

III.

BABYLONIAN TALMUD SOTAH CHAPTER THREE

FOLIOS 19A-23B

3:1-2

- A. He would take her meal-offering from the basket made of twigs and put it into a utensil of service and lay it into her hands.
- B. And a priest puts his hand under hers and waves it [the meal-offering].

M. 3:1

- A. He waved it [Num. 5:25] and brought it near the altar.
- B. He took a handful [of the meal-offering] and burned it up [on the altar].
- C. And the residue is eaten by the priests.
- D. He would give her the water to drink.
- E. And [only] afterward he would offer up her meal-offering.
- F. R. Simeon says, “He would offer up her meal-offering.
- G. “And afterward he would give her the water to drink,
- H. “since it is said, And afterward he gives the woman the water to drink [Num. 5:26].
- I. “But if he gave her the water to drink and afterward he offered up her meal-offering, it is valid.”

M. 3:2

We start, as usual, with an inquiry into the scriptural basis for the Mishnah’s rule.

- I.1.** A. [Supply: **He waved it [Num. 5:25] and brought it near the altar:**] *Said R. Eleazar to R. Josiah, his contemporary, “You may not take your seat until you explain the following matter:*
 - B. *“How do we know that the meal-offering of the accused wife had to be waved [as to M. 3:2A]?”*
 - C. *[He replied,] “How do we know indeed! It is written, ‘And he shall wave’ (Num. 5:25)!*

- D. *[No, the question is,] “How do we know that it must be done by the owner [explaining why the priest puts the woman’s hand on the utensil of service, along with his own, so that she may wave the offering as he does]?”*
- E. *“The proof derives from the appearance of the word ‘hand’ both in the present context and in the setting of the peace-offerings. Here it is written, ‘And the priest will take from the hand of the woman’ (Num. 5:25) and in that other connection it is written, ‘His own hands shall bring...’ (Lev. 7:30).*
- F. *“Just as, in the present instance, it is the priest who does the waving, so, in that other instance, it is the priest who does the waving. Just as, in that other context, the owner joins in, so here, too, the owner joins in.*
- G. *“How so? **The priest puts his hand under the hand of the owner and waves [the meal-offering] [as at M. 3:1B].”***

II.1 A. He waved it and brought it near the altar. He took a handful, etc. [M. 3:2A-B]. He would give her the water to drink and only afterward would he offer up her meal-offering [M. 3:2D-E].

- B. *But he has already offered up [her meal-offering, M. 3:2B]!*
- C. *This is the sense of the passage: What is the order in which meal-offerings are presented? One would wave and then bring the handful near and burn it up, and the residue is eaten by the priests [as at M. 3:2B, C].*
- D. *But as to the administering of the bitter water itself, there is a dispute between R. Simeon and rabbis.*
- E. *For rabbis take the view that **he would give her the water to drink and afterward offers up the meal-offering, while R. Simeon maintains that one offers up her meal-offering and only afterward gives her the water to drink, as it is said, “And afterward he gives the woman the water to drink” (Num. 5:26) [M. 3:2D-H].***

III.1 A. But if he gave her the water to drink and afterward he offered up her meal-offering, it is valid [M. 3:2I]:

- B. **[19B]** *Our rabbis have taught on Tannaite authority: “When he has made her drink’ (Num. 5:27).*
- C. *“What purpose does that verse serve? Has it not already been stated, ‘And he will make her drink’ (Num. 5:24)?*
- D. *“The point is that, if the scroll written for the woman has already been blotted out, and she then says, ‘I shall not drink,’ they browbeat her and force her to drink against her will,” the words of R. Aqiba.*
- E. *R. Simeon says, “‘And afterward he shall make the woman drink’ (Num. 5:26). Why is this statement made?*
- F. *“Has it not already been stated, ‘And he will make her drink’ (Num. 5:24)?*
- G. *“The sense is that it is only after all of the rites listed earlier [have been carried out do they administer the water].*
- H. *“This teaches that three details of the rite are essential: [the water is not administered] [1] until the handful of meal-offering [has been offered up], [2] until the scroll has been blotted out, and [3] until the woman has accepted the oath upon herself.”*

- I. “Until the handful of meal-offering has been offered up:” *R. Simeon is consistent with an opinion expressed elsewhere, for he has said, “He would offer up her meal-offering and afterward he would give her the water to drink” [M. 3:2F-G].*
- J. “Until the scroll has been blotted out:” *[Of course!] What else would he otherwise give her to drink?*
- K. Said R. Ashi, “It was indeed necessary to specify this item. It covers a case in which the marking of the writing on the scroll remains visible. [Simeon holds that the last marks on the scroll must be obliterated].”
- L. “And until the woman has accepted the oath upon herself:” *To be sure, she does not drink the water. But do they write the scroll for her [prior to her taking the oath]?*
- M. [Surely not. For] has Raba not stated, “As to the scroll of an accused wife which was written before she accepted the oath upon herself, [the scribe] has accomplished nothing” [Accordingly, it is not merely that she does not drink the water prior to the acceptance of the oath, but she also does not have the scroll written on her behalf until she has accepted the oath.]
- N. *[Simeon included that item] needlessly. [It is an established fact.]*
- O. *Wherein lies the dispute? There are three verses written in the present connection: first, “And then he shall make the woman drink” (Num. 5:24), then, “And afterward he shall make her drink” (Num. 5:26), and finally, “And when he has made her drink” (Num. 5:27).*
- P. *Rabbis take the view that, the first, “And then he shall make the woman drink” is required to deliver its own point, that the priest administers the water and then offers up her meal-offering. “And afterward he shall make her drink” is necessary to indicate that the last marks of the inscription must be obliterated. The last, “And he shall make her drink,” indicates that if the scroll has been blotted out, and the woman then says, “I shall not drink the water,” they browbeat her and make her drink against her will.*
- Q. For his part, R. Simeon takes the position that “And afterward he shall administer the water” is needed to deliver its own message, namely, that he offers up her meal-offering and only then administers the water. “And he shall administer the water” stated at the outset indicates that, if one has administered the water and afterward offered up her meal-offering, it is valid [post facto]. *The final “And he shall administer the water” serves to indicate that if the scroll has been blotted out, and the woman then says, “I shall not drink the water,” they browbeat her and make her drink against her will.*
- R. *Rabbis, however, argue that Scripture would not begin discourse by dealing with a post-facto case [namely, if the order has been reversed, with the meal-offering following the drinking of the water, the rite remains valid, though that is not the proper sequence. In rabbis’ view Scripture does not commence by dealing with such an improper procedure, but starts with a statement of how things are supposed to be done to begin with.]*
- S. Is it the view of R. Aqiba [as stated above, B-D], that the water is administered to the woman against her will?

