

**The Soncino Babylonian Talmud**

**Book III**

**Folios 48b-73a**



**NIDDOH**

**TRANSLATED INTO ENGLISH  
WITH NOTES**

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# NIDDOH – 48b-73a

## Niddah 48b

'Thy breasts were swollen, yet thou didst not repent; yea, thy breasts were dried up, yet thou didst not repent'.<sup>1</sup> All<sup>2</sup> at any rate agree that<sup>3</sup> we rely on the lower mark; whence do we deduce this? — Rab Judah citing Rab replied and so it was taught at the school of R. Ishmael: Scripture said, When a man or a woman shall commit any sin that men commit,<sup>4</sup> Scripture<sup>5</sup> compared the 'woman' to the 'man' in respect of all the punishments in the Torah; as a man is subject to punishments on the appearance of the one mark<sup>6</sup> so is also a woman subject to punishments on the appearance of the one mark. Might it not be suggested: Either the one or the other?<sup>7</sup> — Like the man: As with the man [the determining factor] is the lower mark and not the upper one so also with the woman it is the lower one that determines majority but not the upper one. So<sup>8</sup> it was also taught: R. Eliezer son of R. Zadok stated, Thus did they explain and promulgate at Jamnia: As soon as the lower mark makes its appearance no attention need any longer be paid to the upper one.

It was taught: R. Simeon b. Gamaliel stated, Among towns-women the lower mark appears earlier because they are in the habit of taking baths; among village women the upper mark appears earlier because they grind with millstones.<sup>9</sup> R. Simeon b. Eleazar stated: Among the daughters of the rich the right hand side develops earlier because it rubs against their scarves;<sup>10</sup> among the daughters of the poor the left side develops earlier because they carry<sup>11</sup> jars of water on them. And if you prefer I might say, Because they carry their brothers on their sides.

Our Rabbis taught: The left side develops earlier than the right side. R. Hanina the son of the brother of R. Joshua stated: The left side never developed earlier than the right side except in the case of one woman who

lived in our neighborhood whose left side developed earlier than the right one which later regained its normal strength.

Our Rabbis taught: All girls to be examined must be examined by women. So also R. Eliezer entrusted the examination to his wife, and R. Ishmael entrusted it to his mother. R. Judah ruled: Before the period<sup>12</sup> and after the period,<sup>13</sup> women examine them.<sup>14</sup> During the period<sup>15</sup> no woman may examine them, since in doubtful cases<sup>16</sup> no woman is allowed to marry<sup>17</sup> on the evidence of women. R. Simeon ruled, Even during the period<sup>15</sup> women examine them. And a woman may be relied upon when by her evidence the law is restricted but not when it is relaxed thereby. How so? [She may be relied upon when she states: 'The girl] is of age', so that the latter should thereby be denied the right of *Mi'un*, or 'She is a minor', so that she should thereby be denied the right of performing *Halizah*; but she is not trusted when asserting, 'She is a minor', so that she should have the right of exercising *Mi'un*, or 'She is of age', so that she should be entitled to perform *Halizah*.

The Master said, 'R. Judah ruled: Before the period and after the period women examine them'. One can well concede that before the period an examination is required, for should [the same hairs]<sup>18</sup> be found after the period they would be regarded as a mole;<sup>19</sup> but what need could there be for an examination after the period seeing that Raba has laid down that a minor who has attained the age of her majority need not be examined since there is presumption that she had by that time produced the marks of puberty? —

When Raba stated, 'there is presumption', he meant it in respect of *mi'un*,<sup>20</sup> but as regards *halizah*<sup>21</sup> an examination is still required.<sup>22</sup> 'During the period no women may examine them', because he is of the opinion [that the presence of hairs] during the period [is a mark of majority] as after the period;<sup>23</sup> but after the period, when Raba's presumption is applicable, we rely upon women who may,

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therefore, conduct the examination,<sup>22</sup> while during the period, when Raba's presumption is not applicable, we cannot rely upon women, and women, therefore, may not conduct the examination. 'R. Simeon ruled, Even during the period women examine them', for he is of the opinion [that the presence of hairs] during the period [is no more a mark of puberty] than it is before the period; and an examination is, therefore, required so that if [the same hairs]<sup>24</sup> should be found after the period they would be regarded as a mole.<sup>25</sup> 'And a woman may be relied upon when by her evidence the law is restricted but not when it is relaxed thereby.' Who taught this? — If you wish I might say: R. Judah, and [the reference is to evidence] during the period.<sup>26</sup>

1. Aliter (Jast.) and cf. Rashi's first interpretation: Thy breasts began to develop, yet thou didst not repent, thy breasts were fully developed, yet, etc.
2. Lit., 'that all the world'. R. Meir and the Sages.
3. In determining whether a girl is of age.
4. Num. V, 6.
5. By placing the two nouns in juxtaposition.
6. The lower one, which is the only mark he possesses.
7. The analogy between 'man' and 'woman' extending only as far as a single mark is concerned, sc. that one mark (upper or lower) suffices to establish the majority of a woman as one mark (the lower) establishes the majority of a man.
8. That the lower mark alone is the determining factor.
9. The constant exercise of their arms distends their breasts.
10. Which are worn on the right side.
11. So with a certain reading. Cur. edd. 'draw'.
12. Sc. before the age of eleven years and a day.
13. After the age of twelve years and a day.
14. But, whether they report the presence of hair or their absence, the girls in the former case (a time when hairs are regarded as a mere 'mole') are treated as minors. In the latter case (a time when pubic hairs and maturity may well be expected) the girls are deemed to be of age if the women report the presence of hairs; but even if they report their absence, the girls cannot be treated as minors (since the hairs may have fallen off) and they are

consequently deprived of the right of *Mi'un* (v. [Glos.](#)).

15. From the age of eleven years and one day to that of twelve years and one day, when their status is a matter of doubt and is entirely dependent on the presence or absence of the hairs.
16. Cf. prev. n. In the first two cases (cf. prev. n. but one) a doubt hardly exists.
17. If the women were to report the presence of hairs the girls would have to be allowed to contract levirate marriage.
18. And no others.
19. And the girl would still be deemed a minor and denied the right of performing *Halizah*.
20. Sc. to impose the restriction of denying her the right of *Mi'un*.
21. I.e., to relax the law by allowing the performance of the rite.
22. A woman's evidence being in such a case relied upon, since a girl at the age mentioned usually has all the mark of puberty.
23. Cur. edd. in parenthesis insert 'like'.
24. And no others.
25. And the girl would still be deemed a minor and denied the right of performing *Halizah*.
26. His opinion being that hairs discovered during the period are evidence of puberty as are hairs discovered after the period. If the women report the presence of hairs as a result of which the girl is deprived of the right of *Mi'un* they are relied upon since the law is thereby restricted. Their evidence, however, is not relied upon as regards entitling her to perform *Halizah* since thereby the law would be relaxed.

## Niddah 49a

And if you prefer I might say: R. Simeon, and [the reference is to evidence] after the period,<sup>1</sup> for he does not uphold the principle of Raba's presumption.

