

XI

THE STRUCTURE AND SYSTEM OF BABYLONIAN TALMUD NIDDAH

Whether or not the Talmud of Babylonia is carefully organized in large-scale, recurrent structures and guided by a program that we may call systematic forms the principal question addressed by an academic commentary. The preceding chapters therefore have pointed toward the presentation set forth here.

By “structure” I mean, a clearly-articulated pattern that governs the location of fully-spelled out statements. By “system,” I mean, a well-crafted and coherent set of ideas that explain the social order of the community addressed by the writers of a document, a social philosophy, a theory of the way of life, world view, and character of the social entity formed by a given social group. I see a collective, anonymous, and political document, such as the one before us, as a statement to, and about, the way in which people should organize their lives and govern their actions. At issue then in any document such as the remarkable one before us is simple: does this piece of writing present information or a program, facts to whom it may concern, or a philosophically and aesthetically cogent statement about how things should be?

The connection between structure and system is plain to see. From the way in which people consistently frame their thoughts, we move to the world that, in saying things one way rather than in some other, they wish to imagine the world in which they wish to live, to which they address these thoughts. For if the document exhibits structure and sets forth a system, then it is accessible to questions of rationality. We may ask about the statement that its framers or compilers wished to make by putting the document together as they did. But if we discern no structure and perceive no systematic inquiry or governing points of analysis, then all we find here is inert and miscellaneous information, facts but no propositions, arguments, viewpoints.

Now the Talmud commonly finds itself represented as lacking organization and exhibiting a certain episodic and notional character. That view moreover characterizes the reading and representation of the document by learned and experienced scholars, who have devoted their entire lives to Talmud study and exegesis. It must follow that upon the advocate of the contrary view — the one implicit in the representation of the document for academic analysis — rests the burden of proof. I set forth the allegation that the Talmud exhibits a structure and follows a system and therefore exhibits a commonly-intelligible rationality. The claim to write an academic commentary explicitly states that proposition. For the tractate before us, I have therefore to adduce evidence and argument.

I maintain that through the normal procedures of reasoned analysis we may discern in the tractate a well-crafted structure. I hold that the structure made manifest, we may further identify the purpose and perspective, the governing system of thought and argument, of

those who collected and arranged the tractate's composites and put them together in the way in which we now have them. By "structure" I mean, how is a document organized? and by "system," what do the compilers of the document propose to accomplish in producing this complete, organized piece of writing? The answers to both questions derive from a simple outline of the tractate as a whole, underscoring the types of compositions and composites of which it is comprised. Such an outline tells us what is principal and what subordinate, and how each unit — composition formed into composites, composites formed into a complete statement — holds together and also fits with other units, fore and aft. The purpose of the outline then is to identify the character of each component of the whole, and to specify its purpose or statement. The former information permits us to describe the document's structure, the latter, its system.

While the idea of simply outlining a Talmud-tractate beginning to end may seem obvious, I have never made such an outline before, nor has anyone else.* Yet, as we shall now see, the character of the outline dictates all further analytical initiatives. Specifically, when we follow the layout of the whole, we readily see the principles of organization that govern. These same guidelines on organizing discourse point also to the character of what is organized: complete units of thought, with a beginning, middle, and end, often made up of smaller, equally complete units of thought. The former we know as composites, the latter as compositions.

I have provided complete outlines for the Mishnah and for the Tosefta in relationship to the Mishnah, and, not always in outline form, for the Midrash-compilations of late antiquity as well.

Identifying and classifying the components of the tractate — the composites, the compositions of which they are made up — we see clearly how the document coheres: the plan and program worked out from beginning to end. When we define that plan and program, we identify the facts of a pattern that permit us to say in a specific and concrete way precisely what the compilers of the tractate intended to accomplish. The structure realizes the system, the program of analysis and thought that takes the form of the presentation we have before us. From what people do, meaning, the way in which they formulate their ideas and organized them into cogent statements, we discern what they proposed to do, meaning, the intellectual goals that they set for themselves.

These goals — the received document they wished to examine, the questions that they brought to that document — realized in the layout and construction of their writing, dictate the points of uniformity and persistence that throughout come to the surface. How people lay out their ideas guides us into what they wished to find out and set forth in their writing, and that constitutes the system that defined the work they set out to accomplish. We move from how people speak to the system that the mode of discourse means to express, in the theory that modes of speech or writing convey modes of thought and inquiry.

We move from the act of thought and its written result backward to the theory of thinking, which is, by definition, an act of social consequence. We therefore turn to the matter of intention that provokes reflection and produces a system of inquiry. That statement does not mean to imply I begin with the premise of order, which sustains the thesis of a prior system that defines the order. To the contrary, the possibility of forming a coherent outline out of the data we have examined defines the first test of whether or not the document exhibits a structure and realizes a system. So everything depends upon the

possibility of outlining the writing, from which all else flows. If we can see the order and demonstrate that the allegation of order rests on ample evidence, then we may proceed to describe the structure that gives expression to the order, and the system that the structure sustains.

The present work undertakes the exegesis of exegesis, for the Talmud of Babylonia, like its counterpart in the Land of Israel, is laid out as a commentary to the Mishnah. That obvious fact defined the character of my academic commentary, since we have already faced the reality that our Bavli-tractate is something other than a commentary, though it surely encompasses one. The problems that captured my attention derived from the deeper question of how people make connections and draw conclusions. To ask about how people make connections means that we identify a problem — otherwise we should not have to ask — and what precipitated the problem here has been how a composition or a composite fits into its context, when the context is defined by the tasks of Mishnah-commentary, and the composition or composite clearly does not comment on the Mishnah-passage that is subjected to comment.

The experience of analyzing the document with the question of cogency and coherence in mind therefore yields a simple recognition. Viewed whole, the tractate contains no gibberish but only completed units of thought, sentences formed into intelligible thought and self-contained in that we require no further information to understand those sentences, beginning to end. The tractate organizes these statements as commentary to the Mishnah. But large tracts of the writing do not comment on the Mishnah in the way in which other, still larger tracts do. Then how the former fit together with the latter frames the single most urgent question of structure and system that I can identify.

Since we have already examined enormous composites that find their cogency in an other than exegetical program, alongside composites that hold together by appeal to a common, prior, coherent statement — the Mishnah-sentences at hand — what justifies my insistence that an outline of the document, resting on the premise that we deal with a Mishnah-commentary, govern all further description? To begin with, the very possibility of outlining Babylonian Talmud tractate Sotah derives from the simple fact that the framers have given to their document the form of a commentary to the Mishnah. It is in the structure of the Mishnah-tractate that they locate everything together that they wished to compile. We know that is the fact because the Mishnah-tractate defines the order of topics and the sequence of problems.

Relationships to the Mishnah are readily discerned; a paragraph stands at the head of a unit of thought; even without the full citation of the paragraph, we should find our way back to the Mishnah because at the head of numerous compositions, laid out in sequence one to the next, clauses of the Mishnah-paragraph are cited in so many words or alluded to in an unmistakable way. So without printing the entire Mishnah-paragraph at the head, we should know that the received code formed the fundamental structure because so many compositions cite and gloss sentences of the Mishnah-paragraph and are set forth in sequence dictated by the order of sentences of said Mishnah-paragraph. Internal evidence alone suffices, then, to demonstrate that the structure of the tractate rests upon the Mishnah-tractate cited and discussed here. Not only so, but the sentences of the Mishnah-paragraphs of our tractate are discussed in no other place in the entire Talmud of Babylonia in the sequence and systematic exegetical framework in which they are set forth here; elsewhere we may find bits or pieces, but only here, the entirety of the tractate.

That statement requires one qualification, and that further leads us to the analytical task of our outline. While the entire Mishnah-tractate of Sotah is cited in the Talmud, the framers of the Talmud by no means find themselves required to say something about every word, every sentence, every paragraph. On the contrary, they discuss only what they choose to discuss, and glide without comment by large stretches of the tractate. A process of selectivity, which requires description and analysis, has told the compilers of the Talmud's composites and the authors of its compositions* what demands attention, and what does not. Our outline has therefore to signal not only what passage of the Mishnah-tractate is discussed, but also what is not discussed, and we require a general theory to explain the principles of selection ("making connections, drawing conclusions" meaning, to begin with, making selections). For that purpose, in the outline, I reproduce the entirety of a Mishnah-paragraph that stands at the head of a Talmudic composite, and I underscore those sentences that are addressed, so highlighting also those that are not.

This statement requires refinement. I do not know that all available compositions have been reproduced, and that the work of authors of compositions of Mishnah-exegesis intended for a talmud is fully exposed in the document as we have it. That is not only something we cannot demonstrate — we do not have compositions that were not used, only the ones that were — but something that we must regard as unlikely on the face of matters. All we may say is positive: the character of the compositions that address Mishnah-exegesis tells us about the concerns of the writers of those compositions, but we cannot claim to outline all of their concerns, on the one side, or to explain why they chose not to work on other Mishnah-sentences besides the ones treated here. But as to the program of the compositors, that is another matter: from the choices that they made (out of a corpus we cannot begin to imagine or invent for ourselves) we may describe with great accuracy the kinds of materials they wished to include and the shape and structure they set forth out of those materials. We know what they did, and that permits us to investigate why they did what they did. What we cannot know is what they did not do, or why they chose not to do what they did not do. People familiar with the character of speculation and criticism in Talmudic studies will understand why I have to spell out these rather commonplace observations. I lay out an argument based on evidence, not on the silences of evidence, or on the absence of evidence — that alone.

It follows that the same evidence that justifies identifying the Mishnah-tractate as the structure (therefore also the foundation of the system) of the Talmud-tractate before us also presents puzzles for considerable reflection. The exegesis of Mishnah-exegesis is only one of these. Another concerns the purpose of introducing into the document enormous compositions and composites that clearly hold together around a shared topic or proposition, e.g., my appendix on one theme or another, my elaborate footnote providing information that is not required but merely useful, and the like. My earlier characterization of composites as appendices and footnotes signalled the fact that the framers of the document chose a not-entirely satisfactory way of setting out the materials they wished to include here, for large components of the tractate do not contribute to Mishnah-exegesis in any way at all. If these intrusions of other-than-exegetical compositions were proportionately modest, or of topical composites negligible in size, we might dismiss them as appendages, not structural components that bear much of the weight of the edifice as a whole. Indeed, the language that I chose for identifying and defining these composites — footnotes, appendices, and the like — bore the implication that what is not Mishnah-commentary also is extrinsic to the Talmud's structure and system.

But that language served only for the occasion. In fact, the outline before us will show that the compositions are large and ambitious, the composites formidable and defining.

Any description of the tractate's structure that dismisses as mere accretions or intrusions so large a proportion of the whole misleads. Any notion that "footnotes" and "appendices" impede exposition and disrupt thought, contribute extraneous information or form tacked-on appendages — any such notion begs the question: then why fill up so much space with such purposeless information? The right way is to ask whether the document's topical composites play a role in the re-presentation of the Mishnah-tractate by the compilers of the Talmud. We have therefore to test two hypotheses:

1. the topical composites ("appendices," "footnotes") do belong and serve the compilers' purpose,

or

2. the topical composites do not participate in the re-presentation of the Mishnah-tractate by the Talmud and do not belong because they add nothing and change nothing.

The two hypotheses may be tested against the evidence framed in response to a single question: is this topical composite necessary? The answer to that question lies in our asking, what happens to the reading of the Mishnah-tractate in light of the topical composites that would not happen were we to read the same tractate without them? The outline that follows systematically raises that question, with results specified in due course. It suffices here to state the simple result of our reading of the tractate, start to finish: the question of structure, therefore also that of system, rests upon the position we identify for that massive component of the tractate that comprises not Mishnah-commentary but free-standing compositions and composites of compositions formed for a purpose other than Mishnah-commentary.

The principal rubrics are given in small caps. The outline takes as its principal rubrics two large-scale organizing principles.

The first is the divisions of the Mishnah-tractate to which the Talmud-tractate serves as a commentary. That simple fact validates the claim that the tractate exhibits a fully-articulated structure. But the outline must also underscore that the Mishnah-tractate provides both more and less than the paramount outline of the Talmud-tractate. It is more because sentences in the Mishnah-tractate are not analyzed at all. These untreated Mishnah-sentences are given in bold face lower case caps, like the rest of the Mishnah, but then are specified by underlining and enclosure in square brackets.

Second, it is less because the structure of the tractate accommodates large composites that address topics not defined by the Mishnah-tractate. That brings us to the second of the two large-scale modes of holding together both sustained analytical exercises and also large sets of compositions formed into cogent composites. These are treated also as major units and are indicated by Roman numerals, alongside the Mishnah-paragraphs themselves; they are also signified in small caps. But the principal rubrics that do not focus on Mishnah-commentary but on free-standing topics or propositions or problems are not given in boldface type. Consequently, for the purposes of a coherent outline we have to identify as autonomous entries in our outline those important composites that treat themes or topics not contributed by the Mishnah-tractate.

I. Mishnah-Tractate Niddah 1:1

A. SHAMMAI SAYS, “FOR ALL WOMEN IT IS SUFFICIENT FOR THEM TO RECKON UNCLEANNESS FROM THEIR TIME OF DISCOVERING A FLOW.” HILLEL SAYS, “THEY ARE DEEMED UNCLEAR RETROACTIVELY FROM THE TIME OF EXAMINATION, AT WHICH THE FLOW OF BLOOD WAS DISCOVERED TO THE LAST EXAMINATION SHE MADE BEFOREHAND. AND EVEN FOR MANY DAYS.”

1. I:1: What is the operative consideration for the position of Shammai? He takes the view that one should confirm the woman’s status quo, and a woman’s status quo is clean, not subject to her menstrual period. And Hillel maintains that when we invoke the principle that we should confirm something within its status quo, that principle applies only when the negative condition does not derive from the body of the thing itself. But as to a woman, since the negative condition that affects her derives from her body itself, we do not say that one should confirm her status quo.

2. I:2: And within that premise as to what is at stake, how does the ruling in our Mishnah differ from that applied in the case of the alleyway?

3. I:3: And within that premise as to what is at stake, there is the case of stains.

a. I:4: And as to the woman who uses a diaphragm when having sexual relations, *what is there for Shammai to say* since the diaphragm would absorb the menstrual blood, so there would be no proof that the blood did not make its appearance prior to when it was discovered. So how could Shammai maintain that the menstrual uncleanness commences only at the moment that the blood is discovered?

b. I:5: Gloss of I.3.

c. I:6: Secondary complement to the foregoing.

4. I:7: Raba said as against I.1, the operative consideration of Shammai concerns the suspension of procreation and if people were worried about retrospective uncleanness, they would not have sexual relations.

a. I:8: Secondary continuation of the foregoing discussion:

B. AND SAGES SAY NOT IN ACCORD WITH THE OPINION OF THIS ONE NOR IN ACCORD WITH THE OPINION OF THAT ONE, BUT THE WOMAN IS HELD TO HAVE BEEN UNCLEAR ONLY DURING THE PRECEDING TWENTY-FOUR HOURS WHEN THIS LESSENS THE PERIOD FROM THE EXAMINATION TO THE LAST EXAMINATION, AND SHE IS HELD TO HAVE BEEN UNCLEAR ONLY DURING THE PERIOD FROM EXAMINATION TO EXAMINATION WHEN THIS LESSENS THE PERIOD OF TWENTY-FOUR HOURS.”

1. II:1: Tannaite complement: And sages say not in accord with the opinion of this one nor in accord with the opinion of that one: not in accord with the opinion of Shammai, who set no limit to the application of his ruling, nor in accord with the opinion of Hillel, who went beyond all measure.

a. II:2: Amplification of sages’ position: Said Rabbah, “What is the operative consideration of rabbis? A woman feels what happens to her and

she is aware of when the flow begins.” Said to him Abayye, “If so, then sufficient for her should be the time at which her period regularly begins!”

C. EVERY WOMAN WHO HAS A FIXED PERIOD — SUFFICIENT FOR HER IS HER TIME:

1. III:1: May we then say that the Mishnah at hand represents the position of R. Dosa and not rabbi.

a. III:2: Gloss of a secondary detail of the foregoing. In the case of other women, concerning whom sages have ruled that it is sufficient for them to reckon uncleanness from the time that they discover flow, the extent of uncleanness of their stains is the same as the extent of their uncleanness on seeing a flow of blood. Now whose position does this represent?

D. SHE WHO MAKES USE OF TEST RAGS, LO, THIS IS EQUIVALENT TO AN EXAMINATION:

1. IV:1: Said R. Judah said, Samuel, “The rag that is used prior to having sexual relations does not impose a limit as does an examination.”

2. IV:2: We have learned in the Mishnah: She who makes use of test rags, lo, this is equivalent to an examination. Does this use of the plural, rags, not mean one rag prior, the other for after, sexual relations?

E. ...WHICH LESSENS EITHER THE PERIOD OF THE TWENTY-FOUR HOURS OR THE PERIOD FROM EXAMINATION TO EXAMINATION

1. V:1: Since the period of twenty-four hours imposes a limit, is it necessary to make explicit that the examination has the same effect?

F. HOW IS THE CASE IN WHICH HER TIME SUFFICES FOR HER? IF SHE WAS SITTING ON THE BED AND ENGAGED IN THINGS REQUIRING CLEANNES AND AROSE AND SAW A DROP OF BLOOD, SHE IS UNCLEAN, BUT ALL OF THOSE THINGS REQUIRING CLEANNES ARE CLEAN. EVEN THOUGH THEY HAVE SAID, “SHE RENDERS UNCLEAN WHATEVER SHE TOUCHED DURING THE PRECEDING TWENTY-FOUR-HOUR PERIOD,” SHE TAKES COUNT OF THE DAYS PRESCRIBED IN THE TORAH ONLY FROM THE TIME THAT SHE SAW A DROP OF BLOOD.

1. VI:1: Why was it necessary to state in the Mishnah, If she was sitting on the bed and engaged in things requiring cleanness and arose and saw a drop of blood, she is unclean, but all of those things requiring cleanness are clean? Why not say simply, if she was engaged in things requiring cleanness and arose and saw a drop of blood?

a. VI:2: Gloss of a tangential detail in the foregoing.

b. VI:3: As above, a different detail.

2. VI:4: The retroactive contamination during the twenty-four hour period prior to the discovery of menstrual blood pertains to Holy Things but not to priestly rations heave offering. There is a second version: The retroactive contamination during the twenty-four hour period priority to the discovery of menstrual blood pertains to both Holy Things and also priestly rations heave offering.

II. Mishnah-Tractate Niddah 1:3-6

A. R. ELIEZER SAYS, “FOUR WOMEN FALL INTO THE CATEGORY OF THOSE FOR WHOM THE TIME OF FIRST SEEING BLOOD SUFFICES: THE VIRGIN, THE PREGNANT WOMAN, THE NURSING MOTHER, AND THE OLD LADY.” SAID R. JOSHUA, “I HEARD ONLY THAT THIS RULE APPLIES TO THE VIRGIN.” BUT THE LAW IS IN ACCORD WITH THE OPINION OF R. ELIEZER.

1. I:1: Tannaite complement: Said R. Eliezer to R. Joshua, “You have not heard, but I have heard. You have heard only one, but I have heard many. They do not say to one who has never seen the new moon to come and give testimony, but they say so to one who has seen it.”

2. I:2: Said R. Judah said Samuel, “The law accords with Samuel in four matters.” The first is the one of which we have just spoken. The point of relevance is that the decided law does not derive from an analytical argument lit.: Talmud. An explicit statement is required.

B. WHO IS THE VIRGIN? ANY GIRL WHO NEVER IN HER LIFE SAW A DROP OF BLOOD, EVEN THOUGH SHE IS MARRIED.

1. II:1: Tannaite complement: If a virgin was married and produced a drop of blood that was due to the marital relations, or if when she bore a child she saw a drop of blood that was due to the birth of the child, she is still classified as a virgin, for when rabbis spoke of a virgin, it had to do with whether or not the girl had menstruated, but it had nothing to do with hymeneal blood.

a. II:2: Gloss of a detail of the foregoing.

C. A PREGNANT WOMAN? ONCE IT IS KNOWN THAT THE FOETUS IS PRESENT.

1. III:1: And how long does it take for the embryo to be discernible? Three months.

2. III:2: If a woman was assumed to be pregnant and produced a drop of blood and afterward she miscarried something that is not a human foetus Bavli: an inflated object or something that could not sustained life— lo, she remains as she presumably had been, so that sufficient for her is her time. And even though there is no scriptural proof of the matter, there is at least an allusion to it: “We were with child, we writhed, we have as it were brought forth wind.”

3. III:3: If a woman produced a drop of blood and afterward her foetus became discernible, what is the law? Is she subject to retrospective uncleanness for a prior twenty-four hours since it is only know that her embryo was not discernible at the moment that she saw blood? Or perhaps, since the drop of blood was observed just before she discerned that she was pregnant, do we not assign retrospective uncleanness for a prior twenty-four hours?”

4. III:4: If, during her pregnancy, a woman did not examine herself at the time of her fixed period, what is the law?

D. A NURSING MOTHER? UNTIL SHE WILL WEAN HER SON. IF SHE GAVE HER SON TO A WET NURSE, WEANED HIM, OR HE DIED — R. MEIR SAYS, “SHE CONVEYS

UNCLEANNES TO EVERYTHING SHE TOUCHED DURING THE PRECEDING TWENTY-FOUR HOURS.” AND SAGES SAY, “SUFFICIENT FOR HER IS HER TIME.”

1. IV:1: Tannaite complement: “A nursing mother whose infant died during the twenty-four months of nursing imparts uncleanness within the preceding twenty-four hour period or from one examination to the prior examination, as do all other women. Therefore if she goes on and nurses her infant, even during a period of five years, sufficient for her is her time,” the words of R. Meir. R. Judah and R. Yosé and R. Simeon say, “Sufficient for her is her time only during the twenty-four months in which it is normal to nurse the infant....”

E. WHO IS AN OLD WOMAN? ANY WOMAN FOR WHOM THREE PERIODS HAVE GONE BY WITHOUT A FLOW NEAR TO THE TIME OF HER OLD AGE:

1. V:1: What is the definition of near to the time of her old age?

2. V:2: *What is the definition of a “period” in the context of the Mishnah?*

3. V:3: Tannaite complement: If an old lady missed three periods and then saw a drop of blood — sufficient for her is her time and she does not reckon with retroactive uncleanness. If she again missed three periods and saw a drop of blood, still sufficient for her is her time. If she again missed three periods and then saw a drop of blood, lo, she is classified with all other women. She imparts uncleanness for the prior twenty-four hours or from one examination to the prior examination.

F. R. ELIEZER SAYS, “ANY WOMAN FOR WHOM THREE PERIODS HAVE PASSED WITHOUT HER SUFFERING A FLOW — SUFFICIENT FOR HER IS HER TIME.”

1. VI:1: Tannaite complement: Said R. Eliezer to sages, “There is the case of a young girl in Haitalu, whose time had come to begin her menstrual period, and who nonetheless missed three periods, and the case came before sages, who ruled, ‘Sufficient for her is her time.’”

2. VI:2: Tannaite complement: A girl who has not reached her time for having her first period but who saw a drop of blood — at the first and second appearances of the blood, sufficient for her is her time and there is no consideration of retroactive uncleanness. But when she sees the third drop of blood, lo, she is classified with all other women, and she imparts uncleanness to what she has touched during the preceding twenty-four hour period or between one examination and the prior examination.

3. VI:3: As to a bloodstain that is found by one who has not yet reached the age of menstruation between the first and the second appearance of a discharge, it is clean.\ As to one that is found between the second and the third...

4. VI:4: A young girl who had not reached the time for her menstrual period, who saw a drop of blood, on the first and second such occasions, her spit and pressure-uncleanness imparted by her in a public place in a case in which we are not sure whether or not the girl is unclean are deemed clean. Her bloodstain is also clean.

5. VI:5: A young girl who had not reached the time for her menstrual period — even if a discharge of menstrual blood continued for seven days running, it is regarded as a single appearance of blood.

