him while rendering his decision. He said: I do this so that we will each receive a splinter from the beam.

⁷⁰ MISHNA: In a case where the judges of the court issued an erroneous ruling and they discovered that they erred and reversed their decision, whether they brought their atonement offering for their erroneous ruling or whether they did not bring their atonement offering, and an individual who was unaware of the new ruling proceeded and performed a transgression on the basis of their first ruling, Rabbi Shimon deems him exempt from bringing an offering, and Rabbi Elazar says: There is uncertainty with regard to his status and he is liable to bring a provisional guilt-offering. Which is the case of uncertainty for which one is liable to bring a provisional guilt-offering? If one sat inside his house and performed the transgression he is liable to bring a provisional guilt-offering, as he could have learned of the change in the court's ruling. If he went to a country overseas and is relying on the initial ruling, he is exempt.

⁷¹ Rabbi Akiva said: I concede in that case of one who went overseas that he is closer to exemption than he is to liability. Ben Azzai said to him: In what way is this person who went overseas different

from one who sits in his house? Rabbi Akiva said to him: The difference is that with regard to one who sits in his house it would have been possible for him to hear of the court's reversal, but with regard to that person who went overseas, it would not have been possible for him to hear of the court's reversal.

⁷² The mishna explains for which type of unwitting transgression based on the ruling of the court there is liability to bring an offering. In a case where the judges of the court issued an erroneous ruling to abolish the entire essence of a mitzva, not only a detail thereof, e.g., they said: There is no prohibition against engaging in intercourse with a menstruating woman written in the Torah, or there is no prohibition against performing prohibited labor on Shabbat written in the Torah, or there is no prohibition against engaging in idol worship written in the Torah, these judges are exempt, as this is an error based on ignorance, not an erroneous ruling. If the judges issued a ruling to nullify part of a mitzva and to sustain part of that mitzva, these judges are liable.

⁷³ How so? An example of this is if the judges said: There is a prohibition against engaging in intercourse with a menstruating woman written in the Torah, but one who engages in intercourse with a woman who observes a clean day for a day she experiences a discharge is exempt. When the woman sees a discharge of blood for one or two days during the eleven days between the end of one menstrual period and the expected start of another, the blood is assumed to not be menstrual blood. If after the second day, the next day passes without any discharge of blood, she may immerse immediately and she is ritually pure. The judges ruled erroneously that it is permitted to engage in intercourse with her on the day that she is observing a clean day, even without the day having passed and her having immersed.

⁷⁴ Another example is if they said: There is a prohibition against performing prohibited labor on Shabbat written in the Torah, but one who carries out objects from the private domain to the public domain is exempt.

⁷⁵ Another example is if they said: There is a prohibition against engaging in idol worship written in the Torah, but one who bows to the idol but does not sacrifice an offering is exempt. In all of these cases, these judges are liable, as it is stated: "And the matter is hidden" (Leviticus 4:13), from which it is derived that there is liability only if a matter, a single detail, is hidden, but not if the entire essence of a mitzva is hidden.

⁷⁶ GEMARA: The mishna teaches that Rabbi Shimon deems exempt one who performed a transgression on the basis of the initial ruling of the court even though the court reversed its ruling. Rav Yehuda said that Rav said: What is the reason for the statement of Rabbi Shimon? The reason is since it is with the permission of the court that he performs the transgression, he is exempt. Some say there is a different version of the statement cited by Rav Yehuda: Rav Yehuda said that Rav said: Rabbi Shimon would say: Concerning any ruling that disseminated to the majority of the congregation, even if the court later reversed that decision, an individual who performs a transgression based on the first ruling is exempt, because a ruling is given only to distinguish between unwitting and intentional acts. One who performs an action on the basis of that ruling is unwitting, as he associated his action with the court, and he is unaware that the court reversed its decision.

⁷⁷ The Gemara raises an objection from a baraita: For a bull brought for an unwitting communal sin, and for goats brought for the unwitting violation of the prohibition of idol worship, the Temple

treasury collects money from the congregation to pay for the offerings from the outset, i.e., a collection undertaken specifically for that offering; this is the statement of Rabbi Shimon. Rabbi Yehuda says: The money for purchasing these offerings comes from the funds of the collection of the Temple treasury chamber, just like the money for purchasing all other communal offerings. According to Rabbi Shimon, why is this person exempt? Since they collect money specifically for each of these communal sin-offerings, the transgression is for him one that became known, as he presumably heard about the collection, and he should be liable because he is aware of the reversal in the court's ruling.

⁷⁸ The Gemara answers: If you wish, say that the reference in the mishna is to a case where they collected the money without specification. Therefore, he was unaware of the reversal of the court's ruling.

⁷⁹ And if you wish, say instead that the reference in the mishna is to a case where the person was not in the city. Therefore, he was unaware of the collection of the funds and unaware of the reversal of the ruling of the court.

⁸⁰ And if you wish, say instead that Rav holds in accordance with the opinion of the other tanna who cited the dispute between Rabbi Shimon and Rabbi Yehuda, as it is taught in a baraita with the attribution of the opinions reversed: The Temple treasury collects money from the congregation to pay for the offerings from the outset; this is the statement of Rabbi Yehuda. Rabbi Shimon says: The money for purchasing these offerings comes from the funds of the collection of the Temple treasury chamber. According to Rabbi Shimon's opinion in this baraita, it is possible that the transgressor remained unaware that the court reversed its decision.

⁸¹ Apropos this topic, it is taught in a baraita: If an individual performed a transgression on the basis of the original ruling of the court after the court reversed its ruling, Rabbi Meir deems him liable to bring a sin-offering and Rabbi Shimon deems him exempt. Rabbi Elazar says: There is uncertainty with regard to his status. In the name of Sumakhos, the Sages said: His status is suspended and remains uncertain. Rabbi Yoḥanan said: It is with regard to a provisional guilt-offering that there is a practical difference between the opinion of Rabbi Elazar and the opinion of Sumakhos. According to Rabbi Elazar, he is liable to bring a provisional guilt-offering, whereas according to Sumakhos the question of his liability is suspended, and he does not bring a provisional guilt-offering.

⁸² Rabbi Zeira says: There is an analogy to illustrate the opinion of Rabbi Elazar. To what is this matter comparable? It is comparable to a person who ate a piece of fat with regard to which there is uncertainty whether it is forbidden fat and uncertainty whether it is permitted fat, and he thought that he was eating permitted fat. And he later became aware that there is uncertainty whether he unwittingly ate fat for which one is liable to receive karet if he ate it intentionally, as in this case he is liable to bring a provisional guilt-offering. In the case in the baraita too, when he later discovered that the court reversed its ruling, it is like one who is uncertain whether he associated his action with the court or associated his action with himself.

⁸³ And it is not necessary to state this according to the one who said that the congregation brings the offering, as in that case the matter, that the court reversed its ruling, is publicized among the congregation. But even according to the one who said that the court brings the offering, where the matter is not publicized that the court reversed its ruling, if he had asked, they would have told him

that the court reversed its ruling. Therefore, it could be said that he associated his action with himself and did not associate it with the court, and he is liable to bring a provisional guilt-offering.

⁸⁴ Rabbi Yosei bar Avin, and some say Rabbi Yosei bar Zevida, says: There is an analogy to illustrate the opinion of Sumakhos. To what is this matter comparable? It is comparable to a person who brings his atonement offering during twilight, which is a time when there is uncertainty whether it is day or night, and there is uncertainty whether the offering atoned for him while it is still day, and the atonement was effective, and there is uncertainty whether it atoned for him after nightfall, and the atonement was not effective. The halakha is that he does not bring a provisional guilt-offering. Although typically one is liable to bring a provisional guilt-offering in a case where there is uncertainty whether he performed a transgression for which he is liable to bring a sin-offering, in this case, since the uncertainty relates to twilight, which is an uncertainty that can never be resolved, it is not a typical uncertainty and one is not liable to bring a provisional guilt-offering.

⁸⁵ And it is not necessary to state this according to the one who said that the court brings the offering, which is the case when the matter is not publicized that the court reversed its ruling; but it can be stated even according to the one who said that the congregation brings the offering, which is the case when the matter is publicized that the court reversed its ruling, and if he had asked we would have said to him that the court reversed its ruling. This is because here, in a case where there is uncertainty whether it atoned for him while it is still day and there is uncertainty whether it atoned for him after nightfall, if he asks he would not find a person whom he could ask.

⁸⁶ § The mishna teaches that ben Azzai said to Rabbi Akiva: In what way is this person who went overseas different from one who sits in his house? Rabbi Akiva said to him: The difference is that with regard to one who sits in his house it would have been possible for him to hear of the court's reversal, but with regard to that person who went overseas, it would not have been possible for him to hear of the court's reversal. The Gemara asks: Rabbi Akiva said well to ben Azzai. How did a scholar of the caliber of ben Azzai fail to understand that distinction?

⁸⁷ Rava said: The reference is not to one who already went to a country overseas; rather, it is a case of one who set out on the way but has not yet left his city in which there is a practical difference between them. According to ben Azzai he is liable, as it is in his home city where he is located at this time and there is no difference between him and one who is sitting in his house. According to Rabbi Akiva he is exempt, as he has already set out on his way. Even though he is still in his home city, he is preoccupied with his travels and his status is like one who has already gone overseas.

⁸⁸ § The mishna teaches: In a case where the judges of the court issued an erroneous ruling to abolish the entire essence of the mitzva, that is not a valid ruling, and the court is exempt from bringing an offering. The Sages taught: The verse states: "And the matter is hidden from the eyes of the congregation" (Leviticus 4:13), from which it is derived that there is liability only when a single matter is hidden but not in a case where they will abolish the entire mitzva. How so? If the court said: There is no prohibition against engaging in intercourse with a menstruating woman written in the Torah, or there is no prohibition against performing prohibited labor on Shabbat written in the Torah, or there is no prohibition against engaging in idol worship written in the Torah, one might have thought that the judges would be liable. Therefore, the verse states: "And the matter is hidden," and not that the entire mitzva will be hidden. Accordingly, if the judges issued that ruling, they are exempt from bringing an offering.

⁸⁹ But if the judges said: There is a prohibition against engaging in intercourse with a menstruating woman written in the Torah, but one who engages in intercourse with a woman who observes a clean day for a day she experiences a discharge is exempt; or if they said: There is a prohibition against performing prohibited labor on Shabbat written in the Torah, but one who carries out objects from the private domain to the public domain is exempt; or if they said: There is a prohibition against engaging in idol worship written in the Torah, but one who bows to the idol but did not sacrifice an offering is exempt, one might have thought that the judges would be exempt. Therefore, the verse states: “And the matter is hidden,” from which it is derived that there is liability only for a matter, a single detail, but not for the entire essence. In this case, since they ruled to abolish only a detail of the mitzva, the judges are liable.

⁹⁰ The Gemara analyzes the latter clause of the baraita. The Master said: One might have thought that the judges would be exempt. The Gemara asks: But if in a case of sustaining a portion of the mitzva and nullifying a portion of the mitzva the judges are exempt, and in a case of abolishing the entire essence of the mitzva the judges are exempt, as explained in the first clause of the baraita, in what case would they be liable? The Gemara answers: This is what is difficult for the tanna: Say that the term “matter” is referring to the entire matter, and the judges are liable even if they ruled to abolish the entire mitzva. Therefore, the verse states: “And the matter is hidden [venelam davar].”

⁹¹ The Gemara asks: From where is this inferred? Ulla said: Read into the verse as though the letter mem, the last letter in the word venelam, is also appended to the beginning of the word davar, resulting in the phrase: Venelam middavar, meaning: Part of the matter is hidden, from which it is derived that there is liability for nullification of part of the matter, and not for abolishing the entire matter.

⁹² Hizkiyya said that the verse states: “And they performed one of all the mitzvot” (Leviticus 4:13), from which it is inferred that one is liable for nullification for a portion of all the mitzvot and not for nullification of all the mitzvot. The Gemara asks: The term mitzvot is plural, which indicates at least two. If that is the source, there should be liability even if the judges issue a ruling abolishing the entire essence of one mitzva, as one mitzva is a portion of two mitzvot. Rav Naḥman bar Yitzḥak said: Although the word is vocalized in the plural, as mitzvot, the word mitzvat is written, without a second vav, as though it were in the singular.

⁹³ Rav Ashi said: The tanna derives a verbal analogy, learning the meaning of the term “matter” written in the context of the erroneous ruling from the term “matter” written in the context of the rebellious elder. As it is written with regard to the rebellious elder: “If there shall be a matter [davar] too hard for you...You shall not turn aside from the matter [haddavar] that they shall declare unto you, to the right nor to the left” (Deuteronomy 17:8–11). Just as one becomes a rebellious elder only when his dispute with the Sages is with regard to a portion of the matter and not an entire matter, so too, with regard to an erroneous ruling of the court, the error of the judges must be with regard to a portion of the matter and not the entire essence of the matter.

⁹⁴ § Rav Yehuda says that Shmuel says: A court is not liable to bring an offering unless it issues an erroneous ruling concerning a matter with which the Sadducees do not agree. The Sadducees do not accept the Oral Torah, and they interpret the Written Torah literally. The court is liable only for a matter that is not explicitly written in the Torah or that does not clearly stem from that which is written in the Torah. But with regard to an erroneous ruling concerning a matter with which the

Sadducees agree, the judges are exempt. What is the reasoning for this exemption? It is a topic that you could go learn in a children's school. Since the matter the judges ruled upon is so obvious, their ruling simply exhibits ignorance, and is not deemed a ruling.

⁹⁵ The Gemara cites proof against the statement of Rav Yehuda, citing Shmuel. We learned in the mishna: The judges are liable if they said: There is a prohibition against engaging in intercourse with a menstruating woman written in the Torah, but one who engages in intercourse with a woman who observes a clean day for a day she experiences a discharge is exempt. The Gemara asks: And why should they be liable in that case? The halakha of a woman who observes a day for a day that she experiences a discharge is written in the Torah with regard to a woman who experiences a discharge of blood during the eleven-day interval between menstrual periods: "And she shall count for herself" (Leviticus 15:28); this teaches that she counts one clean day for one day that she experiences a discharge. Since it is written in the Torah, even the Sadducees would agree.

⁹⁶ The Gemara answers: The judges did not issue an erroneous ruling with regard to the halakha of a woman who observes a day for a day. Rather, the mishna is discussing a case where they said: The initial stage of intercourse [ha'ara'a] is permitted with a menstruating woman; it is the completion of the act of intercourse that is prohibited. The Gemara asks: That halakha is also written: "He has uncovered [he'era] her fount" (Leviticus 20:18), indicating that the first stage of intercourse with a menstruating woman is also prohibited.

⁹⁷ The Gemara says: Rather, it is a case where they said: Intercourse with her in the typical manner is prohibited, but intercourse in an atypical manner, i.e., anal intercourse, is permitted. The Gemara asks: Isn't it written: "The manners in which one lies with a woman" (Leviticus 18:22), in the plural, indicating that both intercourse in a typical manner and intercourse in an atypical manner are manners in which one lies with a woman?

⁹⁸ The Gemara says: Rather, it is a case where they said: With regard to intercourse in a typical manner, even the initial stage of intercourse is forbidden. With regard to intercourse in an atypical manner, it is completion of the act of intercourse that is forbidden, but the initial stage of intercourse is permitted. The Gemara asks: If so, then even in a case where they issued a ruling permitting the initial stage of intercourse in an atypical manner in the case of a menstruating woman, the judges should also be liable. Why does the mishna cite the case specifically with regard to a woman who observes a day for a day?

⁹⁹ The Gemara says: Rather, actually, the reference is to a ruling permitting the initial stage of intercourse in a typical manner, and the judges said: In the case of the prohibition of the initial stage of intercourse, it is with regard to an afflicted woman, who experienced the discharge of blood during her menstrual period, that it is written, not with regard to one who experiences the discharge during the eleven days between the end of one menstrual period and the expected start of another. And if you wish, say instead that they said: A woman assumes the status of a zava, i.e., one who experiences a discharge of blood for three consecutive days during those eleven days, only if she experienced the discharge during the day, not at night, as it is written: "All the days of her discharge" (Leviticus 15:26).

¹⁰⁰ The Gemara offers proof against the statement of Rav Yehuda by citing Shmuel. We learned in the mishna: The judges are liable if they said: There is a prohibition against performing prohibited labor on Shabbat written in the Torah, but one who carries out objects from the private domain to the

public domain is exempt. The Gemara asks: And why should they be liable in that case? With regard to carrying out into the public domain, isn't it written: "Neither carry a burden out of your houses on Shabbat" (Jeremiah 17:22), and the Sadducees agree to that prohibition.

¹⁰¹ The Gemara answers: It is a case where the judges said: It is carrying an object out to the public domain that is prohibited, but carrying an object into the private domain is permitted. And if you wish, say instead that the judges said: It is carrying an object out to the public domain and carrying an object into the private domain that is prohibited. But passing or throwing an object from domain to domain is permitted.

¹⁰² The Gemara cites proof against the statement of Rav Yehuda, citing Shmuel. We learned in the mishna: The judges are liable if they said: There is a prohibition against engaging in idol worship written in the Torah, but one who bows to the idol but did not sacrifice an offering is exempt. The Gemara asks: And why should they be liable in that case? With regard to one who bows to an idol, isn't it written in the Torah, as it is written: "You shall not bow to another god" (Exodus 34:14)?

¹⁰³ The Gemara answers that the reference is to a case where the judges said: When bowing is forbidden is when it represents the typical manner of worship of that idol. But when bowing is not its typical manner of worship, it is permitted. And if you wish, say instead that the reference is to a case where the judges said: With regard to bowing itself, it is when it is performed in its typical manner that it is prohibited. What is the typical manner of bowing? It is bowing that has in its performance extension of the arms and legs, as it was practiced in the Temple. But bowing that does not have in its performance extension of the arms and legs is permitted.

¹⁰⁴ § Apropos the ruling of a court to nullify a mitzva, Rav Yosef raises a dilemma: If the court issued a ruling that there is no prohibition against plowing on Shabbat, what is the halakha? The Gemara elaborates: Do we say that since the judges agree to the application of the entire matter of prohibitions on Shabbat and their ruling is exclusively with regard to plowing, its status is tantamount to nullification of a portion of the mitzva and fulfillment of a portion of the mitzva? Or perhaps, since the judges are abolishing the principal category of labor of plowing in its entirety, it is tantamount to abolishing the essence of the mitzva of Shabbat.

¹⁰⁵ The Gemara suggests: Come and hear resolution of the dilemma from the mishna, which gives as an example of a ruling for which the court is liable to bring an offering: There is a prohibition against engaging in intercourse with a menstruating woman written in the Torah, but one who engages in intercourse with a woman who observes a clean day for a day that she experiences a discharge is exempt. And why should they be liable in that case? Didn't the judges abolish the halakha of a woman who observes a clean day for a day that she experiences a discharge, in its entirety? Apparently, nullification of one category of halakha in a mitzva is not tantamount to abolition of the essence of an entire mitzva.

¹⁰⁶ The Gemara rejects this: Rav Yosef could say to you: The ruling concerning a woman who observes a clean day for a day that she experiences a discharge is as we stated, as we explained earlier. The reference is not to abolition of the entire halakha of the woman who observes a day for a day, but rather to a case where the judges ruled that the initial stage of intercourse is permitted.

¹⁰⁷ The Gemara suggests: Come and hear resolution of the dilemma from the mishna, which gives as an example of a ruling for which the court is liable to bring an offering: There is a prohibition against performing prohibited labor on Shabbat written in the Torah, but one who carries out objects from the

private domain to the public domain is exempt. And why should they be liable in that case? Didn't the judges abolish the halakha of the principal category of labor of carrying out in its entirety?

¹⁰⁸ The Gemara rejects this: That too is as we explained earlier, that the court rules to nullify only a portion of the labor, e.g., throwing or passing an item from domain to domain.

¹⁰⁹ The Gemara suggests: Come and hear resolution of the dilemma from the mishna, which gives as an example of a ruling for which the court is liable to bring an offering: There is a prohibition against engaging in idol worship written in the Torah, but one who bows to the idol but did not sacrifice an offering is exempt. And why should the court be liable in that case? But didn't the judges abolish the halakha of bowing in its entirety?

¹¹⁰ The Sages say: Bowing, too, is as we explained earlier, that the court rules to nullify only an aspect of bowing, not to abolish the prohibition against bowing in its entirety.

¹¹¹ Apropos rulings to nullify a mitzva or part of a mitzva, Rabbi Zeira raises a dilemma: If a court issued a ruling that there is no prohibition against performing prohibited labor on Shabbat during the Sabbatical Year, what is the halakha? Before seeking to resolve that dilemma, the Gemara asks: With regard to what matter did they err that resulted in that ruling? They erred with regard to this verse written with regard to Shabbat: "In plowing and in harvest you shall rest" (Exodus 34:21), which the judges interpreted to mean: During a time when there is plowing, i.e., in all years of the Sabbatical cycle other than the Sabbatical Year, there is a prohibition against performing labor on Shabbat. But during a time when there is no plowing, i.e., during the Sabbatical Year, there is no prohibition against performing labor on Shabbat.

¹¹² The Gemara elaborates on Rabbi Zeira's dilemma. Do we say: Since one fulfills the mitzva of Shabbat during the rest of the years of the Sabbatical cycle, nullifying Shabbat during the Sabbatical Year is tantamount to nullification of a portion of the mitzva and fulfillment of a portion of the mitzva? Or perhaps, since the court is abolishing Shabbat during the Sabbatical Year, it is tantamount to abolishing the entire essence of the mitzva?

¹¹³ Ravina said: Come and hear resolution of the dilemma from a baraita: In the case of a prophet who prophesies to abolish a matter of the matters of the Torah, he is deemed a false prophet and is liable to be executed through strangulation. If he prophesies for the nullification of part and the fulfillment of part of a matter in the Torah, Rabbi Shimon says he is exempt from execution. And with regard to idol worship, even if he says: Worship it today and revoke its status tomorrow, everyone agrees that he is liable, as with regard to idol worship, even a ruling to nullify part of the mitzva involves a severe prohibition. Learn from it that in a case where a court issued a ruling that there is no prohibition against performing prohibited labor on Shabbat during the Sabbatical Year, it is tantamount to nullification of a portion of the mitzva and fulfillment of a portion of the mitzva. The Gemara affirms: Indeed, learn from it.

¹¹⁴ MISHNA: If the court issued a ruling, and one of the judges knew that they erred and he said to them: You are mistaken; or if the most distinguished [mufla] member of the court was not there for that session of the Sanhedrin, or if one of the judges was disqualified from serving as a judge, e.g., because he was a convert, or a child born from an incestuous or adulterous relationship [mamzer], or a Gibeonite, or an old man no longer able to father children, this court is exempt, because they have not rendered a full-fledged ruling.

¹¹⁵ This is derived by means of a verbal analogy, as “assembly” is stated here with regard to a court that issues an erroneous ruling: “And if the entire assembly of Israel shall act unwittingly” (Leviticus 4:13), and “assembly” is stated there with regard to the halakha of one who commits murder unwittingly: “And the assembly shall judge between the one who struck and the blood redeemer” (Numbers 35:24). Just as in the “assembly” stated there, with regard to the unwitting murderer, all the judges must be fit to issue rulings, so too, in the “assembly” stated here, with regard to the court that issued an erroneous ruling; the court will not be liable unless all the judges will be fit to issue rulings.

¹¹⁶ GEMARA: The mishna teaches: Or if the most distinguished member of the court was not there, the court is exempt. From where do we derive this halakha? Rav Sheshet said, and likewise the school of Rabbi Yishmael taught: For what reason did the Sages say: If the court issued a ruling with regard to a matter with which the Sadducees agree, the judges are exempt? It is due to the fact that it was incumbent upon them to learn that halakha that is written explicitly in the Torah, and they did not learn it. Similarly, in a case where the most distinguished member of the court was not there, the judges are also exempt, as it was incumbent upon them to learn and they did not learn.

¹¹⁷ The mishna teaches: “Assembly” is stated there and “assembly” is stated here...the court will not be liable unless all the judges will be fit to issue rulings. The Gemara asks: And there, from where do we derive that all the judges must be fit to issue rulings? The Gemara answers that this is as Rav H̥isda says that the verse states in connection with the transfer of the Divine Spirit from Moses to the Elders: “That they may stand there with you” (Numbers 11:16). The term “with you” is explained to mean: With similarity to you, in the sense that they must be fit to issue rulings.

¹¹⁸ The Gemara challenges: And say that the term “with you,” means that they shall be like Moses in that they will all be fit for the Divine Presence to rest upon them. Rather, Rav Naḥman bar Yitzḥak says that it is derived as the verse states in the context of the advice that Yitro gave to Moses: “And they shall judge the people at all times...and ease your burden from upon you and bear it with you” (Exodus 18:22). “With you” is interpreted to mean: Similar to you.

