



Rabbi Yose declares it to be unclean.

2:2 If he poured the first water over his hands [while standing] in one place, and the second water over his hands [while standing] in another place, and a loaf of terumah fell on the first water, the loaf becomes unclean. But if it fell on the second water it remains clean. If he poured the first and the second water [while standing] in one place, and a loaf of terumah fell onto the water, the loaf becomes unclean. If he poured the first water over his hands and a splinter or a piece of gravel is found on his hands, [his hands] remain unclean, because the latter water only makes the first water on the hands clean. Rabban Shimon ben Gamaliel says: if any creature from the water [was on the hands while they are being cleaned] they are clean.

2:3 Hands become unclean and are made clean as far as the joint. How so? If he poured the first water over the hands as far as the joint and poured the second water over the hands beyond the joint and the latter flowed back to the hands, the hands are clean. If he poured the first and the second water over the hands beyond the joint and they flowed back to the hands, the hands remain unclean. If he poured the first water over one of his hands and then changed his mind and poured the second water over both his hands, they are unclean. If he poured the first water over both his hands and then changed his mind and poured the second water over one of his hands, his one hand becomes clean. If he poured water over one of his hands and rubbed it on the other hand it remains unclean. If he rubbed it on his head or on the wall it is clean. Water may be poured over the hands of four or five persons, each hand being by the side of the other, or being one above the other, provided that the hands are held loosely so that the water flows between them.

2:4 If there was a doubt whether any work has been done with the water or not, a doubt whether the water contains the requisite quantity or not, a doubt whether it is unclean or clean, in these cases the doubt is considered to be clean because they have said in a case of doubt concerning hands as to whether they have become unclean or have conveyed uncleanness or have become clean, they are considered to be clean. Rabbi Yose says: in a case [of doubt as to] whether they have become clean they are considered to be unclean. How so? If his hands were clean and there were two unclean loaves before him and there was a doubt whether he touched them or not; Or if his hands were unclean and there were two clean loaves before him and there was a doubt whether he touched them or not; Or if one of his hands was unclean and the other clean and there were two clean loaves before him and he touched one of them and there was a doubt whether he touched it with the unclean hand or with the clean hand; Or if his hands were clean and there were two loaves before him one of which was unclean and the other clean and he touched one of them and there was a doubt whether he touched the unclean one or the clean one; Or if one of his hands was unclean and the other clean and there were two loaves before him one of which was unclean and the other clean, and he touched both of them, and there is a doubt whether the unclean hand touched the unclean loaf or whether the clean hand touched the clean loaf or whether the clean hand touched the unclean loaf or whether the unclean hand touched the clean loaf The hands remain in the same state as they were before and the loaves remain in the same state as they were

before.

3:1 If a person puts his hands inside a house with scale disease, his hands have first degree uncleanness, the words of Rabbi Akiba. But the sages say: his hands have second degree uncleanness. Whoever defiles garments: at the time when he touches [the uncleanness], he defiles hands so that they have first degree uncleanness, the words of Rabbi Akiba. But the sages say: such that they have second degree of uncleanness. They said to Rabbi Akiba: where do we find anywhere that hands have first degree uncleanness? He said to them: but how is it possible for them to become unclean with first degree uncleanness without his whole body becoming unclean? Only in these cases [can they have first degree uncleanness]. Foods and vessels which have been defiled by liquids convey second degree of uncleanness to the hands, the words of Rabbi Joshua. But the sages say: that which has been defiled by a father of uncleanness conveys uncleanness to the hands, but that which has been defiled by an offspring of uncleanness does not defile the hands. Rabban Shimon ben Gamaliel said: it happened that a certain woman came before my father and said to him, "My hands went into the air-space inside an earthenware vessel." He said to her: "My daughter, what was the cause of its uncleanness?" But I did not hear what she said to him. The sages said: the matter is clear that which has been defiled by a father of uncleanness conveys uncleanness to the hands, but that which has been rendered unclean by an offspring of uncleanness does not defile the hands.

3:2 Anything which disqualifies terumah defiles hands with a second degree of uncleanness. One [unwashed] hand defiles the other hand, the words of Rabbi Joshua. But the sages say: that which has second degree of uncleanness cannot convey second degree of uncleanness. He said to them: But do not the Holy Scriptures which have second degree of uncleanness defile the hands? They said to him: the laws of the Torah may not be argued from the laws of the scribes, nor may the laws of the scribes be argued from the laws of the Torah, nor may the laws of the scribes be argued from [other] laws of the scribes.