6. VI:6: Tannaite complement: It is the established presumption that before Israelite women have reached puberty, they are assumed to be clean, and women do not examine them. After they have reached puberty, lo, they are presumed to be unclean, and women do examine them.

G. R. YOSÉ SAYS, “A PREGNANT WOMAN AND A NURSING MOTHER FOR WHOM THREE PERIODS HAVE PASSED-SUFFICIENT FOR THEM IS THEIR TIME.”

1. VII:1: A Tannaite authority repeated as the Tannaite version before R. Eleazar, “R. Yosé says, ‘A pregnant woman and a nursing mother for whom three cycles have passed — she suffices to reckon their period of uncleanness only from the time of observing a flow.’”

H. AND OF WHAT CASE DID THEY SPEAK WHEN THEY SAID, “SUFFICIENT FOR HER IS HER TIME”? IN THE CASE OF THE FIRST APPEARANCE OF A DROP OF BLOOD. BUT IN THE CASE OF THE SECOND APPEARANCE OF SUCH A DROP OF BLOOD, SHE CONVEYS UNCLEANNESS TO WHATEVER SHE TOUCHED DURING THE PRECEDING TWENTY-FOUR HOURS.

1. VIII:1: Said Rab, “The statement, But in the case of the second appearance of such a drop of blood, she conveys uncleanness to whatever she touched during the preceding twenty-four hours, applies to all the listed cases.” And Samuel said, “It refers only to the virgin and the old lady, but as to the pregnant woman and the nursing mother, throughout all the days of pregnancy or through all the days of nursing, it is sufficient for them to reckon uncleanness not retroactively but only from the time of observing a flow.”

I. BUT IF SHE SAW THE FIRST FLOW BY REASON OF CONSTRAINT THROUGH ABNORMAL CAUSES, EVEN IN THE CASE OF THE SECOND DROP OF BLOOD, SUFFICIENT FOR HER IS HER TIME.

1. IX:1: Said R. Huna, “If she jumped and saw a drop of blood, and again jumped and saw a drop of blood, and again jumped and saw a drop of blood, she has established a pattern for herself as to a fixed period.”

III. Mishnah-Tractate Niddah 1:7

A. EVEN THOUGH THEY HAVE SAID, “SUFFICIENT FOR HER IS HER TIME,” SHE MUST NONETHELESS EXAMINE HERSELF, EXCEPT FOR (A) THE MENSTRUATING WOMAN,

1. I:1: for during the days of her menstrual period, she does not require examination anyhow.

B. AND THE WOMAN WHO IS SITTING IN THE BLOOD OF HER PURIFYING AFTER HAVING GIVEN BIRTH.

1. II:1: That ruling, that no examination is necessary on the seventh or the fourteenth day, as the case may be poses no problems to the position of Rab, who has held, “The blood that is discharged within forty or eighty days after childbirth and held to be clean all derives from the same source, which the Torah has declared to be unclean during the seven or fourteen days after childbirth and clean during the subsequent days, respectively, which are the days of the blood of

purification.” But from the viewpoint of Levi, who has said, “They are two distinct sources of blood,” she surely should examine herself! For it is possible that still that original source of blood, which is unclean, has not yet ceased to flow.

C. AND SHE MAKES USE OF TEST RAGS, EXCEPT FOR THE ONE WHO IS SITTING IN THE BLOOD OF HER PURIFYING, AND A VIRGIN, WHOSE DROPS OF BLOOD ARE CLEAN.

1. III:1: Our Mishnah-clause contributes to the solution of a problem based on another Mishnah-passage.

D. AND TWICE MUST SHE WHO HAS A FIXED PERIOD EXAMINE HERSELF: IN THE MORNING AND AT TWILIGHT.

1. IV:1: This rule pertains only to the question of preparing food in a state of cleanness, but as to having sexual relations with her husband, she is permitted to do so so that even a woman who has no fixed period has no obligation to examine herself prior to having sexual relations with her husband.

2. IV:2: What is the law on a woman’s having to examine herself prior to sexual relations with her husband?

3. IV:3: What is the law as to a woman’s examining herself immediately after intercourse, so as to impose liability on the husband for a sin-offering should it turn out that he has inadvertently had sexual relations with a menstruating woman?

E. AND WHEN SHE PREPARES FOR SEXUAL RELATIONS:

BEYOND THESE EXAMINATIONS, WOMEN OF THE PRIESTLY CASTE MUST EXAMINE THEMSELVES WHEN THEY EAT HEAVE OFFERING. R. JUDAH SAYS, “ALSO: WHEN THEY FINISH EATING HEAVE OFFERING.”

1. V:1: And this use of test rags, twice, in the morning and at twilight, and when she prepares for sexual relations is the testing-rag employed by women of virtue.

a. V:2: Gloss of a tangential detail of IV.1J.

b. V:3: Continuation of the foregoing. Wives of ass-drivers, workers, and those who come from the house of mourning or a house of feasting are deemed in regard to their husbands to be presumed clean, so that the husbands may come and stay with them, whether they are asleep or awake.

c. V:4: As above.

d. V:5: As above.

2. V:6: Tannaite complement: A woman who does not have a fixed time for her period is forbidden to have sexual relations and has no claim on a marriage-settlement nor on the usufruct of property administered by her husband nor to support nor to compensation for worn-out clothes, and the husband must divorce her and may not remarry her forever.

IV. Mishnah-Tractate Niddah 2:1A

A. ANY HAND WHICH MAKES MANY EXAMINATIONS — IN THE CASE OF WOMEN IS TO BE PRAISED:

1. I:1: What is the difference between women and men? Women, who are not sexually sensitive to the examination, are to be praised, while men, who are sensitive to the examination, are to have the hand cut off.

2. I:2: Tannaite complement: Under what circumstances? With reference to seminal emission. But if it is with reference to flux — any hand that makes many examinations, lo, it is to be praised.

a. I:3: Gloss to a tangential detail of the foregoing.

B. APPENDIX ON THE PROHIBITION OF MASTURBATION

1. I:4: Why does it matter? It is because he purposelessly emits semen.

2. I:5: Story relevant to not holding the penis when urinating.

3. I:6: Said Rab, “He who deliberately makes himself hard should be excommunicated.”

4. I:7: “What is the meaning of the verse of Scripture, ‘Your hands are full of blood’ (Is. 1:15)? This refers to those who commit adultery with their hand.”

5. I:8: Proselytes and those who “play” with children postpone the coming of the Messiah. What is the point of the reference to those who “play” with children? If I should say that what is at stake is pederasty, such men are subject to the death penalty by stoning. If it is those who masturbate by contact with the limbs, they are deserving of destruction by flood! Rather, the statement refers to those who marry young girls who are not yet ready to bear children.

C. AND IN THE CASE OF MEN IS TO BE CUT OFF:

1. II:1: The question was raised: “Have we learned this teaching of the Mishnah as a law to be carried out, or have we learned it as a mere curse?”

V. Mishnah-Tractate Niddah 2:1B-C

A. THE DEAF-MUTE, AND THE IMBECILE,

1. I:1: As to the deaf-mute, let her make her own examination,

B. AND THE BLIND

1. II:1: Let her make her own examination.

C. AND THE WOMAN WHO IS DERANGED —

IF THERE ARE WOMEN OF SOUND SENSES, THEY CARE FOR THEM, AND THEY EAT HEAVE OFFERING.

1. III:1: Are not the imbecile and the woman who is deranged the same thing?

2. III:2: Tannaite complement: An imbecile priest — they dunk him and feed him with priestly rations in the evening. And they watch him in his sleep, and if he went to sleep and got up, he is forthwith unclean.

VI. Mishnah-Tractate Niddah 2:1D-E, 2:2-3

A. IT IS THE WAY OF ISRAELITE WOMEN TO MAKE USE OF TWO TEST RAGS, ONE FOR HIM AND ONE FOR HER. THE PIOUS PREPARE YET A THIRD, TO TAKE CARE OF THE HOUSE.

IF IT A DROP OF BLOOD IS FOUND ON HIS, THEY ARE UNCLEAN AND LIABLE FOR A SACRIFICE.

1. I:1: Should we not take account of the possibility in connection with the rule, If a drop of blood is found on his, they are unclean and liable for a sacrifice that it is the blood of a louse?
2. I:2: If the woman examined herself with a testing rag that she had already examined, and she pressed it against her thigh, and on the next day she found blood on it — said Rab, “She is unclean as a menstruant.”
3. I:3: If the woman examined herself with a testing rag that she had not already examined, and then left it in a box, and on the next day found on it a drop of blood — said R. Joseph, “For R. Hiyya’s entire life he declared her unclean in such a case, but at his old age he declared her clean.”
4. I:4: If the woman examined herself with a testing rag that she had not already examined, and then left it in a box, and on the next day found on it a drop of blood — what is the law?

B. IF IT IS FOUND ON HERS AT THE TIME ITSELF, THEY ARE UNCLEAN FOR SEVEN DAYS AND LIABLE FOR A SACRIFICE.

1. II:1: What is the span of time that encompasses the period ‘immediately after intercourse’?

C. IF IT IS FOUND ON HERS AFTER A WHILE THEIR UNCLEANNESS REMAINS IN DOUBT, AND THEY ARE EXEMPT FROM AN OFFERING.

1. III:1: And they are liable on account of it to a suspensive guilt offering.

D. WHAT IS MEANT BY “AFTER A WHILE”? SUFFICIENT TIME THAT THE WOMAN MAY DESCEND FROM THE BED AND WASH HER FACE SEXUAL ORGANS.

1. IV:1: An objection was raised: And what is the meaning of “after a while”? R. Eleazar b. R. Sadoq explains, “It is sufficient time for her to put out her hand and take the test-rag from under the bolster or from under the chest” (T. **Nid. 3:6A-E**).

- a. IV:2: Gloss of a tangential detail of the foregoing: Her lover can go into the Temple and offer incense. But should he not be prohibited since he came into contact during the period of twenty-four hours during which she retroactively imparts uncleanness?

E. AND AFTERWARD IF A DROP OF BLOOD APPEARS, SHE IMPARTS UNCLEANNESS TO OBJECTS SHE TOUCHED DURING THE PRECEDING TWENTY-FOUR-HOUR PERIOD BUT DOES NOT IMPART UNCLEANNESS AS A MENSTRUANT FOR SEVEN DAYS TO HIM WHO HAS HAD SEXUAL RELATIONS WITH HER. R. AQIBA SAYS, “ALSO: SHE IMPARTS UNCLEANNESS TO HIM WHO HAS SEXUAL RELATIONS WITH HER.”

AND SAGES AGREE WITH R. AQIBA IN THE CASE OF ONE WHO SEES A BLOODSTAIN, THAT SHE IMPARTS UNCLEANNESS TO HIM WHO HAS SEXUAL RELATIONS WITH HER.

1. V:1: Rab: This is retroactively, and it accords with the position of R. Meir. Samuel: The uncleanness is solely from now on, and it represents the position of rabbis.

VII. Mishnah-Tractate Niddah 2:4A-B

A. ALL WOMEN ARE ASSUMED TO BE CLEAN FOR THEIR HUSBANDS. THOSE THAT COME HOME FROM A TRIP — THEIR WIVES ARE ASSUMED TO BE CLEAN FOR THEM.

1. I:1: Why did the author of the passage find it necessary to add the detail about those that come home from a trip — their wives are assumed to be clean for them having made the point in general?
2. I:2: A woman who has a fixed period — her husband may calculate the days of her fixed period and have sexual relations with her, assuming she has immersed and is now clean.
3. I:3: Are the rules governing fixed periods based on the authority of the Torah or of rabbis, so that if a woman failed to make the examination at the proper time, she is deemed to be unclean on the ground that the discharge had appeared at its usual time, even though she observed no blood when she examined herself some time later?
4. I:4: A woman who has a fixed period whose time for menstruation came and who did not examine herself, and in the end did examine herself — said Rab, “If she examined herself and found that she was unclean, then she is unclean; if she found herself clean, then she is clean so we ignore the fixed period and rely solely on the results of the examination.”

VIII. Mishnah-Tractate Niddah 2:4C-E

A. THE HOUSE OF SHAMMAI SAY, “SHE REQUIRES TWO TEST RAGS FOR EACH ACT OF SEXUAL RELATIONS. OR SHE SHOULD HAVE INTERCOURSE IN THE LIGHT OF A LAMP.” AND THE HOUSE OF HILLEL SAY, “IT SUFFICES FOR HER TO MAKE USE OF TWO TEST RAGS FOR THE ENTIRE NIGHT.”

1. I:1: Tannaite gloss: Even though they have said, “He who has sexual relations to the light of a candle, lo, this one is vile,” + the opinions of the Houses.
2. I:2: If she examined herself using a testing rag, which then got lost, she is forbidden to have sexual relations until she examines herself again.

B. APPENDIX ON THE RULES FOR THE CORRECT CONDUCT OF SEXUAL RELATIONS

1. I:3: It is forbidden to have sexual relations by day.
 - a. I:4: Reprise of a detail tangential to the foregoing: There are four sorts that the Holy One, blessed be he, hates, and I don’t love them either: one who appears in his own home without warning, and, it goes without saying, his fellow’s home; one who holds his penis when he urinates; one who

urinates naked before his bed; and one who has sexual relations in the presence of any living creature whatsoever.

b. I:5: Further statement attributed to the authority of the foregoing and in the same model: There are five things that impose liability to the death penalty upon those who do them, and their blood is on their own head: eating peeled garlic, a peeled onion, or a peeled egg, drinking diluted liquids that were left standing over night, spending a night in a graveyard, clipping one's nails and tossing them out into the public domain, and having sexual relations immediately after blood-letting.

2. I:6: It is forbidden for someone to have sexual relations by day.

3. I:7: Israelites are holy and do not have sexual relations by day.

IX. Mishnah-Tractate Niddah 2:5

A. THE SAGES MADE A PARABLE IN CONNECTION WITH THE WOMAN: (1) THE ROOM, (2) THE FRONT HALL, AND (3) THE ROOM UPSTAIRS. BLOOD IN THE ROOM IS UNCLEAR. IF IT IS FOUND IN THE FRONT HALL, A MATTER OF DOUBT CONCERNING IT IS DEEMED UNCLEAR, SINCE IT IS ASSUMED TO COME FROM THE FOUNTAIN UTERUS.

1. I:1: Rammi bar Samuel and R. Isaac b. R. Judah repeated the Tannaite version of the tractate of Niddah in the household of R. Huna. He found them in session and saying, "the room is inside, the front hall is on the outside, and the room upstairs is built above them, and a channel communicates between the room upstairs and the front hall. If blood is found anywhere from the channel inwards, a matter of doubt regarding it is resolved as unclear. If it is found from the channel outwards, a matter of doubt regarding it is resolved as clear.

a. I:2: Continuation of the clarification of the foregoing, based on the Tannaite complement: blood that is found in the front hall — on its account they burn heave offering and are liable for contamination of the sanctuary and its holy things.

2. I:3: In three matters sages have followed the majority rule and treat the matters of doubt as though they were certainties, and these are they: the source, the placenta, and the piece.

X. Mishnah-Tractate Niddah 2:6-7

A. FIVE COLORS OF BLOOD ARE UNCLEAR IN A WOMAN: (1) RED, AND (2) BLACK, AND (3) BRIGHT CROCUS COLOR, AND (4) BLOOD WHICH IS LIKE WATER MIXED WITH EARTH, AND (5) BLOOD WHICH IS LIKE WATER MIXED WITH WINE.

1. I:1: How on the basis of Scripture do we know that blood that exudes from a woman may be clear? Perhaps all varieties of blood that come from her are unclear without differentiation?

2. I:2: So how do we know that some classifications of blood are clear, and others are unclear?

B. THE HOUSE OF SHAMMAI SAY, “ALSO: (6) BLOOD THE COLOR OF WATER IN WHICH FENUGREEK HAS BEEN SOAKED, AND (7) BLOOD THE COLOR OF GRAVY FROM ROAST MEAT.”

1. II:1: Do not the House of Shammai accept the proof deriving from the demonstration, “Scripture has said, ‘her bloods’ (Lev. 12: 7) ‘her bloods’ (Lev. 20:18). Thus reference is made to four classifications of blood”?

C. AND THE HOUSE OF HILLEL DECLARE CLEAN.

1. III:1: This is precisely the position on these matters that is taken by the Tannaite authority who stands at the commencement of the very same paragraph!

D. BLOOD WHICH IS YELLOW — AQABYA B. MEHALALAL DECLARES UNCLEAR.

1. IV:1: Does not Aqabya b. Mehalalal accept the proof deriving from the demonstration, “Scripture has said, ‘her bloods’ (Lev. 12: 7) ‘her bloods’ (Lev. 20:18). Thus reference is made to four classifications of blood”?

E. AND SAGES DECLARE CLEAN.

1. V:1: This is precisely the position on these matters that is taken by the Tannaite authority who stands at the commencement of the very same paragraph!

F. SAID R. MEIR, “IF IT DOES NOT IMPART UNCLEANNESS BECAUSE IT IS A BLOODSTAIN, IT IMPARTS UNCLEANNESS BECAUSE IT IS A LIQUID.”

1. VI:1: Said R. Yohanan, “R. Meir penetrated into the theory of Aqabya b. Mehalalal and declared yellow discharge unclean as menstrual blood. And this is the sense of what he had to say to rabbis: ‘While, to be sure, when a woman finds a yellow blood stain on her garment, you have not declared her unclean, in a case in which she has actually produced a drop of yellow blood from her body itself, you should declare her unclean.’”

G. R. YOSÉ SAYS, “NEITHER THUS NOR SO.”

1. VII:1: This is precisely the position on these matters that is taken by the Tannaite authority who stands at the commencement of the very same paragraph!

H. WHAT IS THE RED COLOR? LIKE THE BLOOD OF A WOUND.

1. VIII:1: What is the meaning of like the blood of a wound?

2. VIII:2: Amemar, Mar Zutra, and R. Ashi were in session before a cupper. When he took the first cupping horn off Amemar, he looked at it and said to them, “The red of which we have learned in the Mishnah is like this.”

I. BLACK? LIKE INK SEDIMENT. IF IT IS DEEPER THAN THIS, IT IS UNCLEAR, BUT IF IT IS LIGHTER THAN THIS, IT IS CLEAN.

1. IX:1: Said Rabbah bar R. Huna, “The black of which they have spoken is ink.”

2. IX:2: The question was raised: is it liquid-ink or dry-ink?

3. IX:3: If it is as black as a black olive, pitch, or a raven, it is clean, and this is what is meant by the language, but if it is lighter than this, it is clean.

4. IX:4: It is as black as a Siva-cloak

5. IX:5: It is of the color of those garments for the court that come from overseas.”

6. IX:6: And in the case of all of them the five kinds of blood listed in the Mishnah, they are to be examined only on a white strip of cloth.

7. IX:7: And in the case of all of them the five kinds of blood listed in the Mishnah, if the shade is deeper than the specified ones, the blood is unclean, but if it is lighter than the specified shades, it is clean.

8. IX:8: And in the case of all of them the five kinds of blood listed in the Mishnah, if the shade is deeper than the specified ones, the blood is unclean, but if it is lighter than the specified shades, it is also unclean, except for the matter of black.

9. IX:9: And in the case of all of them the five kinds of blood listed in the Mishnah, if the shade is deeper than the specified ones, the blood is unclean, but if it is lighter than the specified shades, it is also unclean, except for the matter diluted wine, in which a darker shade is clean, a lighter one also clean.

J. AND BRIGHT CROCUS COLOR? LIKE THE BRIGHTEST SHADE IN IT.

1. X:1: A Tannaite version had it as: a wet but not a dry crocus.

2. X:2: The crocus has three rows of leaves, with three leaves in each row; stick to the middle row and the middle leaf of that row.

3. X:3: When they came before R. Abbahu, he said to them, “We have learned that the color refers to the crocus when it is still attached to its clods.

K. LIKE EARTHY WATER? A COLOR LIKE THAT PRODUCED WHEN OVER DIRT FROM THE VALLEY OF BET KEREM WATER IS MADE TO FLOAT.

1. XI:1: Tannaite complement: Like earthy water — how so? “One brings dirt from the valley of Bet Kerem and floats water over it,” the words of R. Meir.

2. XI:2: When they came before Rabbah bar Abbuha he said to them, “What we have learned is that the dirt is what is located in one’s own place.”

3. XI:3: Ulla happened to come to Pumbedita. They brought some blood before him, but he would not examine it. He said, “Now if R. Eleazar, who is the master of the Land of Israel, when he visited the place of R. Judah, would refuse to examine the blood submitted to him, should I then examine blood?”

4. XI:4: Ifra Hormiz, the mother of King Shapur, sent blood before Raba. R. Obadiah was in session before him. He smelled it and said to her, “This is the blood of lust discharged by reason of sexual desire.”

5. XI:5: Said R. Judah, “I used to examine blood. But since the mother of my son Isaac told me, ‘This first drop of blood we do not bring before rabbis because it is dirty,’ I decline to examine blood. But if it is to distinguish what is unclean from what is clean, I certainly examine the blood.”

6. XI:6: Yalta Nahman’s wife brought blood before Rabbah bar Hana and he declared it unclean. Then she went and brought it before R. Isaac b. R. Judah and he declared it clean for her.

7. XI:7: The question was raised: “Blood of this kind has Mr. So-and-so, a sage, declared clean” — what is the law?

8. XI:8: Rabbi examined blood by night and declared it unclean. He examined it by day and then he declared it clean. He waited a while and then he went and declared it unclean. “Woe is me,” he said, “Maybe I made a mistake!”

9. XI:9: Rabbi examined blood by the light of a lamp.

L. A COLOR LIKE WATER MIXED WITH WINE? TWO PARTS OF WATER, AND ONE PART OF WINE — MAKING USE OF WINE OF SHARON.

1. XII:1: A Tannaite version stated: Sharon-wine that is diluted is equivalent to Carmel-wine that is fresh and undiluted, new and not vintaged

XI. Mishnah-Tractate Niddah 3:1-2

A. SHE WHO PRODUCES A PIECE A SHAPELESS OBJECT — IF THERE IS BLOOD WITH IT, SHE IS UNCLEAN, AND IF NOT, SHE IS CLEAN. R. JUDAH SAYS, “ONE WAY OR THE OTHER, SHE IS UNCLEAN.”

1. I:1: And said R. Judah said Samuel, “R. Judah has given a ruling of uncleanness only in case of a shapeless object that had the color of one of the four kinds of blood described presently, but if it was of any of the other shades of blood, it is clean.” But R. Yohanan said, “If it was the color of one of the four kinds of blood, all parties concur that it is unclean. But if it was the color of any of the other kinds of blood, all parties concur that it is clean. There is a disagreement only in a case in which the one aborted but it is not known what it is that she has aborted.”

2. I:2: Tannaite complement: She who aborts a shapeless object — Sumkhos in the name of R. Meir said, and so did R. Simeon b. Menassia state in accord with his view, “They cut it open. If there is blood inside it, lo, this one is a menstruant. If not, she is not a menstruant.”

a. I:3: “She who produced a discharge of blood in a tube inserted in the uterus — what is the law? ‘In her flesh’ (Lev. 15:19) is what Scripture has said, and not in a tube? Or perhaps the purpose of the phrase ‘In her flesh’ (Lev. 15:19) is required to show that menstrual blood causes uncleanness inside the vagina as well as outside?” Appeals to a detail of the foregoing in the course of the analysis.

3. I:4: The same problem now addressed to a male: “One who observes semen on a splinter that has been inserted into the penis — what is the law? ‘From him’ (Lev. 15:16) is what Scripture has said, meaning, the man is unclean only when the semen has issued naturally from his body, not when it has been brought out by a splinter, or is it possible that the sense of ‘from him’ is that the man is unclean only when his uncleanness has emerged from his body, even though that was brought about by means of a splinter?”