- T. *And has it not been taught: R. Judah says, “With iron tongs they force her mouth open, and they force her and make her drink against her will, so that, if the scroll has been blotted out, and the woman said, ‘I shall not drink,’ they browbeat her and force her to drink against her will.”*
- U. *Said R. Aqiba, “And why do we have to test her any further? Is it not to test her? And lo, she is now tested and proved to be degraded [by her very refusal to drink]! But under all circumstances she has the power to repent for her behavior until her meal-offering has been offered. Once her meal-offering has been offered, if she said, ‘I am not going to drink,’ they force her and make her drink it against her will” [T. Sot. 2:3E-H].*
- V. *Now even in accord with your own view of the matter, there is a contradiction to be dealt with [namely, in what is attributed to Aqiba]. “Once her meal-offering has been offered, she cannot retract.” But is it not the case that “she is now tested and proved to be degraded”? [This surely took place before the handful was offered up!]*
- W. *There is no contradiction here. In the one case, she has retracted out of fear, in the other, she has retracted out of defiance. [Only the latter constitutes an admission of guilt.]*
- X. *This then is the sense [of what Aqiba has said]: In any case in which the woman retracts out of defiance, there is no possibility that the woman may drink the water.*
- Y. *When, however, the woman retracts on account of fear, if she does so prior to the offering of the handful, in which case, the scroll has not yet been blotted out, [she may retract].*
- Z. *Or, also, if the priests blotted out the scroll not in accord with the rules, she may retract.*
- AA. *But once the handful has been offered up and the priests have blotted out the scroll in accord with the rules, the woman may not again retract.*
- BB. **[20A]** *In any event R. Aqiba’s statements contradict one another. There he has maintained that the blotting out of the scroll is essential to forcing the woman to drink, while here he has said that the offering up of the handful is essential to forcing the woman to drink. [He places the forcing at different points in the rite.]*
- CC. *What we have is two Tannaite authorities with contrary traditions of R. Aqiba’s views.*
- DD. *The following question was raised [to Aqiba’s theory]: If the woman said, “I shall not drink,” on account of defiance, and then she went and said, “I shall indeed drink,” what is the law?*
- EE. *Do we hold that, since the woman has said, “I shall not drink,” it is as if she has stated, “I am unclean,” and, since she herself has admitted that she is unclean, she no longer can retract?*
- FF. *Or perhaps do we maintain that, since she has said, “I shall drink,” she has revealed that it was on account of fear that she made her original statement?*
- GG. *The question stands over.*

III.2. A. The Father of Samuel said, “One has to put something bitter into the water.”

- B. *What is the scriptural basis for the rule?*
- C. *Scripture has said, 'Water of bitterness' (Num. 5:18), meaning, water which was already made bitter."*

Unit I deals with M. 3:2A and provides a biblical exegesis for support of its rule. Unit II proceeds to M. 3:2D-E, and unit III, to M. 3:2I. The basis for the dispute between rabbis and Simeon is worked out, once more in terms of exegesis of Scripture. The Talmud provides an exceptionally full account of the matter. So the exegesis of the Mishnah-paragraph governs the organization of the Talmud.

3:3-4

- A. [If] before the scroll is blotted out, she said, "I am not going to drink the water," her scroll is put away, and her meal-offering is scattered on the ashes.
- B. But her scroll is not valid for the water-ordeal of another accused wife.
- C. [If] her scroll was blotted out and then she said, "I am not going to drink it," they force her and make her drink it against her will.

M. 3:3

- A. She hardly sufficed to drink it before her face turns yellow, her eyes bulge out, and her veins swell.
- B. And they say, "Take her away! Take her away!"
- C. so that the Temple-court will not be made unclean [by her corpse].
- D. [But if nothing happened], if she had merit, she would attribute [her good fortune] to it.
- E. There is the possibility that merit suspends the curse for one year, and there is the possibility that merit suspends the curse for two years, and there is the possibility that merit suspends the curse for three years.
- F. On this basis Ben Azzai says, "A man is required to teach Torah to his daughter.
- G. "For if she should drink the water, she should know that [if nothing happens to her], merit is what suspends [the curse from taking effect]."
- H. R. Eliezer says, "Whoever teaches Torah to his daughter teaches her sexual satisfaction."
- I. R. Joshua says, "A woman wants a qab [of food] with sexual satisfaction more than nine qabs with abstinence."
- J. He would say, "A foolish saint, a smart knave, an abstemious woman,
- K. "and the blows of abstainers (perushim)—
- L. "lo, these wear out the world."

M. 3:4

The premise of the entire discussion is that the writing on the document can be blotted out. The following independent composition on that proposition is parachuted down because M. 3:3B is adduced in evidence at the second version,

2.G. The exposition of the Mishnah-paragraph itself commences at II.1. It is not common for the Talmud to begin its exposition of a Mishnah-paragraph with a tangential composition or composite and only then to turn to the wording of the Mishnah-paragraph in its own terms. But that clearly is the case here. The fact that M. 3:3B has made its appearance prior to M. 3:4A explains why. Unit II goes on to M. 3:4A, so the order of presentation is quite rational, in accord with the rules of the document, even though we cannot invoke M. 3:3B at the head and represent the passage as a comment on that clause.

