

IV.

BAVLI QIDDUSHIN CHAPTER FOUR

FOLIOS 69B-82B

4:1

- A. Ten castes came up from Babylonia: (1) priests, (2) Levites, (3) Israelites, (4) impaired priests, (5) converts, and (6) freed slaves, (7) mamzers, (8) Netins, (9) “silenced ones” [shetuqi], and (10) foundlings.
- B. Priests, Levites, and Israelites are permitted to marry among one another.
- C. Levites, Israelites, impaired priests, converts, and freed slaves are permitted to marry among one another.
- D. Converts, freed slaves, mamzers, Netins, “silenced ones,” and foundlings are permitted to marry among one another.

4:2

- A. And what are “silenced ones”?
- B. Any who knows the identity of his mother but does not know the identity of his father.
- C. And foundlings?
- D. Any who was discovered in the market and knows neither his father nor his mother.
- E. Abba Saul did call a “silenced one” [shetuqi] “one who is to be examined” [beduqi].

- I.1** A. **Ten castes came up from Babylonia:** *How come the Tannaite formulation prefers the language, **came up from Babylonia**, rather than saying, came to the Land of Israel?*
- B. *En passant he informs us of another matter, as has been taught on Tannaite authority: “Then you shall arise and ascend to the place which the Lord your God shall choose” (Deu. 17: 8) – this teaches that the house of the sanctuary is higher than the whole of the Land of Israel, and the Land of Israel is higher than all other lands.*
- C. *Well, there is no problem with the claim that the house of the sanctuary is higher than the whole of the Land of Israel, for that is in line with what has been written: [69B] “If there arise...matters of controversy in your gates, then you shall arise and go up” (Deu. 17: 9). But as to the allegation that the Land of Israel is higher than all other lands, how on the basis of Scripture do we know that fact?*
- D. *“Therefore behold, the days come, says the Lord, that they shall no more say, As the Lord lives, which brought up the children of Israel out of the land of Egypt; but, as the Lord lives, which brought up and which led the seed of the house of Israel out of the north country and from all the countries whither I had driven them” (Jer. 23:7-8).*
- I.2** A. *How come the Tannaite formulation prefers the language, **came up from Babylonia**, rather than saying, came up to the Land of Israel?*
- B. *That formulation sustains the position of R. Eleazar, for said R. Eleazar, “Ezra did not go up from Babylonia until he had made it pure as sifted flour; then he went up” [Freedman: taking those of inferior genealogy, so that they should not remain in Babylonia].*
- I.3** A. *It has been stated:*
- B. *Abbayye said, “We have learned in formulation of the Mishnah, **they came up** of their own volition.”*
- C. *And Raba said, “We have learned in formulation of the Mishnah, he brought them up willy-nilly.”*
- D. *They dispute concerning the statement of R. Eleazar, for said R. Eleazar, “Ezra did not go up from Babylonia until he had made it pure as sifted flour; then he went up.” Abbayye rejects the position of R. Eleazar, Raba accepts the statement of R. Eleazar.*

E. *If you prefer, I shall say: All parties concur with the statement of R. Eleazar. But here, the subject of dispute is that the one authority maintains that he simply separated them, on which account they went up to the Land of Israel of their own volition, and the other party takes the view that, even though he had done so, he still had to take them up willy-nilly.*

F. *Now there is no problem with the view of him who said, they went up of their own volition – that is in line with what R. Judah said Samuel said, “All other countries are like gross dough [not fine flour] in comparison to the Land of Israel, and the Land of Israel is like gross dough by comparison to Babylonia.” But from the perspective of him who said, he brought them up willy-nilly, wasn’t the identity of these inferior parties known in the Land of Israel [in which case the genealogy of the Land of Israel is as fine as that of Babylonia]?*

G. *Granted that they knew the identity of the ones in that generation, the identity of those in later generations they did not know.*

H. *Now there is no problem with the view of him who said, they went up of their own volition – that is in line with what is written, “And I gathered them together to the river that runs to Ahava, and there we encamped three days, and I scrutinized the people and the priests but found there none of the sons of Levi” (Ezr. 8:15) [Freedman: he had to scrutinize them for the ones of poor genealogy voluntarily joined them]. But from the perspective of him who said, he brought them up willy-nilly, lo, he was very meticulous with them [knowing who’s who, [so what is the point of the verse, “And I gathered them together to the river that runs to Ahava, and there we encamped three days, and I scrutinized the people and the priests but found there none of the sons of Levi” (Ezr. 8:15)]]?*

I. *While, to be surely, he was meticulous about those who were obviously of unfit genealogy, as to the ones of apparently fit genealogy, he was not all that meticulous.*

II.1 A. Priests, Levites, Israelites:

B. *How on the basis of Scripture do we know that they went up?*

C. *“So the priests and the Levites and some of the people and the singers and the porters and the Netinim dwelled in their cities and all Israel in their cities” (Ezr. 2:70).*

III.1 A. impaired priests, converts, and freed slaves:

- B. *How on the basis of Scripture do we know that fact of the impaired priests?*
- C. *It is in line with that which has been taught on Tannaite authority:*
- D. R. Yosé says, “The presumption that the status quo is to be continued is powerful, for it is said, ‘And the children of the priests, the children of Habaiah, the children of Hakkoz, the children of Barzillai, who took a wife of the daughters of Barzillai the Gileadite and was called after their name, these sought their register, of those that were reckoned by genealogy, and they were not found; therefore were they deemed polluted and put from the priesthood. And the Tirshatha said to them, that they should not eat of Most Holy Things until there stood up a priest with Urim and Thummim’ (Ezr. 2:61-2). Thus the Tirshatha said to them: ‘Lo, you are confirmed in the status that is presumed up to now to pertain to you. So what were you eating in the Exile? Holy Things set forth in the provinces [priestly rations, but not Holy Things in the Temple]. Here, too, you will eat Holy Things set forth in the provinces.’”
 - E. *And from the perspective of him who maintains that we raise the status of someone who can prove that he rightfully ate priestly rations as to the purity of his genealogy are well [so that another priest may marry his daughter], wouldn't they turn out to promote them?*
 - F. *But this case is exceptional, for the presumption concerning them had been weakened.* [Freedman: When people saw that other priests ate Holy Things and they didn't, it would be known that their genealogy was suspect.]
 - G. *Then what's the point of the allegation, The presumption that the status quo is to be continued is powerful?*
 - H. *It is that, to begin with, they ate priestly rations as defined merely by rabbinical rulings [which extended that status to produce that would not have qualified by the criteria laid down in the Torah], and now they could eat priestly rations as defined by the criteria of the Torah itself. And if you prefer, I shall say, in point of fact, they now could eat only priestly rations as defined merely by rabbinical rulings, but not by that defined by the criterion of the Torah. For on what basis do we raise the status of someone who can prove that he rightfully ate priestly rations as to the purity of his genealogy? That is only*

when the priestly rations are those defined by the criteria of the Torah.

I. *Then what's the point of the allegation, The presumption that the status quo is to be continued is powerful?*

J. *Because to begin with there was no basis on which to make a decree by reason of priestly rations are those defined by the criteria of the Torah, while now, while they might have been forbidden to eat priestly rations as defined by the criteria of the Torah, they nonetheless ate priestly rations as defined by rabbinical decree, if not that defined by the Torah's criteria.*

K. *Well, then, didn't they eat priestly rations as defined by the Torah's criteria? Then what about: And the Tirshatha said to them, that they should not eat of Most Holy Things until there stood up a priest with Urim and Thummim – meaning, only Most Holy Things they might not eat, but everything else they could eat?*

L. *This is the sense of his statement: "Neither what is classified as Holy Things, nor what is classified as Most Holy Things may they eat." Neither what is classified as Holy Things: "There shall no stranger eat Holy Things" (Lev. 22:10); nor what is classified as Most Holy Things: "And if a priest's daughter be married to a stranger, she shall not eat of the heave-offerings of the Holy Things" (Lev. 22:12), and a master has said, "This refers to what is raised up of Holy Things [70A] she shall not eat."*

IV.1 A. Converts, and freed slaves:

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

C. Said R. Hisda, "Said Scripture, 'and all such as had separated themselves unto them from the filthiness of the heathen of the land' (Ezra 6:21)."

V.1 A. Mamzers:

- B. *How on the basis of Scripture do we know that fact?*
- C. “And Sanballat the Horonite and Tobiah the slave, the Ammonite heard it” (Neh. 2:10); “Moreover in those days the nobles of Judah sent many letters unto Tobiah, for there were many in Judah sworn unto him, because Tobiah was the son-in-law of Shechaniah [who was an Israelite] the son of Arah, and his son Jehohanan had taken the daughter of Meshullam the son of Berechiah to wife” (Neh. 6:17-18). *The Tannaite authority before us takes the view that a gentile or a slave who has sexual relations with an Israelite woman – the offspring is a mamzer.*
- D. *That poses no problem to him who maintains that the offspring is a mamzer, but from the viewpoint of him who holds that the offspring is wholly valid, what is to be said? Furthermore, how do you know that Tobiah and his son had children with these Israelite women? Maybe they didn’t have children? And furthermore, how do you know that they were originally here but then went up to the Land of Israel? Perhaps to begin with they were located there in the Land of Israel?*
- E. *Rather, the proposition derives from the following:* “And these are the ones who went up from Tel-melah, Tel-harsha, Cherub, Addon, and Immer, but they could not show their fathers’ houses nor their seed, whether they were of Israel” (Neh. 7: 6) – “Tel-melah [salt heap]”: This refers to people whose deeds are like those of Sodom, which was turned into a salt heap; “Tel-harsha”: This refers to those who ask for their fathers, whom their mothers silence; “but they could not show their fathers’ houses nor their seed, whether they were of Israel”: This refers to a foundling, gathered up from the street.
- F. “Cherub, Addon, and Immer”: Said R. Abbahu, “Said the Lord, ‘I said that the Israelites would be valued before me as a cherub, but they have made themselves into a leopard’” [Freedman: which is not particular to copulate with its own mate; when Israel acted that way, they produced mamzerim].
- G. *There are those who say,* said R. Abbahu, “Said the Lord, ‘Even though they have made themselves into a leopard, nonetheless, the Israelites are valued before me as a cherub.’”

Topical Appendix on the Mamzer and the Result of Other Inappropriate Unions

- V.2** A. Said Rabbah bar bar Hannah, “Whoever marries a woman who is not genealogically suitable to him – Scripture regards him as though he had

ploughed the whole world and sown it with salt: ‘And these are the ones who went up from Tel-melah, Tel-harsha.’”

- V.3** A. Said Rabbah bar R. Adda said Rab, “Whoever marries a woman for money will have children who are unworthy: ‘They have dealt treacherously against the Lord, for they have produced strange children’ (Hos. 6: 7). And lest you think, at least the money is there, Scripture states, ‘Now shall the new moon devour them with their portions’ (Hos. 5: 7). And lest you think, his, not hers, the language that is used refers to both: ‘Their portions.’ And lest you think that that is only after a long period, Scripture is explicit: ‘The new moon.’”

B. *How does this make the point?*

C. Said R. Nahman bar Isaac, “A new month comes, the old month goes, and their money is lost.”

- V.4** A. And said Rabbah bar R. Adda said Rab, and some say, said R. Sela said R. Hamnuna, “Whoever marries a woman who is not genealogically suitable to him – Elijah binds him to the stock and the Holy One, blessed be He, administers the flogging.”

B. *And a Tannaite statement:* In regard to all of them, Elijah writes and the Holy One, blessed be He, signs: “Woe to him who invalidates his seed and does injury to his family’s genealogy. Elijah binds him to the stock and the Holy One, blessed be He, administers the flogging.”

C. Whoever alleges that others are genealogically invalid is himself invalid and never says a good thing about other people.

D. And said Samuel, “By reference to a flaw in himself he invalidates others.”

- V.5** A. *There was a man from Nehardea who went into a butcher shop in Pumbedita. He said to them, “Give me meat.”*
- B. *They said to him, “Wait until the servant of R. Judah bar Ezekiel gets his, and then we’ll give to you.”*
- C. *He said, “So who is this Judah bar Shevisek who comes before me to get served before me?”*
- D. *They went and told R. Judah.*
- E. *He excommunicated him.*
- F. *They said, “He is in the habit of calling people slaves.”*
- G. *He proclaimed concerning him, “He is a slave.”*
- H. *The other party went and sued him in court before R. Nahman.*

- I. *When the summons came, R. Judah went to R. Huna, he said to him, "Should I go, or shouldn't I go?"*
- J. *He said to him, "In point of fact, you really don't have to go, because you are an eminent authority. But on account of the honor owing to the household of the patriarch [of the Babylonian Jews], get up and go."*
- K. *He came. He found him making a parapet.*
- L. *He said to him, "Doesn't the master concur with what R. Huna bar Idi said Samuel said, 'Once a man is appointed administrator of the community, it is forbidden for him to do servile labor before three persons'?"*
- M. *He said to him, "I'm just making a little piece of the balustrade."*
- N. *He said to him, "So what's so bad about the word, 'parapet,' that the Torah uses, or the word 'partition,' that rabbis use?"*
- O. *He said to him, "Will the master sit down on a seat?"*
- P. *He said to him, "So what's so bad about 'chair,' which rabbis use, or the word 'stool,' which people generally use?"*
- Q. *He said to him, "Will the master eat a piece of citron-fruit?"*
- R. *He said to him, "This is what Samuel said, 'Whoever uses the word "citron-fruit" is a third puffed up with pride.' It should be called either etrog, as the rabbis do, or 'lemony-thing,' as people do."*
- S. *He said to him, "Would the master like to drink a goblet of wine?"*
- T. *He said to him, "So what's so bad about the word 'wineglass,' as rabbis say, or 'a drink,' as people say?"*
- U. *He said to him, "Let my daughter Dunag bring something to drink?"*
- V. *He said to him, "This is what Samuel said, 'People are not to make use of a woman.'"*
- W. *"But she's only a minor!"*
- X. *"In so many words said Samuel, 'People are not to make use of a woman in any manner, whether adult or minor.'"*
- Y. *"Would the master care to send a greeting to my wife, Yalta?"*
- Z. *He said to him, "This is what Samuel said, 'Even the sound of a woman's voice is [forbidden as] lustful.'"*
- AA. *"Maybe through a messenger?"*
- BB. *He said to him, "This is what Samuel said, [70B] 'People are not to inquire after a woman's health.'"*

- CC. "Through her husband?!"
- DD. *He said to him, "This is what Samuel said, 'People are not to inquire after a woman's health in any way shape or form.'"*
- EE. *His wife sent word to him, "Settle the man's case for him, so that he not make you like any other fool."*
- FF. *He said to him, "So what brings you here?"*
- GG. *He said to him, "You sent me a subpoena." He said to him, "Now if even the language of the master I don't know, how in the world could I have sent you a subpoena?!"*
- HH. *He produced the summons from his bosom and showed it to him: "Here is the man, here is the subpoena!"*
- II. *He said to him, "Well, anyhow, since the master has come here, let's discuss the matter, so people should not say that rabbis are showing favoritism to one another."*
- JJ. *He said to him, "How come the master has excommunicated that man?" "He harassed a messenger of the rabbis."*
- KK. *"So why didn't the master flog him, for Rab would flog someone who harassed a messenger of the rabbis?"*
- LL. *"I did worse to him."*
- MM. *"How come the master declared the man that he was a slave?"*
- NN. *"Because he went around calling other people slaves, and there is a Tannaite statement: Whoever alleges that others are genealogically invalid is himself invalid and never says a good thing about other people. And said Samuel, 'By reference to a flaw in himself he invalidates others.'"*
- OO. *"Well, I can concede that Samuel said to suspect such a man of such a genealogy, but did he really say to make a public declaration to that effect?"*
- PP. *In the meanwhile, the litigant from Nehardea came along. Said that litigant to R. Judah, "You called me a slave, I, who descend from the royal house of the Hasmoneans!"*
- QQ. *He said to him, "This is what Samuel said, 'Whoever says that he comes from the house of the Hasmoneans is in fact a slave.'"*
- RR. *[Nahman] said to him, "Doesn't the master concur with what R. Abba said R. Huna said Rab said, 'Any disciple of a sage who teaches a law, if this is prior to the case that he said it, is listened to, but if not, is not listened to?'"*

- SS. *He said to him, "Well, there's R. Mattenah, who concurs with me." Now R. Mattenah had not seen the town of Nehardea for thirteen years, but on that very day, he paid a visit. Said [Judah] to him, "Does the master remember what Samuel said when he was standing with one foot on the bank and one foot on the bridge?"*
- TT. *He said to him, "This is what Samuel said, 'Whoever says that he comes from the house of the Hasmoneans is in fact a slave, for of that family survived only one woman, who climbed up to the roof and shouted in a loud voice, "Whoever says that he comes from the house of the Hasmoneans is in fact a slave." She then fell from the roof and died.'"* So they issued a proclamation concerning the litigant that he was a slave.
- UU. *Now on that day, many marriage contracts were ripped up in Nehardea. So when R. Judah came out, they came out after him to stone him. He said to them, "So if you'll shut up, just shut up, but if not, I'm going to tell concerning you what Samuel said, namely, 'There are two families in Nehardea, the household of the dove and the household of the raven, and the mnemonic is, the unclean is unclean, the clean, clean.'"*
- VV. *So they tossed away their stones, and that made a dam in the royal canal.*
- WW. *[Then] R. Judah declared in Pumbedita, "Adda and Jonathan are slaves, Judah bar Pappa is a mamzer, Bati bar Butiah arrogantly refused to accept a writ of manumission."*
- XX. *Raba proclaimed in Mahoza, "The households of Bela, Dena, Tela, Mela, and Zega all are unfit."*
- YY. *R. Judah said, "The household of Guba are Gibeonites; Durunita is a village made of of Netins."*
- ZZ. *Said R. Joseph, "The household of Kubi in Pumbedita is made up entirely of slaves."*

- V.6** A. Said R. Judah said Samuel, "Four hundred slaves" – some say, "four thousand slaves" – did Pashur son of Immer have, and they all became mixed up with the priesthood, so every priest who shows arrogance derives only from them."
- B. *Said Abbayye, "And all of them live within the wall of Nehardea."*
- C. *And [Judah] differs from R. Eleazar, for said R. Eleazar, "If you see a priest who is brazen, don't entertain suspicions about his origins, for it is said, 'Your people are like the contentious ones in the priesthood' (Hos. 4: 4)."*

V.7 A. Said R. Abin bar R. Adda said Rab, “Whoever marries a woman who is not genealogically suitable to him – when the Holy One, blessed be He, brings his divine presence to rest on Israel, he will testify concerning all of the tribes, but he will not testify concerning him: ‘The tribes of the Lord are a testimony to Israel’ (Psa. 122: 4). So when are the tribes ‘a testimony to Israel’? When the tribes really are ‘tribes of the Lord.’”