**BECAUSE THEY MAINTAIN: IT IS POSSIBLE**, etc. What need again was there for this statement, seeing that it was already taught in the earlier clause? And were you to reply: Because it was desired to lay down an anonymous statement<sup>2</sup> in agreement with the Rabbis [it could be objected:] Is not this obvious, since in a dispute between an individual authority and a number of authorities the *Halachah* is in agreement with the majority? — It might have been

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presumed that R. Meir's reason is more acceptable because Scriptural texts<sup>3</sup> provide support for his view, hence we were informed<sup>4</sup> [that the *Halachah* is in agreement with the view of the Rabbis]. And if you prefer I might reply: Because it was desired to state,<sup>5</sup> 'Similarly'.<sup>6</sup>

**MISHNAH.** SIMILARLY<sup>7</sup> ANY [HOLE IN] AN EARTHEN VESSEL THAT LETS IN A LIQUID<sup>8</sup> WILL<sup>9</sup> LET IT OUT,<sup>10</sup> BUT THERE MAY BE ONE THAT WILL LET IT OUT AND WILL NOT LET IT IN.<sup>11</sup> ANY LIMB<sup>12</sup> THAT GROWS A NAIL HAS ALSO A BONE IN IT<sup>13</sup> BUT THERE MAY BE ONE THAT HAS A BONE IN IT BUT GROWS NO NAIL.<sup>14</sup> WHATEVER CONTRACTS MIDRAS-UNCLEANNES<sup>15</sup> ALSO CONTRACTS CORPSE-UNCLEANNES<sup>16</sup> BUT THERE ARE SUCH AS CONTRACT CORPSE UNCLEANNES<sup>17</sup> AND DO NOT CONTRACT MIDRAS-UNCLEANNES.<sup>18</sup>

**GEMARA.** A vessel with a hole THAT LETS IN A LIQUID is unfit for the water of purification<sup>19</sup> and is [even more so] unfit<sup>20</sup> as a defective vessel;<sup>21</sup> one with a hole THAT WILL LET IT OUT<sup>22</sup> is fit for the water of purification<sup>23</sup> but unfit as a defective vessel.<sup>24</sup>

R. Assi stated, It was learnt,<sup>25</sup> The minimum size [of a hole to render] an earthen vessel [unfit for the consecration of the water of purification] is one that will let a liquid in,<sup>26</sup> and one that will let a liquid out<sup>27</sup> was mentioned only in respect of a defective vessel.<sup>24</sup> What is the reason?<sup>27</sup> — Mar Zutra son of R. Nahman replied: Because people do not say,<sup>28</sup> 'Bring a defective vessel for another defective vessel'.<sup>29</sup>

Our Rabbis taught: How is an earthen vessel to be tested in order to ascertain whether its perforation is big enough to admit a liquid or not? One brings a tub full of water and puts the pot<sup>30</sup> into it. If it absorbs any of the liquid, it may be taken for granted that it lets liquids in; and if not, it may be taken for granted that it only lets liquids out.

1. And even then women's evidence is accepted only in so far as to impose restrictions (denial of the right of *Mi'un*). It is not accepted, however, for the purpose of relaxing the law (allowing the performance of *Halizah*).
2. Which, as a rule, is the accepted law.
3. From Ezekiel XVI and XXIII (*supra* 48a).
4. By the anonymous statement, BECAUSE THEY MAINTAIN, etc. (cf. prev. n. but one).
5. In the next Mishnah.
6. Introducing similar cases where one process follows or is the result of another though the reverse is impossible.
7. Cf. prev. n.
8. In which the vessel stands,
9. If the liquid was within the vessel.
10. A lesser hole in fact being required for the latter process than for the former.
11. Cf. prev. n. mut. mut. The legal purpose of this statement is discussed in the Gemara *infra*.
12. Sc. a redundant finger.
13. And is, therefore, regarded as a proper limb which (cf. *supra* 43b) conveys uncleanness by overshadowing even though it is smaller than the minimum prescribed for the flesh of a corpse.
14. In such a case, if the limb is a redundant one, the conveyance of uncleanness (cf. prev. n.) is subject to the prescribed minimum.
15. Of a *Zab*, to be a 'father of uncleanness' (v. [Glos.](#)).
16. Of the same grade (cf. prev. n.) since whatever object is suitable as midras for a *Zab* has the status of a 'vessel' and is, therefore, subject to corpse-uncleanness also.
17. Having the status of a vessel in respect of susceptibility to all forms of uncleanness including that of 'father of uncleanness' if it came in contact with a corpse.
18. Sc. to become a 'father of uncleanness' through the midras of a *Zab*. This is further discussed *infra* in the Gemara.
19. Which (cf. Num. XIX, 17) must be consecrated in a sound vessel.
20. To contract uncleanness.
21. Defective vessels which are still suitable for certain uses are, under given conditions, susceptible to uncleanness (cf. Hul. 54b) but when they have a hole of the nature mentioned they lose even the status of a defective vessel and, like broken sherds, are immune from all forms of uncleanness.
22. But will not let it in, sc. a smaller hole.
23. Such a small hole being disregarded in the case of an otherwise sound vessel.
24. Being already defective the smallest hole deprives it altogether of its status (cf. prev. n. but two).

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25. Shonin Sc. as an oral tradition handed down to Moses from Sinai (Rashi).
26. If the hole is smaller the vessel retains in all respects the status of a sound one (cf. Shab. 95b.).
27. For the last ruling.
28. When there is a leak in a defective vessel.
29. That the former should receive the leakage from the latter. A defective vessel may be so used under an otherwise sound one, since the latter is not discarded on account of a very small hole. When such a hole, however, occurs in a defective vessel it is completely discarded and, therefore, loses its status (cf. *supra* n. 10).
30. That is to be tested.

## Niddah 49b

R. Judah<sup>1</sup> said: One inverts the handles of the pot into the tub<sup>2</sup> and allows water to float over it. If it then absorbs any, it may be taken for granted that it will let liquids in; but if not, it may be taken for granted that it only lets liquids out. Or else, it<sup>3</sup> may be put upon a fire. If the fire stops the leakage it is certain that the pot will only let liquids out; but if not it is certain that it also lets liquids in. R. Jose said: One does not put it upon the actual<sup>4</sup> fire since the fire stops it,<sup>5</sup> but it is put upon embers. If the embers stop it, it is certain that it only lets liquids out, but if not, it is certain that it also lets liquids in. If it drips drop after drop<sup>6</sup> it is certain that it lets liquids in. What is the practical difference between the first Tanna<sup>2</sup> and R. Judah? — 'Ulla replied: The practical difference between them is a case of absorption under pressure.<sup>8</sup>

ANY LIMB THAT GROWS A NAIL, etc. If it grows a nail<sup>9</sup> it<sup>10</sup> conveys uncleanness<sup>11</sup> by means of touch, carriage and overshadowing. If it contains a bone but grows no nail it conveys uncleanness<sup>12</sup> by means of touch and carriage but does not convey it by means of overshadowing.<sup>13</sup>

R. Hisda stated: The following was said by our great Master,<sup>14</sup> may the Omnipresent be his help. A redundant finger that contains a bone but grows no nail conveys uncleanness<sup>12</sup> by means of touch and carriage but does not

convey it by means of overshadowing. Rabbah b. Bar Hana explained: This is the case only when it<sup>15</sup> is not counted in [the row of the fingers of] the hand.<sup>16</sup>

WHATEVER CONTRACTS MIDRAS — UNCLEANNES, etc. Whatever object is fit for midras contracts corpse-uncleanness, but there are such as contract corpse-uncleanness and do not contract midras-uncleanness. What is this rule intended to include? — It is intended to include a *se'ah* measure and a *tarkab*;<sup>17</sup> for it was taught: And he that sitteth on any thing;<sup>18</sup> as it might have been presumed that if the *Zab* inverted a *se'ah* measure and sat upon it or a *Tarkab* measure and sat upon it, it shall be unclean,<sup>19</sup> it was explicitly stated, Whereon he that hath the issue sat,<sup>18</sup> implying<sup>20</sup> that the text refers only to a thing that is appointed for sitting;<sup>21</sup> but this one<sup>22</sup> is excluded, since people would tell him, 'Get up that we may do our work with it'.<sup>23</sup>

MISHNAH. WHOSOEVER IS FIT TO TRY CAPITAL CASES IS ALSO FIT TO TRY MONETARY SUITS, BUT ONE MAY BE FIT TO TRY MONETARY SUITS AND YET BE UNFIT TO TRY CAPITAL CASES.