Putting Vitriol into the Ink, Yielding Writing that Cannot be Blotted out

- I.1** A. Said R. Judah [delete: said Samuel] in the name of R. Meir, “When I [Meir] was studying Torah with R. Aqiba, I would put vitriol into the ink, and he did not say anything [critical] to me.
- B. “When I went to R. Ishmael, he said to me, ‘My son, what is your trade?’ I said to him, ‘I am a scribe.’ He said to me, ‘Be attentive to your work, for your craft does the work of Heaven. Should you leave out a single letter or add a single letter [to a document], you will turn out to destroy an entire world.’
- C. “I said to him, ‘I have something which I put into the ink, and it is called vitriol.’
- D. “He said to me, ‘Do they put vitriol into ink? The Torah has said, “He shall blot out...”’ (Num. 5:23), speaking therefore of writing that it is possible to blot out.”
- E. *What is it that [Ishmael] indicated to [Meir], that [Meir] replied in this way [about using vitriol]?*
- F. *This is the sense of what he said, “It is not an issue that I am an expert in not leaving out or adding letters [which do not belong]. But I know even how to take account of the speck of a fly, which might come and land on the crown of a D and wipe it away and turn it into an R. I have something which I put into the ink, and it is called vitriol.”*
- G. *Is this version of matters correct? And lo, it has been taught on Tannaite authority as follows:*
- H. Said R. Meir, “When I was studying Torah with R. Ishmael, I would put vitriol into the ink, and he did not say anything [critical] to me, but when I went to R. Aqiba, he forbade me [to do so].”
- I. *There is a problem as to [the order in which Meir] served [and studied with] [the cited authorities], and there also is a problem as to which authority issued the prohibition against using vitriol.*
- J. *There is no problem as to the sequence in which [Meir] served [the successive authorities]. At the outset he came before R. Aqiba. Since he could not withstand his [criticism], he came before R. Ishmael and he studied. Once he had learned, he came back to R. Aqiba, at which point he was able to reason properly.*
- K. *But as to the issue of which authority issued the prohibition, there is a problem [which we cannot sort out].*

We proceed to another version of the same matter.

I.2. A. *It has been taught on Tannaite authority:*

- B. R. Judah says, “R. Meir would say, ‘They put vitriol into ink for all purposes [20B], except for the making of ink to write the portion of an accused wife.’”
- C. R. Jacob says in his name, “... except for the portion of the accused wife for the purpose of [carrying out the rite in] the sanctuary.”
- D. *What is at issue between these two versions of the matter?*
- E. *Said R. Jeremiah, “At issue between the two versions is whether or not one may blot out, for the rite of the accused wife, the appropriate passage as it is written in the Torah. [In Jacob’s view, one may do so, therefore one may not use vitriol.]”*
- F. *The dispute between the two Tannaite authorities just now cited may prove parallel to the dispute of the following Tannaite authorities, for it has been taught on Tannaite authority:*
- G. Her scroll is not valid for the water-ordeal of another accused wife [M. 3:3B].**
- H. R. Ahi bar Josiah says, “Her scroll is valid for the water-ordeal of another accused wife.”
- I. *Said R. Papa, “Perhaps it is not [parallel at all]. The first of the two authorities has made his statement only [in a case in which the scroll was written for a particular woman,] so that, once the scroll has been designated for Rachel, one may not then go and designate it for Leah.*
- J. *“But as to the written version of the Torah, which is written for people in general, [without being designated for a particular person], in such a case we may indeed blot it out [for use in the rite of the accused woman. So the two cases would not be parallel, since Jacob specifies that he deals only with a Torah-scroll used in the sanctuary.]”*
- K. *Said R. Nahman bar Isaac, “Perhaps it is not [parallel at all]. Where R. Ahi bar Josiah makes his ruling, it is in the case of a scroll, which is written out for the sake of the curses. [That scroll may not be used for another accused wife’s rite.]*
- L. *“But as to a Torah, written for people to study, in such a case he would maintain that one may not blot out [the passage as part of the rite, and, in such a case, one may [indeed not use the scroll for another accused wife and] may not blot it out.”*
- M. *And does R. Ahi bar Josiah not concur with the law that if one has written a writ of divorce with which to divorce his wife, and he changed his mind [and discarded the document], and a fellow townsman found the document and said to him, “My name is the same as yours, and my wife’s name is the same as yours” — it is forbidden to divorce the latter’s wife using that writ of divorce. [If Ahi says the scroll may be valid for another accused wife, would he then say also that a writ of divorce written for one woman may be used for the divorce of some other?]*
- N. *[No, that would not follow at all.] In that case [of the writ of divorce], the All-Merciful explicitly states, “And he shall write for her [in particular]” (Deu. 24: 1), indicating that we require that the writing of the writ of divorce must be for the sake of a particular woman.*
- O. *But here too it is written, “He shall carry out in her regard” (Num. 5:30)! [Does that not mean the same thing?]*

- P. *What is the reference to “carrying out”? It is to the blotting out [of the document. That must be done for the particular woman at hand, but the document need not be written with her in mind.]*

We now take up the systematic exposition of the Mishnah-passages, phrase by phrase.

II.1 A. She hardly sufficed to drink before her face... [M. 3:4A]:

- B. *In accord with whose view is that statement made?*
- C. *It accords with the principle of R. Simeon, who has said, “The priest offers the woman’s meal offering, and only afterward administers the water.”*
- D. *For so long as her meal-offering has not been offered, the water will not put her to the test.*
- E. *For it is written, “It is a meal-offering of remembrance, calling sin to remembrance” (Num. 5:15).*
- F. *But then I point to the concluding statement of the same passage: **But if nothing happened, if she had merit, she would attribute her good fortune to it [M. 3:4D].***
- G. *Now that statement must accord only with the view of rabbis [vis à vis Simeon], for so far as R. Simeon is concerned, has he not said, “Merit does not suspend the effects of the bitter water [at all].” [Accordingly how is it possible that M. 3:4A accords with Simeon’s theory of the rite, while M. 3:4D, that of rabbis?]*
- H. *Said R. Hisda, “Lo, in accord with whom is the entire passage formulated? It accords with R. Aqiba, who has said, ‘One offers up her meal offering and then administers the water,’ and, in regards the effects of merit, [Aqiba] accords with rabbis. [So the entire passage conforms, in its separate theoretical components, to Aqiba’s view.]”*

III.1 A. And they say, “Take her away! Take her away!” [M. 3:4B]:

- B. *What is the reason [operative] consideration here?*
- C. *It is that she may die [in the court].*
- D. *Is this then to imply that a corpse may not be located in the Levitical camp [that is, the part of the courtyard to which Levites may gain access]?*
- E. *And has it not been taught on Tannaite authority: **One who is unclean by reason of corpse-uncleanness may enter the Levitical camp, and not one unclean with corpse-uncleanness alone have they specified, but even the corpse itself, as it is said, “And Moses took the bones of Joseph with him” (Exo. 13:19) — [with him] into the camp of the Levites [T. Kel. B.Q. 1:8 C-D].** [So corpse-contamination cannot be at issue.]*
- F. *Said Abayye, “Subject to concern is the possibility that the woman will commence her menstrual period [suddenly, while located there, on account of stress].”*
- G. *Does this then suggest that a sudden shock causes [the period to begin]?*
- H. *Indeed so, for it is written, “And the queen was deeply grieved” (Est. 4: 4), and in this connection Rab stated, “She began her menstrual period.”*
- I. *But lo, we have learned, “Fear prevents the flow of blood.”*
- J. *Fear indeed keeps it back, but stress causes it to come.*