4. I:5: “What is the status of dried up blood as to conveying uncleanness? “Have an issue of her blood” (Lev. 15:25) is what Scripture has said, meaning, that uncleanness is imparted only if the blood is actually flowing, so moist blood does impart uncleanness, dry blood does not, or perhaps the rule is that when Scripture says, ‘have an issue of her blood,’ that language is used only because blood ordinarily flows, while, in fact, the same rule pertains to dry blood as well?”

B. SHE WHO PRODUCES AN ABORTION LIKE A RIND, LIKE A HAIR, LIKE DUST, LIKE RED FLIES — LET HER PUT THEM INTO WATER. IF THEY DISSOLVE INTO BLOOD, SHE IS UNCLEAN AS A MENSTRUANT, AND IF NOT SHE IS CLEAN.

1. II:1: Said R. Simeon b. Laqish, “It is to be in lukewarm water.”

2. II:2: What is required in the present case involving an abortion like a rind, like a hair, like dust, like red flies? Do we require a period of twenty-four hours or not? Is it only a creeping thing and carrion, which are tough, that have to be soaked for twenty-four hours, but not blood, which is soft? Or perhaps there is no difference?

C. SHE WHO PRODUCES AN ABORTION LIKE FISH, LOCUSTS, INSECTS, AND CREEPING THINGS — IF THERE IS BLOOD WITH THEM, SHE IS UNCLEAN. AND IF NOT, SHE IS CLEAN.

1. III:1: Should not R. Judah, as at M. 3:1, She who produces a piece a shapeless object — if there is blood with it, she is unclean, and if not, she is clean. R. Judah says, “One way or the other, she is unclean” —take exception in this case also with the ruling, And if not, she is clean?

D. “SHE WHO PRODUCES AN ABORTION LIKE A BEAST, WILD ANIMAL, OR BIRD, WHETHER UNCLEAN OR CLEAN, IF IT IS MALE, SHE SHOULD SIT OUT THE DAYS OF UNCLEANNESS AND CLEANNESS REQUIRED FOR A MALE. AND IF FEMALE, SHE SHOULD SIT OUT THE DAYS OF UNCLEANNESS AND CLEANNESS REQUIRED FOR A FEMALE. AND IF THE SEX OF THE ABORTION IS NOT KNOWN, SHE SHOULD SIT OUT THE DAYS OF UNCLEANNESS AND CLEANNESS FOR A MALE AND FOR A FEMALE,” THE WORDS OF R. MEIR:

1. IV:1: Said R. Judah said Samuel, “What is the operative consideration in the view of R. Meir? It is that since in the case of beasts and birds, the language of ‘forming’ is used just as it is used in the case of human beings ‘And the Lord formed every beast...and every fowl’ (Gen. 2:19), ‘Then the Lord God formed man’ (Gen. 2: 7). So the same rule applies to human beings and to abortions in the form of beasts or birds.”

2. IV:2: R. Hiyya b. Abba in the name of R. Yohanan: What is the operative consideration in the view of R. Meir? It is that since in the case of beasts and birds, the language of ‘forming’ is used just as it is used in the case of human beings ‘And the Lord formed every beast...and every fowl’ (Gen. 2:19), ‘Then the Lord God formed man’ (Gen. 2: 7). So the same rule applies to human beings and to abortions in the form of beasts or birds.”

3. IV:3: Rabbah b. Bar Hana in the name of R. Yohanan: What is the operative consideration in the view of R. Meir? It is that since their beasts’ eyes are similar to those of a human being.

4. IV:4: R. Yannai said, “*What is the operative consideration in the view of R. Meir?* It is that since their beasts’ eyes are put in the front of their heads, like those of human beings.”

5. IV:5: R. Jeremiah asked R. Zira, “In the view of R. Meir, who has said that a beast-shaped abortion in the womb of a woman constitutes a perfectly valid offspring, if the father of the foetus accepted a token of betrothal, what is the law?”

a. IV:6: Amplification of foregoing.

6. IV:7: R. Ada bar Ahba addressed this question to Abbaye: “In the opinion of R. Meir, who has said that a beast-shaped abortion in the womb of a woman constitutes a perfectly valid offspring, what is the status of a human foetus in the womb of a beast?”

E. AND SAGES SAY, “ANYTHING WHICH DOES NOT BEAR SOME ASPECT OF THE HUMAN FORM IS NOT DEEMED A FOETUS:”

1. V:1: All parties concur that if the body is like that of a he-goat and the face is like that of a human being, it is classified as a human being; if the body is like that of a human being, and the face is like that of a he-goat, it is not a valid birth. Where they differ, it concerns a case in which the foetus had the face of a human being but was created in such a way that one of the eyes was like that of a beast. R. Meir takes the view that it must have only some features of a human face, while sages take the position that it must entirely have the features of a human face.

2. V:2: Said R. Jeremiah bar Abba said R. Yohanan, “The forehead, eyebrows, eyes, cheeks, and chin have all to be present simultaneously.”

3. V:3: If it was created with one eye and one thigh, if these were on the side of the face or the body, in the normal position the woman who gives birth to the abortion is unclean; if they are in the middle, the mother is clean.

4. V:4: Tannaite complement: She who aborts an unshaped body is not unclean by reason of having given birth. And what is an unshaped body? Rabbi says, “It is one that is lacking a part that one may take from a living person and he would die.”

5. V:5: She who aborts a foetus the face of which was mashed — R. Yohanan said, “She is unclean.” And R. Simeon b. Laqish said, “Its mother is clean.”

a. V:6: Illustrative case.

6. V:7: She who aborts a creature that has two backs and two spinal columns — Said Rab, “In the case of a woman, it is not a valid offspring. In the case of a beast, it is prohibited for eating.” Samuel said, “In the case of a woman, it is a valid offspring. In the case of a beast, it is permitted for eating.”

a. V:8: Tannaite complement in support of Rab’s opinion.

b. V:9: R. Jeremiah bar Abba considered making a practical decision in accord with the position of Samuel.

7. V:10: Said Raba, “Lo, they have said: ‘a woman gives birth at nine months or gives birth at seven months. A large domesticated beast gives birth at nine months.’ Does it give birth at seven months, or is that not the case?”

8. V:11: Said R. Judah said Samuel, “She who aborts a foetus in the form of Lilith a demon with wings and a human face — its mother is unclean by reason of childbirth. It is an offspring but it has wings.”

9. V:12: She who aborts a foetus in the form of a snake — Hanina, son of R. Joshua’s brother, gave a ruling: “Its mother is unclean by reason of childbirth.”

XII. Mishnah-Tractate Niddah 3:3-4B

A. SHE WHO ABORTS A SAC FILLED WITH WATER, FILLED WITH BLOOD, FILLED WITH DRY MATTER SLOTKI: MATTER OF VARIOUS COLORS, DOES NOT TAKE INTO CONSIDERATION THE POSSIBILITY THAT THIS IS A VALID BIRTH.

1. I:1: Now there is no problem in understanding the decision on blood and water, for these do not form valid births, since they are null. But as to filled with dry matter, why should she not take into consideration the possibility that this is a valid birth, since it can have been an embryo that has now been squashed?

a. I:2: A reference in the foregoing to the drinking of wine leads to the inclusion of: He who drinks undiluted wine — his bones appear burned. He who drinks much-too-diluted wine — his bones appear dry. He who drinks wine properly diluted — his bones appear full of marrow. Sayings in the same formal setting but on other subjects are tacked on.

2. I:3: She who aborts a sac full of flesh — what is the rule?

B. BUT IF A LIMB HAD FORMED, LET HER SIT OUT THE DAYS OF UNCLEANNESS AND CLEANNESS FOR BOTH MALE AND FEMALE.

1. II:1: Tannaite complement: What is the definition of a sac the limbs of which are formed? Abba Saul says, “At the beginning of its formation it is like a rashon-locust. Its two eyes are like two drippings of a fly.”

C. SHE WHO ABORTS AN ABORTION SHAPED LIKE A SANDAL OR A PLACENTA — LET HER SIT OUT THE DAYS OF UNCLEANNESS AND CLEANNESS FOR BOTH MALE AND FEMALE.

1. III:1: Tannaite complement: A sandal is like a fish in the see. At first it is a normal foetus, but then it got crushed.

2. III:2: In the time of R. Yannai they wanted to declare clean a sandal that does not have the facial features of a human form. Said to R. Yannai, “Then you have declared clean the mother of newly-born children.”

3. III:3: Tannaite complement: And why did they say “a sandal”? Is it not so that there is no sandal with which there also is not a bit of the embryo? I

a. III:4: Gloss of secondary observations made in the foregoing.

XIII. Mishnah-Tractate Niddah 3:4C-E

A. IF THERE IS A PLACENTA IN A HOUSE:

1. I:1: Tannaite complement: **The placenta of which they have spoken — in its first stage it is like the thread of the warp, and its head is like a lupine, and it is hollow like a trumpet, and there is no placenta less in size than a handbreadth.**

a. I:2: Tannaite complement, serving as a gloss to the foregoing: Oshaia the youngest of the association says, “Five things are subject to a prescribed minimum of a handbreadth, and these are they: the placenta, the ram’s horn, a spine, the wall of a sukkah, and a bundle of hyssop.”

i. I:3: Secondary expansion of details of the foregoing.

2. I:4: Throughout the first three days after the birth of a child, the placenta afterbirth is attributed to the child. From that point onward, they take account of the possibility that it derived from the birth of another child crushed within the placenta, who might have been a female.

a. I:5: Secondary expansion on the foregoing.

3. I:6: She who aborts a foetus in the form of a raven and a placenta as well — what is the rule?

4. I:7: Illustrative case.

5. I:8: Illustrative case.

6. I:9: Illustrative case.

7. I:10: Illustrative case.

B. IF THERE IS A PLACENTA IN A HOUSE, THE HOUSE IS UNCLEAN. NOT THAT THE PLACENTA IS THE CHILD, BUT BECAUSE THERE IS NO PLACENTA WHICH DOES NOT CONTAIN PART OF THE CHILD. R. SIMEON SAYS, “THE CHILD WAS MASHED BEFORE IT THE AFTERBIRTH CAME OUT.”

1. II:1: Tannaite complement: “If the placenta is in the house, the house is unclean. Not that the placenta is the child, but because there is no placenta which does not contain part of the child,” the words of R. Meir. R. Judah and R. Yosé and R. Simeon say, “The house is clean.”

a. II:2: Exposition of the positions of the foregoing.

i. II:3: Gloss of a detail of the foregoing.

ii. II:4: Continuation of foregoing analysis.

2. II:5: With reference to our Mishnah-paragraph, if there is a placenta in a house, the house is unclean, not that the placenta is the child, but because there is no placenta which does not contain part of the child. R. Simeon says, “The child was mashed before the afterbirth came out” R. Simeon concurs that the mother is unclean by reason of childbirth.”

3. II:6: R. Simeon b. Laqish said, “A sac that was beaten up in its fluid is treated as a corpse the shape of which was destroyed and was burned and scattered; such human remains do not convey uncleanness.”

4. II:7: She who aborted a shaped hand with defined fingers or a shaped foot — the mother is unclean by reason of child birth, and we do not take account of the possibility that these have come from an otherwise-shapeless body which would not have the status of an offspring.

5. II:8: Said R. Huna, “If the embryo put out its hand and brought it back in, the mother is unclean by reason of childbirth, as it is said, ‘And it came to pass, when she bore, that one put out a hand’ (Gen. 38:23).”

XIV. Mishnah-Tractate Niddah 3:5

A. SHE WHO PRODUCES AN INFANT OF DOUBTFUL SEX OR AN ANDROGYNE (ONE OF DOUBLE SEX) — LET HER SIT OUT THE DAYS OF UNCLEANNESS AND CLEANNES FOR BOTH MALE AND FEMALE.

1. I:1: Now if the woman gave birth to an infant of doubtful sex alone, or to an androgyne alone, the rule states that she sit out the days of uncleanness and purifying for a male and a female, why should it be a question of what she should do if she gave birth to an infant of doubtful sex and a male or an androgyne and a male in which case she obviously she sit out the days of uncleanness and purifying for both a male and a female?

2. I:2: Said R. Nahman said Rab, “An infant of doubtful sex or an androgyne that produced a drop of white excretion or a drop of red excretion — neither is liable on account of entering the Temple. If, however, they should produce a drop of white excretion and of red simultaneously, while they still are not liable for entering the Temple, they do on their account burn priestly rations that they have touched.”

a. I:3: Gloss of a detail of the expansion of the foregoing.

B. IF SHE BORE TWINS, AN INFANT OF DOUBTFUL SEX AND A MALE CHILD, AN ANDROGYNE AND A MALE CHILD — LET HER SIT OUT THE DAYS OF UNCLEANNESS FOR BOTH MALE AND FEMALE.

IF SHE BORE AN INFANT OF DOUBTFUL SEX AND A FEMALE, AN ANDROGYNE AND A FEMALE — LET HER SIT OUT THE DAYS OF UNCLEANNESS FOR A FEMALE ONLY. IF IT EMERGED IN PIECES OR FEET FOREMOST — ONCE THE GREATER PART OF IT HAS GONE FORTH, LO, IT IS AS IF IT WERE FULLY BORN. IF IT CAME FORTH IN THE NORMAL WAY, IT IS NOT DEEMED BORN UNTIL THE GREATER PART OF ITS HEAD HAS COME FORTH. AND WHAT IS THE GREATER PART OF ITS HEAD? ONCE ITS FOREHEAD HAS COME FORTH.

1. II:1: Said R. Eleazar, “Even if the head was with the pieces, it is not deemed born until the greater part of its head has come forth.” And R. Yohanan said, “This teaching has been repeated only for the case in which the head is not with the pieces, but if the head is with them, the birth is deemed complete.”

2. II:2: Continuation of the dispute.

3. II:3: As above.

XV. Mishnah-Tractate Niddah 3:6

A. SHE WHO ABORTS AND WHAT IT IS IS NOT KNOWN MASCULINE OR FEMININE — LET HER SIT OUT THE DAYS OF UNCLEANNESS AND CLEANNES FOR BOTH MALE AND FEMALE. IF IT IS NOT KNOWN WHETHER OR NOT IT WAS A HUMAN FOETUS, LET HER SIT OUT THE DAYS OF UNCLEANNESS AND CLEANNES FOR A MALE AND FOR FEMALE AND ALSO FOR MENSTRUATION.

1. I:1: Said R. Joshua b. Levi, “If a woman was crossing a river and produced an abortion, she presents an offering, which may be eaten. We follow the rule

covering the majority of women, and the majority of women give birth to perfectly valid foetuses.” We have learned in the Mishnah, by contrast, If it is not known whether or not it was a human foetus, let her sit out the days of uncleanness and cleanness for a male and for female and also for menstruation. But why should that be the case that she should also sit out also days of menstruation? Should one not invoke the principle that we follow the rule covering the majority of women, and the majority of women give birth to perfectly valid foetuses?

a. I:2: Free-standing problem, to the solution of which our Mishnah-paragraph’s principle is invoked.

b. I:3: Gloss of a tangential detail of the foregoing.

XVI. Mishnah-Tractate Niddah 3:7

A. SHE WHO MISCARRIES ON THE FORTIETH DAY DOES NOT TAKE ACCOUNT OF THE POSSIBILITY THAT IT IS A HUMAN FOETUS. IF THIS TAKES PLACE ON THE FORTY-FIRST DAY AFTER INTERCOURSE, HOWEVER, SHE DOES TAKE ACCOUNT OF THAT POSSIBILITY, AND SO LET HER SIT OUT THE DAYS OF UNCLEANNESS FOR A MALE, FOR A FEMALE, AND FOR MENSTRUATION.

1. I:1: Since the female offspring involves fourteen days of uncleanness and sixty-six of cleanness, and the male offspring seven and thirty-three, why at B make mention of the male at all? Should one propose that it is on account of uncleanness, lo, the female is mentioned, and should one propose that it is on account of the days of purifying during which all the blood that exudes is classified as clean in any event, lo, the menstruant is mentioned and all the discharges of blood are unclean, whatever the day. Tannaite complement cited in response to this question.

B. R. ISHMAEL SAYS, “IF IT TAKES PLACE ON THE FORTY-FIRST DAY, LET HER SIT OUT THE DAYS OF UNCLEANNESS FOR THE MALE AND FOR MENSTRUATION. IF IT TAKES PLACE ON THE EIGHTY-FIRST DAY, LET HER SIT OUT THE DAYS OF UNCLEANNESS FOR MALE, FOR FEMALE, AND FOR MENSTRUATION, FOR THE MALE IS COMPLETED ON THE FORTIETH DAY, AND THE FEMALE ON THE EIGHTY FIRST.”

1. II:1: Tannaite complement: R. Ishmael says, “The Torah has declared a period of uncleanness and then cleanness with reference to a male, and it has also declared a period of uncleanness and cleanness with reference to a female. Just as, in the case of the male, when the Torah has declared a period of uncleanness and of cleanness, the periods correspond to the time in which he is fashioned that is, the seven unclean days and the thirty-three clean days, so, when the Torah has declared a period of uncleanness and of cleanness, the periods correspond to the time in which she is fashioned the fourteen unclean days and the sixty-six clean days.”

C. AND SAGES SAY, “ALL THE SAME IS THE PROCESS OF THE FORMATION OF THE MALE AND FEMALE — BOTH ARE COMPLETED ON THE FORTY-FIRST DAY.”

1. III:1: The position of sages is the same as that of the initial authority! And if you should propose that the intent was to show that the anonymous statement of the rule stood for the opinion of rabbis, for when an individual is in contradiction

to a majority, the decided law accords with the majority, that is perfectly obvious and hardly required so loud a signal!

D. COMPOSITION ON THE CHARACTER OF THE FOETUS

1. III:2: To what may the foetus be likened in the mother's womb? To a writing tablet that is folded up

2. III:3: In the first three months, the foetus dwells in the lowest chamber, in the middle three months, the foetus dwells in the middle chamber, and in the last three months it dwells in the uppermost chamber. And when its time has come to go forth, it turns over and emerges, and that is the cause of the woman's travail.

3. III:4: In the first three months, sexual relations are hard for the woman and also for the foetus; in the middle three months they are hard for the woman but good for the foetus; in the final three months they are good for the woman and good for the foetus, for on account of sexual relations the offspring will be well-formed and of strong vitality.

4. III:5: He who has sexual relations on the ninetieth day is as though he had shed blood

5. III:6: Three form a partnership in the creation of a human being, the Holy One, blessed be he, one's father and one's mother. The father contributes the semen, from which the bones and sinews and nails and brain and white of the eyes come; the mother provides the red blood from which the skin, flesh, hair, blood, and dark of the eye come; and the Holy One, blessed be he, supplies the breath of life and the soul, the identifying features, eyesight, power to hear, ability to speak, and walk, understand and discern.

6. III:7: R. Hinena b. Papa gave the following exposition: "What is the meaning of this verse, 'Who does great things, past finding out, yes, marvelous things without number' (Job. 9:10). Come and notice how the traits of mortals are not like the traits of the Holy One, blessed be he. A mortal puts something into a skin bottle, with the hole tied up and the hole turned upwards, and it is a matter of doubt whether or not the thing will be properly contained and not fall out. But the Holy One, blessed be he, forms an embryo in the womb of its mother, which is open, and the hole of which faces downwards, and the thing will assuredly be properly contained.

7. III:8: R. Yosé the Galilean gave the following exposition: "What is the meaning of this verse, 'I will give thanks to you, for I am fearfully and wonderfully made; wonderful are your works, and that my soul knows full well' (Psa. 139:14)? Come and notice how the traits of mortals are not like the traits of the Holy One, blessed be he. A mortal plants seeds in a bed; every one grows up in accord with its species. But the Holy One, blessed be he, forms a foetus in the womb of the mother, and all of them develop in a single species."

8. III:9: R. Joseph gave the following exposition: "What is the meaning of this verse, 'I give thanks to you, O Lord, for though you were angry with me, your anger is turned away, and you comfort me' (Is. 12:1)? Concerning what does Scripture speak? It refers to two men who went out to do business. A thorn embedded itself into one of them. He began to curse and blaspheme. After some

days he heard that his fellow's ship had sunk in the sea. He began to give thanks and praise. That is in line with the verse: 'I give thanks to you, O Lord, for though you were angry with me, your anger is turned away, and you comfort me' (Is. 12: 1)."

9. III:10: R. Hanina bar Pappa gave the following exposition: "What is the meaning of this verse, 'You measure my going about and my lying down and are acquainted with all my ways' (Psa. 139: 3)? This teaches that a human being is not formed from the entire drop of semen, but only from the choicest part of it."

10. III:11: R. Abbahu gave the following exposition: "What is the meaning of this verse, 'Who has counted the dust of Jacob or numbered the stock of Israel' (Num. 23:10)? This teaches that the Holy One, blessed be he, sits and patiently counts the stock of Israel. He asks, 'When will the drop come from which the righteous one will be formed?' And on this account he blinded the eye of the wicked Balaam, for he said, 'Would he who is pure and holy, and whose ministers are pure and holy, look upon such a thing?' His eye was blinded: 'and the saying of the man whose eye is closed' (Num. 24: 3)."

11. III:12: R. Isaac said R. Ammi said, "If the woman reaches orgasm first, she will bear a male child, and if the male reaches orgasm first, she bears a female child, as it is said, 'If a woman bears semen and produces a male child' (Lev. 12: 2)."

12. III:13: "And the sons of Ulam were mighty men of valor, archers; and they had many sons and sons of sons" (1Ch. 8:40) — but does a person have the power to increase the number of sons and sons of sons? Rather, since in having sexual relations, they held themselves back in the womb so that their wives would reach orgasm first so that their children would be male, Scripture credits them as though they were the ones to increase the number of sons and sons of sons.

13. III:14: And said R. Isaac said R. Ammi, "A woman becomes pregnant only right before her menstrual period, as it is said, 'Behold, I was brought forth in iniquity' (Psa. 51: 7)."

14. III:15: And said R. Isaac said R. Ammi, "When a male comes into the world, peace comes into the world: 'Send a gift for the ruler of the land' (Is. 16: 1), and the letters of the word for male is made up of letters that can yield the meaning, 'this is a gift' and gifts foster peace"

15. III:16: His disciples asked R. Simeon b. Yohai, "On what account has the Torah said that a woman after child birth must bring an offering?"

16. III:17: . Meir would say, "On what account has the Torah said that the menstrual period is for seven days? It is because the husband will take the wife for granted and find her repulsive, so the Torah has said that she should be unclean for seven days, so that she should be desirable to her husband as she was when she came into the marriage canopy."

17. III:18: His disciples asked R. Dosetai b. R. Yannai, "On what account does the man make the rounds in search of a wife, and the woman does not make the rounds in search of a husband?"

XVII. Mishnah-Tractate Niddah 4:1

A. SAMARITAN WOMEN ARE DEEMED MENSTRUANTS FROM THEIR CRADLE.

1. I:1: To what sort of circumstance is reference made when the Mishnah states, Samaritan women are deemed menstruants from their cradle? If they have, in point of fact, produced blood, then even our women also are unclean as menstruants, and if they did not produce blood, then their woman also are not unclean as menstruants! With what sort of a case do we deal here? With a case lacking any sort of explanation. Since there is a minority that does produce blood, there is the possibility of such a discharge, and it is taken into account.

2. I:2: But if it is so that in imposing a restriction, a minority also is taken into account, our women also should be subject to menstrual considerations right from birth.

a. I:3: Clarification of the proof-text cited in the foregoing: What is the exegesis concerning “and if a woman” (Lev. 15:19) which shows that menstrual uncleanness can begin in infancy?

3. I:4: And the same is the rule for males that males a day old are subject to uncleanness just as are adult males.

4. I:5: What need do I have for Scripture to have made explicit reference to both males and females?

B. AND SAMARITANS CONVEY UNCLEANNESS TO A COUCH BENEATH AS TO A COVER ABOVE:

1. II:1: What is the meaning of convey uncleanness to a couch beneath as to a cover above? The meaning is that a couch that is under one who has had sexual relations with a menstruating woman is in the classification of a cover that is above one afflicted by a flux.