¹¹⁹ MISHNA: If the judges of the court issued an erroneous ruling unwittingly and the entire congregation performed a transgression unwittingly on the basis of their ruling, the court brings a bull, as it is stated in the Torah with regard to an unwitting communal sin-offering. If the court issued the erroneous ruling intentionally, as they knew that their ruling was incorrect, and the congregation performed a transgression unwittingly on the basis of the ruling of the court, each member of the congregation brings a female lamb or a female goat as an individual sin-offering. If the court issued the erroneous ruling unwittingly and the congregation performed a transgression intentionally, i.e., with the knowledge that the ruling of the court was erroneous, these people are exempt from bringing an offering.

¹²⁰ GEMARA: The mishna teaches: If the court issued the erroneous ruling unwittingly and the congregation performed a transgression intentionally, these people are exempt. The Gemara infers: But if the person performed a transgression unwittingly in a manner similar to that of an intentional transgression, the court is liable. And what are the circumstances of that performance? It is a case where the court issued a ruling that forbidden fat is permitted, and the forbidden fat became confused for a person with permitted fat and he ate the forbidden fat.

¹²¹ The Gemara suggests: If so, let us say: Resolve from here that which Rami bar Hama raises as a dilemma (2a) with regard to this case, a dilemma that remained unresolved. The Gemara rejects this: Rami bar Hama could say to you that the dilemma cannot be resolved based on this inference, as due to the fact that the tanna taught the first clause of the mishna: If the court issued the erroneous ruling intentionally, and the congregation performed a transgression unwittingly, he taught the latter clause employing a similar style: If the court issued the erroneous ruling unwittingly and the congregation performed a transgression intentionally.

¹²² MISHNA: If the judges of the court issued an erroneous ruling and the entire congregation or a majority thereof performed a transgression on the basis of their ruling, the judges bring a bull as an unwitting communal sin-offering. And if the erroneous ruling involved idol worship, the judges bring a bull and a goat, as it is written in the Torah (see Numbers 15:24); this is the statement of Rabbi Meir. Rabbi Yehuda says: It is not the court that brings the offering, it is the people. Twelve tribes, each of which performed a transgression, bring twelve bulls, i.e., each tribe brings one, and for idol worship they bring twelve bulls and twelve goats, as each tribe is a congregation.

¹²³ Rabbi Shimon says: They bring thirteen bulls; and for idol worship they bring thirteen bulls and thirteen goats, a bull and a goat for each and every tribe and a bull and a goat for the court.

¹²⁴ The mishna continues: If the judges of the court issued a ruling, and at least seven tribes, or a majority of each of those tribes, performed a transgression on the basis of their ruling, the judges bring a bull; and for idol worship they bring a bull and a goat. This is the statement of Rabbi Meir. Rabbi Yehuda says: The seven tribes that sinned bring seven bulls, i.e., each tribe brings one bull, and each of the rest of the tribes, i.e., those that did not sin, brings one bull on the basis of the sin of the other tribes, as even those who did not sin bring an offering on the basis of the actions of the sinners. Rabbi Shimon says: When seven tribes sin eight bulls are brought as offerings, one bull for each and every tribe and one bull for the court. And for idol worship, eight bulls and eight goats are brought, one bull and one goat for each and every tribe and one bull and one goat for the court.

¹²⁵ If the court of one of the tribes issued a ruling and the majority of that tribe performed a transgression on the basis of its ruling, that tribe is liable to bring an offering and the rest of all the tribes are exempt; this is the statement of Rabbi Yehuda. And the Rabbis say: One is liable to bring an offering for an unwitting communal sin only for rulings of the High Court alone, as it is stated: “And if the entire assembly of Israel shall act unwittingly” (Leviticus 4:13), from which it is derived that there is liability only for a ruling of the assembly, i.e., the court, of the entire people, but not for a ruling of the assembly of that particular tribe.

¹²⁶ GEMARA: The Gemara elaborates on the dispute cited in the mishna. The Sages taught in a baraita: In a case where the judges knew that they issued an erroneous ruling, and erred in remembering which erroneous ruling they issued, one might have thought that they would be liable to bring an offering for this. The verse states: “And the sin that they sinned became known, the congregation shall sacrifice” (Leviticus 4:14), indicating that liability is only in a case where the sin became known to the court that issued the erroneous ruling, and not in a case where it became known only to the sinners. In this case, the sinners are certain that they sinned, but the court does not know the sin with regard to which it issued the ruling.

¹²⁷ From the phrase “that they sinned” it is derived: If two tribes sinned they bring two bulls, one from each tribe; if three tribes sinned they bring three bulls, one from each tribe. Or perhaps that

phrase says only that if two individuals sinned they bring two bulls, one from each individual; if three individuals sinned they bring three bulls, one from each individual. Therefore, the verse states: "The congregation," from which it is derived: The congregation is liable, and each and every congregation is liable. How so? If two tribes sinned they bring two bulls. If seven tribes sinned they bring seven bulls. And each of the rest of the tribes that did not sin brings one bull on the basis of the sin of the other tribes, as even those tribes that did not sin bring an offering on the basis of the actions of the sinners. For that reason "congregation" is stated in the verse, to render each and every congregation liable. This is the statement of Rabbi Yehuda.

¹²⁸ The baraita continues: Rabbi Shimon says: Seven tribes that sinned bring seven bulls, and the court brings one bull on the basis of their actions, as the term "congregation" is stated below: "The congregation shall sacrifice" (Leviticus 4:14), and the term "congregation" is stated above: "And the matter is hidden from the eyes of the congregation" (Leviticus 4:13). Just as with regard to the term "congregation" that is stated above the reference is to the court, i.e., "the eyes of the congregation," together with "the congregation," so too, with regard to the term "congregation" that is stated below, with regard to liability to bring an offering the reference is to the court together with the congregation.

¹²⁹ Rabbi Meir says: In the case of seven tribes that sinned, the court brings a bull on the basis of their sin and the members of the tribe are exempt, as the term "congregation" is stated below: "The congregation shall sacrifice" (Leviticus 4:14), and the term "congregation" is stated above: "And the matter is hidden from the eyes of the congregation" (Leviticus 4:13). Just as with regard to the term "congregation" that is stated above the reference is to the court and not to the public, so too, with regard to the term "congregation" that is stated below the reference is to the court and not to the public.

¹³⁰ The baraita concludes: Rabbi Shimon ben Elazar says in the name of Rabbi Meir: If six tribes sinned and in terms of population they constitute a majority of the congregation, or if seven tribes, which constitute a majority of the tribes, sinned, even though in terms of population they do not constitute a majority of the congregation, the court brings a bull.

¹³¹ The Gemara proceeds to analyze the baraita. The Master said: "And the sin that they sinned became known," indicating that liability is only in a case where the sin became known to the court that issued the erroneous ruling and not in a case where it became known only to the sinners. Who is the tanna whose opinion is expressed here? Rav Yehuda said that Rav said, and some say it was Rava who said, that this is not in accordance with the opinion of Rabbi Eliezer, as we learned in a baraita that there is a dispute with regard to one who had two pieces before him, one of them prohibited because it is forbidden fat and one of them prohibited because it is left over from an offering after the time allotted for its consumption [notar], and he ate one, but does not know whether he ate the forbidden fat or the notar.

¹³² Rabbi Eliezer says: Whichever way you look at it, he is liable to bring a sin-offering. If it was forbidden fat that he ate he is liable, and if it was notar that he ate he is liable. Therefore, he must bring an offering. Likewise, in the case in the baraita, since the court issued an erroneous ruling and it is known that the erroneous ruling was with regard to a matter for which it is liable to bring an offering, according to Rabbi Eliezer it should make no difference that they do not know the precise

nature of their error, and they should be liable to bring an offering. Nevertheless, the ruling in the baraita is that they are exempt, counter to what one would expect to be the opinion of Rabbi Eliezer.

¹³³ Rav Ashi said: Even if you say that the baraita is in accordance with the opinion of Rabbi Eliezer, one can explain the ruling of the baraita. Here, in the baraita, it is different, as it is written: “And the sin that they sinned became known” (Leviticus 4:14). The verse underscores that the judges must be aware of the specific sin for which they are liable to bring an offering. The Gemara asks: There too, with regard to an individual sin-offering, isn’t it written: “Or if his sin that he sinned became known to him” (Leviticus 4:23), leading to the same conclusion? The Gemara answers: In the case of the individual sin-offering, that expression is necessary for the tanna to exclude one who acts unawares. One is liable to bring a sin-offering for an unwitting transgression only if he performs the action with intent.

¹³⁴ The Gemara asks: What is the reasoning of Rabbi Yehuda, who holds that even one tribe that sinned is liable to bring an offering? The Gemara answers that he holds: There are four mentions of the term congregation written: Congregation, the congregation, congregation, the congregation. The term “the congregation” appears in both verses. Since the Torah could have written the term: Congregation, in both instances, Rabbi Yehuda derives two matters from each of the two terms, one from the term “congregation” itself, and another from the fact that it is written with the definitive article “the.”

¹³⁵ One serves to render each and every congregation liable, as a tribe is also called a congregation; and one serves to establish that the ruling is dependent on the court and the action is dependent on the congregation; and one serves to teach the concept of drawing, i.e., a tribe that did not sin is drawn after a tribe that sinned and is liable to bring an offering; and one serves to teach that a tribe that performed a transgression on the basis of the ruling of its tribal court is liable to bring a bull as an unwitting communal sin-offering.

¹³⁶ And what is the reasoning of Rabbi Shimon, who holds that seven tribes that sinned bring seven bulls and the court brings one bull? He holds that there are three mentions of the term congregation written. The first two are: The congregation, congregation, which he interprets in the manner that Rabbi Yehuda interpreted. He counts the third and last mention of the term: The congregation, as in the verse: “From the eyes of the congregation.” This is written in the typical manner of the verse, as people say: From the eyes of so-and-so, and the definitive article “the” does not serve to teach another halakha.

¹³⁷ Of those three, one serves to render each and every congregation liable, as a tribe is also called congregation, and the other two come so that a verbal analogy can be derived: The term “congregation” is stated below, and the term “congregation” is stated above. Just as with regard to the term “congregation” that is stated there, above, the reference is to the court, i.e., “the eyes of the congregation,” together with the congregation, so too, with regard to the term “congregation” that is stated here concerning liability to bring an offering, the reference is to the court together with the congregation.

¹³⁸ And what is the reasoning of Rabbi Meir, who holds that the court brings a bull on the basis of its sin and the members of the tribe are exempt? He does not derive a halakha from the difference between the terms “congregation” and “the congregation.” He does not consider the addition of the definite article to be significant. Therefore, he holds that there are two mentions of the term

congregation written. They are necessary for him to derive: The term “congregation” is stated below, and the term “congregation” is stated above. Just as with regard to the term “congregation” that is stated there, above, the reference is to the court and not to the public, so too with regard to the term “congregation” that is stated here, below, the reference is to the court and not to the public.

¹³⁹ And what is the reasoning of Rabbi Shimon ben Elazar, who holds that if six tribes sinned and in terms of population they constitute a majority of the congregation, or if seven tribes sinned even though in terms of population they do not constitute a majority of the congregation, the court brings a bull? It is written: “Then it shall be, if it was performed unwittingly, hidden from the eyes of the congregation” (Numbers 15:24). Apparently, the reference is even to a minority of the people, as “from the eyes” is written, indicating: Not all of them, but some of them. And it is written: “As for all the people it was performed unwittingly” (Numbers 15:26), to say that based on the principle: The halakhic status of a majority is like that of the entirety, if the majority of the congregation sinned, then yes, the court is liable to bring an offering. If the minority sinned, then no, the court is not liable.

¹⁴⁰ How so? How can this apparent contradiction be resolved? The Gemara explains: If six tribes sinned and they constitute a majority of the congregation, or if seven tribes sinned, even though in terms of population they do not constitute a majority of the congregation, the court is liable to bring a bull. Although in both cases they are not a majority in every sense, the court is liable, as a reference to the minority is also indicated in the verse.

¹⁴¹ The Gemara asks: And Rabbi Shimon and Rabbi Meir, from where do they derive the fact that the ruling is dependent on the court and the action is dependent on the congregation? Abaye said that they derive it from a verse, as the verse states in the passive form: “Then it shall be, if it was performed unwittingly, hidden from the eyes of the congregation” (Number 15:24), indicating that the action of the congregation was generated by the ruling of the court. Rava said: It is derived from that which is stated: “For all the people it was performed unwittingly” (Numbers 15:26). The term “all the people” indicates that the unwitting action is common to all, the court through its ruling and the people through their action.

¹⁴² The Gemara notes: And both of the verses are necessary. As, had the Merciful One written only: “Then it shall be, if it was performed unwittingly, hidden from the eyes of the congregation” (Number 15:24), I would say: There is liability to bring an offering even if only a minority of the congregation sinned. Therefore, it is written: “For all the people it was performed unwittingly.” And had the Merciful One written only: “For all the people it was performed unwittingly,” I would say: There is no liability unless the court performs the transgression together with the majority of the congregation, as the verse appears to refer to a single unwitting action. Therefore, it is written: “Then it shall be, if it was performed unwittingly, hidden from the eyes of the congregation,” indicating that the unwitting act was performed on the basis of the ruling of the court, and the action of the court is not significant in this regard.

¹⁴³ The Gemara challenges: But when these verses are written, they are written with regard to an erroneous ruling involving idol worship, not concerning erroneous rulings involving other transgressions. The Gemara explains: We derive it by means of a verbal analogy between “from the eyes of the congregation” written with regard to other transgressions, and “from the eyes of the congregation” written concerning idol worship.

¹⁴⁴ § The mishna teaches: If the court of one of the tribes issued a ruling, and the majority of that tribe performed a transgression on the basis of its ruling, that tribe is liable to bring an offering and the rest of all the tribes are exempt; this is the statement of Rabbi Yehuda. A dilemma was raised before the Sages: According to Rabbi Yehuda, in the case of one tribe that performed a transgression on the basis of the ruling of the High Court, are the other tribes liable to bring an offering or not? The Gemara elaborates: Do we say that it is specifically in a case where seven tribes sinned that other tribes each bring an offering together with them because there is a majority of the tribes that sinned, but in a case where only one tribe sinned, where there is no majority of the tribes that sinned, they do not? Or perhaps it is no different, and the other tribes are drawn after even one tribe.

¹⁴⁵ The Gemara suggests: Come and hear resolution of this dilemma from a baraita, which teaches: What do they bring? They bring one bull; Rabbi Shimon says: Two bulls. The Gemara elaborates: What are we dealing with in this baraita? If we say the reference is to a case where seven tribes sinned, Rabbi Shimon requires eight bulls, one for each tribe that sinned and one for the court. Rather, the reference must be to a case where one tribe sinned. The Gemara clarifies: In what circumstances did the tribe sin? If the tribe sinned on the basis of the ruling of its tribal court, Rabbi Shimon does not accept the halakha that an erroneous ruling of the tribal court renders them liable to bring an offering. Rather, is it not so that they sinned on the basis of a ruling of the High Court?

¹⁴⁶ The Gemara asks: And who is the first tanna, who says that they must bring one bull? If we say it is Rabbi Meir, that is difficult: Doesn't he require that the majority perform a transgression in order for a bull to be brought? A transgression performed by one tribe does not suffice. Rather, is the first tanna not Rabbi Yehuda, and the reference is to a case where one tribe sinned and he deems it liable to bring one bull, and the remaining tribes are not liable to bring an offering.

¹⁴⁷ The Gemara rejects this proof and says there is an alternative explanation of the baraita. What are we dealing with here? With a case where six tribes sinned and in terms of population they constitute a majority of the congregation, and the first tanna in the baraita is Rabbi Shimon ben Elazar, as it is taught in a baraita that Rabbi Shimon ben Elazar says in the name of Rabbi Meir: If six tribes sinned and in terms of population they constitute a majority of the congregation, or if seven tribes, which constitute a majority of the tribes, sinned, even though in terms of population they do not constitute a majority of the congregation, the court brings a bull.

¹⁴⁸ The Gemara suggests: Come and hear a resolution to the dilemma from a baraita, which teaches: Rabbi Yehuda says: In the case of a tribe that performed a transgression on the basis of a ruling of its tribal court, that tribe is liable and all the rest of the tribes are exempt. But if it was on the basis of the ruling of the High Court, even the rest of the tribes are liable. The Gemara concludes: Learn from it that Rabbi Yehuda holds that the other tribes are liable in a case where one tribe performed a transgression on the basis of the ruling of the High Court.

¹⁴⁹ Rav Ashi said: The language of the mishna is also precise in support of that conclusion, as the tanna teaches: If the court of one of the tribes issued an erroneous ruling and the majority of that tribe performed a transgression on the basis of its ruling, that tribe is liable to bring an offering and all the rest of the tribes are exempt. He explains: Why do I need the tanna to teach: And the rest of the tribes are exempt? Didn't he already teach: That tribe is liable? And since he teaches: That tribe is liable, we know automatically that the rest of the tribes are exempt. Rather, this tanna is teaching us that it is specifically in a case where the tribe performed an unwitting transgression on the basis of the ruling

of its tribal court that the rest of the tribes are exempt; but in a case where the tribe performed an unwitting transgression on the basis of the ruling of the High Court, even the rest of the tribes are liable. The Gemara concludes: Learn from the mishna that this is Rabbi Yehuda's opinion.

¹⁵⁰ A dilemma was raised before the Sages: In a case where one tribe performed a transgression on the basis of the ruling of the High Court, according to Rabbi Shimon are they liable to bring an offering or not?

¹⁵¹ The Gemara suggests: Come and hear a resolution to this dilemma from the baraita cited earlier: What do they bring? They bring one bull; Rabbi Shimon says: Two bulls. The Gemara elaborates: What are we dealing with in this baraita? If we say that the reference is to a case where seven tribes sinned, that is difficult. In that case, are two bulls brought? Eight bulls are required according to Rabbi Shimon. Rather, the reference is to a case where one tribe sinned. The Gemara clarifies: And in what circumstances did the tribe sin? If we say that the tribe sinned on the basis of the ruling of its tribal court, Rabbi Shimon does not accept the halakha that an erroneous ruling of the tribal court renders them liable to bring an offering. Rather, the circumstances are that they sinned on the basis of a ruling of the High Court. Apparently, even Rabbi Shimon agrees that in this case one tribe brings an offering.

¹⁵² The Gemara rejects this proof: And how can you understand that this is the reference? Who, then, is the first tanna who says that they must bring one bull? If it is Rabbi Meir, that is difficult. Doesn't he require that the majority and not just one tribe perform a transgression in order for there to be liability? If it is Rabbi Yehuda, that is also difficult, as in his opinion the rest of the tribes are also liable to bring an offering. Rather, who is the first tanna of this baraita? The first tanna is Rabbi Shimon ben Elazar, and the reference is to a case where six tribes sinned and in terms of population they constitute a majority of the congregation, and this baraita is as it is taught in the baraita cited earlier. In that case, Rabbi Shimon holds that two bulls are brought, one by the congregation and one by the court. No proof may be cited from here with regard to the opinion of Rabbi Shimon in the case of one tribe that performed a transgression on the basis of a ruling of the High Court.

¹⁵³ The Gemara suggests: Come and hear a resolution to the dilemma from the mishna, which teaches: And the Rabbis say: One tribe is never liable, other than for violating a transgression on the basis of the ruling of the High Court. The Gemara clarifies: Who are the Rabbis cited in the mishna? If we say that the Rabbis are Rabbi Meir, he requires that a majority perform a transgression in order to be liable. Rather, is it not that the Rabbis are Rabbi Shimon? The Gemara affirms: Conclude from it that Rabbi Shimon holds that one tribe that performed a transgression on the basis of the ruling of the High Court is liable to bring a bull.

¹⁵⁴ § The Gemara elaborates on a matter raised earlier. And Rabbi Yehuda and Rabbi Shimon, who hold one tribe that performs a transgression liable, from where do they derive that one tribe is characterized as a congregation? The Sages say that it is derived from a verse, as it is written: "And Jehoshaphat stood in the congregation of Judah and Jerusalem before the new courtyard in the house of the Lord" (II Chronicles 20:5). The Gemara asks: What is the meaning of "new" in this verse? Rabbi Yoḥanan says that on that occasion they introduced new matters and said: One who was ritually impure who immersed that day and is waiting for nightfall for the purification process to be completed may not enter even the Levite camp. From the fact that the verse employs the term

“congregation” in reference to Judah and Jerusalem, it can be inferred that one tribe is characterized as a congregation.

¹⁵⁵ Rav Aḥa bar Ya’akov objects to this: From where do you draw this conclusion? Perhaps Jerusalem is different, as Jerusalem was also in the tribal land of Benjamin. Accordingly, it was shared by two tribes. Rather, Rav Aḥa bar Ya’akov said that proof that a tribe is characterized as a congregation is derived from another verse, as it is written that Jacob recounted what God said to him when he returned from Paddan: “And said to me: Behold, I will make you fruitful and multiply you, and I will make of you a congregation of peoples” (Genesis 48:4). Who was born to him from that time on? Only Benjamin. Conclude from it that this is what the Merciful One is saying to Jacob: Another congregation shall be now born to you. Apparently, one tribe is characterized as a congregation.

¹⁵⁶ Rav Shabba said to Rav Kahana: Perhaps this is what the Merciful One is saying to Jacob: It is when Benjamin is born to you that you will have twelve tribes, who are together characterized as a congregation. Rav Kahana said to him: But is that to say that twelve tribes are characterized as a congregation, and eleven tribes are not characterized as a congregation? It has already been established that even two tribes are characterized as a congregation. Rather, it is apparent from this verse that even one tribe is characterized as a congregation.

¹⁵⁷ § It is taught in a baraita that Rabbi Shimon says: What is the meaning when the verse states: “And a second young bull shall you take as a sin-offering” (Numbers 8:8), in the context of the purification of the Levites in the aftermath of the sin of the Golden Calf? If this is written to teach that they are two, i.e., that there is an additional bull sacrificed, isn’t it already stated: “And sacrifice the one as a sin-offering, and the other as a burnt-offering, unto the Lord” (Numbers 8:12)? Rather, one might have thought that the sin-offering that is sacrificed for the Levites shall be eaten like other sin-offerings. To counter this, the verse states: “And a second bull,” to underscore that it is second to the burnt-offering and similar to it: Just as a burnt-offering is not eaten,

¹⁵⁸ so too, this sin-offering is not eaten.

¹⁵⁹ Similarly, Rabbi Yosei said that it is stated with regard to those who returned to Zion from Babylonia in the days of Ezra: “The children of the captivity who came out of exile sacrificed burnt-offerings to the God of Israel, twelve bulls for all Israel, ninety-six rams, seventy-seven lambs, twelve goats as a sin-offering; all this was a burnt-offering unto the Lord” (Ezra 8:35). The question arises: Does it enter your mind to say: “All this was a burnt-offering”? Is it possible that a sin-offering is a burnt-offering? Rather, say: All this was like a burnt-offering. Just as a burnt-offering is not eaten, so too, this sin-offering is not eaten, as it is taught in a baraita that Rabbi Yehuda says: It was as atonement for idol worship that they brought them; and Rav Yehuda says that Shmuel says: It was atonement for the idol worship that they practiced during the days of Zedekiah.

¹⁶⁰ The Gemara clarifies: Granted, according to Rabbi Yehuda, whose opinion is cited in the mishna, you find liability for these twelve sin-offerings in a case where twelve tribes sinned by engaging in idol worship, as in that case they bring twelve goats. Alternatively, you find liability in a case where seven tribes sinned, and the rest of these tribes that did not sin are drawn after the majority of tribes that sinned and each brings a sin-offering. And according to Rabbi Shimon as well, you find liability for these twelve sin-offerings in a case where eleven tribes sinned, as in that case they bring eleven goats and the other goat is brought by the court. But according to Rabbi Meir, who says that the court

brings an offering and the public does not, and only one bull is sacrificed, how do you find this a case of liability to bring twelve offerings? The Gemara answers: It is in a case where they sinned, and then sinned again, and then sinned again, until they sinned twelve times.

¹⁶¹ The Gemara asks: But didn't those who sinned by engaging in idol worship during the time of Zedekiah and the Babylonian exile already die? How can their descendants bring a sin-offering on their behalf? The status of those animals is that of a sin-offering whose owner has died, which is disqualified from sacrifice on the altar.

¹⁶² Rav Pappa said: When it is learned as a tradition that the fate of a sin-offering whose owners have died is to allow the animal to die without its being sacrificed, this matter applies specifically with regard to an individual who died but not with regard to a congregation, because there is no death with regard to a congregation; the entity of the congregation remains even when specific members die. The Gemara asks: From where does Rav Pappa derive this? If we say that he derives it from that which is written: "Instead of your fathers shall be your sons" (Psalms 45:17), indicating that as long as the sons are alive it is as though the fathers are alive, then if so, the same should be true even with regard to an individual as well, and sons should be able to sacrifice the sin-offerings of their dead fathers.

