

II.

BABYLONIAN TALMUD

TRACTATE KERITOT

CHAPTER TWO

FOLIOS 8B-11B

The making of lists continues, as we move on from the penalty of extirpation to other media for the atonement of sin, deliberate or inadvertent.

2:1

- A. [There are] four whose atonement is not complete [until they bring an offering].
- B. And four bring [an offering] for [a transgression done] deliberately as they do for [one done] inadvertently.
- C. These are those whose atonement is not complete [until they bring an offering]: (1) The male-Zab [afflicted with flux in terms of Lev. 15], and (2) the female-Zabah, and (3) the woman who has given birth, and (4) the mesora [afflicted with the skin disease discussed at Lev. 13-14].
- D. R. Eliezer b. Jacob says, “A proselyte is one whose atonement is not complete until the blood will be sprinkled on his behalf.”
- E. And the Nazirite as to [observing prohibitions against] wine, shaving, and uncleanness [has not completed atonement until he has brought his offering].

Mishnah-criticism commences with the question of why the classification of uncleanness by reason of Zob, or flux, is divided into masculine and feminine, when the rules that govern are the same for both (as is the case of the mesora, for instance). The answer differentiates them, denying the premise of the question.

- I.1 A. *How come the male-Zab and the female Zabah are enumerated as two distinct categories?*
- B. *It is because the uncleanness that affects the one is distinct from the one that affects the other.*
- C. For a male-Zab does not contract uncleanness by reason of a flux that is by accident, while a female-Zabah does not contract uncleanness through the appearance of flux alone, but through appearance of flux on a sequence of days.
- D. *For it has been taught on Tannaite authority:*
- E. “Out of his flesh” (Lev. 15: 2) — and not by reason of a flux that is by accident.

- F. A male-Zab contracts uncleanness through the appearance of flux as well as through the number of days [on which flux appears], *as it has been taught on Tannaite authority*:
- G. Scripture [at Lev. 15: 2-3 for a man, 15:25 for a woman] has made uncleanness in the case of a man depend upon the appearance of flux, and for a woman upon the sequence of days on which a flux occurs. A female-Zabah, on the other hand, contracts uncleanness by reason of what happens accidentally, but she does not contract uncleanness in the character of the appearances of the flux as she does by reason of the number of days on which the flux occurs.
- The solution to the problem forthwith requires that we ask why the same distinction does not pertain to the classification of uncleanness represented by the skin-ailments, since there, too, the male and female are differentiated.
- H. A male-*mesora* and a female-*mesoraat* also are subject to distinct rules as to their uncleanness, for a male-*mesora* has to let his hair grow loose and tear his clothes, “His clothes shall be torn and the hair of his head shall go loose” (Lev. 13:45), and he is forbidden to have sexual relations, while a female-*mesoraat* is not required let her hair grow loose and tear her clothes.
- I. *For it has been taught on Tannaite authority*:
- J. I know only the law that pertains to a man. How do I know how to apply it to a woman? When Scripture states, “and the leper” (Lev. 13:45), lo, both the male and the female are included. If so, then why does Scripture say, “man”? It is to remove him from the rules stated earlier and to subject him to those stated later [so Lev. 13:44 speaks of both, but Lev. 13:45 speaks only of a man], indicating that the man alone has to let his hair grow loose and tear his clothes, but not a woman.
- K. Furthermore, the woman is permitted to have sexual relations, since it is written, “And he shall dwell outside his tent for seven days” (Lev. 14: 8) — but not outside of her tent.
- L. *So why did they not enumerate the male-mesora and female mesoraat as two distinct entries [in the way in which they did with the male-Zab and the female-Zabah]?*
- M. As to the male-Zab and the female-Zabah, the very principle of their uncleanness is different for each, while with regard to the male-*mesora* and the female-*mesoraat*, the very principle of the uncleanness that afflicts them is not distinct, *for to both of them the standard measurement as to the mark of uncleanness that makes them unclean is the same, namely, a bean*.

II.1 A. R. Eliezer b. Jacob says, “A proselyte is one whose atonement is not complete until the blood will be sprinkled on his behalf:”

Mishnah-criticism continues with the obvious question concerning the formulation of the passage: why not include the proselyte on the initial list?

- B. *Then why does the initial Tannaite authority of this passage not repeat [the formulation of the rule to encompass also] the proselyte?*
- C. *What he is repeating in his formulation of the rule are those items that permit someone to eat Holy Things. But when the proselyte brings an offering, it is so as to make himself fit to enter the congregation [not to eat Holy Things in the Temple].*

- D. *And how come he did not mention the Nazirite [to whom the same consideration applies in the same context]?*
- E. *Because, in the end, the Nazirite, when he brings an offering, it is so as to be permitted to drink unconsecrated wine.*
- F. *And as to R. Eliezer b. Jacob, who does include the Nazirite on his list of those who are qualified for the same purpose, why does he omit reference to the Nazirite whose spell as a Nazirite has been interrupted by uncleanness?*
- G. *The latter offers a sacrifice only so as to make himself fit to work out his Naziriteship in a state of cleanness.*

We proceed to a demonstration of the fact just now taken for granted, that the proselyte's offering has a purpose distinct from the matter of eating Holy Things, and that the proselyte cannot eat Holy Things at the stage in the procedure to which our Mishnah-paragraph has made reference.

The Offerings of the Proselyte

II.2. *A. Our rabbis have taught on Tannaite authority:*

- B. A proselyte is prevented from eating Holy Things until he has offered his pair of birds. If he has presented one bird in the morning rite, he may eat Holy Things in the evening [though he still owes the other].
- C. All of the pairs of birds that are listed in the Torah are designated, one for a sin offering and one for a burnt offering, but here both of them are burnt offerings.
- D. If he has brought his obligatory offering in the form of cattle [this covers two birds], and he has carried out his obligation. If he offered a burnt offering and a peace offering, he has carried out his obligation. If he offered a meal-offering and a peace-offering, he has not carried out his obligation.
- E. The provision that he may bring a pair of birds has been stated only as a lenient ruling [to make the process easier for the proselyte].

The question with which we commenced has now been answered. We proceed to secondary issues, relevant to our answer but not our initial question. That underscores the distinct character of the present composition, which has been inserted whole for the purpose of providing information, but which in no way relates to Mishnah-commentary.

