

PREFACE

The two tractates of the present volume are joined only for convenience's sake. They bear no special relationship to one another, as do, e.g., Zebahim and Menahot. Both make their sizable contributions to the Mishnaic law of holy things, of course, and the translation and explanation of each of them are necessary. Our purpose is fulfilled, however, solely in the historical studies to come. The exegesis of the law is accomplished only so far as it is required for the ultimate intention of the work as a whole. It is kept brief and pays attention only to those issues which clearly inhere in the law's earliest historical stratum of meaning. Hullin, in particular, provides the starting point for one of the most sophisticated and compendious areas of the Jewish legal enterprise, for the slaughter and validation of meat for ordinary home use are subjects of practical law everywhere observed. It follows that the study of our tractate, particularly its Babylonian Gemara, reaches exceptional heights. Those who have studied the legal codes for our tractate but have paid only limited attention to the character of its Mishnah as such will be surprised to notice that only a few chapters of Mishnah-tractate Hullin (and its Tosefta) pay much attention to the issues paramount later on. Quite separate matters, equally important for the announced topic of the tractate, food used for the table at home, not for the Lord's altar in Jerusalem, rightly occupy our tractate. It will follow that the bulk of the literature of commentary and codes is irrelevant to our work. The other tractate, Bekhorot, raises no special problems. The work on it is consistent with what has gone before in this part of the project: a simple, brief commentary, which I believe is adequate to its purpose.

It remains, therefore, merely to restate my purpose, which is to uncover the history of the formation of earlier Rabbinic Judaism, down to the redaction of Mishnah in ca. A.D. 200. The sole reliable route is through the analysis of the earliest sources, beginning with Mishnah, from the perspectives required, in particular, for a history of the law and of its religio-legal conceptions: What do the sources mean in their original circumstance? What ideas are taken for granted in them? What are the literary and intellectual traits exhibited by them? When these questions have been thoroughly dealt with, we

proceed to the next stage in the work. Our sole purpose in this part, therefore, is the economical exegesis of the sources. When the analytical work is accomplished, we turn to the synthetic procedures of historical restoration and the reconstruction of the history and structure of the kind of Judaism revealed in Mishnah and associated, to begin with, with the names of its authorities. The exegesis is accomplished in two stages, first, through form-analytical translation, second, through an explanation of what has been translated. In all I aim at a severe economy of intellect, dealing, as is clear, only with questions important for the larger venture.

The translation gives as literal a version as possible of the Hebrew, preserving and highlighting the formal and formulary traits of the original. The explanation then points up interesting formal and formulary traits and clarifies whatever points of law are not immediately clear from their statement in the translation itself. The comments are brief and follow a simple order and program, which are clear throughout. Further studies of our tractate, its history and Scriptural or other sources, the character of its system and how that system fits into the structure of the Order of Holy Things, will follow the complete presentation of the sources of the Mishnaic law of Holy Things, Mishnah and Tosefta to our Order. If these were widely known and readily available with suitable exegesis of relevant issues, it would not be necessary to undertake the present part of the work. Since they are not, and since in no language is there a systematic commentary which pays close attention to what is important for historical study and *only* to that matter, it is necessary to do what is done here and in the companion-parts of this section of the project through Part V.

My colleague, Professor Richard S. Sarason, kindly took time out of his own scholarly work to criticize mine.

This work carries forward the sequence of dedications to my students, each advancing the work of teaching and scholarly research begun in my seminar at Brown University.

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