¹⁶³ Rather, the inference of Rav Pappa is from the goat of the New Moon, as the Merciful One states: Bring those sin-offerings from the collection of the Temple treasury chamber, where the half-shekels contributed by the Jewish people every Adar are stored. But haven't some of the Jewish people died since Adar? If so, how can those who remain bring a sin-offering if some of the owners of the offering have died? Rather, learn from it that a sin-offering whose owners have died may be sacrificed in the case of a communal offering.

¹⁶⁴ The Gemara asks: Are these matters comparable? In the case of the goat of the New Moon, perhaps no one from the public died in the interim. But here, in the case of those who returned to Zion from Babylonia, those who engaged in idol worship in the days of Zedekiah certainly died, as many years have passed since then. Rather, the reason for the opinion of Rav Pappa is from here, as it is written in the confession recited by the Sages during the rite of the heifer whose neck is broken: "Atone for Your people Israel whom You have redeemed, Lord" (Deuteronomy 21:8). This atonement is fit to atone even for those who emerged from Egypt, from the fact that it is written: "Whom You have redeemed." The reference is to those whom God redeemed from Egypt, even though they died long ago.

¹⁶⁵ The Gemara asks: Are these matters comparable? There, in the case of the heifer whose neck is broken, all the residents of the city on whose behalf the rite was performed are present when they perform the rite, and since it atones for the living, it also atones for the dead. But here, in the case of those returning from Zion, are any of the people who worshipped idols during the time of Zedekiah alive when the offering is sacrificed? The Gemara answers: Yes, it is indeed so that there were people from that period still alive, as it is written: "Many of the priests and Levites and heads of patrilineal houses, the elders that had seen the first house standing on its foundation, wept with a loud voice when this house was before their eyes. And many shouted aloud for joy" (Ezra 3:12).

¹⁶⁶ The Gemara challenges: But perhaps those elders were few in number, and were not many, and the majority of those present consisted of people who were not alive during the days of Zedekiah. The Gemara answers: Isn't it written: "And the people could not discern the noise of the shout of joy

from the noise of the weeping of the people; as the people shouted with a loud shout, and the noise was heard far off” (Ezra 3:13)? This indicates that the weeping elders who survived from the era of Zedekiah outnumbered the younger people.

¹⁶⁷ The Gemara asks: But didn’t those who engaged in idol worship in the era of Zedekiah do so intentionally? Sin-offerings are brought for unwitting, not intentional sins. The Gemara answers: It was a provisional edict issued in exigent circumstances to enable them to sacrifice a sin-offering to atone for an intentional sin. The Gemara comments: So too it is reasonable, as if you do not say so, then with regard to these “ninety-six rams, seventy-seven lambs,” to what do they correspond? Rather, the sacrifice of those rams and lambs was a provisional edict. Here too, concerning sin-offerings for intentional transgressions, it was a provisional edict.

¹⁶⁸ § On a related note, the Sages taught: If the court unwittingly issued a ruling and the congregation performed a transgression on the basis of that ruling, and before the offering was brought one member of the public died, they are liable to bring an offering. If one member of the court died, they are exempt. The Gemara asks: Who is the tanna who stated this halakha? Rav Hisda said that Rabbi Zeira said that Rav Yirmeya said that Rav said: It is Rabbi Meir, who says: The court, and not the public, brings the offering. Therefore, if one member of the public died the court is liable, as the entire court remains intact. If one member of the court died the court is exempt, as the halakha here is like the halakha of a sin-offering that one of the partners who co-own the offering died, and due to that reason the court is exempt.

¹⁶⁹ Rav Yosef objects to this: And let us establish this halakha in accordance with the opinion of Rabbi Shimon, who says: The court, together with the public, brings the offering. Therefore, if one member of the public died the court is still liable, as the public does not die. But if one member of the court died the court is exempt, in accordance with that which we say, that it is a sin-offering belonging to partners.

¹⁷⁰ Abaye said to Rav Yosef: We heard with regard to Rabbi Shimon that he says: A sin-offering belonging to partners is not left to die, as it is taught in a baraita: In a case where a bull and a goat of Yom Kippur were lost, and one designated other animals in their place, and then the lost animals were found, they shall all be left to die; this is the statement of Rabbi Yehuda. Rabbi Elazar and Rabbi Shimon say: They shall graze until they develop a blemish, due to the fact that a communal sin-offering is not left to die. The bull sacrificed on Yom Kippur belongs to the priests, and is therefore a sin-offering belonging to partners; nevertheless, Rabbi Shimon holds that its status is not that of a bull whose owners died.

¹⁷¹ Rav Yosef said to Abaye: Priests, you say? Priests are different, as they are characterized as a congregation in and of themselves, as it is written: “And for the priests and for all the people of the congregation he shall atone” (Leviticus 16:33).

¹⁷² The Gemara challenges: If that is so, that the priests are characterized as a congregation, let them bring a bull as an unwitting communal offering if they perform a transgression on the basis of the ruling of the court. And if you would say indeed it is so, that is difficult, as the number of tribes has increased to thirteen.

¹⁷³ Rather, Rav Aḥa, son of Rabbi Ya’akov, said: The tribe of Levi is not characterized as a congregation, as it is written: “Behold, I will make you fruitful and multiply you, and I will make of you a congregation of peoples; and I will give this land to your descendants after you for an

everlasting possession” (Genesis 48:4). It is derived from here that any tribe that has an ancestral possession bequeathed to it is characterized as a congregation, and any tribe that does not have an ancestral possession bequeathed to it is not characterized as a congregation. The tribe of Levi has no ancestral land, and the priests who are from the tribe of Levi have no ancestral land.

¹⁷⁴ The Gemara challenges: If so, the twelve tribes are lacking in number, as without the tribe of Levi there are only eleven. Abaye said that it is stated: “Ephraim and Manasseh shall be like Reuben and Simeon to me” (Genesis 48:5), and they are counted as two tribes. Rava said: But isn’t it written: “After the name of their brethren shall they be called in their inheritance” (Genesis 48:6), indicating that it is with regard to inheritance that they are likened to tribes, but not with regard to another matter?

¹⁷⁵ The Gemara challenges: And are they not considered independent tribes concerning other matters as well? But aren’t they separate with regard to the banners under which the Jewish people traveled in the wilderness? There were three tribes represented by each banner, and the three tribes under the banner of Manasseh were Manasseh, Ephraim, and Benjamin. The Gemara answers: In accordance with the division of the tribes according to their inheritances, so was the division of the tribes in their encampment around the Tabernacle. This was in order to honor the banners, so that there would be three tribes affiliated with each banner.

¹⁷⁶ The Gemara asks: But aren’t they separate with regard to the matter of princes of the tribes, as the tribes of Ephraim and Manasseh had separate princes? The Gemara answers: That was in order to honor the princes, and there is no proof that they are two different tribes with regard to other matters. This is as it is taught in a baraita: Solomon set seven days of dedication of the Holy Temple, and what did Moses see that led him to set twelve days of dedication for the Tabernacle? He did so in order to honor the tribal princes, so that the prince of each tribe would bring his offering on his own day. Due to the honor each prince deserved, Ephraim and Manasseh are considered two tribes.

¹⁷⁷ The Gemara asks: What conclusion was reached about Rabbi Shimon’s opinion? Does he hold that a sin-offering brought by several partners is different from a communal sin-offering, as Rav Yosef explained, or does he hold that there is no difference between them, as Abaye explained?

¹⁷⁸ The Gemara suggests: Come and hear proof, as it is taught in a baraita that Rabbi Shimon says: There are five sin-offerings that are left to die, as they may not be sacrificed: The offspring of a sin-offering born after its mother was consecrated as a sin-offering; the substitute of a sin-offering, which assumes sacred status but may not be sacrificed; a sin-offering whose owners have died; a sin-offering whose owners’ sin was atoned for with another offering; and a sin-offering whose first year has passed, as a sin-offering may be brought only within the animal’s first year. And you cannot state a case of the offspring of a communal sin-offering, as the congregation does not designate a female as a sin-offering, And you cannot state a case of a substitute of a communal sin-offering, as there is no substitute for a communal offering. And you cannot state a case of a sin-offering whose owners have died in the case of a communal sin-offering, as the public does not die.

¹⁷⁹ With regard to a sin-offering whose owners’ sin was atoned for and a sin-offering whose first year has passed, we did not hear whether the halakha applies to communal sin-offerings as well. One might have thought they too shall be left to die. You say: One shall derive the vague from the explicit. What did we find with regard to the offspring of a sin-offering, the substitute of a sin-offering, and a sin-offering whose owners died? We found that these matters are stated only with

regard to an individual sin-offering, but not with regard to a communal sin-offering. So too, these matters of a sin-offering whose owners' sin was atoned for and a sin-offering whose first year has passed are stated only with regard to an individual sin-offering, but not with regard to a communal sin-offering. Likewise, one may derive that an individual's sin-offering must be left to die, while a sin-offering owned by partners is not left to die.

¹⁸⁰ The Gemara asks: And does one derive the halakha of the possible from the impossible? Some of these cases are by their very nature not relevant to communal sin-offerings. One cannot derive the halakha from them with regard to cases that could be relevant to communal sin-offerings. The Gemara answers: Rabbi Shimon learns all these halakhot of sin-offerings that are left to die as a tradition in one place, i.e., as a single halakha. In cases where not all the categories of sin-offerings left to die apply, no category of sin-offerings that are left to die applies.

Chapter 2

¹ MISHNA: In a case where an anointed priest, i.e., the High Priest, issued an erroneous ruling for himself permitting performance of an action prohibited by Torah law, if he issued the ruling unwittingly and then unwittingly performed the transgression in accordance with his ruling, he is liable to bring a bull as a sin-offering for an unwitting transgression by the anointed priest. If he issued the ruling unwittingly, and performed the transgression intentionally, or if he issued the ruling intentionally and performed the transgression unwittingly, he is exempt from liability to bring any offering, as there is a principle: The legal status of the ruling of an anointed priest for himself is like that of the ruling of the court for the general public. Therefore, the High Priest is liable to bring the bull as a sin-offering for his unwitting transgression in a case when the court would be liable to bring the bull as a communal sin-offering for an unwitting transgression performed by the general public.

² GEMARA: The mishna teaches: If he issued the ruling unwittingly and then unwittingly performed the transgression in accordance with his ruling, he is liable to bring a bull. The Gemara asks: Isn't this obvious? This is certainly a case of an unwitting transgression, for which the Torah deems him liable to bring an offering.

³ Abaye said: What are we dealing with here? We are dealing with a case where he issued an erroneous ruling and forgot the reason that was the basis upon which he issued the ruling, and at the moment that he erred and performed the transgression, he said: I am hereby performing this action with my ruling in mind. As, lest you say: Since if the reason that was the basis upon which he issued the ruling became known to him at that moment, perhaps he would have retracted his ruling, therefore if he nevertheless performed his transgression, his status is like that of an intentional transgressor, and let him not be liable to bring an offering; to counter this, the tanna teaches us that this too is a case of an unwitting transgression.

⁴ § The mishna teaches: If he issued the ruling unwittingly, and performed the transgression intentionally, or if he issued the ruling intentionally and performed the transgression unwittingly, he is exempt. The Gemara asks: From where are these matters, the halakhot unique to the sin-offering for an unwitting transgression by the anointed priest, derived? They are derived from a verse, as the Sages taught in a baraita: It is written: "If the anointed priest shall sin so as to bring guilt upon the

people” (Leviticus 4:3), from which it is derived that the liability of the anointed priest is incurred like that of the general public. The Gemara discusses this derivation. As one might have thought that the verse is superfluous: Could this not be derived through logical inference?

⁵ The general public is removed from the category of an individual, as an individual brings a ewe or female goat as a sin-offering, whereas when the general public sins the sin-offering is a bull. And likewise, an anointed priest is removed from the category of an individual, as his sin-offering is also a bull. Therefore, just as the general public is liable only for absence of awareness of the matter by the court together with unwitting performance of an action by the people, so too, an anointed priest will be liable only for absence of awareness of the matter together with unwitting performance of an action.

⁶ Or perhaps go this way and draw a different analogy: A king [Nasi] is removed from the category of an individual, as his sin-offering is a goat. And an anointed priest is removed from the category of an individual. Therefore, just as a king brings an offering for unwitting performance of an action, even without absence of awareness of the matter leading to an erroneous ruling, like any individual liable to bring a sin-offering, so too, an anointed priest brings an offering for unwitting performance of an action, even without absence of awareness of the matter leading to an erroneous ruling. It is possible to liken the anointed priest to either the general public or to the king.

⁷ The Gemara considers these two comparisons: Let us see to which of them, the general public or the king, an anointed priest is similar. The general public achieves atonement with a bull and does not bring a provisional guilt-offering, and an anointed priest achieves atonement with a bull and does not bring a provisional guilt-offering. Therefore one might say: Just as the general public is liable only for absence of awareness of the matter by the court together with unwitting performance of an action by the people, so too, an anointed priest will be liable only for absence of awareness of the matter together with unwitting performance of an action.

⁸ Or perhaps go this way and draw a different analogy: The king brings a female goat for unwitting idol worship and brings a definite guilt-offering for certain other transgressions where there is liability to bring a guilt-offering, e.g., misuse of consecrated property and robbery, and an anointed priest brings a female goat for unwitting idol worship and brings a definite guilt-offering for the same transgressions as the king. This is in contrast to the general public, which brings a bull as a sin-offering for unwitting idol worship and does not bring a definite guilt-offering at all. Therefore conclude: Just as a king brings an offering for unwitting performance of an action without absence of awareness of the matter, like any individual liable to bring a sin-offering, so too, an anointed priest brings an offering for unwitting performance of an action without absence of awareness of the matter.

⁹ Since either conclusion can be derived logically, another source is necessary. Therefore, the verse states: “If the anointed priest shall sin so as to bring guilt upon the people” (Leviticus 4:3), indicating that the status of the anointed priest is like that of the general public. Therefore, just as the general public brings an offering only for absence of awareness of the matter by the court with unwitting performance of an action by the people, so too, an anointed priest brings an offering only for absence of awareness of the matter with unwitting performance of an action.

¹⁰ The Gemara challenges the comparison: Based on the comparison between the anointed priest and the general public, why not say: Just as with regard to the general public, if the court issued a ruling and the general public performed the transgression after its ruling and in accordance with its ruling,

the court is liable, so too, with regard to an anointed priest, when he issued a ruling and the general public performed the transgression after his ruling and in accordance with his ruling, he should be liable. Therefore, the verse states with regard to the anointed priest: “Then he shall offer for his sin that he has sinned” (Leviticus 4:3), from which it is derived: He brings an offering for that sin that he sinned on the basis of his ruling, but he does not bring an offering for that sin that others sinned on the basis of his ruling.

¹¹ The Gemara elaborates on that which the Master said: An anointed priest achieves atonement with a bull and does not bring a provisional guilt-offering. The Gemara asks: From where does the tanna derive that an anointed priest does not bring a provisional guilt-offering?

¹² The Gemara answers: It is derived from a verse, as it is written with regard to the halakhot of the guilt-offering: “And the priest shall atone for him for his unwitting act that he performed unwittingly” (Leviticus 5:18), from which it is derived that this halakha applies only to one whose transgression and his unwitting action are equal, i.e., an ordinary person, whose unwitting act is the very transgression that he performed unwittingly. This serves to exclude an anointed priest, whose unwitting action and his transgression are not equal, as his unwitting act is the erroneous ruling and he is liable to bring an offering only if he performed the transgression on the basis of that ruling. As it is written about the anointed priest: “So as to bring guilt upon the people” (Leviticus 4:3), indicating that the status of the anointed priest is like that of the general public.

¹³ The Gemara questions this proof: How can the Gemara base the halakha on an interpretation of the verse: “So as to bring guilt upon the people”? To this point, the tanna of the baraita did not state this verse. The tanna first states that the anointed priest does not bring a provisional guilt-offering and only then cites the verse from which he proves the halakha that an anointed priest brings an offering only for absence of awareness of the matter together with unwitting performance of an action. Rather, he stated the halakha of the provisional guilt-offering for no reason. Although the halakha is correct, there was no reason to cite it in the baraita.

¹⁴ MISHNA: If the anointed priest issued a ruling by himself and performed a transgression by himself, he achieves atonement by himself by bringing a bull as his sin-offering. If he issued a ruling with the general public, i.e., the Sanhedrin, and performed a transgression with the general public, i.e., the Jewish people, he achieves atonement with the general public. As, the court is not liable unless the judges issue a ruling to nullify part of a commandment and to sustain part of that commandment, and likewise with regard to the ruling of the anointed priest. And the court and the priest are not liable for a ruling with regard to idol worship unless they issue a ruling to nullify part of that commandment and to sustain part of it.

¹⁵ GEMARA: Concerning the halakha that there is a difference between an unwitting transgression that the anointed priest performs by himself and one that he performs with the general public, the Gemara asks: From where is this matter derived? The Gemara explains: It is as the Sages taught in a baraita: If the anointed priest issued a ruling with the general public and performed a transgression with the general public, one might have thought that he is liable to bring a bull as a sin-offering for himself.

¹⁶ The baraita continues: And there is a logical inference to support this: A king is removed from the category of an individual and an anointed priest is removed from the category of an individual, as each brings a different sin-offering than an individual. Just as with regard to a king, if he sinned by

himself he brings his sin-offering of a goat by himself, and if he sinned with the general public, he achieves atonement with the general public, so too, with regard to an anointed priest, if he sinned by himself he brings his sin-offering of a bull by himself, and if he sinned with the general public, he achieves atonement with the general public.

¹⁷ The baraita rejects this: No, if you said with regard to a king that he achieves atonement with the general public, that is logical, as he achieves atonement with the general public on Yom Kippur. Shall you also say the same with regard to an anointed priest, who does not achieve atonement with the general public on Yom Kippur but rather brings his own atonement offering?

¹⁸ The baraita continues: Since he does not achieve atonement with the general public on Yom Kippur, one might have thought that he will bring a bull for himself even if he unwittingly performed a transgression with the general public. Therefore, the verse states: “Then he shall offer for his sin that he has sinned” (Leviticus 4:3), indicating that he sinned alone, not with the general public. How so? If he sinned by himself he brings his sin-offering of a bull by himself; if he sinned with the general public, he achieves atonement with the general public.

¹⁹ The Gemara elaborates: What are the circumstances of an anointed priest issuing a ruling for himself? If we say that it is a case where the High Priest is a distinguished scholar and the judges of the court are not distinguished scholars, it is obvious that he achieves atonement by himself, as their ruling is nothing at all, since they did not consult the generation’s most prominent scholar. And accordingly, each and every one who performed a transgression needs to bring a ewe or female goat as an individual sin-offering. And if it is a case where the judges are distinguished scholars and he is not a distinguished scholar, why does he achieve atonement by himself? Isn’t his ruling nothing at all, and his transgression is an unwitting performance of an action alone, rather than a transgression performed on the basis of a ruling?

²⁰ Rav Pappa says: The reference is to a case where both the anointed priest and the court, i.e., the judges, were distinguished Torah scholars with the authority to issue rulings.

²¹ § Abaye thought to say that with regard to the cases in the mishna: If the anointed priest sinned by himself and performed a transgression by himself, what are the circumstances? It is a case where the priest and the court were convened in two different places and issuing rulings with regard to two different prohibitions. Rava said to Abaye: Is that to say that the fact that there are two places determines that he sinned by himself? Rather, it is even in a case where the High Priest and the court are convened in one place. But since they are issuing rulings with regard to two different prohibitions, it is a case where the anointed priest sinned by himself.

²² The Gemara continues: It is obvious that in a case where the anointed priest issued a ruling with regard to forbidden fat and the judges issued a ruling with regard to idol worship, it is a case where the anointed priest sinned by himself. As in this case the rulings are distinct in terms of their reasons, as each ruling is based on a different Torah source, and they are also distinct in terms of their offerings, since the priest achieves atonement with a bull as a sin-offering, and the judges achieve atonement with a bull and a goat as a sin-offering for unwitting idol worship, as these judges bring a goat and the priest does not bring a goat. And all the more so in a case where the anointed priest issued a ruling with regard to idol worship and the judges issued a ruling with regard to forbidden fat, it is a case where the anointed priest sinned by himself, as these rulings are totally distinct in terms of their offerings, since the priest brings a female goat as a sin-offering and the judges bring a bull.

²³ But in a case where the anointed priest issued a ruling with regard to forbidden fat that covers the innards, for example, and the judges issued a ruling with regard to forbidden fat that is on the small intestines, what is the halakha? Do we say: Although their offerings are equal, nevertheless, since it is from two different verses that the prohibitions come, the rulings are distinct in terms of their reasons? Or perhaps, the category of forbidden fat is one designation, and all types of forbidden fat are considered one transgression.

²⁴ The Gemara continues: If you say that the category of forbidden fat is one designation, then in a case where the priest issues a ruling with regard to forbidden fat and the judges issue a ruling with regard to blood, what is the halakha? Do we say they are distinct in terms of their reasons, as each prohibition has a different Torah source? Or perhaps, since forbidden fat and blood are equal in terms of the atonement offering that one is liable to bring for unwitting consumption, we follow the offering, so that the rulings of the priest and the judges are considered one ruling? The Gemara concludes: The dilemma shall stand unresolved.

²⁵ § The Gemara analyzes the halakhot stated in the mishna: As the court is not liable unless the judges issue a ruling to nullify part of a mitzva and to sustain part of that mitzva. The Gemara asks: From where do we derive that there is no liability unless the judges issue a ruling to nullify part of a mitzva and to sustain part of it? The Gemara answers: It is as we say in the other chapter of this tractate (3b): From the verse: “And the matter is hidden” (Leviticus 4:13), it is derived that there is liability if only a matter, a single detail, is hidden, but not if the entire essence of a mitzva is hidden.

²⁶ The mishna teaches: And likewise with regard to the ruling of the anointed priest. The Gemara asks: From where do we derive this halakha? It is derived from a verse, as it is written: “If the anointed priest shall sin so as to bring guilt upon the people” (Leviticus 4:3), indicating that the status of an anointed priest is like that of the general public.

²⁷ The mishna continues: And the court and the priest are not liable for a ruling with regard to idol worship unless they issue a ruling to nullify part of that mitzva and to sustain part of it. The Gemara asks: From where do we derive this? It is derived as the Sages taught in a baraita: Due to the fact that idol worship left the category of unwitting transgressions, to be discussed by itself (see Numbers, chapter 15), one might have thought that the court and the anointed priest would be liable even for nullifying the mitzva in its entirety.

²⁸ Therefore, the term “from the eyes of” is stated here, with regard to idol worship (Numbers 15:24), and the term “from the eyes of” is stated there, with regard to an unwitting communal sin-offering for all other mitzvot (Leviticus 4:13). Just as there the reference is to nullifying the mitzva in court, so too here, the reference is to nullifying the mitzva in court. And just as there, with regard to an unwitting communal sin-offering, the reference is to nullifying a matter, but not the entire essence, so too here, the reference is to nullifying a matter, but not the entire essence.

²⁹ MISHNA: The court is liable only for absence of awareness of the matter, leading to an erroneous ruling, together with unwitting performance of the action by the general public on the basis of that ruling. And likewise, the anointed priest is liable only for an erroneous ruling and his unwitting performance of an action on the basis of that ruling. And the court and the priest are liable for a ruling with regard to idol worship only for absence of awareness of the matter, leading to an erroneous ruling, together with unwitting performance of the action on the basis of that ruling.

³⁰ GEMARA: With regard to the halakha that the court is liable only for absence of awareness of the matter together with unwitting performance of an action, the Gemara asks: From where do we derive this halakha? It is derived from a verse, as the Sages taught in a baraita that it is stated: “And if the entire congregation of Israel shall act unwittingly” (Leviticus 4:13). One might have thought that they will be liable to bring a bull for every case of unwitting performance of an action. Therefore, the verse states: “Shall act unwittingly, and the matter was hidden” (Leviticus 4:13), from which it is derived that the court is liable only for absence of awareness of the matter, leading to an erroneous ruling, together with unwitting performance of an action on the basis of that ruling.

³¹ The mishna continues: And likewise the anointed priest. The Gemara asks: From where do we derive this? It is derived from a verse, as it is written with regard to the anointed priest: “If the anointed priest shall sin so as to bring guilt upon the people” (Leviticus 4:3), indicating that the status of an anointed priest is like that of the general public.

³² The mishna continues: And the court and the priest are liable for a ruling with regard to idol worship only for absence of awareness of the matter, leading to an erroneous ruling, together with unwitting performance of an action on the basis of that ruling. The Gemara asks: From where do we derive this?

³³ The Gemara answers: It is derived as the Sages taught: Due to the fact that idol worship left the category of unwitting transgressions to be discussed by itself (see Numbers, chapter 15), one might have thought that the court and the priest would be liable for a mere unwitting performance of the action. Therefore, the term “from the eyes of” is stated here, with regard to idol worship (Numbers 15:24), and “from the eyes of” is stated there, with regard to an unwitting communal sin-offering for all other mitzvot (Leviticus 4:13). Just as there they are liable only for absence of awareness of the matter, leading to an erroneous ruling, together with unwitting performance of an action on the basis of that ruling, so too here, they are liable only for absence of awareness of the matter, leading to an erroneous ruling, together with unwitting performance of an action on the basis of that ruling.