- F. *How come the meal-offering and peace offering do not fulfill his obligation?*
- G. It is because it is written, "As you do, so shall he do" (Num. 15:14) — just as you offer a burnt offering and peace offerings, so a proselyte offers a burnt offering and peace offerings.
- H. *If so, then if he offers a single cow, it should not suffice in his regard to fulfill his obligation, for it is written, "As you do, so shall he do" (Num. 15:14)?*
- I. *Said R. Pappa, "You may say as follows: since a bird is encompassed by the law, a burnt offering of cattle should all the more so be acceptable in fulfilling his obligation!"*
- J. *Then a meal offering too should be sufficient to exempt him!*
- K. *Scripture itself is what excluded it by including the word, "so...."*

Once more we proceed to add information in support of a proposition just now set forth in its own, other context.

- L. *And where has Scripture encompassed a bird as sufficient for his offering?*
- M. *It is in line with that which our rabbis have taught on Tannaite authority:*
- N. It is written, “As you do, so shall he do” (Num. 15:14) — just as you offer a burnt offering and peace offerings, so a proselyte offers a burnt offering and peace offerings, as it is said, “As you are, so shall the proselyte be” (Num. 15:15).
- O. How do we know that the offering of a bird is encompassed among the offerings he may make?
- P. Scripture says, “He will offer an offering made by fire, a sweet smell for the Lord” (Num. 15:13). Now what offering is wholly for the Lord? You must say, the burnt offering of a bird [which yields nothing for the officiating priest].
- Q. [9A] Might one then include the meal offering [as a valid means for the proselyte to carry out his sacrificial obligation]?
- R. Scripture says, “so.”

II.3. A. *There is a further teaching on Tannaite authority:*

- B. “He will offer an offering made by fire, a sweet smell for the Lord” (Num. 15:13) —
- C. Might I infer that anything that goes up on the fires is suitable, even a meal offering?
- D. Scripture states, “As you do, so shall he do” (Num. 15:14) — just as you offer varieties of blood-sacrifices, so they offer varieties of blood-rites.
- E. If one wishes to maintain, just as you offer a burnt offering and peace offerings, so they offer a burnt offering and peace offers, Scripture states, “As you are, so shall the proselyte be” (Num. 15:15).
- F. He is compared to you, but not entirely comparable in respect to the offerings that you make.
- G. Rabbi says, “‘Like you’ means, like your ancestors. Just as your forefathers entered the covenant only with circumcision and immersion and sprinkling of blood through the sacrifices, so they will enter the covenant only through circumcision, immersion, and sprinkling of blood on the altar.”

II.4. A. The offering of a single pigeon is not possible, for we do not find in the entire Torah such an offering, and in any event, the rule that bringing a pair of birds has been stated only so as to impose a lenient obligation on him.

- B. *Do we not? And has it not been taught on Tannaite authority:*
- C. “And he shall offer it” (Lev. 1:15, concerning freewill offerings) — what is the point of this statement?

- D. Since with reference to turtle doves, it is said, “he shall offer it” (Lev. 1:14), I might infer that one who says, “Lo, incumbent on me is a bird offering,” should offer no fewer than two pigeons,” so Scripture states, “he shall offer it,” indicating that even a single bird is enough.
- E. *Nonetheless, we do not find an obligatory offering that suffices with a single bird.*
- F. *Lo, there is the case of the woman after giving birth, who can offer a single pigeon or a single turtle-dove as a sin offering!*
- G. *But the reason is that there still is the sheep offered in addition.*

Once more, we take up a point incidental in the foregoing and provide supporting evidence or further exposition.

- II.5.** A. The master has said, “Just as your forefathers entered the covenant only with circumcision and immersion and sprinkling of blood through the sacrifices, so they [proselytes] will enter the covenant only through circumcision, immersion, and sprinkling of blood on the altar.”
- B. *Now there is no problem as to circumcision, for it is written, “For all the people that came out were circumcised” (Jos. 5: 5), or, alternatively, evidence derives from the following: “And when I passed by you and saw you wallowing in your blood, I said to you, In your blood, live” (Eze. 16: 6).*
- C. *And there also is no problem as to the sprinkling of blood, as it is written, “And he sent the young men of the children of Israel who offered burnt offerings and sacrificed peace offerings” (Exo. 24: 5).*
- D. *But how on the basis of Scripture do we know that immersion is required?*
- E. As it is written, “And Moses took the blood and sprinkled it on the people” (Exo. 24: 8), and there is no sprinkling without immersion.
- F. *Now what about this problem: these days, in which there is no possibility of bringing an offering, perhaps we should not accept proselytes at all?*
- G. Said R. Aha bar Jacob, “‘And if a stranger sojourn with you or whosoever may be among you throughout your generations’ (Num. 15:14) [means, for all times].”

F-G, preceding, provoke the inclusion of the following.

II.6. A. *Our rabbis have taught on Tannaite authority:*

- B. A proselyte at this time [after the destruction of the Temple] has to separate a quarter of a denar for the purchase of his sacrifice of birds.

- C. Said R. Simeon, "Rabban Yohanan ben Zakkai has already taken a vote in this matter and declared it null, on account of the possibility of disorder [since the money that has been designated cannot be used and in error may be devoted to a secular purpose]."
- D. *Said R. Idi bar Gershom said R. Ada bar Ahba, "The decided law follows the position of R. Simeon.*
 - E. *And there are those who repeat the matter on Tannaite authority in the following matter, concerning which our rabbis have taught on Tannaite authority:*
 - F. A resident alien [who has renounced idolatry and now resides among Jews] is permitted to work in his own behalf on the Sabbath in the same way as an Israelite may do so on the intermediate days of the festivals.
 - G. R. Aqiba says, "In the manner of an Israelite on the festival day itself."
 - H. R. Yosé says, "A resident alien works for himself on the Sabbath in the way in which an Israelite does on weekdays."
 - I. R. Simeon says, "All the same are a resident alien and gentile and a slave-boy or a slave-girl who are resident in Israel: they work for themselves on the Sabbath in the manner of an Israelite on a weekday."

I.1 concentrates on a quite valid question of why we treat the two genders as distinct when it comes to Zov-uncleanness, while with respect to saraat, we do not distinguish the male-mesora from the female-mesoraat. The question is answered in an elaborate and persuasive way. II.1 is a beautiful piece of Mishnah-commentary, showing the deeper considerations that have led to different formulations of the law. No. 2 expands on the theme of the obligations of the proselyte and how these are carried out, and No. 3 continues No. 2. No. 4 reverts to No. 2 and clarifies materials already presented, and the same is so at No. 5. No. 6 continues the concluding question of No. 5. Beyond No. 1, however, this is just another exercise in show-and-tell, rather than a sustained and compelling analytical discourse, such as II.1 has given us.