V.8 A. Said R. Hama b. R. Hanina, “When the Holy One, blessed be He, brings his divine presence to rest on Israel, he will bring it to rest only on families of proper genealogy in Israel: ‘At that time says the Lord will I be the God of all the families of Israel’ (Jer. 31: 1) – not to ‘all Israel,’ but to ‘all the families of Israel,’ ‘and they shall be my people.’”

B. Said Rabbah bar R. Huna, “This is a distinguishing point that separates Israelites from proselytes, *for in the case of Israelites it is written*, ‘and they shall be my people,’ *while with reference to proselytes*, ‘for who is he who has boldness to approach me, says the Lord.’ ‘You shall be my people,’ then ‘I will be your God.’”

V.9 A. Said R. Helbo, “Proselytes are as hard for Israel as a scab: ‘And the stranger shall join himself with them and they shall cleave to the house of Jacob’ (Isa. 14: 1). Here we find the word ‘cleave,’ and elsewhere, using the same letters, it is written, ‘This is the Torah for all kinds of signs of the plague of the skin ailment: And for a rising or for a scab’ (Lev. 14:56).”

V.10 A. Said R. Hama bar Hanina, “When the Holy One, blessed be He, **[71A]** purifies the tribes, he will purify the tribe of Levi first: ‘And he shall sit as a refiner and purifier of silver, and he shall purify the sons of Levi and purge them as gold and silver, and they shall offer to the Lord offerings in righteousness’ (Mal. 3: 3).”

V.11 A. Said R. Joshua b. Levi, “Money can purify a mamzer: ‘And he shall sit as a refiner and purifier of silver.’” [Silver purifies, people marry below themselves for money.]

V.12 A. *What is the meaning of* “and they shall offer to the Lord offerings in righteousness” (Mal. 3: 3)?

B. Said R. Isaac, “The Holy One, blessed be He, did an act of charity with Israel, in that once a family’s genealogy degenerates, it remains degenerate.”

- V.13** A. *Reverting to the body of the foregoing [I:3]:* R. Judah said Samuel said, “All other countries are like gross dough [not fine flour] in comparison to the Land of Israel, and the Land of Israel is like gross dough by comparison to Babylonia” –
- B. In the time of Rabbi, they wanted to declare Babylonia as dough in comparison with the Land of Israel. [Since his ancestor, Hillel, had come from Babylonia,] he said to them, “You’re throwing thorns between my eyes. If you like, R. Hanina bar Hama will deal with you.”
- C. R. Hanina bar Hama said to them, “This is what I hold as a tradition from R. Ishmael b. R. Yosé, who made a statement in his father’s name: ‘All other countries are like gross dough [not fine flour] in comparison to the Land of Israel, and the Land of Israel is like gross dough by comparison to Babylonia.’”
- V.14** A. In the time of R. Phineas, they wanted to declare Babylonia as dough in comparison with the Land of Israel. He said to his staff, “When I make two statements in the house of study, pick me up in my litter and run like hell.”
- B. *When he came in, he said to them,* “On the basis of the law of the Torah, there is no requirement that fowl be slaughtered.”
- C. *So while they were looking into that statement, he said to them,* “All other countries are like gross dough [not fine flour] in comparison to the Land of Israel, and the Land of Israel is like gross dough by comparison to Babylonia.” They picked him up in his litter and ran like hell. They ran after him but couldn’t catch up. So they went into session and they did thorough genealogical research until they got to some danger spots, and they desisted.
- V.15** A. Said R. Yohanan, “By the Temple! We have the power to do it. But what should I do? For lo, the greatest families of the generation are mixed up in that situation.”
- B. *He concurs with R. Isaac, for* said R. Isaac, “Once a family’s genealogy degenerates, it remains degenerate.”
- V.16** A. *Said Abbaye, “So, too, have we a Tannaite formulation in the Mishnah itself: The family of the house of Seriphah was in Transjordan, and Ben Zion put it out by force. And there was another family there, which Ben Zion drew near by force. It is [families of] this sort that Elijah will come to declare unclean and to declare clean, to put out and to draw near [M. Ed. 8:7D-F].*

That is, only such as these, whose identity is known, but once a family's genealogy degenerates, it remains degenerate."

B. *A Tannaite statement:* There was yet another, but sages didn't want to reveal which one, but sages hand on to their sons and disciples [the identity of that family], repeating the information once every seven years.

C. *Others say,* "Twice every seven years."

D. *Said R. Nahman bar Isaac,* "*It stands to reason that the rule is in accord with him who said, once every seven years, for it has been taught on Tannaite authority: If someone said, 'Lo, I shall be a Nazirite if I don't reveal the names of the families [that are genealogically degenerate] – he must accept the status of Nazirite but must not reveal the names of those families [T. Naz. 1:3A].*"

V.17 A. Said Rabbah bar bar Hannah said R. Yohanan, "The correct pronunciation of the Divine Name made up of four letters sages hand on to their sons and disciples [the identity of that family], repeating the information once every seven years."

B. *Others say,* "Twice every seven years."

C. *Said R. Nahman bar Isaac,* "*It stands to reason that the rule is in accord with him who said, once every seven years, for it has been written, 'This is my name for ever,' but the word is so written that it can be read, 'to conceal.'*"

D. *Raba considered giving a lecture on that in the public session. Said to him a certain said,* "...the word is so written that it can be read, 'to conceal.'"

V.18 A. R. Abina contrasted verses:
"“This is my name,’ as against,
‘this is my memorial’ (Exo. 3:15).
Said the Holy One, blessed be
He, ‘It is not in the way that I am

written that I am to be read. My name is written with a YH but is read with AD [YHWH as against Adonai].”

V.19 A. *Our rabbis have taught on Tannaite authority:*

B. At first the Divine Name made up of twelve letters was handed on to all persons. But when lawless men became many, they handed it on only to discreet members of the priesthood, and the discreet members of the priesthood, when they bestowed the priestly blessing, would swallow up the name during the singing of their fellow priests.”

V.20 A. *It has been taught on Tannaite authority:*

B. Said R. Tarfon, “Once I went up after my mother’s brother to the platform [with the priests], and I inclined my ear to the high priest, and I heard that he swallowed up the Divine Name during the singing of his fellow priests.”

V.21 A. Said R. Judah said Rab, “The Divine Name made up of forty-two letters – they hand over only to one who is discreet and humble, at least half way through his span of life, someone who is doesn’t lose his temper or get drunk or contentious. And whoever knows that name and is

meticulous about protecting it and keeps it in cleanness is believed above and popular below, respected by people, inheriting both worlds: This world and the world to come.”

V.22 A. Said Samuel in the name of an elder, “Any family in Babylonia stands in the presumption of genealogical purity until you have sound evidence concerning how it has been invalidated. Families in all other countries stand in the presumption of being invalid, until you have sound evidence in favor of their validity. In the Land of Israel, a family that is assumed to be invalid genealogically remains so, one that is assumed to be valid genealogically remains so.”

V.23 A. *Well, now, there is a contradiction in the very body of this statement. First you say, a family that is assumed to be invalid genealogically remains so – so then a family of which nothing is known should be regarded as valid. But then the Tannaite statement goes on, one that is assumed to be valid genealogically remains so, so then a family of which nothing is known should be regarded as invalid.*

B. *Said R. Huna bar Tahalipa in the name of Rab, “No problem. [71B] In the one case, the question concerns permitting the man to take a wife, the other, taking a wife away from him [to marry a woman of sound genealogy, one has to prove his sound genealogy; but once a marriage takes place, without proof one is not forced to divorce the woman of unsound genealogy].”*

V.24 A. Said R. Joseph, “To someone with a Babylonia accent they marry off a woman [of sound genealogy]. *But nowadays, when there are people who can imitate the accent, we take precautions.*”

V.25 A. *Zeiri [a Babylonian] was avoiding R. Yohanan, who kept telling him, “Marry my daughter.” One day they were going down the road and came to a pool of water. Zeiri put R. Yohanan on his shoulder and carried him across the water. [Noting this gesture of respect for the master, Yohanan] said to him, “Our Torah is valid, but our daughters aren’t valid? So what are you thinking? Because we learned, Ten castes came up from Babylonia: Priests, Levites, Israelites, impaired priests, (5) converts, and freed slaves,*

mamzers, Netins, ‘silenced ones’ [shetuqi], and foundlings? *So did every one of the priests, Levites, and Israelites go up? [Obviously not. Well, then] just as some of these were left in Babylonia, so also some of the others who are listed [impaired priests, converts, and freed slaves, mamzers, Netins, ‘silenced ones’ [shetuqi], and foundlings] also were left behind.”*

B. *But he overlooked what R. Eleazar said, “Ezra did not go up from Babylonia until he had made it pure as sifted flour; then he went up.”*

V.26 A. *Ulla visited in Pumbedita the household of R. Judah. Seeing that R. Isaac b. R. Judah was mature but not yet married, he said to him, “How come the master hasn’t married off his son to a wife?”*

B. *He said to him, “So do I know where to get one of correct genealogy?”*

C. *He said to him, “So do we know whence we descend? Maybe we come from those of whom it is written, ‘They raped women in Zion, the virgins in the cities of Judah’ (Lam. 5:11). And should you reply, if a gentile or a slave has sexual relations with an Israelite woman, the offspring is valid, so then maybe we come from those of whom it is written, ‘that lie on beds of ivory and pollute themselves on their couches’ (Amos 6: 4). And said R. Yosé bar Hanina, ‘This refers to men who piss naked in front of their beds,’ but R. Abbahu ridiculed that statement: ‘If so, then notice what is written, “Therefore shall they now go captive with the first that go captive” (Amos 6: 7) – they who piss in front of their beds naked will go captive with the first who go captive! [That’s disproportionate!]* Rather, said R. Abbahu, ‘What it refers to is men who eat and drink with one another and push their beds together and trade wives with one another, and so “they pollute their beds” with semen that doesn’t belong to them.”’ [The upshot is that their children are mamzerim, and that is indelible.]

D. *He said to him, “So what should I do?”*

E. *He said, “Look for the irenic ones [avoiding contentious families, for contention marks genealogical unfitness].”*

F. *For the Western families [the ones in the Land of Israel] make a test. When two are fighting, they observe which one falls silent first. They conclude, “This one is of superior genealogy.”*

V.27 A. *Said Rab, “Irenic conduct in Babylonia is a sign of good genealogy.”*

- B. *Well is that so? And lo, Rab visited the family of Shihla and inspected them. Doesn't this mean, as to their genealogy?*
- C. *No, it means, as to their irenic conduct. This is what he said to them, "Examine them, to see whether or not they are irenic."*

V.28 A. Said R. Judah said Rab, "If you see two men quarreling with one another, that is a sign that there is some blemish of genealogical unfitness in one of them, and on that account, they are not allowed to form an alliance with one another."

- B. Said R. Joshua b. Levi, "If you see two families quarreling with one another, that is a sign that there is some blemish of genealogical unfitness in one of them, and on that account, they are not allowed to form an alliance with one another."

V.29 A. *Said R. Pappa the Elder in the name of Rab, "Babylonia is genealogically healthy, Mesene is utterly dead, Media is sick, Elam is dying. What's the difference between the sick and the dying? most of the sick get well, most of the dying die."*

V.30 A. What are the geographical limits of the genealogical province of Babylonia?

B. Rab said, "To the Azaq canal."

C. And Samuel said, "To the Vani canal."

D. What are the geographical limits of the genealogical province of the upper Tigris?

E. Rab said, "To Bagda and Avana."

F. And Samuel said, "To Moxoene."

G. But isn't Moxoene included? Didn't R. Hiyya bar Abba say Samuel said, "Moxoene – lo, so far as genealogy is concerned, it is equivalent to the Exile itself"? Rather, "Up to, and including, Moxoene."

H. What are the geographical limits of the genealogical province of the lower Tigris?

I. Said R. Samuel, "To lower Apamea."

V.31 A. *There were two Apameas, upper and lower, one was fit for genealogy, the other, unfit, and there is a single parasang of distance between them, but the residents were so finicky about one another that they wouldn't even lend fire to one another.*

B. *And your mnemonic is that the unfit speaks Mesene dialect [and the other doesn't].*

V.32 A. What are the geographical limits of the genealogical province of the upper Euphrates?

B. Rab said, "To Fort Tulbaqene."

C. Samuel said, "To the bridge at Be Perat."

D. R. Yohanan said, "To the ford at Gizama."

V.33 A. *Abbaye – and some say, R. Joseph – cursed Rab [for his definition].*

B. *Rab's, not Samuel's?*

C. *He cursed Rab's, all the more so Samuel's.*

D. *If you prefer, I shall say, he cursed Rab's, not Samuel's, and the bridge of Be Perat to begin with was located below, [72A] but nowadays the Persians set it higher."*

V.34 A. *Said Abbaye to R. Joseph, "On this side of the Euphrates, how far does it go?"*

B. *He said to him, "What's on your mind? On account of Biram? The genealogically best families of Pumbedita took wives from Biram."*

V.35 A. Said R. Pappa, "As is the dispute concerning genealogy, so is the dispute as to the delivery of writs of divorce [whether or not one has to declare that before him the document was written and signed; the issue of boundaries concerns that matter as well]."

B. And R. Joseph said, "There is a dispute as to boundaries for genealogical purposes, but as to the delivery of writs of divorce, all parties concur *that the border runs as far as the second willow clump beyond the bridge.*"

V.36 A. *Said R. Ammi bar Abba, "In respect to genealogy, Habil Yamma is the crown jewel of Babylonia, Shunya and Gubya are the crown jewel of Habil Yamma."*

B. *Rabina said, "In respect to genealogy, Sisurta, too, is the crown jewel of Habil Yama."*

C. *So, too, it has been taught on Tannaite authority along these same lines:*

D. Hanan b. Phineas says, *"In respect to genealogy, Habil Yamma is the crown jewel of Babylonia, Shunya and Gubya are the crown jewel of Habil Yama."*

E. *Said R. Pappa, "At this time, however, Samaritans are mixed up with them."*

F. *But that's not true. For a Samaritan wanted a wife among them, but they wouldn't give one to him.*

G. *What is the identity of Habil Yamma?*

H. *Said R. Pappa, "It's the Euphrates area near Borsip."*

V.37 A. [Wanting to marry a woman from Babylonia,] *a certain man said, "I come from the town of Shot-Mishot."* Stood up on his feet R. Isaac Nappaha and said, *"Shot-Mishot is located between the rivers."*

B. *So if it's between the rivers, what difference does it make?*

C. Said Abbaye said R. Hama bar Uqba said R. Yosé bar Hanina, *"The area between the two rivers – lo, it is in the status of the Exile, so far as genealogy is concerned."*

D. *And where is it located?*

E. Said R. Yohanan, *"It is located from Ihi deQira and upwards."*

F. But lo, said R. Yohanan, *"The upper limit of Babylonia is as far as the ford of Gidama"!*

G. *Said Abbaye, "There is a strip of land that extends further."*

V.38 A. R. Iqa bar Abin said R. Hananel said Rab said, *"Halwan and Nehawend – lo, these locales in the status of the Exile, so far as genealogy is concerned."*

B. *Said Abbaye to his disciples, "Don't pay any attention to him. A levirate widow has come his way there [and that's why he praises the genealogy of the area]."*

C. *He said to him, "So is this merely my opinion? It's the opinion of R. Hananel!"*

D. *They went and asked R. Hananel. He said to them, "This is what Rab said, 'Halwan and Nehawend – lo, these locales in the status of the Exile, so far as genealogy is concerned.'"*

E. *And that differs from the position of R. Abba bar Kahana, for said R. Abba bar Kahana, "What is the meaning of this verse of Scripture: 'And the king of Assyria carried Israel away into Assyria and put them in Halah and in Habor on the river of Gozan and in the cities of the Medes' (2Ki. 18:11)? Halah: This is Halwan; Habor is Adiabene; the*

river of Gozan is Ginzaq; the cities of the Medes are Hamadan and its surrounding towns” – and some say, “This refers to Nehawend and its surrounding towns.”

F. *What are the surrounding towns?*

G. Said Samuel, “Qarag, Moschi, Hidqi, and Rumqi.”

H. Said R. Yohanan, “And all of them are unfit as to genealogy.”

I. *It was assumed that Moschi was the same as Moxoene, in which case, didn't R. Hiyya bar Abin say Samuel said, “Moxoene is in the status of the Exile, so far as genealogy is concerned”?*

J. Rather, Moschi is different from Moxoene.

Topical Appendix on the Status of Various Territories in the Iranian Empire

V.39 A. “And three ribs were in his mouth between his teeth” (Dan. 7: 5):

B. Said R. Yohanan, “This refers to Halwan, Adiabene, and Nisibis, which Persia sometimes swallowed but sometimes spit out.”

V.40 A. “And behold another beast, a second, like a bear” (Dan. 7: 5):

B. *R. Joseph repeated as a Tannaite formulation*, “This refers to the Persians, who eat and drink like a bear, are obese like a bear, are shaggy like a bear, and are restless like a bear.”

C. *R. Ammi, when he would see a Persian writing on a horse, would say, “There goes a wandering bear.”*

V.41 A. Said Rabbi to Levi, “Tell me about the Persians.”

B. He said to him, “They look like the hosts of the house of David.”

C. “Tell me about the Magi.”

D. They are like the angels of destruction.”

E. “Tell me about the Ishmaelites.”

F. “They are like the demons of the privy.”

G. “Tell me about the disciples of sages who are in Babylonia.”

H. “They are like the ministering angels.”

Reversion to the Prior Problem

V.42 A. *When Rabbi was dying, he said, “There is the town of Humanayya in Babylonia, the whole of the population of which is made up of Ammonites; there is the town of Misqarayya in Babylonia, the whole population of which is made up of mamzers; there is the town of Birqa in Babylonia: Two brothers swap wives there; there is the town of Birta diSatayya in Babylonia, only today they have apostatized from following the Omnipresent, for a fish pond overflowed on the Sabbath, so they went and caught the fish on the Sabbath, on account of which R. Ahi b. R. Josiah excommunicated them, and they have apostatized. There is the town of Fort Agama in Babylonia. Adda bar Ahbah is located there. [72B] Today he is sitting in the bosom of Abraham [being circumcised]. Today Rab Judah was born in Babylonia.”*

V.43 A. A Master said, “When R. Aqiba died, Rabbi was born; when Rabbi died, R. Judah was born; when R. Judah died, Raba was born; when Raba died, R. Ashi was born.

B. “This serves to teach you that a righteous man does not take his leave from the world before another righteous man like him is created: ‘The sun rises, and the sun goes down’ (Qoh. 1: 5).