IV.1 A. But if nothing happened, if she had merit, she would, etc. [M. 3:4D]:

- B. *In accord with the position of what authority is the Mishnah-paragraph [M. 3:4E] at hand?*
- C. *It does not accord with Abba Yosé b. Hanan, Eliezer b. Isaac of Kefar Derom, R. Ishmael.*
- D. *For we have learned on Tannaite authority:*
- E. “If the woman had merit [and the water did not affect her], one may attribute [the good fortune] to that source for a period of three months, the period it takes to recognize that she is pregnant [by the other man],” the words of Abba Yosé b. Hanan.
- F. R. Eliezer b. Isaac of Kefar Darom says, “Nine months, as it is said, ‘Then she shall be free and shall conceive a child’ (Num. 5:27), and elsewhere it is written, ‘A seed shall serve him, it shall be related’ (Psa. 22:31) — a seed that is worthy of being related.”
- G. R. Ishmael says, “Twelve months. And even though there is no clear proof for that proposition, there is at least suggestive support for it, in the following verse of Scripture: ‘Therefore O King, let my counsel be acceptable to you and break off your sins by righteousness, and your iniquities by showing mercy to the poor [21A], if there may be a lengthening of your tranquility’ (Dan. 4:24), and it is further written, ‘All this came upon King Nebuchadnezzar’ (Dan. 4:25), and it is further written, ‘At the end of twelve months’ (Dan. 4:26).”
- H. *The passage [M. 3:4E] indeed accords with the view of R. Ishmael, and he found a verse of Scripture, which he cited and then repeated.*
- I. For it is written, “Thus says the Lord, ‘For three transgressions of Edom’ (Amo. 1:11). [Cohen, p. 105, n. 11: “The respite of a year is trebled and this period corresponds to that given in the Mishnah.”]
- J. *What is the meaning of, “Although there is no clear proof for that proposition...”?* [Surely there is adequate proof.]
- K. *But the case of gentiles [of whom Amos speaks, so too Daniel] may be different, for [God] does not visit judgment on them [right away, but only at the end of days].*

V.1 A. There is the possibility that merit suspends the curse for three years, etc. [M. 3:4E]:

- B. *Merit on what count?*
- C. *If one should propose that it is merit on account of study of Torah, lo, [a woman] is not subject to the commandment of the religious duty of doing so [and hence merit will not accrue, since merit accrues from doing what one is commanded to do].*
- D. *Hence it must be the merit of such religious duties [as she has carried out].*
- E. *But does the merit accruing for performing a religious duty afford all that much protection?*

We now review a substantial set of compositions on the way in which the study of the Torah affords protection to a greater degree than the practice of commandments. The joining at E requires us to treat the whole as a composite

joined to the foregoing, though it seems clear that the issue before us is not defined by the discussion that provokes including the whole.

- F. *And has it not been taught on Tannaite authority:*
- G. This is what R. Menahem b. R. Yosé expounded, “‘For the commandment is a lamp, and Torah is light’ (Pro. 6:23).
- H. “‘Scripture has treated the matter of the religious duty as comparable to a lamp, and the Torah, to light.
- I. “‘A religious duty is made comparable to a lamp to tell you that, just as a lamp affords protection only for a moment, so a religious duty affords protection only for a moment.
- J. “‘And Torah is treated as comparable to light, to tell you, just as light serves as protection for all time, so the Torah serves as protection for all time.”
- K. And it says, “‘When you walk, it will lead you, when you sleep, it will watch over you, and when you awake, it will talk with you” (Pro. 6:22).
- L. “‘When you walk, it will lead you” in this world, “‘when you sleep, it will watch over you” in death, and “‘when you awake it will talk with you” in the age to come.

The foregoing will be further discussed below, but in the interim, we are given a variety of pertinent, but free-standing materials on the general theme at hand.

- M. There is the following parable. The matter may be compared to a man who was walking along in the depths of the night and gloom and feared on account of thorns, pits, thistles, wild beasts, and thugs, and he does not know which road to take.
- N. A lighted torch comes to hand, so he is saved from thorns, pits, thistles, but still fears on account of wild beasts and thugs, and does not know which road to take.
- O. But once the morning star comes up, he is saved also from wild beasts and thugs. He still does not know which road to take.
- P. When he reaches the crossroads, he is saved from all [fear and doubt]. [Cohen, p. 106, n. 4: “‘The commandment is the Torah, Torah the dawn, and death the crossroads.”]
- Q. Another matter: A transgression extinguishes [the merit accruing on account of carrying out] a religious duty, but a transgression does not extinguish [the merit accruing on account of] studying Torah, for it is said, “‘Many waters cannot quench love” (Son. 8: 7).

The next composition carries forward the contrast just now introduced.

- V.2.** A. *Said R. Joseph, “‘Doing a religious duty, when one is doing it, serves as a shield and affords protection, but when one is no longer doing it, while it continues to serve as a shield [from suffering], it does not afford protection [from the evil inclination].*
- B. *“‘But as to Torah, whether one is actually engaged in studying it or not, it both serves as a shield and affords protection.”*
- C. *Raba objected to that statement, “‘But then how about the following case: Did not Doeg and Ahitophel engage in study of Torah? Then did it not serve as a shield for them?”*

- D. *Rather, said Raba, "As to the study of Torah, when one is engaged in studying it, it serves as a shield and affords protection. But when one is not engaged in studying it, while it serves as a shield, it does not afford protection."*
- E. *"But as to the doing of a religious duty, whether one is engaged in carrying it out or not, while it serves as a shield, it does not afford protection."*

We now revert to the point of departure and solve the problem.