GEMARA. Rab Judah stated: This<sup>24</sup> was meant to include a bastard.<sup>25</sup> Have we not, however, learnt this once before: 'All are eligible to try monetary suits but not all eligible to try capital cases';<sup>26</sup> and when the question was raised, 'What was this intended to include?' Rab Judah replied, 'It was intended to include a bastard'?<sup>27</sup> — One statement was intended to include a proselyte and the other to include a bastard. And both statements were necessary. For if we had been informed of the proselyte only it might have been presumed that it applied to him alone because he is eligible to enter the Assembly<sup>28</sup> but not to a bastard who is not eligible to enter the Assembly.<sup>29</sup> And if we had been informed of the bastard only it might have been presumed to apply to him alone because he issues from an eligible

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source<sup>30</sup> but not to a proselyte who issues from an ineligible source.<sup>31</sup> Hence the necessity for both rulings.

**MISHNAH.** WHOSOEVER IS ELIGIBLE TO ACT AS JUDGE IS<sup>32</sup> ELIGIBLE TO ACT AS WITNESS, BUT ONE MAY BE ELIGIBLE TO ACT AS WITNESS AND NOT AS JUDGE.

**GEMARA.** What [was this<sup>33</sup> intended] to include? — R. Johanan replied: To include one who is blind in one eye;<sup>34</sup> and who is the author? —

1. Objecting to the previous test which, since the bottom of the pot is inevitably pressed against the water, would cause the latter to penetrate even through the smallest of holes.
2. Lit., 'into it', while it is still empty.
3. The pot to be tested, with water in it.
4. Lit., 'even not'.
5. Even if the hole is big.
6. This is another test, independent of the former.
7. *Supra* 49a ad fin.
8. According to the first Tanna this also is proof that the vessel lets liquids in, while according to R. Judah this is no proof (cf. *supra* n. 2).
9. Though the limb is a redundant one, a sixth finger for instance.
10. Being regarded as a proper limb (cf. relevant n. on our Mishnah).
11. However small its bulk.
12. If the bone is not smaller than a barley-grain.
13. Unless the bulk of the flesh was no less than that of an olive.
14. Rab.
15. Being situated outside the row of the normal fingers.
16. A normal finger, or even a redundant one in the normal row, conveys uncleanness by overshadowing, however small in bulk it may be, as any proper limb.
17. A measure of capacity containing two *Kabs*; Aliter: [G] = three *Kabs* or half a *se'ah*, a dry measure.
18. Lev. XV, 6.
19. Midras-uncleanness that is conveyed to men and objects which become thereby a 'father of uncleanness'.
20. Emphasis on 'sat' (v. Hag. Sonc. ed., p. 149, n. 2).
21. Such an object only is subject to the major grade of uncleanness (cf. prev. n. but two).
22. An inverted measure.

23. Hence they contract from a *Zab* the uncleanness of touch only and this subjects them only to the uncleanness of the first grade, while through contact with a corpse they become a 'father of uncleanness'.
24. The second clause of our Mishnah.
25. Who is a fit person to act as judge in monetary suits but not in capital cases (cf. Sanh. 36b).
26. Sanh. 32a.
27. That he is fit to adjudicate in indictory cases. Ibid. 36b. Why then the repetition.
28. Sc. to marry the daughter of an Israelite.
29. Cf. Deut. XXIII, 3.
30. Lit., 'a fit drop', sc. pure Israelite origin.
31. Heathen origin. Cf. prev. n. mut. mut.
32. Much more so.
33. The second rule in our Mishnah.
34. Such a person is eligible as witness but not as judge. One blind in both eyes is ineligible even as witness.

## Niddah 50a

R. Meir.<sup>1</sup> For it was taught: R. Meir used to say, What was the purport of the Scriptural text, According to their word shall every controversy and every leprosy be?<sup>2</sup> What connection could controversies have with leprosy? But<sup>3</sup> controversies were compared to leprosy, as leprosy must be examined by day, since it is written, And in the day when ... appeareth in him,<sup>4</sup> so must controversies be tried by day; and<sup>5</sup> as leprosy are not to be examined by a blind man,<sup>6</sup> since it is written, Wherever the priest looketh,<sup>7</sup> so are controversies not to be tried by a blind man.<sup>6</sup> And<sup>8</sup> leprosy are further compared to controversies: As controversies are not to be tried by relatives, so are leprosy not to be examined by relatives. In case [one were to argue:] 'As controversies must be tried by three men so must leprosy also be examined by three men, this being logically arrived at a *minori ad majus*: If controversies affecting one's wealth must be tried by three men, how much more so matters affecting one's body', it was explicitly stated, When he shall be brought unto Aaron the priest or unto one of his sons the priests.<sup>2</sup> Thus you have learnt that even a single<sup>10</sup> priest may examine leprosy.<sup>11</sup>

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A certain blind man who lived in the neighborhood of R. Johanan used to try lawsuits and the latter<sup>12</sup> told him nothing against it. But how could he<sup>12</sup> act in this manner, seeing that R. Johanan actually stated, 'The *Halachah* is in agreement with an anonymous Mishnah', and we have learnt,<sup>13</sup> **WHOSOEVER IS ELIGIBLE TO ACT AS JUDGE IS ELIGIBLE TO ACT AS WITNESS, BUT ONE MAY BE ELIGIBLE TO ACT AS WITNESS AND NOT AS JUDGE**, and when the question was raised, 'What was this intended to include?' R. Johanan replied, 'To include one who is blind in one eye?'<sup>14</sup> — R. Johanan found another anonymous Mishnah.<sup>15</sup> For we have learnt, Monetary suits must be tried by day and may be concluded by night.<sup>16</sup> But why should this anonymous Mishnah<sup>17</sup> be deemed more authoritative than the former?<sup>18</sup> If you wish I might reply: An anonymous Mishnah which represents the view of a majority<sup>19</sup> is preferable. And if you prefer I might reply: Because it<sup>20</sup> was taught among the laws of legal procedure.<sup>21</sup>

**MISHNAH.** WHATSOEVER IS SUBJECT TO TITHES IS SUSCEPTIBLE TO FOOD-UNCLEANNES;<sup>22</sup> BUT THERE IS A KIND OF FOODSTUFF<sup>23</sup> THAT IS SUSCEPTIBLE TO FOOD-UNCLEANNES AND IS NOT SUBJECT TO TITHES.

**GEMARA.** What was this<sup>24</sup> intended to include? — To include flesh, fish and eggs.<sup>25</sup>

**MISHNAH.** WHATSOEVER IS SUBJECT TO THE OBLIGATION OF *PE'AH*<sup>26</sup> IS ALSO SUBJECT TO THAT OF TITHES; BUT THERE IS A KIND OF PRODUCE WHICH IS SUBJECT TO THE OBLIGATION OF TITHES AND IS NOT SUBJECT TO THAT OF *PE'AH*.

