

BABYLONIAN TALMUD

SOTAH

CHAPTER FIVE

FOLIOS 27B-31A

The presentation of the entire Mishnah-chapter at the head makes no impact upon the organization of the Talmud. The framers do not propose to analyze the whole, therefore giving us everything all at once. They have a single program, which is to take up bits and pieces of the Mishnah in sequence, and that governs here, even though the persons responsible for the presentation — whether the printers, whether the copyists — have given us a signal of a different intent.

5:1-5

- A. “Just as the water puts her to the proof, so the water puts him [the lover] to the proof,
- B. “since it is said, ‘And it shall come...,’ ‘And it shall come...’ (Num. 5:22, 5:24).
- C. “Just as she is prohibited to the husband, so she is prohibited to the lover,
- D. “since it is said, ‘And she will be unclean...,’ ‘And she will be unclean...’ (Num. 5:27, 29),” the words of R. Aqiba.
- E. Said R. Joshua, “Thus did Zekharyah b. Haqqassab expound [the Scripture].”
- F. Rabbi says, “The two times at which, ‘If she is made unclean..., She is made unclean...,’ are stated in the pericope refer, one to the husband and one to the lover.” — M. 5:1
- A. On that day did R. Aqiba expound as follows: “‘And every earthen vessel into which any of them falls, whatsoever is in it conveys uncleanness’ (Lev. 11:33). It does not say, ‘It will be unclean, but will convey uncleanness’ — that is, to impart uncleanness to other things.
- B. “Thus has Scripture taught concerning a loaf of bread unclean in the second remove, that it imparts uncleanness in the third remove [to a loaf of bread with which it comes into contact].”

- C. Said R. Joshua, “Who will remove the dirt from your eyes, Rabban Yohanan b. Zakkai, for you used to say, ‘Another generation is going to come to declare clean a loaf of bread in the third remove [from the original source of uncleanness].”
- D. “For there is no Scripture in the Torah which indicates that it is unclean.
- E. “But now has not Aqiba, your disciple, brought Scriptural proof from the Torah that it is indeed unclean,
- F. “since it is said, ‘And whatsoever is in it shall impart uncleanness’ (Lev. 11:33).” — M. 5:2
- A. On that day did R. Aqiba expound as follows: “‘And you shall measure without the city for the east side two thousand cubits...’ (Num. 35: 5). And another Scripture says, ‘From the wall of the city and outward a thousand cubits round about’ (Num. 35: 4).
- B. “It is not possible to state that the required measure is a thousand amahs, for two thousand amahs already have been specified.
- C. “But it is not possible to state that the required measure is two thousand amahs, for one thousand amahs already have been specified.
- D. “So how shall we rule?
- E. “A thousand amahs form the outskirts, while two thousand amahs form the Sabbath-limit.”
- F. R. Eliezer the son of R. Yosé the Galilean says, “A thousand amahs form the outskirts, and two thousand amahs cover the surrounding fields and vineyards. — M. 5:3
- A. On that day did R. Aqiba expound as follows: “‘Then sang Moses and the children of Israel this song unto the Lord and spoke saying,’ (Exo. 15: 1).
- B. “Now Scripture hardly needs to add, ‘Saying.’
- C. “And why does Scripture state, ‘Saying’?
- D. “It thereby teaches that the Israelites responded word by word after Moses.
- E. “as they do when they read the Hallel-psalms.
- F. “Therefore, ‘Saying,’ is stated in this context.”
- G. R. Nehemiah says, “[They did so] as they do when they read the Shema’, not as when they read the Hallel.” — M. 5:4
- A. On that day did R. Joshua b. Hurqanos expound as follows: “Job. served the Holy One, blessed be He, only out of love,
- B. “since it is said, ‘Though he slay me, yet will I wait for him’ (Job. 13:15).
- C. “But still the matter is in doubt [as to whether it means], ‘I will wait for him,’ or, ‘I will not wait for him.’
- D. “Scripture states, ‘Until I die I will not put away mine integrity from me’ (Job. 27: 5).
- E. “This teaches that he did what he did out of love.”
- F. Said R. Joshua, “Who will remove the dirt from your eyes, Rabban Yohanan b. Zakkai. For you used to expound for your entire life that Job. served the Omnipresent only out of awe,

- G. “since it is said, ‘The man was perfect and upright and one who feared God and avoided evil’ (Job. 1: 8).
- H. “And now has not Joshua, the disciple of your disciple, taught that he did what he did out of love.” — M. 5:5

The systematic commentary on the Mishnah begins with the obvious problem of the antecedent of the pronoun of M. 5:1A.