- V.3.** A. *Rabina said, "Indeed [as the water's not having effect], it is, as you have stated [B-C], that the merit of the study of Torah [suspends the effects of the water]."*
- B. *"And as to your objection that a woman is not commanded to carry out [the study of Torah, and so does not attain merit from her act], granted that she is not subject to a command on that account, still, as a reward for having their sons taught to recite Scripture and to repeat Mishnah, and for their waiting for their husbands until they come back from the study house, do women not have a share [of the merit] with them?"*
- H. *What is the sense of "the crossroads" of the parable cited earlier [I.P]?*
- I. Said R. Hisda, "This refers to a disciple of sages and the day of death."
- J. R. Nahman bar Isaac said, "This refers to a disciple of sages and fear of sin."
- K. Mar Zutra said, "This refers to a disciple of sages *in line with whose tradition the decided law accords.*"

We pursue the exposition begun at No. 1, as though the intervening material were not present.

- L. Another matter: "A transgression extinguishes the merit accruing for performing a religious duty, but a transgression does not extinguish the merit accruing to the study of Torah."
- M. *Said R. Joseph, "R. Menahem bar Yosé interpreted the cited verse of Scripture [Pro. 6:23] as if from Sinai."*
- N. *"And, as to Doeg and Ahitophel, had they not misinterpreted a verse of Scripture as they did, they would not have persecuted David,"*
- O. *"For it is written, 'Saying, God has forsaken him,' (Psa. 71:11). [They assumed that God had given up on David because of the sin with Bathsheba.]"*
- P. *"What is the verse that they misinterpreted? 'That he see no unclean thing in you [and turn away from you]' (Deu. 23:15). [The two thought that, because of Bathsheba, David would be rejected by God.]"*
- Q. *"But they did not know that, while a transgression extinguishes the merit of a religious duty one has performed, it does not extinguish the merit of the Torah one has studied."*

Torah is the most reliable source of merit, and practicing the commandments is less important.

- V.4.** A. *What is the meaning of the verse, "He would utterly be condemned" (Son. 8: 7)?*
- B. Said Ulla, "Not unlike Simeon, brother of Azariah, nor like R. Yohanan, a member of the patriarchal administration, but like Hillel and Shebna."
- C. When R. Dimi came, he said, "Hillel and Shebna were brothers. Hillel occupied himself in the study of Torah, and Shebna did business."

- D. “Ultimately [Shebna] said to [Hillel], ‘Come, and let us mingle [our assets] and divide [them up equally].’
- E. “An echo came forth and said, ‘If a man would give all the substance of his house’ (Son. 8: 7). [Hillel would not make the trade].”

VI.1 A. [21B] On this basis, Ben Azzai says, “A man is required to teach, etc... R. Eliezer says, “Whoever teaches Torah to his daughter teaches her sexual satisfaction” [M. 3:4F-H].

- B. “Teaches her sexual satisfaction” *do you mean to say!?*
- C. *Rather, say, “...is as if he teaches her sexual satisfaction.”*
- D. *Said R. Abbahu, “What is the scriptural basis for R. Eliezer’s view? As it is written, ‘I, wisdom have made subtlety my dwelling’ (Pro. 8:12). When wisdom enters a person, subtlety enters along with it, [and women must not be subtle].”*
- E. *And as to rabbis [who reject Eliezer’s view], how do they interpret this verse, “I, wisdom...”?*
- F. *They require the verse to make the point of R. Yosé bar Hanina, for R. Yosé bar Hanina said, “Teachings of Torah endure only in one who treats himself as totally naked [lacking all pretense] on their account, as it is said, ‘I wisdom have made nakedness my dwelling’ (Pro. 8:12). [The word at hand bears both meanings, with appropriate vowel shifts.]”*
- G. *Said R. Yohanan, “Teachings of Torah endure only in one who treats himself like nothing, as it is said, ‘Wisdom shall be found from nothing’ (Job. 28:12).”*

VII.1 A. R. Joshua says, “A woman wants...” [M. 3:4I]:

- B. *What is his sense?*
- C. *This is the sense of his statement: “A woman wants a qab [of food] and sexual satisfaction with it, rather than nine qabs [of food] along with abstinence.”*

VIII.1 A. He would say, “A foolish saint...” [M. 3:4J]:

- B. *What is a foolish saint?*
- C. *It would, for instance, be one who [saw] a woman drowning in the river and said, “It is not proper behavior for me to lay eyes on her and so to rescue her.”*
- D. *What is a smart knave?*
- E. *Said R. Yohanan, “This is one who lays out his case before the judge before his opposing litigant comes to court.”*
- F. *R. Abbahu says, “This is one who hands over a denar to a poor man so as to complete for the poor man the possession of capital of two hundred zuz.*
- G. *“For we have learned in the Mishnah: **He who has a capital of two hundred zuz may not collect gleanings, forgotten sheaf, and crop left in the corner of the field or take poor man’s tithe. If he had two hundred zuz less single denar (even though a thousand people should give him a denar simultaneously), lo, this one has the right to take [what is set aside to support the poor]** [M. **Pe. 8:5].”***
- H. *Said R. Assi said R. Yohanan, “It is one who gives advice to sell a small estate.”*
- I. *[How so?] R. Assi said R. Yohanan said, “In the case of orphans who went ahead and sold an estate of modest proportions — what they have sold is validly disposed of [depriving heirs of their rights of support].”*

- J. Abayye said, "It refers to one who gives advice to sell an estate in accord with the position of Rabban Simeon b. Gamaliel."
- K. *For it has been taught on Tannaite authority:*
 - L. "[If the testator stated,] 'My property is to go to you, and after you to Mr. So-and-so,' if the first-named went and sold the property and consumed the proceeds, the second party has the power to remove the property from the purchaser [and retrieve it for himself]," the words of Rabbi.
 - M. Rabban Simeon b. Gamaliel says, "The second party has a claim only on what the first party has left over."
- N. R. Joseph bar Hama said R. Sheshet said, "This refers to one who persuades others to follow in his ways."
- O. R. Zeriqa said R. Huna said, "This is one who makes things easy for himself and difficult for others."
- P. Ulla said, "This refers to someone who [22A] learned Scripture and studied the Mishnah but did not attend upon disciples of sages [to see things in action]."