2. II:2: And how on the basis of Scripture do we know the rule covering the cover that is above one afflicted with flux? And how on the basis of Scripture do we know the rule governing that which lies beneath one who has had sexual relations with a menstruating woman?

C. BECAUSE THEY HAVE INTERCOURSE WITH MENSTRUATING WOMEN,

1. III:1: Are all of them assumed to have intercourse with menstruating women?

D. AND CONTINUE UNCLEAN FOR ANY SORT OF BLOOD.

1. IV:1: Tannaite complement: Said R. Meir, “If they continue to regard themselves as unclean for seven days on account of exuding any sort of blood at all whether it is by our lights clean or unclean, is this not an enormous safeguard for them? But it is because when they see red blood, they treat it as supplementary to a prior discharge of yellow blood.”

a. IV:2: Secondary development of a detail of the foregoing: Rammi b. Hama raised the question, “If while counting her clean days after her flux had terminated, a woman expelled some semen, what is the law as to her losing the prior clean days after her flux? Is she in the class of one who has

produced an emission of semen and so loses the prior clean days counted after her flux? Or perhaps she is classified as one who has simply had contact with it, so that she has not lost the prior clean days?”

E. BUT THOSE WHO HAVE CONTACT WITH THEM ARE NOT LIABLE FOR ENTERING THE SANCTUARY AND DO NOT BURN HEAVE OFFERING ON THEIR ACCOUNT, BECAUSE THE UNCLEANNESS AFFECTING THEM IS A MATTER OF DOUBT.

1. V:1: We have learned in the Mishnah, But those who have contact with them are not liable for entering the sanctuary and do not burn priestly rations heave offering on their account, because their uncleanness is a matter of doubt. Therefore, it follows, by reason of doubt we do not burn priestly rations. But by contrast note the following: On account of six matters of doubt do they burn heave offering: concerning a doubt in regard to a grave area; and concerning a doubt in regard to dirt which comes from abroad; because of a doubt concerning the clothing of an am haarets who does not observe cultic cleanness in eating everyday food; and because of a doubt concerning utensils which were found; because of a doubt concerning drops of spit which were found; because of a doubt concerning human urine that was nearby the urine of a beast — because of certainly touching them, which is a matter of doubt in respect to their imparting uncleanness, they burn the heave offering (M. Toh. 4:5A-C). Therefore, it follows, by reason of doubt we do not burn priestly rations.”

XVIII. Mishnah-Tractate Niddah 4:2

A. WHEN SADDUCEAN WOMEN ARE ACCUSTOMED TO FOLLOW IN THE WAY OF THEIR FATHERS, LO, THEY ARE LIKE SAMARITAN WOMEN. IF THEY LEFT THOSE WAYS TO WALK IN THE WAYS OF ISRAEL, LO, THEY ARE LIKE ISRAEL. R. YOSÉ SAYS, “THEY ALWAYS ARE LIKE ISRAEL, UNTIL THEY LEAVE TO WALK IN THE WAYS OF THEIR FATHERS.”

1. I:1: The question was raised: what is the rule in a case in which matters are not made explicit one way or the other?

2. I:2: Tannaite complement: There was a case in which a Sadducean was chatting with a high priest, and spit spurted from his mouth and fell on the garments of the high priest, and the high priest paled. Then he came and asked the Sadducee’s wife, and she said, “My lord, high priest, even though we are Sadducean women, we fear the Pharisees and we bring all of our inquiries to a sage.”

XIX. Mishnah-Tractate Niddah 4:3

A. THE BLOOD OF A GENTILE WOMAN...:

1. I:1: But do the House of Shammai not accept the exegesis that follows? “Speak to the children of Israel and say to them, When any man has a flux” (Lev. 15: 2) — the children of Israel contract uncleanness through flux, and gentiles do not contract uncleanness through flux, but sages have made the decree concerning them that they should be regarded for all purposes as tantamount to those afflicted

with flux. How therefore can the House of Shammai declare clean the blood of a gentile woman?

2. I:2: The gentile's flux is unclean, even in the view of the House of Shammai. His semen is clean, even in the view of the House of Hillel.

a. I:3: Continuation of foregoing: May one say that the following supports the ruling that the gentile's semen is clean: A gentile woman who discharged semen from an Israelite is unclean. An Israelite woman who discharged semen from a gentile is clean (M. Miq. 8:4A-B). Does this not mean that she is entirely clean?

4. I:4: Gloss of a detail that is tangential in the foregoing.

B. ...AND THE BLOOD OF PURIFYING OF A WOMAN WITH THE SKIN AILMENT OF LEV. 13 — THE HOUSE OF SHAMMAI DECLARE CLEAN. AND THE HOUSE OF HILLEL SAY, "IT IS IN THE CLASSIFICATION OF HER SPIT AND URINE WHICH CONVEY UNCLEANNESS WHEN WET BUT NOT WHEN DRIED UP."

1. II:1: What is the scriptural basis for the position of the House of Hillel?

a. II:2: Secondary detail tangential in the foregoing is now examined: As to the first appearance of flux in a minor, what is the law as its imparting uncleanness through contact?

b. II:3: As above. As to the initial emission of flux of one who is already afflicted by the skin disease impart uncleanness, what is the law on its imparting uncleanness to one who carries it without actually touching it? Do we classify the place from which the flux exudes as a source, and therefore the flux conveys uncleanness, or perhaps it is not classified as a source?

c. II:4: As above. A person afflicted by flux who produces an initial emission of flux imparts uncleanness by contact, and is unclean for one day; if there is a second flux he is confirmed as unclean by reason of flux and has to count seven days that are unclean even willy-nilly.

I. II:5: Footnote to the foregoing composite.

C THE BLOOD OF A WOMAN WHO HAS NOT IMMersed AFTER CHILDBIRTH — THE HOUSE OF SHAMMAI SAY, "IT IS LIKE HER SPIT AND HER URINE WHICH CONVEY UNCLEANNESS WHEN WET BUT NOT WHEN DRIED UP." AND THE HOUSE OF HILLEL SAY, "IT IMPARTS UNCLEANNESS WET AND DRY." AND THEY AGREE CONCERNING A WOMAN WHO HAS GIVEN BIRTH WHILE IN THE STATUS OF ONE WHO HAS A FLUX, THAT IT HER SPIT AND HER URINE CONVEYS UNCLEANNESS WHETHER WET OR DRY.

1. III:1: Tannaite complement: Said the House of Hillel to the House of Shammai, "Do you not agree concerning the menstruating woman, that if her time to immerse has come and she did not immerse, and she produced blood, she is still unclean?" Said to them the House of Shammai, "No. If you have said so concerning a menstruating woman, who, if she immerses today and sees a drop of blood tomorrow, is unclean, will you say the same of a woman who has given birth, who, if she immerses today and produces a drop of blood tomorrow is

nonetheless deemed clean since this is the blood of purifying, after the seven or fourteen days of uncleanness?”

2. III:2: Rab Said, “The discharge of blood after childbirth during both the unclean and the clean days derives from the same source, but the Torah has declared the blood unclean and the Torah has declared the blood clean.” And Levi said, “They are two distinct sources of blood. When the source for unclean blood is closed, the source for the clean blood is opened, and when the source for the clean blood is closed, the source for the unclean blood is opened.” Working out this dispute involves the data of our Mishnah-paragraph.

a. III:3: Said Rabina to R. Ashi, “R. Shemen of Sikhra said to us, ‘Mar Zutra happened to visit our locality and gave an exposition: “The decided law follows Rab when his position yields a strict decision, and the decided law follows Levi when his position yields a strict decision.”’”

XX. Mishnah-Tractate Niddah 4:4-5

A. A WOMAN IN LABOR IS DEEMED TO BE A MENSTRUANT.

1. I:1: Is it the fact that every woman in labor is deemed to be a menstruant? That cannot be the fact, since during the eleven zibah-days between one menstrual period and the next, blood that is discharged marks her as not a menstruant but unclean by reason of flux!

2. I:2: What is the scriptural basis? “Her blood” (Lev. 15:25: “If a woman has a discharge of her blood for many days, not at the time of her impurity, or if she has a discharge beyond the time of her impurity, all the days of the discharge she shall continue in uncleanness; as in the days of her impurity she shall be unclean”) — it must be blood produced on her own account, and not on account of child birth.

3. I:3: Shila bar Abina made a practical decision in accord with the position of Rab a woman in labor during the relevant zibah-days who discharged blood is unclean on that day. When Rab was dying, he said to R. Issi, “Go and stop him from following that opinion of mine, for I have changed my mind, and if he does not obey, then try to persuade him.”

4. I:4: What is the law as to hard labor’s blood causing the loss of prior zibah-days being counted for the seven clean days that had passed in cleanness without a blood flow? It is something that is unclean that causes the loss of prior clean days, and this too imparts uncleanness as in her menstrual period, or perhaps something that causes the uncleanness of flux is what renders the previous counting null, and this blood does not cause flux-uncleanness and so would not cause the loss of the prior clean days?”

5. I:5: The advent of a birth does not render void the previously counted clean days after a flux-uncleanness so if the counting was interrupted by a birth, it may be continued afterward. The question was raised: what about counting the birth-date in the counting of the clean days?

B. IF A WOMAN WAS IN HARD TRAVAIL FOR THREE DAYS DURING THE ELEVEN DAYS, AND IF SHE ENJOYED A RESPITE FOR TWENTY-FOUR HOURS AND THEN GAVE

BIRTH — “LO, THIS ONE IS ONE WHO HAS GIVEN BIRTH AS A ZABAH WHILE IN THE STATUS OF ONE WHO HAS A FLUX ,” THE WORDS OF R. ELIEZER. R. JOSHUA SAYS, “A NIGHT AND A DAY, LIKE THE EVE OF THE SABBATH AND ITS DAY. FOR SHE HAS HAD RELIEF FROM THE PAIN AND NOT FROM THE BLOOD:”

1. II:1: The question was raised: “If she had relief from both this and that pain and blood, what is the law?” R. Hisda said, “She is unclean” since at any rate she had relief from pain, the previous bleeding was not due to childbirth. R. Hanina said, “She is clean” for the relief from both is an indication that the bleeding also was due to childbirth; only where the bleeding continued and the pain ceased is it manifest that the bleeding was not due to labor.

C. AND HOW LONG IS HER PROTRACTED LABOR? R. MEIR SAYS, “EVEN FORTY OR FIFTY DAYS.”

1. III:1: Now that there is an explicit reference to fifty days’ hard labor, why do we need to mention forty days?

2. III:2: The birth of a child marks the advent of a period in which the blood is deemed clean only of those days on which a woman may otherwise become unclean by flux if she should produce blood but if the birth of a child takes place on the days that ordinarily would be the menstrual period, that is not the case.

3. III:3: Tannaite complement: R. Meir says, “There can be a case of a woman who produces blood on a hundred and fifty days, and she will not be deemed unclean by reason of flux a Zabah on that account: two not at her time, seven during her menstrual cycle, two after her menstrual cycle, eighty days of purifying of a female and seven of her menstrual cycle and two after her menstrual cycle and fifty that are attributed to the child.”

D. R. JUDAH SAYS, “SUFFICIENT FOR HER IS HER NINTH MONTH.”

1. IV:1: Tannaite complement: R. Judah says in the name of R. Tarfon, “Sufficient for her is her month. And there is the possibility of giving a lenient or a strict ruling. How so? If she had had labor two days of the eighth month and one day of the ninth, she has not given birth while subject to flux-uncleanness. If it was three of the eighth month and one of the ninth, she has given birth while unclean with flux-uncleanness.

E. R. YOSÉ AND R. SIMEON SAY, “HARD LABOR CONTINUES NO LONGER THAN FOR TWO WEEKS.”

1. V:1: What is the scriptural basis for the ruling of rabbis?

2. V:2: Tannaite complement: There can be a case in which a woman is in hard labor for twenty-five days and yet not be unclean with flux-uncleanness as a Zabah.

XXI. Mishnah-Tractate Niddah 4:6

A. SHE WHO IS IN PROTRACTED LABOR DURING THE EIGHTY DAYS OF CLEANNES AFTER THE BIRTH OF A FEMALE — ANY BLOOD WHICH SHE SEES IS CLEAN, UNTIL THE CHILD EMERGES. AND R. ELIEZER DECLARES IT UNCLEAN. THEY SAID TO R. ELIEZER, “NOW IN A SITUATION IN WHICH THE LAW IS STRINGENT, IN THE CASE OF BLOOD WHICH APPEARS DURING A PERIOD OF RESPITE, THE LAW RULES

LENIENTLY IN THE MATTER OF BLOOD PRODUCED BY HARD LABOR, IN A SITUATION IN WHICH THE LAW RULED LENIENTLY TO BEGIN WITH, CONCERNING BLOOD WHICH IS PRODUCED DURING A PERIOD OF RESPITE, IS IT NOT LOGICAL THAT WE SHOULD RULE LENIENTLY IN CONNECTION WITH BLOOD PRODUCED THROUGH HARD LABOR?" HE SAID TO THEM, "IT IS SUFFICIENT IF THE INFERRED LAW IS AS STRICT AS THAT FROM WHICH IT IS INFERRED. IN WHAT RESPECT HAS THE LAW RULED LENIENTLY FOR HER? IN RESPECT TO THE UNCLEANNESS OF HER FLUX. BUT SHE IS UNCLEAN IN RESPECT TO THE UNCLEANNESS OF A MENSTRUANT."

1. I:1: Tannaite complement: "She shall continue in the blood of her purification" (Lev. 12: 4) encompasses a woman who has hard labor during the eighty days following the birth of a female, indicating that any sort of blood that she produces is clean until the baby is born." And R. Eliezer declares it unclean.

XXII. Mishnah-Tractate Niddah 4:7

A. ALL THE ELEVEN DAYS THAT FOLLOW THE SEVEN DAYS OF MENSTRUATION A WOMAN IS IN THE ASSUMPTION OF BEING CLEAN.

IF SHE SAT DOWN AND DID NOT EXAMINE HERSELF ACCIDENTALLY, UNDER CONSTRAINT, OR IF WILLFULLY SHE DID NOT EXAMINE HERSELF, SHE IS CLEAN. ONCE THE TIME OF HER PERIOD HAS COME AND SHE HAS NOT EXAMINED HERSELF, LO, THIS ONE IS DEEMED UNCLEAN. R. MEIR SAYS, "IF SHE WAS IN HIDING AND THE TIME OF HER PERIOD CAME AND SHE DID NOT EXAMINE HERSELF, LO, THIS ONE IS DEEMED CLEAN, BECAUSE FRIGHT SUSPENDS THE BLOOD." BUT DURING THE SEVEN CLEAN DAYS THAT MUST BE COUNTED BY THE MAN OR WOMAN THAT HAS A FLUX, OR THE ONE DAY OF CLEANNESS TO BE COUNTED BY HER THAT AWAITS DAY AGAINST DAY — DURING THAT TIME, LO, THESE ARE IN THE ASSUMPTION OF BEING UNCLEAN.

1. I:1: For what purpose was this law, All the eleven days that follow the seven days of menstruation a woman is in the assumption of being clean set forth? Said R. Judah, "It is to indicate that she does not have to have an examination."

2. I:2: R. Hisda said, "This rule All the eleven days that follow the seven days of menstruation a woman is in the assumption of being clean was required only from the viewpoint of R. Meir, who has said, "'A woman who does not have a fixed time for her period is forbidden to have sexual relations.' That applies to the days of her menstrual cycle, but as to the zibah-days, she is assumed to be clean."

3. I:3: Raba said, "This rule All the eleven days that follow the seven days of menstruation a woman is in the assumption of being clean was meant to tell you that she does not impart uncleanness to objects that she has touched during the twenty-four hours prior to her discovery of the blood."

4. I:4: R. Huna b. Hiyya said Samuel said, "This rule All the eleven days that follow the seven days of menstruation a woman is in the assumption of being clean is meant to tell you that a woman cannot establish for herself a regular period during the zibah-days even though menstruation should begin on the same day for three successive months."

XXIII. Mishnah-Tractate Niddah 5:1-2

A. AS TO THAT WHICH GOES FORTH FROM THE SIDE DELIVERED BY CAESAREAN SECTION — THEY DO NOT SIT OUT THE DAYS OF UNCLEANNESS AND THE DAYS OF CLEANNES ON ITS ACCOUNT. AND THEY ARE NOT LIABLE FOR AN OFFERING OF CHILDBIRTH. R. SIMEON SAYS, “LO, THIS IS LIKE ONE THAT IS BORN NATURALLY.”

1. I:1: What is the scriptural basis for rabbis position that as to that which goes forth from the side delivered by Caesarean section — they do not sit out the days of uncleanness and the days of cleanness on its account, and they are not liable for an offering of childbirth? And as to R. Simeon, what is the scriptural basis for his position that this is like one that is born naturally?

a. I:2: R. Simeon concedes that in the case of Holy Things the body of an offspring that is born by caesarean section is not deemed holy. What is the scripture basis for his position?

b. I:3: Tannaite support for the foregoing proposition.

2. I:4: Tannaite complement: She who is in labor for three days but then the offspring was born by caesarean section — lo, this one has given birth while unclean by reason of flux uncleanness. And R. Simeon says, “This one has not given birth while unclean by reason of flux uncleanness.”

B. ALL WOMEN IMPART UNCLEANNESS BY REASON OF BLOOD IN THE OUTER HOUSE, AS IT IS SAID, “AND HER ISSUE EVEN WHILE STILL IN HER FLESH WILL BE UNCLEAN BLOOD” (LEV. 15:19). ”

1. II:1: What is the outer house?

2. II:2: *The question was raised:* is the area of the vagina classified as inside or outside?

3. II:3: Tannaite complement: “in her flesh” (Lev. 15:19) — this teaches that a menstruating woman contracts uncleanness inside as outside. I know only that that is true of a menstruating woman. How do I know that it is equally true of a woman afflicted with flux-uncleanness?

4. II:4: Is a woman who ejects semen classified as one who produces a discharge or as one who comes into contact with a discharge externally? *The upshot is* whether or not she renders void previously counted clean days and whether or not she imparts uncleanness by means of any trivial amount at all which would be the case if she is classified as having produced unclean fluid, but not as having had contact with unclean fluid, and whether or not she imparts uncleanness internally as well as externally which would be the case if she is classified as having produced unclean fluid, but not as having had contact with unclean fluid.

C. BUT THE ZAB AND THE ONE WHO HAS HAD AN EMISSION DO NOT IMPART UNCLEANNESS UNTIL THEIR UNCLEANNESS WILL ACTUALLY COME FORTH THROUGH EJACULATION.

1. III:1: Tannaite complement: A menstruant after she has produced blood one time during her menstrual days, a woman afflicted by flux-uncleanness, a woman

who has had a single flux and counts day against day so that if she counts a clean day for the unclean one, she is then clean and a woman after childbirth all impart uncleanness internally as soon as the discharge has made its way into the vagina as well as externally.

2. III:2: The question was raised: “Is that ‘place’ the vagina of a woman classified as an absorbed place or as a hidden place? The upshot involves a case in which her friend inserted into that place an olive’s bulk of carrion. If you classify that place as ‘absorbed,’ then this is absorbed uncleanness and does not convey uncleanness, but if you classify that place as ‘a hidden place,’ then, while the carrion does not impart uncleanness when it is touched since it cannot be touched where it now is, it certainly does convey uncleanness, nonetheless, when it is carried.”

3. III:3: The question was raised: is the place in which the carrion of a clean bird imparts uncleanness to a human being, that is, the esophagus, classified as an absorbed place or as a hidden place? The upshot involves a case in which one’s fellow stuffed a piece of carrion the size of an olive’s bulk down into one’s mouth so the victim did not touch the carrion with his hands or not. If you classify that place as ‘absorbed,’ then this is absorbed uncleanness and does not convey uncleanness, but if you classify that place as ‘a hidden place,’ then, while the carrion does not impart uncleanness when it is touched since it cannot be touched where it now is, it certainly does convey uncleanness, nonetheless, when it is carried.

4. III:4: If one holds a dead creeping thing in a fold of the body e.g., the armpit — the man is clean. If carrion is in a fold of one’s body, he is unclean.

5. III:5: If a reed is in the armpit of a person afflicted by flux, and with the reed he shook a clean person, the clean person remains clean. If a reed is in the arm pit of a clean person and with it he shook a person afflicted with flux, he is unclean.

D. BUT THE ZAB AND THE ONE WHO HAS HAD AN EMISSION DO NOT IMPART UNCLEANNESS UNTIL THEIR UNCLEANNESS WILL ACTUALLY COME FORTH THROUGH EJACULATION:

1. IV:1: Scriptural proof: As to the Zab: “When any man has an issue out of his flesh” (Lev. 15: 2) — the uncleanness takes place only when the flux emerges from his flesh.

E. IF ONE WAS EATING HEAVE OFFERING AND FELT HIS LIMBS TREMBLE, HE HOLDS ON TO THE PENIS AND SWALLOWS THE HEAVE OFFERING.

1. V:1: R. Eliezer says, “Anyone who holds onto his penis when he urinates is as though he brought the flood upon the world.”

2. V:2: Any seminal emission that is not felt throughout the body does not cause uncleanness.

3. V:3: A gentile who had sexual fantasies Slotki: as a result of which semen had been detached but did not emerge and then went down to immerse for the purpose of converting to Judaism — what is the law?

4. V:4: A woman afflicted by flux whose urine was detached from the source and who went down and immersed so as to free herself from uncleanness, and who then urinated — what is the law? Is she unclean because at the time of the detachment she was unclean, or is she clean because the urine came out when she had already become clean?

5. V:5: A gentile woman afflicted by flux the urine of whom was uprooted from the source, and who then went down to immerse to convert to Judaism — what is the law?

F. AND THEY ARE MADE UNCLEAN BY ANY AMOUNT OF DISCHARGE AT ALL, EVEN THOUGH IT IS LIKE A GRAIN OF MUSTARD, AND LESS THAN THAT.

1. VI:1: The discharge of flux of a zab, to constitute a sufficient volume to impart flux-uncleanness, must be enough to stop up the hole of the penis, as it is said, ‘or his flesh be stopped from his issue’ (Lev. 15: 3).

2. VI:2: Semen imparts uncleanness to the one who produces it in any amount whatsoever, but to the one who touches it, it imparts uncleanness only in the measure of a lentil.

a. VI:3: Hanilai’s view that semen less than the quantity of a lentil in bulk does not convey uncleanness if it is touched covers the ground of a dispute among Tannaite authorities.

XXIV. Mishnah-Tractate Niddah 5:3

A. A GIRL ONE DAY OLD WHO SEES A DROP OF BLOOD IS MADE UNCLEAN AS A MENSTRUANT.

1. I:1: What is the scriptural basis for this rule that a girl one day old who sees a drop of blood is made unclean as a menstruant?

B. A GIRL TEN DAYS OLD WHO PASSED THE FIRST SEVEN DAYS AS A MENSTRUANT AND THEN HAD A FLOW ON THE NEXT THREE CONSECUTIVE DAYS (2) BECOMES UNCLEAN THROUGH ZIBAH.

1. II:1: What is the scriptural basis for this rule?

C. A BOY ONE DAY OLD (3) BECOMES UNCLEAN THROUGH ZIBAH, 1.

III:1: What is the scriptural basis for this rule?

D. BECOMES UNCLEAN THROUGH PLAGUES...

1. IV:1: What is the scriptural basis for this rule?

E. ...BECOMES UNCLEAN THROUGH CORPSE UNCLEANNESS.

1. V:1: As it is written...

F. AND HE IMPOSES THE REQUIREMENT OF LEVIRATE MARRIAGE,

1. VI:1: As it is written...

G. ...FREES A SISTER-IN-LAW FROM THE REQUIREMENT OF LEVIRATE MARRIAGE,

1. VII:1: As it is written...

H. MAKES IT PERMISSIBLE FOR ONE TO EAT HEAVE OFFERING,

1. VIII:1: As it is written...

I. MAKES IT IMPERMISSIBLE FOR ONE TO EAT HEAVE OFFERING,

1. IX:1: As it is written...

2. IX:2: Why specify “a child” since the same pertains also to an embryo, as it is written, “as in her youth” (Lev. 22:13), excluding one who is pregnant from eating priestly rations.