³⁴ The Gemara notes: Whereas, the halakha that the status of an anointed priest who issues a ruling with regard to idol worship is like that of the court is not taught in the mishna. Whose opinion is expressed in the mishna? It is the opinion of Rabbi Yehuda HaNasi.

³⁵ The Gemara explains: This is as it is taught in a baraita: If an anointed priest unwittingly engages in idol worship, Rabbi Yehuda HaNasi says: He brings an offering for unwitting performance of an action, like any other Jew. And the Rabbis say: He brings an offering for absence of awareness of the matter, leading to an erroneous ruling. And they agree that the atonement of an anointed priest is with a female goat as a sin-offering, and they agree that he does not bring a provisional guilt-offering. Since the mishna omitted the halakha of an anointed priest who engages in idol worship, apparently it is in accordance with the opinion of Rabbi Yehuda HaNasi, who says that the status of the anointed priest in this regard is like that of any other Jew.

³⁶ The Gemara rejects this: And how can you understand the mishna in that manner? In the mishna (8a) that teaches that the court is not liable to bring an offering for absence of awareness of the matter unless they issue a ruling with regard to a matter for whose intentional violation one is liable to receive excision from the World-to-Come [karet] and for whose unwitting violation one is liable to bring a sin-offering, does it teach the halakha concerning an anointed priest in the latter clause of that mishna?

³⁷ The Gemara explains: Rather, the tanna on 8a teaches this halakha, that in the first clause the anointed priest has the same halakha as the court, and the same is true with regard to that halakha, i.e., that in the latter clause the anointed priest has the same halakha as the court. Here too, the tanna taught this halakha, that in the first clause the anointed priest has the same halakha as the court, and the same is true with regard to that halakha, i.e., that in the latter clause the anointed priest has the same halakha as the court. Therefore, there is no proof that the mishna is not in accordance with the opinion of the Rabbis.

³⁸ The Gemara asks: What is the reason for the opinion of Rabbi Yehuda HaNasi? It is as the verse states with regard to idol worship: “And the priest shall atone for the soul that acted unwittingly, when he sins unwittingly” (Numbers 15:28). With regard to the term “the soul,” that is referring to an anointed priest; with regard to the term “that acted unwittingly,” that is referring to a king; and due to the phrase “when he sins unwittingly,” Rabbi Yehuda HaNasi holds this sin shall be one performed unwittingly, not the result of absence of awareness of the matter, leading to an erroneous ruling.

³⁹ And the Rabbis hold: This phrase serves to teach that the halakha that this offering is brought for an unwitting sin applies to one whose sin-offering for all other transgressions is for an unwitting act. This serves to exclude an anointed priest, whose liability to bring a sin-offering for an unwitting act is only for absence of awareness of the matter, leading to an erroneous ruling, together with unwitting performance of an action on the basis of that ruling.

⁴⁰ The baraita teaches: And they agree that the atonement of an anointed priest is with a female goat as a sin-offering, as in the case of an ordinary individual. The Gemara asks: From where do we derive this halakha? The Gemara answers: It is derived from a verse, as the verse states: “And if one soul sins unwittingly, then he shall offer a female goat of the first year as a sin-offering” (Numbers 15:27). An ordinary individual, a king, and an anointed priest are all liable to bring an offering, as they are all included in the category of “one soul.”

⁴¹ The baraita teaches: And they agree that he does not bring a provisional guilt-offering. The Gemara asks: From where do we derive this halakha? It is derived from a verse, as it is written with regard to the provisional guilt-offering: “And the priest shall atone for him for his unwitting act that he performed unwittingly” (Leviticus 5:18). Rabbi Yehuda HaNasi and the Rabbis disagree with regard to the interpretation of this verse, in accordance with their opinions. Rabbi Yehuda HaNasi holds: This is referring to one whose sin-offering for all transgressions is for an unwitting act. This serves to exclude that anointed priest, as all of his sin-offerings are not for an unwitting act alone; rather, he brings a sin-offering only if that unwitting act is performed on the basis of absence of awareness of the matter, leading to an erroneous ruling.

⁴² The Gemara asks: Is it written in the verse: For all his unwitting acts that he performed unwittingly? Only the phrase “for his unwitting act that he performed unwittingly” is written. The Gemara answers: Yes, it is as though the word: All, is written. As if it were so that the verse is not referring to all unwitting acts, let the Torah write only: “For his unwitting act.” Why do I need the additional phrase: “That he performed unwittingly”? This teaches us that there is no liability to bring a provisional guilt-offering unless liability to bring all his sin-offerings is for unwitting acts. This serves to exclude an anointed priest, all of whose liability to bring a sin-offering for an unwitting act alone is only in cases of idol worship, but in cases involving the rest of the mitzvot there is liability

only for absence of awareness of the matter, leading to an erroneous ruling, together with unwitting performance of an action on the basis of that ruling.

⁴³ And the Rabbis interpret the verse in accordance with their opinion that an anointed priest, even in cases of idol worship, brings a sin-offering only for absence of awareness of the matter, leading to an erroneous ruling, together with unwitting performance of an action on the basis of that ruling. They hold: This teaches us that there is liability to bring a provisional guilt-offering only for one whose liability to bring his sin-offerings is for an unwitting act. This serves to exclude an anointed priest, whose liability to bring a sin-offering is not for an unwitting act alone, neither in cases of idol worship, nor in cases involving the rest of the mitzvot, but rather for absence of awareness of the matter, leading to an erroneous ruling, together with unwitting performance of an action on the basis of that ruling.

⁴⁴ MISHNA: The court is not liable to bring an offering for absence of awareness of the matter unless they issue a ruling with regard to a matter for whose intentional violation one is liable to receive karet and for whose unwitting violation one is liable to bring a sin-offering. And likewise the anointed priest is liable only for such a ruling. Neither is the court liable to bring a sin-offering for idol worship unless the judges issue a ruling with regard to a matter for whose intentional violation one is liable to receive karet, and for whose unwitting violation one is liable to bring a sin-offering.

⁴⁵ GEMARA: With regard to the statement in the mishna that the court is liable only for a ruling with regard to a matter for whose intentional violation one is liable to receive karet and for whose unwitting violation one is liable to bring a sin-offering, the Gemara asks: From where do we derive this halakha?

⁴⁶ The Gemara answers: It is derived as it is taught in a baraita that Rabbi Yehuda HaNasi says: The word “that” is stated here in the verse: “And the sin that they sinned” (Leviticus 4:14), with regard to the offering brought by the court for the transgression of the public based on their erroneous ruling, and the word “that” is stated there in the verse: “And you shall not take a woman to her sister, to be a rival to her, to uncover her nakedness, that is in her lifetime” (Leviticus 18:18), with regard to the prohibition against marrying two sisters. It is derived: Just as there it is a matter for whose intentional violation one is liable to receive karet and for whose unwitting violation one is liable to bring a sin-offering, so too here, the reference is to a matter for whose intentional violation one is liable to receive karet and for whose unwitting violation one is liable to bring a sin-offering.

⁴⁷ We found a source for the court bringing an offering for a transgression of the general public based on their erroneous ruling. From where do we derive that this is the halakha for an anointed priest? The Gemara answers: It is derived from the verse: “If the anointed priest shall sin so as to bring guilt upon the people” (Leviticus 4:3), indicating that the status of an anointed priest is like that of the transgression of the general public.

⁴⁸ The Gemara asks: From where is it derived that this is the halakha with regard to the king? The Gemara answers: The tanna derives a verbal analogy between the term “commandments” written with regard to a king and the term “commandments” written with regard to the general public. It is written with regard to a king: “And he performed one of all the commandments of the Lord his God that are not to be performed” (Leviticus 4:22), and it is written with regard to the general public: “And performed one of all the commandments of the Lord that are not to be performed” (Leviticus 4:13). Just as with regard to the general public there is liability only for a matter for whose

intentional violation one is liable to receive karet and for whose unwitting violation one is liable to bring a sin-offering, so too, in the case of a king there is liability only for a matter for whose intentional violation one is liable to receive karet and for whose unwitting violation one is liable to bring a sin-offering.

⁴⁹ The Gemara asks further: From where is it derived that an individual is liable to bring a sin-offering only for a matter for whose intentional violation one is liable to receive karet? The Gemara answers: The verse with regard to an individual states: “And if one soul from among the common people shall sin unwittingly” (Leviticus 4:27). The verse begins with the conjunction “and,” represented by the letter vav. This indicates that one shall derive the halakha with regard to the lower verse, i.e., the verse written later in the passage, from that which is written in the upper verses, i.e., those written earlier. Just as in those verses earlier in the passage, addressing the public, priest, and king, there is liability only for a matter for whose intentional violation one is liable to receive karet, so too, in the case of the individual addressed in this verse, there is liability only for a matter for whose intentional violation one is liable to receive karet.

⁵⁰ § The mishna teaches: Neither is the court liable to bring a sin-offering for idol worship unless the judges issue a ruling with regard to a matter for whose intentional violation one is liable to receive karet, and for whose unwitting violation one is liable to bring a sin-offering. The Gemara asks: In the case of idol worship, from where do we derive this halakha? It is derived as the Sages taught: Due to the fact that idol worship left the category of unwitting transgressions to be discussed by itself (see Numbers, chapter 15), one might have thought that the court and the priest would be liable even if it is not for a matter for whose intentional violation one is liable to receive karet and for whose unwitting violation one is liable to bring a sin-offering.

⁵¹ The baraita continues: Therefore, the term “from the eyes of” is stated here, with regard to idol worship (Numbers 15:24), and “from the eyes of” is stated there, with regard to an unwitting communal sin-offering for all other mitzvot (Leviticus 4:13). Just as there the court is liable only for a matter for whose intentional violation one is liable to receive karet and for whose unwitting violation one is liable to bring a sin-offering, so too here, the court is liable only for a matter for whose intentional violation one is liable to receive karet and for whose unwitting violation one is liable to bring a sin-offering.

⁵² The baraita concludes: We found a source for the court bringing an offering for a transgression of the general public based on their erroneous ruling; but from where do we derive that this is the halakha for an individual, a king, and an anointed priest who engage in idol worship? It is derived from a verse, as the verse states: “And if one soul sins unwittingly, then he shall offer a female goat of the first year as a sin-offering” (Numbers 15:27). And with regard to an individual, a king, and an anointed priest, they all are included in the category of “one soul.” And one shall derive the halakha with regard to that which is written in the lower verse, i.e., the verses concerning an individual, a king, and an anointed priest, from that which is written in the upper verse, i.e., the verse concerning the transgression of the general public.

⁵³ The Gemara challenges: This works out well according to the one who derives the halakha by using the term “that” for a verbal analogy to teach that the court is liable only for a ruling with regard to a matter for whose intentional violation one is liable to receive karet, in accordance with that which we stated. But according to the Rabbis, who derive the halakha by using the term “that” to

teach the halakhot of those with whom relations are forbidden and rival wives with regard to a yevama (see Yevamot 3b), from where do they derive the halakha of a matter for whose intentional violation one is liable to receive karet and for whose unwitting violation one is liable to bring a sin-offering in the case of the transgression of the general public?

⁵⁴ The Gemara answers: They derive it from that which Rabbi Yehoshua ben Levi taught to his son based on the verse: “There shall be one Torah for you for the one who acts unwittingly. And the soul that performs with an upraised hand, he blasphemes the Lord; and that soul shall be cut off [venikhreta] from among his people” (Numbers 15:29–30). The Sages understood the phrase “with an upraised hand” to be referring to idol worship (see Sanhedrin 99a). The entire Torah is juxtaposed to idol worship: Just as idol worship is a prohibition for which one is liable for its intentional violation to receive karet and for its unwitting violation to bring a sin-offering, so too here, for the entire Torah one is liable for its intentional violation to receive karet and for its unwitting violation to bring a sin-offering.

⁵⁵ The Gemara challenges: We found a source for this halakha with regard to an individual, a king, and an anointed priest, both with regard to idol worship and with regard to the rest of the mitzvot, as all those are included in the category of “one soul” and are juxtaposed to idol worship. But from where do we derive that the general public is liable to bring a sin-offering only for a matter for whose intentional violation one is liable to receive karet? The Gemara answers: One derives the halakha with regard to that which is written in the upper verse, i.e., the verse concerning the general public, from that which is written in the lower verse, i.e., the verse concerning an individual.

⁵⁶ The Gemara asks: And Rabbi Yehuda HaNasi, who derives this matter from the term “that,” what does he do with this verse, from which Rabbi Yehoshua ben Levi taught a halakha to his son? The Gemara answers: He derives a halakha, using the verse to teach that which is taught in a baraita: Due to the fact that we found that the verse distinguished with regard to idol worship between the many, who constitute the majority of a city, and individuals, as the many are executed through beheading with a sword and their property is lost, as the court destroys it, while individuals are executed through stoning and their property is spared, one might have thought that in the case of unwitting idol worship we would distinguish between the offerings that they are liable to bring. Therefore, the verse states: “There shall be one Torah for you for the one who acts unwittingly. And the soul that performs with an upraised hand, he blasphemes the Lord” (Numbers 15:29–30).

⁵⁷ Rav Ḥilkiya of Hagronya objects to it: The reason that both individuals and the general public are liable to bring the same offering for unwitting idol worship is that the verse did not distinguish between them. But had the verse distinguished between them, I would say: Let us distinguish between individuals and the general public, and the general public would bring a different offering for their unwitting idol worship. What different offering shall they bring?

⁵⁸ If one would say: Let them bring a bull, that is difficult, as it is for unwitting violation of the rest of the mitzvot that the general public brings a bull. If one would say: Let them bring a bull for a burnt-offering and a goat for a sin-offering, that is difficult, as it is for unwitting idol worship that the general public brings those offerings in the case of an absence of awareness leading to an erroneous ruling by the court. If one would say: Let them bring a goat, that is difficult, as it is for unwitting violation of the rest of the mitzvot that a king brings a goat. If one will say: Let them bring a female goat, that is difficult, as that is the offering for an individual, too.

⁵⁹ The Gemara rejects this: Why do you say that the verse that equates the offerings of the individuals and the public is not necessary? Were it not for the verse, it might enter your mind to say: The general public brings a bull for a burnt-offering and a goat for a sin-offering, but this majority of a city that unwittingly engaged in idol worship shall bring the opposite: A bull for a sin-offering and a goat for a burnt-offering. Alternatively, perhaps the majority of a city that unwittingly engaged in idol worship must bring an offering, but it has no remedy, because there is no unique offering that it can bring. Therefore, the verse teaches us that there is no distinction between many people and individuals in this case.

⁶⁰ § In any event, everyone agrees that where these verses are written, it is with regard to idol worship that they are written. The Gemara asks: As the verse does not mention idol worship explicitly, from where is this inferred? Rava said, and some say it was Rabbi Yehoshua ben Levi who said, and some say that the statement is unattributed, that the verse states: “And when you act unwittingly, and do not perform all these commandments [kol hamitzvot] that the Lord spoke to Moses” (Numbers 15:22). Which is the mitzva that is the equivalent of all the mitzvot? You must say: It is the prohibition against idol worship.

⁶¹ The school of Rabbi Yehuda HaNasi taught that the verse states: “That the Lord spoke to Moses” (Numbers 15:22), and it is written: “That the Lord has commanded you by the hand of Moses” (Numbers 15:23). Which is the mitzva that was introduced in the speech of the Holy One, Blessed be He, heard by the Jewish people, and which He commanded in the Torah by means of Moses? You must say: This is idol worship, as Rabbi Yishmael taught concerning the first two commandments: “I am the Lord your God” (Exodus 20:2), and: “You shall have no other gods before Me” (Exodus 20:3): We, the Jewish people, heard them from the mouth of the Almighty.

⁶² The school of Rabbi Yishmael taught

⁶³ that it is derived from the verse: “All that the Lord has commanded you by the hand of Moses, from the day that the Lord commanded and onward throughout your generations” (Numbers 15:23). Which is the mitzva that was stated at the beginning of all the mitzvot? You must say: This is idol worship, as it is the first mitzva in the Ten Commandments. The Gemara asks: But didn’t the Master say: The Jewish people were commanded ten mitzvot in Marah soon after leaving Egypt, prior to the revelation at Sinai, as it is written: “If you shall hearken to the voice of the Lord your God...and listen to His mitzvot” (Exodus 15:26)? Evidently, there were mitzvot that preceded the prohibition against idol worship. Rather, it is clear as we initially answered.

⁶⁴ MISHNA: The court is not liable to bring a bull as an unwitting communal sin-offering for issuing a ruling with regard to a positive mitzva or a prohibition related to the defiling of the Temple by one being there while ritually impure, or the defiling of its sacrificial foods by one partaking of them while ritually impure. There is a positive mitzva to remove impure people from the Temple, and there is a prohibition against entering the Temple while in a state of ritual impurity. And one does not bring a provisional guilt-offering for a positive mitzva or a prohibition related to the defiling of the Temple or its sacrificial foods.

⁶⁵ But the court is liable to bring a bull for a positive mitzva or for a prohibition that is related to a menstruating woman, and one brings a provisional guilt-offering for a positive mitzva or for a prohibition that is related to a menstruating woman. What is the positive mitzva that is related to a menstruating woman? Distance yourself from the menstruating woman. If a man engages in

intercourse with a woman and she begins menstruating, he is required to separate from her. And what is the prohibition? Do not engage in intercourse with a woman whom you know is a menstruating woman.

⁶⁶ GEMARA: The Gemara asks: From where are these matters derived? That is, from where is it derived that the general public is not liable to bring any offering at all for a sin like the defiling of the Temple, which carries no liability for an individual to bring a fixed sin-offering for violating it unwittingly, and from where is it derived that an individual too is not liable to bring a provisional guilt-offering for the defiling of the Temple?

⁶⁷ Rav Yitzḥak bar Avdimi says: The term “and he is guilty” is stated with regard to a sin-offering (Leviticus 4:27) and with regard to a provisional guilt-offering (Leviticus 5:17), and the similar term: “And they are guilty” (Leviticus 4:13), is stated with regard to the general public. Just as the term “and he is guilty” that is stated with regard to an individual is concerning a transgression for which one is liable to bring a fixed sin-offering, as it is written there, so too, the term “and they are guilty” that is stated with regard to the general public is concerning a transgression for which one is liable to bring a fixed sin-offering. For the defiling of the Temple or its sacrificial foods one is liable to bring a sliding-scale offering, not a fixed offering.

⁶⁸ And just as with regard to a transgression performed by the general public the liability is to bring a fixed sin-offering, so too, a provisional guilt-offering comes only for uncertainty with regard to a transgression that renders one obligated to bring a fixed sin-offering. This is the source for the fact that there is no liability to bring a sin-offering if the general public defiles the Temple or its sacrificial foods, and individuals are not liable to bring a provisional guilt-offering for those transgressions. The Sages say: If so, and the derivation is based on that term, this is difficult, as isn’t it also written with regard to a sliding-scale offering: “And it shall be when he shall be guilty of one of these matters” (Leviticus 5:5)? The Gemara responds: One derives the meaning of “they are guilty” from the meaning of “he is guilty,” but one does not derive the meaning of “he is guilty” from the meaning of “he shall be guilty,” even though both are stated in the singular.

⁶⁹ The Gemara asks: And what difference is there between the different verb conjugations? But didn’t the school of Rabbi Yishmael teach a verbal analogy with regard to leprosy of houses? The verse states: “And the priest shall return [veshav]” (Leviticus 14:39), and another verse with regard to the priest’s visit seven days later states: “And the priest shall come [uva] and look” (Leviticus 14:44). This returning and this coming have the same meaning and one can therefore derive by verbal analogy that the halakha that applies if the leprosy had spread at the conclusion of the first week applies if it had spread again by the end of the following week. If a verbal analogy can be derived between two different terms, it can certainly be derived from two conjugations of the same term. And furthermore, let us derive the halakha from the term “and he is guilty,” written with regard to the defiling of the Temple or its sacrificial foods, as it is written: “And he is ritually impure and he is guilty” (Leviticus 5:2), which is a verbal analogy between identical terms.

⁷⁰ Rav Pappa says: One derives the meaning of: “And he is guilty,” and: “The commandments of the Lord” (Leviticus 5:17), which are written with regard to a provisional guilt-offering, from the meaning of: “And they are guilty,” and: “The commandments of the Lord” (Leviticus 4:13), which are written with regard to the unwitting communal sin-offering. The phrase: The commandments of the Lord, is not written with regard to the sliding-scale offering. Rav Shimi bar Ashi said to Rav

Pappa: Let us derive the meaning of: “And he is guilty and bearing of iniquity” (see Leviticus 5:1, 4), from the meaning of: “And he is guilty and bearing of iniquity” (Leviticus 5:17).

⁷¹ Rather, Rav Naḥman bar Yitzḥak says: One derives the meaning of “and he is guilty” and “the commandments of the Lord that shall not be done” written with regard to a provisional guilt-offering, from the meaning of: “And he is guilty,” and: “The commandments of the Lord that shall not be done” (Leviticus 4:27), written with regard to a fixed sin-offering. And the cases of hearing of a voice, i.e., an oath of testimony, and a statement of the lips, i.e., an oath on an utterance, and the defiling of the Temple or its sacrificial foods, for which one is liable to bring a sliding-scale offering, shall not prove otherwise, as it is not stated concerning them: And he is guilty, and: The commandments of the Lord that shall not be done.

⁷² MISHNA: The court is not liable for issuing a ruling with regard to hearing of a voice, i.e., a false oath of testimony taken by a witness who refuses to testify on behalf of a litigant who demands that he testify, or for an utterance of the lips, i.e., a false oath stated about some matter, or for the defiling of the Temple or its sacrificial foods. And the status of the king is like that of the court, and he is exempt from bringing an offering in those cases; this is the statement of Rabbi Yosei HaGelili. Rabbi Akiva says: The king is liable in all of those cases except for the case of hearing of a voice, and even in that case, his exemption is not intrinsic to the mitzva. Rather, it is for technical reasons, as the king neither judges others nor do others judge him; he does not testify nor do others testify against him. Therefore, a demand that he testify is not applicable.

⁷³ GEMARA: Ulla said: What is the reason for the opinion of Rabbi Yosei HaGelili? It is as the verse states with regard to a sliding-scale offering: “And it shall be when he shall be guilty of one of these matters” (Leviticus 5:5), indicating that anyone who becomes liable in every one of the instances for which one brings a sliding-scale offering becomes liable in all of those instances; and anyone who does not become liable in every one of the instances to bring a sliding-scale offering does not become liable in any of those instances. Since the king is exempt from taking an oath of testimony, he is exempt in the other cases as well.

⁷⁴ The Gemara asks: Why say this? And say an alternative interpretation of the verse: Anyone who becomes liable in any one of these instances brings a sliding-scale offering, and this is the halakha even though he does not become liable in all of them.

⁷⁵ Rather, the reason for the opinion of Rabbi Yosei HaGelili is from here, as it is taught in a baraita that Rabbi Yirmeya would say: It is stated:

⁷⁶ “And if his means suffice not” (Leviticus 5:7), and it is stated: “And if his means not suffice” (Leviticus 5:11), indicating that the sliding-scale offering applies only to one who can come to a state of poverty and wealth. This serves to exclude a king and an anointed priest, who cannot come to a state of poverty.

⁷⁷ The king cannot become poor, as it is written concerning him: “And he performed one of all the mitzvot of the Lord his God” (Leviticus 4:22), referring to the king as one who has only the Lord his God upon him. He is greater than the entire nation and is not a poor person dependent on others. An anointed priest cannot become poor, as it is written: “And the priest that is greatest among his brethren” (Leviticus 21:10), meaning that he is greater than his brethren in beauty, in power, in wisdom, and in wealth, not a poor person. Others say: From where is it derived that if the High Priest does not have personal wealth, one should make him great from the property of his brethren? The

verse states: “And the priest that is greatest among his brethren upon whose head the anointing oil is poured” (Leviticus 21:10), from which it is derived: Make him great from the property of his brethren, who will provide him with enough property to render him wealthy.

⁷⁸ Ravina raised a dilemma before Rav Nahman bar Yitzhak: In the case of a king who was afflicted with leprosy and unfit to serve as king during his affliction, what is his status with regard to the sliding-scale offering? Previously, during his reign, was he completely eliminated from the obligation to bring a sliding-scale offering to the extent that even now, when he is no longer king, he remains exempt? Or was he merely exempted, so that now that he is no longer king he is obligated to bring the offering? Rav Nahman bar Yitzhak said to Ravina: Does he bring the offering from your property, i.e., public property, or does he bring the offering from his personal treasure [degazza]? Since he obviously would bring the offering from his own personal treasure, he remains exempt from bringing the offering.