- I.1. A. [When the Mishnah-framer at M. 5:1A refers to] “him,” [**“Just as the water puts her to the proof, so the water puts him [the lover] to the proof,”** *to whom [does he make reference]*?
- B. *If I should say that it is to the husband [and he is put to the test], what in the world has the husband done [to merit it]?!]*
- C. *And if you wish to propose [28A] that, if the husband is subject to sin [e.g., having sexual relations with the accused wife], the water puts him to the test, then the question must be raised: If the husband has committed a sin, does the water put the wife to the test at all?*
- D. *[Surely not!] For lo, it has been taught on Tannaite authority: “And the man shall be free from iniquity, and the woman shall bear her iniquity” (Num. 5:31).*
- E. *[The sense of the foregoing verse of Scripture is that] when the man is free of transgression, the water puts his wife to the test, [and] if the man is not free of transgression, the water does not put his wife to the test.*
- F. *Accordingly, [reference is made at M. 5:1A] to the lover.*
- G. *[If that were the case], then the framer of the passage should repeat matters as does the continuation just afterward: **Just as she is prohibited to her husband, so she is prohibited to her lover [M. 5:1C].** [Why leave M. 5:1A’s reference to “him” so much in doubt?]*
- H. *In any event the reference indeed is to the lover. Since, in the opening clause, the framer has used the language “her,” he repeated “him,” while in the latter clause, since the authority of the passage has framed matters in terms of the “husband,” so he has framed the clause in terms of “the lover.”*

- II.1 A. Since it is said, “And it shall come...,” “And it shall come...” (Num. 5:22, 24) [M. 5:1B]:
- B. *The following question was raised: Does the exegesis rest on the words, “...come and... come” [so that the duplication of the verb is at issue], or does it rest on the words, “And come... and come...,” [in which case the exegesis rests on the use of a superfluous word, “and”]?*
- B. *Come and take note of the following:*
- C. **Just as she is prohibited to the husband, so she is prohibited to the lover, since it is said, “And she will be unclean... And she will be unclean” [M. 5:1C-D].** [Accordingly, the use of the word “and” is repeated.]
- D. *Nonetheless, the question persists whether it is the recurrence of the word “made unclean” or whether it is the use of the word “and.”*
- E. *Come and take note of the following: Since, in the latter clause, it is taught, Rabbi says, “The two times at which, ‘If she is made unclean,’ ‘she is made unclean...,’ are stated in the pericope refer, one to the husband and one to*

the lover,” [M. 5:1F], it must follow that R. Aqiba [at M. 5:1C-D] bases his exposition of the law upon the appearance of the [otherwise needless] word, “and.”

- F. *Hence, for R. Aqiba’s position, we find that there are six verses of Scripture [which refer to the word “shall enter” at Num. 5:22, 24, and 27, and, since the word “and” occurs with each, we duplicate the three occurrences and derive lessons from all six available instances, as follows:]*
- G. *one for the commandment as it pertains to her and one for him [that the water should take effect]; one for the actual performance of the water-ordeal [and that it should take effect] for her and one for him; one for the notification [Num. 5:22, on the part of the priest] for her and one for him.*
- H. *For Rabbi’s position [which ignores the use of the word “and” and derives no lessons from it], there are three relevant verses of Scripture, as follows:*
- I. *one for command, for performance, and for notification [of the woman, in all three instances].*
- J. *[If that is the case,] then how does Rabbi know that **Just as the water puts her to the proof, so the water puts him to the proof?***
- K. *He derives that fact from that which is taught on Tannaite authority:*
- L. *“And make the belly to swell and the thigh to fall away” (Num. 5:22).*
- M. *This refers to the belly of the lover and the thigh of the lover.*
- N. *You say that it is the belly and thigh of the lover. But perhaps it refers only to the belly and thigh of the beloved?*
- O. *When Scripture says, “And her belly shall swell and her thigh shall fall away” (Num. 5:27), lo, reference is made to the belly and thigh of the beloved.*
- P. *How then do I interpret “And make the belly to swell and the thigh to fall away” (Num. 5:22)?*
- Q. *This can refer only to the belly and thigh of the lover.*
- R. *And as to the other side? [How does Aqiba interpret the two verses at hand?]*
- S. *The purpose is to indicate that the priest informs [the women] that the belly comes first and then the thigh, so as not to bring the water into disrepute [should the symptoms appear in reverse order].*
- T. *And the other party?*
- U. *If that were the sole intent of the passage, then Scripture should have written, “Her belly and her thigh.” Why simply “belly and thigh”? That serves to prove that the lover [is under discussion].*
- V. *Shall I then maintain that the whole of the passage serves solely for that purpose [to speak of the lover]?*
- W. *If that were the case, Scripture should have stated explicitly, “His belly and his thigh.” Why simply “Belly and thigh”? It is to bear two implications [and not only one].*

The Tannaite restatement of the Mishnah gives us a different formulation of Aqiba’s views, as follows, now with a more complex reading of matters.

- III.1 A. Said R. Joshua, “Thus did Zekharyah b. Haqqassab expound” [M. 5:1E].**
- B. *Our rabbis have taught on Tannaite authority.*

- C. “As to the three times in the passage at hand at which it is said, ‘If she be unclean, she be unclean, she is unclean’ (Num. 5:27, 14, 29), what purpose [do these specifications serve]?”
- D. “One is to make reference to the husband, one to the lover, and one to the food in the status of priestly rations [that she may not eat if she is married to a priest],” the words of R. Aqiba.
- E. Said R. Ishmael, “It is an argument a fortiori: Now if [a priest’s daughter married to an Israelite] is divorced, she is permitted [once again, by the law of Lev. 22:13] to eat food in the status of priestly rations, but is prohibited to marry into the priesthood at all, this one, who is prohibited from eating food in the status of priestly rations, all the more so should be prohibited to marry into the priesthood.”
A further exegesis of matters is now undertaken, yielding yet another point, one with deep roots in the present matter but a distinct and important program of its own.