**GEMARA.** What was this<sup>24</sup> intended to include? — To include the fig-tree and vegetables, which are not subject to the obligation of *pe'ah*.<sup>27</sup> For we have learnt: They<sup>28</sup> have laid down a general rule concerning *Pe'ah*. Whatsoever is a foodstuff,

is kept under watch, grows<sup>29</sup> from the ground, is all harvested at the same time, and is taken in for storage, is subject to *pe'ah*.<sup>30</sup> 'A foodstuff', excludes the after-growths of woad and madder;<sup>31</sup> 'is kept under watch', excludes Hefker; 'grows<sup>32</sup> from the ground', excludes morils and truffles;<sup>33</sup> 'is all harvested at the same time', excludes the fig-tree;<sup>34</sup> and is taken in for storage', excludes vegetables. As regards tithes, however, we have learnt: Whatsoever is a foodstuff, is kept under watch and grows from the ground is subject to the obligation of tithes;<sup>35</sup> whereas 'is all harvested at the same time'<sup>36</sup> and is taken in for storage'<sup>37</sup> was not mentioned.<sup>38</sup> But if garlic or onions<sup>39</sup> grew among them<sup>40</sup> they are subject [to *Pe'ah*]. For we have learnt: As regards plots of onions between other vegetables, R. Jose ruled, *Pe'ah* must be left from each<sup>41</sup> and the Sages ruled, From one for all.<sup>42</sup>

Rabbah b. Bar Hana citing R. Johanan ruled: If endives were originally sown for cattle-food and then [the owner] changed his mind<sup>43</sup> to use them for human food,

1. Who disqualifies a man blind in one eye from acting as judge.
2. Deut. XXI, 5.
3. Owing to juxtaposition.
4. Lev. XIII, 14, emphasis on 'day'. (E.V. 'whenever' for 'in the day when').
5. By a further analogy (cf. prev. n. but one).
6. Even by one who is blind in one eye only.
7. Lev. XIII, 12 emphasis on the last word.
8. Owing to juxtaposition.
9. Lev. XIII, 2 emphasis on 'Aaron' and 'one'.
10. Cf. prev. n.
11. At any rate it follows, as was stated above, that according to R. Meir a blind man (even if in one eye only) is eligible as judge. Our Mishnah, therefore, represents his view.
12. R. Johanan.
13. As an anonymous Mishnah.
14. Which clearly shows that according to R. Johanan no blind man is eligible to act as judge. Why then did he raise no objection against the blind man's conduct?
15. Which allows a blind man to act as judge.
16. Sanh. 32a; which shows that, according to this Mishnah, 'controversies' were not compared to 'leprosy' for though the latter may not be

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examined by night the trying of the former may well be concluded by night. And since the two were not compared in this respect they were not compared as regards the ineligibility of a blind man either.

17. The latter, cited from Sanh.
18. Our Mishnah. Lit., 'and what is the strength of that anonymous, etc.'
19. As does the one from Sanh. Our Mishnah, as was explained *supra*, represents the view of R. Meir alone.
20. The latter, cited from Sanh.
21. With which the tractate of Sanh. deals. A law occurring in a tractate that is devoted to similar laws is more reliable than one occurring in a tractate that is mainly devoted to a totally different subject.
22. Since only foodstuffs are subject to tithe.
23. This is presently explained in the Gemara.
24. The second clause of our Mishnah.
25. Only foodstuffs that grow from the ground are subject to tithe.
26. Lit., 'corner'. Cf. When ye reap the harvest ... thou shalt not wholly reap the corner of thy field ... thou shalt leave them for the poor (Lev. XIX, 9f).
27. But are liable to tithes.
28. The Rabbis.
29. *Var. lec.* 'draws its nourishment' (v. Tosaf.).
30. *Pe'ah* I, 4.
31. Plants used only in dyeing which are unsuitable as food.
32. *Var. lec.* 'draws its nourishment' (v. Tosaf.).
33. Which are not planted Aliter: Which (cf. prev. n.) do not draw their nourishment from the ground.
34. And similar trees whose fruit ripens at different times.
35. Ma'as. I, 1.
36. Which would have excluded the fig-tree and the like.
37. Which would have excluded vegetables.
38. It thus follows that figs and vegetables are liable to tithes though exempt from *Pe'ah*. The tithe mentioned is, of course, only Rabbinical, since Pentateuchally only corn, wine and oil are subject to the obligations of tithe.
39. Vegetables that are taken in for storage.
40. The other vegetables.
41. Since the other vegetables form a division between one plot and another.
42. The intervening vegetables being disregarded, *Pe'ah* III, 4.
43. While they were still attached to the ground.

## Niddah 50b

it is necessary<sup>1</sup> that he should intend them for the purpose<sup>2</sup> after they had been detached; he being of the opinion that intention<sup>2</sup> concerning attached [produce] is no valid intention. Raba observed: We also have learnt a rule to the same effect: Thirteen things have been said about the carrion of a clean bird, (and the following is one of them).<sup>3</sup> It is necessary<sup>4</sup> that it should be intended for food but there is no need for it to be rendered<sup>5</sup> susceptible to uncleanness.<sup>6</sup> Thus it is clearly evident that<sup>7</sup> an intention concerning a live being is no valid intention; so also here<sup>8</sup> it must be said, that an intention concerning attached [produce]<sup>9</sup> is no valid intention.<sup>10</sup> R. Zera said:<sup>11</sup> We are dealing here<sup>12</sup> with a [flying] pigeon that dropped from on high, so that it was not before us<sup>13</sup> to enable one to have any intentions about it.<sup>14</sup> Said Abaye to him:<sup>15</sup> What can be said about the [case of the] hen of Jamnia?<sup>16</sup> — That, the other<sup>15</sup> replied, was a wild cock.<sup>17</sup> They laughed at him: A wild cock is an unclean bird and an unclean bird does not convey uncleanness!<sup>18</sup> —

'When a great man', Abaye told them, 'said something, do not laugh at him. This was a case of a hen that ran away;<sup>19</sup> and as to the meaning<sup>20</sup> of "wild", it turned wild as far as its master was concerned'.<sup>21</sup> R. Papa said: It was a field-hen.<sup>22</sup> R. Papa thus followed his known view. For R. Papa ruled, A field-cock is forbidden and a field-hen is permitted; and your mnemonic is 'A male Ammonite<sup>23</sup> but not a female Ammonite'. Amemar laid down in his discourse that a field-hen is forbidden.<sup>24</sup> The Rabbis observed that it stamps on its prey<sup>25</sup> when eating it;<sup>26</sup> and it is this bird that is known as *girutha*.<sup>27</sup>

Our Rabbis taught: If a pigeon<sup>28</sup> fell into a winepress<sup>29</sup> and it was intended to pick it up for a Samaritan,<sup>30</sup> it is unclean;<sup>31</sup> but if it was intended for a dog it is clean,<sup>32</sup> R. Johanan b. Nuri<sup>33</sup> ruled, Even if intended for a dog it is unclean.<sup>31</sup> R. Johanan b. Nuri argued: This is



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arrived at a *minori ad majus*. If it<sup>34</sup> conveys a major uncleanness,<sup>35</sup> though there was no intention,<sup>36</sup> should it not convey a minor uncleanness<sup>37</sup> though there was no intention? They answered him: No; if you maintain your view in the case of a major uncleanness, which never descends to that,<sup>38</sup> would you also maintain it in the case of a minor uncleanness which does descend to that?<sup>38</sup> He replied: the hen of Jamnia proves my contention, for it descends to that and, though there was no intention, it was declared unclean. 'From there', they retorted, 'is your proof? In that place there were Samaritans and it was intended that they shall eat it.' Now with what case are we dealing here? If it be suggested with big cities [the objection would arise]: What need was there for intention, seeing that we have learnt: The carcass of a clean beast anywhere<sup>39</sup> and the carcass of a clean bird and forbidden fat in large towns<sup>40</sup> require neither intention nor to be rendered susceptible.<sup>41</sup> If, however, it is suggested: Of villages, [the difficulty arises:] Is there any authority who maintains that in this case no intention is required, seeing that we have learnt: The carcass of an unclean beast<sup>42</sup> anywhere<sup>43</sup> and the carcass of a clean bird in villages<sup>44</sup> require<sup>45</sup> intention<sup>46</sup> but need not be rendered susceptible?<sup>47</sup> —

R. Ze'ira b. Hanina replied: We are in fact dealing with an incident in a big city, but<sup>48</sup> the winepress caused it<sup>49</sup> to be objectionable<sup>50</sup> and thus caused the town to be regarded as a village.