⁷⁹ § It is taught in a baraita that Rabbi Akiva says: An anointed priest is exempt from bringing an offering in all the cases where one is liable to bring a sliding-scale offering. Rava said: What is the reason for the opinion of Rabbi Akiva? It is as the verse states: “This is the offering of Aaron and of his sons that they shall offer unto the Lord on the day that he is anointed: One-tenth part of an ephah of fine flour as a meal-offering” (Leviticus 6:13). One can infer: It is this tenth of an ephah that comes as an obligation for him, and no other such offering comes as an obligation for him.

⁸⁰ The Gemara asks: But why not say that when the Merciful One excludes an anointed priest, it is particularly from the type of sliding-scale offering brought due to extreme poverty? And what is it? The one-tenth of an ephah meal-offering mentioned in the verse. But the Merciful One did not exclude him from the dove brought as a sliding-scale offering due to poverty and the sheep brought as a sliding-scale offering by one with wealth. The Gemara rejects this: That should not enter your mind, as it is written with regard to the sliding-scale offering: “And the priest shall atone for him for his sin that he has committed from one of these” (Leviticus 5:13), from which it is derived: One who gains atonement with every one of the types of a sliding-scale offering gains atonement with any of the types of the sliding-scale offering, and one who does not gain atonement with every one of the types of a sliding-scale offering does not gain atonement with any of the types of the sliding-scale offering.

⁸¹ The Gemara asks: But if that is so, and the verse is interpreted in that manner, then that which is written there: “And it shall be when he shall be guilty of one of these matters” (Leviticus 5:5), so too shall be interpreted: Anyone who becomes liable in every one of the instances for which one brings a sliding-scale offering can become liable in any of those instances, and anyone who does not become liable in every one of the instances to bring a sliding-scale offering cannot become liable in any of those instances. Why, then, did we learn in the mishna that Rabbi Akiva says: The king is liable in all of these cases except for the case of hearing of a voice, indicating that he can become liable in the rest of the instances even if he is exempt in one?

⁸² Abaye and Rava both say to resolve this difficulty: Rabbi Akiva learns this inference from the term: “From one” (Leviticus 5:13). He does not learn anything from the term: “Of one” (Leviticus 5:5). The Gemara asks: And what is different about the term “from one” that he learns a halakha from it?

⁸³ The Gemara answers: The difference is that the Merciful One wrote it at the end of the passage discussing the sliding-scale offering, with regard to the one-tenth of an ephah meal-offering, to say that anyone who can become liable to bring the one-tenth of an ephah can become liable to bring any of them. As, if it enters your mind to say that one can become liable to bring one even though he cannot become liable to bring any one of them, let the Torah write this phrase: From one of these, with regard to the offering brought due to poverty, or alternatively, with regard to the offering brought by one with wealth. Since this term does not appear with regard to one of the other offerings, apparently, it is specifically with regard to the offering brought due to extreme poverty that one who cannot become liable for that offering is exempt from the entire matter.

⁸⁴ MISHNA: In summation: For all mitzvot that are in the Torah for whose intentional violation one is liable to receive karet and for whose unwitting violation one is liable to bring a sin-offering, the individual brings a ewe or female goat for their unwitting transgression, and the king brings a male goat for their unwitting transgression, and an anointed priest and a court who issued an erroneous ruling bring a bull. And for unwittingly engaging in idol worship, the individual, and the king, and the anointed priest bring a female goat, and the court brings a bull and a goat: A bull for a burnt-offering and a goat for a sin-offering.

⁸⁵ With regard to a provisional guilt-offering, the individual and the king are liable, and an anointed priest and a court are exempt. With regard to a definite guilt-offering, the individual, the king, and the anointed priest are liable, and a court is exempt.

⁸⁶ For hearing of a voice, i.e., a false oath of testimony, and for a false oath on an utterance of the lips, and for the defiling of the Temple or its sacrificial foods, a court is exempt, and the individual, the king, and the anointed priest are liable. But an anointed High Priest is not liable for the defiling of the Temple or its sacrificial foods; this is the statement of Rabbi Shimon. And what offering are they liable to bring? It is a sliding-scale offering based on their financial circumstances, as delineated in the Torah (see Leviticus 5:1–13). Rabbi Eliezer says: The king brings a goat.

⁸⁷ GEMARA: It is taught in a baraita that Rabbi Shimon would posit a principle: For any case in which the individual is liable to bring a provisional guilt-offering, the status of the king is like that of the individual, and an anointed priest and a court are exempt. And for any case in which an individual is liable to bring a definite guilt-offering, the status of a king and an anointed priest is like that of the individual, and the court is exempt.

⁸⁸ He continues: For hearing of a voice, i.e., a false oath of testimony, and for a false oath on an utterance of the lips, and for the defiling of the Temple or its sacrificial foods, a court is exempt, and a king and an anointed priest are liable. But the king is not liable in a case of hearing of a voice, and an anointed priest is not liable for the defiling of the Temple or its sacrificial foods. In general, for any case for which an individual is liable to bring a sliding-scale offering, the status of a king is like that of the individual, and an anointed priest and a court are exempt.

⁸⁹ The Gemara expresses surprise: This baraita itself is difficult. You said that an anointed priest is not liable for the defiling of the Temple or its sacrificial foods, and by inference: It is for the defiling of the Temple or its sacrificial foods that he is exempt, but he is liable for hearing of a voice and for a statement of the lips. Say the latter clause of the baraita: For any case for which an individual is liable to bring a sliding-scale offering, the status of a king is like that of the individual, and an anointed priest and a court are exempt. He teaches: An anointed priest and a court are exempt; just as

a court is exempt from all of the sliding-scale offerings, so too, an anointed priest is exempt from all of them, not only from the offering for the defiling of the Temple or its sacrificial foods.

⁹⁰ If so, these two passages are difficult, as they contradict one another.

⁹¹ Rav Huna, son of Rav Yehoshua, said: This is not difficult, as there is a distinction between the rulings. Here, in the passage that deems the anointed priest liable in cases other than the defiling the Temple, it is in the case of an offering brought due to poverty, whereas there, in the latter clause, it is in the case of an offering brought due to extreme poverty. And Rabbi Shimon holds in accordance with the opinion of Rabbi Akiva with regard to one halakha and disagrees with him with regard to one other halakha. He holds in accordance with the opinion of Rabbi Akiva in the case of extreme poverty that the anointed priest is exempt from bringing that meal-offering. And he disagrees with Rabbi Akiva in the case of poverty, as he does not hold that the anointed priest is completely exempt from bringing a sliding-scale offering.

⁹² § The mishna teaches that Rabbi Shimon says: But an anointed High Priest is not liable for the defiling of the Temple or its sacrificial foods. Hizkiyya said: What is the reason for the opinion of Rabbi Shimon? It is as it is written with regard to one who becomes ritually impure and enters the Temple: “And a man who shall be impure, and shall not be purified, that soul shall be excised [venikhreta] from the midst of the congregation, because he has defiled the Sanctuary of the Lord; the water of sprinkling has not been sprinkled on him: He is impure” (Numbers 19:20). It is derived from this verse that this halakha applies specifically to one whose offering equals the offering of the congregation, i.e., the Jewish people. This serves to exclude the High Priest, as his offering does not equal the offering of the congregation, as on Yom Kippur he brings a bull for his unwitting transgression, while he brings a goat to achieve atonement for the Jewish people.

⁹³ The Gemara asks: If so, a king too, should be exempt, as his offering does not equal the offering of the congregation, as he brings a goat. The Gemara answers: Even so, the king equals the congregation in the atonement of Yom Kippur, as his atonement is achieved by means of the same offerings through which the rest of the congregation achieves atonement. The Gemara asks: If so, priests too should be exempt from bringing the offering for the defiling of the Temple, as they do not equal the congregation in the atonement of Yom Kippur, as their atonement is achieved by means of the bull of the High Priest. The Gemara answers: Priests equal the congregation with regard to atonement for the rest of the mitzvot of the entire year.

⁹⁴ The Gemara challenges: The anointed priest, too, equals the congregation with regard to atonement for the rest of the mitzvot of the entire year. Rather, Rava said: Say this: One whose sin-offering equals that of individuals. And who are these individuals? They are the congregation. The status of a congregation that performed an unwitting transgression not on the basis of the ruling of the court is that of individuals. The High Priest’s sin-offering is different, as he brings a sin-offering only for an unwitting transgression he performed on the basis of his own ruling.

⁹⁵ § The mishna teaches that Rabbi Eliezer says: The king brings a goat, and not a sliding-scale offering. Rabbi Yoḥanan says: Rabbi Eliezer stated his opinion only with regard to the defiling of the Temple or its sacrificial foods, since karet is stated concerning it, as it is stated in all matters where there is liability to bring a fixed sin-offering. Just as the king brings a goat as a sin-offering for any unwitting transgression for whose intentional violation one is liable to receive karet, so too, he brings a goat for the defiling of the Temple. For other unwitting transgressions for which one is liable to

bring a sliding-scale offering and for whose intentional violation one is not liable to receive karet, the king is also liable to bring a sliding-scale offering.

⁹⁶ Rav Pappa said: So too, it is reasonable, as if it enters your mind to say that Rabbi Eliezer says that the king brings a goat for all of the transgressions enumerated in the mishna, and the king brings a goat in cases where individuals bring a sliding-scale offering, then since the goat of a king and the bull of an anointed priest stand in place of liability of an individual to bring a sin-offering, let Rabbi Eliezer also teach: An anointed priest brings a bull for hearing of a voice and for an utterance of the lips. Rather, from the fact that Rabbi Eliezer does not teach this halakha with regard to an anointed priest, learn from it that his statement that the king brings a goat stands in reference only to the defiling of the Temple or its sacrificial foods, with regard to which an anointed priest is exempt, in accordance with the opinion of Rabbi Shimon.

⁹⁷ Rav Huna, son of Rav Natan, said to Rav Pappa: From where do you prove this? Perhaps the statement of Rabbi Eliezer stands in reference to all of them. And with regard to an anointed priest, he holds in accordance with the opinion of Rabbi Akiva, who says: An anointed priest is exempt from all of the cases where one is liable to bring a sliding-scale offering. Rav Pappa said to him: And Rabbi Akiva, does he exempt an anointed priest from bringing a bull? Rabbi Akiva exempted him only from bringing a sliding-scale offering, but he holds that the High Priest is liable to bring the offering unique to him, the bull for an unwitting transgression he performed on the basis of his own erroneous ruling. And nothing more need be discussed.

⁹⁸ Rabbi Yoḥanan said: Rabbi Eliezer concedes that a king does not bring a guilt-offering for the defiling of the Temple or its sacrificial foods. The tanna who recited mishnayot and baraitot in the study hall recited a baraita before Rav Sheshet: In the case of a king, a provisional guilt-offering comes for the defiling of the Temple or its sacrificial foods. Rav Sheshet said to him: Who said this to you? Is it Rabbi Eliezer, who said: Since karet is stated in its regard as it is stated in all matters where there is liability to bring a fixed sin-offering, a king brings a goat for the defiling of the Temple? Since the status of his offering is like that of a fixed sin-offering, in cases of uncertainty, he is liable to bring a provisional guilt-offering. Rav Sheshet asks: But didn't Rabbi Yoḥanan say: Rabbi Eliezer concedes that a king does not bring a provisional guilt-offering? The Gemara concludes: Indeed, based on the statement of Rabbi Yoḥanan, the baraita is difficult.

Chapter 3

¹ MISHNA: In the case of an anointed priest who sinned on the basis of his own erroneous halakhic ruling and thereafter moved on from his anointment, e.g., if he was disqualified due to a blemish that befell him before he brought his sin-offering, and likewise in the case of a king [nasi] who sinned and thereafter moved on from his prominence before he had brought an offering, an anointed priest brings a bull despite the fact that he is no longer the High Priest, and the king brings a goat, as he would have done during his reign. In the case of an anointed priest who moved on from his anointment and thereafter sinned, and likewise the king who moved on from his prominence and thereafter sinned, an anointed priest brings a bull, which he would have brought while he was High Priest, and the status of the king is like that of a commoner [kehedyot].

² GEMARA: The Gemara questions the formulation of the mishna: Now it can be said: An anointed priest who moved on from his anointment

³ and thereafter sinned brings a bull. Does the case of one who sinned and thereafter moved on from his anointment need to be said? It is obvious that he is liable to bring a bull. The Gemara answers: Due to the fact that the tanna teaches the halakha with regard to a king, that when he moved on from his sovereignty and thereafter sinned he brings an offering like that of a commoner; therefore, he teaches the corresponding halakha with regard to an anointed priest: If he sinned and thereafter moved on from his priesthood, he brings a bull.

⁴ § With regard to the statement in the mishna concerning an anointed priest who sinned after he was removed from his position, the Gemara asks: From where are these matters derived? The Gemara answers: It is as the Sages taught: It is written with regard to the High Priest: “And he shall sacrifice for his sin [ḥattato] that he sinned” (Leviticus 4:3); this teaches that he brings his sin-offering [ḥattato] even after he has moved on from his priesthood.

⁵ This derivation is necessary, as one might have thought: Could this not be derived through an a fortiori inference? And if a king, who brings a goat as his sin-offering for the unwitting performance of an action, does not bring a goat as his sin-offering from the moment that he has moved on from his sovereignty, an anointed priest, who does not bring a sin-offering for the unwitting performance of an action alone; rather, he is liable only for absence of awareness of the matter by the court together with unwitting performance of an action, is it not all the more so that he will not bring a bull for his sin-offering once he has moved on from the High Priesthood? Therefore, the verse states: “And he shall sacrifice for his sin [ḥattato] that he sinned”; this teaches that he brings his sin-offering [ḥattato] even after he has moved on from his priesthood.

⁶ The Gemara asks: And let a king who is no longer king, too, bring a goat as a sin-offering based on an a fortiori inference: And if an anointed priest, who does not bring an offering for the unwitting performance of an action, brings a sin-offering after he has moved on from the priesthood, then with regard to a king, who brings a sin-offering for the unwitting performance of an action, is it not logical that he still brings his sin-offering once he has moved on from his sovereignty? To counter this, the verse states: “When a king sins” (Leviticus 4:22), from which it is derived: If he sins when he is king, yes, he brings his sin-offering; if he sins when he is a commoner, no, he does not bring his sin-offering.

⁷ MISHNA: If a king or High Priest sinned before they were appointed, and thereafter they were appointed, the status of these people is like that of commoners; they bring the sin-offering of an individual. Rabbi Shimon says: If it became known to them, before they were appointed as king or High Priest, that they had sinned, they are liable to bring the sin-offering of an individual, but if it became known to them after they were appointed as king or High Priest they are completely exempt.

⁸ Who is the nasi? This is a king, as it is stated: “When a nasi sins, and performs any one of all the mitzvot of the Lord his God that shall not be performed, unwittingly, and he is guilty” (Leviticus 4:22), referring to one who has only the Lord his God over him and no other authority. That is only the king.

⁹ GEMARA: The mishna teaches: If a king or High Priest sinned before they were appointed, and thereafter they were appointed, the status of these people is like that of commoners. The Gemara asks: From where are these matters derived? The Gemara answers: It is as the Sages taught with

regard to the verse: “If the anointed priest shall sin to bring guilt” (Leviticus 4:3); this serves to exclude the unwitting transgressions he performed prior to his installation as High Priest.

¹⁰ As one might have thought: Could this not be derived through an a fortiori inference? And if a king, who brings a goat as his sin-offering for the unwitting performance of an action, does not bring a sin-offering for the unwitting transgressions he performed prior to his coronation, then with regard to an anointed priest, who brings his sin-offering only for absence of awareness of the matter by the court with the unwitting performance of an action, is it not logical that he will not bring his sin-offering for the prior transgressions?

¹¹ The Gemara rejects this: No, if you said this with regard to a king, that is reasonable, as he does not bring his goat for a sin-offering once he has moved on from his sovereignty, and instead brings the sin-offering of a commoner. Shall you also say this with regard to an anointed priest, who brings a bull for his sin-offering once he has moved on from his priesthood? Since he brings a bull for his sin-offering even once he has moved on from his priesthood, perhaps he shall bring a bull as a sin-offering for the unwitting transgressions he performed prior to his installation as High Priest? Therefore, the verse states: “If the anointed priest shall sin,” from which it is derived: If he sins when he is serving as an anointed priest he brings a bull as his sin-offering; if he sins when he is an ordinary priest he does not bring a bull as his sin-offering.

¹² And it is also taught in this way in a baraita with regard to a king: “When a king sins” (Leviticus 4:22); this serves to exclude the unwitting transgressions he performed prior to his coronation as king.

¹³ As one might have thought: Could this not be derived through an a fortiori inference? If an anointed priest, who brings a bull for his sin-offering even once he has moved on from his priesthood, does not bring his sin-offering for the unwitting transgressions he performed prior to his installation, then with regard to a king, who does not bring his goat for a sin-offering once he has moved on from his sovereignty, is it not logical that he will not bring his sin-offering for the prior transgressions? Apparently, there is no need for the derivation from the verse.

¹⁴ The Gemara notes that this inference can be rejected. What is notable about an anointed priest? He is notable in that he does not bring a sin-offering for the unwitting performance of an action unless it was performed on the basis of an erroneous ruling. Shall you say the same with regard to a king, who brings an offering for the unwitting performance of an action alone, even without an erroneous ruling? Since he brings an offering for the unwitting performance of an action alone, shall he bring a bull as a sin-offering for the unwitting transgressions he performed prior to his coronation? Therefore, the verse states: “When a king sins,” from which it is derived: In a case where he sins and he is king, he brings a bull as his sin-offering, and not in a case where he sins and he is still a commoner.

¹⁵ § Apropos a king, the Sages taught: In contrast to other cases where the verse states: If he will sin, it states concerning a king: “When [asher] a king sins.” One might have thought that this is a decree, i.e., that it is a given that the king will sin. Therefore, the verse states: “If the anointed priest shall sin” (Leviticus 4:3). Just as there the meaning is: In the event that the priest shall sin, so too here, the meaning is: In the event that the king shall sin.

¹⁶ The Gemara analyzes the baraita. The Master said: One might have thought that this is a decree. The Gemara asks: A decree? From where would this be derived? Why would it enter one's mind that there would be a decree that the king must sin?

¹⁷ The Sages say: Yes, there is a basis for that understanding, as we find that type of interpretation elsewhere; as it is written: "When you come into the land of Canaan, which I give to you for a possession, and I shall place the mark of leprosy in a house of the land of your possession" (Leviticus 14:34). These are tidings informing them, i.e., the Jewish people, that leprosy marks will come upon them when they enter Eretz Yisrael; this is the statement of Rabbi Yehuda. Rabbi Shimon says: This verse serves to teach that leprosy causes ritual impurity only when its origins are divine, to the exclusion of leprosy that results from circumstances beyond one's control, i.e., those that have a clear physical cause. Didn't Rabbi Yehuda say that leprosy could be tidings, i.e., that there will definitely be leprosy? Here too, with regard to the king, say that it is a decree that he will sin. Therefore, it is written: "If the anointed priest shall sin," meaning that the sin is not a given.

¹⁸ The Gemara asks with regard to the baraita: And according to Rabbi Shimon, do leprosy marks that result from circumstances beyond one's control not cause ritual impurity? But isn't it taught in a baraita: "When a person shall have in the skin of his flesh a wool-white leprosy mark or a scab" (Leviticus 13:2); these halakhot apply from this statement onward, i.e., from the time that God gave this mitzva to the Jewish people, and these halakhot do not apply to leprosy that preceded the giving of the mitzva? And could this not be derived through logical inference: The Torah deemed one impure in the case of a zav, and the Torah deemed one impure in the case of leprosy marks. Just as a zav is ritually impure only from the statement onward, so too, with regard to leprosy marks, there is impurity only from that statement onward. There is no need for a derivation from the verse Leviticus 13:2.

¹⁹ The baraita continues: This inference can be rejected: No, if you said that with regard to a zav, this is reasonable, as he does not become impure if his condition was caused by circumstances beyond his control. Shall you say the same with regard to leprosy marks, which impart ritual impurity when caused by circumstances beyond one's control? Therefore, the verse states: "When a person shall have," indicating that there is impurity only from that statement onward. In any case, it is clear that leprosy causes impurity even if it was caused by circumstances beyond his control. Rava says in explanation: The phrase "and I shall place the mark of leprosy" serves to exclude leprosy marks caused by evil spirits. Rav Pappa says in explanation: That phrase serves to exclude leprosy marks caused by sorcery.

²⁰ § Apropos a king, the Sages taught that when the verse states: "When a king sins" (Leviticus 4:22), this serves to exclude a king who is ill. The Gemara asks: Due to the fact that he is ill, is he removed from his sovereignty? Rav Avdimi bar Hama said: The reference is not to all illnesses; rather, it is to exclude a king who is afflicted with leprosy, as it is stated concerning King Azariah: "And the Lord afflicted the king, so that he was a leper until the day of his death, and dwelt in an independent house. And Jotham, son of the king, was over the household, judging the people of the land" (II Kings 15:5). Azariah was removed from his sovereignty when he was afflicted with leprosy. The Gemara comments: From the fact that the verse states: "In an independent house," by inference it may be understood that until now he was a servant, i.e., he was in servitude to the people.

²¹ The Gemara notes: This is similar to that incident where Rabban Gamliel and Rabbi Yehoshua were traveling together on a ship. Rabban Gamliel had sufficient bread for the journey. Rabbi Yehoshua also had sufficient bread, and additionally he had flour. The journey lasted longer than expected, and Rabban Gamliel's bread was finished. He relied on Rabbi Yehoshua's flour for nourishment. Rabban Gamliel said to Rabbi Yehoshua: Did you know from the outset that we would have so substantial a delay? Is that the reason that you brought flour with you? Rabbi Yehoshua said to Rabban Gamliel: There is one star that rises once in seventy years and misleads sailors at sea, causing their journeys to be extended. And I said: Perhaps that star will rise during our journey and mislead us.

²² Rabban Gamliel said to him: So much wisdom is at your disposal, and you board a ship to earn your livelihood? Rabbi Yehoshua said to him: Before you wonder about me, wonder about two students that you have on dry land, Rabbi Elazar Ḥisma and Rabbi Yoḥanan ben Gudgeda, who are so wise that they know how to calculate how many drops of water there are in the sea, and yet they have neither bread to eat nor a garment to wear. Rabban Gamliel made up his mind to seat them at the head of the academy.

²³ When Rabban Gamliel ascended to dry land, he sent a messenger to them to tell them to come so that he could appoint them and they did not come. He again sent a messenger to them and they came. Rabban Gamliel said to them: Do you imagine that I am granting you authority, and since you did not want to accept the honor you did not come when I sent for you?

²⁴ I am granting you servitude, as it is stated: "And they spoke to him saying: If you will be a servant to this people today" (I Kings 12:7). This explains the phrase "in an independent house."

²⁵ § The Sages taught: The verse states concerning a king: "When [asher] a king sins" (Leviticus 4:22). Rabbi Yoḥanan ben Zakkai said: Happy [ashrei] is the generation whose king feels the need to bring an offering for his unwitting transgression. If the generation's king brings an offering, you must say all the more so what a commoner will do to atone for his sin, i.e., he will certainly bring an offering. And if the king brings an offering for his unwitting transgression, you must say all the more so what he will do to atone for his intentional transgression, i.e., he will certainly repent.

²⁶ Rava, son of Rabba, objects to this: If that is so, and the term asher is interpreted in that manner, then concerning that which is written: "And he shall pay for that which [asher] he has sinned from the sacred item" (Leviticus 5:16), and with regard to Jeroboam, son of Nevat, about whom it is written: "Who [asher] sinned and caused others to sin" (I Kings 14:16), so too is the interpretation that this generation is happy? The Gemara answers: Here, in the case of a king who brings an offering, it is different, as the verse altered its formulation; in parallel verses, the term "if" is utilized, e.g., in the verse: "If the anointed priest shall sin" (Leviticus 4:3). In the other instances, asher is the standard formulation.

²⁷ Apropos the homiletic interpretation of the term asher, Rav Naḥman bar Ḥisda interpreted a verse homiletically: What is the meaning of that which is written: "There is a vanity that is [asher] performed upon the earth; that there are [asher] righteous men to whom it happens according to [asher] the action of the wicked, and there are wicked men to whom it happens according to the action of the righteous" (Ecclesiastes 8:14)? Happy [ashrei] are the righteous, to whom it happens in this world according to the experiences of the wicked in the World-to-Come, i.e., they suffer in this

world. Woe unto the wicked, to whom it happens in this world according to the experiences of the righteous in the World-to-Come, i.e., they enjoy this world.

²⁸ Rava said: Is that to say that if the righteous enjoyed two worlds it would be awful for them? Why must the righteous suffer in this world? Rather, Rava said as follows: Happy are the righteous to whom it happens in this world according to the experiences of the wicked in this world, i.e., happy are the righteous who enjoy this world as well. Woe to the wicked, to whom it happens in this world according to the experiences of the righteous in this world, i.e., like the many righteous people who suffer in this world.