- III.2.** A. What is the purpose of Scripture’s stating, “And she is unclean... and she is not unclean...” (Num. 5:14)?
- B. Is she is made unclean, why should she drink the water? [The water deals with a case of doubt, and here there is no doubt that she is unclean].
 - C. If she is not unclean, why impose the ordeal of drinking the water on her at all?
 - D. The Scripture thereby teaches you that where there is a case of doubt [as in the case of the accused wife], it is subject to prohibition. [The accused wife may or may not be unclean. She is prohibited to the husband until the ordeal settles this question.]
 - E. On this basis you reason concerning the dead creeping thing [which may or may not have caused uncleanness, and so has brought about a case of doubt about the status of food]”
 - F. Now if in the case of an accused wife, in which the law has not treated an act of inadvertence as equivalent to a deliberate deed, and an act under constraint as equivalent to an act done willingly, the law has treated a matter of doubt as equivalent to a case of certain [violation of the rule],
 - G. in the instance of a dead creeping thing [where we have a doubt, as just now explained], in which instance the law has treated an act of inadvertence as equivalent to a deliberate deed and an act under constraint as equivalent to an act done willingly, is it not logical that the law should treat a case of doubt **[28B]** as equivalent to a case of complete certainty [that uncleanness has taken place]?
 - H. Now from the analogy at hand, [the following argument also emerges:] Just as the accused wife constitutes private domain [and not public domain, since it is the affair of a single household], so [where we involve the rule concerning] the dead creeping thing, it also must involve private domain [at which point, where there is a matter of doubt, we resolve the doubt in favor of uncleanness].
 - I. And further, the following: Just as in the case of the accused wife, we deal with a situation in which there is intelligence for the purposes of interrogation [as to the facts of the matter],
 - J. so in the case of a dead creeping thing, in a case in which there is intelligence for the purposes of interrogation [we invoke the same principle about resolving

doubt]. [Where we can ask someone what has happened, if there is yet doubt, it is assumed that uncleanness has taken place.]

- K. Hence the matter may be formulated as follows: in a case in which there is intelligence for purposes of interrogation [and which takes place] in private domain, a matter of doubt is resolved in favor of uncleanness, [while] in public domain, a matter of doubt is resolved in favor of cleanness.
- L. As to a case in which there is no intelligence for purposes of interrogation, whether we deal with private domain or public domain, a matter of doubt is resolved in favor of cleanness. [This concludes the interpolated statement, which resumes at III:4].

We now return to the exposition of III:1, which has been broken off so that the relevant verses may be read in other terms altogether.

- III.3.** A. *Now [reverting to III:1 above,] R. Aqiba has spoken of priestly rations, and R. Ishmael has replied to him in terms of the priesthood!*
- B. *And furthermore, whence does R. Aqiba derive evidence concerning the priesthood at all? [How does he know that the accused wife may not marry into the priesthood?]*
 - C. *And should you say that the matter of the prohibition against marriage into the priesthood does not require scriptural proof at all [29A], for lo, the law has treated a matter of doubt as to a woman's having committed an act of whoredom as equivalent to actual whoredom,*
 - D. *then the matter of heave-offering for its part also should not require the support of a verse of Scripture. For lo, the law has treated a matter of doubt as to a woman's having committed an act of whoredom as equivalent to actual whoredom!*
 - E. *But, so far as R. Aqiba is concerned, there are four verses of Scripture at hand [in which the word "unclean" occurs, Num. 5:17, 28, and 29, with the word "and" occurring in Num. 5:29, thus duplicating the reference].*
 - F. *One serves for the husband, one for the lover, one for the priesthood, and one for the prohibition as to her eating food in the status of priestly rations.*
 - G. *And as to R. Ishmael, there are three verses of Scripture at hand, [since he does not interpret the word "and"]:* one for the husband, one for the lover, and one for food in the status of priestly rations. *As to the prohibition of the accused wife's marrying into the priesthood R. Ishmael derives the fact from the argument a fortiori given above.*
 - H. *And on what basis does R. Ishmael require a verse of Scripture to prove the prohibition [of the accused wife's eating] food in the status of priestly rations, while the prohibition against her marrying into the priesthood derives from the argument a fortiori?*
 - I. *Perhaps, to the contrary, a verse of Scripture is required to indicate that she may not marry into the priesthood, and she indeed is permitted to eat food in the status of priestly rations?*
 - J. *He would reply to you that, on clear logic, the case is comparable to that of the husband and the lover. Just as the prohibition against her remaining wed to the*

husband applies in the lifetime [of the husband], so the prohibition of her eating food in the status of priestly rations applies also while the husband is yet alive.

- K. *Then that would exclude the matter of marriage into the priesthood, which applies after death.* [When the husband is alive, in any event she may not marry into the priesthood, for she would be in the status of a divorcee. The point then must be that even after the husband dies, when she no longer is in the status of the accused wife, she is still subject to prohibition. Now the analogy between the husband and the lover would not apply here. Once the husband dies, the woman may marry her lover. Accordingly, a verse of Scripture adduced in regard to the comparability of husband and lover would not apply to the present issue at all.]
- L. *For R. Aqiba's part, by contrast, the analogy of husband and lover does not apply [and, it must follow, the prohibition of her marrying into the priesthood derives only from a verse of Scripture.]*
- M. *Or, one may propose, that he really does accept [the stated analogy]. But he maintains that a matter that derives from an argument a fortiori may also elicit from Scripture the trouble of writing it out in any event.* [Cohen: "A teaching which is deducible by a fortiori reasoning Scripture took the trouble to write down."]