2:2

- A. **These bring [an offering for a transgression done] deliberately as for [one done] inadvertently:**
- B. **(1) He who has sexual relations with a bondwoman; and (2) a Nazirite who was made unclean;**
- C. **and (3) for [him who utters a false] oath of testimony, and (4) for [him who utters a false] deposit oath.**

2:3A-C

- A. Five bring a single offering for many transgressions.
- B. And five bring a sliding scale offering.
- C. These bring a single offering for many transgressions: (1) He who has sexual relations with a bondwoman many times, and (2) a Nazirite who is made unclean many times.

Mishnah-criticism commences here with proof from Scripture for one of the details of the Mishnah-rule.

I.1 A. How on the basis of Scripture do we know the rule in the case of him who has sexual relations with a bondwoman?

- B. *It is in accord with that which our rabbis have taught on Tannaite authority:*
- C. “And the priest shall make atonement for him with the ram of the guilt offering for his sin which he has sinned” (Lev. 19:22) —
- D. this teaches that he presents a single offering for many acts of transgression.
- E. “and he shall be forgiven for his sin which he has sinned” (Lev. 19:22):
- F. this serves to treat a transgression done done inadvertently as equivalent to one done deliberately

II.1 A. a Nazirite who was made unclean:

- B. *How on the basis of Scripture do we know the rule?*
- C. As it is written, “And if any man dies suddenly, unaware, beside him and he defiles his consecrated head” (Num. 6: 9).
- D. “Suddenly” means inadvertently, and so Scripture states, “But if he thrust him unintentionally, without enmity” (Num. 35:22).
- E. “unaware” means unexpectedly, as in the following: “And the Lord spoke unexpectedly to Moses” (Num. 12: 4).

The foregoing bears in its wake its own amplification.

II.2. A. There is a further Tannaite statement:

- B. “...unaware” means intentionally, and so it is written, “A prudent man sees evil and hides himself, but the simple pass on and are punished” (Pro. 22: 3).
- C. Now why has the verse not stated solely, “unaware,” which contains the meanings of inadvertence, intentionality, and subjection to constraint; intentionality and subjection to constraint as just now set forth, and also error: “The thoughtless believes every word” (Pro. 14:15)?
- D. Why then include the word for “suddenly” at all?
- E. *If the Scripture had said the word that stands for inadvertence, intentionality, and subjection to constraint, I might have thought, when one is obligated to bring an offering, it is only for transgression committed in error, as is the rule with all of the other laws of the Torah, but that would not be the requirement in the case of an action that is under constraint or willful. Therefore the Torah uses the word that denotes error only, to show that the word for intentionality and subjection to constraint applies as well, indicating that, also under these conditions, the Torah requires an offering.*

III.1 A. and for [him who utters a false] oath of testimony:

- B. *How on the basis of Scripture do we know the rule?*
- C. *It is in accord with that which our rabbis have taught on Tannaite authority:*
- D. In connection with other laws involving an offering of variable value [Lev. 5:1ff.], “its being hidden from him” is used [which therefore speaks of a violation committed in error], but here, that language is not used,
- E. which indicates that he who utters a false oath of testimony is liable for an offering whether the transgression is willful or inadvertent [since he may well believe what he says is true, but turn out to have misrepresented the facts].

IV.1 A. and for [him who utters a false] deposit oath:

- B. *How on the basis of Scripture do we know the rule?*
- C. It derives from the oath concerning evidence because the same word, namely, “sins,” occurs in both contexts [at Lev. 5: 1, 5...21].

V.1 A. Five bring a single offering for many transgressions:...He who has sexual relations with a bondwoman many times:”

- B. *How on the basis of Scripture do we know the rule concerning him who has sexual relations with a bondwoman many times?*
- C. *It has been taught on Tannaite authority:*
- D. “And the priest shall make atonement for him with the ram of the guilt offering for his sin that he has sinned” (Lev. 19:22) —
- E. this teaches that he presents a single offering for many acts of transgression.
- F. “and he shall be forgiven for his sin which he has sinned” (Lev. 19:22):
- G. this serves to treat a transgression done done deliberately as equivalent to one done inadvertently
- H. *And lo, when the verse of Scripture is set forth, it is in the context of one who does his deed willfully!*
- I. *Rather, phrase the matter this way:* this serves to treat a transgression done done inadvertently as equivalent to one done deliberately

We proceed to a theoretical question, not required for Mishnah-exegesis but relevant to its proposition.

V.2. A. R. Hanina of Tirna addressed this question to R. Yohanan: “He who had sexual relations in a single spell of unawareness of the law with five designated slave-girls [that is, slave-girls designated by the master to become the wives of those chosen by him], what is the law? Is he liable on each count, or is he liable on only a single count?”

- B. *He said to him, “He is liable on each count.”*
- C. *“And what is the difference between this case and the case of five spells of inadvertence affecting relations with a single slave girl?”*
- D. He said to him, “The single slave girl is not made up of distinct bodies, while the five slave girls are in fact five distinct bodies.”
- E. *“And how do we know that we invoke the principle of ‘distinct bodies’ with reference to the slave girl?”*
- F. *He said to him, “Do you not say with reference to prohibited incestuous relations that the word ‘and a woman’ (Lev. 18:19) means one is liable on the count of each*

woman individually? *Well, also in regard to the slave girl, it is written, ‘and whosoever lies carnally [9B] with a woman who is a slave girl’ (Lev. 19:20), meaning, to impose offerings on the count of each slave girl.”*

VI.1 A. a Nazirite who is made unclean many times:

- B. *Who is the Tannaite authority for this rule?*
- C. *Said R. Hisda, “It is R. Yosé b. R. Judah, who has said that observing the Naziriteship in a condition of cleanness commences from the seventh day. [A Nazirite who contracts uncleanness has to observe seven clean days and brings an offering on the eighth. Then he again observes his stipulated period of cleanness. Now in Yosé’s view, this new period begins on the seventh day. If he becomes unclean again on that day, it is a new state of uncleanness, and he is liable nonetheless only to a single sacrifice, because he owed the offering for the original spell of uncleanness only on the eighth day. At the end of another period of seven days, he then brings a single sacrifice to cover the two different occurrences of uncleanness (Porusch)]. You find such a case, for example, if the Nazirite contracted uncleanness on the seventh day after the initial episode, and then he went and contracted uncleanness on the seventh day thereafter. Since up to that point not a single moment at which it was suitable to make an offering had taken place, he is liable for only a single offering.*
- D. *“But this could not represent the position of Rabbi, for, since Rabbi has said, ‘The observance of the Nazirite vow in cleanness goes until the eighth day [and not the seventh], there would be no occasion at which this rule could apply. For if the Nazirite contract uncleanness on the seventh day of his period of observing clean days, and then he went and contracted uncleanness on the seventh day thereafter, the whole constitutes a single protracted period of uncleanness. And if the unfortunate Nazirite contract uncleanness on the eighth day of the spell of cleanness for the Nazirite vow, and then he went and contracted uncleanness on the eighth day thereafter, since, after all, a single moment that was suitable for bringing and offering had in fact taken place, the Nazirite is liable on each and every count. So it must follow that R. Yosé b. R. Judah is the authority behind our Mishnah.”*
- E. *For it has been taught on Tannaite authority:*
- F. *“And he shall consecrate his head that same day” (Num. 6:11) —*
- G. *“This refers to the same day as that on which the sacrifices are offered [the eighth day],” the words of Rabbi.*
- H. *R. Yosé b. R. Judah says, “It refers to the day of his cutting of his hair [which is the seventh day].”*