C. “Before Eli’s sun set, Samuel of Ramah’s sun shone: ‘And the lamp of God was not yet gone out, and Samuel was laid down’ (1Sa. 3: 3).”

V.44 A. “The Lord has commanded concerning Jacob that they that are round about him should be his adversaries” (Lam. 1:17):

B. R. Judah said, “For instance, [gentile] Humanayya in relationship to [Jewish] Pum Nehara.”

V.45 A. “And it came to pass, when I prophesied, that Pelatiah son of Benaiah died. Then I fell down upon my face and cried with a loud voice and said, ‘Ah Lord God’” (Eze. 11:13):

B. Rab and Samuel –

C. one said, “This was for good [in praise of Pelatiah].”

D. and the other said, “This was for bad.”

E. *As to him who said it was for good: The governor of Mesene was the son-in-law of Nebuchadnezzar. He sent him word, “Of all the entire captive group that you have brought for yourself, you haven’t sent anybody to appear before us.” He wanted to send him an Israelite. Said to him Pelatiah son of Benaiah, “We, who are of high*

esteem, will stand before you here, and let our slaves go over there.” So the prophet cried: “Should one who did good for Israel die in the middle of his life!”

F. *As to him who said it was for bad, it is written, “Moreover the spirit lifted me up and brought me into the east gate of the Lord’s house, which looks eastward; and behold, at the door of the gate twenty-five men, and I saw in the midst of them Joazaniah son of Azzur and Pelatiah son of Benaiah, princes of the people” (Eze. 11: 1). And it is said, “And he brought me into the inner court of the Lord’s house, and behold, at the door of the Temple of the Lord, between the porch and the altar, were about twenty-five men with their backs toward the Temple of the Lord and their faces toward the east” (Eze. 8:16). Well, now, since it is said, “and their faces toward the east,” don’t I know that their backs were toward the west?! So why does Scripture say, “with their backs toward the Temple of the Lord”? This teaches that they dropped their pants and defecated toward the Most High. Therefore the prophet said, “Should he who has done this bad thing in Israel die in peace in his own bed?”*

G. *You may, moreover, draw the conclusion that it is Samuel who said, “This was for bad.” For said R. Hiyya bar Abin said Samuel, “Moxoene is in the status of the Exile, so far as genealogy is concerned. As for Mesene, they did not suspect the population’s genealogy either on the count of slavery or on the count of mamzerut. But the priests who were there didn’t take seriously the issue of divorcées but married them.”*

H. *In point of fact I may say to you, it really was Samuel who said, “This was for good [in praise of Pelatiah].” And Samuel is consistent with a view expressed elsewhere, for he said, “He who declares his slave to be ownerless property – the slave goes forth to freedom and does not require a writ of emancipation, as it is said, ‘Every man’s slave that is bought for money’ (Exo. 12:44) – does this mean the slave of a man and not the slave of a woman? Rather: A slave whose master exercises possession of him is called a slave, but one the master of whom does not exercise possession of him is not called a slave.”*

V.46 A. [Supply: **Ten castes came up from Babylonia**, in line with the interpretation of R. Eleazar, “Ezra did not go up from Babylonia until he had made it pure as sifted flour; then he went up” (Freedman: taking those of inferior genealogy, so that they should not remain in Babylonia):] Said R. Judah said Samuel, “This represents the statement of R. Meir, but sages say, ‘Israelite residents of all countries are assumed to be valid.’”

V.47 A. *Amemar permitted R. Huna bar Nathan to take a wife from Khuzistan. Said to him R. Ashi, “So what’s on your mind? What R. Judah said Samuel said, ‘This represents the statement of R. Meir, but sages say, ‘Israelite residents of all countries are assumed to be valid’”? But lo, R. Kahana did not repeat the Tannaite formulation in that manner, nor did the household of R. Pappa repeat the Tannaite formulation in that way, nor did the household of R. Zebid do so!’”*

B. *Even so, he did not accept the ruling from him, because he heard [his tradition] from R. Zebid of Nehardea.*

- V.48** A. *Our rabbis have taught on Tannaite authority:*
- B. **“Netins and Mamzers will be genealogically purified in the world to come,” the words of R. Yosé.**
 - C. **R. Meir says, “They will not be clean.”**
 - D. **Said to him R. Yosé, “But hasn’t it been said, ‘I will sprinkle clean water upon you, and you shall be clean’ (Eze. 36:25)?”**
 - E. **Said to him R. Meir, “When Scripture says, ‘And you shall be clean from all your uncleannesses and from all your idols I will cleanse you’ (Eze. 36:25) – [it means,] but not from the status of mamzer.”**
 - F. **Said to him R. Yosé, “When Scripture says, ‘I will cleanse you’ it means, also from the status of mamzer” [T. Qid. 5:4A-E].**

V.49 A. *Now from the perspective of R. Meir, there is no problem, for that’s in line with the verse, “And the mamzer will dwell in Ashdod” (Zec. 9: 6) [Freedman: apart from all other Jews, because they will remain forbidden to marry]. But from the perspective of R. Yosé, how are we to understand the verse, “And the mamzer will dwell in Ashdod” (Zec. 9: 6)?*

B. *It is in line with the way in which R. Joseph in his translation explained it: “The house of Israel shall dwell securely in their land, where they used to be like strangers.”*

V.50 A. Said R. Judah said Samuel, “The decided law is in accord with R. Yosé.”

B. *Said R. Joseph, “If it were not for the fact that said R. Judah said Samuel, “The decided law is in accord with R. Yosé,” Elijah would come and send away from us whole platoons [of mamzerim].”*

V.51 A. *Our rabbis have taught on Tannaite authority:*

B. **“A proselyte may marry a mamzer girl,” the words of R. Yosé.**

C. **R. Judah says, “A proselyte should not marry a mamzer girl” [T. Qid. 5:2B].**

D. “All the same are a proselyte, a freed slave, and a priest of impaired genealogy: They are permitted to marry a priest girl.”

V.52 A. *What is the scriptural basis for the position of R. Yosé?*

B. *There are five references in Scripture to “assembly,” [73A] one referring to priests, one to Levites, one to Israelites, one to permit a mamzer to marry a silenced one, and one to permit a silenced one to marry an Israelite. But “the congregation of proselytes” is not in this context classified as a congregation for purposes of marriage.*

C. *And R. Judah?*

D. *The intermarriage of priests and Levites derives from a single reference to “congregation,” leaving over a reference to “congregation” for proselytes.*

E. *And if you wish, I shall say: It is indeed the fact that priests and Levites are classed as two congregations, but the fact that a mamzer may marry a silenced one or a silenced one an Israelite derives from a single reference to the word assembly, namely: “A mamzer shall not enter into the assembly of the Lord” (Deu. 23: 3) – one who is beyond all doubt a mamzer is the one who may not enter, but one who may or may not be a mamzer may enter. It is the assembly made up of those who are not subject to doubt that he may not enter, but the assembly of those who are subject to doubt he may enter.*

F. *And if you wish, I shall say, these two form two assemblies, but R. Judah’s verse of Scripture is as follows: “For the assembly there shall be one statute for you and for the proselyte that sojourns with you” (Num. 15:15) [leaving “for the assembly” as superfluous, covering the proselyte wherever it is found].*

G. And from R. Yosé's perspective, "one statute" interrupts the discussion [Freedman: showing that "proselyte" is not included in "assembly"].

V.53 A. "All the same are a proselyte, a freed slave, and a priest of impaired genealogy: They are permitted to marry a priest girl":

B. *This supports the position of Rab, for* said R. Judah said Rab, "Genealogically fit women were not warned against marrying unfit men [that is, fit priest girls are not admonished not to marry those who may not marry into the priesthood]." [Freedman: While a priest may not marry the daughter of a priest of impaired genealogy, freed man or proselyte, the daughter of a priest may marry one of these.]

V.54 A. R. Zira expounded in Mehoza [where there were many proselytes], "A proselyte may marry a mamzer girl." *Everybody threw their etrogs at him.*

B. *Said Raba, "Is there really someone who would give such an exposition in a place where there are lots of proselytes?!"*

C. Expounded Raba in Mehoza, "A proselyte may marry a priest girl." They loaded him up with silk.

D. *Then he went and expounded for them, "A proselyte may marry a mamzer girl."*

E. *They said to him, "You destroyed your first lesson!"*

F. *He said to them, "It was what was good for you that I did. If you want, you take a wife from this source, and if you want, you take a wife from that source. And the decided law is, as a matter of fact: A proselyte may marry a priest girl – genealogically fit women were not warned against marrying unfit men; and a proselyte may marry a mamzer girl, in accord with R. Yosé."*

VI.1 A. **And what are "silenced ones"? Any who knows the identity of his mother but does not know the identity of his father. And foundlings? Any who was discovered in the market and knows neither his father nor his mother:**

B. Said Raba, "By the law of the Torah, a silenced one is fit. *How come?* The majority of men are fit to marry the mother, and only a minority would be unfit to marry her [Freedman: since we know that the mother was unmarried, the only men whose offspring would be a mamzer are themselves mamzers or

consanguineous relations, for a gentile or slave doesn't produce a mamzer; only a minority would be unfit in this regard]. *So if they went to her, then he who separates himself in such a way separates himself from the majority.*"

- C. *And what would you say if she went to them?*
- D. [In what follows, the distinction is drawn between the moving and the stationary figure in a transaction. Reference is made here to M. **Ket. 1:10** and the discussion at B. **Ket. 14b-15** B: Said R. Yosé, **"There was the case of a girl who went down to draw water from the well and was raped. Ruled R. Yohanan b. Nuri, 'If most of the men of the town marry off their daughters to the priesthood, lo, she may be married into the priesthood.'**" Said Raba to R. Nahman, *"In accord with which authority did R. Yohanan b. Nuri make his ruling? It could not be Rabban Gamaliel, since he declares the offspring fit even when the majority of men she is likely to have had sexual relations with are unfit, and it could not be R. Joshua, since he declares the offspring unfit even where the majority were like to have been fit?"* He said to him, *"This is what R. Judah said Rab said, 'The incident took place at the springs of Sepphoris, and it was in accord with what R. Ammi said, for said R. Ammi, "And that is the case when a gang of genealogically suitable rapists passed by."* And also it accords with R. Yannai, for said R. Yannai, 'If she had sexual relations at the springs, she is fit for the priesthood.'" At the springs *do you say?* Rather, "...if she had sexual relations at the time people came to the springs, she is fit for the priesthood. But if somebody came from Sepphoris and had sexual relations with her, the child is a silenced one." *That is in accord with what R. Dimi said when he came, Zeiri said R. Hanina said, and some say, Zeiri said in the name of R. Hanina, "We are guided by the criterion of the character of the majority of the inhabitants of the town, and we are not guided by the character of the majority of the bypassers."* To the contrary, *the bypassers move about and the townsfolk are stationary.* Now to the solution to our problem:] *You would have a case in which she would be classified as one fixed in place, and in that case, where there is a case of doubt, it would be a fifty-fifty possibility, while the Torah has said, "A mamzer shall not enter the congregation" – one who is beyond all doubt a mamzer is the one who may not enter, but one who may or may not be a mamzer may enter. It is the assembly made up of those who are not subject to doubt that he may not enter, but the assembly of those who are subject to doubt he may enter.*
- E. Well, if that's so, then how come they have said, "A silenced one is invalid"?

- F. It is a precautionary decree, lest he marry his sister on his father's side.
- G. Well, then, by that reasoning, a silenced one who is male should not marry a silenced one who is female, lest he marry his sister on his father's side!
- H. *So such an extent do you really think women lay about?*
- I. Well, at any rate, he shouldn't marry the daughter of a silenced one who is female, lest he marry his father's sister!
- J. *Well, that's not common.*
- K. *So this isn't common either.*
- L. The real reason is this: A higher standard of certainty is required in the case of genealogy.

- VI.2** A. And said Raba, "By the law of the Torah, a foundling is fit. *How come?* A married woman ascribes an illegitimate child to her husband [and wouldn't throw the child out as a foundling]."
- B. *So then what's the operative consideration here [yielding the possibility that the foundling may be a mamzer]?*
 - C. There is the consideration involving a minority of betrothed women and a minority of women whose husbands have gone abroad [from whom the foundling may derive]. *But, by contrast, since there are also women who are unattached [and whose offspring therefore are not mamzers], and there are also those who relinquish offspring by reason of poverty, you have a case of half and half, and the Torah has said, "A mamzer shall not enter the congregation" – one who is beyond all doubt a mamzer is the one who may not enter, but one who may or may not be a mamzer may enter. It is the assembly made up of those who are not subject to doubt that he may not enter, but the assembly of those who are subject to doubt he may enter.*
 - D. Well, if that's so, then how come they have said, "A silenced one is invalid"?
 - E. It is a precautionary decree, lest he marry his sister on his father's side.
 - F. Well, then, by that reasoning, a foundling male should not marry a foundling female, lest he marry his sister on his father's side!
 - G. *So such an extent do you really think women lay about?*
 - H. Well, at any rate, he shouldn't marry the daughter of a silenced one who is female, lest he marry sister, whether on his father's side or on his mother's side!
 - I. *To such an extent people don't go around tossing away their children.*

- J. *In any case let him not marry the daughter of a foundling, lest he marry his sister! But in point of fact, it's really unusual, and here, too, [with respect to a foundling marry an ordinary person] it is also rare.*
- K. The real reason is this: A higher standard of certainty is required in the case of genealogy.

- VI.3** A. Said Raba bar R. Huna, "If a foundling was found circumcised, [73B] he is not subject to the classification of foundling at all. If [Freedman:] *his limbs are set*, he is not subject to the classification of foundling at all. *If he has been massaged with oil, fully powdered, has beads hung on him, wears a tablet or an amulet*, he is not subject to the classification of foundling at all. *If he was hung from a palm tree or located where a wild beast can reach him*, he is subject to the classification of foundling, and if not, he is not subject to the classification of foundling at all. *If he was left exposed on a sorb bush, if it is near a town*, he is subject to the classification of foundling; and if not, he is not subject to the classification of foundling at all. *If he is found near a synagogue near a town, where large numbers gather*, he is not subject to the classification of foundling at all. And if not, he is subject to the classification of foundling."
- B. Said Amemar, "*If he is found in a garbage dump for date pits*, he is subject to the classification of foundling. *If he is found in the swift current of a river*, he is not subject to the classification of foundling at all. *If he is found in the shallow water [where ships can't pass]*, he is subject to the classification of foundling. *If he is found at the side of the public way*, he is not subject to the classification of foundling at all. *If he is found in the middle of the public way*, he is subject to the classification of foundling."
- C. Said Raba, "But if this was in years of famine, he is not subject to the classification of foundling at all."

D. *To what statement does Raba's qualification make reference? Should we say that he makes reference to finding the baby in the public domain? Then, because there is a famine, is the mother out to kill him? And if it refers to the sides of the public way, then why is that the case in particular during famine years, when the same consideration would operate when there is no time of famine!*

E. *Rather, when the statement of Raba was made, it concerned what R. Judah said R. Abba said R. Judah bar Zabedi said Rab said, "So long as the foundling is located in the marketplace, his father and mother are*

believed concerning his status. Once he is gathered in from the marketplace, they are not believed concerning his status.”

F. *How come?*

G. Said Raba, “Since he now is regarded as a foundling.”

H. And said Raba, “But in times of famine, even though he was gathered in from the marketplace, his father and mother are believed concerning his status.”

VI.4 A. Said R. Hisda, “Three are believed if they give their testimony on the spot, and these are they: [Those who state the status of] a foundling, a midwife, and one who lifts from her companions. the suspicion of having been raped”

B. A foundling: As we have now said.

C. ...A midwife: *As has been taught on Tannaite authority:* A midwife is believed to declare, “This one came out first, and this one came out second.” Under what circumstances? If she didn’t leave and then come back; but if she left and then came back, she is not believed.

D. R. Eliezer says, “If she was assumed to have been at her post, she is believed, if not, not.”

E. *So what’s at issue between them?*

F. *A case in which she turned away* [in which instance, the initial opinion would hold she is believed, but Eliezer would say, by turning her back, she has left her post (Freedman)].

G. And one who lifts the suspicion of having been raped from her companions: *As we have learned in the Mishnah: 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 [M. Nid. 9:4A-C].* Said R. Hisda, “[If] one of them examined herself means, forthwith.”

VI.5 A. *Our rabbis have taught on Tannaite authority:*

B. A midwife is believed to testify, “This one is a priest, this one is a Levite, this one is a Netin, this one is a mamzer.” Under what circumstances? In a case in which there is no sort of objection. But if someone raises an objection, she is not believed.

VI.6 A. *Who is to raise the protest? Should we say it is raised by only a single individual? Then hasn't R. Yohanan said, "A valid protest can be raised by no fewer than two persons"? So it must be a protest raised by two persons. Or, if you prefer, I shall say that it really was a protest raised by only one individual. But when R. Yohanan made the statement, "A valid protest can be raised by no fewer than two persons," that is the case only when the person subject to the protest has been assumed to be valid, but in a case in which there is no presumption of validity, a single individual likewise is believed.*

VI.7 A. **A vendor is believed to testify, "To this one I sold it, and to that one I didn't sell it." Under what circumstances? When the object is still in his possession. But if the object is no longer in his possession, he is not believed [T. B.M. 1:11].**

VI.8 A. **[74A]** *But why not find out which party's money he has in hand?*
B. *But why not just see from whom [the seller] has accepted the money [and when he indicates who paid for the cloak, we know the resolution of the conflict]?*
C. *Not at all, the [oath is] required in a case in which the seller has taken money from them both, one of them willingly, one of them under constraint, and we do now know from whom it was taken willingly, and from whom under constraint.*

VI.9 A. **A judge is believed to testify, "This party I declared free of obligation, that party I have declared guilty." Under what circumstances? When the litigants are standing before him. But if the litigants are not standing before him, he is not believed [T. B.M. 1:12].**

VI.10 A. *Well, why not just find out who holds the written verdict in his favor?*
B. *It is a case in which the writ in his favor was torn up.*
C. *Well, why not go and retry the case?*
D. *This procedure depends on the judges' discretion.*

VI.11 A. Said R. Nahman, "Three are believed in regard to a firstborn, and these are they: The midwife, the father, and the mother. The midwife is believed if she gives testimony on the spot; the mother, all seven days after birth; and the father, permanently."

B. *For it has been taught on Tannaite authority:* “He shall acknowledge the firstborn” (Deu. 21:17) – even to others [letting the know who is firstborn].

C. In this connection said R. Judah, “A man is believed to state, ‘This son of mine is firstborn.’ And just as he is believed to state, ‘This son of mine is firstborn,’ so he is believed to state, ‘This son of mine is the son of a divorcée or the son of a woman who has performed the rite of removing the shoe.’”