²⁹ The Gemara relates: Rav Pappa and Rav Huna, son of Rav Yehoshua, came before Rava. Rava said to them: Have you mastered this tractate and that tractate? They said to him: Yes. Rava said to them: Have you become somewhat wealthy? They said to him: Yes, as each of us bought a parcel of land from which we earn our livelihoods. Rava proclaimed about them: Happy are the righteous, to whom it happens in this world according to the goodness resulting from the actions of the wicked in this world.

³⁰ § Rabba bar bar Ḥana said that Rabbi Yoḥanan said: What is the meaning of that which is written: “For the ways of the Lord are right, and the righteous will walk in them and transgressors will stumble in them” (Hosea 14:10)? It is comparable to an incident involving two people who roasted their Paschal offerings. One ate it for the sake of the mitzva, and the other one ate it with gusto, for the sake of excessive eating. With regard to that person who ate it for the sake of the mitzva, it is written: “The righteous will walk in them.” With regard to that person who ate it for the sake of excessive eating, it is written: “And transgressors will stumble in them.”

³¹ Reish Lakish said to Rabba bar bar Ḥana: Did you call the one who ate the Paschal offering for the sake of excessive eating wicked? Although he did not perform the mitzva in the ideal manner, didn’t he eat the Paschal offering? Since he fulfilled the mitzva, how can he be characterized as a transgressor? Rather, it is analogous to an incident involving two people; this one has his wife and his sister with him in a dark house and that one has his wife and his sister with him in a dark house. One of them, his wife happened to come to him and he engaged in intercourse with her, and the other one, his sister happened to come to him and he engaged in intercourse with her. With regard to that one, to whom his wife happened to come, it is written: “The righteous will walk in them.” With regard to that one, to whom his sister happened to come, it is written: “And transgressors will stumble in them.”

³² The Gemara asks: Are these matters comparable? In the verse, we are speaking of one path upon which both the righteous and the wicked walk, and here, in the incident mentioned by Reish Lakish, there are two paths, as the two people are not performing the same action. Rather, it is analogous to the incident involving Lot and his two daughters (see Genesis 19:30–38): With regard to the daughters, who, when engaging in intercourse with their father, intended their action for the sake of a mitzva, as they believed that the world had been destroyed and that only they remained alive, it is written: “The righteous will walk in them.” With regard to Lot, who intended his action for the sake of a transgression, it is written: “And transgressors will stumble in them.”

³³ The Gemara challenges: Perhaps Lot too intended his action for the sake of a mitzva. Rabbi Yoḥanan says that this entire verse: “And Lot cast his eyes and beheld the entire plain of the Jordan that it was well watered everywhere” (Genesis 13:10), is stated in the context of transgression.

³⁴ He explains: “And Lot cast his eyes” is an allusion to the verse: “His master’s wife cast her eyes upon Joseph and said: Lie with me” (Genesis 39:7). “His eyes” is an allusion to the verse: “And Samson said: Get her for me, as she is pleasing to my eyes” (Judges 14:3). “And beheld” is an allusion to the verse: “And Shechem, son of Hamor, the prince of the land, beheld her; and he took her and lay with her” (Genesis 34:2). “The entire plain [kikar] of the Jordan” is an allusion to the verse: “For on account of a prostitute a man is brought to a loaf [kikar] of bread” (Proverbs 6:26). “That it was well watered [mashke] everywhere” is an allusion to the verse “I will follow my lovers, givers of my bread and my water, my wool and my flax, my oil and my drink [veshikkuyai]” (Hosea 2:7).

³⁵ The Gemara asks: Why is Lot accused of wrongdoing? Wasn’t he the victim of circumstances beyond his control, as he was drunk and asleep? It is taught in the name of Rabbi Yosei bar Rabbi Hōni: Why is it dotted over the letter vav that is in the word “bekumah” written with regard to Lot’s elder daughter in the verse: “And he knew not when she lay down, nor when she arose [bekumah]” (Genesis 19:33)? It is to say to you that when she lay down he did not know; but when she arose, he knew. Therefore, his action was not completely beyond his control. The Gemara asks: And what was he to do? What was, was. The Gemara answers: He should have derived from it that on the following night he should not drink. Since he drank again, this indicates that he did so with intent to engage in intercourse with his other daughter.

³⁶ Apropos Lot, Rabba taught: What is the meaning of that which is written: “A brother betrayed a strong city, and their contentions are like the bars of a castle” (Proverbs 18:19)? “A brother betrayed a strong city”; that is Lot, who parted from Abraham. “And their contentions are like the bars of a castle” is stated because he, i.e., Lot, introduced contention between Israel and Ammon, as it is stated: “An Ammonite or a Moabite shall not enter into the congregation of the Lord” (Deuteronomy 23:4).

³⁷ Rava taught, and some say it was Rabbi Yitzḥak who taught: What is the meaning of that which is written: “He that separates himself seeks his own desire, and snarls against all sound wisdom” (Proverbs 18:1)? “He that separates himself seeks his own desire”; that is Lot, who separated from Abraham to pursue his lust. “And snarls [yitgalla] against all sound wisdom”; his shame was revealed [shenitgalla] in synagogues and study halls, where the halakha concerning his offspring is taught; as we learned in a mishna (Yevamot 76a): An Ammonite and a Moabite, descendants of Lot, are forbidden with a permanent prohibition.

³⁸ § And Ulla says: Tamar engaged in licentiousness with Judah (see Genesis, chapter 38), and Zimri engaged in licentiousness with Cozbi (see Numbers 25:6–9). Tamar engaged in licentiousness, and kings and prophets emerged from her. Zimri engaged in licentiousness, and tens of thousands from the Jewish people fell. Rav Naḥman bar Yitzḥak says: A transgression performed for the sake of Heaven is greater than a mitzva performed not for its own sake, as it is stated: “Blessed above women shall be Yael, the wife of Heber the Kenite, above women in the tent shall she be blessed” (Judges 5:24). Who are these “women in the tent”? They are Sarah, Rebecca, Rachel, and Leah, and Yael is more blessed than they are. Apparently, a mitzva performed not for its own sake is a negative phenomenon.

³⁹ The Gemara asks: Is that so? But doesn’t Rav Yehuda say that Rav says: A person should always engage in Torah study and the performance of mitzvot, even if he does so not for its own sake, as

through the performance of mitzvot not for its own sake, one gains understanding and comes to perform them for its own sake. Apparently, even when performed not for its own sake a mitzva is still a positive phenomenon. The Gemara emends the statement: Say that the status of a transgression performed for the sake of Heaven is like that of a mitzva performed not for its own sake.

⁴⁰ Apropos Yael, Rabbi Yoḥanan says: That wicked man Sisera performed seven acts of intercourse with Yael at that time, as it is stated: “Between her legs he crouched, he fell, he lay; between her legs he crouched, he fell; where he crouched, there he fell dead” (Judges 5:27). Each of the seven verbs is a euphemism for intercourse. The Gemara asks: But didn’t she experience pleasure from the transgression of engaging in intercourse with Sisera? Why does the verse praise her? Rabbi Yoḥanan says in the name of Rabbi Shimon ben Yoḥai: Even the good provided by the wicked is bad for the righteous, so Yael did not experience any pleasure from her intercourse with Sisera.

⁴¹ Rav Yehuda says that Rav says: A person should always engage in Torah study and the performance of mitzvot, even if he does so not for its own sake, as through the performance of mitzvot not for its own sake, one gains understanding and comes to perform them for its own sake. Proof for this can be adduced from the incident involving Balak, as in reward for the forty-two offerings that Balak the wicked sacrificed to God, despite the fact that he did this in order to curse the Jewish people (see Numbers, chapter 23), he merited and Ruth emerged from him, as Rabbi Yosei, son of Rabbi Ḥanina, says: Ruth was the daughter of the son of Eglon, the son of the son of Balak, king of Moab.

⁴² § Apropos Lot and his daughters, Rabbi Ḥiyya bar Abba says that Rabbi Yoḥanan says: From where is it derived that the Holy One, Blessed be He, does not withhold even the reward for euphemistic speech? It is derived from here, as the elder daughter called her son Moab, an allusion to the fact that the child is from her own father [me’av], and the Merciful One said to Moses: “Be not at enmity with Moab, neither contend with them in battle” (Deuteronomy 2:9). From this it may be inferred: It is in battle

⁴³ that one may not contend with them, but it is permitted to harass them. While concerning the offspring of the younger daughter, who called her son ben Ami, son of my people, avoiding any direct mention of the baby’s father, God said to Moses: “Neither harass them, nor contend with them” (Deuteronomy 2:19), at all. Even to harass them is not permitted.

⁴⁴ Rabbi Ḥiyya bar Avin says that Rabbi Yehoshua ben Korḥa says: A person should always be first to perform a matter of a mitzva, as in reward for one night that the elder daughter preceded the younger daughter, she merited and preceded her to royalty by four generations. Ruth the Moabite, ancestor of King David, descended from her son Moab, and she preceded Naamah the Ammonite, who was married to King Solomon, by four generations.

⁴⁵ § The Sages taught in a baraita: The verse states: “And if one soul from among the common people sins unwittingly in performing one of the mitzvot of God that may not be done and he is guilty” (Leviticus 4:27). The phrase “from among the common people” serves to exclude the anointed priest; the phrase “from among the common people” also serves to exclude the king.

⁴⁶ The baraita continues: But weren’t these individuals already excluded from bringing a ewe or a female goat as a sin-offering, as an anointed priest is subject to atonement with a bull, and a king is subject to atonement with a male goat? Why then is an additional exclusionary derivation necessary? The baraita answers: The derivation is necessary, as one might have thought that an anointed priest

brings a bull for absence of awareness of the matter together with the unwitting performance of an action, but that he brings a ewe or a female goat, as does a non-priest, for the unwitting performance of an action alone. Therefore, the verse states: "From among the common people," which serves to exclude the anointed priest, who is completely exempt from bringing a sin-offering for an unwitting transgression unless it was committed on the basis of his own erroneous ruling. The baraita concludes: The phrase "from among the common people" serves to exclude the king.

⁴⁷ The Gemara challenges: Granted, in the case of an anointed priest it is clear why an additional exclusionary derivation is necessary. But in the case of a king, it is for the unwitting performance of an action that he brings a goat as his offering. Why then is the additional derivation necessary?

⁴⁸ Rav Zevid said in the name of Rava: What are we dealing with here? We are dealing with a case where one unwittingly ate an olive-bulk of forbidden fat when he was a commoner, and he was then appointed king, and thereafter his transgression became known to him. It could enter your mind to say: Let him bring a ewe or a female goat because he performed the transgression before he became king. Therefore, the verse teaches us that he brings a male goat as he is now a king. The Gemara challenges: This works out well according to Rabbi Shimon, who follows the time of knowledge, and holds that one brings the offering on the basis of his status at the time when his transgression became known to him. But according to the Rabbis, who follow the time of the performance of the sin, what can be said?

⁴⁹ Rather, Rav Zevid said in the name of Rava: What are we dealing with here? We are dealing with a case where one unwittingly ate half an olive-bulk of forbidden fat when he was a commoner, and he was then appointed king, and he then finished eating the olive-bulk of forbidden fat, and thereafter it became known to him that he had eaten forbidden fat. It could enter your mind to say: Let the two halves combine and let him bring a ewe or a female goat. Therefore, the verse teaches us that the status of a king is not like that of a commoner. Since a king brings a special offering, the half olive-bulk that he ate before becoming king does not combine with the half olive-bulk that he ate as a king.

⁵⁰ Rava raised a dilemma before Rav Nahman: With regard to kingship, what is the halakha? Does it interpose between two parts of a transgression and prevent them from combining? What are the circumstances? It is a case where one unwittingly ate half an olive-bulk of forbidden fat when he was a commoner, and he was then appointed king, and then was removed from his position, and then finished eating the olive-bulk of forbidden fat. Perhaps it is there, in the previous case, that the two actions do not combine, as he ate half when he was a commoner and half when he was king. But here, where he ate both this half and that half when he was a commoner, they combine. Or perhaps it is no different, and once he was appointed king and his status changed, the two actions do not combine. What is the halakha?

⁵¹ The Gemara suggests: Resolve the dilemma from that which Ulla says that Rabbi Yoḥanan says: If one ate forbidden fat and designated an offering for his unwitting sin, and he became an apostate, and then retracted his apostasy, since he was disqualified from bringing the offering as an apostate he shall remain disqualified from bringing an offering for that sin. The Gemara rejects this: How can these cases be compared? An apostate is ineligible as far as bringing an offering of any kind is concerned; this king is eligible with regard to bringing an offering, albeit of a different type.

⁵² Rabbi Zeira raised a dilemma before Rav Sheshet: If one ate meat when he was a commoner, and there was uncertainty as to whether or not it was forbidden fat, and subsequently he was appointed

king and his uncertainty became known to him, what is the halakha? According to the opinion of the Rabbis, who follow the time of the actual transgression, do not raise the dilemma, as in their opinion, he is liable to bring a provisional guilt-offering. Rather, when you raise the dilemma it is according to the opinion of Rabbi Shimon, who follows the time of awareness of the transgression.

⁵³ Is the halakha that from the fact that his status changed with regard to a definite transgression, as, if he was liable to bring a sin-offering and his sin became known to him after his coronation, he is completely exempt, it may be derived that his status changed with regard to an uncertain transgression as well, and he is exempt from bringing a provisional guilt-offering? Or perhaps when his status changed, it was with regard to a definite transgression only, as in that case his offering changed, since a king brings a goat as a sin-offering instead of a ewe or a female goat. But here, in the case of an uncertain transgression, as his offering does not change, say: Let him bring a provisional guilt-offering. The Gemara concludes: The dilemma shall stand unresolved.

⁵⁴ § The Sages taught: The verse states: “And if one soul from among the common people sins unwittingly in performing one of the mitzvot of God that may not be done and he is guilty” (Leviticus 4:27). This serves to exclude an apostate. When an apostate sins unwittingly, he is exempt from liability to bring a sin-offering even if he repents for that sin, as even his unwitting action is considered intentional.

⁵⁵ The baraita continues: Rabbi Shimon bar Yosei says in the name of Rabbi Shimon: It is unnecessary to derive this halakha from that phrase, as it says in the same verse: “If any one of the common people sins unwittingly in performing one of the mitzvot of God that may not be done and he is guilty; or if his sin, which he has sinned, be known to him” (Leviticus 4:27–28). From the words “be known to him” it is inferred that only one who repents due to his awareness, i.e., who would not have sinned had he known that the act was forbidden, brings an offering for his unwitting transgression and achieves atonement in this way. But one who does not repent due to his awareness that he sinned, e.g., an apostate, who would sin even after becoming aware that the act is forbidden, does not bring an offering for his unwitting action.

⁵⁶ The Gemara asks: What is the practical difference between the opinions of the Rabbis and Rabbi Shimon concerning whether the halakha is derived from the earlier or later verse? Rav Hamnuna said: The difference between them is in the case of an apostate with regard to eating forbidden fat; they disagree as to whether or not he brings an offering for unwittingly consuming blood. One Sage, the Rabbis, holds: Since he is an apostate with regard to eating forbidden fat, he is also considered an apostate with regard to consuming blood. And one Sage, Rabbi Shimon, holds: With regard to consuming blood, in any event, he is one who repents due to his awareness, as he is not considered an apostate with regard to blood.

⁵⁷ The Gemara asks: But didn’t Rava say that everyone agrees that an apostate with regard to eating forbidden fat is not considered an apostate with regard to consuming blood? The Gemara answers: Rather, here it is with regard to a person who eats forbidden fat and an animal carcass due to appetite, e.g., only when he does not have access to kosher meat. And forbidden fat became confused for that person with permitted fat and he ate the forbidden fat. It is in that case that the Rabbis and Rabbi Shimon disagree. One Sage, the Rabbis, holds: Since he intentionally eats forbidden fat due to appetite, he is an apostate. And one Sage, Rabbi Shimon, holds: Since if he finds food that is

permitted he does not eat food that is prohibited, as he merely seeks to satiate his appetite, he is not an apostate.

⁵⁸ The Sages taught: One who ate forbidden fat is an apostate. And who is an apostate? It is one who ate animal carcasses or animals with wounds that will cause them to die within twelve months [tereifot], repugnant creatures or creeping animals, and one who drank wine used for a libation in idol worship. Rabbi Yehuda says: This applies even to one who wears garments fashioned of diverse kinds, containing wool and linen. The Gemara analyzes this baraita. The Master said: One who ate forbidden fat is an apostate. And who is an apostate? It is one who ate animal carcasses, etc. The Gemara asks: What is he saying? Why, after answering the question, does the tanna ask who is an apostate and then provide a different answer?

⁵⁹ Rabba bar bar Ḥana said that Rabbi Yoḥanan said: This is what he is saying: If one ate forbidden fat due to appetite, he is an apostate. If he ate it to express insolence, this person is a heretic. And which is the apostate who is a presumptive heretic merely on the basis of his actions? You must say that it is one who eats an animal carcass or a tereifa, repugnant creatures or creeping animals, and one who drank wine used for a libation in idol worship. Based on the fact that he violates serious transgressions for which one has no appetite such as repugnant creatures or creeping animals, it is clear that he is a heretic who denies the Torah in its entirety. Rabbi Yosei, son of Rabbi Yehuda, says: This applies even to one who wears garments fashioned of diverse kinds, containing wool and linen.

⁶⁰ The Gemara asks: What is the practical difference between the opinion of the Rabbis and that of Rabbi Yosei, son of Rabbi Yehuda? The Gemara answers: The difference between them is in the case of one who wears a garment of diverse kinds, containing wool and linen prohibited by rabbinic law. One Sage, the Rabbis, holds: One who violates a prohibition by Torah law is an apostate; one who violates a prohibition by rabbinic law is not an apostate. And one Sage, Rabbi Yosei, holds: With regard to diverse kinds, since his violation of the prohibition is well known, as people see that he is wearing that garment, even though he violates a prohibition by rabbinic law, he is an apostate.

⁶¹ Rav Aḥa and Ravina disagree with regard to this matter. One said: If one violated a prohibition due to appetite or convenience he is an apostate, while one who eats to express insolence is a heretic. And one said: One who violates a prohibition to express insolence is also an apostate. Rather, who is a heretic? It is anyone who engages in idol worship. The Gemara raises an objection to the first opinion from a baraita: If a person ate one flea or one mosquito, this person is an apostate. But here, isn't it a case where it is a violation performed to express insolence, as one has no desire to eat these insects, and yet the tanna calls him an apostate? The Gemara answers: The reference there, in that baraita, is to the case of one who eats the flea due to appetite, as he says: I shall taste the flavor of prohibition. He seeks to eat a food that he has never eaten before.

⁶² § The mishna teaches: Who is the nasi? This is a king, as it is stated: "When a nasi sins, and performs any one of all the mitzvot of the Lord his God that shall not be performed, unwittingly, and he is guilty" (Leviticus 4:22), referring to one who has only the Lord his God over him and no other authority. The Sages taught: The verse states: "nasi." One might have thought that the reference is to the prince of a tribe, like Naḥshon, son of Amminadab. Therefore, the verse states: "And performed any one of all the mitzvot of the Lord his God." Later, in the passage with regard to the king, the verse states: "That he may learn to fear the Lord his God" (Deuteronomy 17:19).

⁶³ Just as there, in the passage with regard to the king, the reference is to one over whom there is only the Lord his God, so too, with regard to a nasi, the reference is to one over whom there is only the Lord his God.

⁶⁴ Rabbi Yehuda HaNasi raised a dilemma before Rabbi Ḥiyya: In a case where I perform an unwitting transgression, what is the halakha: Would I be liable to atone with a goat as a sin-offering because I am the Nasi, or is my atonement with a ewe or a female goat, like a commoner, because I am not the king? Rabbi Ḥiyya said to him: Your rival, the Exilarch in Babylonia, is as great as you; therefore, you are not akin to a king. Rabbi Yehuda HaNasi raised an objection to Rabbi Ḥiyya from a baraita: If kings of the kingdom of Israel and kings of the house of David perform an unwitting transgression, these bring a sin-offering for themselves as kings, and those bring a sin-offering for themselves as kings. This indicates that even if a king has a counterpart who is as powerful as he is, he brings a male goat as his sin-offering. Rabbi Ḥiyya said to Rabbi Yehuda HaNasi: There, the kings were not subject to each other's authority. Here, in Eretz Yisrael, we are subject to their authority, as the authority of the Exilarch is greater than the authority of the Nasi.

⁶⁵ Rav Safra taught the exchange in this manner: Rabbi Yehuda HaNasi raised a dilemma before Rabbi Ḥiyya: In a case where I perform an unwitting transgression, what is the halakha: Would I be liable to atone with a male goat as a sin-offering because I am the Nasi, or is my atonement with a ewe or a female goat, like a commoner, because I am not the king? Rabbi Ḥiyya said to him: There, the Exilarch has authority that is represented by a scepter; here, in Eretz Yisrael, we have lesser authority, which is represented by a staff. And it is taught in a baraita: "The scepter shall not depart from Judah" (Genesis 49:10); this is a reference to the Exilarch in Babylonia, who reigns over the Jewish people with a rod, as he is authorized by the gentile monarchy to impose his will. "Nor the ruler's staff from between his feet" (Genesis 49:10); these are the descendants of Hillel, who serve in the role of the Nasi and teach Torah to the Jewish people in public, but who are not authorized by the government to impose their will.

⁶⁶ MISHNA: And who is the anointed priest? It is the High Priest who is anointed with the anointing oil, not the High Priest consecrated by donning multiple garments, i.e., one who served after the anointing oil had been sequestered, toward the end of the First Temple period. The difference between a High Priest anointed with the anointing oil and one consecrated by donning multiple garments unique to the High Priest is only that the latter does not bring the bull that comes for the transgression of any of the mitzvot.

⁶⁷ And the difference between a High Priest currently serving in that capacity and a former High Priest who had temporarily filled that position while the High Priest was unfit for service is only with regard to the bull brought by the High Priest on Yom Kippur and the tenth of an ephah meal-offering brought by the High Priest daily. Each of these offerings is brought only by the current High Priest, and not by a former High Priest.

⁶⁸ Both this High Priest currently serving and that former High Priest are equal with regard to performing the rest of the Yom Kippur service, and they are both commanded with regard to marrying a virgin (see Leviticus 21:13), and it is prohibited for both to marry a widow (see Leviticus 21:14), and they may not render themselves impure with impurity imparted by a corpse even in the event that one of their relatives dies (see Leviticus 21:11), and they may not grow their hair long and

they may not rend their garments as expressions of mourning (see Leviticus 21:10), and when they die they restore the unwitting murderer to his home from the city of refuge (see Numbers 35:25).

⁶⁹ GEMARA: The Sages taught: To blend the anointing oil that Moses prepared in the wilderness, they would boil in the oil the roots of the spices in the quantities enumerated in the verse; this is the statement of Rabbi Yehuda. Rabbi Yosei says: But isn't that amount of oil insufficient even to smear on the roots of those spices, as the oil would be absorbed into the roots? How then could the roots be boiled in the oil? Rather, they soak the roots in water. Once the roots are waterlogged, they do not absorb the oil. The fragrance of the spices gradually rises and they float oil on the water and the oil absorbs the fragrance. And at that point, one removed the oil [vekippeho] from the water, and that was the anointing oil.

⁷⁰ Rabbi Yehuda said to him: And was it merely one miracle that was performed with regard to the anointing oil? But wasn't it initially only twelve log, and from it the Tabernacle, and its vessels, Aaron, and his sons were anointed for the entire seven days of inauguration, and all of it remains in existence for the future, as it is stated: "This shall be a sacred anointing oil unto Me throughout your generations" (Exodus 30:31)? Since the entire existence of the anointing oil is predicated on miracles, it is no wonder that its preparation also involved a miracle.

⁷¹ It is taught in another baraita: "And Moses took the anointing oil, and anointed the Tabernacle and all that was in it and sanctified them" (Leviticus 8:10). Rabbi Yehuda says: With regard to the anointing oil that Moses prepared in the wilderness, how many miracles were performed in its regard continuously, from beginning to end? Initially it was only twelve log. Consider how much oil a pot absorbs, and how much oil is absorbed by the roots, and how much oil the fire burns, and yet the Tabernacle, and its vessels, Aaron, and his sons were anointed with it for the entire seven days of inauguration, and High Priests and kings were anointed with it throughout the generations.

⁷² Apropos the anointing oil, the baraita continues: And even a High Priest, son of a High Priest, requires anointing, but one does not anoint a king, son of a king. And if you say: For what reason did they anoint King Solomon (see I Kings, chapter 1), who was the son of a king? It was due to the challenge of Adonijah, who sought to succeed their father David as king. And they anointed Joash due to Athaliah (see II Kings, chapter 11). And they anointed Jehoahaz due to Jehoiakim, who was two years older than he was (see II Kings 23:30). In all these cases, it was necessary to underscore that these men were crowned king. And that oil remains in existence for the future, as it is stated: "This [zeh] shall be a sacred anointing oil unto Me throughout your generations" (Exodus 30:31). The numerical value of zeh is twelve log, indicating that this amount of oil remains intact despite its use.