The systematic work goes into finding scriptural proof-texts for the statements of the Mishnah, as at I.1, II.1, 2, III.1, IV.1, V.1. V.2 goes on to a more engaged analysis of the subject-matter. VI.1 asks about the Tannaite authority at hand, a different question about the same matter as the search for scriptural authority addresses.

2:3C-E

- C. **(3) he who suspects his wife of adultery with many men, and (4) a mesora who was afflicted by negaim many times.**

D. [If] he brought his birds and [then] was afflicted with a *nega* [the skin ailment discussed at Lev. 13-14], they [the birds] do not go to his credit until he brings his sin offering.

E. R. Judah says, “Until he brings his guilt offering.”

I.1 A. [he who suspects his wife of adultery with many men] — *how on the basis of Scripture do we know this rule?*

B. “This is the Torah concerning expressions of jealousy” (Num. Num. 5:29) — one Torah for many such expressions.

II.1 A. a *mesora* who was afflicted by *negaim* [the skin ailments discussed at Lev. 13-14] many times:

B. *How on the basis of Scripture do we know this rule?*

C. “This is the Torah covering the one afflicted by *saraat*” (Lev. 14: 2) — one Torah for many cases of the affliction.

III.1 A. [If] he brought his birds and [then] was afflicted with a *nega*, [the birds] do not go to his credit until he brings his sin offering. R. Judah says, “Until he brings his guilt offering.”

B. *But have you not said that he presents only a single offering [and here it seems he has to bring many pairs of birds]?*

C. *The text contains a lacuna and it should be repeated in the following way:*

D. [If] he brought his birds and [then] was afflicted with a *nega*, he nonetheless presents only a single offering. *But whether or not the sacrifices are to be those that pertain to a poor person or to a rich person is not established until he brings his sin offering.* R. Judah says, “[That fact is not established] until he brings his guilt offering.”

The issue of the foregoing is now spelled out with appropriate textual support.

III.2. A. *We have learned there in the Mishnah: An afflicted person who brought the offering while poor and then became rich, or a rich man who then became poor — “everything follows the status of the person at the time that he presented his sin offering,” the words of R. Simeon.* R. Judah says, “At the time he brought the guilt offering” [M. Neg. 14:11].

B. *It has been taught on Tannaite authority in this same connection:*

C. R. Eliezer b. Jacob says, “The decisive moment is the time at which the birds are offered.”

D. Said R. Judah said Rab, “All three of them interpret the same verse of Scripture, namely, ‘whose means suffice not for that which pertains to the rite of purifying him’ (Lev. 14:32) —

E. “R. Simeon takes the view that reference is made to that which effects the rite of purification; R. Judah speaks of that which renders him suitable once again; R. Eliezer. Jacob says it is that which brings purity back to him, namely, the birds.”

I.1, II.1 go through an entirely familiar procedure. III.1 clears up the ambiguity of the phrasing of the rule. No. 2 goes over an ancillary statement on the same question.

2:4A-C

- A. A woman suffered many miscarriages —
- B. (1) she aborted a female during eighty days, and went and aborted another female during eighty days following, and (2) she who bore a multiple of abortions ["twins" — each in the period of purifying of the foregoing] —
- C. R. Judah says, "She [in B2] brings an offering for the first, and she does not bring an offering for the second. She brings an offering for the third, and she does not bring an offering for the fourth."

I.1 A. *What is the source in Scripture for this rule?*

- B. *It is as a Tannaite authority repeated before R. Sheshet:*
- C. "This is the Torah for the woman who gives birth, whether to a male or a female child" (Lev. 12: 7) [thus, a single offering suffices for several counts of giving birth] —
- D. this teaches that a woman offers a single offering to cover many births.
- E. Might one say that the rule applies also for the case of giving birth and also producing a flux?
- F. Scripture says, "This...."
- G. Might one suppose that for giving birth and for a flux she presents only a single offering? *Then by the same reasoning, she should bring only a single offering and ate blood and gave birth as well!*
- H. *Say matters in the following way:*
- I. Might one suppose that for giving birth prior to the end of the period of cleanness and for giving birth afterward, she might bring a single offering to cover the two births?
- J. Scripture says, "This...."

II.1 A. **she aborted a female during eighty days, and went and aborted another female during eighty days following, and (2) she who bore a multiple of abortions ["twins" — each in the period of purifying of the foregoing]. R. Judah says, "She [in B2] brings an offering for the first, and she does not bring an offering for the second. She brings an offering for the third, and she does not bring an offering for the fourth:"**

- B. *If you concede as your premise that, in the opinion of R. Judah, it is the initial birth that imposes the requirement for the offering and the period of uncleanness specified in Scripture is counted from the first birth, then it must follow that, in the opinion of Rabbis, it is the second birth that imposes the requirement for the offering and the period of uncleanness specified in Scripture is counted from the second birth.*
- C. *You say "if you concede"?! — but it's perfectly obvious that these are the premises, respectively!*
- D. *The point is the inclusion of the case of **multiple of abortions**. For I might have thought that in the case of multiple of abortions, R. Judah concedes the position of rabbis. So we are informed that that is not the case.*

Now that we have clarified the language before us, we proceed to a theoretical question precipitated by the rule at hand.