D. And sages say, “He is not believed.”

VII.1 A. Abba Saul did call a “silenced one” [shetuqi] “one who is to be examined” [beduqi]:

- B. *What’s the meaning of “one who is to be examined”? Should we say, they examine his mother, and if she says, “I had sexual relations with a valid person,” she is believed? Then in accord with what authority is this unattributed ruling? It is in accord with Rabban Gamaliel, in which case we have already learned this elsewhere in the Mishnah [and it does not have to be repeated], for we have learned in the Mishnah: [If] she was pregnant, and they said to her, “What is the character of this foetus?” [and she said,] “It is by Mr. So-and-so, and he is a priest” – Rabban Gamaliel and R. Eliezer say, “She is believed.” And R. Joshua says, “We do not depend on her testimony. But lo, she remains in the assumption of having been made pregnant by a Netin or a mamzer, until she brings evidence to back up her claim” [M. Ket. 1:9]! And said R. Judah said Samuel, “The decided law accords with Rabban Gamaliel.”*

C. *One authority’s ruling makes the point that her mother is fit [to marry a priest, not having had sexual relations with a person who would invalidate her from marriage into the priesthood], the other is to indicate that her daughter is fit. [Freedman: Gamaliel refers to the woman herself, who is presumed fit; if she had a daughter, there is doubt as to the status of the daughter, who may not marry a priest, since there is no such presumption in her favor. Abba Saul rules that the daughter is fit.]*

D. *Well, that poses no problem to him who has said, “In the opinion of the one who declares her mother fit, the daughter is still unfit, ” but from the perspective of him who has said, “In the opinion of the one*

who declares her mother fit, the daughter, too, is fit,” *what does Abba Saul come to tell us?*

E. *The statement assigned to Abba Saul serves to show us that he goes still further than Rabban Gamaliel, for if I had to derive the entire ruling from that item, I might have thought that the operative consideration is that most of the men likely to have had sexual relations with her were valid, but here, where most men would be invalid for her [for example, if the mother was betrothed, in which case any father but the husband would yield a mamzer baby], I might have supposed that the mother is not believed. So it was necessary to tell us otherwise.*

F. Said Raba, “The decided law accords with Abba Saul.”

4:3

- A. All those who are forbidden from entering into the congregation are permitted to marry one another.
- B. R. Judah prohibits [their marrying one another].
- C. R. Eliezer says, “Those who are of certain status are permitted to intermarry with others who are of certain status.
- D. “Those who are of certain status and those who are of doubtful status, those who are of doubtful status and those who are of certain status, those who are of doubtful status and those who are of doubtful status –
- E. “[intermarriage among persons in such classifications] is prohibited.”
- F. And who are those who are of doubtful status?
- G. The “silenced one,” the foundling, and the Samaritan.

I.1

- A. All those who are forbidden from entering into the congregation:
- B. *What is the meaning of, all those who are forbidden from entering into the congregation? Should I say this refers to Mamzers, Netins, silenced ones, and foundlings? Lo, the opening clause states explicitly: Converts, freed slaves, mamzers, Netins, “silenced ones,” and foundlings are permitted to marry among one another. And furthermore, with reference to the statement, R. Judah prohibits [their marrying one another], to which clause does R. Judah’s statement pertain? Should I say, it refers to the marriage of persons whose status is certain and persons whose status is subject to doubt? Now, since the concluding clause states, R. Eliezer says, “Those who are of certain status are permitted to intermarry with others*

who are of certain status. Those who are of certain status and those who are of doubtful status, those who are of doubtful status and those who are of certain status, those who are of doubtful status and those who are of doubtful status – [intermarriage among persons in such classifications] is prohibited,” it must follow that R. Judah does not take that position. And should you say **R. Judah forbids** pertains to the marriage of a proselyte and a mamzer girl, then does the language at hand state, a proselyte with a mamzer girl? What it states is, **All those who are forbidden from entering into the congregation!**

- C. Said R. Judah, [74B] “This is the sense of the statement at hand: **All those who are forbidden from entering into the congregation** of the priesthood – and who might that be? It is a proselyte girl who converted at less than three years and a day old, thus not in accord with R. Simeon b. Yohai [as will be explained presently] – **are permitted to marry one another.**” [Then the statement, **R. Judah prohibits** their marrying one another refers to the marriage of a proselyte and a mamzer girl (Freedman).]
- D. Well, why not assign the rule to a girl three years and a day old, in accord also with R. Simeon b. Yohai?
- E. If that were the case, the refutation would stand right along side, in the following argument: So the operative consideration is that it is a girl three years and a day old; lo, in the case of one less than that age, since she may enter the congregation of the priests, she is forbidden to intermarry with the others [mamzers and the like]. Then what about the one who is less than three years and a day old from the perspective of R. Simeon b. Yohai, who, though she may enter into the assembly of priests, nonetheless may intermarry with the others? [Freedman: For since she may marry a mamzer, it follows that the assembly of proselytes does not fall into the category of an assembly, so the same would hold good if she is a proselyte prior to that age as well.]

- I.2** A. And is it an encompassing generalization that **all those who are forbidden from entering into the congregation are permitted to marry one another?** What about a widow, a divorcée, a woman of impaired priestly genealogy, and a whore [Lev. 21:7], all of whom are prohibited from entering into the congregation of the priesthood, but who also are forbidden to marry with these others? Furthermore, then is one who is permitted to marry into the priesthood forbidden to marry with these? But what about a proselyte, who is

permitted to marry a priest's daughter but also is permitted to marry a mamzer girl?

- B. *Rather, said R. Nathan bar Hoshayya, "This is the sense of the statement: Anyone whose daughter a priest is forbidden to marry – and who might that be? it is a proselyte man who married a proselyte women, and that is in accord with the position of R. Eliezer b. Jacob – is permitted to marry with one another.*
- C. *And is it an encompassing generalization that anyone whose daughter a priest is forbidden to marry is permitted to marry with one another? What about the case of a priest of impaired genealogical status who married a daughter of Israelite status, in which case, a priest is forbidden to marry his daughter, but, nonetheless, he may not intermarry with these others [the mamzer and the like]?*
- D. *No problem, the rule accords with R. Dosetai b. Judah ["Israelite women constitute an immersion pool for the purpose of purification of priests who have been profaned"].*
- E. *What about the case of a priest of impaired genealogical status who married a priest girl of impaired genealogical status? Here, though a priest may not marry his daughter, yet such a one may intermarry with those others! And furthermore, the formulation implies, but one whose daughter is permitted to marry a priest is forbidden to intermarry with these – then what about the case of a proselyte who married an Israelite woman, in which case a priest is permitted to marry his daughter, but he may intermarry with these others!*
- F. *Rather, said R. Nahman said Rabbah bar Abbuha, "Here at issue between them is the case of a mamzer born of a sister and a mamzer born of a married woman. The first Tannaite position is that even a mamzer born of his sister is classified as a mamzer. And R. Judah takes the view that a mamzer born of a married woman is a mamzer, but one born of a sister is not." [Freedman: The rule does not refer to a proselyte at all, but to the question of whether these two mamzer children may intermarry. A sister is forbidden on pain of extirpation, adultery with a married woman is forbidden on pain of the death penalty. The first authority treats the offspring of both unions as a mamzer and holds those who are forbidden to enter the assembly as mamzerim may nonetheless intermarry; Judah holds that only the latter, forbidden on pain of death, is a mamzer, but not the former, so they may not intermarry.]*

- G. *Well, if that's the case, then what does the framer of our Mishnah paragraph propose to tell us that is fresh and interesting, when we have already learned the same point in the Mishnah elsewhere: What is the definition of a "mamzer"? "[The offspring of] any [marriage of near of kin – the rubric, 'He shall not come into the congregation of the Lord' (Deu. 23: 3),] the words of R. Aqiba. Simeon of Teman says, "[The offspring of] any [marriage] for which the participants are liable to extirpation by Heaven." And the law follows his opinion. R. Joshua says, "[The offspring of] any [marriage] for which the participants are liable to be put to death by a court" [M. Yeb. 4:13]?*
- H. *Rather, said Raba, "Here at issue between them is the case of an Ammonite and Moabite proselyte, and this is the sense of the statement: All those who are forbidden from entering into the congregation – and who might that be? an Ammonite and a Moabite proselyte – are permitted to intermarry."*
- I. *If so, what is the meaning of, R. Judah prohibits [their marrying one another]?*
- J. *This is the sense of his statement, "Even though R. Judah prohibits a proselyte to marry a mamzer girl, that is a proselyte who is eligible to enter into the assembly; but it does not apply to Ammonite and Moabite proselytes, who are not eligible to enter into the assembly."*

I.3

- A. *Our rabbis have taught on Tannaite authority:*
- B. **An Ammonite, Moabite, Egyptian, Idumaeen proselyte, Samaritan, Netin, person of profaned priestly genealogy, mamzer, who was nine years and a day old, who had sexual relations with the daughter of a priest, Levite, or Israelite, disqualifies a woman [so that, if of Levitical or Israelite caste, she may not marry a priest, and if of priestly caste, may not marry a priest nor eat food in the status of priestly rations].**
- C. **R. Yosé says, "Any whose offspring is unfit – she is rendered unfit; but any whose offspring is fit – she is not disqualified."**
- D. **Rabban Simeon b. Gamaliel says, [75A] "Any whose daughter you may marry, his widow you may marry, but if you may not marry his daughter, you may not marry his widow" [T. Nid. 6:1A-C].**

I.4

- A. *What is the issue between the initial Tannaite authority and R. Yosé?*
- B. *On what point do the initial Tannaite authority and R. Yosé differ?*

C. Said R. Yohanan, “*At issue between them is the Egyptian convert in the second generation and the Idumaeen convert of the second generation* [who cannot marry into the congregation, Deu. 23: 8, but their children, of the third generation, may do so; the first Tannaite authority has the second generation disqualify the woman he marries; Yosé does not, since his offspring are not disqualified (Slotki)]. And both of them derive the case only from the analogy of the high priest married to a widow. *The initial Tannaite authority maintains: Just as the high priest in regard to the widow, in which instance his act of sexual relations represents a transgression, invalidates [the offspring], so in this case, the offspring are invalid; and R. Yosé maintains, just as the high priest, whose offspring are invalid, invalidates the woman, so anyone else can invalidate the woman only if his offspring is invalid: That excludes the Egyptian proselyte of the second generation, since his children are not invalid: ‘The children of the third generation that are born unto them may enter into the assembly of the Lord’ (Deu. 23: 9).”*

I.5 A. Rabban Simeon b. Gamaliel says, “Any whose daughter you may marry, his widow you may marry, but if you may not marry his daughter, you may not marry his widow”:

B. *What is at issue between R. Yosé and Rabban Simeon b. Gamaliel?*

C. Said Ulla, “The Ammonite and Moabite proselyte are at issue between them. [Yosé has such a proselyte disqualify, Simeon does not.] And both of them derive the case only from the analogy of the high priest married to a widow. R. Yosé maintains that just as in the matter of the high priest and the widow, his seed is invalid and invalidates [a woman from the priesthood], so any other person invalidates only when his seed is invalid. Rabban Simeon b. Gamaliel takes the position that, just as in regard to the high priest in respect to a widow, anyone whose seed is entirely invalid also invalidates, so anyone all of whose offspring is invalid invalidates. *An Ammonite and a Moabite are excepted, since not all of their offspring are invalid, for a master has said, ‘An Ammonite’ (Deu. 23: 4), and not a female Ammonite, ‘a Moabite’ and not a female Moabite.”*

I.6 A. Said R. Hisda, “All concur in the case of a widow of a member of a family that contains some bad dough [a family that

is suspect of having in its genealogy a forbidden member] that she is invalid for marriage into the priesthood. *For among these Tannaite authority, who is the one that takes the most lenient position? It is Rabban Simeon b. Gamaliel, and yet he has said, Any whose daughter you may marry, his widow you may marry, but if you may not marry his daughter, you may not marry his widow. And what would this exclude? It is a widow of a member of a family that contains some bad dough, indicating that she is invalid for marriage into the priesthood.*"

B. *This then differs from the following Tannaite authorities, as we have learned in the Mishnah: Testified R. Joshua and R. Judah b. Beterah concerning a widow of an Israelite family suspected of contamination with unfit genealogical stock, that she is valid for marriage into the priesthood. For a woman deriving from an Israelite family suspect of contamination with unfit genealogical stock is herself valid for being declared unclean or clean, being put out and being brought near [M. Ed. 8:3A-B]. How come? Here you have a doubt concerning what is subject to doubt, and where you have a doubt about what is subject to doubt, you make a lenient ruling.*

II.1 A. **Those who are of certain status are permitted to intermarry with others who are of certain status.**

B. And said R. Judah said Rab, "[The decided law accords with R. Eliezer.] *But when I made that statement before Samuel, he said to me, 'Hillel repeated as a Tannaite statement: Ten castes came up from Babylonia: (1) priests, (2) Levites, (3) Israelites, (4) impaired priests, (5) converts, and (6) freed slaves, (7) mamzers, (8) Netins, (9) "silenced ones" [shetuqi], and (10) foundlings [M. Qid. 4:1A] and all of these castes may intermarry,' and you say that the decided law accords with the position of R. Eliezer?!*"

II.2 A. *There is a contradiction between two statements of Rab, and there is a contradiction between two statements of Samuel. For it has been stated:*

B. A betrothed girl who got pregnant –

C. Rab said, "The offspring is a mamzer."

D. And Samuel said, “The offspring is in the status of one who is silenced [when he asks who his father was].”

E. Rab said, “The offspring is a mamzer”: And he is permitted to marry a mamzer girl. [The majority of men are forbidden to her; the child was born in adultery and is certainly a mamzer, so Rab treats a doubt as certainty, which concurs with the initial Tannaite authority that those subject to doubt and those whose status is certain may intermarry; this is not in accord with Eliezer (Freedman).]

F. And Samuel said, “The offspring is in the status of one who is silenced [when he asks who his father was]”: And he is forbidden to marry a mamzer girl.

G. Then reverse the assignments:

H. Rab said, “The offspring is in the status of one who is silenced [when he asks who his father was].”

I. And Samuel said, “The offspring is a mamzer.”

J. *So why repeat the same thing twice?*

K. *It was necessary to do so, for if it had been stated only in the case of our Mishnah, I would have taken the view that it is only here that Rab takes the position that he does, because the majority of men would be eligible for her, but there, where the majority is unfit for her, I might argue that he concurs with Samuel. And if it were stated only in the latter case, I would have supposed that Rab takes the view that he does there because we may assign the offspring to the husband, but in this case, I would say he concurs with Samuel, so both are necessary.*

L. *And if you prefer, I shall say, in point of fact, don't reverse what is attributed. And what is the meaning of “mamzer” as Rab has used the word? It is not that he may marry a mamzer girl, but that he is forbidden to marry an Israelite woman. And when Samuel said that the offspring is a silenced one, it is that he is forbidden to marry an Israelite girl.*

M. *If so, then Samuel says what Rab says!*

N. *Then what's the meaning of silenced one? It is that he is silenced as to any claim of the right of the priesthood.*

O. *Oh come on, that's obvious! If we silence him from any claim of status as an Israelite, do we have to ask whether or not we silence him from any claim as to the priesthood?*

P. *Rather, what is the meaning of silenced one? We silence him from making any claim on his father's estate.*

Q. *That, too, is self-evident! So do we know who the father actually is?*

R. *It is necessary to say so in a case in which he has seized some property.*

S. *And if you wish, I shall say, what is the meaning of "silenced one"? It is "one who is examined," i.e., it is in a case in which they examine his mother, and she says, "I had sexual relations with a valid man," in which case she is believed.*

T. *In accord with whose position is that ruling? It accords with Rabban Gamaliel. But then, didn't Samuel already say that once? For we have learned in the Mishnah: [If] she was pregnant, and they said to her, "What is the character of this foetus?" [and she said,] "It is by Mr. So-and-so, and he is a priest" – Rabban Gamaliel and R. Eliezer say, "She is believed." And R. Joshua says, "We do not depend on her testimony. But lo, she remains in the assumption of having been made pregnant by a Netin or a mamzer, until she brings evidence to back up her claim" [M. Ket. 1:9]! And said R. Judah said Samuel, "The decided law accords with Rabban Gamaliel"!*

U. *It was necessary to go over the ground again. For if I had to rely only on that case, I might have supposed that in that case, in which most men are valid in respect to her, that is the law, but here, where most men are invalid for her, I might have said that that is not the case. So it was necessary to make the point twice.*

II.3 A. *It has been taught on Tannaite authority:*

B. **And so R. Eleazar says, "A Samaritan man should not marry a Samaritan woman" [T. Qid. 5:1G].**

II.4 A. *What's the operative consideration?*

B. Said R. Joseph, "They have treated a Samaritan as equivalent to a proselyte after ten generations. *For it has been taught on Tannaite authority:* A proselyte, for the next ten generations, is permitted to marry a mamzer girl. From that point, his descendents are forbidden to

marry a mamzer girl. And there are those who say, 'It is permitted until the association with idolatry has been completely forgotten from his family.'"

C. *Said Abbaye, "But are the cases all that parallel? In that case it is a proselyte of a very old family but a mamzer girl of recent birth, so people will think, he's a valid Israelite marrying a mamzer girl, but in this case, they are both pretty much alike!"*

D. *Rather, when R. Dimi came, he said, "R. Eleazar follows the reasoning in this case of R. Ishmael, [75B] and R. Ishmael concurs with R. Aqiba. R. Eleazar follows the reasoning in this case of R. Ishmael, who has said, 'Samaritans are converts because of their fear of lions [and having an ulterior motive, are not valid converts but really gentiles].' And R. Ishmael concurs with R. Aqiba, who has said, 'A gentile and a slave who had sexual relations with an Israelite girl – the offspring is a mamzer.'"*

II.5 A. *But does R. Ishmael really concur with R. Aqiba? And hasn't R. Yohanan said in the name of R. Ishmael, "How on the basis of Scripture do we know that if an idolator or a slave had sexual relations with a priest girl or a Levite girl or an Israelite girl, he has rendered her invalid [to remain in the caste in which she belongs]? As it is said, 'But if a priest's daughter is widowed or divorced' (Lev. 22:13) – thus referring to a woman who is subject to the status of widow or divorcée. Then the idolator and the slave are excluded, for in such cases the status of widowhood or divorcée does not apply"? Now if it should enter your mind that he concurs with R. Aqiba, then if the offspring is a mamzer, is it necessary to prove that the gentile disqualifies through his act of sexual relations? Nonetheless, R. Eleazar follows the reasoning in this case of R. Ishmael, who has said, "Samaritans are converts because of their fear of lions [and having an ulterior motive, are not valid converts but really gentiles]."* And he also concurs with R. Aqiba, who has said, "A gentile and a slave who had sexual relations with an Israelite girl – the offspring is a mamzer."