J. INHERITS, AND CAUSES TO INHERIT.

1. X:1: From whom does he inherit? From his father. And whom does he cause to inherit? His brothers on his father’s side. But if they wanted, could not these inherit from their father, and if they wanted, could they not inherit from him and of course they could, since the child’s estate would revert to the father if he should die, and the brothers then would inherit that estate! So what is the point of the formulation at hand?

2. X:2: Mar b. R. Joseph in the name of Raba said, “The statement inherits and causes to inherit indicates that he diminishes the share that is set aside for the birthright.”

K. AND HE WHO KILLS HIM IS LIABLE.

1. XI:1: For it is written....

L. AND LO, HE IS LIKE HIS FATHER AND HIS MOTHER AND ALL HIS RELATIVES AS A FULL BRIDEGROOM.

1. XI:1: To what concrete law is this statement pertinent?

XXV. Mishnah-Tractate Niddah 5:4

A. A GIRL THREE YEARS AND ONE DAY OLD IS BETROTHED BY INTERCOURSE.

1. I:1: “A girl three years old may be betrothed through an act of sexual intercourse,” the words of R. Meir. And sages say, “Three years and one day old.”

B. AND IF A LEVIR HAS HAD INTERCOURSE WITH HER, HE HAS ACQUIRED HER. AND THEY ARE LIABLE ON HER ACCOUNT BECAUSE OF THE LAW PROHIBITING INTERCOURSE WITH A MARRIED WOMAN. AND SHE IMPARTS UNCLEANNESS TO HIM WHO HAS INTERCOURSE WITH HER WHEN SHE IS MENSTRUATING TO CONVEY UNCLEANNESS TO THE LOWER AS TO THE UPPER LAYER. IF SHE WAS MARRIED TO A PRIEST, SHE EATS HEAVE OFFERING. IF ONE OF THOSE WHO ARE UNFIT FOR MARRIAGE HAS INTERCOURSE WITH HER, HE HAS RENDERED HER UNFIT TO MARRY INTO THE PRIESTHOOD. IF ONE OF ALL THOSE WHO ARE FORBIDDEN IN THE TORAH TO HAVE INTERCOURSE WITH HER DID SO, THEY ARE PUT TO DEATH ON HER ACCOUNT. BUT SHE IS FREE OF RESPONSIBILITY.

IF SHE IS YOUNGER THAN THAT AGE, INTERCOURSE WITH HER IS LIKE PUTTING A FINGER IN THE EYE.

1. II:1: The question was raised: to the virginity-signs go their way and then come back, or perhaps they are not completely destroyed until after the third year of age?

a. II:2: Illustrative case.

b. II:3: As above.

XXVI. Mishnah-Tractate Niddah 5:5

A. A BOY NINE YEARS AND ONE DAY OLD WHO HAD INTERCOURSE WITH HIS DECEASED CHILDLESS BROTHER'S WIDOW HAS ACQUIRED HER.

BUT HE DOES NOT GIVE HER A WRIT OF DIVORCE UNTIL HE COMES OF AGE.

AND HE IS MADE UNCLEAN BY A MENSTRUATING WOMAN, TO CONVEY UNCLEANNESS TO THE LOWER AS TO THE UPPER LAYER. AND HE DISQUALIFIES A PRIEST'S DAUGHTER FROM EATING PRIESTLY RATIONS, BUT IF HE WAS A PRIEST, BY HIS ACT OF SEXUAL RELATIONS, HE DOES NOT RENDER A WOMAN QUALIFIED TO EAT HEAVE OFFERING. AND BY AN ACT OF BESTIALITY HE SPOILS A BEAST FOR USE ON THE ALTAR. AND IT IS STONED ON HIS ACCOUNT. AND IF HE HAD INTERCOURSE WITH ANY OF ALL THE PROHIBITED RELATIONSHIPS STATED IN THE TORAH, THEY ARE PUT TO DEATH ON HIS ACCOUNT. BUT HE IS FREE OF RESPONSIBILITY.

1. I:1: But at that time is that sufficient?

XXVII. Mishnah-Tractate Niddah 5:6

A. A GIRL ELEVEN YEARS AND ONE DAY OLD — HER VOWS ARE EXAMINED. A GIRL TWELVE YEARS AND ONE DAY OLD — HER VOWS ARE CONFIRMED. AND THEY EXAMINE THROUGHOUT THE TWELFTH YEAR.

A BOY ELEVEN YEARS AND ONE DAY OLD — HIS VOWS ARE EXAMINED. A BOY THIRTEEN YEARS AND ONE DAY OLD — HIS VOWS ARE CONFIRMED. AND THEY EXAMINE THROUGH THE THIRTEENTH YEAR.

BEFORE THIS TIME, EVEN THOUGH THEY HAVE SAID, “WE KNOW BEFORE WHOM WE HAVE VOWED,” “FOR WHOSE SANCTITY WE HAVE SANCTIFIED” — THEIR VOWS ARE NOT VOWS, AND THAT WHICH THEY HAVE SANCTIFIED IS DEEMED NOT SANCTIFIED.

1. I:1: Since the Tannaite formulation has stated, A girl eleven years and one day old — her vows are examined, why was it also necessary to state, A girl twelve years and one day old — her vows are confirmed?

2. I:2: These specifications of the age limits represent the opinion of Rabbi. R. Simeon b. Eleazar says, “Those statements that are made with reference to a girl apply to a boy, and those statements that have been made with reference to a boy apply to a girl. The boy matures earlier than the girl.”

3. I:3: *The question was raised:* Is the intervening spell from the age of eleven years and a day to twelve years and a day, or twelve years and a day to thirteen years and a day, for a girl and a boy respectively classified as prior to the specified period or posterior to the specified period?

a. I:4: Secondary recapitulation of the amplification of the foregoing.

4. I:5: The decided law is that the intervening spell from the age of eleven years and a day to twelve years and a day, or twelve years and a day to thirteen years and a day, for a girl and a boy respectively classified as prior to the specified period.

B. AFTER THIS TIME, EVEN THOUGH THEY SAID, “WE DO NOT KNOW BEFORE WHOM WE HAVE VOWED,” “FOR WHOSE SANCTITY WE HAVE SANCTIFIED” — THEIR VOW IS A VOW, AND THAT WHICH THEY HAVE SANCTIFIED IS DEEMED SANCTIFIED.

1. II:1: Said R. Huna, “A child who consecrated food and then ate it Slotki: while exempt from sanctions in other cases is subject to a flogging. For it is said, ‘When a man...shall clearly utter a vow’ (Num. 6: 2), ‘he shall not break his word’ (Num. 30: 3). Whoever is able ‘clearly to utter a vow’ is liable to the prohibition, ‘he shall not break his word’ (Num. 30: 3). And whoever is not able ‘clearly to utter a vow’ is not liable to the prohibition, ‘he shall not break his word’ (Num. 30: 3).”

a. II:2: Clarification of a tangential detail of the foregoing.

XXVIII. Mishnah-Tractate Niddah 5:7-8

A. SAGES HAVE MADE A PARABLE IN REGARD TO THE WOMAN: (1) AN UNRIPE FIG, (2) A RIPENING FIG, AND (3) A FULLY RIPE FIG.

AN UNRIPE FIG — SHE IS STILL A LITTLE GIRL.

1. I:1: So it has been written...

B. AND A RIPENING FIG — THESE ARE THE DAYS OF HER GIRLHOOD.

IN BOTH PERIODS HER FATHER IS ENTITLED TO KEEP AS HIS OWN WHATEVER SHE FINDS AND TO RETAIN HER WAGES AND TO ANNUL HER VOWS. A FULLY RIPE FIG — ONCE SHE HAS GROWN UP, HER FATHER HAS NO FURTHER RIGHT OVER HER.

1. II:1: *As we have learned in the Mishnah: From what time is fruit subject to the law of tithes? Figs — when they have begun to ripen M. Ma. 1:2A-B.* And in this connection said Rabbah bar bar Hannah said Rab, “It is when their tips grow white.”

2. II:2: Further clarification of the word choices.

C. WHAT ARE HER TOKENS?

1. III:1: Said Samuel, “It is not that the wrinkle must actually make an appearance, but it is such that, when she puts her hands behind her, the wrinkle beneath the breast seems to appear.”

2. III:2: Illustrative case.

D. R. YOSÉ THE GALILEAN SAYS, “WHEN THE WRINKLE APPEARS BENEATH THE BREAST.” R. AQIBA SAYS, “WHEN THE BREASTS HANG DOWN.” BEN AZZAI SAYS, “WHEN THE RING AROUND THE NIPPLE WILL TURN DARK.” R. YOSÉ SAYS, “WHEN THE BREAST IS SO GROWN THAT ONE PUTS HIS HAND ON THE NIPPLE WHICH THEN SINKS AND DELAYS RISING.”

1. IV:1: What is the meaning of the word translated “nipple”

2. IV:2: Tannaite complement and gloss.

3. IV:3: They asked Rabbi, “In accord with which authority is the decided law?” He sent to them, “It accords with the opinion of all of them when it comes to imposing a strict ruling.”

XXIX. Mishnah-Tractate Niddah 5:9

A. A GIRL TWENTY YEARS OLD WHO HAS NOT PRODUCED TWO PUBIC HAIRS — LET HER BRING EVIDENCE THAT SHE IS TWENTY YEARS OLD AND SHE IS THEN DECLARED STERILE: SHE DOES NOT PERFORM THE ACT OF *HALISAH* REMOVING THE SHOE TO SEVER A LEVIRATE CONNECTION AND DOES NOT ENTER INTO LEVIRATE MARRIAGE.

A BOY TWENTY YEARS OLD WHO HAS NOT PRODUCED TWO PUBIC HAIRS — LET HIM BRING EVIDENCE THAT HE IS TWENTY YEARS OLD, AND HE IS DECLARED A EUNUCH.

HE DOES NOT PERFORM *HALISAH* REMOVING THE SHOE TO SEVER A LEVIRATE CONNECTION AND DOES NOT ENTER INTO LEVIRATE MARRIAGE. THESE ARE THE WORDS OF THE HOUSE OF HILLEL.

THE HOUSE OF SHAMMAI SAY, “BOTH RULES APPLY TO ONE WHO IS EIGHTEEN YEARS OLD.” R. ELIEZER SAYS, “THE RULE FOR THE MALE IS IN ACCORD WITH THE OPINION OF THE HOUSE OF HILLEL, AND THE RULE FOR THE FEMALE IS IN ACCORD WITH THE OPINION OF THE HOUSE OF SHAMMAI, FOR THE WOMAN MATURES BEFORE THE MAN.”

1. I:1: By way of objection to the Mishnah’s statement: It is all the same to me whether it is a boy nine years and a day old and someone twenty years old who has not produced two pubic hairs the same rule applies, and such a person is still a minor. What basis then is there to introduce a new legal status that takes effect at twenty?

2. I:2: But if the marks of a eunuch did not appear in him, how long is he regarded as a minor?

3. I:3: Said Rab, “The decided law throughout the chapter is that age is calculated from one point of time to another point of time.”

4. I:4: For what purpose is the law concerning the years in the age of a son and a daughter?

XXX. Mishnah-Tractate Niddah 6:1

A. IF THE TOKEN OF PUBERTY BELOW APPEARED BEFORE THAT ABOVE, THE GIRL EITHER CARRIES OUT THE RITE OF REMOVING THE SHOE TO ABROGATE A LEVIRATE CONNECTION *HALISAH* OR SHE ACTUALLY ENTERS LEVIRATE MARRIAGE. IF THE UPPER TOKEN APPEARED BEFORE THE LOWER ONE, EVEN THOUGH IT IS NOT POSSIBLE FOR THE UPPER TO APPEAR BEFORE THE LOWER — R. MEIR SAYS, “SHE DOES NOT CARRY OUT THE RITE OF *HALISAH* AND SHE DOES NOT ENTER INTO LEVIRATE MARRIAGE.” AND SAGES SAY, “SHE EITHER CARRIES OUT THE RITE OF *HALISAH* OR ENTERS INTO LEVIRATE MARRIAGE.”

1. I:1: ...even though it is not possible for the upper to appear before the lower — and lo, as a matter of fact the upper token appeared before the lower one!...the upper token appeared before the lower one — from the perspective of R. Meir, but even though it is not possible for the upper to appear before the lower — from the perspective of sages. Then the passage should be repeated in the language, If the upper token appeared, R. Meir says, “She does not carry out the rite of halisah and she does not enter into levirate marriage.” And sages say, “She either carries out the rite of halisah or enters into levirate marriage.” Then I should know that it is because it is not possible in sages’ opinion for that to happen.

2. I:2: In any event, all parties concur that we rely upon the appearance of the lower mark to attest that the girl has reached puberty. How out of Scripture do we know that fact?

3. I:3: Tannaite complement: Rabban Simeon b. Gamaliel says, “In the case of girls in towns, the lower mark appears first, because they are accustomed to take baths; in the case of girls in villages the upper mark appears earlier, because they grind with millstones, exercising with the arms and distending the breasts.”

4. I:4: Tannaite complement: The left side develops before the right.

5. I:5: Tannaite complement: When any girl is examined, it is to be by women.

a. I:6: Gloss on a saying in the foregoing.

b. I:7: As above.

c. I:8: As above.

B. BECAUSE THEY HAVE SAID, “IT IS POSSIBLE FOR THE LOWER TOKEN TO APPEAR BEFORE THE UPPER ONE APPEARS, BUT IT IS NOT POSSIBLE FOR THE UPPER ONE TO APPEAR BEFORE THE LOWER ONE APPEARS.”

1. II:1: What need do I have for this further statement of what the Tannaite framer has said at the outset anyhow even though it is not possible for the upper to appear before the lower? And if you should propose that the intent was to show that the anonymous statement of the rule stood for the opinion of rabbis, for when an individual is in contradiction to a majority, the decided law accords with the majority, that is perfectly obvious and hardly required so loud a signal!

XXXI. Mishnah-Tractate Niddah 6:2-6

A. SIMILARLY: ANY CLAY UTENSIL THAT WILL LET IN A LIQUID WILL LET IT OUT. BUT THERE IS ONE WHICH LETS OUT A LIQUID AND DOES NOT LET IT IN.

1. I:1: A utensil with a hole that lets in liquid is unfit for use in collecting purification-water, and it is unfit on grounds of being a defective utensil so it cannot contract uncleanness. One that lets out water is valid for use in collecting purification-water, but it still is unfit on grounds of being a defective utensil and so cannot contract uncleanness.

2. I:2: Tannaite complement: How do people examine a clay utensil to see whether or not it is so perforated as to allow water to flow in? One brings a trough full of water and puts the pot into it. If it admits water, it is then clear that it is so

perforated as to admit water, and if not, it is then certain that it merely allows water to flow out.

B. EVERY LIMB WHICH HAS A CLAW ON IT HAS A BONE ON IT, BUT THERE IS THAT WHICH HAS A BONE ON IT AND DOES NOT HAVE A CLAW ON IT.

1. II:1: If a redundant finger grows a nail, it imparts uncleanness when it is touched or when it is carried and when it is in the tent. If it has a bone but no nail, it imparts uncleanness when it is touched or when it is carried, but it does not impart uncleanness in a tent.

C. WHATEVER IS SUSCEPTIBLE TO MIDRAS UNCLEANNESS IS SUSCEPTIBLE TO CORPSE UNCLEANNESS, BUT THERE IS THAT WHICH IS SUSCEPTIBLE TO CORPSE UNCLEANNESS AND IS NOT SUSCEPTIBLE TO MIDRAS UNCLEANNESS.

1. III:1: Whatever is suitable to contract midras-uncleanness contracts corpse-uncleanness, but there are things that are suitable to contract corpse-uncleanness but not midras-uncleanness.

XXXII. Mishnah-Tractate Niddah 6:4A

A. WHOEVER IS WORTHY TO JUDGE CAPITAL CASES IS WORTHY TO JUDGE PROPERTY CASES AND THERE IS ONE WHO IS WORTHY TO JUDGE PROPERTY CASES AND IS NOT WORTHY TO JUDGE CAPITAL CASES.

1. I:1: This serves to encompass a mamzer.

XXXIII. Mishnah-Tractate Niddah 6:4B

A. WHOEVER IS SUITABLE TO JUDGE IS SUITABLE TO GIVE TESTIMONY, BUT THERE IS ONE WHO IS SUITABLE TO GIVE TESTIMONY BUT IS NOT SUITABLE TO JUDGE.

1. I:1: What classification of persons is encompassed by this statement? It is meant to encompass someone who is blind in one of his eyes.

2. I:2: Illustrative case.

XXXIV. Mishnah-Tractate Niddah 6:5

A. WHATEVER IS LIABLE FOR TITHES IS SUSCEPTIBLE TO THE UNCLEANNESS PERTAINING TO FOODS, BUT THERE IS THAT WHICH IS SUSCEPTIBLE TO THE UNCLEANNESS PERTAINING TO FOODS AND IS NOT LIABLE FOR TITHES.

1. I:1: To encompass what classification of foods? To encompass meat, fish, and eggs which are not subject to tithing.

XXXV. Mishnah-Tractate Niddah 6:6

A. WHATEVER IS LIABLE FOR PEAH IS LIABLE FOR TITHES, BUT THERE IS THAT WHICH IS LIABLE FOR TITHES AND IS NOT LIABLE FOR PEAH.

1. I:1: To encompass what classification of foods? To encompass fig trees and vegetables, which are not subject to the obligation to designate peah.

B. COMPOSITE ON THE OBLIGATIONS OF TITHING

a. I:2: Endives that were originally sown for cattle-fodder, and then the farmer changed his mind and decided to use them for human consumption **50B** must be subjected to that intention after they have been plucked up.

b. I:3: Continuation of the problem of the foregoing.

l. I:4: Expansion of a detail of the foregoing.

A. I:5: Gloss on a phrase in the foregoing.

e. I:6: Reversion to the discussion begun at I:2.

2. I:7: The Mishnah's rule is amplified by appeal to intersecting ones, as follows: One who reaps the ripe portions of his field and leaves the unripe stalks. R. Aqiba says, "He designates a separate portion of produce as peah from each and every area, as he harvests it." But sages say, "He designates peah from one area on behalf of all of the areas together." And sages concede to R. Aqiba regarding one who sows dill or mustard in two or three places, that he designates a separate portion of produce as peah from each and every plot M. **Peah. 3:2A-D**. Now lo, dill, which is liable to peah, also is liable to tithe, for we have learned in the Mishnah: Whatever is liable for peah is liable for tithes, but there is that which is liable for tithes and is not liable for peah. Since it is liable to tithe, it also should be susceptible to the uncleanness attaching to foods. It follows that anything that is used to impart a flavor contracts uncleanness as food, for lo, dill is used as a flavoring.

XXXVI. Mishnah-Tractate Niddah 6:7-8

A. WHATEVER IS LIABLE FOR THE LAW OF THE FIRST OF THE FLEECE IS LIABLE FOR THE PRIESTLY GIFTS, BUT THERE IS THAT WHICH IS LIABLE FOR THE PRIESTLY GIFTS AND IS NOT LIABLE FOR THE FIRST OF THE FLEECE.

1. I:1: For example, leaves of arum and milt waste which are not liable to the law of removal but are subject to the law of the Seventh Year.

B. WHATEVER IS SUBJECT TO THE REQUIREMENT OF REMOVAL IS SUBJECT TO THE LAW OF THE SEVENTH YEAR, AND THERE IS THAT WHICH IS SUBJECT TO THE LAW OF THE SEVENTH YEAR AND IS NOT SUBJECT TO THE REQUIREMENT OF REMOVAL.

1. II:1: For example, root of arum and root of miltwaste, as it is written, "And for your cattle and for the beasts that are in your land, shall all the increase thereof be for food" (Lev. 25: 7) — so long as the beasts eat in the field, you may feed your beast in the household. When the crop has ceased from the field for the wild beasts, then it comes to an end for your cattle in the household.

XXXVII. Mishnah-Tractate Niddah 6:9

A. Whatever has scales has fins, but there is that which has fins and does not have scales. Whatever has horns has hooves, and there is that which has hooves and does not have horns,

1. I:1: Whatever has scales has fins: a clean fish. but there is that which has fins and does not have scales: an unclean fish.

XXXVIII. Mishnah-Tractate Niddah 6:10

A. Whatever requires a blessing after it requires a blessing before it, but there is that which requires a blessing before it and does not require a blessing after it.

1. I:1: What is encompassed by the statement, but there is that which requires a blessing before it and does not require a blessing after it? Encompassed are vegetables.

XXXIX. Mishnah-Tractate Niddah 6:11

A. A GIRL WHO HAS PRODUCED TWO PUBIC HAIRS AFTER TWELVE YEARS AND ONE DAY EITHER PERFORMS THE RITE OF *HALISAH* OR ENTERS INTO LEVIRATE MARRIAGE, AND SHE IS LIABLE FOR ALL THE COMMANDMENTS WHICH ARE STATED IN THE TORAH.

AND SO A BOY WHO HAS PRODUCED TWO PUBIC HAIRS IS LIABLE FOR ALL THE COMMANDMENTS WHICH ARE STATED IN THE TORAH.

AND HE IS APPROPRIATE TO BE SUBJECTED TO THE LAW OF THE REBELLIOUS SON, FROM THE TIME THAT HE PRODUCES TWO HAIRS UNTIL HE HAS GROWN AN ENCIRCLING BEARD — (THE LOWER AND NOT THE UPPER IS MEANT, BUT THE SAGES SPOKE IN CHASTE LANGUAGE).

1. I:1: Now since we have repeated in the Mishnah, and she is liable for all the commandments which are stated in the Torah, what need was there to state, either performs the rite of *halisah* or enters into levirate marriage?

2. I:2: And since it is repeated on Tannaite authority, And so a boy who has produced two pubic hairs, what need was there to state, is liable for all the commandments which are stated in the Torah?

B. A GIRL WHO HAS PRODUCED TWO PUBIC HAIRS NO LONGER IS ABLE TO EXERCISE THE RIGHT OF REFUSAL.

1. II:1: The decided law accords with the position of R. Judah.

a. II:2: Illustrative case.

C. R. JUDAH SAYS, “UNTIL THE DARK HAIR PREDOMINATES, SHE MAY EXERCISE THE RIGHT OF REFUSAL.”

1. III:1: It is not that the dark actually must predominate, but so that, when two hairs lie flat, it appears as if the black predominates over the white.

a. III:2: Gloss of a detail of the foregoing.

2. III:3: The two hairs of which they have spoken are such even if one is on the crest and the other on the testes.

3. III:4: Tannaite complement: Until what time may a girl exercise the right of refusal? “Until she produces two public hairs,” the words of R. Meir. And R. Judah says, “Until the black will multiply over the white.” R. Simeon Bavli: Yosé

says, “Until the crest of the genitals begins to flatten.” Ben Shelaqit says, “Until she will have a full crown of hair around the pudenda” T. Nid. 6:5A-F.

XL. Mishnah-Tractate Niddah 6:12

A. THE TWO HAIRS WHICH ARE MENTIONED IN CONNECTION WITH THE RED COW AND IN CONNECTION WITH PLAGUES AND WHICH ARE STATED IN EVERY REGARD — THEY HAVE TO BE SO LONG THAT THEIR TIP CAN BE BENT TO THEIR ROOT,” THE WORDS OF R. ISHMAEL. R. ELEAZAR SAYS, “SO LONG THAT ONE CAN CUT IT OFF BY THE FINGERNAILS.” R. AQIBA SAYS, “SO LONG THAT THEY CAN BE TAKEN OFF WITH SCISSORS.”