We now resume the exposition of III:2. It follows that III:1 and III:2 were joined prior to the formulation of the two Talmudic compositions, one extending the analysis of III:1, and other, of III:2. Then III:4G-J expertly links the whole, a masterpiece of the presentation, as a coherent statement, of what are in fact two distinct compositions, each with its own program and analytical exposition.

III.4. A. Said R. Giddal said Rab, "[The distinction between] a case in which there is intelligence available for interrogation and one in which there is not *derives from the following verse of Scripture*:

- B. "'And the flesh that touches any unclean thing shall not be eaten' (Lev. 7:19).
- C. "That which is certainly unclean is not to be eaten. It follows that if something may be unclean or may be clean, it may be eaten.
- D. "Then I point to the conclusion of the same verse: 'And as for the flesh, all that is clean shall eat flesh' (Lev. 7:19).
- E. "It is flesh that is certainly clean that may be eaten. Flesh that may be unclean or may be clean may not be eaten.
- F. "[We thus have an apparent contradiction between the implications of the two verses at hand.] Does it not then bear the implication that here, where there is intelligence for interrogation [in the latter case, where it is the man who is the subject of uncleanness, and he is subject to interrogation], a matter of doubt is resolved as unclean? But there [where the focus is upon the status of the meat and] where there is no possibility of interrogation, [a matter of doubt is resolved as clean]."
- G. *Now the statement of R. Giddal in the name of Rab was necessary, and it was furthermore necessary to derive the same principle from the logical argument deriving from the case of the accused wife.*
- H. *If I had had only the argument of Rab, I might have thought that, whether I deal with private or public domain, [the rule is the same]. [The*

argument from the case of the accused wife introduces that distinction, which is otherwise absent.]

- I. *And if I had dealt only with the argument based on the case of the accused wife, I might have reached the conclusion that the rule [about treating a case of doubt as being unclean] applies only where what has been affected and what has affected [the object at hand] both constituted intelligent beings.*
- J. *So it was necessary [to introduce Rab's argument based on the inanimate object at hand.]*

We now fill out the Mishnah's picture by asking for the explanation for Yohanan b. Zakkai's position.

IV.1. A. On that day R. Aqiba expounded as follows, “And every earthen vessel...” [M. 5:2A]:

- B. *Since there is no [Scripture in the Torah that indicates that it is unclean,] why should [the loaf of bread in the third remove have been held by Yohanan ben Zakkai to be] unclean [as he claims at M. 5:2D]?*
- C. Said R. Judah said Rab, “On the basis of statements in the Torah there is no [proof], but on the basis of an argument a fortiori there is proof that the loaf is unclean. The argument is as follows:
- D. “Now if one who has immersed on the selfsame day [and awaits sunset to complete the process of purification, but remains in a lesser remove of uncleanness], who is permitted [in his present condition to make contact with] ordinary, secular food [without imparting uncleanness or unfitness to it], but imparts unfitness to food in the status of priestly rations, [which is more susceptible to uncleanness and hence affected by a remove of uncleanness that will not affect ordinary, secular food], a loaf of bread in the second remove of uncleanness, which does impart unfitness to ordinary, secular food, all the more so should leave priestly rations with which it has contact unclean in the third remove of uncleanness [transmitting to it the loaf's uncleanness, but at one remove. Since the loaf was at the second remove, the food in the status of priestly rations will be unclean in the third remove.]”
- E. But there is the following contrary argument [which left matters unclear]:
- F. The distinctive trait of the one awaiting sunset on the day of his immersion that renders him especially virulent [so as to impart unfitness to food in the status of priestly rations] is that he may become a Father of uncleanness [by touching a corpse, for example. The loaf by contrast never can become a Father of uncleanness, even though it should come into contact with a corpse. So the one who has immersed on the self-same day bears a trait that renders him more virulent than a loaf can be. The argument a fortiori is not possible. The one who has immersed on the selfsame day is not the lesser of the two items at all.]
- G. [To the contrary,] you may derive [29B] proof from the case of one who had immersed on the selfsame day on account of being made unclean by a dead creeping thing. [Such a one is not a Father of uncleanness. The argument given at D now stands firm. There is no longer a special trait attached to the one who has

immersed on the selfsame day. The uncleanness is now in the first remove, not at the level of a Father of uncleanness.]