3:3 The straps of the tefillin [when connected] with the tefillin [boxes] defile the hands. Rabbi Shimon says: the straps of the tefillin do not defile the hands.

3:4 The margin on a scroll which is above or below or at the beginning or at the end defiles the hands. Rabbi Judah says: the margin at the end does not render unclean [the hands] until a handle is fastened to it.

3:5 A scroll on which the writing has become erased and eighty-five letters remain, as many as are in the section beginning, "And it came to pass when the ark set forward" (Numbers 10:35-36) defiles the hands. A single sheet on which there are written eighty-five letters, as many as are in the section beginning, "And it came to pass when the ark set forward", defiles the hands. All the Holy Scriptures defile the hands. The Song of Songs and Kohelet (Ecclesiastes) defile the hands. Rabbi Judah says: the Song of Songs defiles the hands, but there is a dispute about Kohelet. Rabbi Yose says: Kohelet does not defile the hands, but there is a dispute about the Song of Songs. Rabbi Shimon says: [the ruling about] Kohelet is one of the leniencies of Bet Shammai and one of the stringencies of Bet Hillel. Rabbi Shimon ben Azzai said: I have received a

tradition from the seventy-two elders on the day when they appointed Rabbi Elazar ben Azariah head of the academy that the Song of Songs and Kohelet defile the hands. Rabbi Akiba said: Far be it! No man in Israel disputed that the Song of Songs [saying] that it does not defile the hands. For the whole world is not as worthy as the day on which the Song of Songs was given to Israel; for all the writings are holy but the Song of Songs is the holy of holies. If they had a dispute, they had a dispute only about Kohelet. Rabbi Yohanan ben Joshua the son of the father-in-law of Rabbi Akiva said in accordance with the words of Ben Azzai: so they disputed and so they reached a decision.

4:1 On that day the votes were counted and they decided that a footbath holding from two logs to nine kavs which was cracked could contract midras uncleanness. Because Rabbi Akiva said a footbath [must be considered] according to its designation.

4:2 On that day they said: all animal sacrifices which have been sacrificed under the name of some other offering are [nevertheless] valid, but they are not accounted to their owners as a fulfillment of their obligations, with the exception of the pesah and the sin-offering. [This is true of] the pesah in its correct time and the sin-offering at any time. Rabbi Eliezer says: [with the exception] also of the guilt-offering; [so that this refers to] the pesah in its correct time and to the sin- and guilt-offerings at any time. Rabbi Shimon ben Azzai said: I received a tradition from the seventy-two elders on the day when they appointed Rabbi Elazar ben Azariah head of the college that all animal sacrifices which are eaten and which have not been sacrificed under their own name are nevertheless valid, but they are not accounted to their owners as a fulfillment of their obligations, with the exception of the pesah and the sin-offering. Ben Azzai only added [to these exceptions] the wholly burnt-offering, but the sages did not agree with him.

4:3 On that day they said: what is the law applying to Ammon and Moab in the seventh year? Rabbi Tarfon decreed tithe for the poor. And Rabbi Elazar ben Azariah decreed second tithe. Rabbi Ishmael said: Elazar ben Azariah, you must produce your proof because you are expressing the stricter view and whoever expresses a stricter view has the burden to produce the proof. Rabbi Elazar ben Azariah said to him: Ishmael, my brother, I have not deviated from the sequence of years, Tarfon, my brother, has deviated from it and the burden is upon him to produce the proof. Rabbi Tarfon answered: Egypt is outside the land of Israel, Ammon and Moab are outside the land of Israel: just as Egypt must give tithe for the poor in the seventh year, so must Ammon and Moab give tithe for the poor in the seventh year. Rabbi Elazar ben Azariah answered: Babylon is outside the land of Israel, Ammon and Moab are outside the land of Israel: just as Babylon must give second tithe in the seventh year, so must Ammon and Moab give second tithe in the seventh year. Rabbi Tarfon said: on Egypt which is near, they imposed tithe for the poor so that the poor of Israel might be supported by it during the seventh year; so on Ammon and Moab which are near, we should impose tithe for the poor so that the poor of Israel may be supported by it during the seventh year. Rabbi Elazar ben Azariah said to him: Behold, you are like one who would benefit them with gain, yet you are really as one