'R. Johanan b. Nuri argued: This is arrived at a *minori ad majus*. If it conveys a major uncleanness, though there was no intention, should it not convey a minor uncleanness though there was no intention? They answered him: No; if you maintain your view in the case of a major uncleanness which never descends to that.' What is meant by 'it never descends to that'? — Raba replied: It is this that they<sup>51</sup> in effect said to him,<sup>52</sup> 'No; if you maintain your view

1. If they are to be rendered susceptible to food-uncleanness as human food.
2. To be used as human food.
3. The bracketed words are not in the cited Mishnah.
4. Cf. prev. n. but one mut. mut.
5. By intentionally wetting it.
6. As is the case with other dry foodstuffs which must come in contact with liquids before they can be capable of contracting uncleanness. Toh. I, 1.
7. Since intention is required when it is already carrion though a live bird is usually intended for food.
8. R. Johanan's ruling.
9. Which, analogous to a live animal, is not susceptible to uncleanness.
10. Support is thus adduced for R. Johanan's ruling.
11. The cited Mishnah affords no support to R. Johanan.
12. The Mishnah of Toh. cited.
13. While it was yet alive.
14. Hence the ruling that 'it is necessary that it should be intended for food' after it was carrion. Where, however, a live animal was intended to be used in due course as food no further intention is necessary after it had been killed,
15. R. Zera.
16. Which (v. *infra*) was in its owner's possession before it died and yet was regarded as a food for the sole reason that the Samaritans living there intended it as such after it was dead.
17. Not usually intended for food. Hence the necessity for intention after its death.
18. Through one's esophagus, v. Hul. 100b. Now since the uncleanness of the hen at Jamnia was conveyed through the esophagus (sc. by the swallowing of it) it could not possibly have been a wild cock.
19. Lit., 'rebelled', and thus was not before us while alive and for this reason intention would be necessary after it died. It was one of the young of this hen that dropped at Jamnia and gave rise to the discussion.
20. Lit., 'and what',
21. Lit., 'from its master'. As the bird in question was consequently a clean one it may well have conveyed uncleanness (as stated) through the esophagus.
22. Or 'a hen of the marshes', which in his opinion (v. *infra*) is a clean bird.
23. Is forbidden to enter the Assembly (cf. Deut. XXIII, 4).
24. As food.
25. In the manner of birds of prey.
26. No clean birds eat in this manner.

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27. Presumably the moor-hen. The *girutha* is an unclean bird (cf. Hul. 109b).
28. A clean bird.
29. Where it got crushed and died, becoming repulsive for eating.
30. To give it to him to eat.
31. Food-uncleanness. It conveys uncleanness to other foodstuffs through contact, without being rendered susceptible.
32. Such an intention being invalid.
33. Holding that no intention is required (v. *infra*).
34. The pigeon.
35. The uncleanness of the person and the clothes worn by him when he ate it.
36. When, for instance, the man was unaware that he was eating that particular pigeon.
37. That of food and drink by means of contact.
38. This is explained presently.
39. Even in a village where there are not many consumers.
40. Where consumers are many and any sort of food finds buyers.
41. 'Uk. III, 3; since a clean beast is usually intended for food both in town and in villages while the carcass of a clean bird and forbidden fat would find consumers in large towns only but not in villages (cf. prev. two notes). Intention, therefore, is required in the latter case but not in the former.
42. Which is not usually eaten.
43. Even in large towns,
44. Where consumers are few.
45. Since they are not usually eaten.
46. To enable them to convey uncleanness. In the case of the former, uncleanness is conveyed even in the absence of intention provided its bulk was no less than that of an olive. The intention, however, avails where the bulk of carcass was less than that of an olive and that of other food was less than the bulk of an egg. In such a case the two quantities combine to form together the prescribed bulk of an egg which contracts uncleanness through contact with a dead creeping thing.
47. Since they would eventually be subject to a major uncleanness.
48. The reason why the Rabbis require intention.
49. The pigeon.
50. So that it is not so very suitable for consumption.
51. The Rabbis.
52. R. Johanan b. Nuri.

## Niddah 51a

in the case of a major uncleanness which never causes an uncleanness of the same

grade,<sup>1</sup> would you also maintain it in the case of a minor uncleanness which does cause an uncleanness of the same grade?<sup>2</sup> Said Abaye to him: [Should not this<sup>3</sup> apply to the latter] with even more reason: If a major uncleanness, concerning which the law has been relaxed in that it does not cause an uncleanness of the same grade,<sup>4</sup> conveys uncleanness in the absence of intention, how much more then should a minor uncleanness, concerning which the law has been restricted in that it does cause uncleanness of the same grade,<sup>5</sup> convey uncleanness even where there was no intention? —

Rather, said R. Shesheth, It is this that they<sup>6</sup> implied: 'No; if you maintain your view<sup>7</sup> in the case of a major uncleanness, which need not be rendered susceptible,<sup>8</sup> would you also maintain it<sup>7</sup> in the case of a minor uncleanness which does require to be rendered susceptible?' But is it required to be rendered susceptible? Have we not in fact learnt:<sup>9</sup> Three<sup>10</sup> things have been said about the carrion of a clean bird,<sup>11</sup> it is necessary that it should be intended for food, it conveys uncleanness through the esophagus only,<sup>12</sup> and there is no need for it to be rendered susceptible?<sup>13</sup> —

Granted that it is not required that a dead creeping thing shall render it susceptible,<sup>14</sup> it is nevertheless necessary that it shall be rendered susceptible<sup>15</sup> by means of water.<sup>16</sup> Why<sup>17</sup> is it not required that a dead creeping thing shall render it susceptible? In agreement with what the school of R. Ishmael taught. But then there should be no need for it to be rendered susceptible by means of water also in agreement with what the school of R. Ishmael taught; for the school of R. Ishmael taught: Upon any sowing seed which is to be sown,<sup>18</sup> as seeds<sup>15</sup> which do not eventually contract a major uncleanness<sup>19</sup> must<sup>20</sup> be rendered susceptible so must any other thing which does not eventually contract a major uncleanness be rendered susceptible; the carcass of a clean bird is excluded, in that it need not be rendered

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susceptible, since it eventually contracts a major uncleanness?<sup>21</sup> — Rather, replied Raba, or as some say R. Papa, [the reference<sup>22</sup> is to] a major uncleanness in general and to a minor uncleanness in general.<sup>23</sup>

Raba stated: R. Johanan,<sup>24</sup> however, agrees in regard to tithe that intention<sup>25</sup> concerning attached [produce] is a valid intention.<sup>26</sup> Raba explained, Whence do I derive this? From what we learnt: Savory,<sup>27</sup> hyssop and calamint<sup>28</sup> that are grown in a courtyard, if they are kept under watch,<sup>29</sup> are subject to tithe.<sup>30</sup> Now how are we to imagine the circumstances?<sup>31</sup> If it be suggested that these herbs were originally sown for human consumption [the difficulty would arise]: Was it at all necessary to enunciate such a law?<sup>32</sup> Consequently the circumstances must be such, must they not, that the herbs were originally sown for cattle food; and yet it was stated, 'if they are kept under watch'<sup>33</sup> they 'are subject to tithe'.<sup>34</sup> R. Ashi retorted: Here<sup>30</sup> we are dealing with a courtyard in which the herbs grew spontaneously<sup>35</sup> so that as a rule they are destined for human consumption, and<sup>36</sup> it is this that was meant: If the courtyard affords protection for the produce it grows<sup>37</sup> the herbs are subject to tithe; otherwise they are exempt.<sup>38</sup>

R. Ashi objected:<sup>39</sup> Whatsoever is subject to tithes is susceptible to food uncleanness.<sup>40</sup> Now if that were so,<sup>41</sup> would there not be the case of these<sup>42</sup> which are liable to tithe<sup>43</sup> and yet<sup>44</sup> do not become susceptible to the uncleanness of food?<sup>45</sup> — The fact is, said Raba, that it is this that was meant: Any species that is liable to tithe is susceptible to food uncleanness. This<sup>46</sup> is also logically sound. For in the final clause<sup>47</sup> it was stated, Whatsoever is subject to the law of the first of the fleece<sup>48</sup> is also subject to that of the priestly gifts<sup>49</sup> but there may be a beast<sup>50</sup> that is subject to the law of the priestly gifts and is not subject to that of the first of the fleece.<sup>51</sup> Now if it were so<sup>52</sup> [the objection would arise]: Is there not also the case of the