1. I:1: The decided law is in accord with all parties so as to impose a more stringent decision

XLI. Mishnah-Tractate Niddah 6:13

A. SHE WHO SEES A BLOODSTAIN ON HER GARMENT — LO, SHE IS IN DISARRAY. “AND SHE TAKES ACCOUNT OF THE POSSIBILITY THAT SHE IS UNCLEAN BECAUSE OF ZIBAH-FLUX,” THE WORDS OF R. MEIR. AND SAGES SAY, “BLOODSTAINS ARE NOT SUBJECT TO THE LAW OF UNCLEANNESS BECAUSE OF ZIBAH-FLUX.”

1. I:1: Who are the sages of this passage? They stand for the view of R. Hanina b. Antigonus.

2. I:2: Secondary exposition of the foregoing.

3. I:3: Tannaite complement: She who produces a blood stain, if it is of sufficient size to be divided into areas of three beans, each a bit bigger than a bean, then she has to take into consideration the possibility of flux-uncleanness; otherwise she does not have to take into consideration the possibility of flux-uncleanness.

a. I:4: Gloss of a component of the foregoing.

4. I:5: Tannaite complement: “She who produces a blood stain imparts uncleanness retroactively to both herself so that she loses the clean days she has counted and also Holy Things that she has touched in the prior span of time,” the words of Rabbi.

5. I:6: Tannaite complement: “If a woman first produced a bloodstain and afterward she produced a drop of blood, then for a period of twenty-four hours she assigns her bloodstain to the drop of blood that she has produced so that her uncleanness does not extend retroactively to the time that the garment had been washed, but the span of twenty-four hours of retroactive uncleanness begins only at the time that the stain was found,” the words of Rabbi.

6. I:7: Secondary expansion of the foregoing: *R. Zira asked R. Assi*, “As to bloodstains, according to Rabbi, who attributes a stain to an observation of blood, if the latter took place within twenty-four hours and who does not regard the woman’s uncleanness as having begun at the time the article on which the stain was found had last been washed, is it necessary that there intervene a spell of

cleanness or not? Must the woman have examined herself between the time the article was washed and the discovery of the stain?"

XLII. Mishnah-Tractate Niddah 6:14

A. SHE WHO SEES BLOOD — 1 ON THE ELEVENTH DAY AT TWILIGHT, 2 AT THE BEGINNING OF HER MENSTRUAL PERIOD, 3 OR AT THE END OF HER MENSTRUAL PERIOD, 4 AT THE BEGINNING OF HER PERIOD OF THOSE DAYS ON WHICH THE APPEARANCE OF BLOOD IS CLASSIFIED AS THE BLOOD OF FLUX, OR ZIBAH, AND NOT AS MENSTRUAL BLOOD, 5 OR AT THE END OF THE PERIOD OF THOSE DAYS ON WHICH THE APPEARANCE OF BLOOD IS CLASSIFIED AS THE BLOOD OF FLUX, OR ZIBAH, AND NOT AS MENSTRUAL BLOOD, 6 ON THE FORTIETH DAY OF CLEANNES FOR THE MALE CHILD, 7 OR ON THE EIGHTIETH DAY OF CLEANNES OF THE FEMALE CHILD — AT TWILIGHT IN THE CASE OF ALL OF THEM — LO, THESE ERR.

1. I:1: ...at the beginning of her menstrual period, or at the end of her menstrual period? Should it not be at the beginning of her menstrual period or at the end of the period of those days on which the appearance of blood is classified as the blood of flux, or zibah, and not as menstrual blood? Said R. Hisda, "This is the sense of the passage:

B. SAID R. JOSHUA, "BEFORE YOU REPAIR THE AFFAIRS OF THE FOOLISH WOMEN, REPAIR THOSE OF THE INTELLIGENT ONES."

1. II:1: Are these really foolish women? All they are are women who are in a state of disarray!

XLIII. Mishnah-Tractate Niddah 7:1

A. THE BLOOD OF THE MENSTRUATING WOMAN AND THE FLESH OF A CORPSE (1) IMPART UNCLEANNESS WHEN THEY ARE WET,

1. I:1: What is the source of this ruling that the blood of the menstruating woman and the flesh of a corpse impart uncleanness when they are wet, and impart uncleanness when they are dry?

B. AND THE FLESH OF A CORPSE (1) IMPART UNCLEANNESS WHEN THEY ARE WET, AND (2) IMPART UNCLEANNESS WHEN THEY ARE DRY.

1. II:1: What is the scriptural basis of this statement?

C. BUT THE ZAB'S FLUX, PHLEGM...IMPART UNCLEANNESS WHEN THEY ARE WET, AND DO NOT IMPART UNCLEANNESS WHEN THEY ARE DRY.

1. III:1: How do we know the rule for the Zab's flux?

D. BUT THE ZAB'S ...SPIT...IMPARTS UNCLEANNESS WHEN WET, AND (4) NOT ...WHEN THEY ARE DRY.

1. IV:1: How do we know the rule for the Zab's flux?

a. IV:2: Gloss of a detail of the foregoing.

2. IV:3: Continuation of IV:1.

3. IV:4: Snot: Since Scripture speaks only of spit, why should snot be regarded as unclean?

a. IV:5: Clarification of the position of an authority who does not regard the nose as a source of uncleanness at all.

b. IV:6: Continuation of the foregoing.

4. IV:7: Status of his tears.

a. IV:8: Gloss of a detail tangential to the foregoing.

E. ...AND THE DEAD CREEPING THING...IMPART UNCLEANNESS WHEN THEY ARE WET, AND (4) DO NOT IMPART UNCLEANNESS WHEN THEY ARE DRY:

1. V:1: Said R. Simeon b. Laqish, "A dead creeping thing that dried up, but the shape of which is retained, is unclean."

2. V:2: And said R. Simeon b. Laqish, "A dead creeping thing that burned up, but the shape of which is retained, is unclean."

F.IMPART UNCLEANNESS WHEN THEY ARE WET:

1. VI:1: Source in Scripture for that fact in respect to flux

2. VI:2: Source in Scripture for that fact in respect to mucus.

3. VI:3: Source in Scripture for that fact in respect to dead creeping thing.

4. VI:4: Source in Scripture for that fact in respect to semen.

5. VI:5: Source in Scripture for that fact in respect to carrion.

G. AND IF THEY CAN BE SOAKED AND RETURN TO THEIR FORMER CONDITION, THEY (5) IMPART UNCLEANNESS WHEN THEY ARE WET, AND THEY (6) IMPART UNCLEANNESS WHEN THEY ARE DRY. AND HOW LONG ARE THEY TO BE SOAKED? IN LUKEWARM WATER, FOR TWENTY-FOUR HOURS.

1. VII:1: R. Jeremiah raised the question, "Does the process of soaking have to be from beginning to end for twenty-four hours? Or perhaps it may be at the beginning even if not so at the end Slotki: they are regarded as clean if they have not resumed their original condition after being soaked in water that was at first lukewarm and then turned cold, though they would have resumed that condition if they had been soaked all the time in lukewarm water?"

H. R. YOSÉ SAYS, "THE FLESH OF THE CORPSE WHICH IS DRY AND CANNOT BE SOAKED AND RETURNED TO ITS FORMER BULK IS CLEAN."

1. VIII:1: Said Samuel, "The sense of 'clean' is that it does not convey uncleanness if it is of the bulk of an olive, but it still conveys uncleanness as corpse mould."

XLIV. Mishnah-Tractate Niddah 7:2

A. THE CREEPING THING WHICH IS FOUND IN THE ALLEYWAY IMPARTS UNCLEANNESS RETROACTIVELY, UNTIL ONE WILL STATE "I INSPECTED THIS ALLEYWAY AND THERE WAS NO CREEPING THING IN IT," OR UNTIL THE TIME THAT IT LAST WAS CLEANED.

1. I:1: The question was raised: when we refer, with regard to the alley, to until the time that it last was cleaned, is the meaning, that it is assumed to have been properly examined by the person who swept it, who thus had definitely ascertained that there was no unclean object in it at the time, or is the sense that it is assumed that it was properly swept only so that if any unclean object had been there, it would have been swept away?

B. AND SO: A BLOODSTAIN WHICH IS FOUND ON A GARMENT IMPARTS UNCLEANNESS RETROACTIVELY, UNTIL ONE WILL STATE, “I INSPECTED THIS GARMENT, AND THERE WAS NO BLOODSTAIN ON IT,” OR UNTIL SUCH TIME AS IT WAS LAST WASHED.

1. II:1: The question was raised: when we refer, with regard to the shirt to until the time that it last was washed, is the meaning, that it is assumed to have been properly examined by the person who washed it, who thus had definitely ascertained that there was no unclean object in it at the time, or is the sense that it is assumed that it was properly washed only so that if any unclean object had been there, it would have been washed away?

C. AND IT IMPARTS UNCLEANNESS WHETHER WET OR DRY. R. SIMEON SAYS, “THE DRY IMPARTS UNCLEANNESS RETROACTIVELY, AND THE WET IMPARTS UNCLEANNESS ONLY SO LONG AS IT CAN HAVE BEEN WET.”

1. III:1: Said R. Eleazar, “This ruling of Simeon has been repeated only in the case of a dead creeping thing, but in the case of a wet bloodstain, it causes uncleanness retroactively to the time of the last washing.

XLV. Mishnah-Tractate Niddah 7:3

A. ALL THE BLOODSTAINS WHICH COME FROM REQEM ARE CLEAN. R. JUDAH DECLARES UNCLEAR, BECAUSE THEY ARE CONVERTS AND ERR.

THOSE WHICH COME FROM AMONG THE GENTILES ARE CLEAN.

1. I:1: Since the statement **Those which come from among the gentiles are clean** is made categorically, it follows that the rule applies even to those that come from Tarmod who are supposed to derive from intermarriages. But Jewish menstrual blood is unclean!

B. THOSE WHICH COME FROM AMONG ISRAELITES AND FROM AMONG SAMARITANS — R. MEIR DECLARES UNCLEAR. AND SAGES DECLARE CLEAN, BECAUSE THEY ARE NOT SUSPECT IN REGARD TO THEIR BLOODSTAINS.

1. II:1: Now as to the position of rabbis, if they declare those that derive from Israelites to be clean, then whose will they ever deem unclean?

XLVI. Mishnah-Tractate Niddah 7:4-5

A. ALL BLOODSTAINS THAT ARE FOUND ANYWHERE ARE CLEAN, EXCEPT FOR THOSE WHICH ARE FOUND IN THE ROOMS OR AROUND PLACES OF UNCLEANNESS.

THE PLACE OF UNCLEANNESS OF SAMARITANS IMPARTS UNCLEANNESS BY OVERSHADOWING, BECAUSE THEY ARE ASSUMED TO BURY THEIR MISCARRIAGES

THERE. R. JUDAH SAYS, “THEY DID NOT BURY THEIR ABORTIONS, BUT THEY TOSS THEM OUT, AND THE BEAST DRAGS THEM OFF.”

1. I:1: What is the exposition on which they relied in not burying abortions? “You shall not remove your neighbor’s landmark, which they of old time have set, in your inheritance” (Deu. 19:14).

B. THEY ARE BELIEVED TO SAY, “WE BURIED THE ABORTIONS THERE,” OR, “WE DID NOT BURY ABORTIONS THERE.”

1. II:1: But surely they do not affirm the rule, “nor put a stumbling block before the blind” (Lev. 19:14) meaning, you shall not supply misleading information, to lead an unwary person into sin?

C. THEY ARE BELIEVED TO SAY CONCERNING A BEAST WHETHER IT HAD BORN A FIRSTLING OR HAD NOT BORN A FIRSTLING.

1. III:1: But surely they do not affirm the rule, “nor put a stumbling block before the blind” (Lev. 19:14) meaning, you shall not supply misleading information, to lead an unwary person into sin?

D. THEY ARE BELIEVED CONCERNING THE MARKING OUT OF GRAVES.

1. IV:1: And even though this is a rule that derives only from the authority of rabbis, they are meticulous about keeping it, for it is written in Scripture: “And any who sees a man’s bone shall set up a sign by it” (Eze. 39:15).

E. BUT THEY ARE NOT BELIEVED EITHER ABOUT INTERLACED FOLIAGE OR PROTRUDING STONES

1. V:1: Tannaite explanation defining these areas.

F. OR ABOUT A BETH HAPERAS A GRAVE AREA, THAT IS, AN AREA POSSIBLY CONTAMINATED BY CORPSE MATTER.

1. VI:1: Said R. Judah said Samuel, “One who wants to remain uncontaminated by corpse matter in a beth haperas a grave area, an area possibly contaminated by corpse matter blows away the earth and goes along his way.”

G. THIS IS THE PRINCIPLE: CONCERNING SOMETHING ABOUT WHICH THEY ARE SUSPECT THEY ARE NOT BELIEVED.

1. VII:1: What is encompassed within the generalization?

XLVII. Mishnah-Tractate Niddah 8:1

A. SHE WHO SEES A BLOODSTAIN ON HER BODY — IF IT WAS NEAR THE PUDENDA, SHE IS UNCLEAN. AND IF IT WAS NOT NEAR THE PUDENDA, SHE IS CLEAN.

1. I:1: Said Samuel, “If a woman examined the ground and then sat down on it, and found blood on it, she is clean, as it is said, ‘in her flesh’ (Lev. 15:19) — the woman is unclean only if she feels the discharge in her flesh.”

a. I:2: Gloss on a tangential detail of the foregoing.

2. I:3: Continuation of analysis of Samuel’s thesis: “If blood is found on her body, it is a matter of doubt whether she is unclean or clean, the blood is deemed unclean”! And that is the case even though she did not feel the discharge! And

furthermore, we have learned in the Mishnah: She who sees a bloodstain on her body — if it was near the pudenda, she is unclean. And if it was not near the pudenda, she is clean. And that is the case even though she did not feel the discharge!

B. IF IT WAS ON HER HEEL OR ON THE END OF HER BIG TOE, SHE IS UNCLEAR.

1. II:1: Now there is no problem with the rule governing the heel, since that is likely to come into contact with that place, but how come uncleanness is attributed to a stain on the end of her big toe? And if you should say that sometimes it might touch the heel, do we assume that uncleanness is transferred from one place to another?

C. IF IT WAS ON HER THIGH OR ON HER FEET ON THE INSIDE, SHE IS UNCLEAR. AND IF IT WAS ON THE OUTSIDE, SHE IS CLEAN. IF IT WAS ON BOTH SIDES, SHE IS CLEAN.

1. III:1: inside: how far?

2. III:2: The question was raised: is the place as far as the sinews that connect the thigh and the leg classified as the inside or the outside?

3. III:3: What is the ruling where a bloodstain is shaped like a ring, like a straight line of drops, like a splash of drops, or where it runs across the breadth of the woman's thigh?

a. III:4: Illustrative case.

D. IF SHE SAW IT ON HER GARMENT, IF IT IS FROM THE BELT AND DOWNWARD, SHE IS UNCLEAR; FROM THE BELT AND UPWARD, SHE IS CLEAN. IF SHE SAW IT ON THE SLEEVE OF HER GARMENT, IF IT REACHES TO OPPOSITE THE PUDENDA, SHE IS UNCLEAR, AND IF NOT, SHE IS CLEAN. IF SHE HAD STRIPPED IT OFF OR PUT IT ON DURING THE NIGHT, WHEREVER A BLOODSTAIN IS LOCATED, SHE IS UNCLEAR, SINCE IT CAN HAVE BEEN TURNED ABOUT. AND SO IN THE CASE OF A PALLIUM.

1. IV:1: Tannaite complement: Said R. Eleazar b. R. Yosé, "This law did I teach in Rome, declaring her unclean, and when I came to my colleagues, they said to me, 'You have taught well'" T. **Nid. 7:1B**.

2. IV:2: Tannaite complement: A short girl who put on the garment of a tall girl, and a tall girl who put on the garment of a short girl — if blood is found near the pudenda of the tall girl, they are both unclean; if it is found near the pudenda of the short girl, she is unclean but the tall girl is clean.

3. IV:3: Tannaite complement: If a woman put on three garments that had been examined for her, if she can attribute blood, she does so, and even to the undergarment. If she cannot attribute the blood to any external source, she does not do so, and even if the blood is on the outermost garment.

XLVIII. Mishnah-Tractate Niddah 8:2-4

A. AND SHE BLAMES IT ON ANY THING ON WHICH SHE CAN BLAME IT/ IF SHE SLAUGHTERED A BEAST, A WILD ANIMAL, OR A BIRD, OR IF SHE WAS BUSY WITH ANYTHING WHICH CAUSES BLOODSTAINS:

1. I:1: Tannaite complement: There was a case in which R. Meir blamed it on collyrium. And Rabbi blamed it on the sap of a sycamore.

B. OR IF SHE SAT DOWN BESIDE PEOPLE WHO WERE ENGAGED IN THEM ANYTHING THAT PRODUCES BLOODSTAINS.

1. II:1: The rule applies only to the place at which she sat, but not to a place where she did not sit.

C. IF SHE KILLED A LOUSE, LO, THIS ONE BLAMES IT ON IT.

1. III:1: The rule applies only to a case in which she killed a louse, but not to one in which she did not kill a louse. And who is the authority behind the rule?

2. III:2: Tannaite complement: A bed bug — its length is the same as its breadth, and it tastes like its smell. Whoever crushes it cannot help smelling it.

3. III:3: A town in which pigs are located is a place in which one does not take account of the possibility of bloodstains.

D. HOW MUCH MAY SHE BLAME ON IT? R. HANINAH B. ANTIGONOS SAYS, “UP TO THE SIZE OF THE SPLIT BEAN.”

AND IT MAY BE ATTRIBUTED TO A LOUSE EVEN THOUGH SHE DID NOT KILL IT. AND SHE BLAMES IT ON HER SON OR HER HUSBAND. IF THERE IS A WOUND COVERED BY A SCAB ON HER AND IT CAN OPEN AGAIN AND BLEED SHE MAY BLAME IT ON THAT.

1. IV:1: Said R. Huna, “If the stain is of the size of a split bean, one may not assign the stain to a louse; if it is small than a split bean, one may attribute the bloodstain to a crushed louse.” And R. Hisda said, “If it is exactly the size of a split bean, one may assign the blood to a louse; if it is large than a split bean, one may not assign the matter in such a way.”

2. IV:2: If on the body of a woman was found a stain the size of a split bean and a bit more, and to that bit more clung a louse — R. Hanina says, “The blood is deemed unclean as menstrual blood.” R. Yannai says, “The blood is clean being attributed to the louse.”

a. IV:3: Secondary amplification of the implications of the foregoing dispute: if a woman was handling some blood of the bulk of a split bean, and on her body was found a bloodstain the size of a split bean and a bit more, what is the rule?

3. IV:4: If a given kind of material was found on a woman, she may attribute to it any sort of stain that she finds later on, even though it is not of the same color as the material to which it is attributed.

E. M'SH B: ONE WOMAN CAME BEFORE R. AQIBA. SHE SAID TO HIM, “I HAVE SEEN A BLOODSTAIN.” HE SAID TO HER, “PERHAPS THERE WAS A WOUND ON YOU?” SHE SAID TO HIM, “YES, BUT IT HAS HEALED.” HE SAID TO HER, “PERHAPS IT CAN OPEN AND BLEED?” SHE SAID TO HIM, “YES.” AND R. AQIBA DECLARED HER CLEAN. HIS DISCIPLES DID HE SEE STARING AT ONE ANOTHER. HE SAID TO THEM, “WHY IS THIS MATTER HARD IN YOUR EYES? FOR THE SAGES STATED THE RULE NOT TO PRODUCE A STRICT RULING BUT TO PRODUCE A LENIENT RULING, AS

IT IS SAID, ‘AND IF A WOMAN HAVE AN ISSUE AND HER ISSUE IN HER FLESH BE BLOOD’ (LEV. 15:19) — *BLOOD* AND NOT A STAIN.”

1. V:1: And has it not been taught on Tannaite authority: sages made their ruling not to produce a lenient decision but to produce a stringent one?

F. “A TESTING RAG WHICH IS PLACED UNDER THE PILLOW, AND BLOOD WAS FOUND ON IT — IF IT THE BLOODSTAIN IS ROUND IT IS CLEAN. IF IT IS ELONGATED, IT IS UNCLEAR,” THE WORDS OF R. ELIEZER B. R. SADOQ.

1. VI:1: The question was raised: do rabbis differ from R. Eliezer b. R. Sadoq or do they not differ from him.

XLIX. Mishnah-Tractate Niddah 9:1-2

A. THE WOMAN WHO WAS DOING HER NEEDS URINATING AND WHO SAW BLOOD WITH THE URINE — R. MEIR SAYS, “IF SHE IS STANDING, SHE IS UNCLEAR, AND IF SHE IS SITTING, SHE IS CLEAN.” R. YOSÉ SAYS, “ONE WAY OR THE OTHER SHE IS CLEAN.”

1. I:1: How come the case where the woman was standing differs from one in which she was sitting?

B. A MAN AND A WOMAN WHO DID THEIR NEEDS URINATED INTO A POT, AND BLOOD WAS FOUND ON THE WATER — R. YOSÉ DECLARES CLEAN. AND R. SIMEON DECLARES UNCLEAR, FOR IT IS NOT THE WAY OF THE MAN TO PRODUCE BLOOD, BUT THE ASSUMPTION CONCERNING BLOOD IS THAT IT DERIVES FROM THE WOMAN.

1. II:1: The question was raised: if the man and the woman were standing when urinating, and blood was found in the bowl, what is the position of R. Meir? When R. Meir ruled as he did, was it only in a case in which a single doubt is involved namely, whether the blood emanated from the menstrual source or from a wound in the bladder, but here where there is a doubt as to what is already in doubt the doubt that the blood came from the man or the woman, and the doubt concerning the source of the blood even if it came from the woman, he would not declare the blood to be unclear? Or perhaps there is no difference?

2. II:2: The question was raised: if the woman was sitting, what is the position of R. Simeon? When R. Simeon took the position that he did R. Simeon declares unclear, for it is not the way of the man to produce blood, but the assumption concerning blood is that it derives from the woman, that was where the woman was standing up, since her passage is then compressed Slotki: as a result of the narrowness of the passage, blood from the menstrual source might well be presumed to issue together with the returned urine, and since this presumption almost amounts to a certainty, there remains no more than one doubt, as to whether the blood emanated from the man or the woman, which justifies Simeon’s ruling that the blood is unclear, but if she was sitting down, that is not the case, or perhaps there is no difference?

3. II:3: The question was raised: if the man and the woman were sitting down, what is the position of R. Simeon?

L. Mishnah-Tractate Niddah 9:3

A. IF A WOMAN LENT HER GARMENT TO A GENTILE WOMAN, OR TO A MENSTRUATING WOMAN AND BLOOD WAS FOUND ON THE GARMENT AFTER IT WAS RETURNED AND WORN BY THE OWNER — LO, THIS ONE BLAMES IT ON HER.

THREE WOMEN WHO WORE A SINGLE GARMENT, OR WHO SAT ON A SINGLE WOODEN BENCH, AND BLOOD WAS FOUND ON IT — THEY ARE ALL UNCLEAN.

1. I:1: Said Rab, “The allusion to a **gentile woman 60A** is to one who had produced a discharge. How come? Because she is comparable to a menstruating woman. Just as a menstruating woman has produced a discharge, so the gentile also has produced a discharge.”

2. I:2: Tannaite complement: “She may blame her stain on a woman to whom she had previously lent the garment who was awaiting day for day, and this is the case if it was the latter’s second day, and to a woman who had counted seven days prior to performing immersion after her menstrual period. Therefore this one is in good estate, though the other is in disarray,” the words of Rabban Simeon b. Gamaliel.

a. I:3: Secondary development of the foregoing: In the case in which an unclean person and a clean person walked in two distinct paths, one of which was clean, the other unclean and we do not know which walked in which, we have come to the dispute of Rabbi and Rabban Simeon b. Gamaliel.

3. I:4: An unclean person and a clean person, and even a clean person and a person whose condition was held in suspense, who walked in two paths, one unclean and one clean — one assigns the passage through the unclean person to the person whose condition was held in suspense, and the passage through the clean passage to the clean person.

4. I:5: The question was addressed to R. Yohanan by R. Judah bar Livai, “What is the law as to assigning a stain attributed to another woman who was unclean already by reason of having produced a stain?”