B. *But does R. Eleazar, for his part, really concur with R. Aqiba? But isn't it the fact that said R. Eleazar, "Even*

though the House of Shammai disputed with the House of Hillel regarding the co-wives, they concur that the offspring of such a union is not a mamzer, for the status of mamzer is imposed only on the offspring of a woman who has entered into a marriage prohibited on account of licentiousness [in Leviticus Chapter Eighteen] and on account of which those who enter such a marriage are liable to the penalty of extirpation” [T. Yeb. 1:10G-H]?

C. Rather, when Rabin came, he said R. Hiyya bar Abba said R. Yohanan said, and some say, said R. Abba bar Zabeda said Hanina, and some say, said R. Jacob bar Idi said R. Joshua b. Levi, “There are three opposed opinions in this matter.”

D. [These are now spelled out:] [1] R. Ishmael takes the view, Samaritans are converts because of their fear of lions [and having an ulterior motive, are not valid converts but really gentiles], and priests who are mixed up with them are unfit priests, as it is said, “And they made unto them from among themselves priests of the high places” (2Ki. 17:32), and said Rabbah bar bar Hannah said R. Yohanan, “The word read ‘from themselves’ yields also ‘from the most unworthy of the people,’ on which account they are disqualified.”

E. [2] R. Aqiba maintains that Samaritans are authentic converts, and priests who are mixed up with them are fit priests, as it is said, “And they made up to them from among themselves priests of the high places” (2Ki. 17:32), and said Rabbah bar bar Hannah said R. Yohanan, “That was from the choicest of the people.” So why did they forbid marriage with them? Because they enter into levirate marriage with betrothed widow [76A] but they exempted married woman.

F. So what was their reading of Scripture? “The wife of the deceased shall not marry outside, to a stranger” (Deu. 25: 5) – she who had sat outside may not marry a stranger, but she who did not sit outside may marry a stranger. [“Outside” is taken to qualify the wife: The dead man’s wife who is as yet outside, that is, betrothed, enters into levirate marriage; the one in a fully consummated marriage doesn’t (Freedman).]

G. *And R. Aqiba is consistent with views expressed elsewhere, for he has stated, “The status of mamzer applies to the offspring of a couple that has violated a negative commandment.”*

H. Some say, “It is because they are not expert in the details of the commandments.”

I. *Who is some say?*

J. Said R. Idi bar Abin, “It is R. Eliezer, *for it has been taught on Tannaite authority: The unleavened bread prepared by Samaritans is permitted to Israelites on Passover, and a person fulfils his obligation to eat unleavened bread on Passover by eating that unleavened bread. And R. Eliezer forbids, since they are not expert in the details of the commandments. R. Simeon b. Gamaliel says, ‘Concerning all religious duties that the Samaritans have taken for themselves are the Samaritans much better informed even than Israelites’* [T. **Pisha 2:3A-D**].”

K. *Well, then, what is the meaning of they are not expert in the details of the commandments?*

L. It is because they are not experts in the rules governing betrothals and divorces. [Freedman: Thus a woman may have been validly betrothed, yet they thought it invalid and permitted her to marry another, the issue by whom is a mamzer; another Samaritan may be quite legitimate; therefore Eleazar forbids them to marry one another.]

II.6 A. Said R. Nahman said Rabbah bar Abbuha, “A mamzer by a sister and a mamzer by a brother’s wife became mixed up among the Samaritans” [and that explains why they may not marry one another].

B. *What does he tell us that we didn’t know before? That the offspring of a marriage liable to extirpation is a mamzer? Then let only one item be listed [mamzer by a sister was mixed up among them, why add, a mamzer by a brother’s wife? (Freedman)]?*

C. The actual case that took place followed those lines. [He was referring to actual facts.]

D. And Raba said, “A slave and a slave girl were mixed up in them.”

E. *And on whose account was the prohibition?*

- F. The slave girl.
- G. *Then let only one item be listed.*
- H. The actual case that took place followed those lines.

4:4

- A. He who marries a priest girl has to investigate her [genealogy] for four [generations, via the] mothers, who are eight:
- B. (1) Her mother, and (2) the mother of her mother, and (3) the mother of the father of her mother, and (4) her mother, and (5) the mother of her father, and (6) her mother, and (7) the mother of the father of her father, and (8) her mother.
- C. And in the case of a Levite girl and an Israelite girl, they add on to them yet another [generation for genealogical inquiry].

4:5

- A. They do not carry a genealogical inquiry backward from [proof that one's priestly ancestor has served] at the altar,
- B. nor from [proof that one's Levitical ancestor has served] on the platform,
- C. and from [proof that one's learned ancestor has served] in the Sanhedrin. [It is taken for granted that at the time of the appointment, a full inquiry was undertaken.]
- D. And all those whose fathers are known to have held office as public officials or as charity collectors – they marry them into the priesthood, and it is not necessary to conduct an inquiry.
- E. R. Yosé says, “Also: He who was signed as a witness in the ancient archives in Sepphoris.”
- F. R. Haninah b. Antigonus says, “Also: Whoever was recorded in the king's army.”

I.1

- A. *How come the ancestry of women is investigated but not that of men?*
- B. *When women quarrel with one another, it is only about fornication that they quarrel [but not about genealogy], so if there were something bad in someone's genealogy, it would not be known. But when men quarrel, it concerns genealogy, so if there is some flaw in the genealogy, it will be generally known.*
- C. *And why shouldn't she investigate his genealogy?*

- D. *[Since she clearly is not expected to do so,] that fact lends support to the position of Rab, for said R. Judah said Rab, "Valid women were not admonished concerning marriage to invalid men."*

- I.2** A. *R. Adda bar Ahbah repeated as the Tannaite formulation, "Four mothers, which are twelve." In an external Tannaite formulation it is repeated, "Four mothers, which are sixteen."*
- B. *Now there is no problem for the position of R. Adda bar Ahbah, [76B] since he can accommodate this version by reference to a Levite girl or an Israelite girl. But may we say that the external Tannaite version is at variance with our Mishnah paragraph's formulation?*
- C. *No. What is the meaning of **they add on to them yet another [generation for genealogical inquiry]**? One more pair. [Freedman: A mother and a grandmother, which gives sixteen.]*

- I.3** A. *Said R. Judah said Rab, "This represents the opinion of R. Meir, but sages say, "All families are assumed to be valid."*
- B. *Well, is that so? And didn't R. Hama bar Guria say Rab said, "Our Mishnah paragraph refers to a case in which the bride's genealogy is contested" [here even rabbis concur that there must be an investigation, so why assume only Meir stands behind this rule (Freedman)]?*
- C. *The Tannaite authority who made the statement in Rab's name did not also recite the latter statement.*

D. *There are those who say, Said R. Judah said Rab, "This represents the opinion of R. Meir," but sages say, "All families are assumed to be valid."*

E. *Said R. Hama bar Guria said Rab, "If someone calls into question the bride's genealogy, it is necessary to investigate her background."*

- II.1** A. **They do not carry a genealogical inquiry backward from [proof that one's priestly ancestor has served] at the altar:**
- B. *How come?*
- C. *Had the mother of that priest not been investigated, they wouldn't have promoted the priest to the altar service.*

- III.1** A. **Nor from [proof that one's Levitical ancestor has served] on the platform:**
- B. *How come?*
- C. *Because a master has said, "For there were seated those in the priesthood and among the Levites who had valid genealogy."*

IV.1 A. And from [proof that one's learned ancestor has served] in the Sanhedrin:

B. *How come?*

C. For R. Joseph repeated as a Tannaite statement, "Just as a court must be clear in righteousness, so it must be clear of all blemishes."

D. *Said Maremar, "What is the pertinent verse of Scripture? 'You are fair, my love, and there is no blemish in you' (Son. 4: 7)."*

E. *But perhaps it means a blemish literally?*

F. *Said R. Aha bar Jacob, "Said Scripture, 'that they may stand there with you' (Num. 11:16) – with you means, like you."*

G. *But maybe this is on account of the presence of God?*

H. *Said R. Nahman said Scripture, "'So shall it be easier for yourself, and they shall bear the burden with you' (Exo. 18:22) – with you, like you."*

V.1 A. And all those whose fathers are known to have held office as public officials or as charity collectors – they marry them into the priesthood, and it is not necessary to conduct an inquiry:

B. *Does that bear the implication, then, that we do not appoint judges who derive from genealogically unfit families? But by way of contradiction: All are valid to engage in the judgment of property cases, but all are not valid to engage in the judgment of capital cases, except for priests, Levites, and Israelites who are suitable to marry into the priesthood [M. San. 4:2A-C], and in reflecting on that matter, [someone asked,] what is the word all meant to encompass? And said R. Judah, "It is meant to encompass a mamzer."*

C. *Said Abbaye, "[Our Mishnah refers to the court] of Jerusalem [where genealogy was a consideration in court appointments]."*

D. *And so did R. Simeon b. Zira recite as a Tannaite ruling in connection with betrothals as set forth in the household of Levi: "[Our Mishnah refers to the court] of Jerusalem."*

V.2 A. And all those whose fathers are known to have held office as public officials or as charity collectors – they marry them into the priesthood, and it is not necessary to conduct an inquiry.

B. *How come?*

C. *It is because they have to have fights with people, for said a master, "They seize a pledge in connection with what is owing to charity, and that is done*

even on the eve of the Sabbath,” *therefore if there were some genealogical blemish, it would have become known.*

V.3 A. *R. Adda bar Ahbah’s landlord was a proselyte, and he [the landlord] was having a fight with R. Bibi. One master said, “I shall carry on the administration of the town,” and the other master say, “I shall carry on the administration of the town.”*

B. *They came before R. Joseph. He said to them, “A Tannaite statement holds: ‘One from among your brothers you shall set as king over you’ (Deu. 17:15) – all appointments that you make should derive only from the midst of your brothers.”*

C. *Said to him R. Adda bar Ahbah, “Even if his mother is an Israelite?”*

D. *He said to him, “If his mother is an Israelite, then I apply to him, ‘from among your brothers.’ Therefore R. Bibi, who is an eminent authority, will concentrate on the business of Heaven, and you, master, [the landlord] concentrate on the affairs of the town.”*

E. *Said Abbaye, “Therefore one who provides a lodging for a neophyte rabbi should find a lodge such as R. Adda bar Ahbah, who knows how to argue in his behalf.”*

V.4 A. *R. Zira would deal with them [and provide honor for them]. Rabbah bar Abbuha would deal with them honorably. But in the West, even an inspector of measures were not appointed of them. In Nehardea, even the superintendent of irrigation was not appointed of them.*

VI.1 A. **R. Yosé says, “Also: He who was signed as a witness in the ancient archives in Sepphoris”:**

B. *How come?*

C. *They investigate first, then let them sign.*

VII.1 A. **R. Haninah b. Antigonus says, “Also: Whoever was recorded in the king’s army”:**

B. *Said R. Judah said Samuel, “This speaks of those who served in the armies of the house of David.”*

C. *Said R. Joseph, “What verse of Scripture makes that point? ‘And they who were reckoned by genealogy for service in war’ (1Ch. 7:40).”*

D. *How come?*

E. Said R. Judah said Rab, “So that the acts of supererogatory grace that they have performed as well as the inherited merit of their ancestors will help them.”

F. *But isn't there Zelek the Ammonite (2Sa. 23:37) – surely he descended from Ammon [but fought for David]!*

G. *No, he just lived there.*

H. *But isn't there Uriah the Hittite (2Sa. 23:39) – surely he descended from Heth!*

I. *No, he just lived there.*

J. *And what about Ittai the Gittite (2Sa. 15:19), and should you reply here, too, no, he just lived there, didn't* R. Nahman say, “Ittai the Gittite came and destroyed Gath”? And furthermore, said R. Judah said Rab, “David had four hundred sons, all of them born of beautiful captive women. All grew long locks plaited down the back. All of them seated in golden chariots. And they went forth at the head of troops, and they were the powerful figures in the house of David.” [Being offspring of captives of war, they didn't have such fine genealogy.]

K. *They just went forth to frighten the other army [but they were not the main force of David's army].*

4:6

- A. [77A] **The daughter of a male of impaired priestly stock is invalid for marriage into the priesthood for all time.**
- B. **An Israelite who married a woman of impaired priestly stock – his daughter is valid for marriage into the priesthood.**
- C. **A man of impaired priestly stock who married an Israelite girl – his daughter is invalid for marriage into the priesthood.**
- D. **R. Judah says, “The daughter of a male proselyte is equivalent to the daughter of a male of impaired priestly stock.”**

4:7

- A. **R. Eliezer b. Jacob says, “An Israelite who married a female proselyte – his daughter is suitable for marriage into the priesthood.**
- B. **“And a proselyte who married an Israelite girl – his daughter is valid for marriage into the priesthood.**

- C. **“But a male proselyte who married a female proselyte – his daughter is invalid for marriage into the priesthood.**
- D. **“All the same are proselytes and freed slaves, even down to ten generations – [the daughters cannot marry into the priesthood]**
- E. **“unless the mother is an Israelite.”**
- F. **R. Yosé says, “Also: A proselyte who married a female proselyte: His daughter is valid for marriage into the priesthood.”**

- I.1**
- A. **[The daughter of a male of impaired priestly stock is invalid for marriage into the priesthood for all time:]** *What is the meaning of for all time?*
 - B. *What might you have supposed? The matter is comparable to the case of an Egyptian and Edomite, so that, just there, after three generations, the impairment is null, so here, after three generations, the daughter is suitable for marriage into the priesthood. So we are informed to the contrary.*

- II.1**
- A. **An Israelite who married a woman of impaired priestly stock – his daughter is valid for marriage into the priesthood:**
 - B. *What is the source of this rule?*
 - C. Said R. Yohanan in the name of R. Ishmael, “Here we find a reference to ‘and he shall not profane his seed among his people’ Lev. 21:15), and elsewhere, ‘he shall not defile himself, being a chief man among his people’ (Lev. 21: 4). Just as in the latter passage, the rule pertains to the males, not the females, so here, too, it pertains to the males and the females.”
 - D. *Well, then, by the same reasoning, the daughter of a high priest [born of a widow] should be permitted to marry a priest?*
 - E. *Is it written, “his son”? What is written is “his seed” – he shall not profane his seed among his people [yielding: The female children of his female children are permitted, but not his own daughters]!*
 - F. *Then let his son’s daughter be permitted.*
 - G. *What is written is, “and he shall not profane his seed,” this forming an analogy between his seed and him: Just as in his case, his daughter is unfit for marriage into the priesthood, so with his son, his daughter is unfit for marriage into the priesthood.*
 - H. *So let his daughter’s daughter be permitted?*
 - I. *If so, then what is the point of the verbal analogy [between Lev. 21:15 and 21:4]?*

- III.1** A. A man of impaired priestly stock who married an Israelite girl – his daughter is invalid for marriage into the priesthood:
- B. *But that is spelled out in the opening clause: The daughter of a male of impaired priestly stock is invalid for marriage into the priesthood for all time!*
- C. *Since the opening clause treats the rule governing The daughter of a male of impaired priestly stock, the latter clause goes on to frame matters in the same terms, A man of impaired priestly stock who married an Israelite girl*
- III.2** A. *Our Mishnah rule does not accord with the position of R. Dosetai b. Judah, for it has been taught on Tannaite authority:*
- B. R. Dosetai b. Judah says, “Just as Israelite males constitute an immersion pool for the purpose of purification of the daughters of priests of impaired priestly stock, so Israelite women constitute an immersion pool for the purpose of purification of priests of impaired priestly stock.”
- C. *What is the source for R. Dosetai b. R. Judah’s opinion?*
- D. “And he shall not profane his seed among his people” (Lev. 21:15) – *it is that he profanes his seed among one people, not among two* [Freedman: only when he and his wife are of one people, both of profaned priestly stock, is his seed of profaned priestly stock, but if his wife is of a different people, not of profaned priestly stock, then the priest isn’t either].
- III.3** A. *Our rabbis have taught on Tannaite authority:*
- B. **“That he may not profane his children among his people”:**
- C. **I know only that through such a marriage his children are profaned.**
- D. **How do I know that the woman herself is profaned [as to her status within the priesthood]?**
- E. **It is a matter of logic:**
- F. **If the children, who have not transgressed, lo, are profaned, she, who has transgressed, surely should be profaned!**
- G. **But he presents an anomaly, for he has transgressed but is not profaned!**
- H. **No, if you invoke the case of a male priest, who is not profaned under any circumstances, will you say the same of a woman, who is profaned under a variety of circumstances [for if she has sexual relations with various invalid persons, she is profaned and may no longer be held to be within**

the priestly caste, for example, as to the right to eat priestly rations is concerned]?

- I. If you prefer, Scripture itself states, “He will not profane”:
- J. “He will not profane” even someone who was valid but is then made invalid [which is to say, the woman] [Sifra Parashat Emor Perek 2:CCXIV:I.7].

III.4 A. *What is the purpose of adding the materials from If you prefer?*

B. *And should you say, one can point to the following flaw: The distinguishing trait of his seed is that it has been formed through transgression of sin, Scripture itself states, “He will not profane”: “He will not profane” even someone who was valid but is then made invalid [which is to say, the woman].*

III.5 A. *Our rabbis have taught on Tannaite authority:*

- B. **What is the definition of one who has been defiled?**
- C. **It is any woman who has been born to any invalid priestly marriage** [Sifra Parashat Emor Perek 2:CCXIV:I.2].

III.6 A. *What is the definition of any invalid priestly marriage? Shall we say, a marriage of persons unfit for him? Then lo, there is the case of one who remarries a woman he has divorced, who is invalid for him, but her offspring with him are valid, since it is written, “She is an abomination” (Deu. 24: 4) – She is an abomination – but her children are not an abomination!*

B. *Said R. Judah, “This is the sense of the statement: **What is the definition of one who has been defiled? It is any woman who has been born** out of the disqualification of a priest [a person disqualified to marry a priest].*

C. *That pertains then to one who was born, but not to one who was not born of such a union. Then what about the case of a widow, divorcée, or whore, who were not born into that status but married priests and are classified as impaired priestly stock?*

D. *Said Rabbah, “This is the sense of the statement: **What is the definition of one who has been defiled** who is mentioned here? It is any who at no point has ever been valid [for marriage into the priesthood], which is to say, **any woman who***

has been born out of the disqualification of a priest [a person disqualified to marry a priest].