⁷³ § The Gemara analyzes the baraita. The Master said: And even a High Priest, son of a High Priest, requires anointing. The Gemara asks: From where do we derive this halakha? It is derived from a verse, as it is written: "And the anointed priest that shall be in his stead from among his sons" (Leviticus 6:15). Let the verse say only: The priest that shall be in his stead from among his sons. What is the reason that it says: "The anointed priest"? The Torah teaches us that even from among the sons of a High Priest, if he is anointed with oil he is a High Priest, and if not, he is not a High Priest.

⁷⁴ The Master said: But one does not anoint a king, son of a king. The Gemara asks: From where do we derive this halakha? Rav Aḥa bar Ya'akov said that it is derived from a verse, as it is written: "So

that he may prolong his days in his kingdom, he and his sons, in the midst of Israel” (Deuteronomy 17:20). His children are mentioned in the verse in order to teach them: The kingdom is an inheritance for you. The Gemara asks: And from where do we derive that when there is a dispute with regard to succession, the king requires anointing, and it is not that whenever the king wishes he can bequeath the kingdom to his son without anointing him? Rav Pappa said that the verse states: “He and his sons, in the midst of Israel.” When there is peace in Israel we read concerning him: “He and his sons,” even without anointing; but when there is dispute, anointing is required.

⁷⁵ It is taught: Even Jehu, son of Nimshi, king of Israel, was anointed only due to the challenge of Joram (see II Kings 9:1–14). The Sages challenge: And let him derive that Jehu was anointed due to the fact that he was the first of his dynasty and was not the son of a king. The Gemara answers: The baraita is incomplete and this is what it is teaching: Kings of the house of David are anointed; kings of Israel are not anointed. The Gemara asks: From where do we derive this? Rava said that the verse states: “Arise, anoint him, for this is he” (I Samuel 16:12), from which it is derived: This king, David, requires anointing, but another king does not require anointing.

⁷⁶ The Gemara analyzes the baraita. The Master said: Even Jehu, son of Nimshi, king of Israel, was anointed only due to the challenge of Joram. The Gemara asks: And due to the challenge of Joram, son of Ahab, shall we misuse consecrated anointing oil and anoint a king of Israel, who does not require anointing? The Gemara answers that it is like that which Rav Pappa said in another context: They anointed him with pure balsam oil, not with anointing oil. So too, with regard to Jehu, they anointed him with pure balsam oil, not with anointing oil.

⁷⁷ The baraita teaches: And they anointed Jehoahaz due to Jehoiakim, who was two years older than he was. The Gemara asks: And was Jehoiakim older than Jehoahaz? But isn’t it written: “And the sons of Josiah: The firstborn Johanan, the second Jehoiakim, the third Zedekiah, the fourth Shallum” (I Chronicles 3:15), and Rabbi Yoḥanan says: He is Shallum, he is Zedekiah; these are two names for one person. Likewise, he is Johanan, he is Jehoahaz, who is mentioned in the book of Kings. Since Jehoahaz was the eldest, why was it necessary to anoint him? The Gemara answers: Actually, Jehoiakim was older than Jehoahaz. And what is the meaning of the term “firstborn” written with regard to Jehoahaz? It means that his status was like that of a firstborn in terms of ascent to the kingship.

⁷⁸ The Gemara asks: And do younger sons rule before elder sons? But isn’t it written: “And the kingdom he gave to Jehoram, because he was the firstborn” (II Chronicles 21:3). The Gemara answers: Jehoram was a surrogate for his ancestors as he was suited to serve as king, so since he was firstborn, he ascended to the throne. Jehoiakim was not a surrogate for his ancestors; he was not suited to serve as king. Therefore, his brother ascended to the throne before him.

⁷⁹ The Master said: He is Shallum, he is Zedekiah; he is Johanan, he is Jehoahaz. The Gemara asks: But doesn’t the verse enumerate them individually, as it is written: “The third Zedekiah, the fourth Shallum,” indicating that they are two people? The Gemara answers: What is the meaning of third? It means the third among the sons. And what is the meaning of fourth? It means the fourth to ascend to the kingship. How so? Initially, Jehoahaz reigned, and ultimately, after him, Jehoiakim, and ultimately, after him, Jeconiah, son of Jehoiakim, and ultimately, after him, Zedekiah, who was fourth to the kingship.

⁸⁰ The Sages taught: He is Shallum, he is Zedekiah. And why was he called Shallum? It is due to the fact that he was perfect [meshullam] in his actions. Some say: He was called Shallum because the kingdom of the house of David was concluded [sheshalema] during his days. And what was his actual name? Mattaniah was his name, as it is stated: “And the king of Babylon crowned Mattaniah his uncle in his stead, and changed his name to Zedekiah” (II Kings 24:17). Why did Nebuchadnezzar call him Zedekiah? He said to him: God will justify the judgment against you if you rebel against me; and it is written: “And he also rebelled against King Nebuchadnezzar, who had imposed upon him an oath by God” (II Chronicles 36:13).

⁸¹ The Gemara asks with regard to the fact that Jehoahaz was anointed: And was there anointing oil during the days of Jehoahaz? But isn't it taught in a baraita: When the Ark of the Covenant was sequestered, the anointing oil, and the jar of manna (see Exodus 16:33), and Aaron's staff with its almonds and blossoms (see Numbers 17:23), and the chest that the Philistines sent as a gift to Israel, were all sequestered with it, as it is stated: “And you shall take the Ark of the Lord, and lay it upon the cart, and put the vessels of gold that you return Him as a guilt-offering in a chest by its side and send it away that it may go” (I Samuel 6:8).

⁸² And who sequestered the Ark? Josiah, king of Judea, sequestered it, as he saw that it is written in the Torah in the portion of rebuke: “The Lord will lead you, and your king whom you shall establish over you, unto a nation that you have not known” (Deuteronomy 28:36). He commanded and the people sequestered them, as it is stated: “And he said to the Levites who taught all Israel, and who were sacred unto the Lord: Place the sacred Ark in the room that Solomon, son of David, king of Israel built; there shall be no more burden upon your shoulders. Now serve the Lord your God and His people Israel” (II Chronicles 35:3).

⁸³ And Rabbi Elazar says: One derives a verbal analogy between the term: There, written with regard to the Ark (see Exodus 29:43), and the term: There, written with regard to the jar of manna (see Exodus 16:33); and between the term: Keepsake, written with regard to the jar of manna (see Exodus 16:33), and the term: Keepsake, written with regard to Aaron's staff (see Numbers 17:25–26); and between the term: Generations, written with regard to the jar of manna (see Exodus 16:33), and the term: Generations, written with regard to the anointing oil (see Exodus 30:31). By means of these verbal analogies it is derived that all of these items were sequestered. Rav Pappa said: They anointed Jehoahaz with pure balsam oil, not with anointing oil.

⁸⁴ § The Sages taught: How does one anoint the kings? One smears the oil in a manner that is similar to the form of a crown around his head. And how does one anoint the priests? One smears the oil in a shape like the Greek letter chi. The Gemara asks: What is the meaning of: Like the Greek letter chi? Rav Menashya bar Gadda said: Like the Greek equivalent of the Hebrew letter kaf.

⁸⁵ It is taught in one baraita: Initially, they pour oil on the priest's head, and thereafter, they place oil for him between the lashes of his eyes. And it is taught in a different baraita: Initially, they place oil for him between the lashes of his eyes, and thereafter, they pour oil on his head. The Gemara explains: It is a dispute between tanna'im. Some say: Anointing with oil between his eyes is preferable and takes precedence, and some say: Pouring oil on his head is preferable and takes precedence.

⁸⁶ What is the reason for the opinion of the one who said that pouring oil on his head is preferable? It is as it is written: “And he poured from the anointing oil upon Aaron's head and anointed him to

sanctify him” (Leviticus 8:12), indicating that pouring precedes anointing. And the one who said that anointing is preferable and takes precedence, what is the reason for his opinion? He holds: Anointing takes precedence as that is what you find with regard to service vessels (see Numbers 7:1). They were anointed, but the anointing oil was not poured on them. The Gemara asks: But isn’t it written with regard to the priests: “And he poured,” and ultimately: “And anointed”? The Gemara answers: This is what the verse is saying: What is the reason that he poured the oil? It is due to the fact that he had already anointed them. Anointing is the primary component of the process.

⁸⁷ The Sages taught: “It is like the precious oil upon the head coming down upon the beard, Aaron’s beard, that comes down upon the collar of his garments” (Psalms 133:2). Two drops of anointing oil, shaped like pearls, were suspended for Aaron from his beard. Rav Pappa said that it is taught: When Aaron would speak and his beard would move, those drops would miraculously rise and settle on the roots of his beard so that they would not fall. Moses was concerned about this matter. He said: Perhaps, Heaven forbid, I misused the consecrated anointing oil and poured more than necessary, as two additional drops remain? A Divine Voice emerged and said: “It is like the precious oil upon the head coming down upon the beard, Aaron’s beard, that comes down upon the collar of his garments. Like the dew of Hermon” (Psalms 133:2–3). This analogy teaches: Just as there is no misuse of the dew of Hermon, which is not consecrated, so too, with regard to the anointing oil that is on Aaron’s beard, there is no misuse of consecrated property.

⁸⁸ And still Aaron was concerned. He said: Perhaps Moses did not misuse consecrated property; but perhaps I misused consecrated property, as the additional oil is on my beard and I enjoy it. A Divine Voice emerged and said: “Behold, how good and how pleasant it is for brothers to dwell together in unity” (Psalms 133:1). Just as your brother Moses did not misuse consecrated property, so too, you did not misuse consecrated property.

⁸⁹ The Sages taught: One anoints the kings only upon a spring, as an omen, so that their kingdom will continue like a spring, as it is stated with regard to the coronation of Solomon before the death of David: “And the king said unto them: Take with you the servants of your lord, and let Solomon my son ride upon my own mule, and bring him down to Gihon. And let Tzadok the priest and Nathan the prophet anoint him there king over Israel and sound the shofar and say: Long live King Solomon” (I Kings 1:33–34).

⁹⁰ § Apropos good omens, the Gemara cites a statement that Rabbi Ami said: This person who seeks to know if he will complete his year or if he will not, i.e., whether or not he will remain alive in the coming year, let him light a lamp, during the ten days that are between Rosh HaShana and Yom Kippur, in a house in which wind does not blow. If its light continues to burn, he knows that he will complete his year.

⁹¹ And one who seeks to conduct a business venture and wishes to know if he will succeed or if he will not succeed, let him raise a rooster. If the rooster grows fat and healthy, he will succeed.

⁹² One who seeks to embark on a journey and wishes to know if he will return and come to his home or if he will not, let him go to a dark [daḥavara] house. If he sees the shadow of a shadow he shall know that he will return and come home. The Sages reject this: This omen is not a significant matter. Perhaps he will be disheartened if the omen fails to appear, and his fortune will suffer and it is this that causes him to fail. Abaye said: Now that you said that an omen is a significant matter, a person should always be accustomed to seeing these on Rosh HaShana: Squash, and fenugreek, leeks, and

chard, and dates, as each of these grows quickly and serves as a positive omen for one's actions during the coming year.

⁹³ Apropos good omens, Rav Mesharshiyya said to his son: When you seek to enter and study before your teacher, study the baraita first, and only then enter before your teacher. And when you are sitting before him, look to his mouth, as it is written: "And your eyes shall see your teacher" (Isaiah 30:20). And when you study, study adjacent to a river of water; just as the water flows, your studies will flow unimpeded. He added: And it is preferable for you to sit on the rubbish heaps [akillelei] of Mata Meḥasya, and do not sit in the palaces [appadnei] of Pumbedita. Better to eat the rotten fish [gildana] of Mata Meḥasya than to eat kutha, which displaces rocks, a metaphor for how potent it is.

⁹⁴ Apropos good omens for anointing, it is stated in the prayer of Hannah, Samuel's mother: "My horn is exalted in my God" (I Samuel 2:1). The Gemara infers: My horn is exalted, and my jug is not exalted. David and Solomon were anointed with oil from a horn. This was a good omen for them and their reign endured. Saul and Jehu were anointed with oil from a jug and their reign did not endure.

⁹⁵ § The mishna teaches: And who is the anointed priest? It is the High Priest who is anointed with the anointing oil, not the High Priest consecrated by donning multiple garments. The Sages taught: "Anointed" is written in the verse (Leviticus 6:15). One might have thought that the reference is to a king. Therefore, the verse states: "Priest." If the reference is to a priest, one might have thought that the reference is to a priest consecrated by donning multiple garments. Therefore, the verse states: "Anointed." If the reference is to one who is anointed, one might have thought that the reference is even to a priest anointed for war. Therefore, the verse states: "And the anointed priest," indicating that there is no anointed priest over him; rather, he is the highest-ranking priest.

⁹⁶ The Gemara asks: From where is this inferred? The Gemara answers: It is as Rava said with regard to the term "the thigh" in the verse: "The sciatic nerve that is on the hollow of the thigh" (Genesis 32:33); the reference is to the stronger of the thighs. Here too, where the verse states: "The anointed," the reference is to the most distinguished of those anointed, i.e., the High Priest.

⁹⁷ The Gemara analyzes the baraita: The Master said: "Anointed" is written in the verse. One might have thought that the reference is to a king. The Gemara asks: Is it a bull that a king brings for a sin-offering? It is a male goat that he brings, as the Torah states explicitly, later in that passage. The Gemara answers: It was necessary for the tanna to say this, as it may enter your mind to say: It is for the unwitting performance of an action for which all people are liable to bring a sin-offering that a king shall bring a male goat as his offering; but for absence of awareness of the matter with the unwitting performance of an action, a king shall bring a bull. Therefore, the tanna teaches us that it is only the High Priest who brings a bull.

⁹⁸ § The mishna teaches: The difference between a High Priest anointed with the anointing oil and one consecrated by donning multiple garments is only that the latter does not bring the bull that comes for the transgression of any of the mitzvot. The Gemara comments: The mishna is not in accordance with the opinion of Rabbi Meir, as, if it was in accordance with the opinion of Rabbi Meir, isn't it taught in a baraita: A priest who is consecrated by donning multiple garments brings a bull that comes for the transgression of any of the mitzvot; this is the statement of Rabbi Meir, but the Rabbis did not concede that point to him.

⁹⁹ The Gemara asks: What is the reason for the opinion of Rabbi Meir? It is as it is taught in a baraita: "Anointed" is written in the verse. I have derived only a priest anointed with the anointing

oil. From where do I derive the halakha of a priest who is consecrated by donning multiple garments? The verse states: “The anointed priest,” from which it is derived that anyone who is appointed as the High Priest is included, even if he was not anointed.

¹⁰⁰ The Gemara asks: In accordance with which opinion did you interpret the mishna? It is in accordance with the opinion of the Rabbis.

¹⁰¹ Say the latter clause: The difference between a High Priest currently serving in that capacity and a former High Priest is only with regard to the bull brought by the High Priest on Yom Kippur and the tenth of an ephah meal-offering; but with regard to all other matters the two are equal. In this clause we arrive at the opinion of Rabbi Meir, as it is taught in a baraita: If temporary disqualification befell the High Priest and he left his position and they appointed another priest in his stead, after the cause of his disqualification passes, the first priest returns to his service as High Priest. And with regard to the second priest, all of the mitzvot of the High Priesthood are still incumbent upon him; this is the statement of Rabbi Meir. Rabbi Yosei says: The first returns to his service, and the second is unfit to serve in either position; he may serve neither as a High Priest nor as an ordinary priest.

¹⁰² The baraita continues. Rabbi Yosei said: There was an incident involving the priest Yosef ben Eilim of Tzipori: When disqualification befell a High Priest and he left his position, the priests appointed another, Yosef ben Eilim, in his stead. And after the cause of the disqualification passed, his brethren the priests did not allow Yosef ben Eilim to serve, neither as a High Priest nor as an ordinary priest. The Gemara explains: Neither as a High Priest, due to enmity, jealousy, and bitterness that would be engendered if there were two High Priests with equal standing in the Temple. Nor as an ordinary priest, because the principle is: One elevates to a higher level in matters of sanctity and one does not downgrade. Once he has served as a High Priest he cannot be restored to the position of an ordinary priest.

¹⁰³ The Gemara asks: Can it be that the first clause of the mishna is in accordance with the opinion of the Rabbis, who disagree with Rabbi Meir, and the latter clause is in accordance with the opinion of Rabbi Meir? Rav Ḥisda said: Indeed, the first clause of the mishna is in accordance with the opinion of the Rabbis and the latter clause is in accordance with the opinion of Rabbi Meir. Rav Yosef said: The entire mishna is in accordance with the opinion of Rabbi Yehuda HaNasi, and he formulates the mishna according to different tanna'im. It is in accordance with the opinion of the Rabbis with regard to a High Priest consecrated by donning multiple garments, and in accordance with the opinion of Rabbi Meir with regard to a former High Priest.

¹⁰⁴ Rava said: The entire mishna is stating the opinion of Rabbi Shimon, and he holds in accordance with the opinion of Rabbi Meir with regard to one matter and disagrees with him with regard to one matter.

¹⁰⁵ This is as it is taught in a baraita: These are matters with regard to which there are differences between a High Priest and an ordinary priest: The High Priest brings the bull that comes for any of the mitzvot, and the bull of Yom Kippur, and the daily tenth of an ephah meal-offering. And he may not grow his hair long and may not rend his garments as expressions of mourning; but he rends his garment from below in an inconspicuous manner, and the ordinary priest rends his garment from above, in the typical manner. And the High Priest may not render himself impure with impurity imparted by a corpse even in the event that one of his relatives dies, and he is warned to marry a

virgin, and it is prohibited for him to marry a widow, and when he dies he restores the unwitting murderer to his home from the city of refuge.

¹⁰⁶ The baraita continues: And the High Priest sacrifices offerings even as an acute mourner on the day that a close relative dies, but he may not partake of the offerings on that day and he does not receive a share of those offerings. He sacrifices a portion at the head of the priests, i.e., whenever he chooses, and takes a portion at the head, i.e., he takes a portion from any offering that he chooses. And he performs the Temple service wearing eight priestly garments, and the entire Yom Kippur service is valid only when performed by him, and he is exempt from bringing a sliding-scale offering for the defiling of the Temple or its sacrificial foods.

¹⁰⁷ The baraita continues: And all these halakhot are in effect with regard to the High Priest who is consecrated by donning multiple garments, except for the bull the High Priest brings for all the mitzvot. And all these halakhot are in effect with regard to a former anointed High Priest, except for the bull of Yom Kippur and the tenth of an ephah. And all these halakhot are not in effect with regard to a priest anointed for war, except for the five matters stated in the portion where the halakhot of the High Priest are enumerated (see Leviticus, chapter 21): He may not grow his hair long and may not rend his garments, and he may not render himself impure with impurity imparted by a corpse even in the event that one of his relatives dies, and he is warned to marry a virgin, and it is prohibited for him to marry a widow, and when he dies he restores the unwitting murderer to his home from the city of refuge; this is the statement of Rabbi Yehuda. And the Rabbis say: He does not restore the unwitting murderer to his home.

¹⁰⁸ The Gemara asks: And with regard to this baraita, from where can it be derived that the tanna is Rabbi Shimon? Rav Pappa said: Whom did you hear who says: A High Priest is exempt from bringing a sliding-scale offering for the defiling of the Temple or its sacrificial foods? It is Rabbi Shimon. He holds in accordance with the opinion of Rabbi Meir with regard to a former High Priest, and in accordance with the opinion of the Rabbis with regard to the High Priest who is consecrated by donning multiple garments, who does not bring a bull for absence of awareness of the matter with the unwitting performance of an action.

¹⁰⁹ § The baraita teaches: And all these halakhot are not in effect with regard to a priest anointed for war, except for the five matters stated in the portion where the halakhot of the High Priest are enumerated. The Gemara asks: From where are these matters derived? The Gemara answers: It is as the Sages taught: “And the priest who is greater than his brethren” (Leviticus 21:10); this is a High Priest. “Upon whose head the anointing oil is poured”; this is the priest anointed for war. “And who is consecrated to don the garments”; this is the High Priest who is consecrated by donning multiple garments. With regard to all of them, the verse states: “He shall neither let the hair of his head grow, nor rend his garments, neither shall he come upon any dead body” (Leviticus 21:10–11).

¹¹⁰ One might have thought that all of these priests sacrifice offerings as acute mourners. Therefore, the verse states: “For the consecration of the anointing oil of his God is upon him” (Leviticus 21:12), from which it is derived: “Upon him,” the High Priest, but not upon another priest. And after the verse differentiated the priest anointed for war, one might have thought that he would not be commanded to marry a virgin, a mitzva that appears in the following verse. Therefore, the verse states with the letter vav as a prefix: “And he shall take a wife in her virginity” (Leviticus 21:13), which serves to include the priest anointed for war.

¹¹¹ The Gemara comments: This is parallel to a dispute between tanna'im with regard to the verse "And he shall take a wife in her virginity." Once the verse had distinguished between a priest anointed for war and a High Priest in terms of bringing offerings as an acute mourner, it included the priest anointed for war with regard to the halakhot that follow; this is the statement of Rabbi Yishmael. Rabbi Akiva says: I have derived only that the High Priest who stepped down for a brief period due to his seminal emission is commanded to marry a virgin. From where do I derive that a High Priest who stepped down due to blemishes, who will remain disqualified, is commanded to marry a virgin? Therefore, the verse states: "And he," to include a High Priest who stepped down due to blemishes. According to Rabbi Akiva, there is no source available to include the priest anointed for war.

¹¹² Rava raised a dilemma before Rav Naḥman: In the case of an anointed High Priest who was afflicted with leprosy, what is the halakha with regard to marrying a widow? Is he temporarily disqualified from service, i.e., does he remain a High Priest and is it therefore prohibited for him to marry a widow? Or is he totally absolved of his status as High Priest and therefore it is permitted for him to marry a widow? The answer was not available to him.

¹¹³ On another occasion, Rav Pappa was sitting and he raised the same dilemma. Huna, son of Rav Naḥman, said to Rav Pappa: We learn in a baraita: I have derived only that the High Priest who stepped down for a brief period due to his seminal emission is commanded to marry a virgin. From where do I derive that a High Priest who stepped down due to blemishes, who will remain disqualified, is commanded to marry a virgin? The verse states: "And he." Leprosy is an example of a blemish, so it is prohibited for a High priest afflicted with leprosy to marry a widow. When Rav Pappa heard this baraita, he arose and kissed him on his head and gave him his daughter to marry, due to his appreciation for his expertise in Torah study.

¹¹⁴ MISHNA: A High Priest rends his garments from below when he is in mourning, and an ordinary priest rends his garments from above like a non-priest. A High Priest sacrifices offerings as an acute mourner, i.e., on the day of the death of one of his close relatives, but he may not eat from those offerings. And an ordinary priest who is an acute mourner neither sacrifices offerings nor eats from those offerings.

¹¹⁵ GEMARA: Rav says: From below, written with regard to the High Priest, means actually from below, from the bottom of the garment, and from above means actually from above, from the top of the garment. And Shmuel said: From below means from below the neckline, and from above means from above the neckline, i.e., from the neckline itself, and both this High Priest and that ordinary priest rend their garments at the neck of their garment.

¹¹⁶ The Gemara raises an objection to the opinion of Shmuel from a baraita: For all the dead relatives for whom one rends his garments, if he wishes he rends the neckline of his garment asunder; if he wishes he does not rend the neckline of his garment asunder. If he is rending his garments for his father or for his mother he rends the neckline asunder. Since in general, it is a tear even without rending the neckline asunder, one can read here with regard to the High Priest: "Nor rend his garments" (Leviticus 21:10). This supports the opinion of Rav that the High Priest does not rend his garments from above like others do; rather, he rends his garments from below.

¹¹⁷ The Gemara answers: Shmuel holds in accordance with the opinion of Rabbi Yehuda, who says: Any tear that does not rend his neckline asunder is only a gratuitous tear that serves no purpose.

Since according to Rabbi Yehuda rending of garments involves rending the neckline, the High Priest may rend his garment from above provided that he does not rend the neckline. The Gemara asks: And is Rabbi Yehuda of the opinion that there is rending of garments for a High Priest?

¹¹⁸ But isn't it taught in a baraita: Had it been stated: He shall neither let the hair of a head grow, nor rend garments, I would have said: It is with regard to the head and the garment of a woman suspected by her husband of having been unfaithful [sota] that the verse is speaking, and it means that the High Priest must not loosen her hair or rend her garments, in the manner that an ordinary priest does to the sota. Therefore, the verse states: "He shall neither let the hair of his head grow, nor rend his garments" (Leviticus 21:10), indicating that he is not included in the mitzva to grow long hair and rend garments at all; this is the statement of Rabbi Yehuda. Rabbi Yishmael says: He does not rend his garments in the manner that people typically rend their garments. Rather, he rends his garment from below and an ordinary priest rends his garments from above. Apparently, according to the opinion of Rabbi Yehuda, the High Priest does not rend his garments at all.