- II.2. A.** *The question was raised: [10A] “As to uncleanness what is the position that R. Judah states [Porusch: whether or not a period of cleanness, during which the discharge of blood does not mark uncleanness, is provided in the second birth]? May we say that R. Judah takes the view that the second birth is as though it had not taken place only in respect to the offering, since not a single moment at which it was suitable to make an offering had taken place, and, since that is the fact, the second birth is as though it had not taken place; but as to the matters of uncleanness and cleanness, I should say that he concurs with him who says that it is as though it were present, so that the second birth is taken into account. That produces the result that the period of uncleanness of the second birth interrupts the period of cleanness of the first, and the latter period is afterward completed and then the period of cleanness of the second birth gets under way? Or perhaps R. Judah takes the position that he does only if it produces a more strict rule, but here [as to uncleanness], since it produces a lenient rule, he may not take the position that he does.*
- B.** *Said R. Huna of Sura, “Come and take note: **A woman who has given birth to a child — they slaughter a Passover offering in her behalf on the fortieth day after her having given birth to a male, and on the eighth day after a female [T. Pes. 7:11E].** [In this connection, it was asked,] *But is she not still unclean? And R. Hisda said, ‘Lo, who is the authority behind this passage? It is R. Judah, who holds that the second birth is as though it had not taken place [and this is not only in respect to the offering,] for if you maintain that R. Judah takes the view with respect to uncleanness that the second birth indeed is as if it had taken place [and is taken into account], how on behalf of the woman who has given birth can they slaughter a Passover offering in her behalf on the fortieth day [after her having given birth to a male, and on the eighth day after a female]? For in the evening she still will not be permitted to eat of the offering! So you must conclude that both with respect to cleanness and uncleanness R. Judah takes the view that the second birth is treated as though it were null.”**
- C.** *Not at all! I shall say to you that as to uncleanness and cleanness, R. Judah maintains the view that the second birth is fully taken into account, and, when that passage was taught, it was taught solely with reference to the second Passover, and that of course is brought in a condition of uncleanness.*
- D.** *But is the woman going to be permitted to partake of the meat of that offering [that it should be slaughtered in her behalf as the second passover]? And have we not learned in the Mishnah: **A Passover offering that was presented in uncleanness — male Zabs, female Zabs, menstruating women, and women unclean by reason of childbirth should not eat from it. But if they ate from it, they are exempt from the punishment of extirpation [M. Pes. 9:4A-C]**?*
- E.** *They may not eat if they have not immersed. But the law that says one may slaughter and sprinkle the blood in her behalf speaks of a woman who has immersed.*
- F.** *If so, then from the eighth day onward she is fit for the Paschal lamb [so why specify the fortieth day. which seems excessive]?*
- G.** *She is not suitable from the eighth day onward, for the premise is that a Zab who immersed by day still retains the same status [and he has to wait for sunset to*

complete the rite of purification. If the immersion has taken place, but the required span of time has not passed, he is still unclean. So too if the woman immersed after the eighth day and has to wait for the completion of the forty days in order to offer the sacrifice, she is still regarded as unfit for Holy Things.]

- H. *If so, then even the fortieth day she is not suitable!*
- I. *Not at all, on the fortieth day she is fit, for the premise here is that one who, as a Zab, lacks the completion of the rites of atonement is not in the status of a Zab any longer [and hence in the present case, likewise, on the fortieth day, the rites of purification not having been complete, she still is not in the prior status, so is fit for eating the passover offering].*
- J. *And in regard to the view of Raba, who has said, "The one who lacks the completion of his rites of purification as a Zab remains fully in the status of the Zab," how will he deal with the problem that has been raised?*
- K. *Said R. Ashi, "Raba will smooth out the problem by referring to an abortion that took place on the fortieth day of the conception of a male, or the eightieth after the conception of a female, and it represents the position of R. Ishmael, who has said, the limit for a male is forty-one days, and for a female, eighty one days [and the embryo is then regarded as having taken shape]."*
- L. *But in the end, she is still unclean by reason of menstrual blood! [The blood discharged at birth renders her a menstruant. How then is she going to be counted for the Paschal Lamb (Porusch)?]*
- M. *It was a birth that was dry [and produced no discharge of blood].*
- N. *If so, then what's the point [since that condition raises no questions such as require our attention]?*
- O. *What might you have thought? That it is not possible for "the grave" [the womb] to open without a flow of blood? So we are informed that it is possible for the "grave" to open without a flow of blood.*
- P. *Said R. Shemaiah, "Come and take note: "[But if she bears a female child, then she shall be unclean two weeks, as in her menstruation; and she shall continue in the blood of her purifying for] sixty-six days' (Lev. 12: 5) — might one suppose that that is whether they are continuous or interrupted [by another birth]? Scripture states, 'day.' Just as a day is uninterrupted, so the sixty days all must be uninterrupted [by another birth].*
- Q. *"Now whose view is represented here? Shall I say it accords with the view of Rabbis? But in their view a disconnected spell of time is in any event impossible. [Porusch: for the rabbis hold that in the case of an abortion within eighty days of a birth, the period of cleanness of the birth is regarded as annulled and a new period is to start. According to Judah on the other hand the period of the first birth still holds good.] But does this not represent the view of R. Judah? And since it is clearly the rule that the spell of time must be continuous [and not interrupted by an intervening birth], we must reach the conclusion that R. Judah takes the view that he does only if it produces a more strict rule, but not if it produces a lenient rule." [Porusch: For according to the first alternative of the query, there is a case of a disconnected spell of time, as described therein.]*

- R. *No, in point of fact, we have before us the position of Rabbis, but here, with what sort of a case do we deal? It is with the case of a woman who has given birth to a boy during the eighty days following the birth of a girl. [Porusch: forty days of the male, seven days of impurity and thirty-three days of cleanness, thus finish prior to the eighty days of the female. In this case even rabbis admit that the second, shorter period of cleanness does not abolish the first and longer one, which is resumed. The seven days of impurity caused by the abortion are not to be made up after the eighty days have passed.]*
- S. *Nonetheless, the days of the first birth are complete before those of the second, and rabbis hold that the second birth is taken into account! [Porusch: there cannot have been sexual relations before the first fourteen days of impurity have passed; the embryo must be forty days old, so the abortion cannot have taken place before the fifty-fourth day after the birth of the female, so that the forty days of the second birth must end after the eighty days of the first. Then the period of cleanness will continue beyond the eighty days of the first birth. This instance therefore cannot be regarded as an example of an interrupted period of eighty days.]*
- T. *Rather, in accord with the position of rabbis, you can find a case in which the law is realized when there is a birth of twins, first a female, then a male, and the male was born twenty days after the period of cleanness had passed [Porusch: even rabbis, who hold the second birth is taken into account, concur here that the period of cleanness of the first birth is not abolished by that of the second, and the latter finishes the former], so that the mother must observe days relating to the female birth for seven days of impurity. And this is what is at stake: I might have thought that when twins are born, the female first and then the male, the days of uncleanness of the later disrupt the former so that the sixty-six days are counted in two distinct spells, and therefore it is written, “days,” to indicate, just as the day is an uninterrupted span of time, so also the sixty-days must be uninterrupted.*
- U. *Said Abayye, “Come and take note: “[If a woman conceives and bears a male child...then she shall continue] for thirty-[three days in the blood of her purifying]’ (Lev. 12: 4) — might one suppose that that is whether they are continuous or interrupted [by another birth]? Scripture states, ‘day.’ Just as a day is uninterrupted, so the thirty days all must be uninterrupted [by another birth]. Now who can be the authority for this statement? Should we wish to suppose that it is rabbis, now do the rabbis **[10B]** take the view that an interrupted span of time is possible? Lo, rabbis maintain that a second birth is taken into account [and the woman will ‘have to count the forty days from the second birth, so the period of cleanness for the first is simply lost]. It must therefore stand for the view of R. Judah, with the result that R. Judah indeed maintains the view that he does only if it leads to a more strict rule, but not if it leads to a more lenient rule.”*
- V. *Furthermore, said R. Ashi, “Come and take note: [“But if she bears a female child, then she shall be unclean two weeks, as in her menstruation; and she shall continue in the blood of her purifying for sixty]-six days’(Lev. 12: 5) — might one suppose that this is either continuous or disrupted? Scripture says, ‘sixty.’ Just as all sixty-days must be uninterrupted, so the six days must all be uninterrupted. Now who is the authority behind this formulation? Should I say rabbis take the*