who causes them to perish. Would you rob the heavens so that dew or rain should not descend? As it is said, "Will a man rob God? Yet you rob me. But you: How have we robbed You? In tithes and heave-offerings" (Malakhi 3:8). Rabbi Joshua said: Behold, I shall be as one who replies on behalf of Tarfon, my brother, but not in accordance with the substance of his arguments. The law regarding Egypt is a new act and the law regarding Babylon is an old act, and the law which is being argued before us is a new act. A new act should be argued from [another] new act, but a new act should not be argued from an old act. The law regarding Egypt is the act of the elders and the law regarding Babylon is the act of the prophets, and the law which is being argued before us is the act of the elders. Let one act of the elders be argued from [another] act of the elders, but let not an act of the elders be argued from an act of the prophets. The votes were counted and they decided that Ammon and Moab should give tithe for the poor in the seventh year. And when Rabbi Yose ben Durmaskit visited Rabbi Eliezer in Lod he said to him: what new thing did you have in the house of study today? He said to him: their votes were counted and they decided that Ammon and Moab must give tithe for the poor in the seventh year. Rabbi Eliezer wept and said: "The counsel of the Lord is with them that fear him: and his covenant, to make them know it" (Psalms 25:14). Go and tell them: Don't worry about your voting. I received a tradition from Rabbi Yohanan ben Zakkai who heard it from his teacher, and his teacher from his teacher, and so back to a halachah given to Moses from Sinai, that Ammon and Moab must give tithe for the poor in the seventh year.

4:4 On that day Judah, an Ammonite convert, came and stood before them in the house of study. He said to them: Do I have the right to enter into the assembly? Rabban Gamaliel said to him: you are forbidden. Rabbi Joshua said to him: you are permitted. Rabban Gamaliel said to him: the verse says, "An Ammonite or a Moabite shall not enter into the assembly of the Lord: even to the tenth generation" (Deuteronomy 23:4). R. Joshua said to him: But are the Ammonites and Moabites still in their own territory? Sanheriv, the king of Assyria, has long since come up and mingled all the nations, as it is said: "In that I have removed the bounds of the peoples, and have robbed their treasures, and have brought down as one mighty the inhabitants" (Isaiah 10:1). Rabban Gamaliel said to him: the verse says, "But afterward I will bring back the captivity of the children of Ammon," (Jeremiah 49:6) they have already returned. Rabbi Joshua said to him: [another] verse says, "I will return the captivity of my people Israel and Judah" (Jeremiah 30:3). Yet they have not yet returned. So they permitted him to enter the assembly.

4:5 The Aramaic sections in Ezra and Daniel defile the hands. If an Aramaic section was written in Hebrew, or a Hebrew section was written in Aramaic, or [Hebrew which was written with] Hebrew script, it does not defile the hands. It never defiles the hands until it is written in the Assyrian script, on parchment, and in ink.

4:6 The Sadducees say: we complain against you, Pharisees, because you say that the Holy Scriptures defile the hands, but the books of Homer do not defile the hands. Rabban Yohanan ben Zakkai said: Have we nothing against the Pharisees but this? Behold they say that the bones of a donkey are clean, yet the bones

of Yohanan the high priest are unclean. They said to him: according to the affection for them, so is their impurity, so that nobody should make spoons out of the bones of his father or mother. He said to them: so also are the Holy Scriptures according to the affection for them, so is their uncleanness. The books of Homer which are not precious do not defile the hands.

4:7 The Sadducees say: we complain against you, Pharisees, that you declare an uninterrupted flow of a liquid to be clean. The Pharisees say: we complain against you, Sadducees, that you declare a stream of water which flows from a burial-ground to be clean? The Sadducees say: we complain against you, Pharisees, that you say, my ox or donkey which has done injury is liable, yet my male or female slave who has done injury is not liable. Now if in the case of my ox or my donkey for which I am not responsible if they do not fulfill religious duties, yet I am responsible for their damages, in the case of my male or female slave for whom I am responsible to see that they fulfill mitzvot, how much more so that I should be responsible for their damages? They said to them: No, if you argue about my ox or my donkey which have no understanding, can you deduce from there anything concerning a male or female slave who do have understanding? So that if I were to anger either of them and they would go and burn another person's stack, should I be liable to make restitution?

4:8 A Galilean min said: I complain against you Pharisees, that you write the name of the ruler and the name of Moses together on a divorce document. The Pharisees said: we complain against you, Galilean min, that you write the name of the ruler together with the divine name on a single page [of Torah]? And furthermore that you write the name of the ruler above and the divine name below? As it is said, "And Pharoah said, Who is the Lord that I should hearken to his voice to let Israel go?" (Exodus 5:2) But when he was smitten what did he say? "The Lord is righteous" (Exodus 9:27).