*Terefah* which is subject to the law of the first of the fleece and yet is not subject to that of the priestly gifts?<sup>53</sup> —

Rabina retorted: This<sup>54</sup> represents the view of<sup>55</sup> R. Simeon. For it was taught:<sup>56</sup> R. Simeon exempts the *Terefah* from the law of the first of the fleece.<sup>57</sup> R. Shimi b. Ashi replied,<sup>58</sup> Come and hear: If a man declared his vineyard hefker<sup>59</sup> and, rising early in the morning, he cut its grapes, he is liable<sup>60</sup> to peret,<sup>61</sup> 'oleloth,<sup>62</sup> the forgotten sheaf<sup>63</sup> and *pe'ah*<sup>64</sup> but<sup>65</sup> is exempt from tithe.<sup>66</sup> But have we not learnt: WHATSOEVER IS SUBJECT TO THE OBLIGATION OF *PE'AH* IS ALSO SUBJECT TO THAT OF TITHES?<sup>67</sup> Must you not then infer from this<sup>68</sup> that the reference<sup>69</sup> was<sup>70</sup> to the whole species?<sup>71</sup> This is conclusive.

Elsewhere we have learnt:<sup>72</sup> The Sages agree with R. Akiba that if a man sowed dill or mustard seed in two or three different spots he must allow *Pe'ah* from each.<sup>73</sup>

1. When a carcass (a 'father of uncleanness'), for instance, imparted uncleanness to a person the latter cannot impart it to another person, since only a 'father of uncleanness' can carry uncleanness to persons.
2. Foodstuffs, for instance, that contracted an uncleanness may (Rabbinically) convey the same uncleanness to other foodstuffs.
3. The view that no intention is necessary.
4. Cf. p. 350, n. 12.
5. V. p. 350, n. 13.
6. The Rabbis.
7. The view that no intention is necessary.
8. A carcass, for instance, is unclean irrespective of whether it had been rendered susceptible by liquids or not.
9. MS.M., 'was it not taught?'
10. In the Mishnah citation *supra* the reading for 'three' is 'thirteen' (cf. prev. n.)
11. A minor uncleanness.
12. Sc. only when it is being swallowed is uncleanness conveyed to the person and to his clothes.
13. Cf. *supra* 50b q.v. notes.
14. Sc. that it shall cause it to become unclean.
15. Like any other foodstuffs.
16. Only after it had been purposely wetted is it susceptible to uncleanness.
17. Lit., 'wherein the difference?'

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18. Lev. XI, 37.
19. Sc. they can never convey uncleanness to a person.
20. If they are to contract any uncleanness.
21. How then could it be maintained that it is 'necessary that it shall be rendered susceptible by means of water'?
22. In the argument of the Rabbis.
23. In the case of the former susceptibility is never required; hence it is that no intention is required either. In the case of the latter susceptibility is usually (though not in the particular case of a bird) required; hence it is that intention also is necessary.
24. Though he stated (*supra* 50b) that in regard to uncleanness intention concerning an attached plant is no valid intention.
25. To use the produce as food for men.
26. And it is in consequence subject to tithe.
27. Satureia Thymbra.
28. Or 'thyme'.
29. For the purpose, so it is now assumed, of using them for human consumption.
30. Ma'as. III, 9.
31. In which the law mentioned applies.
32. Of course not. The law is too obvious to be stated.
33. For the purpose, so it is now assumed, of using them for human consumption.
34. Which shows that intention regarding the use of attached produce in the case of tithe is valid.
35. Sc. they were never intended to be used as cattle food.
36. In reply to the objection: What need was there for enunciating a law that was too obvious?
37. In consequence of which the herbs cannot be regarded as Hefker (v. [Glos.](#)).
38. Hefker being exempt from tithe.
39. Against Raba.
40. *Supra* 50a.
41. That intention to use attached produce for human consumption is valid enough as regards liability to tithe.
42. Endives sown for the purpose of producing cattle food concerning which the grower changed his mind, while they were still attached to the ground, and decided to use the crop as food for human consumption.
43. Since intention in this respect (cf. prev. n. but one) is valid.
44. Intention regarding attached produce being invalid in respect of susceptibility to uncleanness.
45. How then is Raba's statement to be reconciled with the Mishnah cited?
46. Raba's interpretation just given.
47. The Mishnah *infra* 51b which is the continuation of the previous Mishnah.
48. Cf. Deut, XVIII, 4.
49. The shoulder, the two cheeks and the maw given from slaughtered cattle (cf. *ibid.* 3).
50. An ox or a goat.
51. *Infra* 51b.
52. That a general statement like 'whatsoever, etc.' includes every individual case.
53. Hul. 136b. Must it not consequently be admitted, as Raba explained, that by the general rule (cf. prev. n.) the whole species was meant?
54. The Mishnah just cited.
55. Lit., 'that whose? It is'.
56. V. marg. gl. Cur. edd. 'for we learnt'.
57. No proof, therefore, may be adduced from this Mishnah that a general rule refers to the entire species.
58. Justifying Raba's submission (cf. prev. n. but four).
59. V. [Glos.](#)
60. For the reason cf. B.K. 94a.
61. Single grapes dropped during the cutting (cf. Lev. XIX, 10) which must be left for the poor.
62. 'Gleanings' of the vineyards or a small single bunch of grapes on a single branch 'which are the portion of the poor (cf. Lev. XIX, 10 and Deut. XXIV, 21).
63. Which had to be left for the poor (cf. Deut. XXIV, 19).
64. V. [Glos.](#) Cf. Lev. XIX, 9.
65. Since the vineyard is Hefker.
66. Ned. 44b. B.K, 94a.
67. How then are the two Tannaitic statements to be reconciled?
68. Cf. prev. n.
69. In the general rule, 'Whatsoever, etc.'
70. Not to each individual case.
71. Of course one must. Raba's submission is thus confirmed.
72. This is quoted here because an objection against it is raised from our Mishnah.
73. *Pe'ah* III, 2.

## Niddah 51b

Now dill, surely, since it is liable to *Pe'ah* is also liable<sup>1</sup> to tithe, for we have learnt, **WHATSOEVER IS SUBJECT TO THE OBLIGATION OF PE'AH IS ALSO SUBJECT TO THAT OF TITHES;** and since it is liable to tithe it is also susceptible to food uncleanness. It is accordingly evident that anything that is used as a flavoring is susceptible to food uncleanness, since dill is

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used as a flavoring. But is not this incongruous with the following: 'Castus,<sup>2</sup> amomum,<sup>3</sup> and the principal spices, crowfoot, asafetida, pepper and lozenges of bastard saffron may be bought with second tithe money but they are not susceptible to food uncleanness; so R. Akiba. Said R. Johanan b. Nuri to him: If they may be bought with second tithe money why are they not susceptible to food uncleanness? And if they are not susceptible,<sup>4</sup> they<sup>5</sup> should not be bought with second tithe money',<sup>6</sup> and in connection with this R. Johanan b. Nuri stated, 'A vote was taken and they decided that these are not to be bought with second tithe money and that they are not susceptible to food uncleanness'?<sup>7</sup> —

R. Hisda replied: When that Mishnah<sup>8</sup> was taught the reference was to dill intended as an ingredient<sup>9</sup> of kamak.<sup>10</sup> R. Ashi stated, I submitted the following argument before R. Kahana:<sup>11</sup> Do not say, 'The reference was to dill intended<sup>12</sup> as an ingredient of kamak', from which it would follow that generally<sup>13</sup> it is used as flavoring matter,<sup>14</sup> but rather that dill is generally intended as an ingredient of kamak.<sup>15</sup> For we have learnt: Dill,<sup>16</sup> as soon as it has imparted some flavor to a dish, is no longer subject to the restrictions of *terumah*<sup>17</sup> and it is no longer susceptible to food uncleanness.<sup>18</sup> From which it follows that before it had imparted any flavor to a dish it is subject to the restrictions of *Terumah* and is susceptible to food uncleanness.<sup>19</sup> Now if you were to imagine that as a rule it is used for flavouring<sup>14</sup> [the difficulty would arise]: Even if it had not imparted any flavor to a dish [should it not be free from the restrictions of food since] as a rule it is used for flavouring?<sup>20</sup> Must you not then infer from this<sup>21</sup> that generally it is used as an ingredient of kamak?<sup>15</sup> This is conclusive.