¹¹⁹ The Gemara answers: Shmuel holds in accordance with the opinion of Rabbi Yehuda with regard to one matter, i.e., the way in which garments are rent, and disagrees with him with regard to one matter, as Shmuel holds that the High Priest rends his garments.

¹²⁰ MISHNA: Any mitzva that is more frequent than another mitzva precedes that other mitzva if the opportunity to fulfill one of them coincides with an opportunity to fulfill the other. And anyone who is more sanctified than another precedes that other person. If the bull of the anointed priest and the bull of the congregation, which are brought for absence of awareness of the matter, are pending, the bull of the anointed priest precedes the bull of the congregation in all its actions, i.e., its sacrificial rites.

¹²¹ GEMARA: The Gemara questions the statement in the mishna that the more frequent matter takes precedence: From where are these matters derived? Abaye said: It is as the verse states concerning the additional offerings brought on Festivals: "Beside the burnt-offering of the morning, which is for a daily burnt-offering" (Numbers 28:23). Once it is written: "The burnt-offering of the morning," why do I need: "A daily burnt-offering"? Clearly the reference is to the daily burnt-offering of the morning. This is what the Merciful One is saying: Any matter that is more frequent takes precedence. Since it is a daily offering, it is more frequent. Therefore, it precedes other offerings.

¹²² The mishna continues: And anyone who is more sanctified than another precedes that other person. The Gemara asks: From where do we derive these matters? It is as the school of Rabbi Yishmael taught, that from the verse written with regard to a priest: "And you shall sanctify him, as he sacrifices the bread of your God, he shall be holy unto you" (Leviticus 21:8), it is derived that a priest should be esteemed and granted precedence with regard to any matter of sanctity. He should be the one to open first in the reading of the Torah, and to recite the blessing of the zimmun first, and to take a fine portion first. The priest who is more sanctified takes precedence.

¹²³ § The mishna teaches: If the bull of the anointed priest and the bull of the congregation, which are brought for absence of awareness of the matter, are pending, the bull of the anointed priest precedes the bull of the congregation in all its actions. The Gemara asks: From where are these matters derived? It is as the Sages taught: "And he shall burn it as he burned the first bull" (Leviticus 4:21). Why must the verse state "the first"? The verse could simply state that he shall burn it as he

burned the bull. It is in order to establish that the first offering precedes the bull of the congregation in all its actions.

¹²⁴ The Sages taught in a baraita: If the bull of the anointed priest and the bull of the congregation are pending, the bull of the anointed priest precedes the bull of the congregation in all its actions. Since the anointed priest atones for the entire Jewish people, and the congregation gains atonement, it is logical that the one who atones will precede the one who gains atonement. And so the verse states: “And he shall atone for himself, and for his household, and for all the congregation of Israel” (Leviticus 16:17).

¹²⁵ The baraita continues: A bull for an unwitting communal sin precedes a bull for idol worship. What is the reason for this halakha? This, i.e., the bull for an unwitting communal sin, is a sin-offering, and that, i.e., the bull for idol worship, is a burnt-offering, and it is taught in a baraita: “And he shall sacrifice that which is for the sin-offering first” (Leviticus 5:8); why must the verse state this? If it is to teach that the sin-offering will be first, it is already stated: “And the second he shall prepare as a burnt-offering according to the ordinance” (Leviticus 5:10). Rather, this established a paradigm from which all similar cases may be derived, teaching that all sin-offerings precede the burnt-offerings that accompany them, and we maintain that even bird sin-offerings precede animal burnt-offerings.

¹²⁶ A bull for idol worship brought by the entire congregation precedes a goat for idol worship brought by the entire congregation. The Gemara asks: Why is this so; this, i.e., the goat is a sin-offering, and that, i.e., the bull is a burnt-offering? In the West, Eretz Yisrael, they say in the name of Rava bar Mari: In the verse: “If it is performed unwittingly by the congregation, being hidden from their eyes, the entire congregation shall bring one young bull for a burnt-offering, for a pleasing aroma to the Lord, with its meal-offering, and its libation, according to the ordinance, and one goat as a sin-offering [leḥattat]” (Numbers 15:24), the sin-offering for idol worship is lacking an ale, i.e., “leḥattat” is written without an ale. This indicates that not all the halakhot of sin-offerings apply to it. Rava said: “According to the ordinance” is written concerning it, indicating that the service must be performed in accordance with the order stated in the verse, i.e., the bull is sacrificed before the goat.

¹²⁷ The goat for idol worship of the congregation precedes the goat of the king. What is the reason for this? The reason is that this goat is brought by the general public and that goat is brought by an individual, and the communal precedes the individual even if that individual is the king. The male goat of the king precedes the female goat of the individual. What is the reason for this? This male goat is brought by a king, and that female goat is brought by a commoner.

¹²⁸ The female goat of an individual brought as a standard sin-offering precedes the ewe of an individual brought as a standard sin-offering. The Gemara asks: But isn't it taught in a baraita: The ewe of an individual precedes the female goat of an individual? Abaye said: It is a dispute between tanna'im. One Sage holds that a female goat is preferable and takes precedence, as it has an increased applicability in that it is brought for idol worship by an individual, in which case one must bring a female goat, not a female sheep. And one Sage holds that the ewe is preferable and takes precedence, as it has more sacrificial portions than a female goat, as its tail is also included, which indicates that it is a preferable offering.

¹²⁹ The omer offering precedes the lamb that accompanies it; the two loaves, i.e., the public offering on Shavuot of two loaves of bread from the new wheat, precede the sheep that accompany them. This is the principle: A matter that comes due to a mitzva of the day precedes a matter that comes due to the bread. The omer and two loaves are meal-offerings brought due to the day. The accompanying sheep are brought due to the meal-offerings.

¹³⁰ MISHNA: The man precedes the woman when there is uncertainty with regard to which of them to rescue or to return a lost item to first. And the woman precedes the man with regard to which of them to provide with a garment first, because her humiliation is great, or to release from captivity first, due to the concern that she will be raped. When they are both subject to degradation, i.e., there is also concern that the man will be raped in captivity, the release of the man precedes the release of the woman.

¹³¹ GEMARA: Apropos precedence, the Sages taught in a baraita: If one and his father and his teacher were in captivity, his release precedes his teacher's because one's own life takes precedence, and his teacher's release precedes his father's release. His mother's release precedes the release of all of them.

¹³² A Torah scholar precedes the king of Israel, because in the case of a Sage who dies, we have no one like him, but in the case of a king of Israel who dies, all of Israel are fit for royalty.

¹³³ A king precedes a High Priest, as it is stated: "And the king said unto them: Take with you the servants of your lord" (I Kings 1:33). King David was referring to himself as lord when speaking to Zadok the priest.

¹³⁴ A High Priest precedes a prophet, as it is stated: "And let Zadok the priest and Nathan the prophet anoint him there" (I Kings 1:34); Zadok is written before Nathan. And similarly, the prophet says: "Hear now, Joshua the High Priest, you and your colleagues who sit before you, for they are men that are a sign; for behold, I will bring forth My servant Zemah" (Zechariah 3:8). One might have thought that these colleagues were laymen. Therefore, the verse states: "For they are men that are a sign," and "sign" means nothing other than a prophet, as it is stated: "And he gives you a sign or a wonder" (Deuteronomy 13:2).

¹³⁵ A High Priest anointed with anointing oil precedes a priest consecrated by donning multiple garments. A High Priest consecrated by donning multiple garments precedes an anointed High Priest who stepped down, even if he did so due to his seminal emission. An anointed High Priest who stepped down due to his seminal emission precedes an anointed High Priest who stepped down due to his blemish. An anointed High Priest who stepped down due to his blemish precedes a priest anointed for war. A priest anointed for war precedes a deputy High Priest, who replaces the High Priest when he is unable to serve in the Temple.

¹³⁶ The baraita concludes: A deputy High Priest precedes the overseer [la'amarkal], one of the seven appointed officials in the Temple. The Gemara asks: What is the meaning of amarkal? Rav H̥isda said: Amarkal is a contraction for amar kulla, meaning: He says it all. The overseer of the Temple has the final word in matters concerning the administration of the Temple. The overseer precedes the Temple treasurer. The treasurer precedes the head of the priestly watch that would serve in the Temple for a period of one week at a time. The head of the priestly watch precedes the head of the patrilineal family. Each patrilineal family performed the Temple service for one day during the week of its priestly watch. The head of the patrilineal family precedes an ordinary priest.

¹³⁷ A dilemma was raised before the Sages: With regard to the matter of ritual impurity, when there is a corpse with no one to bury it [met mitzva], which even a priest and a nazirite are commanded to bury, and the deputy High Priest and the priest anointed for war are available to bury it, which of them precedes the other and becomes impure?

¹³⁸ Mar Zutra, son of Rav Nahman, said: Come and hear a resolution, as it is taught in a baraita: In the case of a deputy High Priest and a priest anointed for war who were walking along the path and they encountered a met mitzva and one of them must bury him and become ritually impure, it is preferable that the priest anointed for war will become ritually impure and the deputy High Priest will not become ritually impure. The reason is that if disqualification befalls the High Priest, the deputy enters and performs the Temple service in his stead. Therefore, one must ensure to every possible extent that the deputy High Priest remain ritually pure. The Gemara asks: But isn't it taught in a baraita: A priest anointed for war precedes a deputy High Priest? Ravina said: When that baraita is taught, it is not with regard to ritual impurity; rather, it is taught with regard to rescuing him, as the standing of the priest anointed for war is higher than that of the deputy High Priest.

¹³⁹ MISHNA: A priest precedes a Levite. A Levite precedes an Israelite. An Israelite precedes a son born from an incestuous or adulterous relationship [mamzer], and a mamzer precedes a Gibeonite, and a Gibeonite precedes a convert, and a convert precedes an emancipated slave. When do these halakhot of precedence take effect? In circumstances when they are all equal in terms of wisdom. But if there were a mamzer who is a Torah scholar and a High Priest who is an ignoramus, a mamzer who is a Torah scholar precedes a High Priest who is an ignoramus, as Torah wisdom surpasses all else.

¹⁴⁰ GEMARA: A priest precedes a Levite, as it is stated: "The sons of Amram: Aaron and Moses, and Aaron was separated that he should be sanctified as the most sacred" (I Chronicles 23:13). A Levite precedes an Israelite, as it is stated: "At that time the Lord separated the tribe of Levi, to bear the Ark of the Covenant of the Lord, to stand before the Lord to minister unto Him, and to bless in His name, unto this day" (Deuteronomy 10:8).

¹⁴¹ An Israelite precedes a mamzer because this Israelite is of legitimate lineage and that mamzer is not of legitimate lineage and is disqualified from entering into the congregation of Israel. A mamzer precedes a Gibeonite because this mamzer comes from a fit drop of semen, i.e., from Jewish parentage, and that Gibeonite comes from an unfit drop of semen, from gentile parentage. A Gibeonite precedes a convert, as this Gibeonite grew among us in sanctity and conducted his life as a Jew, and that convert did not grow among us in sanctity. A convert precedes an emancipated Canaanite slave as this emancipated Canaanite slave was included in the category of the curse while he was enslaved, and that convert was not included in the category of the curse.

¹⁴² The mishna teaches: When do these halakhot of precedence take effect? In circumstances when they are all equal in terms of wisdom. The Gemara asks: From where are these matters derived? Rav Aḥa, son of Rabbi Ḥanina, said: This is derived from a verse, as the verse states: "She is more precious than rubies [mipeninin]" (Proverbs 3:15). The Torah is more precious than the High Priest who enters the innermost sanctum [lifnai velifnim], the Holy of Holies.

¹⁴³ It is taught in a baraita that Rabbi Shimon bar Yoḥai says: By right, an emancipated Canaanite slave should have preceded a convert, because this emancipated Canaanite slave grew among us in sanctity, and that convert did not grow among us in sanctity. But the convert precedes the Canaanite

slave because this Canaanite slave was in the category of the curse, and that convert was not in the category of the curse.

¹⁴⁴ The students of Rabbi Elazar, son of Rabbi Tzadok, asked him: For what reason does everyone, i.e., do many people, run to marry a female convert, and not everyone runs to marry an emancipated Canaanite maidservant? He said to them: This Canaanite maidservant was in the category of the curse, and that convert was not in the category of the curse. Alternatively, the reason is that this convert has the presumptive status of chastity, and that Canaanite maidservant does not have the presumptive status of chastity.

¹⁴⁵ The students of Rabbi Elazar asked him: For what reason does a dog recognize its master, while a cat does not recognize its master? Rabbi Elazar said to them: If it is established that with regard to one who eats from that which a mouse eats, eating that item causes him to forget, with regard to the cat, who eats the mouse itself, all the more so does eating it cause it to forget.

¹⁴⁶ The students of Rabbi Eliezer asked him: For what reason do all predators dominate mice and prey on them? He said to them: Because concerning mice, their inclination [shesuran] is evil. The Gemara asks: What is the indication of this? Rava said: They gnaw even at cloaks, despite the fact that cloaks do not provide nourishment for them.

¹⁴⁷ Rav Pappa said: They gnaw even on the handle of a hoe.

¹⁴⁸ § The Sages taught in a baraita: There are five factors that cause one to forget his Torah study: One who eats from that which a mouse eats and from that which a cat eats, and one who eats the heart of an animal, and one who is accustomed to eating olives, and one who drinks water that remains from washing, and one who washes his feet with this foot atop that foot. And some say: Also one who places his garments under his head. Correspondingly, there are five factors that restore forgotten Torah study: Eating bread baked on coals and all the more so one who warms himself with the heat of the coals themselves, and one who eats a hard-boiled egg [beitza megulgelet] without salt, and one who is accustomed to eating olive oil, and one who is accustomed to drinking wine and smelling spices, and one who drinks water that remains from kneading dough. And some say: Also one who dips his finger in salt and eats it.

¹⁴⁹ The Gemara elaborates on the baraita: One who is accustomed to eating olive oil restores forgotten Torah study. The Gemara notes: This supports the opinion of Rabbi Yoḥanan, as Rabbi Yoḥanan said: Just as eating an olive causes one to forget seventy years' worth of Torah study, olive oil restores seventy years' worth of Torah study.

¹⁵⁰ The baraita continues: And one who is accustomed to drinking wine and smelling spices restores forgotten Torah study. The Gemara notes: This supports the opinion of Rava, as Rava said: Wine and spices rendered me wise.

¹⁵¹ The baraita continues: One who dips his finger in salt and eats it restores forgotten Torah study. Reish Lakish says: And that is the case with regard to one finger. The Gemara notes: This is parallel to a dispute between tanna'im. Rabbi Yehuda says: One finger but not two. Rabbi Yosei says: Two fingers but not three. And your mnemonic for the fact that the dispute is between one and two fingers is kemitza, i.e., the ring finger. When one presses his ring finger to his palm, there remain two straight fingers on one side and one on the other.

¹⁵² Ten factors are detrimental for Torah study: One who passes beneath the bit of the camel, and all the more so one who passes beneath a camel itself; and one who passes between two camels; and one who passes between two women; and a woman who passes between two men; and one who passes beneath a place where there is the foul odor of an animal carcass; and one who passes under a bridge beneath which water has not passed for forty days; and one who eats bread that was not sufficiently baked; and one who eats meat from zuhama listeron, a utensil consisting of a spoon and a fork, used to remove the film on the surface of soup; and one who drinks from an aqueduct that passes through a cemetery; and one who gazes at the face of the dead. And some say: Also one who reads the writing that is on the stone of a grave.

¹⁵³ § The Sages taught in a baraita: When the Nasi of the Sanhedrin enters, all the people stand and they do not sit until he says to them: Sit. When the deputy Nasi of the Sanhedrin enters, the people form for him one row from here, on this side of the path that he takes, and one row from there, on the other side of it, in a display of deference, until he sits in his place, and then they may be seated. When the Ḥakham, who is ranked third among the members of the Sanhedrin, enters, one person stands when he is within four cubits of the Ḥakham, and another sits, i.e., when one is no longer within four cubits of the Ḥakham he may sit. And all those whom the Ḥakham passes do this, until he sits in his place. When the multitudes require their services, i.e., they serve a public role, sons of the Sages and Torah scholars may step over the heads of the people seated on the ground in order to reach their places in the Sanhedrin. If one of the Sages left for the purpose of relieving himself, when he is finished he may enter and sit in his place in the Sanhedrin, and he need not be concerned that he is imposing upon those assembled.

¹⁵⁴ When they have the wisdom to hear and to study, the sons of Torah scholars, whose fathers are appointed as leaders of the congregation, enter and sit before their fathers, and their backs are directed toward the people. When they do not have the wisdom to hear and to study they enter and sit before their fathers, and their faces are directed toward the people, so everyone sees that they are seated there in deference to their fathers but not as students. Rabbi Elazar, son of Rabbi Tzadok, says: Even at a wedding party one renders them attachments [senifin] and seats them adjacent to their fathers.

¹⁵⁵ The Master said: If one of the Sages left for the purpose of relieving himself, when he is finished he may enter and sit in his place. Rav Pappa said: The Sages said this only with regard to one who leaves for minor bodily functions, i.e., to urinate. But with regard to one who leaves for major bodily functions, i.e., to defecate, no, he may not return to his place, because he should have examined himself initially so that he would not need to leave. His failure to do so constitutes negligence and he may not impose upon others when he returns, as Rav Yehuda says that Rav says: A person should always accustom himself to relieving himself in the morning and in the evening so that he will not need to distance himself during the daylight hours to find an appropriate place. Rava said: Today, when the world is weak and people are not as healthy as they once were, one may even return after he leaves for major bodily functions.

¹⁵⁶ Rabbi Elazar, son of Rabbi Tzadok, says: Even at a wedding party one renders them attachments. Rava said: This applies during the lifetime of their fathers and in the presence of their fathers.

¹⁵⁷ § Rabbi Yoḥanan says: This mishna, i.e., the preceding baraita, was taught during the days of Rabban Shimon ben Gamliel. Rabban Shimon ben Gamliel was the Nasi, Rabbi Meir was the

Ḥakham, and Rabbi Natan was the deputy Nasi. When Rabban Shimon ben Gamliel was there, everyone would arise before him. When Rabbi Meir and Rabbi Natan would enter, everyone would arise before them. Rabban Shimon ben Gamliel said: Shouldn't there be a conspicuous distinction between me and them in terms of the manner in which deference is shown? Rabban Shimon ben Gamliel instituted the provisions delineated in this baraita that distinguish between the Nasi and his subordinates with regard to the deference shown them.

¹⁵⁸ That day, when Rabban Shimon ben Gamliel instituted these provisions, Rabbi Meir and Rabbi Natan were not there. The following day when they came to the study hall, they saw that the people did not stand before them as the matter was typically done. They said: What is this? The people said to them: This is what Rabban Shimon ben Gamliel instituted.

¹⁵⁹ Rabbi Meir said to Rabbi Natan: I am the Ḥakham and you are the deputy Nasi. Let us devise a matter and do to him as he did to us. What shall we do to him? Let us say to him: Reveal to us tractate Okatzim, which he does not know. And once it is clear to all that he did not learn, he will not have anything to say. Then we will say to him: "Who can express the mighty acts of the Lord, shall make all His praises heard?" (Psalms 106:2), indicating: For whom is it becoming to express the mighty acts of the Lord? It is becoming for one who is capable of making all His praises heard, and not for one who does not know one of the tractates. We will remove him from his position as Nasi, and I will be deputy Nasi and you will be Nasi.

¹⁶⁰ Rabbi Ya'akov ben Korshei heard them talking, and said: Perhaps, Heaven forbid, this matter will come to a situation of humiliation for Rabban Shimon ben Gamliel. He did not wish to speak criticism or gossip about Rabbi Meir and Rabbi Natan, so he went and sat behind the upper story where Rabban Shimon ben Gamliel lived. He explained tractate Okatzin; he studied it aloud and repeated it, and studied it aloud and repeated it.

¹⁶¹ Rabban Shimon ben Gamliel said to himself: What is this that is transpiring before us? Perhaps, Heaven forbid, there is something transpiring in the study hall. He suspected that Rabbi Meir and Rabbi Natan were planning something. He concentrated and studied tractate Okatzin. The following day Rabbi Meir and Rabbi Natan said to him: Let the Master come and teach a lesson in tractate Okatzin. He began and stated the lesson he had prepared. After he completed teaching the tractate, he said to them: If I had not studied the tractate, you would have humiliated me.

¹⁶² Rabban Shimon ben Gamliel commanded those present and they expelled Rabbi Meir and Rabbi Natan from the study hall as punishment. Rabbi Meir and Rabbi Natan would write difficulties on a scrap of paper [pitka] and would throw them there into the study hall. Those difficulties that were resolved were resolved; as for those that were not resolved, Rabbi Meir and Rabbi Natan wrote resolutions on a scrap of paper and threw them into the study hall. Rabbi Yosei said to the Sages: How is it that the Torah, embodied in the preeminent Torah scholars, is outside and we are inside?

¹⁶³ Rabban Shimon ben Gamliel said to them: Let us admit them into the study hall. But we will penalize them in that we will not cite halakha in their names. They cited statements of Rabbi Meir in the name of Aḥerim, meaning: Others, and they cited statements of Rabbi Natan in the name of yesh omerim, meaning: Some say. Rabbi Meir and Rabbi Natan were shown a message in their dreams: Go, appease Rabban Shimon ben Gamliel. Rabbi Natan went. Rabbi Meir did not go. He said in his heart: Matters of dreams are insignificant. When Rabbi Natan went, Rabban Shimon ben Gamliel said to him: Although the ornate belt, i.e., the importance, of your father was effective in enabling

you to become deputy Nasi, as Rabbi Natan's father was the Babylonian Exilarch, will it render you Nasi as well?

¹⁶⁴ Years later, Rabbi Yehuda HaNasi taught Rabban Shimon his son that Aḥerim say: If it was considered a substitute,

¹⁶⁵ it would not be sacrificed. Rabbi Yehuda HaNasi's son said to him: Who are these Sages whose water we drink but whose names we do not mention? Rabbi Yehuda HaNasi said to him: They are people who sought to abolish your honor and the honor of your father's house.

¹⁶⁶ His son said to him, citing the verse: "Their love as well as their hatred and their envy is long ago perished" (Ecclesiastes 9:6): That was long ago and they have already died. Therefore, there is no harm in mentioning their names. Rabbi Yehuda HaNasi said to him: But it is also stated: "The enemy are come to an end; the wasted places are forever" (Psalms 9:7). Although the enemies died, the desolation that they created remains. Therefore, although they are dead, their names should not be mentioned. Rabban Shimon said to his father: These matters apply in a case where their actions were effective. In the case of these Sages, their actions were not effective. Rabbi Yehuda HaNasi then taught him: The Sages said in the name of Rabbi Meir: If it was considered a substitute, it would not be sacrificed. Rava said: Even Rabbi Yehuda HaNasi, who is humble, taught: The Sages said in the name of Rabbi Meir. But he did not say directly: Rabbi Meir said.

¹⁶⁷ § Rabbi Yoḥanan said: Rabban Shimon ben Gamliel and the Rabbis disagreed with regard to this matter. One said: Sinai, i.e., one who is extremely knowledgeable, is preferable; and one said: One who uproots mountains, i.e., one who is extremely incisive, is preferable.

¹⁶⁸ The Gemara relates that this is not merely a theoretical dispute; rather, at one point it had practical ramifications. Rav Yosef was Sinai; Rabba was one who uproots mountains. They sent a message from Babylonia to there, Eretz Yisrael: Which takes precedence? They sent in response: Sinai is preferable, as the Master said: Everyone requires the owner of the wheat, i.e., one who is expert in the sources. And even so, Rav Yosef did not accept upon himself the appointment of head of the yeshiva. Rabba reigned for twenty-two years, and then Rav Yosef reigned. The Gemara relates that in all those years that Rabba presided, Rav Yosef did not even call a bloodletter to his home. Rav Yosef did not assume even the slightest air of authority, in deference to Rabba, and would go to seek out the bloodletter rather than expecting that the bloodletter would accommodate him.

¹⁶⁹ The Gemara relates: Abaye, Rava, Rabbi Zeira, and Rabba bar Mattana were sitting and studying in a group and were in need of a head for their group. They said: Let anyone who will say a matter that is not refuted be the head. Everyone's statements were refuted, and the statement of Abaye was not refuted. Rabba saw that Abaye raised his head, i.e., he noticed that his statement was not refuted. Rabba said to him: Naḥmani, calling Abaye by his name rather than by his nickname, begin and say your lecture.

¹⁷⁰ A dilemma was raised before the Sages: Between Rabbi Zeira and Rabba bar Rav Mattana, which of them is preferable? Rabbi Zeira is incisive and raises pertinent difficulties, and Rabba bar Rav Mattana is moderate and not so incisive, but ultimately he draws the appropriate conclusions. What is the conclusion? Which is preferable? The Gemara concludes: The dilemma shall stand unresolved.