position that the days can be interrupted? And have not rabbis said that we do take account of the second birth? It must therefore be the position of R. Judah, and it must prove that R. Judah indeed maintains the view that he does only if it leads to a more strict rule, but not if it leads to a more lenient rule."

W. *It does prove it.*

I.1 presents a somewhat complicated proof for the Mishnah's proposition; the complications derive from the ambiguities of the proof, and these are cleared up nicely. II.1 undertakes a familiar form of Mishnah-criticism, with illuminating results concerning the obvious premises and the reason these have to be articulated. No. 2 raises an interesting theoretical question, addressed to the clarification of Judah's views.

2:4D-E

D. These bring an offering of variable value:

E. (1) for refusing to give evidence ["for hearing the voice" (Lev. 5: 1)]; and (2) for an expression of the lips [a rash oath]; and (3) for contaminating the sanctuary and its Holy Things; and (4) the woman who has given birth, and (5) the mesora.

We commence with a Tannaite restatement of the Mishnah-rule.

I.1 A. *Our rabbis have taught on Tannaite authority:*

- B. There are some who bring the offering that is required both in poverty [bird] and in wealth [lamb], some who bring the offering required only in poverty, some who bring the offering required of the poorest of the poor [a meal offering].
- C. A woman who has given birth presents the offering that is required of the poor and of the rich [a dove, a lamb]; a mesora brings the offering required of the poor [the pair of birds]; and those culpable **for refusing to give evidence ["for hearing the voice" (Lev. 5: 1)]; and (2) for an expression of the lips [a rash oath]; and (3) for contaminating the sanctuary and its Holy Things** bring the offering required in poverty or of the poorest of the poor [a meal offering].

I.2. A. *A further statement on Tannaite authority:*

- B. Sometimes one brings one offering in place of one [in the case of poverty], two in place of two, two in place of one, and one in place of two —
- C. on this basis you derive the lesson that the tenth ephah must be worth a penny.
- D. The woman who has given birth one brings one offering in place of one — the pigeon that she owed anyhow as a sin offering plus one bird in place of a lamb;
- E. a *mesora* brings two in place of two — two birds in place of two lambs;
- F. those culpable **for refusing to give evidence ["for hearing the voice" (Lev. 5: 1)]; and (2) for an expression of the lips [a rash oath]; and (3) for contaminating the sanctuary and its Holy Things** bring two birds in place of one lamb; and the poorest of the poor bring one tenth of an ephah in place of two birds.

I.3. A. *It has been taught on Tannaite authority:* on this basis you derive the lesson that the tenth ephah must be worth a penny.

B. *How on the basis of Scripture do we know this?*

C. *It is in accord with that which our rabbis have taught on Tannaite authority:*

- D. He who says, “Lo, incumbent upon me is an offering worth a sela for the altar” — he presents a lamb, for the only thing that is worth a sela and offered on the altar is a lamb.
- E. *How do we know this?*
- F. *Since Scripture has said, “The ram of the guilt offering is valued at two sheqels” (Lev. 5:15), we then infer that the lamb a year old is worth a sela, since it is written, “a year old lamb” (Num. 6:12), so a ram is of the second year.*
- G. *And we have learned in the Mishnah: **And pairs of birds stood on that very day at a quarter-denar [a denar is a quarter of a sela] each [one one-hundredth of the former price] [M. Ker. 1:7].***
- H. *Now since the All-Merciful has had mercy on the poor and has fixed the value of their sacrifice at a sixteenth part of the cost of the sacrifice for the rich, we may infer that the sacrifice of the poorest of the poor should be a sixteenth of the value of the sacrifice of the poor. The offering of the poor is a quarter of a denar. A quarter of a denar is made up of forty-eight pennies, so a sixteenth of that would be three pennies. Yet it says, “on this basis you derive the lesson that the tenth ephah must be worth a penny”! Now why should it be a penny, for have you not said that the tenth of an ephah is the offering of the poorest of the poor, and that this offering is to be worth one sixteenth part of the offering of the poor, which we found was three pennies?*
- I. *The Tannaite authority takes his proportions from the case of a woman after confinement. She offers in place of a lamb one bird, and the value of that [an eighth of a denar] is one thirty-second part of that of a lamb.*
- J. *But is not the offering of the poorest of the poor still to be the sixteenth part of the value of the offering of the poor, as is to be inferred when you compare the lamb and the ram [with the lamb valued at a sela]? So the ephah of cereal should be worth a perutah and a half [Porusch: the offering of the poor being the thirty-second part of that of the rich, and sixteen times the value of the poorest of the poor, thus one and a half pennies].*
- K. *Said Raba, “The entire matter derives from the case of the woman after childbirth, and this is the sense of the statement: since the All-Merciful has shown pity on the poor and has assigned to their sacrifice the value of one thirty-second part of that of the rich, as we find in the instance of the woman after childbirth, so we assume that the All-Merciful also has shown pity to the poorest of the poor, in assigning to their sacrifice the value of one thirty-second part of that of the poor.”*
- L. *If so, then the ephah of flour should be valued at three-quarters of a penny.*
- M. *And so it is, but it is not common practice to offer to the Omnipresent something of the value of less than a penny.*
- I.1, 2 complement our Mishnah’s rule by clarifying the variations in the value of offerings and indicating how we know who brings what. No. 3 completes the presentation of No. 2, clarifying its details in important ways. As is often the case, the passage goes its own way, but the connection between what comes first and what comes later and seems run-on and not entirely well focused is readily traced as always.