E. *What is the meaning of the qualifying language, who is mentioned here?*

F. *Said R. Isaac bar Abin, “This is the sense of the statement: **What is the definition of one who has been defiled** principally by the teachings of the Torah, and who requires no further explanation by the teachings of the scribes? It is any who at no point has ever been valid [for marriage into the priesthood].”*

III.7 A. *Our rabbis have taught on Tannaite authority:*

B. [If a high priest had sexual relations with] a widow, a widow, a widow, he is liable on only a single count; a divorcée, a divorcée, a divorcée, he is liable on only a single count. [If a high priest had sexual relations with] a widow, a divorcée, a woman of impaired priestly stock, and a whore, if it is in respect to the same woman who has entered these very conditions by actions taken in that exact order, he is liable on each count. If the same woman first of all committed an act of whoredom, then was profaned from priestly stock, then was divorced, and then was widowed, he is liable on only a single count.

III.8 A. The master has said, “[If a high priest had sexual relations with] a widow, a widow, a widow, he is liable on only a single count”:

B. *Now as to this widow, how is she to be defined? Should I say that he has had sexual relations with the widow or Reuben, then with the widow of Simeon, then with the widow of Levi, why in the world is he liable on only a single count? [77B] Lo, what we have here are distinct persons and distinct categories. And, further, if he had sexual relations with one widow three times, then how are we to imagine the situation? If it is a case in which no admonition was given to him [all three times], well, then, it’s pretty obvious that he is liable on only a single count. So it must be a situation in which they admonished him on each occasion. But then, how come he is liable on only a single count? For lo, we have learned in the Mishnah: **A Nazirite who was drinking wine all day long is liable on only one count. [If] they said to him, “Don’t drink, don’t drink!” yet he continued to drink, he is liable on each count [M. Naz. 3:7]!***

C. *The rule is required to cover the case in which he has sexual relations with the widow of Reuben, who had been widowed by Simeon and Levi before. I might have thought, lo, they form distinct categories. So we are informed that we require distinct persons as well, and that condition is not met here.*

III.9 A. *“A widow, a divorcée, a woman of impaired priestly stock, and a whore”: Now as to the Tannaite framer of this passage, what is his operative theory? If he maintains that one prohibition can take effect while another is in place, then the reverse order should yield equal culpability. And if he takes the view that one prohibition cannot take effect while another is in place, then the rule would not apply even if it was in the order now given!*

B. *Said Raba, “This Tannaite authority does not take the view that one prohibition can take effect while another is in place, but he does maintain that one prohibition can add to the weight of another [Freedman: the prohibition of eating on the Day of Atonement than the prohibition of eating carrion]. Thus: A widow is forbidden to marry a high priest but permitted to an ordinary priest. When she is divorced, since a prohibition is thereby added in regard to an ordinary priest, it is added in respect to a high priest as well; she still would be permitted to eat priestly rations. But if she is turned into profaned priestly seed, since now the prohibition is added to her against eating priestly rations, the prohibition in respect to a high priest is given even greater weight.”*

C. *So what’s the added weight of the prohibition on account of her committing an act of whoredom? [What is prohibited that was permitted before? (Freedman)]*

D. *Said R. Hana bar R. Qattina, “Since the classification of a whore would disqualify her for an Israelite [who cannot live with his wife once she has committed adultery], [that would form a weightier prohibition than any prior one].” [Freedman: Though in the case under discussion the prohibition here adds nothing, an extra penalty is incurred, because this is a wider prohibition.]*

III.10 A. *A Tannaite authority repeated [the following allegation as to the state of the rule] before R. Sheshet, “Any classification of woman who is encompassed*

under ‘a virgin of his own people shall he take to wife’ (Lev. 21:14) is encompassed under the language, ‘a widow...he shall not take,’ but whoever is not encompassed under ‘...shall he take...,’ is not encompassed under ‘...he shall not take.’ [Freedman: The high priest transgresses the latter only on account of a woman who would be permitted to him if she were a virgin.] This then excludes a high priest who marries his widowed sister [being liable not on the count of her widowhood but only on the count of her being his sister].”

- B. *He said to him, “So who told this to you? It can only be R. Simeon, who takes the position that one prohibition cannot take effect while another is in place. For it has been taught on Tannaite authority: R. Simeon says, ‘He who eats carrion on the Day of Atonement is exempt [since the prohibition of carrion took effect prior to the Day of Atonement, so the prohibition of eating on the Day of Atonement does not take effect].’ But it cannot be the position of the rabbis vis-à-vis R. Simeon, for they maintain that one prohibition can take effect while another is in place.”*
- C. *You may even maintain that this is the position of rabbis. When rabbis take the view that, one prohibition can take effect while another is in place, that is the case only if it is a weighty prohibition that takes effect over a light-weight prohibition, but as to a light-weight prohibition’s taking effect when a heavy-weight prohibition is already in effect, that is not so.*
- D. *Others say [that he said], “So who told this to you? It can only be rabbis, who maintain that one prohibition can take effect while another is in place. But under what circumstances do they take that view? It is only if it is a weighty prohibition that takes effect over a light-weight prohibition, but as to a light-weight prohibition’s taking effect when a heavy-weight prohibition is already in effect, that is not so. But it cannot be the view of R. Simeon, for if he maintains the position that a weighty prohibition that does not takes effect over a light-weight prohibition, can there be any question of his position in a case in which a light-weight prohibition’s taking effect when a heavy-weight prohibition is already in effect?”*
- E. *But what might you imagine? That a prohibition in respect to the priesthood is exceptional [so Simeon might concur]? So we are informed that that is not the case.*

III.11

A. *Said R. Pappa to Abbaye, “An Israelite who had sexual relations with his sister certainly places her in the classification of a whore; but does he place her in the classification of one impaired for marriage into the priesthood or is that*

not the case [is a priest who has sexual relations with her flogged separately on each count (Freedman)]? Do we maintain it as an argument a fortiori: If she becomes one impaired for marriage into the priesthood by reason of sexual relations with those forbidden to her merely by negative commandments, how much the more so if the six is those forbidden on the penalty of extirpation? *Or maybe*, impairment for marriage into the priesthood derives only from sexual relations with one forbidden to her by reason of being a priest?"

- B. He said to him, "Impairment for marriage into the priesthood derives only from sexual relations with one forbidden to her by reason of being a priest alone."

C. *Said Raba, "How do we know this ruling that rabbis have stated, namely: Impairment for marriage into the priesthood derives only from sexual relations with one forbidden to her by reason of being a priest? For it has been taught on Tannaite authority:*

D. "[And he shall take a wife in her virginity. A widow or one divorced, or a one who has been defiled, or a harlot, these he shall not marry; but he shall take to wife a virgin of his own people, that he may not profane his children among his people; for I am the Lord who sanctify him' (Lev. 19:10-15).]

E. "Let Scripture refer only to a widow. Why bother to include a divorcée which can be derived on the basis of an argument a fortiori, *for I might then argue, if she is forbidden to an ordinary priest, is there any question of her being forbidden to a higher priest? So why is this spelled out in so many words?*

F. "Just as a divorced woman is a distinct count from a whore and a woman of impaired genealogy in regard to an ordinary priest, so she is a distinct category in reference to a high priest!"

G. *That's pretty obvious, is the sanctity of a high priest any less than that of an ordinary priest?*

H. "Rather: Just as a divorced woman is distinct from a whore or a woman of impaired priestly genealogy with respect to an ordinary priest, so a widow is distinct from from a whore or a woman of impaired priestly genealogy in respect to a high priest.

I. "Why make reference to a woman of impaired priestly status with respect to a high priest [for she is forbidden anyhow to an ordinary priest]?"

J. A woman of impaired priestly status is stated here and also in respect to an ordinary priest. Just as in that case, his seed is secularized, so that is the case here too.”

III.12 A. Said R. Ashi, “Therefore a priest who had sexual relations with his sister [78A] has made her a whore but hasn’t made her a woman of impaired priestly status. If then he went had had sexual relations with her again, he has made her into a woman of impaired priestly status” [Freedman: since as a result of the first act of sexual relations, she becomes forbidden to him also as a whore of the type forbidden only to priests].

B. Said R. Judah, “A high priest who has sexual relations with a widow is flogged on two counts, once on the count of ‘he shall not take’ (Lev. 21:14), and once on the count of, ‘he shall not profane.’”

C. *Well, why not flog him also on the count of “he shall not profane his seed”?*

D. *It would be a case in which he does not complete the act of sexual relations.*

E. *Objected Raba, “As to a [woman who was both] a widow and a divorcée, [priests] are liable in her case on two counts [M. Mak. 3:1E]. Isn’t this, on two counts and no more?”*

F. *No, it means, on two counts for this consideration, and on two counts for that consideration.*

G. *Well, then, note what follows: In the case of a divorcée and a woman who has performed the rite of removing the shoe, [a priest] is liable in her case on only one count alone [M. Mak. 3:1F].*

H. *This is the sense of the statement: He is liable only on one count, though even so, there are two considerations.*

I. [Since you say that he is flogged only on one count, namely, that of the divorce (Freedman),] *in fact does the prohibition against relations with a woman who has performed the rite of removing the shoe derive only from the authority of rabbis? Surely it has been taught on Tannaite authority: “A divorced woman” (Lev. 21: 7) [may a priest not marry] – I know that that is so only of a divorced woman. How about a woman who*

has undergone the rite of removing the shoe? Scripture states, "And a woman..." (Lev. 21: 7).

J. *The rule derives from the authority of rabbis, who found a proof-text to support their decree.*

- III.13** A. Said Abbaye, "When [a high priest or an ordinary priest] betroths [a woman he is forbidden to marry], he is flogged; when he has sexual relations, he is flogged on that count too.
- B. "When [a high priest or an ordinary priest] betroths [a woman he is forbidden to marry], he is flogged: on the count of 'he shall not take.'
- C. "When he has sexual relations, he is flogged on that count too: On the count of 'he shall not profane.'"
- D. Raba said, "If he had sexual relations, he is flogged; if he didn't have sexual relations, he is not flogged. *For it is written, 'He shall not take [in marriage]' (Lev. 21:14) so that 'he shall not profane his seed' (Lev. 21:15).* [The prohibition in the former instance is on account of the latter consideration, which yields the conclusion that] one is not liable until he shall actually have had sexual relations."
- E. And Abbaye concurs in the case of one who takes back a woman whom he has divorced that if he betrothed but didn't have sexual relations, he is not flogged. "He may not take her again to be his wife" (Deu. 24: 4 [taking meaning betrothal, which in this case is violated only at the consummation of the marriage], *is what Scripture has said, and that is not in play here.*
- F. And Raba concedes in the case of a high priest in relationship to a widow, that if he had sexual relations but did not undertake a prior betrothal, that he is flogged: "He shall not profane his seed" *is what Scripture has said*, and lo, he most certainly has profaned his seed.
- G. And both of them concur in the case of one who retakes a woman he has divorced, that if he had sexual relations but did not undertake a betrothal, he is not flogged: The Torah has forbidden the relationship when it goes the route of a formal marriage. [Freedman notes that the Munich manuscript adds:

And both agree in the case of him who takes a woman with whom he has undergone the rite of removing the shoe, that if he betroths but has no sexual relations, he is not flogged, for the Torah has prohibited the relationship when it is on the route of “building up a house” (Deu. 25: 9), which is not in play here.]

- IV.1 A. R. Judah says, “The daughter of a male proselyte is equivalent to the daughter of a male of impaired priestly stock”:**
- B. *It has been taught on Tannaite authority:*
 - C. **[“Among his people”: This serves to encompass under the law the daughter of a male priest who has been profaned, indicating that she is invalid for marriage into the priesthood.] R. Judah says, “The daughter of a male proselyte is in the status of the daughter of a male priest who has been profaned” [Sifra Parashat Emor Pereq 2:CCXIV:I.8].**
 - D. Logic alone proves that point [and a verse of Scripture is not required]: If a male priest who has been profaned but comes from fit genealogy has a daughter that is unfit for the priesthood, a proselyte, who comes from unfit origin, surely should have a daughter who is unfit for marriage into the priesthood!
 - E. But the distinguishing trait that explains the rule governing the priest of impaired status is that he was formed through transgression –
 - F. a high priest with a widow will prove the contrary, for he was not formed in transgression, but his daughter is invalid for marriage into the priesthood.
 - G. But the distinguishing trait that explains the rule governing the high priest and the widow is that his act of sexual relations involves a transgression –
 - H. A priest of profaned genealogy will prove the contrary –
 - I. So the wheel turns and comes back. The definitive taxonomic trait of this category is not the same as the definitive taxonomic trait of that category, and the definitive taxonomic trait of that category is not the same as the definitive taxonomic trait of this category. But what they have in common is that neither one of them is subject to a rule that governs the majority of the congregation of Israel. So I shall introduce the case of the proselyte, who also is not subject to the rule that governs the majority of the congregation of Israel, and so, too, his daughter should be invalid for marriage into the priesthood.
 - J. But the really decisive common taxonomic trait is that there is an aspect of transgression in their relationships [which is not the case with the proselyte].

- K. *Don't say*, a high priest with a widow will prove the contrary, *but say*, let the case of an Egyptian converted to Judaism in the first generation prove it [there is no sin here, but his daughter cannot marry into the priesthood, for only the third generation beyond conversion may marry with other Israelites].
- L. But the distinctive taxonomic trait pertaining to an Egyptian in the first generation of conversation is that he is totally ineligible to enter the congregation of Israel at all.
- M. Then the priest of impaired genealogy will prove the contrary. So the wheel turns and comes back. The definitive taxonomic trait of this category is not the same as the definitive taxonomic trait of that category, and the definitive taxonomic trait of that category is not the same as the definitive taxonomic trait of this category. But what they have in common is that neither one of them is subject to a rule that governs the majority of the congregation of Israel, and the daughter of each is unfit for marriage into the priesthood; so I shall introduce the case of a proselyte, who is not subject to a rule that governs the majority of the congregation of Israel, and the daughter of whom is unfit for marriage into the priesthood.
- N. No, the real shared taxonomic trait of them is that they impart unfitness by their act of sexual relations.
- O. And R. Judah?
- P. *A proselyte also disqualifies by his act of sexual relations, and he deduces that fact by analogy from this very same argument* [Freedman].

V.1 A. R. Eliezer b. Jacob says, "An Israelite who married a female proselyte – his daughter is suitable for marriage into the priesthood. And a proselyte who married an Israelite girl – his daughter is valid for marriage into the priesthood. But a male proselyte who married a female proselyte – his daughter is invalid for marriage into the priesthood. All the same are proselytes and freed slaves, even down to ten generations – [the daughters cannot marry into the priesthood] unless the mother is an Israelite":

- B. *It has been taught on Tannaite authority:*
- C. R. Simeon b. Yohai says, "A convert who converted at the age of less than three years and a day may marry into the priesthood, as it is said, 'But all the female children who have not known man by lying with him keep alive for yourselves' (Num. 31:18), and Phineas [a priest] was certainly among them."

D. *And rabbis?*

E. “They may be kept alive” (Num. 31:18) – as slave boys and slave girls.

V.2 A. And all parties [to the dispute of the Mishnah paragraph] interpret the same verse of Scripture, namely: “Neither shall they take for their wives a widow nor her that is put away but they shall take virgins of the seed of the house of Israel” (Eze. 44:22) –

B. *R. Judah takes the position that the entirety of the seed must derive from Israel.*

C. *R. Eliezer b. Jacob maintains* “of the seed” means, even part thereof.

D. *R. Yosé holds*, it refers to whoever is conceived in Israel.

E. *R. Simeon b. Yohai regards the meaning as*, one whose virginity has matured in Israel [that is, in the three years and a day from birth, the virginity will return; from this point on, if destroyed, it won’t return].

V.3 A. *Said R. Nahman to Raba, [78B] “But as to this verse, does the first part refer to a high priest and the second to an ordinary priest”* [Freedman: for the first part prohibits marriage to a widow, and the second half “and a widow that is a widow of a priest they shall take” permits it].

B. *He said to him, “Yup.”*

C. *“And is that how the verse is written?”*

D. *He said to him, “Yup. For here’s an example from Scripture: ‘And the lamp of God was not yet gone out, and Samuel was laid down to sleep in the Temple of the Lord’ (1Sa. 3: 3). But is it not the fact that sitting down in the courtyard is permitted only to the kings of the house of David alone? The meaning must be, ‘and the lamp of God was not yet gone out in the Temple of the Lord, and Samuel was laid down to sleep in his place.’”*

V.4 A. “And a widow that is the widow of a priest they shall take” (Exo. 44:22):

B. only of a priest, not of an Israelite?

- C. *This is the sense of the statement: "...Of a priest they shall take" – as to those of other priests may take such a woman.*
- D. *So, too, it has been taught on Tannaite authority:*
- E. *"...Of a priest they shall take" – as to those of other priests may take such a woman.*
- F. *R. Judah says, "Of those who can give their daughters in marriage to the priesthood they may take."*
- G. *R. Judah is consistent with other views of his, for he has said, "The daughter of a male proselyte is equivalent to the daughter of a male of impaired priestly stock: In the case of anyone whose daughter you may marry, you may marry his widow, and in the case of any whose taught you may not marry, his widow you may not marry.*

- VI.1** A. **R. Yosé says, "Also: A proselyte who married a female proselyte: His daughter is valid for marriage into the priesthood":**
- B. *Said R. Hamnuna in the name of Ulla, "The decided law accords with the position of R. Yosé."*
- C. *And so said Rabbah bar bar Hannah, "The decided law accords with the position of R. Yosé."*
- D. *"But from the day on which the Temple was destroyed, the priests [Freedman:] insisted on a superior status, in accord with the position of R. Eliezer b. Jacob."*
- E. *Said R. Nahman, "Said to me Huna, 'If a priest comes for advice, we rule in accord with R. Eliezer b. Jacob; but if after the fact he has married, we do not compel him to divorce the woman, now in accord with R. Yosé.'"*

4:8

- A. **He who says, "This son of mine is a mamzer" is not believed.**
- B. **And even if both parties say concerning the foetus in the mother's womb, "It is a mamzer" – they are not believed.**
- C. **R. Judah says, "They are believed."**

- I.1** A. *What is the meaning of the clause, even if both parties...?*
- B. *What we have is a progression to from the lesser case to the greater, namely, it is not a question that the father is not believed in a case in which he cannot*

be confirmed in his allegation, but even if the mother, who certainly can confirm the origins of the offspring, makes the same claim, she is not believed.