B. IF THEY SAT ON A STONE BENCH, OR ON THE BENCH IN A BATHHOUSE AND BLOOD WAS FOUND ON IT — R. NEHEMIAH DECLARES CLEAN. FOR R. NEHEMIAH DID SAY, “ANYTHING WHICH IS NOT SUSCEPTIBLE TO RECEIVE UNCLEANNESS DOES NOT RECEIVE UNCLEANNESS THROUGH BLOODSTAINS.”

1. II:1: What is the scriptural basis for the position of R. Nehemiah?

2. II:2: The law is in accord with R. Nehemiah.

LI. Mishnah-Tractate Niddah 9:4

A. THREE WOMEN WHO WERE SLEEPING IN ONE BED, AND BLOOD WAS FOUND UNDER ONE OF THEM — THEY ALL ARE UNCLEAN. IF ONE OF THEM EXAMINED HERSELF AND WAS FOUND UNCLEAN — SHE IS UNCLEAN. AND THE OTHER TWO OF THEM ARE CLEAN.

1. I:1: But this rule, If one of them examined herself and was found unclean —she is unclean, and the other two of them are clean, applies only to a case in which she examined herself immediately after discovering the blood.

B. AND THEY ATTRIBUTE IT THE BLOOD TO ONE ANOTHER. AND IF THEY WERE NOT APT TO SEE A FLOW OF BLOOD, THEY REGARD THEM AS IF THEY WERE APT TO SEE A FLOW OF BLOOD.

1. II:1: Tannaite complement: How do they attribute the blood to one another?

LII. Mishnah-Tractate Niddah 9:5

A. THREE WOMEN WHO WERE SLEEPING IN ONE BED, AND BLOOD WAS FOUND UNDER THE MIDDLE ONE — THEY ALL ARE UNCLEAR. IF IT WAS FOUND UNDER THE ONE ON THE INSIDE, THE TWO ON THE INSIDE ARE UNCLEAR. BUT THE OUTER ONE IS CLEAN. IF IT WAS FOUND UNDER THE ONE ON THE OUTSIDE, THE TWO ON THE OUTSIDE ARE UNCLEAR, AND THE ONE ON THE INSIDE IS CLEAN.

SAID R. JUDAH, “UNDER WHAT CIRCUMSTANCES? WHEN THEY GOT INTO BED VIA THE FOOT OF THE BED. BUT IF THE THREE OF THEM PASSED ACROSS THE BED, THEY ALL ARE UNCLEAR.”

1. I:1: What is the distinction between the initial rule (Three women who were sleeping in one bed, and blood was found under one of them — they all are unclean. If one of them examined herself and was found unclean —she is unclean. And the other two of them are clean), in which no distinction is made between blood found in the middle, inner, or outer positions, and the present case (If it was found under the one on the inside, the two on the inside are unclean. But the outer one is clean. If it was found under the one on the outside, the two on the outside are unclean, and the one on the inside is clean), in which such a distinction is made?

B. “IF ONE OF THEM EXAMINED HERSELF AND WAS FOUND TO BE CLEAN, SHE IS CLEAN, AND THE OTHER TWO ARE UNCLEAR. IF TWO OF THEM EXAMINED THEMSELVES AND FOUND THEMSELVES TO BE CLEAN, THEY ARE CLEAN, AND THE THIRD IS UNCLEAR. IF THE THREE OF THEM EXAMINED THEMSELVES AND FOUND THEMSELVES TO BE CLEAN, THEY ARE ALL UNCLEAR.

“TO WHAT IS THE MATTER COMPARABLE? TO AN UNCLEAR HEAP CONTAINING A BIT OF CORPSE MATTER THAT WAS CONFUSED WITH TWO CLEAN HEAPS, AND THEY EXAMINED ONE OF THEM AND FOUND IT TO BE CLEAN, IT IS CLEAN, AND THE OTHER TWO ARE UNCLEAR. IF THE TWO WERE EXAMINED AND FOUND TO BE CLEAN, THEY ARE CLEAN, AND THE THIRD IS UNCLEAR. IF THREE WERE EXAMINED AND FOUND TO BE CLEAN, THEY ARE ALL UNCLEAR,” THE WORDS OF R. MEIR. FOR R. MEIR SAID, “ANYTHING WHICH IS ASSUMED TO BE UNCLEAR REMAINS PERPETUALLY IN ITS STATUS OF UNCLEANNESS UNTIL IT WILL BE KNOWN TO YOU WHERE THE UNCLEANNESS IS.”

AND SAGES SAY, “ONE EXAMINES UNTIL ONE REACHES ROCK OR VIRGIN SOIL.”

1. II:1: What is the point of including **To what is the matter comparable?**

2. II:2: Tannaite complement: Said R. Meir, “There was the case of a sycamore in Kefar Saba, under which people took for granted uncleanness was located. They searched it out and found nothing under it. One time the wind came and blew it down from the roots, and the skull of a corpse was found cleaving to the roots.”

a. II:3: Tannaite complement: to a detail of the foregoing.

I. II:4: Gloss of a detail of the foregoing.

II. II:5: As above.

C. COMPOSITE SERVING M. 9:6:

3. II:6: Tannaite complement: A garment in which a bloodstain was lost — one applies to it the seven substances and so neutralizes it.

D. APPENDIX ON A GARMENT IN WHICH THERE IS ANOTHER SOURCE OF PROHIBITION, NAMELY, MIXED FABRICS

I. II:7: A garment in which there is lost a mixture of linen and flax — lo, one may not sell it to a gentile or make it into a packsaddle for an ass, but one may make it into a shroud for a corpse.

II. II:8: A garment in which there is lost a mixture of linen and flax — lo, one may dye it, and then it is permitted for routine use.

III. II:9: *If someone inserted flaxen threads into his woolen garment and then pulled them out but is not certain whether or not he has pulled all of them out, he may wear the garment.*

E. RESUMING THE DISCUSSION BROKEN OFF AT II:6:

4. II:10: A dyed garment may become unclean by reason of the presence of a bloodstain.

LIII. Mishnah-Tractate Niddah 9:6-7

A. SEVEN SUBSTANCES DO THEY PASS OVER THE BLOODSTAIN TO SEE WHETHER IT IS BLOOD OR DYE: (1) TASTELESS SPIT, AND (2) WATER FROM BOILED GRITS, AND (3) URINE,
AND NITER,

1. I:1: Tannaite complement: the Alexandrian natron, not the Antipatrian one.

B. LYE-SOAP

1. II:1: This is *ahala*.

C. CIMOLIAN EARTH

1. III:1: This is ‘pull-out-stick-in.

D. LION’S LEAF.

1. IV:1: Said Samuel, “I asked those who go down to the sea, and they told me, ‘It is called ashлага, and it is found between the cracks of pearls and is extracted with an iron nail.’”

E. IF ONE IMMERSED IT AND PREPARED THINGS REQUIRING CLEANNESS DEPENDING UPON IT, IF ONE RUBBED ON IT THESE SEVEN SUBSTANCES AND IT DID NOT DISAPPEAR, (1) LO, THIS IS DYE.

THE THINGS REQUIRING CLEANNESS ARE DEEMED CLEAN, AND (3) ONE DOES NOT HAVE TO IMMERSE. IF IT PASSED AWAY OR BECAME FADED, (1) LO, THIS IS A BLOODSTAIN, AND (2) THE THINGS REQUIRING CLEANNESS ARE DEEMED UNCLEAR, AND (3) ONE HAS TO IMMERSE.

1. V:1: Tannaite complement: If one passed the seven substances on it and it did not go away, and then put soap on it and it disappeared, foods that he has prepared requiring conditions of cleanness are unclear

F. FREE-STANDING COMPOSITION, SERVING M. KELIM 9:5. INSERTED BECAUSE OUR MISHNAH-PARAGRAPH CONTRIBUTES TO THE DISCUSSION

1. V:2: Analysis of a problem that invokes the Mishnah-statement before us. As to sherds which have been used Bavli: by a person unclear with flux uncleanness (M. **Kel. 9:5A-E**). Said R. Simeon b. Laqish, "That rule that uncleanness is imparted to the oven only if the oven was heated, but if it was not heated, the absorbed liquids do not impart uncleanness pertains only in the case of liquid that has been subjected to a minor uncleanness. But in the case of liquid that has been subjected to uncleanness of a major order, the oven is unclear even though it has not been heated." R. Yohanan said, "Whether the liquids were unclear with a minor uncleanness or with a major one, if the oven was heated, it is unclear, if not, not." An objection was raised by R. Yohanan to R. Simeon b. Laqish: If one immersed it and prepared things requiring cleanness depending upon it, if one rubbed on it these seven substances and it did not disappear, lo, this is dye. The things requiring cleanness are deemed clean, and one does not have to immerse.

G. WHAT IS TASTELESS SPIT? THAT OF ONE WHO HAS EATEN NOTHING.

1. VI:1: Tannaite complement: What is tasteless spit? It is spit of anyone who has tasted nothing since the preceding evening, even the entire day. If one slept for the entire day, he does not produce tasteless spit. If one was awake all night, he does produce tasteless spit

2. VI:2: What is tasteless spit? It is spit of anyone who spent half the night in sleep.

3. VI:3: If one got up early in the morning and repeated his chapter, this one cannot produce tasteless spit.

H. WHAT IS WATER FROM BOILED GRITS? PASTE MADE FROM GRITS OF PEELED BEANS.

1. VII:1: May I say that this sustains the position of R. Simeon b. Laqish, for R. Simeon b. Laqish has said, "There must be tasteless spittle with each of the other substances"?

2. VII:2: Our Mishnah's definition of the water from boiled grits does not concur with the position of R. Judah.

3. VII:3: How do we know that the word translated "before" bears the meaning, "prior"?

I. URINE? THAT WHICH HAS FERMENTED.

1. VIII:1: Tannaite complement: How long must be the fermentation? Three days.

J. AND ONE MUST SCOUR THE STAIN WITH EACH OF THE SEVEN SUBSTANCES THREE TIMES.

1. IX:1: Do we count the forward and backward movement as one or as two?
What is the law?

IF ONE RUBBED THEM ON NOT IN ORDER, OR IF ONE RUBBED IN ALL SEVEN SUBSTANCES AT ONCE, HE HAS DONE NOTHING WHATSOEVER.

1. X:1: Tannaite complement: If the items listed in our Mishnah last, the final four of the seven, were applied before the three items listed first...

LIV. Mishnah-Tractate Niddah 9:8

A. ANY WOMAN WHO HAS A FIXED PERIOD — IT IS SUFFICIENT FOR HER TO RECKON HER PERIOD OF UNCLEANNES, THUS OF HAVING IMPARTED UNCLEANNES TO OBJECTS SHE TOUCHED FROM HER SET TIME

1. I:1: *We have learned this rule already:* Every woman who has a fixed period — sufficient for her is her time (M. 1:1G).

B. AND THESE ARE THE TOKENS OF FIXED PERIODS PREMENSTRUAL SYNDROME: IF BEFORE DISCHARGING MENSTRUAL BLOOD SHE (1) YAWNS, OR (2) SNEEZED, OR (3) FELT PAIN IN THE TOP OF HER STOMACH OR THE BOTTOM OF HER BOWELS OR (4) DISCHARGES,

1. II:1: But does she not continually discharge?

C. OR (5) A KIND OF SHUDDERING TAKES HOLD OF HER.

AND SO WITH SIMILAR PHENOMENA.

AND ANY WOMAN WHO HAS ESTABLISHED THAT THE PRESENCE OF ONE OF THESE TOKENS SIGNALS THE ONSET OF HER PERIOD THREE TIMES, LO, THIS IS A FIXED PERIOD.

1. III:1: What is encompassed in addition by the language, “ And so with similar phenomena”?

2. III:2: Said R. Huna bar Hiyya said Samuel, “Lo, they have said, ‘As to the settled period established by days, two such occurrences are required; as to settled periods that are established by premenstrual syndrome, one such occurrence is enough; for settled periods involving conditions that sages have not enumerated, there must be three occurrences.’ But I do not know what is encompassed under ‘settled periods involving conditions that sages have not enumerated.’”

LV. Mishnah-Tractate Niddah 9:9

A. IF SHE HABITUALLY SAW BLOOD AT THE BEGINNING OF SYMPTOMS OF PERIODS, ALL THINGS REQUIRING CLEANNES WHICH SHE PREPARED WHILE THE SYMPTOMS OF PERIODS ARE IN PROGRESS ARE UNCLEAR. IF SHE USUALLY SAW BLOOD AT THE END OF SYMPTOMS OF PERIODS, ALL THE THINGS REQUIRING CLEANNES WHICH

SHE PREPARED WHILE THE SYMPTOMS OF THE PERIODS LASTED ARE DEEMED CLEAN.

R. YOSÉ SAYS, “SETTLED PERIODS ARE ALSO DETERMINED BY EVEN THE DAYS AND HOURS.”

1. I:1: A Tannaite authority stated, In what way did R. Yosé say, “Settled periods are also determined by even the days and hours”?

B. “IF SHE HABITUALLY SAW BLOOD WITH THE SUNRISE, SHE IS PROHIBITED ONLY AT SUNRISE.” R. JUDAH SAYS, “THE ENTIRE DAY BELONGS TO HER.”

1. II:1: But has it not been taught on Tannaite authority: R. Judah says, “The entire night is hers”?

2. II:2: One Tannaite version states, “R. Judah forbids her from having sexual relations prior to her fixed time but permits her to do so afterward.” And another Tannaite version states, “He forbids her from having sexual relations after the arrival of her fixed time, but permits her to do so prior to the arrival of her fixed time.”

3. II:3: Said Raba, “The decided law accords with the position of R. Judah.”

LVI. Mishnah-Tractate Niddah 9:10

A. IF SHE HABITUALLY SAW BLOOD ON THE FIFTEENTH DAY OF THE MONTH AND CHANGED HER PATTERN AND SAW BLOOD ON THE TWENTIETH DAY, SEXUAL RELATIONS ON THIS DAY AND THAT DAY ARE PROHIBITED. IF SHE TWICE CHANGED TO THE TWENTIETH DAY, THIS DAY AND THAT DAY ARE PROHIBITED. IF SHE THREE TIMES CHANGED TO THE TWENTIETH DAY, THE FIFTEENTH DAY IS NOW PERMITTED, AND SHE HAS ESTABLISHED FOR HERSELF A FIXED PERIOD ON THE TWENTIETH DAY.

1. I:1: If a woman produced blood on the fifteenth day of this month, on the sixteenth day of the next month, and on the seventeenth day of the third month — Rab said, “She has established a fixed period for herself Slotki: in arithmetical progression Slotki: the eighteenth day of the fourth month, the nineteenth of the fifth, and so on are consequently forbidden days.” And Samuel said, “She does so only when she will have repeated the arithmetical progression for a third time.” Slotki: the appearance on the fifteenth is not counted, since it was the first of the series, when the process of progression had not yet been apparent.

B. FOR A WOMAN DOES NOT ESTABLISH FOR HERSELF A FIXED PERIOD UNTIL SHE HAS ESTABLISHED IT THREE TIMES:

1. II:1: Said R. Pappa, “This statement applies only so far as defining a fixed period, but as to whether or not one should take into consideration the appearance of a discharge, a single occurrence suffices.”

C. AND SHE IS NOT CLEANED FROM UNCLEANNES IMPOSED BY A FIXED PERIOD UNTIL IT WILL HAVE BEEN UPROOTED FROM HER THREE TIMES.

1. III:1: Said R. Pappa, “This statement applies only the settled period was established by three regular occurrences, in which case it is uprooted by three

occurrences as well, but if the settled period had been established by only two recurrences, it may be uprooted by a single change.”

LVII. Mishnah-Tractate Niddah 9:11

A. WOMAN AS REGARDS THE BLOOD OF VIRGINITY ARE LIKE VINES. (1) THERE IS A VINE WHOSE WINE IS RED, AND (2) THERE IS A VINE WHOSE WINE IS BLACK, AND (3) THERE IS A VINE WHOSE WINE IS ABUNDANT, AND (4) THERE IS A VINE WHOSE WINE IS SPARSE.

R. JUDAH SAYS, “EVERY VINE HAS ITS WINE, AND THAT WHICH DOES NOT HAVE WINE, LO, THIS IS A DURKETI VINE.”

1. I:1: Durketi, a Tannaite authority stated, means, “a generation that is cut off.”

LVIII. Mishnah-Tractate Niddah 10:1

A. A GIRL WHOSE AGE OF MENSTRUATION HAD NOT YET COME AND WHO WAS MARRIED — THE HOUSE OF SHAMMAI SAY, “THEY GIVE HER FOUR NIGHTS DURING WHICH ALL BLOOD IS CLASSIFIED AS HYMENEAL; AFTER THAT POINT, BLOOD IS CLASSIFIED AS MENSTRUAL.” AND THE HOUSE OF HILLEL SAY, “UNTIL THE WOUND WILL HEAL.”

1. I:1: Said R. Nahman bar Isaac, “And the House of Hillel say, Until the wound will heal, whether or not she had earlier produced a discharge of blood; that is, since she has not reached the age of menstruation, the House of Hillel assign that entire span of time.”

B. UNTIL THE WOUND WILL HEAL

1. II:1: How long is that?

C. IF HER TIME FOR SEEING BLOOD CAME AND SHE WAS MARRIED — THE HOUSE OF SHAMMAI SAY, “THEY GIVE HER THE FIRST NIGHT.” AND THE HOUSE OF HILLEL SAY, “UNTIL THE END OF THE SABBATH DAY, WHICH IS TO SAY, FOUR NIGHTS.”

1. III:1: If she had sexual relations by day, Rab said, “She has not lost the use of the nights.” And Levi said, “She has lost the use of the nights.”

2. III:2: If one had sexual relations with a virgin and found no blood, and then went and had sexual relations a second time and found blood — R. Hanina said, “She is unclean since this is now treated as menstrual blood.” And R. Assi said, “She is clean since this is hymeneal blood.”

3. III:3: Said Rab, “As to a woman who has reached maturity, she is assigned the first night. And that is the case if she has never had a flow of menstrual blood, but if she has already had a period, she is given only the initial act of sexual relations, which fulfills the religious duty of consummating the marriage, alone, and no further act since further blood will be attributed to menstruation.”

a. III:4: Practical decision.

D. IF SHE SAW BLOOD BEFORE MARRIAGE AND STILL WAS IN HER FATHER'S HOUSE WHEN MARRIED — THE HOUSE OF SHAMMAI SAY, “THEY GIVE HER ONLY THE

COITION OF OBLIGATION.” AND THE HOUSE OF HILLEL SAY, “ALL THE NIGHT IS HERS.”

- 1. IV:1:** Tannaite complement: If she saw blood before marriage and still was in her father's house when married — the House of Hillel say, “All the night is hers and she is given a full period of a day or a night.” And how long is that complete period of a day or a night?
- 2. IV:2:** The decided law is that one has sexual relations one time in fulfillment of the religious duty of consummating the marriage and then one separates and has no further sexual relations until it is clear that the woman is not menstruating.
- 3. IV:3:** Tannaite complement: And all these women, if they were discharging blood continually throughout the four nights and after the four nights or during the night and after it must examine themselves to ascertain from the color of the blood whether it is menstrual or hymeneal blood. And in all cases, R. Meir imposes a strict rule, in accordance with the position of the House of Shammai.
- 4. IV:4:** Tannaite complement: She who produces blood on account of having sexual relations may have sexual relations once, twice, and a third time. From that point onward, she may have sexual relations only if she is divorced and married to someone else.
 - a. IV:5:** Practical case.
 - b. IV:6:** As above.
 - c. IV:7:** As above.
- 5. IV:8:** Rabbi ordained in Sadot: if a woman saw a discharge on one day, she should count six more days in addition before having sexual relations, assuming that her period has begun. If she produced blood for that day and another, she should wait out six days in addition; if she observed a discharge on three, she must wait seven clean days.
- 6. IV:9:** If a woman was in hard labor for two days, and on the third day she aborted, she must observe seven clean days.
- 7. IV:10:** If a woman was asked to get married and agreed, she has to allow seven clean days to pass to make sure she is menstrually clean.
 - a. IV:11:** Illustrative case.
- 9. IV:12:** A woman should not wash her pubic hair with natron or with ohal, with natron, because it removes hair, and with ahal, because it makes the hair cling.
 - a. IV:13:** Precedent.
- 10. IV:14:** If a woman immersed and came up out of the water, and on her was found something that interposes between herself and the water, she does not have to wash her head or immerse again if the immersion was done right after washing her head; otherwise she has to wash her head and immerse again.
- 11. IV:15:** A woman should not stand on a clay utensil when she is immersing.
- 12. IV:16:** A woman should not immerse in a harbor where there is stirred up mud because of the ships' passage, which might cling to her body and interpose between her body and the water.

13. IV:17: If a woman gave food to her child and then immersed and came up out of the water, her immersion does not count for her. Even though there now may not be food, I might say that it fell off with the drippings and had interposed when she immersed.

a. IV:18: Amplification of the foregoing: Scars do not constitute an interposition during the first three days after their formation and bleeding; they are still part of the body. From that point on, they are regarded as an interposition.

14. IV:19: Pus in the eye is not classified as an interposition when it is running; when it is dry, it is classified as an interposition.

15. IV:20: If a woman opened her eyes too wide or shut them too tightly, her immersion does not count.

16. IV:21: A woman should immerse only in her natural position.

17. IV:22: As single knotted hair is classified as an interposition. Three are not classified as an interposition. As to the case of two, I do not know the rule.

18. IV:23: A woman at the end of her menstrual period, if she immersed at the proper time, she immerses only by night. But if it is not at the proper time but only afterward on the eighth day, she may immerse either by day or by night.

19. IV:24: A woman washes her head on a Sunday and immerse on Tuesday, for so she may wash her head on Friday and immerse Saturday night. A woman may wash her hair on Sunday and immerse on Wednesday, since she may wash her hair on Friday and immerse on the night following a festival that fell on a Sunday. A woman may wash her hair on Sunday and immerse on Thursday, since she may wash her hair on Friday and immerse on the night following the two festival days of the New Year that commenced Saturday night.

20. IV:25: The question was raised: as to a woman, what is the law on her washing her hair by night and immersing on the same night?

21. IV:26: A woman may wash her hair on Friday and immerse Saturday night.

LIX. Mishnah-Tractate Niddah 10:2

A. A MENSTRUATING WOMAN WHO EXAMINED HERSELF ON THE SEVENTH DAY AT DAWN AND FOUND HERSELF TO BE CLEAN — AT TWILIGHT SHE DID NOT MARK HER SEPARATION BY IMMERSION — AND AFTER SOME DAYS EXAMINED HERSELF AND FOUND HERSELF UNCLEAR — LO, SHE IS ASSUMED TO BE CLEAN.

1. I:1: Rab said, “She is confirmed as unclear with flux-uncleanness.” And Levi said, “She is treated as subject by reason only of doubt to flux-uncleanness.”

B. IF SHE EXAMINED HERSELF ON THE SEVENTH DAY AT DAWN AND FOUND HERSELF UNCLEAR, AND AT TWILIGHT SHE DID NOT MARK HER SEPARATION, AND AFTER A TIME SHE EXAMINED HERSELF AND FOUND HERSELF CLEAN, LO, THIS ONE IS IN THE ASSUMPTION OF BEING UNCLEAR.

1. II:1: May I say that this refutes the position of Raba? For Raba has said, “This rule All the eleven days that follow the seven days of menstruation a woman is in

the assumption of being clean was meant to tell you that she does not impart uncleanness to objects that she has touched during the twenty-four hours prior to her discovery of the blood.”

C. AND SHE IMPARTS UNCLEANNESS TO ARTICLES THAT SHE HAD TOUCHED DURING THE PRECEDING TWENTY-FOUR HOURS AND FROM ONE EXAMINATION TO THE PRECEDING EXAMINATION.

AND IF SHE HAS A FIXED PERIOD, SUFFICIENT FOR HER IS HER TIME.