2:4F-M

- F. And what is the difference between the bondwoman and other forbidden sexual relationships (Lev. 18), that they are not alike (1) either in punishment or (2) in the offering [required for the transgression]?
- G. For all [other] forbidden sexual relations [are expiated] with a sin offering, but forbidden sexual relations with a bondwoman, with a guilt offering.
- H. All other sexual relations [are atoned] with a female animal, but the bondwoman, with a male animal [F2]
- I. In respect to all other sexual relations, all the same are the man and the woman. They are equivalent as to flogging and as to an offering.
- J. But in respect to the bondwoman, the man is not treated as equivalent to the woman in regard to flogging, and the woman is not regarded as equivalent to the man in respect to an offering [F2] .
- K. In respect to all other forbidden sexual relations Scripture has treated him who begins the act as culpable as him who completes it, and he is liable for each and every act of sexual relations [which is not the case here, M. 2:3C].
- L. But this strict rule does the law stringently impose in the case of the bondwoman:
- M. [11A] that it treats in her regard the man who does the act intentionally as equivalent to the one who does it inadvertently.

2:5

- A. What is the bondwoman [to whom reference has been made]?
- B. “Any one, half of whom is in bondage and half free [a bondwoman belonging to two partners, one of whom has set her free],
- C. “since it is said, ‘And she has not yet been altogether redeemed (Lev.19:20),” the words of R. Aqiba.
- D. R. Ishmael says, “This one [the bondwoman] is [simply] a confirmed bondwoman.”
- E. R. Eleazar b. Azariah says, “All prohibited sexual relationships are explicitly stated [as wholly free]. What is left to us except one which is half in bondage and half free [= Lev. 19 :20]?”

For the item selected for discussion, we ask for scriptural proof.

- I.1 A.** *How on the basis of Scripture do we know that she is liable to a flogging but he is not [but in respect to the bondwoman, the man is not treated as equivalent to the woman in regard to flogging]?*
- B. *It is in accord with that which our rabbis have taught on Tannaite authority:*
- C. “There shall be an inquiry” (Lev. 19:20) [“If a man lies carnally with a woman who is a slave, betrothed to another man and not yet ransomed or given her freedom, an inquiry shall be held. They shall not be put to death, because she was not free; but he shall bring a guilt offering for himself to the Lord”]:
- D. [since the verb, “shall be,” is in the feminine form,] this teaches that she is flogged.
- E. Might one suppose that both are to be flogged?
- F. Scripture says, “shall be,” meaning, she is flogged but he is not flogged.

- G. *How do we know that this word, “inquiry,” refers to flogging?*
- H. *Said R. Isaac, “It means, ‘it shall be read for her,’ as it has been taught on Tannaite authority: The chief of the judges reads, the second in command counts the number of lashes, and the third says, ‘Smite him.’”*
- I. *R. Ashi says, “[The word means,] ‘She will be examined,’ in line with the usage in that which we have learned on Tannaite authority: They make an estimate of the number of lashes a condemned person can take only in groups of three.”*

We now ask a question that the Mishnah-rule under discussion invites: what is the situation of the man in this case?

I.2. A. *Our rabbis have taught on Tannaite authority:*

- B. When the woman is flogged, the man has to bring an offering. If the woman is not flogged, the man does not have to bring an offer.
- C. *What is the scriptural basis for that ruling?*
- D. *Said Raba, “As it is written, ‘If a man lies carnally with a woman who is a slave, betrothed to another man and not yet ransomed or given her freedom, an inquiry shall be held. They shall not be put to death, because she was not free; but he shall bring a guilt offering for himself to the Lord’ (Lev. 19:20). Now up to this point, the Scripture has referred only to the man, and it should now proceed directly to the language that is used later on, ‘And he shall bring his guilt offering before the Lord,’ followed by, ‘an inquiry shall be held.’ Why does the Scripture say first of all, ‘an inquiry shall be held,’ only then followed by, ‘He shall bring his guilt offering to the Lord’? This is the sense of the passage: if ‘an inquiry shall be held,’ only then, ‘He shall bring his guilt offering to the Lord,’ and if it is not the case that ‘an inquiry shall be held,’ then it will not be the case that ‘He shall bring his guilt offering to the Lord.’”*
- E. *Might I say that while Scripture has eliminated him, she should be both flogged and also required to bring an offering?*
- F. What is written is, “He shall bring his guilt offering to the Lord.”

I.3. A. *Said R. Isaac, “A rapist of a slave-girl bears liability only for a slave-girl with which a man has had sexual relations [by way of betrothal], as it is said, ‘a woman who is a slave, betrothed to another man.’*

- B. *“And what indicates that this word choice ‘betrothed’ refers to a change in the status of the woman? As it is written, ‘And strewed groats thereon’ (2Sa. 17:19) [Porusch: groats are a grain that is changed through grinding]. And if you prefer: ‘Though you should bray a fool in a mortar with a pestle among groats’ (Pro. 27:22).”*

I.4. A. *And they gave their hand that they would put away their wives, and, being guilty, they offered a ram of the flock for their guilt” (Ezra 10:19) —*

- B. *Said R. Hisda, “This teaches that all of them had had intercourse with designated handmaids.”*

We now turn to the reformulation of the Mishnah’s dispute in terms of difference on the correct mode of exegesis of Scripture.

II.1 A. **What is the bondwoman to whom reference has been made?** [**“Any one, half of whom is in bondage and half free [a bondwoman belonging to two**

partners, one of whom has set her free], since it is said, ‘And she has not yet been altogether redeemed (Lev. 19:20),’ the words of R. Aqiba. R. Ishmael says, “This one [the bondwoman] is [simply] a confirmed bond-woman.” R. Eleazar b. Azariah says, “All prohibited sexual relationships are explicitly stated [as wholly free]. What is left to us except one which is half in bondage and half free ?”]