- C. *And it is also no question that where the child is assumed to be fit, they are not believed; but even where it is an embryo, who is not subject to any presumption of fitness whatsoever, they still are not believed.*

II.1 A. R. Judah says, “They are believed”:

- B. *That is in accord with what has been taught on Tannaite authority:*
- C. *“He shall acknowledge the firstborn” (Deu. 21:17) – even to others [letting the know who is firstborn].*
- D. *In this connection said R. Judah, “A man is believed to state, ‘This son of mine is firstborn.’ And just as he is believed to state, ‘This son of mine is firstborn,’ so he is believed to state, ‘This son of mine is the son of a divorcée or the son of a woman who has performed the rite of removing the shoe.’”*
- E. *And sages say, “He is not believed.”*

II.2 A. *Said R. Nahman bar Isaac to Raba, “Well, there is no problem in explaining the position of R. Judah, since that is in line with the verse of Scripture, ‘He shall acknowledge the firstborn.’ But as to rabbis, what need do I have for that clause, He shall acknowledge the firstborn?”*

B. *It speaks of a case in which acknowledgement is required [Freedman: if the son was overseas and his status was unknown].*

C. *For whatever purpose?*

D. *To give him a double portion [Deu. 21:17].*

E. *That’s pretty obvious. What need do I have for a verse of Scripture to make such a self-evident point? Since, if he wanted to give him a gift, he could do it, what’s the point of proving that he has such power over his own property in relationship to the son?*

F. *It refers to property that the father inherits only later on [after the declaration that this is the firstborn]. [The legacy didn’t exist at the time of the statement; he is nonetheless believed in respect of a double portion for the son recognized by him as firstborn (Freedman)].*

G. *Well, from the perspective of R. Meir, who takes the view, “A person can transfer title to something that is not yet in existence,” what need do I have for the verse, He shall acknowledge the firstborn?*

H. It covers property that he inherits while he is dying [and he can't then make such a gift, so his prior recognition of the son suffices (Freedman)].

4:9

- A. He who gave the power to his agent to accept tokens of betrothal for his daughter, but then he himself betrothed her –
- B. if his came first, his act of betrothal is valid.
- C. And if those of his agent came first, his act of betrothal is valid.
- D. And if it is not known [which came first], [79A] both parties give a writ of divorce.
- E. But if they wanted, one of them gives a writ of divorce, and one consummates the marriage.
- F. And so: A woman who gave the power to her agent to accept tokens of betrothal in her behalf, and then she herself went and accepted tokens of betrothal in her own behalf –
- G. if hers came first, her act of betrothal is valid.
- H. And if those of her agent came first, his act of betrothal is valid.
- I. And if it is not known [which of them came first], both parties give a writ of divorce.
- J. But if they wanted, one of them gives a writ of divorce and one of them consummates the marriage.

I.1 A. *Both cases given in the Mishnah paragraph [A-E, F-J], are required. For if we had been informed of the rule in respect to the father, that might have been because a man is solid in his knowledge of genealogy, but as to a woman, who is not solid in her knowledge of genealogy, I might say that that her act of betrothal is invalid. And if we were told that that is the case of the woman, it is because before a woman accepts a betrothal, she carefully investigates the situation, but as for the father, I might have supposed he doesn't really care [about pure genealogy, in which case he didn't cancel the agent's authority but made a provisional act of betrothal on his own]. So both formulations are required.*

I.2 A. *It has been stated:*
B. If her father betrothed her on the road, and in town she betrothed herself to someone else, and now [on the very same day] she has become pubescent [so her father no longer has authority over her] –

- C. Rab said, “Lo, she is pubescent right in our very presence [and her act of betrothal is certainly valid].”
- D. And Samuel said, “We take account of the possibility that the acts of betrothal of both parties may be valid.”

E. *Now at what point did the two actions take place? Should we say, it was during the prior six months? But lo, Rab said, Rab has said, “Lo, she is pubescent right in our very presence [and her act of betrothal is certainly valid]”! So it is at this very moment that she has become pubescent. But if it is after six months, then how can Samuel maintain, “We take account of the possibility that the acts of betrothal of both parties may be valid”? Lo, said Samuel, “The period of girlhood until the period of pubescence is never more than six months”?*

F. *The rule covers a case in which the betrothal took place on the day that ended the six months:*

G. Rab said, “Lo, she is pubescent right in our very presence [and her act of betrothal is certainly valid]”: *Since at this moment she is pubescent, this morning, too, she was pubescent.*

H. And Samuel [said, “We take account of the possibility that the acts of betrothal of both parties may be valid”:] *It is possible that she has produced the signs of puberty only just now.*

I.3 A. *Well, then, how does Samuel differentiate this case from that of the immersion pool, for we have learned in the Mishnah: **An immersion pool that was measured and found lacking the requisite volume of water – all things requiring cleanness that were prepared depending upon it – retroactively – whether involving private or public domain – are unclean [M. Miq. 2:2].***

B. *That case is exceptional, for one has grounds to claim: Confirm what is unclean in the presumed status of uncleanness, and say he didn’t immerse at all!*

C. *On the contrary! Confirm the immersion pool in its presumed status as being suitable, and say, it never lacked the requisite volume of water.*

D. *Yeah, well, it sure is missing some water now! And here, too, there she stands, fully pubescent, right in front of you.*

E. *Yeah, but only just now she matured.*

F. *Well, then, there, too, just now is when it lost the water.*

G. *In that case, [the immersion pool] there are two considerations that negatively affect the status of the immersion pool, while here there is only one negative consideration that affects the girl's status [which is that she just now has produced the puberty signs].*

I.4

A. *Well, then, how does Samuel differentiate this case from that of the jug, for it has been taught on Tannaite authority: **If one was checking a keg of wine from time to time in order to use it as heave-offering for other wine which came into his possession, and it was found to be vinegar, as to wine for which this keg was to serve as heave-offering that had been designated as such for the preceding three days it is certain that it had already become vinegar; from this time and retroactively, there is a doubt as to whether or not the wine had already become vinegar [T. Ter. 4:8H-J].** And in context we contrasted the case of the jug with the case of the immersion pool, asking why the latter is subject to no doubt but the former is subject to doubt. And said R. Hanina of Sura, "Who is the Tannaite authority behind the case of the keg? It is R. Simeon, who with reference to the immersion pool also maintains that the upshot is to declare in doubt matters affected by that pool. For it has been taught on Tannaite authority: **An immersion pool that was measured and found lacking the requisite volume of water – all things requiring cleanness that were prepared depending upon it – retroactively – whether involving private or public domain – are unclean.** R. Simeon says, 'Objects that derive from public domain are deemed clean. Those that derive from private domain are held in suspense.'" But so far as rabbis are concerned, the wine is retrospectively held to be liable to tithing but not yet tithed!*

B. *That case is exceptional, for there is a basis for claiming, confirm in its presumed status produce that is liable to tithing but not yet tithed. So I say, it has not yet been properly tithed.*

- C. *On the contrary*, confirm the wine in its presumed status of not having turned acid.
- D. Yeah, well, there you've got the vinegar right before you!
- E. *Here, too, there* we have the pubescent girl right before us.
- F. *Well, just this minute is when she produced the puberty signs.*
- G. *Then here, too: Just now it turned into vinegar.*
- H. *In that case, [wine] there are two considerations that negatively affect the status of the wine [its vinegary condition, the assumption that it is not yet tithed], while here there is only one negative consideration that affects the girl's status [which is that she just now has produced the puberty signs].*

I.5

- A. *Well, then, should we say this dispute runs parallel to a conflict among Tannaite opinion? [79B] For it has been taught on Tannaite authority:*
- B. [If a dying man writes over all his property, leaving nothing for himself, it is assumed that the gift is valid only if he dies; if he recovers, the gift is null, even though there was no such stipulation; if a healthy man writes a deed of gift, it remains valid; here was have a case in which a man got better but claims the deed was written when he was sick; the beneficiaries deny it (Freedman).] Then who is in the possession of extracting the property from whom?
- C. "He has the power to extract the property from their possession without proof, but they cannot extract the property from his possession without proof," the words of R. Jacob.
- D. R. Nathan says, "If he is healthy, he bears the burden of proof that he had been dying, but if he is dying, they bear the burden of proof that he had been healthy."
- E. *Now may we say that Rab makes his ruling in accord with R. Nathan, and Samuel, with R. Jacob?*
- F. *Rab may say to you, "I make my statement even in accord with R. Jacob. R. Jacob makes the ruling that he does there only because there is the possibility of saying, 'confirm the money in the hands of its presumptive owner,' but here, can*

anyone say, 'confirm the status of the body in accord with its presumptive status'?"

G. *And Samuel may say to you, "I make my statement even in accord with the position of R. Nathan. R. Nathan takes the position that he does in that case only because people in general are assumed to be perfectly healthy, so someone who proposes to exempt himself from the prevailing presumption bears the burden of proof. But here, does the girl then remove herself from a presumptive status that applied previously?"*

I.6 A. *Well, then, should we say this dispute runs parallel to a conflict along the lines of the following Tannaite statements?*

B. *If her father betrothed her on the road, and in town she betrothed herself to someone else, and now [on the very same day] she has become pubescent [so her father no longer has authority over her] –*

C. *One Tannaite authority: "Lo, she is pubescent right in our very presence [and her act of betrothal is certainly valid]."*

D. *And another Tannaite authority: "We take account of the possibility that the acts of betrothal of both parties may be valid."*

E. *So can't one say here, the one accords with the position of Rab, the other, of Samuel?*

F. *No, both Tannaite opinions accord with the view of Samuel, but the one speaks of a case in which the daughter contradicts the father's action, the other a case in which she doesn't.*

G. *Well, now, since the Tannaite formulations do not in fact differ, perhaps also the Amoraic positions also do not represent a dispute either?*

H. *But does that stand to reason? Didn't R. Joseph b. R. Menassayya of Debil make a concrete decision in accord with the position of Rab, and wasn't Samuel outraged and didn't he say, "For everybody wisdom is measured out in a thimble, but for this one of the rabbis, it is measured out in a pail"?* [Freedman: He is so sure of his superior knowledge that he disregards betrothal by the father, though it may have been

valid.] Now if you really imagine that they didn't differ, then why was he so outraged?

I. Well, maybe when he carried out the decision, it was a case in which the girl contradicted the father's action!

I.7 A. Said Mar Zutra to R. Ashi, "This is what Amemar said: 'The decided law accords with Samuel.'"

B. But R. Ashi said, "The decided law accords with Rab."

C. And the decided law accords with Rab.

4:10

- A. He who went along with his wife overseas, and he and his wife and children came home,
- B. and he said, "The woman who went abroad with me, lo, this is she, and these are her children" –
- C. he does not have to bring proof concerning the woman or the children.
- D. [If he said,] "She died, and these are her children,"
- E. he does bring proof about the children,
- F. But he does not bring proof about the woman.

4:11

- A. [If he said], "I married a woman overseas. Lo, this is she, and these are her children" –
- B. he brings proof concerning the woman, but he does not have to bring proof concerning the children.
- C. "...She died, and these are her children,"
- D. he has to bring proof concerning the woman and the children.

I.1 A. Said Rabbah bar R. Huna, "And all cases address a situation in which the children are minors and clinging to the woman [who need not prove her motherhood in any more plausible manner than that]."

I.2 A. Our rabbis have taught on Tannaite authority:
B. "A woman did I marry overseas" –
C. he brings proof concerning the woman, but he does not have to bring proof concerning the children.

- D. He brings proof concerning the adults, but he does not have to bring proof concerning the minors.
- E. Under what circumstances? In the case of one wife. But in the case of two wives, he has to bring proof concerning both the woman and her children, whether adults or minors.

I.3 A. Said R. Simeon b. Laqish, [80A] “This evidentiary standard applies only in regard to the children’s eating Holy Things separated in the provinces [so the priest’s children are confirmed if the woman cling to the mother, and they may eat priestly rations produced in the provinces], but not in respect to genealogy.”

B. And R. Yohanan said, “It pertains even to the matter of genealogy.”

I.4 A. *Now R. Yohanan is consistent with opinion expressed elsewhere, for* said R. Hiyya bar Abba said R. Yohanan, “On the strength of a presumption of personal status a flogging is administered, so, too, a malefactor may be stoned or burned to death by reason of presumptive status, but we do not burn priestly rations by reason of presumptive status.”

B. “On the strength of a presumption of personal status a flogging is administered”: *This accords with R. Judah, for* said R. Judah, “If among the neighbors the woman was assumed to be menstruating, her husband is flogged on her account for having had sexual relations with a menstruating woman.”

C. “...So, too, a malefactor may be stoned or burned to death by reason of presumptive status”: *This accords with Rabbah bar R. Huna, for* said Rabbah bar R. Huna, “A man or woman, boy or girl, who grew in the same household – they are put to death through stoning or through burning on account of one another.” [Freedman: If the son has sexual relations with the mother, they are stoned; if the daughter with the father, they are put to death through burning; this is only by reason of the prevailing assumption of a relationship that is otherwise not proven.]

D. Said R. Simeon b. Pazzi said R. Joshua b. Levi in the name of Bar Qappara, “There was a case of a woman who came to Jerusalem, with an infant boy riding on her back; she raised him; then he had sexual relations; and she brought them to court and

stoned them to death, not because he was most certainly her son, but because he clung to her.”

E. “...But we do not burn priestly rations by reason of presumptive status”:

F. *For* said R. Simeon b. Laqish, “We burn priestly rations by reason of presumptive status.”

G. And R. Yohanan says, “We do not burn priestly rations by reason of presumptive status.”

H. *And they are consistent with views expressed elsewhere, for we have learned in the Mishnah: A child [who is unclean] who is found at the side of the dough and the dough is in his hand – R. Meir declares clean. And sages declare unclean, for it is the way of the child to slap [dough] [M. Toh. 3:8A-D]. And we said, “What is the operative consideration behind the position of R. Meir? It is that he assumes that the rule governing the majority of children is that most of them slap dough and only a minority does not slap dough. Now this dough is in the presumption of being clean. So we have to combine the matter of the status of the minority with the rule that the prevailing presumption is decisive, and in that case, the rule governing the majority is impaired. Rabbis for their part treat the minority as though it were null, and where majority rule is set against the prevailing presumption, the rule governing the majority takes precedence.” In connection with this, R. Simeon b. Laqish in the name of R. Oshaia stated, “It is on the strength of that presumption that the food in the status of priestly rations is burned,” while R. Yohanan said, “It is not on the basis of a presumption of this sort that the food in the status of priestly rations will be burned.”*

I. So on account of what kind of assumption do we burn priestly rations? *It is in accord with that which has been taught on Tannaite authority:*

J. If there was dough in the house in which dead creeping things and frogs are located, and pieces of something are found in the dough, if most of them are dead creeping things, it is unclean; if most of them are frogs, it is clean [and here we have private property, so a doubt in a matter of uncleanness is resolved in favor of uncleanness].

I.5 A. *It has been taught on Tannaite authority in accord with the view of R. Yohanan:*

B. There are two classes of things that do not have sufficient intelligence to be subjected to an interrogation, yet sages have treated them as though they did have sufficient intelligence for that purpose, namely, a child and one other.

C. A child: As we have just said [if the child is clinging to the mother...].

D. ...And one other: *What is that?*

E. If there is dough in a household, and chickens and unclean liquids are located there, and in the dough turn up **[80B]** holes, the status of the dough is held in suspense: Not eaten, not burned. [Fowls may have drunk the unclean liquid and then picked at the dough with liquid still dripping; here, too, the matter is held in suspense, as with the child; that agrees with Yohanan (Freedman).]

F. Said R. Joshua b. Levi, "That rule has been repeated only in a case in which the liquid is white; but in the case of liquid that is red, *if the chickens had picked at the dough with dripping beaks, it would be obvious that that had happened.*"

G. *But maybe the dough absorbed the liquid?*

H. Said R. Yohanan, “The great authority has heard this tradition but didn’t hear the explanation of it: That rule has been repeated only in a case in which the liquid is clear, such that a child’s reflection may be seen in it, but not liquid that is turbid” [which will certainly leave traces; in that case, absent such traces, the liquid is clean].

4:12

- A. A man should not remain alone with two women, but a woman may remain alone with two men.
- B. R. Simeon says, “Also: One may stay alone with two women, when his wife is with him.
- C. “And he sleeps with them in the same inn,
- D. “because his wife keeps watch over him.”
- E. A man may stay alone with his mother or with his daughter.
- F. And he sleeps with them with flesh touching.
- G. But if they [the son who is with the mother, the daughter with the father] grew up, this one sleeps in her garment, and that one sleeps in his garment.

- I.1 A. *What is the operative consideration here?*
- B. *The Tannaite authority of the household of Elijah [explained]:* Because women are lightheaded.

- I.2 A. [A man should not remain alone with two women, but a woman may remain alone with two men:] *What is the scriptural authority for that view?*
- B. Said R. Yohanan said R. Ishmael, “How on the basis of the Torah do we find an indication [that there is a decree against being alone with an Israelite woman]? ‘If your brother, son of your mother...entice you’ (Deu. 13: 7). But can there be the son of a mother who is not of the son of the father who is subject to the consideration of enticement by a relative? The meaning is, a son may be alone with his mother, but no one else may be alone with any woman with whom the Torah prohibits him to marry.”

- I.3** A. *Then what is the simple meaning of the same verse of Scripture?*
 B. *Said Abbaye, "The formulation is one that moves from what is obvious to what is not, thus: It is not necessary to say that one should ignore the incitement of his father's son, for he may hate him and give him bad advice, but as to the son of his mother, who doesn't hate him [Freedman: neither affects the other's inheritance], I might say that he may go along with him. So we are informed that that is not the case.*

- I.4** A. [Supply: **A man should not remain alone with two women:**] *May we say that our Mishnah passage is not in accord with the position of Abba Saul, for it has been taught on Tannaite authority:*
 B. Any infant who died within thirty days of birth is carried out for burial in one's arms and is buried by one woman and two men, but not by one man and two women.
 C. "Abba Saul says, "Even by one man and two women."
 D. *You may even say that it accords with Abba Saul. In a time of mourning, one's sexual desire is broken.*
 E. *And rabbis concur with R. Isaac, for said R. Isaac, "'Why does a living man mourn, a man that is in his sins' (Lam. 3:39)? Even at a time of mourning, one's sexual desire overcomes him."*
 F. And Abba Saul?
 G. *That verse is written in respect to one who takes issue with God's fairness, and this is the sense of the statement: Why does he take issue with God's fairness? Has he overcome his sins? Let the life that he has, which I gave him, be enough for him.*
 H. *It is as in the incident of a certain woman; there it happened that she took out a child... [who was alive, pretending he was dead, so as to have an assignation (Freedman/Rashi)].*

- II.1** A. ...**But a woman may remain alone with two men:**
 B. Said R. Judah said Rab, "This rule applies only to upright persons, but in the case of immoral ones, *then even if it were ten, it is not permitted*. There was a case in which ten men took out a loose woman on a bier."
 C. *Said R. Joseph, "You may know that that is so, for ten men will gang up and steal a beam and aren't ashamed before one another."*
 D. *May we say that the following supports [Judah's] view: [The judges] hand over to him two disciplines of sages, lest*

he have sexual relations with her on the way [M. Sot. 1:3F]
– *disciples of sages indeed [are sent along], but ordinary people are not?*

E. Disciples of sages are exceptional, in that sages will have knowledge of [81A] how to give an appropriate admonition to [the husband, not to have sexual relations with his wife until her status has been properly tested].