1. III:1: May I say that this refutes the position of R. Huna bar Hiyya stated by Samuel, for said R. Huna bar Hiyya said Samuel, “This rule, All the eleven days that follow the seven days of menstruation, a woman is in the assumption of being clean is meant to tell you that a woman cannot establish for herself a regular period during the zibah-days even though menstruation should begin on the same day for three successive months.

D. R. JUDAH SAYS, “ANYONE WHO DID NOT MARK HER SEPARATION IN A STATE OF CLEANNESS FROM THE AFTERNOON-TWILIGHT AND THEREAFTER, LO, THIS ONE IS IN THE ASSUMPTION OF BEING UNCLEAR.” AND SAGES SAY, “EVEN IF SHE EXAMINED HERSELF ON THE SECOND DAY OF HER MENSTRUAL PERIOD AND FOUND HERSELF CLEAN, AND AT TWILIGHT OF THE SEVENTH DAY SHE DID NOT MARK HER SEPARATION, AND AFTER A TIME SHE EXAMINED HERSELF AND FOUND HERSELF UNCLEAR, LO, THIS ONE IS IN THE ASSUMPTION OF BEING CLEAN.”

1. IV:1: Tannaite complement: They said to R. Judah, “Even if you had said, ‘Let her hand be in her eyes all day long,’ you would have stated a valid rule. But now, since it might be supposed that she produced the discharge as soon as she had removed her hand, what difference does it make to me whether she marked the separation to cleanness at the afternoon and thereafter, or whether she marked that separation to cleanness on the first day, in which case she is clean?”

LX. Mishnah-Tractate Niddah 10:3

A. THE ZAB AND THE ZABAH WHO EXAMINED THEMSELVES ON THE FIRST DAY AND FOUND THEMSELVES TO BE CLEAN, AND WHO EXAMINED THEMSELVES ON THE SEVENTH DAY AND FOUND THEMSELVES TO BE CLEAN, AND ON THE REMAINING, INTERVENING DAYS DID NOT EXAMINE THEMSELVES — R. ELIEZER SAYS, “LO, THEY ARE IN THE ASSUMPTION OF BEING CLEAN.” R. JOSHUA SAYS, “THEY HAVE ONLY THE FIRST DAY AND THE SEVENTH DAY ALONE AS CLEAN DAYS.” R. AQIBA SAYS, “THEY HAVE ONLY THE SEVENTH DAY ALONE AS A CLEAN DAY.”

1. I:1: Tannaite complement: Said R. Eliezer to R. Joshua, “How can you say that the first day and the seventh day are clean, but the intervening days are unclear? In your opinion, you are counting clean days even though they are interrupted by unclear days, but the Torah has said, ‘After that she shall be clean’ (Lev. 15:28), meaning, after all of them, meaning, uncleanness may not intervene among the clean days.”

a. I:2: The question was raised: A male or a female afflicted with flux uncleanness who examined themselves on the first day and then on the eighth day thereafter and found themselves clean, but on the intervening

days they did not examine themselves — from the viewpoint of R. Eliezer, what is the law? Is it required that an examination be made on both the beginning and ending of the prescribed days, so the days here are unclean, since there was an examination at the beginning only but not at the end on the seventh day, for the examination was done on the eighth, or perhaps an examination at the outset suffices, even though there was none at the end on the seventh day?

2. I:3: A menstruating woman who noted her separation to a condition of cleanness on the third day after the beginning of her period may count it in the number of seven clean days” — the clean days may begin to be counted from that day.

LXI. Mishnah-Tractate Niddah 10:4

A. (1) THE ZAB, (2) THE ZABAH, (3) THE MENSTRUATING WOMAN, (4) THE WOMAN WHO HAS GIVEN BIRTH, AND (5) THE *PERSON AFFLICTED WITH THE SKIN AILMENT* *LEV. 13-14*, WHO DIED IMPART UNCLEANNESS THROUGH BEING CARRIED EVEN WITHOUT CONTACT UNTIL THE FLESH HAS DECAYED.

1. I:1: What is the meaning of impart uncleanness through being carried even without contact?

2. I:2: What is the operative consideration that these corpses convey uncleanness through the weight that they impose on a heavy stone, while other corpses do not do so?

B. A GENTILE WHO DIES IS CLEAN IN RESPECT TO IMPARTING UNCLEANNESS THROUGH BEING CARRIED.

1. II:1: Tannaite complement: Said Rabbi, “How come they have said, ‘A gentile who dies is clean in respect to imparting uncleanness through being carried?’ It is because the uncleanness pertaining to him when he is alive is not based on the authority of the Torah but on the authority of scribes.”

2. II:1: Tannaite complement: (1) the Zab, (2) the Zabah, (3) the menstruating woman, (4) the woman who has given birth, and (5) the *mesora*, who died — how long do their corpses impart uncleanness through being carried [even without contact]? until the flesh has decayed.”

C. THE HOUSE OF SHAMMAI SAY, “ALL WOMEN DIE IN THE STATUS OF MENSTRUATING WOMEN.”

AND THE HOUSE OF HILLEL SAY, “A MENSTRUATING WOMAN IS ONLY ONE WHO DIES DURING HER MENSTRUAL PERIOD.”

1. III:1: What is the operative consideration behind the position of the House of Shammai?

LXII. Mishnah-Tractate Niddah 10:5

A. THE WOMAN WHO DIED AND FROM WHOM A QUARTER-LOG OF BLOOD EXUDED — IT A DROP OF BLOOD IMPARTS UNCLEANNESS BY REASON OF PRODUCING A

BLOODSTAIN, AND IT A QUARTER-LOG IMPARTS UNCLEANNESS BY MEANS OF OVERSHADOWING. R. JUDAH SAYS, “IT DOES NOT IMPART UNCLEANNESS BECAUSE OF THE BLOODSTAIN, BECAUSE IT WAS DETACHED AFTER SHE DIED.”

1. I:1: Shall we then conclude that the initial authority who holds that the woman who died and from whom a quarter-log of blood exuded — it a drop of blood imparts uncleanness by reason of producing a bloodstain takes the view that even though the blood was detached after the woman died, it still imparts uncleanness by reason of producing a bloodstain?

B. AND R. JUDAH AGREES CONCERNING THE WOMAN WHO WAS SITTING ON THE TRAVAILING STOOL AND DIED AND FROM WHOM A QUARTER-LOG OF BLOOD EXUDED THAT IT A DROP IMPARTS UNCLEANNESS BY REASON OF THE BLOODSTAIN.

SAID R. YOSÉ, “ON THAT ACCOUNT SINCE IT WAS DETACHED WHILE THE WOMAN WAS STILL ALIVE IT DOES NOT IMPART UNCLEANNESS THROUGH OVERSHADOWING.”

1. II:1: Shall we then conclude that the initial authority who holds that the woman who died and from whom a quarter-log of blood exuded — it a quarter-log imparts uncleanness by means of overshadowing takes the view that that it also imparts uncleanness by means of overshadowing too Slotki: but how could uncleanness be conveyed in this manner, seeing that the blood issued when the woman was still alive?

LXIII. Mishnah-Tractate Niddah 10:6

A. AT FIRST DID THEY SAY, “SHE WHO IS SITTING OUT THE BLOOD OF PURIFYING DID POUR WATER OUT FOR WASHING THE PASSOVER OFFERING.” THEY REVERTED TO RULE, “LO, SHE IS LIKE ONE WHO HAS TOUCHED ONE WHO IS UNCLEAN BY REASON OF CORPSE UNCLEANNESS, SO FAR AS HOLY THINGS ARE CONCERNED,” IN ACCORD WITH THE WORDS OF THE HOUSE OF HILLEL. THE HOUSE OF SHAMMAI SAY, “ALSO: SHE IS LIKE ONE WHO IS UNCLEAN BY REASON OF CORPSE UNCLEANNESS.”

1. I:1: ...pour water out — pouring out yes, but touching, no. It follows that unconsecrated food that is prepared in accord with the rules of cleanness pertaining to Holy Things is in the classification of Holy Things.

LXIV. Mishnah-Tractate Niddah 10:7

A. AND THEY AGREE THAT SHE EATS TITHE

1. I:1: And they agree that she eats tithe for a master has said, “One who has immersed and come up from the immersion pool may eat tithe. If his son has set, he may eat food in the status of priestly rations.

B. AND SETS APART DOUGH OFFERING

1. II:1: unconsecrated dough that is as yet not properly prepared so far as setting aside dough offering is concerned is not classified as dough-offering even though a part of the dough is going to be deemed dough offering.

C. AND BRINGS NEAR TO THE OTHER DOUGH THE VESSEL IN WHICH SHE HAS PUT THE PORTION SET APART AS DOUGH OFFERING

1. III:1: It is a religious duty to designate offering from dough that is right near to that for which the dough offering is designated.

D. TO DESIGNATE IT AS DOUGH OFFERING,

1. IV:1: for one might have supposed that we may a decree that she not do so, on account of the possibility that she might touch the dough from the outside.

E. AND IF SOME OF HER SPIT AND BLOOD OF PURIFYING FELL ON A LOAF OF HEAVE OFFERING, THAT IT IS CLEAN.

1. V:1: For we have learned: the excretions of one who has immersed on the selfsame day and awaits sunset for the completion of his rite of purification is in the category of liquid that he touches: neither this nor that imparts uncleanness.

F. THE HOUSE OF SHAMMAI SAY, “SHE REQUIRES IMMERSION AT THE END.” AND THE HOUSE OF HILLEL SAY, “SHE DOES NOT REQUIRE IMMERSION AT THE END.”

1. VI:1: What is at stake between them?

LXV. Mishnah-Tractate Niddah 10:8

A. SHE WHO SEES BLOOD ON THE ELEVENTH DAY THE LAST DAY OF THE ELEVEN DAYS OF THE ZIBAH-PERIOD, DURING WHICH ALL FLOW OF BLOOD IS CLASSIFIED AS FLUX, AND THE NEXT DAY IS THE FIRST DAY OF THE MENSTRUAL PERIOD AND IMMERSSED IN THE EVENING AND HAD INTERCOURSE — SINCE IN THEIR VIEW THE WOMAN IS OBLIGATED TO ALLOW A CLEAN DAY TO PASS AFTER A DAY OF UNCLEANNESS, THE HOUSE OF SHAMMAI SAY, “THEY BOTH SEXUAL PARTNERS IMPART UNCLEANNESS TO THINGS UPON WHICH ONE MAY LIE AND SIT AND ARE LIABLE FOR A SACRIFICE.” THE HOUSE OF HILLEL SAY, “THEY ARE FREE OF THE OBLIGATION TO BRING THE SACRIFICE.”

IF SHE IMMERSSED ON THE DAY AFTER IT THE FIRST DAY OF HER MENSTRUAL CYCLE OF SEVEN DAYS AND HAD INTERCOURSE AND AFTERWARD SAW A DROP OF BLOOD — THE HOUSE OF SHAMMAI SAY, “THEY IMPART UNCLEANNESS TO OBJECTS WHICH ARE USED FOR LYING AND SITTING AND ARE FREE OF THE REQUIREMENT TO BRING THE SACRIFICE SINCE PART OF THE DAY PASSED IN CLEANNESS; THE DISCHARGE LATER ON HAS NO BEARING ON THE PRIOR FLUX, SINCE THE DAY IS ASSIGNED TO THE MENSTRUAL PERIOD.” AND THE HOUSE OF HILLEL SAY, “LO, SUCH A ONE IS A GLUTTON BUT IN NO WAY CULPABLE.”

AND THEY AGREE CONCERNING THE WOMAN WHO SEES A DROP OF BLOOD DURING THE FIRST TEN OF THE ELEVEN ZIBAH-DAYS AND IMMERSSED IN THE EVENING AND HAD INTERCOURSE, THAT SINCE AS ONE WHO HAS EXPERIENCED A DISCHARGE ON A ZIBAH-DAY, SHE HAS TO ALLOW A CLEAN DAY TO PASS BEFORE SHE CAN REGARD HERSELF AS CLEAN (SLOTKI) THEY IMPART UNCLEANNESS TO OBJECTS WHICH ARE USED FOR SITTING AND LYING AND ARE LIABLE FOR A SACRIFICE.

1. I:1: Tannaite complement: They agree concerning a woman who immerses at night by reason of a flux during the prior day, which ended at sunset that the immersion is null.

2. I:2: As to the bed on which she lies and the chair on which she sits on the second day, the day following one of the intermediate days of the zibah-period, on which she experienced a discharge are held by the House of Shammai to be unclean, even though on the second day she immersed, and even though on the second day she produced no discharge. What is their operative consideration? Since, if she had produced blood that day, she would have been unclean retroactively, since the flux on the second day joins with that on the first to mark an on-going flux, now too she is unclean.”

B. IF SHE IMMERSSED ON THE DAY AFTERWARD SO THAT PART OF THE DAY HAD PASSED WITHOUT FLUX AND HAD INTERCOURSE, LO, THIS IS BAD CONDUCT, BUT WHETHER THINGS WHICH THEY TOUCH ARE MADE UNCLEAN OR WHETHER THEIR SEXUAL INTERCOURSE IS CULPABLE ARE MATTERS WHICH ARE LEFT IN SUSPENSE.

1. II:1: Is this not the opinion of both parties?

2. II:2: As to the status of the tenth day — R. Yohanan said, “The tenth day is classified like the ninth day. Just as the ninth day on which a flux takes place requires a watch on the next day, so the tenth day must be followed by a watch.” And R. Simeon b. Laqish said, “The tenth day is classified like the eleventh day. Just as the eleventh day does not require a watch since flux on the next day is menstrual anyhow, so the tenth day does not require a watch for flux on the next day.”

a. II:3: Said R. Shemaiah to R. Abba, “May I say that, on account of a discharge during the day since the verses adduced in evidence on flux speak only of days, as at Lev. 15:25, what flows should be classified as flux, while if it flows by night, it should be classified as menstrual blood?”

C. HOMILETICAL CONCLUSION TO THE TRACTATE.

1. II:4: Whoever repeats laws every day is guaranteed to belong to the world to come.

Points of Structure

1. DOES BABYLONIAN TALMUD-TRACTATE FOLLOW A COHERENT OUTLINE GOVERNED BY A CONSISTENT RULES?

That the Bavli presents a commentary to selected Mishnah-tractates raises the question, what sort of commentary? The answer comes to us from any Bavli-tractate, since a single program governs all of them, without differentiation by subject-matter, on the one side, or by any other distinctive traits (practical vs. theoretical law, for instance), on the other. If we can define the repertoire of intellectual initiatives characteristic of one tractate, we shall find the same repertoire governing the reading of all others, with the simple qualification that proportions of types of inquiry may vary. The work of differentiating among tractates must await the formulation of the consistent rules that dictate to the compilers of the Talmud to a given Mishnah-tractate how they are to do their work.

2. WHAT ARE THE SALIENT TRAITS OF ITS STRUCTURE?

That the Bavli's reading works its way phrase-by-phrase through numerous Mishnah-paragraphs presents the question, what are the guide-lines — the premises as to right thinking, right formulation, or right point of origination — that dictate to the Bavli's Mishnah-commentators the character of their work? The salient traits of the structure of our Talmud emerge, first of all, from the simple fact that this protracted outline demonstrates beyond all doubt: we can outline the Bavli in the way in which we should be able to outline any well-crafted, analytical and propositional composition. That is, we work our way from topic-sentences, supplied by the Mishnah, to subordinate points made in amplification of those sentences, to secondary and derivative observations, and, finally, to miscellaneous information or ad hoc observations of a low-order. The fact that we may outline the Bavli in such a simple and systematic way — the occasional lapses showing us what might have been — defines the single salient trait of structure, to invent a word: the Bavli's "outline-ability."

3. WHAT IS THE RATIONALITY OF THE STRUCTURE?

The premises of the Bavli encompass not only that the Talmud-tractate follows a coherent outline, but also of what that coherence consists. Here, once more, a brief survey of the lead-entries of twenty-five entries on our outline suffices to show us the deep structure of order and reason that supports the entire composition, beginning to end:

1. Examination of the sense and meaning of the wording of the Mishnah; clarification of the allegations of the Mishnah; provision of details required to grasp the Mishnah's rule, articulation of what is implicit in our Mishnah's rule

I.E.1, I.F.1; II.C.1, II.E.1, II.H.1; III.E.1; IV.A.1, IV.C.1; V.A.1, V.B.1, V.C.1; VI.1.A, VI.B.1, VI.C.1; VII.A.1; X.A.1, X.B.1, X.C.1, X.E.1, X.F.1, X.G.1, X.H.1, X.8.1; XI.B.1, XI.C.1, XI.D.1, XI.E.1; XII.A.1; XIV.A.1, XIV.B.1; XVI.A.1, XVI.C.1; XVII.A.1, XVII.B.1; XVII.C.1; XX.A.1, XX.B.1, XX.C.1; XXII.A.1; XXIII.B.1; XXIV.J.1, XXIV.L.1

2. What is the operative consideration, meaning, the principle that underlies a variety of cases?

I.A.1

3. What is the source in Scripture for a given rule, meaning, the Torah's statement, in its language, of what the Mishnah-framers have set forth in theirs, or the basis in the Torah for the ruling of the Mishnah-framers?

X.D.1; XIX.A.1, XIX.B.1; XX.E.1; XXIII.A.1; XXIII.D.1; XXIV.A.1, XXIV.B.1, XXIV.C.1, XXIV.D.1, XXIV.E.1, XXIV.F.1, XXIV.G.1, XXIV.H.1, XXIV.I.1, XXIV.K.1

4. What other Tannaite opinion addresses the matter taken up by the Mishnah-rule, and how does that opinion square with what the Mishnah tells us? This shades over into the inquiry into the identity of authorities who concur, or who do not concur, with the Mishnah rule

I.B.1, I.C.1; II.A.1, II.B.1, II.D.1, II.F.1, II.G.1; VI.D.1; VIII.A.1; IX.A.1, X.J.1, X.I.1, X.L.1; XII.B.1, XII.C.1; XIII.A.1, XIII.B.1; XVI.B.1 XVII.D.1; XIX.C.1; XX.D.1; XXI.A.1; XXIII.C.1; XXV.A.1

5. Further opinion on the matter taken up by the Mishnah-rule, e.g., a complementary rule, or an inference to be drawn from the Mishnah-rule and how that inference squares with the implicit principles in other matters of law altogether?

I.D.1; II.I.1; III.1.A, III.B.1, III.D.1; VI.E.1; XI.A.1; XV.A.1; XVIII.A.1; XXIII.E.1, XXIII.F.1; XXV.B.1

6. How a Mishnah-rule relates to one given in another context altogether; how another Mishnah-passage illuminates, or is illuminated by, our Mishnah's statement

III.C.1; XVII.E.1

We see that every composite attached to a Mishnah-statement begins with that Mishnah-statement and focuses its attention upon the requirements of clarifying the meaning or implications of that statement. It follows that the structure and order of the Talmud-tractate find their definition in the Mishnah-tractate, and the rationality of the Bavli emerges from the Bavli's compilers' definition of the requirement of Mishnah-exegesis, pure and simple.

4. WHERE ARE THE POINTS OF IRRATIONALITY IN THE STRUCTURE?

It follows that large-scale composites that do not respond to the Mishnah's program emerge as not merely asymmetrical to the document that presents them but as beyond the document's own manifest sense of what is rational and orderly. Do these composites call into question the character of the Bavli as a reasoned reading of the Mishnah? These are the compositions or composites that do not respond to statements in the Mishnah: IV.B, VIII.B, XVI.D, XXXV.B, LII.C, D, E, and LIII.F. We have now to ask about the system that the Bavli-tractate's structure sustains and the relationship of the structurally-irrational composites to that system.

Points of System

1. DOES THE BABYLONIAN TALMUD-TRACTATE SERVE ONLY AS A REPRESENTATION OF THE MISHNAH-TRACTATE OF THE SAME NAME?

I discern only a few lines of the Mishnah-tractate that the Bavli-compilers fail to address.

2. HOW DO THE TOPICAL COMPOSITES FIT INTO THE TALMUD-TRACTATE AND WHAT DO THEY CONTRIBUTE THAT THE MISHNAH-TRACTATE OF THE SAME NAME WOULD LACK WITHOUT THEM?

The topical and other composites add information but do not vastly revise our picture of the tractate's topic and problematic. An examination of each item leaves no doubt that the compilers of the tractate made no effort by striking intrusions or juxtapositions to impart to the Mishnah-tractate dimensions of meaning not present in the Mishnah's framers' original statement on the subject.

IV.B: The appendix is entirely in order to amplify the topic of the Mishnah-sentence at hand. It does not change but only underscores the point of the prior composite.

VIII.B: The composite on correct conduct of sexual relations is attached to begin with because of the concern of the Mishnah-rule that there be light to see whether or not menstrual blood is excreted; but it is forbidden to have sexual relations by day, and that theme is then expounded at some length.

XVI.D: The Mishnah's statement that the foetus is completed on the forty-first day is amplified with a huge composite on the character of the foetus. The subdivisions of the composite are readily discerned. I see neither in the parts nor in the whole a polemic, let alone an effort to impart to the topic a layer of meaning deriving from the juxtaposition of the compositions that are before us. The composite cannot be classified as merely random, to be sure, but seen in context, none of its parts changes the picture of the theme or much revises the viewpoint of the Mishnah-statement.

XXXV.B: The composite on the obligations of tithing provides information on the Mishnah-sentence's topic, a standard appendix.

LII.C, D, and E: what we have here is a problem in the organization of the Talmud, since VII.E simply carries forward LII.C, and only D is inserted; this is an appendix that supplements VII.C. The set hardly corresponds to the usual appendix of a topical character; it is the only formation of materials in the dozen and a half tractates examined to this point that is not accessible to the simple, topical outline that I have created for the description of the Talmud; the Talmud's components here adhere to a different scheme of organization from the one that governs throughout.

LIII.F: Like XXXV.B, what we have here is a talmud to a Mishnah-paragraph that otherwise has none in the Bavli. The inclusion here is for good and substantial reasons.

The upshot may be stated very simply. Our Talmud-tractate contains not a single composite that imparts to the treatment of the topic, or of any proposition that unpacks the topic, a character or a dimension that the Mishnah's own presentation does not invite

or even require. The few asymmetrical composites I have identified prove inert and merely bear information.

3. CAN WE STATE WHAT THE COMPILERS OF THIS DOCUMENT PROPOSE TO ACCOMPLISH IN PRODUCING THIS COMPLETE, ORGANIZED PIECE OF WRITING?

The structure of our tractate is coherent and cogent; it finds its definition in the Mishnah-tractate that is under discussion. The system of the Bavli-tractate's reading of the Mishnah finds its purpose in the character of the Mishnah — the Mishnah's wording, the Mishnah's sense, the Mishnah's implications, and the inferences to be drawn from the Mishnah. I discern in this tractate no other purpose than to present a complete, well-organized explanation of the Mishnah-tractate, its meaning and its practical requirements for the conduct of the holy life of the family in response to the Torah's commandments. Some tractates form only Mishnah-commentaries, while other tractates accomplish the same end while imparting to the Mishnah's topic dimensions of meaning that the Mishnah's presentation of its topic do not clearly define. Bavli-tractate Niddah provides a fine model for what it means, to the compilers of the Talmud and the authors of an important corpus of compositions upon which they drew to comment upon the Mishnah.

How the Mishnah, for its part, dictated the character of its commentary lies beyond the framework of this academic commentary of mine, though the question obviously demands its answer. No one who has devoted close attention to the Bavli can doubt the main outline of the answer, which, I should contend, is intuitively obvious to anyone who has read ten lines of the document: the purpose of the authors of compositions of Mishnah-commentary and of framers of composites of Mishnah-amplification is to say what, in their judgment, the Mishnah means or implies. The consequent, and I think the real task, then, is to analyze the components of that judgment of theirs, to unpack and analyze each of the givens of the rationality and the consequent logic that govern throughout the Bavli. In my view, the raw-materials for such an analysis are contained in this academic commentary of mine.