- H. [No, there is yet a special trait attached to] one who has immersed on the selfsame day on account of uncleanness imparted by a dead creeping thing. It is [as argued at F] that he is, at any rate, in the same classification as a Father of uncleanness. [He therefore has the potentiality of becoming a Father of uncleanness. A loaf of bread lacks that potentiality and therefore falls into a different classification altogether.]
- I. The clay utensil proves [the opposite, namely, that that consideration is not definitive. For while it cannot fall into the classification of a Father of uncleanness, it nonetheless can impart uncleanness to food in the status of priestly rations that it touches.]
- J. The distinctive trait of the clay utensil [which makes it especially virulent] is that it imparts uncleanness to whatever falls into its contained airspace [without actually touching the sides of the utensil at all, a trait that the one who has immersed on the selfsame day does not possess.]
- K. But one who has immersed on the selfsame day proves [the contrary, for all the reasons already specified]. The upshot is that the argument runs in circles. The definitive trait of the one is not the same as the definitive trait of the other, and the definitive trait of the other is not the same as the definitive trait of the one.
- L. The shared trait held by the two in common, however, is that they are permitted in the case of ordinary, unconsecrated food that imparts unfitness to food in the status of priestly rations, yielding the argument a fortiori that that should all the more so be the trait of a loaf of bread in the second remove of uncleanness, for it indeed does impart unfitness to ordinary, unconsecrated food with which it comes into contact, and surely, then, should impart unfitness to food in the status of priestly rations with which it comes into contact. [That, then is the argument proposed at C. Yohanan ben Zakkai had that argument in mind in predicting what would, indeed, come to pass, but then on the basis of an argument founded on scriptural exegesis, not mere logic.]
- M. But what then would the coming generation find by way of objection, [that Yohanan ben Zakkai would say, **Another generation is going to come to declare clean a loaf of bread in the third remove from the original source of uncleanness, M. 5:2C**]? [Why was the argument insufficient in Yohanan's mind?]
- N. But the shared trait of the two is merely that each has a strict aspect. [The strict aspect of the one bears no implications for the strict aspect of the other, the one serving as a Father of uncleanness, the other imparting uncleanness to what passes through its contained airspace. These two traits hardly fall into a single classification, such as to justify the argument of L.]
- O. *And Rabban Yohanan ben Zakkai does not raise an objection on the basis of the fact that the strict aspect [of the one is not congruent to the strict aspect of the other.] [So he would accept the argument, but others would not, and proof based on Scripture was required.]*

We now take up a Tannaite demonstration concerning the affect upon Holy Things what is unclean by a source of uncleanness in the fourth remove, that is, a topically comparable problem to the one just now considered.

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

- B. **Said R. Yosé, “How do we know that that which is unclean by a source of uncleanness in the fourth remove from the original source of uncleanness in the case of Holy Things is invalid [M. Hag. 3:2E-F]?”**
- C. **“And it is a matter of logic.**
- D. **“Now if one who has not completed his atonement rites is permitted [to touch] food in the status of priestly rations, but is invalid to do so in the case of Holy Things, that which is made unclean by a source of uncleanness so that it is in the third remove, which is invalid in the case of food in the status of priestly rations, surely should impart invalidity [to Holy Things which come into contact with it] at the Fourth remove from the original source of uncleanness!**
- E. **“We have learned in Scripture [M. Sot. 5:3A-B] that that which is made unclean by a source of uncleanness in the third remove from the original source of uncleanness invalidates [what it touches], and in connection with that which is unclean in the fourth remove we derive the same lesson by an argument a fortiori” [T. Hag. 3:18].**
- F. **“And whence indeed is there proof from the Torah that that which is unclean in the third remove in the case of Holy Things [invalidates what it touches]?”**
- G. **“It is on the basis of the following verse of Scripture: ‘And flesh [in the status of Holy Things] which touches any unclean thing shall not be eaten’ (Lev. 7:19).”**
- H. *Do we not deal with that which has touched something at a second remove from uncleanness, and the All-Merciful has said, “It shall not be eaten” [that is, then, at the third remove from the original source of uncleanness]?*
- I. *The rule governing that which is at a fourth remove from the original source of uncleanness derives from the argument, as we have laid it out earlier.*
- J. Said R. Yohanan, “I do not grasp the reason for the master’s position [at E], for lo, an appropriate refutation stands right alongside.
- K. “Namely: food that derives its uncleanness from contact with one who has immersed on the selfsame day will prove [the contrary, showing that the argument a fortiori does not hold]. For it is unfit as regards food in the status of priestly rations, but, nonetheless, it does not produce an effect at the fourth remove from the original source of uncleanness in the case of Holy Things.”
- L. *[The fact just now adduced in evidence is now established.] For it has been taught on Tannaite authority:*
- M. Abba Saul says, “One who has immersed on the selfsame day [and awaits sunset to complete the process of purification, but otherwise is in the status of cleanness, nonetheless] is deemed in the first remove so far as Holy Things are concerned, so that he imparts uncleanness at two further removes [in the case of Holy Things alone] and imparts the status of unfitness at one further remove beyond.”