VIII.2. A. *It has been stated on Amoraic authority:*

- B. If one has learned Scripture and studied the Mishnah but did not attend upon disciples of sages,
- C. R. Eleazar says, "Lo, such a one is an am haares [defined below]."
- D. R. Samuel bar Nahman says, "Lo, such a one is a boor."
- E. R. Yannai says, "Lo, such a one is a Samaritan."
- F. R. Aha bar Jacob says, "Lo, such a one is a Magus."
- G. *Said R. Nahman bar Isaac, "The view of R. Aha bar Jacob is sensible, for people say, 'A Magus mumbles on but does not understand what he is saying, and a professional memorizer of Tannaite sayings repeats his tradition, and he too does not know what he is saying.'"*

VIII.3. A. *Our rabbis have taught on Tannaite authority:*

- B. What is the definition of an am haares?
- C. "It is anyone who does not recite the recitation of the Shema morning and night, along with its associated blessings," the words of R. Meir.
- D. And sages say, "It is anyone who does not put on phylacteries."
- E. Ben Azzai says, "It is anyone who does not have show-fringes on his garment."
- F. R. Jonathan b. Joseph said, "It is anyone who has sons and does not raise them to study Torah."
- G. Others say, "Even if one recites Scripture and repeats Mishnah-sayings, but has not attended upon a disciple of sages, such a one is an am haares."
- H. "If he has learned to recite Scripture but has not repeated Mishnah-traditions, lo, such a one is a boor."
- I. "If he has neither learned to recite Scripture nor to repeat Mishnah-traditions, concerning him Scripture says, 'I will sow the house of Israel and the house of Judah with the seed of man and with the seed of beast' (Jer. 31:27)."

The status of those who repeat Mishnah- and other Tannaite-traditions: Are they regarded as learned?

VIII.4. A. “My son, fear the Lord and the king, and do not mix with people who are given to change” (Pro. 24:21). [Cohen, p. 110, n. 8: “The word for ‘who are given to change’ is *shonim*, from *shanah*, which in later Hebrew means ‘learn’ or ‘repeat,’” e.g., Mishnah-traditions.]

B. Said R. Isaac, “This refers to those who learn to repeat laws.”

C. *That is self-evident.*

D. *[But it requires specification, for] what might you have said? It refers to those who repeat sins [they have earlier committed, rather than avoiding them.]*

E. *And it would accord with R. Huna, for* R. Huna said, “Once a man has committed a transgression and gone and repeated it, it is permitted to him.”

F. *So [Isaac] tells us that that is not the sense of the text at hand.*

VIII.5. A. *It was taught on Tannaite authority:* Those who repeat Mishnah-traditions [Cohen: “who only report teachings without giving their derivations”] destroy the world.

B. *Do you mean to say they really destroy the world!*

C. Said Rabina, “It is because they teach law based on their own repetition of traditions.”

D. *So too has it been taught on Tannaite authority:*

E. Said R. Joshua, “And do they destroy the world? Are they not the ones who civilize the world? For it is said [Cohen:], ‘As for the ways, the world is for him’ (Hab. 3: 6).

F. “Rather, they teach law based on their own repetition of traditions [without adequate power of reasoning].”

IX.1 A. An abstemious woman [M. 3:4J]:

B. *Our rabbis have taught on Tannaite authority:*

C. A virgin who prays a great deal, a widow who runs hither and yon, and a minor whose months are not complete — lo, these destroy the world.

D. *Is that so?* And has not R. Yohanan stated, “We learn fear of heaven from a virgin, [certainty of] receiving a reward from a widow.

E. “Fear of sin from a virgin.” *For R. Yohanan heard a virgin fall on her face [in prayer] and say, “Lord of the world, you have created the Garden of Eden and you have created Gehenna, you have created righteous men and you have created wicked men. May it be pleasing to you that no men should stumble through me.”*

F. “[Certainty of] receiving a reward from a widow.” *A widow has a synagogue in her neighborhood, but she used every day to come and pray in the study house of R. Yohanan. He said to her, “My daughter, isn’t there a synagogue in your neighborhood?”*

G. *She said to him, “My lord, is there no reward accruing for the steps that I take [in walking a great distance to pray with you]?”*

H. *When it is stated [that the virgin and the widow destroy the world], it is, for example, such as Yohani, daughter of Retibi [a widow who by witchcraft made*

childbirth difficult for a woman and then offered prayer for her (Cohen, p. 111, n. 9)].

- I. *What is the meaning of the reference to a minor whose months are not complete?*
- J. This is how people explained it: It refers to a disciple of sages who rejects his masters' authority.
- K. R. Abba said, "It refers to a disciple who has not yet reached the level at which he may make decisions yet does so."
- L. *For R. Abbahu said R. Huna said Rab [said], "What is the meaning of that which is written in Scripture, 'For she has cast down many wounded, yes, all her slain are a mighty host' (Pro. 7:26).*
- M. "For she has cast down many wounded' — this refers to a disciple of a sage who has not yet reached the level at which he may make decisions, yet does so.
- N. "Yes, all her slain are a mighty host' — this refers to a disciple who has reached the level at which he may make decisions but does not do so."
- O. **[22B]** And up to what age [is one in the former category]? It is up to forty years.
- P. Is this so? And lo, Rabbah gave decisions, [and he died at forty years of age].
- Q. [He did so where] rabbis were [no more than] his equals.

X.1 A. AND THE BLOWS OF ABSTAINERS (PERUSHIM)— THESE WEAR OUT THE WORLD:

- B. *Our rabbis have taught on Tannaite authority:*
- C. There are seven types of abstemious persons [alt.: "Pharisees"]:
- D. The abstemious person of the Shikmi sort, the abstemious person of the Niqpi sort, the abstemious person of the Qizai sort, the abstemious person of the pestle sort, the abstemious person [who says], "What is my duty, for I shall do it," the abstemious person out of love, the abstemious person out of fear.
- E. "The abstemious person of the Shikmi sort:" this is one who does the deeds of Shechem [who circumcised himself for an improper motive, hence, one who does the right thing for the wrong reason].
- F. "The abstemious person of the Niqpi sort:" this is one who knocks his feet together ["He walks with exaggerated humility," Cohen, p. 112, n. 6].
- G. "The abstemious person of the Qizai sort:" said R. Nahman bar Isaac, "This one lets his blood flow against walls" [Cohen: "in his anxiety to avoid looking up on a woman, he dashes his face against the wall"].
- H. "An abstemious person of the pestle sort:" — said Rabbah bar Shila, "One who bows his head like a pestle."
- I. "An abstemious person [who says], 'What is my duty, that I may do it?'" — Is this not a virtue [and hence should not fall into the present classification]?
- J. Rather it is one who says, "[Tell me] what is my duty beyond [what I have done], and I shall do it."
- K. "An abstemious person out of love, an abstemious person out of fear:" *Said Abayye and Raba to the Tanna-authority [who repeated the tradition at hand], "Do not repeat [in your version of the teaching] 'An abstemious person out of love, an abstemious person out of fear.'"*