**MISHNAH.** WHATSOEVER IS SUBJECT TO THE LAW OF THE FIRST OF THE FLEECE<sup>22</sup> IS ALSO SUBJECT TO THAT OF THE PRIESTLY GIFTS,<sup>23</sup> BUT THERE MAY BE [A BEAST]<sup>24</sup> THAT IS SUBJECT TO THE LAW OF

THE PRIESTLY GIFTS AND NOT TO THAT OF THE FIRST OF THE FLEECE. WHATSOEVER IS SUBJECT TO THE LAW OF REMOVAL<sup>25</sup> IS ALSO SUBJECT TO THE RESTRICTIONS OF THE SABBATICAL YEAR,<sup>26</sup> BUT THERE IS [A KIND OR PRODUCE] THAT IS SUBJECT TO THE RESTRICTIONS OF THE SABBATICAL YEAR<sup>26</sup> AND IS NOT SUBJECT TO THE LAW OF REMOVAL.<sup>25</sup>

**GEMARA.** As, for instance, the leaves of arum and of miltwaste.<sup>27</sup>

THERE IS A KIND OF PRODUCE THAT IS SUBJECT TO THE RESTRICTIONS OF THE SABBATICAL YEAR AND IS NOT SUBJECT TO THE LAW OF REMOVAL, the root of the arum and the root of miltwaste, since it is written in Scripture, And for thy cattle and for the beasts that are in thy land, shall all the increase thereof be for food,<sup>28</sup> as long as 'the beasts' eat<sup>29</sup> from the field you may feed 'thy cattle' in the house, but when the produce comes to an end for 'the beasts' in the field you must bring it to an end for 'thy cattle' which are in the house; but these,<sup>30</sup> surely, have not come to an end.

**MISHNAH.** WHATSOEVER<sup>31</sup> HAS SCALES HAS FINS BUT THERE ARE SOME THAT HAVE FINS AND NO SCALES. WHATSOEVER<sup>32</sup> HAS HORNS HAS HOOFS BUT THERE ARE SOME THAT HAVE HOOFS AND NO HORNS.

**GEMARA.** WHATSOEVER HAS SCALES [etc.] [viz.] a clean fish;<sup>33</sup> THERE ARE SOME THAT HAVE FINS AND NO SCALES, refers to an unclean fish.<sup>34</sup> Now consider: Since we<sup>35</sup> rely on the scales,<sup>36</sup> what need then was there for the All Merciful to mention<sup>37</sup> fins?<sup>38</sup> — If the All Merciful had not written fins it might have been presumed that the written word *kakeseth*<sup>39</sup> meant<sup>40</sup> fins and that even an unclean fish [is, therefore, permitted]. Hence has the All Merciful written 'fins' and 'scales'.<sup>41</sup> But now that the All Merciful has written both 'fins'

and 'scales', whence is it deduced that *kaskeseth*<sup>39</sup> means the covering? Because it is written, And he was clad with a coat of mail.<sup>42</sup> Then why<sup>43</sup> did not the All Merciful write *kaskeseth*<sup>39</sup> and there would be no need for the mention of fins?<sup>44</sup> — R. Abbahu replied and so it was also taught at the school of R. Ishmael: To make the teaching great and glorious.<sup>45</sup>

**MISHNAH.** WHATSOEVER REQUIRES A BENEDICTION AFTER IT REQUIRES ONE BEFORE IT, BUT THERE ARE THINGS THAT REQUIRE A BENEDICTION BEFORE THEM AND NOT AFTER THEM.

**GEMARA.** [What was the last clause<sup>46</sup> intended] to include? — To include vegetables. But according to R. Isaac who did say a benediction<sup>47</sup> after the eating of vegetables, what was this<sup>46</sup> intended to include? — To include water. But according to R. Papa who said a benediction<sup>47</sup> after he drank water, what was it<sup>46</sup> intended to include? — To include the performance of commandments.<sup>48</sup> But according to the Palestinians<sup>49</sup> who after removing their Tefillin say the benediction of '... who hath sanctified us by his commandments, and hath commanded us to keep his statutes', what does this<sup>50</sup> include? — It includes

1. V. BaH.
2. [G], a fragrant root,
3. Cf. [G], a spice indigenous to India and Syria.
4. To food uncleanness, which is evidence that they are not regarded as a foodstuff.
5. Since only foodstuffs may be bought with second tithe money.
6. 'Uk. III, 5.
7. Now how is this Mishnah (from which it follows that flavoring spices are not susceptible to food uncleanness) to be reconciled with the inference drawn *supra* from the Mishnah of *Pe'ah* III, 2?
8. Of *Pe'ah*, from which it was inferred that dill is regarded as food.
9. Not as a mere flavoring.
10. A milk sauce. Such dill is rightly regarded as a foodstuff and is consequently susceptible to food uncleanness.
11. Cur. edd. in parenthesis add, 'he said'.

12. Emphasis on this word.
13. Where the owner's intention has not been expressed.
14. Lit., 'for (the flavoring of) the dish', and should, therefore, be exempt from food uncleanness.
15. And so subject to all the laws of a foodstuff.
16. Of *Terumah*.
17. Should the root subsequently fall into a dish of ordinary food no complications would arise.
18. 'Uk. III, 4; it being regarded as mere flavoring matter.
19. I.e., it is regarded as food.
20. Of course it should. Why then was its exemption from the restrictions made dependent on the imparting of some flavor to a dish?
21. Cf. Prev. n.
22. Cf. Deut. XVIII, 4.
23. Sc. the shoulder, the two cheeks and the maw that are due to the priest from slaughtered cattle (cf. Deut. XVIII, 3).
24. An ox or a goat.
25. In the Sabbatical year. When no produce is left in the field for the beasts the owner must remove all stored produce from his house into the field (cf. Deut. XXVI, 13).
26. Cf. Lev. XXV, 2ff.
27. These and similar products are SUBJECT TO THE LAW OF REMOVAL since (cf. *infra*) their supply is exhausted before the end of the year, and also TO THE RESTRICTIONS OF THE SABBATICAL YEAR.
28. Lev. XXV, 7.
29. Okeleth of the same rt. as le'ekol (rendered *supra*, for food').
30. The roots of the herbs mentioned.
31. Among fishes.
32. Among animals.
33. Sc. one that may be eaten.
34. Cf. prev. n. mut. mut.
35. In determining whether a fish is clean or unclean.
36. As has been stated in our Mishnah, WHATSOEVER HAS SCALES HAS FINS.
37. As one of the marks of a clean fish in Lev. XI, 9ff.
38. Lit., fins which the All Merciful has written, wherefore to me'.
39. The word rendered scales'.
40. Lit., 'what Kaskeseth that is written.'
41. Thus indicating that each is a distinctive mark.
42. Kaskasim (of the same rt. as Kaskeseth). I Sam. XVII, 5.
43. Since the meaning of Kaskeseth is definitely established and cannot be mistaken for that of fins.