- N. R. Meir says, "Such a one imparts uncleanness at only one remove and imparts unfitness at one further remove."
- O. And sages say, "Just as he imparts unfitness to food and drink in the status of priestly rations, so he imparts unfitness to food and drink in the status of Holy Things." [Yohanan, K, has held exactly the same view.]
- P. *R. Papa raised an objection to [this argument of Yohanan], "How do you know that R. Yosé accords with the position of rabbis [at O]? Perhaps he takes the view of Abba Saul, who has stated, '...is deemed in the first remove so far as Holy Things are concerned, so that he imparts uncleanness at two further removes and imparts the status of unfitness at one further remove beyond.'"*
- Q. *If, however, it should enter your mind that he accords, rather, with Abba Saul, then, in order to prove the rule governing that which is in the status of Holy Things affected at the fourth remove from the original source of uncleanness, he should bring the proof from a different case, namely, that of food which has derived its uncleanness from one who has immersed on the selfsame day.*
- R. *Such an argument would look like this: Now if concerning food that has derived its uncleanness from that which has immersed on the selfsame day, you have maintained the view that such food imparts uncleanness in the fourth remove in the case of Holy Things, even though the one who has immersed on the selfsame day himself is permitted to eat unconsecrated food [having no effect whatsoever upon its status as to cleanness],*
- S. *food [30A] in the third remove from the original source of uncleanness, which derives its uncleanness from that which is unclean in the second remove of uncleanness (and that which is unclean in the second remove of uncleanness itself is forbidden in the case of unconsecrated food, [for unconsecrated food may become unclean in the second remove of uncleanness]) all the more so in the case of Holy Things should produce an effect at the fourth remove of uncleanness. [That is the argument that Yosé should have provided, had he concurred with Abba Saul, so Q-S].*
- T. *[Continuing the same matter:] Now you may wish to propose that he did not offer such an argument because he saw the following weakness in that argument: the distinctive trait of that which is immersed on the selfsame day is that, in the case of man, it may fall into the category of a Father of uncleanness.*
- U. *[But that objection is invalid in the present instance, for Yosé] derived his argument from the case of one who lacks completion of his atonement rites. He thus did not raise that objection. [Cohen, p. 146, n. 4: "That one lacking atonement is different since he may be a primary source of defilement. The reason R. Yosé did not raise this objection is evidently because he is no longer regarded as unclean, and the same applies to a tebul yom. Consequently, R. Yosé cannot be said to agree with Abba Saul, but must agree with the Rabbis, hence the question of R. Yohanan."]*

A variety of authorities now enter the picture, arguing that the proposition espoused above is in fact false.

IV.3. *A. Said R. Assi said Rab [said], and some say, said Rabbah b. Isi said Rab, "R. Meir, R. Yosé, R. Joshua, R. Eleazar, and R. Eliezer all take the view that that*

which is food in the status of ordinary, unconsecrated food and is unclean in the second remove of uncleanness does not make food that comes into contact with it unclean in the third remove of uncleanness. [There is no third remove of uncleanness in regard to unconsecrated food. The process of contamination ends at the second remove from the original source of uncleanness. Unconsecrated food in the second remove from the original source of uncleanness is unfit but does not impart uncleanness to food that touches it.]”

- B. *R. Meir, as we have learned in the following passage:*
- C. **Whoever requires immersion in water according to the rules of the scribes renders holy things unclean and spoils heave-offering.**
- D. **“And he is permitted in respect to unconsecrated food and tithe,” the words of R. Meir.**
- E. **And sages prohibit in the case of tithe. [Thus we see that Meir is explicit that what is unclean in the second remove has no bearing upon unconsecrated food, D.] [M, [Par. 11:5F-H](#)].**
- F. *As to R. Yosé, it is in accord with that which we have already stated. If he held the view [that a third remove applied in the case of unconsecrated food], then he should have introduced yet a fourth remove in the case of food in the status of priestly rations [and not a third remove only], and a fifth remove in terms of food in the status of Holy Things [and not a fourth remove only]. [Thus it could not have entered his mind that there is a third remove applicable to ordinary, unconsecrated food.]*
- G. *R. Joshua: As we have learned in the following passage of the Mishnah:*
- H. **R. Eliezer says, “He who eats [a half-loaf in bulk of] food unclean in the first remove is unclean in the first remove;**
- I. **“[he who eats] food unclean in the second remove is unclean in the second remove;**
- J. **“[he who eats] food unclean in the third remove is unclean in the third remove”.**
- K. **R. Joshua says, “He who eats food unclean in the first remove and food unclean in the second remove is unclean in the second remove.**
- L. **“[He who eats food] unclean in the third remove is unclean in the second remove so far as Holy Things are concerned,**
- M. **“and is not unclean in the second remove so far as heave-offering is concerned.**
- N. **“[We speak of] the case of unconsecrated food “which is prepared in conditions of cleanness appropriate to heave-offering.” [M. [Toh. 2:2](#)].**
- O. *The rule then applies to that which has been prepared in conditions of cleanness such as apply to food in the status of priestly rations [heave-offering], but not in regard to food that has been prepared in accord with the rules of cleanness applying to Holy Things. Thus he takes the view that that which is in the second remove in the case of ordinary, unconsecrated food does not impart [uncleanness or unfitness to unconsecrated food] at a third remove. [Hence in Joshua’s view there is no third remove in the case of unconsecrated food, as was alleged in the beginning.]*