- B. *Our rabbis have taught on Tannaite authority:*
- C. [With reference to the verse, “If a man lies carnally with a woman who is a slave, betrothed to another man and not yet ransomed or given her freedom, an inquiry shall be held. They shall not be put to death, because she was not free; but he shall bring a guilt offering for himself to the Lord” (Lev. 19:20):] “ransomed” — might one suppose the whole of her?
- D. “Scripture states, ‘...not yet ransomed....’
- E. ““Might one supposed, ‘...not yet ransomed...’?
- F. Scripture states, ‘...ransomed....’
- G. “How so?
- H. “Reference is made to a woman who has been both redeemed but not redeemed, half of her being a slave-girl, the other half a free woman, one who has been betrothed to a Hebrew slave,” the words of R. Aqiba.
- I. R. Ishmael says, “Scripture speaks of a Canaanite slave girl, who has been betrothed to a Hebrew slave. Then what is the sense of the phrase, ‘redeemed, she is not redeemed’? This is imply used in accord with common speech [and yields no conclusions such as have been proposed].”
- J. R. Eleazar b. Azariah says, “Of all forbidden incestuous relations, it is explicit that they are free persons, leaving over this one instance, a woman [who has been both redeemed but not redeemed,] half of her being a slave-girl, the other half a free woman, one who has been betrothed to a Hebrew slave.”
- K. Others say, “‘They shall not be put to death, because she was not free’ — Scripture speaks of a Canaanite slave girl, who was betrothed to a Canaanite slave-boy.”
- L. *Now to R. Ishmael, one may concede for the moment that “‘redeemed, she is not redeemed’? This is imply used in accord with common speech [and yields no conclusions such as have been proposed].” But how does he know that Scripture speaks of a Canaanite slave girl who has been betrothed to a Hebrew slave?*
- M. As it is written, “because she was not free” — *yielding the inference that, on the contrary, he was free.*
- N. *Is not the opinion of R. Eleazar b. Azariah the same as R. Aqiba’s?*
- O. *This is the sense of what he has said to R. Ishmael, “In my opinion, I concur with you in general that the Torah uses the same speech that we do. But this case is different, for it is written, because she was not free, so why add also, and not yet ransomed or given her freedom? That bears the inference that reference is made to one who is half-slave and half free.*
- P. And as to the position of “others say,” *there is no problem with the phrase, “and not yet ransomed or given her freedom,” since the Torah speaks the same language that we do. But how do they know that it is a Canaanite slave?*

Q. Scripture says, “or given her freedom.” *Since this is not needed to tell us anything about her, it is taken to refer to him.*

I.1 provides a scriptural basis for one of the Mishnah’s laws. No. 2 goes on to develop the correlation between flogging for a woman and an offering for a man. No. 3 answers a question that our Mishnah-passage has not provoked. No. 4 is thematically pertinent, so tacked on. II.1 proceeds to another clause, but there is no pretense at a systematic exegesis of the Mishnah. Here again we appeal to Scripture to sustain the Mishnah’s statement.

2:6

- A. **In all forbidden sexual relationships,**
- B. **[if] one is an adult and one is a minor, the minor is exempt.**
- C. **[If] one is awake and one is asleep, the one asleep is exempt.**
- D. **[If] one does the act inadvertently and one deliberately, the one who does it inadvertently is liable to bring a sin offering, and the one who does it deliberately is subject to extirpation [M. 1:2A].**

We link the present rule to the foregoing and ask about the status of the bondmaid in the context of the rule now spelled out.

I.1 A. *Here [in the case of a bondmaid] is the minor guilty?*

B. *Said R. Judah, “This is the sense of the passage: As to all forbidden sexual relations, where one is an adult and the other a minor, the minor is exempt from all penalty and the adult is liable. But here the adult is also exempted, for both are linked together. [Where she is not flogged, he does not have to bring an offering.]”*

II.1 A. **In all forbidden sexual relationships...[if] one is awake and one is asleep, the one asleep is exempt.**

B. *But in our case is the sleeping person guilty?*

C. *Said R. Judah said Rab, “This is the sense of the passage: As to all forbidden sexual relations, [if] one is awake and one is asleep, where one is an adult and the other a minor, But here, even the one who is awake is exempt. Why so? As before, both are linked together.”*

A Tannaite formulation is now contrasted with the Mishnah-rule before us.

III.1 A. [Supply: **If one does the act inadvertently and one deliberately, the one who does it inadvertently is liable to bring a sin offering, and the one who does it deliberately is subject to extirpation:**] *A Tannaite authority recited before R. Sheshet: “In respect to all other forbidden sexual relations Scripture has treated him who begins the act as culpable as him who completes it, the man who does the act intentionally as equivalent to the one who does it inadvertently, doing the act the normal way and doing it dogpatch style, awake as equivalent to asleep.”*

B. *He said to him, “What is the sense of this passage that you have stated? If the passage speaks of a designated slave-girl, then why is it so that the law has treated him who begins the act as culpable as him who completes it? In the case of the designated slave-girl, the one who completes the action is liable, but the one who only begins the act is not! And furthermore, as to the man who does the act intentionally as equivalent to the one who does it inadvertently, if the act is*

deliberate, one incurs liability, but if not, one does not incur liability. And furthermore, as to doing the act the normal way and doing it dogpatch style, here too, the one who does it with a designated slave girl in the normal way is liable, but if it is dogpatch style, he is not liable. What is the reason? It is written, "If a man lies carnally."

- C. And what is the sense of the statement that "awake as equivalent to asleep"?
- D. If the passage refers to other forbidden incestuous sexual relations, then how can it say that he who begins the act as culpable as him who completes it? **[11B]** *The contrary is the case! "*
- E. *[Since so many details of the proposed formulation contradict known law,] the Tannaite authority] said to him, "Shall I then cancel the statement altogether?"*
- F. *He said to him, "No, this is the sense of the statement: They have treated they have treated one who completes the action not in the normal way with reference to a betrothed slave-girl, in which case there is no liability, as equivalent to one who merely commences the relationship in the normal way, for in this respect, '...carnally..., is written. The one who intends to have sexual relations not in the normal manner in the case of a slave-girl, in which case one is exempt, [is treated] as equivalent to one who does not have intention to do the deed, in the case, for in this respect, '...carnally,' is written. The one who is awake but not in the normal way in the case of a slave-girl, because there is an exemption from liability, is treated as equivalent to sleeping, for here again, '...carnally' is written. So it turns out that the one who has intention to do the act, the one who begins the act, in the case of a slave-girl, is equivalent to the one who does not intend to do the act in the case of all other prohibited incestuous sexual relations; the one who is sleeping, who has sexual relations in the normal manner, like the one who is sleeping in the case of prohibited incestuous relations; it turns out that the one who is awake and does not perform the sexual act in the normal manner in the case of a slave-girl is equivalent to one who is asleep in connection with all other prohibited sexual relations."*

The language of the paragraph at hand is clarified by I.1. Both I.1 and II.1 link the foregoing case to the present rule, insisting that the relationship just now treated forms an exception, but that that exception is covered by the continuation of the Mishnah-paragraph. III.1 moves on to a Tannaite complement to our passage. The pattern of an extensive amplification of complementary materials is repeated here.