- L. For R. Judah said Rab said, "A person should always occupy himself in the study of Torah and in the practice of religious deeds, even not for their own sake, for, from doing them not for their own sake, he eventually will come to do them for their own sake." [Hence the final two items do not belong on the list at all.]
 - M. Said R. Nahman bar Isaac, "What is hidden is hidden, what is public is public. The great court will exact punishment from those who [pretend to be humble by] wrapping themselves in cloaks [as if they were pious people when they are not]."
 - N. Said King Jannaeus to his daughter, "Do not fear the abstemious people [or: 'Pharisees'], nor those who are not abstemious [or: 'not Pharisees'], but only the ones who are hypocrites, who appear like abstemious people, but whose deeds are the deeds of Zimri, while they seek the reward of Phineas [Num. 25:11ff.]."
- The entire composition serves systematically to explain and amplify the Mishnah at hand, although sizable blocks of material, ready at hand, have been inserted whole for purposes only tangential to the Mishnah's statements.

3:5-8

- A. **R. Simeon says, "Merit does not suspend the effects of the bitter water.**
- B. **"And if you say, 'Merit does not suspend the effects of the bitter water,' you will weaken the effect of the water for all the women who have to drink it.**
- C. **"And you give a bad name to all the women who drink it who turned out to be pure.**
- D. **"For people will say, 'They are unclean, but merit suspended the effects of the water for them.'"**
- E. **Rabbi says, "Merit does suspend the effects of the bitter water. But she will not bear children or continue to be pretty. And she will waste away, and in the end she will have the same [unpleasant] death."**

M. 3:5

- A. **[If] her meal-offering was made unclean before it was sanctified in a utensil,**
- B. **lo, it is in the status of all other such meal-offerings and is to be redeemed.**
- C. **And [if this takes place] after it is sanctified in a utensil,**
- D. **lo, it is in the status of all other such meal-offerings and is to be burned.**
- E. **And these are the ones who meal-offerings are to be burned:**
- F. **[23A] (1) the one who says, "I am unclean to you," and (2) the one against whom witnesses come to testify that she is unclean;**
- G. **(3) the one who says, "I am not going to drink the water," and (4) the one whose husband does not want to make her drink it;**
- H. **and (5) the one whose husband has sexual relations with her on the way to Jerusalem [M. 1:3].**
- I. **(6) And all those who are married to priests — their meal-offerings are burned.**

M. 3:6

- A. An Israelite girl who is married to a priest — her meal-offering is burned.
- B. And a priest-girl who is married to an Israelite — her offering is eaten [by the priests].
- C. What is the difference between a priest and a priest-girl?
- D. The meal-offering of a priest-girl is eaten, the meal-offering of a priest is not eaten.
- E. The priest-girl may be deconsecrated [declassified], but a priest may not be deconsecrated [declassified].
- F. A priest-girl contracts corpse-uncleanness, and a priest does not contract corpse-uncleanness.
- G. A priest eats Most Holy Things, but a priest-girl does not eat Most Holy Things.

M. 3:7

- A. What is the difference between a man and a woman?
- B. A man goes around with unbound hair and torn garments, but a woman does not go around with unbound hair and torn garments [Lev. 13:44-5].
- C. A man imposes a Nazirite-vow on his son, and a woman does not impose a Nazirite-vow upon her son [M. Naz. 4:6].
- D. A man brings the hair-offering for the Nazirite-vow of his father, and a woman does not bring a hair-offering for the Nazirite-vow of her father [M. Naz. 4:7].
- E. The man sells his daughter, and the woman does not sell her daughter [Exo. 21:6].
- F. The man arranges for a betrothal of his daughter, and the woman does not arrange for a betrothal of her daughter [M. Qid. 2:1].
- G. A man [who incurs the death-penalty] is stoned naked, but a woman is not stoned naked.
- H. A man is hung [after being put to death], and a woman is not hung [M. San. 6:3-4].
- I. A man is sold [to make restitution] for having stolen something, but a woman is not sold to [make restitution] for having stolen something [Exo. 22: 2].

M. 3:8

We begin with a Tannaite complement to a clause in the Mishnah.

- I.1** A. [And all those who are married to priests — their meal-offerings are burned:]
Our rabbis have taught on Tannaite authority:
- B. As to all women who are married into the priesthood, their meal-offerings are burned [M. 3:7A].
- C. How so?
- D. In the case of any woman married to a priest, whether she is a priest-girl, or a Levite-girl, or an Israelite-girl, her meal-offering is not eaten [M. 3:6I], for he has a share in it.
- E.

- F. **But the offering is not wholly consumed in the fire, because she has a share in it.**
- G. **[What should he do?]**
- H. **The handful is offered by itself, and the residue is offered by itself. [T. **Sot. 2:6D-H**].**
- I. *But to the present case does the following rule not apply: Whatever offering has a portion handled as “an offering made by fire” falls under the rule of “You shall not burn” (Lev. 2:11). [Parts of an offering that are not supposed to be burned on the altar are not burned there. So how at H can we maintain that the residue of the meal-offering is burned?]*
- J. *Said Judah the son of R. Simeon b. Pazzi, “The residue is burned for fuel [for the altar, but not as an offering].”*
- K. *That accords with R. Eleazar, for it has been taught on Tannaite authority:*
- L. *R. Eleazar says, “‘For a sweet smell’ (Lev. 2:12) you may not use [the stated substance] upon the altar, but you may offer it up as fuel.”*
- M. *That explanation, then, is satisfactory from the viewpoint of R. Eleazar, who maintains the stated position.*
- N. *But as to rabbis, who do not concur with what he has explained, what is there to be said?*
- O. *They treat the residue in accord with the view of R. Eleazar b. R. Simeon.*
- P. *For it has been taught on Tannaite authority:*
- Q. **R. Eleazar b. R. Simeon says, “The handful is offered by itself, and the residue is scattered” [T. **Sot. 2:6I**].**
- R. **[23B]** *And even rabbis differ from R. Eleazar b. R. Simeon only in the case of the meal-offering of a sinner who was a priest, because such a meal-offering is subject to being offered up [completely].*
- S. *But in the present case, even rabbis concur.*