- P. *R. Eleazar: As it has been taught on Tannaite authority:*
- Q. **R. Eleazar says, “The three of them are equal:**
- R. **“Holy Things and heave-offering and unconsecrated food:**
- S. **“which are at the first remove of uncleanness render unclean at two removes and unfit at one [further] remove in respect to Holy Things,**
- T. **“render unclean at one remove and spoil at one [further] remove in respect to heave-offering,**
- U. **“and spoil unconsecrated food.” [M. [Toh. 2:7](#)].**
- V. *R. Eliezer: As we have learned in the following passage of the Mishnah:*
- W. **R. Eliezer says, “[Dough-offering] may be separated from a clean [batch of dough on behalf of] an unclean [batch].”**
- X. **How [does one do this]?**
- Y. **[If there is a batch of] clean dough and [a batch of] unclean dough, one separates from [the clean batch of] dough, the dough-offering of which has not [yet] been removed, [a portion] sufficiently great [to serve as] dough-offering [for both batches],**
- Z. **and one places [a piece of dough] smaller than the bulk of an egg [i.e., a piece too small to transmit uncleanness] in between [the two batches, touching each],**
- AA. **so that one [in effect] separates [dough-offering on behalf of the unclean batch] from [a batch] which is nearby [i.e., connected].**
- BB. **[30B] But sages forbid [this procedure (cf. M. [Hal. 1:9F-G](#))]. [M. [Hal. 2:8](#), trans. A. Havivi].**
- CC. *And it has been taught: [The quantity is to be] the volume of an egg [vs. Z].*
- DD. *Now [sages] reasoned as follows: Both teachings [one that says the volume is less than an egg’s bulk, the other that it is an egg’s bulk] take for granted we deal with dough in the first remove of uncleanness. [They further hold that] ordinary, unconsecrated food from which dough-offering has not yet been removed is not in the status of dough-offering. [That is, it is not in the status of food designated as priestly rations, so far as the rules of uncleanness are concerned. Both parties concur that the dough at hand is ordinary, unconsecrated food, nothing more.] [Cohen proceeds, p. 148, n. 6: “For this reason even if the quantity placed between the two doughs is of the size of an egg, it does not communicate the defilement in the second degree [remove], which it contracts from the defiled dough to the pure one, since there is no third degree with non-holy.” It follows that there is no third remove so far as ordinary, unconsecrated food is concerned.]*
- EE. *Is it then not in the following matter that the parties differ: One party [Eliezer] takes the view that ordinary food in the second remove has no affect upon ordinary food in the third remove, so far as placing the latter into a third remove is concerned?*
- FF. *The other authority takes the view that ordinary food in the second remove does place into the third remove ordinary food with which it has contact?*

- GG. *Said R. Mari, son of R. Kahana, “[That is not the case]. All parties take the view that that which is unclean in the second remove has no affect upon ordinary food which it may touch, so far as imposing upon it uncleanness in a third remove.*
- HH. *“In the present case, they differ as to the status of ordinary food from which dough offering has not yet been removed.*
- II. *“One authority [Eliezer] takes the view that it is in the status of dough-offering [hence equivalent in status to food in the status of priestly rations], and the other authority does not concur that it is in the status of dough-offering.”*
- JJ. *If you prefer, moreover, I shall propose the following: All parties concur that ordinary, unconsecrated food from which dough-offering has not yet been removed is not in the status of dough-offering.*
- KK. *They further concur, of course, that ordinary food in the second remove of uncleanness does not put into a third remove of uncleanness other ordinary food with which it comes into contact.*
- LL. *Here at issue is whether or not it is permitted to impart uncleanness to ordinary, unconsecrated food, which is located in the Land of Israel.*
- MM. *The former party takes the view that it is permitted to do so [hence the food may be of a sufficient size to receive and transmit uncleanness].*
- NN. *The other party takes the position that it is forbidden to cause uncleanness to unconsecrated food that is located in the Land of Israel.*

We proceed once again to fill in gaps in the Mishnah’s repertoire, both as to the legal dispute and as to the exegesis of Exo. 15:1 and its occasion.

V.1 A. On that day did R. Aqiba expound as follows, etc. [M. 5:3A]:

- B. *On what matter do the parties [of M. 5:3] differ?*
- C. *One party takes the view that the rules governing the Sabbath-limit rest on the authority of the Torah.*
- D. *The other party maintains that they rest on the authority of rabbis. [Aqiba holds that the Torah made provision for the Sabbath-limit of the cities of refuge.]*

VI.1. A. [On that day did R. Aqiba expound as follows: “‘Then sang Moses and the children of Israel this song unto the Lord and spoke saying,’ (Exo. 15: 1)’”:]

- B. *Our rabbis have taught on Tannaite authority:*
- C. **On that day expounded R. Aqiba, “When the Israelites came up from the sea, they wanted to proclaim a song.**
- D. **[“The Holy Spirit rested on them, and they thereby proclaimed their song,]**
- E. **“How did they say that song? Like an adult who receives the Hallel [for children in school].**
- F. **“And they answered him at each and every phrase [thus]:**
- G. **“Moses said, ‘I shall sing unto the Lord’ (Exo. 15: 1), and the Israelites answered after him, ‘I will sing unto the Lord,’ [T. [Sot. 6:23](#)].**
- H. **“Moses said, ‘My strength and my song is the Lord’ (Exo. 15: 2), and the Israelites said, ‘My strength and my song is the Lord’” [cf. M. [5:4A-F](#)].**

- I. R. Eleazar b. R. Yosé the Galilean says, “They proclaimed the song like a child who proclaims the Hallel [in synagogue-worship], responding to him with the foregoing phrase, as follows:
- J. “Moses said, ‘I will sing to the Lord’ (Exo. 15: 1), and the Israelites said, ‘I will sing to the Lord.’
- K. “Moses said, ‘My strength and song is the Lord,’ and the Israelites said, ‘I will sing unto the Lord.’
- L. “Moses said, ‘The Lord is a man of war’ (Exo. 15: 3), and the Israelites said, ‘I will sing unto the Lord.’“
- M. R. Nehemiah says, “[They proclaimed the song] like men who recite the Shema’ in the synagogue-worship, [as it said, ‘And they said, saying’ (Exo. 15: 1)], for he first opens, and the rest reply following him,” [T. [Sot. 6:3A-F](#)].
- N. *Concerning what do they dispute?*
- O. *R. Aqiba holds that “saying” refers to the first clause, R. Eliezer, son of R. Yosé the Galilean takes the position that “saying” refers to each item [successively], and R. Nehemiah holds that, when it says, “And said,” it means they all sang together, and “saying” indicates that Moses opened [and the rest repeated after him].*