II.2 A. Said R. Judah said Rab, “[The statement that a woman may be alone with two men] pertains only to a town. But as to a trip, there must be three. Perhaps one of them will have to attend to his natural needs, and it will turn out that one of the men [the remaining one] will be left alone with a woman forbidden to have sexual relations with him.”

B. May we say that the following supports his view: [The judges] hand over to him two disciplines of sages, lest he have sexual relations with her on the way [M. Sot. 1:3F]? So that is, two plus the husband himself, three in all!

C. No, [that is not the case]. Here the reason is so that there will be two witnesses in her regard.

II.3 A. Rab and R. Judah were walking down the road, and a woman was walking in front of them. Said Rab to R. Judah, “Lift up your feet before Gehenna. [Let’s run out of here.]”

B. He said to him, “But it is the master himself who has said, with respectable people, there is no objection [in having two men and a woman alone together].”

C. He said to him, “So who is to say that it is ‘respectable people’ such as you and me! Who are really respectable people? For instance R. Hanina bar Pappi and his colleagues.” [Cf. B. Qid. 39B: It is like the case of R. Hanina bar Pappi, whom a certain Roman lady propositioned. He said something that brought up boils and scabs over his whole body. She did something that healed him. He ran away and hid in a bathhouse where, even if two people came in together, even by day, they would suffer harm [from the local demon, but he wasn’t injured].]

II.4 A. Said Rab, “A flogging is administered on account of her doing into seclusion with another man, but she is not prohibited from her husband on account of seclusion.”

B. Said R. Ashi, “That statement concerns only being alone with a free agent, but not with a married woman, so that people won’t suspect the parentage over her children.”

C. *Mar Zutra would flog but also make an announcement [that adultery had not been committed].*

D. *Said R. Nahman of Parhattayya to R. Ashi, “So why doesn’t the master do the same and flog but also make an announcement [that adultery had not been committed]?”*

E. *He said to him, “Because there will be people who may hear about the one but not the other.”*

II.5 A. Said Rab, “A flogging is administered on account of ‘it is no good report’ (1Sa. 2:24), as it is said, ‘No, my sons, for it is no good report that I hear.’”

B. *Mar Zutra would lay a lash around his shoulders and recite to him, “No, my sons, for it is no good report that I hear.”*

II.6 A. Said Rabbah, “If her husband was in town, we do not take precautions on the count of being alone with a man.”

B. Said R. Joseph, “If the door is open to the street, we do not take precautions on the count of being alone with a man.”

II.7 A. *R. Bibi visited the household of R. Joseph. After they wrapped up the leftover bread, [as he was going downstairs to bed with his wife] he said to the slaves, “Take away the ladder from under Bibi.”*

B. But lo, said Rabbah, “If her husband was in town, we do not take precautions on the count of being alone with a man”!

C. *R. Bibi is exceptional, because [Joseph’s] wife had been an attendant at his marriage, and she was very much at home with him.*

II.8 A. Said R. Kahana, “If men are outside and women are inside, we do not take precautions on the count of being alone with a man. If men are inside and women are outside, we do take precautions on the count of being alone with a man.”

B. *In a Tannaite formulation the reverse was set forth.*

C. *Said Abbayye, Now that R. Kahana has made the statement that he has while in a Tannaite formulation the reverse was set forth, let us impose the more strict rule.*”

D. *Abbayye made a partition of jugs [between women and men], Raba made one of canes.*

II.9 A. *Said Abbayye, “The year’s sorest spot is the festival [of Tabernacles].”*

B. *There were some kidnapped women who were brought to Nehardea. They brought them to the house of R. Amram the Pious, and took away the ladder from before them [for their protection, until they could be sent home]. As some one went by, a light fell on the skylight [partition, between the upper and lower rooms, so the women could be seen]. R. Amram took the ladder, which ten men working together could not raise, and he raised it all by himself, and he climbed up. When he got half way up the ladder, a voice cried out, “Fire at R. Amram’s!” [When people came to put out the fire, they realized what Amram was in process of doing.]*

C. *Rabbis came. They said to him, “We’re ashamed of you.”*

D. *He said to them, “It is better that you should shame Amram in this world and not be ashamed of him in the world to come.”*

E. *He imposed an oath [on temptation] to leave him, and it issued forth from him in the shape of a column of fire. He said to it, “Look, now, you’re fire and I’m flesh, but I overcome you.”*

Topical Appendix on Ridiculing Sinners, Attached to Supplement a Detail in the Foregoing

II.10 A. *R. Meir would ridicule sinners. One day Satan appeared to him on the opposite side of a canal in the form of a woman. There being no ferry, he grabbed a rope and got across. As he had reached half way down the rope, [temptation] released him, saying, “If they had not accounted in Heaven,*

‘Watch out for R. Meir and his Torah learning,’ I would not have valued your life for two maahs.”

II.11 A. *R. Aqiba would ridicule sinners. One day Satan appeared to him on the top of a palm tree in the form of a woman. He was climbing up, till he got half way up the palm tree, when [temptation] released him, saying, “If they had not accounted in Heaven, ‘Watch out for R. Aqiba and his Torah learning,’ I would not have valued your life for two maahs.”*

II.12 A. *Every day Pelimo would be accustomed to say, “An arrow in the eyes of Satan.” One day, the eve of the Day of Atonement, Satan appeared to him in the guise of a poor man. He came and called at the door. They brought food out to him. He said to him, “On a day such as this, when everybody is inside, should I be outside?”*

B. *They brought him in and served food to him.*

C. *He said to them, “On such a day, when everybody is at the table, should I sit all by myself?”*

D. *They brought him in and seated him at the table.*

E. *While he was sitting there, his body was covered with [Freedman:] suppurating sores, and he conducted himself in a disgusting way. He said to him, [81B] “Sit nicely.”*

F. *He said to him, “Give me a cup of wine.”*

G. *They gave a cup of wine to him. He coughed and spit the phlegm into it. They yelled at him. He fainted and died. They heard people saying, “Pelimo has killed a man, Pelimo has killed a man.”*

H. *He fled, hiding out in a privy. [Satan] followed him in and Pelimo fell before him. When he saw how troubled he was, he revealed himself to him. He said to him, “How come you go around saying this and that?”*

I. *“So how am I supposed to talk?”*

J. *He said to him, “May the All-Merciful rebuke Satan.”*

II.13 A. *R. Hiyya bar Ashi was accustomed, whenever he prostrated himself to his face, to say, “May the All-Merciful save us from the Evil Impulse.”*

B. *Once his wife heard this. She said, “Now how many years he has kept away from me, so how come he says this?”*

C. *One day he was studying in his garden, and she dressed up [in disguise] and walked back and forth before him. He said to him, “How are you?”*

- D. *She said to him, "I'm Haruta [the famous whore], and I've come back today."*
- E. *He lusted after her. She said to him, "Bring me that pomegranate from the top bough."*
- F. *He climbed up and got it for her. When he went back inside his house, his wife was heating the oven, so he climbed up and sat down in it. She said to him, "So what's going on?"*
- G. *He told her what had happened. She said to him, "So it was really me." But he wouldn't believe her until she gave him the pomegranate.*
- H. *He said to her, "Well, anyhow, my intention was to do what is prohibited."*
- I. For the rest of the life of that righteous man he fasted [in penitence] until he died on that account.

II.14 A. *So it has been taught on Tannaite authority:*

- B. "Her husband has made them void and the Lord shall forgive her" (Num. 30:13) –
- C. Of whom does Scripture speak? It speaks of a woman who took a vow to be a Nazirite, **[and] her husband annulled the vow for her, but she did not know that her husband had annulled it for her and nonetheless continued to go around drinking wine and contracting corpse uncleanness [M. Naz. 4:3C].**

II.15 A. *When R. Aqiba would come to this verse, he wept, saying, "If someone intended to eat ham and really had in hand veal, yet the Torah has said that he requires atonement and forgiveness, one who intends to eat ham and really had in hand ham – all the more so!"*

B. Along these same lines: "Though he knew it not, yet he is guilty and shall bear his iniquity" (Lev. 5:17) –

C. when R. Aqiba would come to this verse of Scripture, he would weep: "If someone intended to eat permitted fat and really had in hand forbidden fat, yet the Torah has said, 'Though he knew it not, yet he is guilty and shall bear his iniquity,' one who really did intend to eat forbidden fat and had in hand forbidden fat – all the more so [is he guilty]!"

D. Issi b. Judah says, "'Though he knew it not, yet he is guilty and shall bear his iniquity' (Lev. 5:17) – for such a thing as this [that we are sinful even not by intent] let all those who are mournful mourn."

III.1 A. A man may stay alone with his mother or with his daughter. And he sleeps with them with flesh touching:

B. Said R. Judah said R. Assi, “A man may be alone with his sister and lie with his mother and daughter alone.”

C. *When he made that statement before Samuel, he said, “It is forbidden for a man to be alone with any of the consanguineous relations that are listed in the Torah – even a cow.”*

D. *But we have learned in the Mishnah: A man may stay alone with his mother or with his daughter. And he sleeps with them with flesh touching! Isn't this a refutation of what Samuel just said?*

E. *Samuel may say to you, “But from your own perspective, isn't it taught on Tannaite authority: ‘As to his sister and mother-in-law and all the other consanguineous relations that are listed in the Torah, a man may be alone with them only in the presence of witnesses’ – thus, only in the presence of witnesses but otherwise not!”*

F. *In point of fact, it is a conflict of Tannaite rules, for it has been taught on Tannaite authority:*

G. Said R. Meir, “May I be put on notice on account of my own daughter.”

H. Said R. Tarfon, “May I be put on notice on account of my daughter-in-law.”

I. A disciple ridiculed him.

J. Said R. Abbahu in the name of R. Hanina b. Gamaliel, “Not a few days later did that very disciple stumble with his mother-in-law.”

III.2 A. “Even a cow”:

B. *Abbaye would clear them from the whole field.*

C. *R. Sheshet put them on the other side of the bridge.*

D. *R. Hanan of Nehardea visited R. Kahana in Pum Nahara. He saw him in session and studying, with a beast standing right there in front of him. He said to him, “Doesn't the master concur, ...even a cow?”*

E. *He said to him, “It never entered my mind.”*

III.3 A. Said Raba, “A man may be alone with two levirate widows, or with two co-wives, or with a woman and her mother-in-law, or with a woman and her husband's daughter, or with a woman and a child who knows what sexual

relations are all about but will not have sexual relations herself [so she can well talk about what she's seen]."

IV.1 A. But if they [the son who is with the mother, the daughter with the father] grew up, this one sleeps in her garment, and that one sleeps in his garment:

B. What is the definition of growing up?

C. Said R. Adda bar R. Aza said R. Assi, "In the case of girls up to nine years and one day, and in the case of boys up to twelve years and one day."

D. *There are those who say*, "In the case of girls up to twelve years and one day, and in the case of boys up to thirteen years and one day."

E. And with both of them it is up to the time that "Your breasts were fashioned and your hair was grown" (Eze. 16: 7).

IV.2 A. Said Rafram bar Pappa said R. Hisda, "That rule applies only to a girl who is not embarrassed to stand naked before him, but if she is embarrassed to stand naked before him, it is forbidden."

B. *How come?*

C. *She is covered with lust [sex-conscious].*

IV.3 A. *R. Aha bar Abba visited the household of R. Hisda, his son-in-law, and picked up his granddaughter and sat her on his lap. He said to him, "Doesn't the master realize that she is betrothed?"*

B. *He said to him, "In that case, you have violated what Rab said, for said R. Judah said Rab, and some say, R. Eleazar, 'It is forbidden for a man to betroth his daughter when she is a minor, until she grows up and can say, "I want Mr. So-and-so."'"*

C. *"Well, the master has violated what Samuel said, for said Samuel, 'People are not to make use of a woman.'"*

D. *He said to him, "Well, I concur with another statement of Samuel, for said Samuel, [82A] 'All is for the sake of Heaven [including hugging my granddaughter].'"*

4:13

- A. An unmarried man may not teach scribes.
- B. Nor may a woman teach scribes.
- C. R. Eliezer says, “Also: He who has no wife may not teach elementary school.”

4:14A-C

- A. R. Judah says, “An unmarried man may not herd cattle.
- B. “And two unmarried men may not sleep in the same cloak.”
- C. And sages permit it.

- I.1** A. [An unmarried man may not teach scribes:] *How come? Should we say that it is on account of pederasty? But hasn't it been taught on Tannaite authority: They said to R. Judah, “Israelites are not suspect of sodomy or bestiality.” [It is unthinkable and so need not be taken into consideration.]*
- B. *Rather, the reason an unmarried man is forbidden is because of the children's mothers, and a woman, because of their fathers.*

- II.1** A. R. Eliezer says, “Also: He who has no wife may not teach elementary school”:
- B. *The question was raised: Someone who has no wife at all, or someone whose wife is not living with him?*
- C. *Come and take note: Also he who has a wife but she is not living with him should not teach elementary school.*

- III.1** A. R. Judah says, “An unmarried man may not herd cattle. And two unmarried men may not sleep in the same cloak.” And sages permit it:
- B. *It has been taught on Tannaite authority: They said to R. Judah, “Israelites are not suspect of sodomy or bestiality.” [It is unthinkable and so need not be taken into consideration.]*

4:14D-T

- D. Whoever has business with women should not be alone with women.
- E. And a man should not teach his son a trade which he has to practice among women.
- F. R. Meir says, “A man should always teach his son a clean and easy trade. And let him pray to him to whom belong riches and possessions.
- G. “For there is no trade which does not involve poverty or wealth.

- H. “For poverty does not come from one’s trade, nor does wealth come from one’s trade.
- I. “But all is in accord with a man’s merit.”
- J. R. Simeon b. Eleazar says, “Have you ever seen a wild beast or a bird who has a trade? Yet they get along without difficulty. And were they not created only to serve me? And I was created to serve my Master. So is it not logical that I should get along without difficulty? But I have done evil and ruined my living.”
- K. Abba Gurion of Sidon says in the name of Abba Gurya, “A man should not teach his son to be an ass driver, a camel driver, a barber, a sailor, a herdsman, or a shopkeeper. For their trade is the trade of thieves.”
- L. R. Judah says in his name, “Most ass drivers are evil, most camel drivers are decent, most sailors are saintly, the best among physicians is going to Gehenna, and the best of butchers is a partner of Amalek.”
- M. R. Nehorai says, “I should lay aside every trade in the world and teach my son only Torah.
- N. “For a man eats its fruits in this world, and the principal remains for the world to come.
- O. “But other trades are not that way.
- P. “When a man gets sick or old or has pains and cannot do his job, lo, he dies of starvation.
- Q. “But with Torah it is not that way.
- R. “But it keeps him from all evil when he is young, and it gives him a future and a hope when he is old.
- S. “Concerning his youth, what does it say? They who wait upon the Lord shall renew their strength (Isa. 40:31). And concerning his old age what does it say? ‘They shall bring forth in old age’ (Psa. 92:14). And so it says with regard to the patriarch Abraham, may he rest in peace, ‘And Abraham was old and well along in years, and the Lord blessed Abraham in all things’ (Gen. 24: 1).
- T. “We find that the patriarch Abraham kept the entire Torah even before it was revealed, since it says, ‘Since Abraham obeyed my voice and kept my charge, my commandments, my statutes, and my laws’ (Gen. 26: 5).”

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

- B. Anyone whose business is mainly with woman [Freedman:] has a bad character, for instance, gold refiners, carders, handmill cleaners, peddlers, wool-dressers, hairdressers, laundrymen, blood letters, bathhouse attendants, and tanners. From such as these they do not appoint either a king or a high priest [T. Qid. 5:14A].

C. *How come?*

D. *It is not because they are intrinsically unfit, but because their trade is demeaning.*

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

B. Ten facts are said of a blood letter: He walks arrogantly, is conceited, sits leaning back, is grudging and envious, eats a lot and shits a little, and is suspect of adultery, robbery, and murder.

I.3 A. Bar Qappara expounded, "A person should always try to teach his son a clean and easy trade."

B. *What would it be?*

C. [82B] Said R. Judah, "One of the needle trades."

I.4 A. *It has been taught on Tannaite authority:*

B. Rabbi says, "You have no trade that passes out of the world. Happy is him who sees his parents in an honored profession, woe is he who sees his parents in a mean profession."

C. "It is not possible to have a world without either a spice dealer or a tanner. But happy is the one who makes his living as a spice dealer, and woe is the one who makes his living as a tanner. It is not possible to have a world without either males or females, but happy is the one whose children are males, and woe for him whose children are females" [T. Qid. 5:14C-D].

I.5 A. *It has been taught on Tannaite authority:*

B. R. Meir says, "A man should always teach his son a clean and easy trade. And let him pray to him to whom belong riches and possessions. For there is no trade which does not involve poverty or wealth. For poverty does not come from one's trade, nor does wealth come from one's trade. But it is all from the one to whom wealth and fortune belong: 'Mine is the silver, mine is the gold, says the Lord of hosts' (Hag. 3: 8) [T. Qid. 5:15]."

- II.1** A. R. Simeon b. Eleazar says, “Have you ever seen a wild beast or a bird who has a trade? Yet they get along without difficulty. And were they not created only to serve me? And I was created to serve my Master. So is it not logical that I should get along without difficulty? But I have done evil and ruined my living.”
- B. *It has been taught on Tannaite authority:*
- C. R. Simeon b. Eleazar says, “In my whole life I have never seen a deer collecting produce, a lion carrying a load, a fox keeping shop; yet all of them are supported without a whole lot of work, and yet they were created only for serve me, and I have been treated to serve my Creator: If these, who were created only to serve me are supported without a whole lot of trouble, and I am created only to serve my Creator – isn’t it logical that I should be supported without a whole lot of trouble! But I acted evilly and so spoiled my living: ‘Your iniquities have turned away these things’ (Jer. 5:25)” [T. [Qid. 5:15Eff.](#)].
- III.1** A. R. Nehorai says, “I should lay aside every trade in the world and teach my son only Torah”:
- B. *It has been taught on Tannaite authority:*
- C. R. Nehorai says, “I should lay aside every trade in the world and teach my son only Torah. For every trade in the world stands by a man only in his youth, but in his old age, lo, he is left in famine. But the Torah is not that way. It stands by a man in his youth and gives him a future and a hope in his old age.
- D. “In the time of youth what does it say? ‘Those who hope in the Lord shall renew their strength, they shall mount up with wings as eagles’ (Isa. 40:31).
- E. “And of his old age? ‘They shall still bring forth fruit in old age, they shall be full of sap and vigor’ (Psa. 92:15)” [T. [Qid. 5:16](#)].