II:1 A. An Israelite girl who is married to a priest, etc. [M. **3:7A]:**

- B. *What is the scriptural basis for this view?*
- C. *For Scripture has said, “And every meal-offering of a priest shall be wholly burned, it shall not be eaten” (Lev. 6:16).*
- D. *That applies to a priest-man, but not to a priest-woman.*

III.1 A. A priest-girl may be deconsecrated, but a priest may not be deconsecrated [M. **3:7E]:**

- B. *Whence do we know this?*
- C. *As Scripture has said, “He shall not deconsecrate his seed among his people” (Lev. 21:15).*
- D. *His seed may be deconsecrated, but he himself may not be deconsecrated.*

IV.1 A. A priest-girl contracts corpse-uncleanness, but a priest does not contract corpse-uncleanness [M. **3:7F]:**

- B. *What is the Scriptural basis for this view?*
- C. *Scripture has said, “Speak to the priests, sons of Aaron” (Lev. 21: 1).*
- D. *“The sons of Aaron” and not the daughters of Aaron.*

V.1 A. A priest eats Most Holy Things [M. 3:7G]:

- B. As it is written, “Every male among the children of Aaron shall eat of it” (Lev. 6:11).

VI.1 A. What is the difference between a man and a woman [M. 3:8A]:

- B. *Our rabbis have taught on Tannaite authority:*
C. “He is a man [afflicted by the skin-ailment]” (Lev. 13:44).
D. I know only that the law applies to a man. How do I know that it applies to a woman?
E. When Scripture says, “And one afflicted by the skin-disease, upon whom it appears,” (Lev. 13:45), lo, there is a reference to two [both male and female].
F. If so, why does Scripture say, “A man”?
G. It is to indicate what is stated thereafter: **A man goes around with unbound hair, etc. [M. 3:8B].**

VII.1 A. A man imposes a Nazirite-vow on his son, and a woman does not impose a Nazirite-vow upon her son [M. 3:8C]:

- B. Said R. Yohanan, “That is the law that applies to the Nazirite.”

VIII.1 A. A man brings the hair-offering for the Nazirite-vow of his father, and a woman does not bring a hair-offering for the Nazirite-vow of her father [M. 3:8D]:

- B. Said R. Yohanan, “That is the law that applies to the Nazirite.”

IX.1 A. A man arranges for a betrothal of his daughter, and the woman does not arrange for the betrothal of her daughter [M. 3:8F]:

- B. For it is written, “I [the girl’s father] gave my daughter to this man” (Deu. 22:16).

X.1 A. The man sells his daughter, and the woman does not sell her daughter [M. 3:8E]:

- B. As it is written, “And if a man sell his daughter” (Exo. 21: 7).

XI.1 A. A man is stoned naked [M. 3:8G]:

- B. What is the scriptural basis for this ruling?
C. “And stone him” (Lev. 24:14).
D. What is the sense of “him”?
E. If I maintain, “him” but not her, is it not written, “You shall bring forth that man or that woman” (Deu. 17: 5).
F. But the sense must be him without clothing, but not her without clothing.

XII.1 A. A man is hung, etc. [M. 3:8H]:

- B. What is the scriptural basis?
C. Scripture has said, “And you will hang him on a tree” (Deu. 17: 5) — him but not her.

XIII.1 A. A man is sold to make restitution for having stolen something, but a woman is not sold to make restitution for having stolen something [M. 3:8I]:

- B. What is the scriptural basis?

C. Scripture has said, “Then he shall be sold for his theft” (Exo. 22: 3) — for his theft but not for her theft.

M. 3:6 serves as a bridge to M. 3:7, and M. 3:8 clearly is meant as a continuation of M. 3:7C-G. In fact we have a distinct item at M. 3:6A-D, then another at E-I = M. 3:7, and a third at M. 3:8. Before the meal-offering is sanctified in a utensil, it is treated, should it become unclean, just as any other meal-offering prior to sanctification is treated under similar circumstances. It is unconsecrated, and another is purchased in its stead. Once a meal-offering is sanctified in a utensil, it is not subject to redemption (M. Men. 12: 1). The point of E-H, that is, the stichs which cite M. 1:3 verbatim, is that these meal-offerings are not usable, because they are no longer required for the ordeal. For reasons entirely familiar, the ordeal is no longer held. I, however, is a different story. Now the meaning of “burning the meal-offering” is different. There reference is to the fact that once the handful is taken and burned on the altar, the residue is not given to the priests but is burned. The meal-offering of a priest is not eaten by a priest (Lev. 6:16). The husband brings the offering, so M. 3:6I follows. That this is the important point at M. 3:6 is clear from the continuation at M. 3:7A-B, which want to stress that, when the woman is in the status of a priest’s wife, as at A, the residue of the offering is burned, but when she is a priest-girl who has been declassified by marriage to an Israelite, then her offering is not in the status of a priest. Her husband provides it, and he is not a priest. It follows that we should not read M. 3:6E-H in the light of M. 3:6I, M. 3:7A-B. The connection to what follows is at D. In fact, the point is simply a restatement, for the purposes of the present construction, of M. 3:7B. All we have here, moreover, is the entirely familiar rule of Lev. 6:16. A priest-girl may be declassified if she has sexual relations with a man who invalidates her for the priesthood, and she no longer may eat heave-offering or marry a priest. A priest remains a priest even if he marries a divorcée, an invalid woman, or a whore. [M. Bekh. 7: 7). The taboo against contracting corpse-uncleanness applies only to male priests (Lev. 21: 1). Only male priests eat Most Holy Things (Lev. 6:11, 22; 7: 6). M. 3:8B refers to the rules for the certified *mesora*. The rest of the time items are verbatim citations of the pericopes of M., so the whole is a completely artificial construction. The Talmud takes up only a few clauses of the Mishnah-passage at hand. Clarifying M. 3:7A by citing the Tosefta’s amplification, the framer comments on the Tosefta. The remaining units then systematically cite the Mishnah and present a scriptural text-proof for each of the clauses at M. 3:8.