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

- B. R. Yosé the Galilean says, “When the Israelites came up out of the sea and saw their enemies strewn as corpses on the sea-shore, they all burst out into song.
- C. And how did they recite the song?
- D. Even a child lying on his mother’s lap and an infant sucking at its mother’s breast —
- E. “When they saw the Presence of God, the babe raised his head and the infant took his mouth off his mother’s teat and all responded in song, saying, ‘This is my God and I will glorify’ him (Exo. 15: 2),
- F. “For it is said, [\[31A\]](#) ‘Out of the mouths of babes and sucklings you have established strength’ (Psa. 8: 2).”
- G. R. Meir says, “Even foetuses in their mothers’ wombs broke out into song, as it is said, ‘Bless God in the great congregation, the Lord, O you who are of Israel’s fountain’ (Psa. 68:26).” [T. [Sot. 6:4](#)].

VII.1 A. On that day did R. Joshua b. Hurqanos expound as follows: Job. served..., etc. [M. [5:5A](#)]:

- B. [With reference to the proof-text, M. [5:5B-C](#), whether or not the verse means, ‘I will wait for him,’ or ‘I will not wait for him,’ we ask:] *But let us see [how the word is written]. If it is with an L and an A, then it means “not.” If it is written with an L and a W, then it means, “for him.”*
- C. *But is it the case that wherever we find LA written, the meaning is “not”?*
- D. *Then how do you deal with the following: “In all their affliction there was affliction to Him” (Isa. 63: 9).*

- E. *Now this is written LA. But does it mean “not”? [That is, is the meaning, “In all their affliction, there was no affliction”? That is impossible.]*
- F. *And if you should wish to say that it does indeed mean “not,” behold, the passage continues, “And the angel of His presence saved them” (Isa. 63: 9). [So the meaning can only be “to him” and not “not.”]*
- G. *Sometimes the word bears one meaning, sometimes the other.*

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

- B. R. Meir says, “The words, ‘feared God’ are used with reference to Job, and the words ‘feared God’ are used with reference to Abraham.
- C. “Just as ‘God-fearing,’ stated with respect to Abraham, means that he did so out of love, so ‘God-fearing’ stated with reference to Job. means that he feared God out of love.”
- D. *And how do we know that Abraham himself did so out of love?*
- E. As it is written, “The seed of Abraham, who loved me” (Isa. 41: 8).
- F. *What is the difference between one who acts out of love and one who acts out of fear?*
- G. *The difference is in line with that which has been taught on Tannaite authority:*
- H. R. Simeon b. Eleazar says, “Greater is [the achievement of one] who acts out of love than of one who acts out of fear.
- I. “For the [merit attained] through fear suspends [punishment] for a thousand generations, while [the merit attained out of] love suspends [punishment] for thousands of generations.
- J. “Here it is written, ‘Unto thousands of them that love me and keep my commandments’ (Exo. 20: 6), while elsewhere it is written, ‘And keep his commandments to a thousand generations’ (Deu. 7: 9).”
- K. But as to the latter, it also is written, “With those who love him and keep his commandments to a thousand generations”!
- L. *In the former, [the word thousand] is joined [to “those who love me,”] and in the latter, [the word thousand] is attached [to “keep his commandments”]. [Cohen, p. 151, n. 7: “So in the former the motive is love, in the latter fear of punishment.”]*

VII.3. A. *Two disciples were in session before Raba. One of them said to him, “In my dream, the following verse of Scripture was recited to me: ‘O how great is your goodness, you have laid up for those who fear you’ (Psa. 31:20).”*

- B. *The other said to him, “In my dream, the following verse of Scripture was recited to me: ‘But let all those who put their trust in you rejoice, let them shout for joy, because you defend them, let them also who love your name be joyful in you’ (Psa. 6:12).”*
- C. *He said to them, “Both of you are completely righteous masters. One [does the right thing] out of love, the other out of fear. [Both are correct.]”*

The triplet of materials assigned to Aqiba, bearing a common superscription, is supplemented at M. 5:5 with the inclusion of another pericope duplicating Joshua’s saying, M. 5:2C-F, M. 5:5F-H. Joshua’s meaning in both places is that Yohanan will not have approved. The point of M. 5:2 is that, in Aqiba’s view, a third

remove of uncleanness affects unconsecrated food. If a dead creeping thing, a father of uncleanness, falls into an oven of earthenware, the oven becomes unclean in the first remove; a loaf therein then is unclean in the second remove; and a loaf touching that loaf is unclean in the third (compare M. Toh. 2:3-6). The contrast of Scripture at M. 5:3 yields the solution of M. 5:3E. This is rejected at F. T. 6:3 beautifully clarifies the issue at M. 5:4. M. 5:5 is clear as stated.