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44. Since WHATSOEVER HAS SCALES HAS FINS.
45. Isa. XLII, 21. Even an apparently superfluous word adds to the greatness and glory of the Torah.
46. BUT THERE ARE, etc.
47. '... who create many living beings' (cf. P.B. p. 290).
48. Those, for instance, of Lulab, *Shofar*, zizith and Tefillin which require a benediction only before and not after they are performed.
49. Lit., 'the sons of the west'. Palestine lay to the west of Babylon where the discussion took place.
50. BUT THERE ARE, etc.

## Niddah 52a

fragrant odours.<sup>1</sup>

**MISHNAH.** IF A GIRL<sup>2</sup> HAS GROWN TWO PUBIC HAIRS SHE<sup>3</sup> MAY EITHER PERFORM *HALIZAH* OR CONTRACT LEVIRATE MARRIAGE, AND SHE IS UNDER AN OBLIGATION TO PERFORM ALL THE COMMANDMENTS THAT ARE ENUMERATED IN THE TORAH. SO ALSO A BOY, IF HE HAS GROWN TWO PUBIC HAIRS, IS UNDER AN OBLIGATION TO PERFORM ALL THE COMMANDMENTS ENUMERATED IN THE TORAH. HE IS FURTHERMORE LIABLE TO THE PENALTY OF A STUBBORN AND REBELLIOUS SON<sup>4</sup> AS SOON AS HE HAS GROWN TWO HAIRS UNTIL THE TIME WHEN HIS BEARD FORMS A CIRCLE.<sup>5</sup> (THIS REFERS TO THE LOWER, AND NOT TO THE UPPER ONE, BUT<sup>6</sup> THE SAGES USED A EUPHEMISM,)<sup>7</sup>—A GIRL WHO HAS GROWN TWO HAIRS<sup>8</sup> MAY NO LONGER EXERCISE THE RIGHT OF *MI'UN*. R. JUDAH RULED: *MI'UN* MAY BE EXERCISED UNTIL THE BLACK<sup>9</sup> PREDOMINATES.<sup>10</sup>

**GEMARA.** But since we have learnt, SHE IS UNDER AN OBLIGATION TO PERFORM ALL THE COMMANDMENTS THAT ARE ENUMERATED IN THE TORAH, what need was there for stating, SHE MAY EITHER PERFORM *HALIZAH* OR CONTRACT LEVIRATE MARRIAGE?<sup>11</sup> — To exclude a ruling of R. Jose who stated,

'In the Biblical section<sup>12</sup> it is written man,<sup>13</sup> but as regards a woman there is no difference between a major and a minor'.<sup>14</sup> Hence we were informed that<sup>15</sup> if she has grown two hairs she may perform *halizah*,<sup>16</sup> but otherwise she may not. What is the reason? A woman is to be compared to man.<sup>17</sup>

But since it was stated, SO ALSO A BOY, IF HE HAS GROWN TWO PUBIC HAIRS,<sup>18</sup> what need was there for stating, HE IS UNDER AN OBLIGATION TO PERFORM ALL THE COMMANDMENTS ENUMERATED IN THE TORAH? And should you reply: Because it was desired to teach, HE IS FURTHERMORE LIABLE TO THE PENALTY OF A STUBBORN AND REBELLIOUS SON [the objection would arise]: Have we not learnt this once: 'When does one become liable to the penalty of a stubborn and rebellious son? As soon as one grows two hairs until the time the beard forms a circle. (By this was meant the lower, and not the upper one, but the Sages used a euphemism)'? — This is so indeed; only because details were specified about the girl those relating to the boy were also specified.

IF A GIRL HAS GROWN, etc. R. Abbahu citing R. Eleazar stated, The *Halachah* is in agreement with R. JUDAH. R. Judah, however, agrees that if she was subjected to cohabitation after she had grown two hairs,<sup>19</sup> she may no longer exercise the right of *mi'un*.<sup>20</sup> The colleagues of R. Kahana desired to give a practical decision<sup>21</sup> in agreement with the ruling of R. Judah, although intercourse had taken place, but R. Kahana addressed them as follows: Did not such an incident happen with the daughter of R. Ishmael?<sup>22</sup> She, namely, came to the schoolhouse to exercise the right of *Mi'un* while her son was riding on her shoulder; and on that day were the views of R. Ishmael mentioned at the schoolhouse; and the Rabbis wept bitterly<sup>23</sup> saying, 'Over a ruling which that righteous man<sup>24</sup> had laid down should his offspring stumble!' For Rab Judah citing Samuel who had it from R. Ishmael

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stated: And she be not seized,<sup>25</sup> [then only]<sup>26</sup> is she forbidden,<sup>27</sup> but if she was seized she is permitted. There is, however, another class of woman who is permitted<sup>27</sup> even if she was not seized. And who is that? A woman whose betrothal was a mistaken one,<sup>28</sup> and who, even if her son sits riding on her shoulder, may exercise the right of *Mi'un* and go away.<sup>29</sup> Thereupon they took a vote and decided: Up to what age may a girl<sup>30</sup> exercise the right of *Mi'un*? Until that at which she grows two hairs. [On hearing this incident] they<sup>31</sup> abstained and did not act as they first intended.<sup>32</sup>

R. Isaac and the disciples of R. Hanina gave a practical decision in agreement with R. Judah, though the girl had been subjected to intercourse. R. Shamin b. Abba proceeded to tell it in the presence of R. Johanan; R. Johanan proceeded to tell it in the presence of R. Judah Nesi'ah<sup>33</sup> and the latter sent a constable<sup>34</sup> who took her away.<sup>35</sup>

R. Hisda citing Mar Ukba stated: The meaning<sup>36</sup> is not that the black must actually predominate but that it shall be such as, when two hairs lie flat, has the appearance<sup>37</sup> of the black predominating over the white,<sup>38</sup> Raba stated: Two hairs that reach from rim to rim.

R. Helbo citing R. Huna stated: The two hairs of which the Rabbis spoke<sup>39</sup> must<sup>40</sup> have follicles at their roots. R. Malkio citing R. Adda b. Ahabah ruled: Follicles suffice even in the absence of hairs. Said R. Hanina the son of R. Ika: The rulings concerning a spit,<sup>41</sup> bondwomen<sup>42</sup> and follicles<sup>43</sup> were laid down by R. Malkio, but those concerning a forelock,<sup>44</sup> wood-ash<sup>45</sup> and cheese<sup>46</sup> were laid down by R. Malkia. R. Papa, however, stated: If the statement was made on a Mishnah or a Baraita the author is R. Malkia but if on reported traditions<sup>47</sup> the author is R. Malkio. And the mnemonic<sup>48</sup> is, 'The mathnitha<sup>49</sup> is queen'.<sup>50</sup> What is the practical difference between them?<sup>51</sup> —

The practical difference between them is the statement on bondwomen.<sup>52</sup> R. Ashi stated, Mar Zutra told me that R. Hanina of Sura felt about this the following difficulty: Would not a single Tanna<sup>53</sup> go out of his way to teach<sup>54</sup> us the law of the follicles? — If one<sup>55</sup> had informed us of the law of the follicles it might have been presumed that [puberty is not established] unless there were two hairs in two follicles respectively, hence we were informed<sup>56</sup> that even two hairs in one follicle are sufficient. But is there such a phenomenon?<sup>57</sup> Is it not in fact written in Scripture, He that would break me with a tempest, and multiply my wounds without cause<sup>58</sup> in connection with which Raba<sup>59</sup> remarked: Job blasphemed with the mention of tempest and he was answered with a tempest. He 'blasphemed with the mention of tempest', saying to Him, 'Sovereign of the world, perhaps a tempest has passed before Thee, and caused Thee to confuse "Job"60 with "enemy"?'<sup>61</sup> 'He was answered with a tempest': Then the Lord answered

1. Before the smelling of which, but not after, a benediction (cf. P.B. p. 290) is said.
2. Being twelve years and one day old.
3. If her husband died childless.
4. Cf. Deut. XXI, 18ff and Sanh. 68b.
5. When he is regarded as an adult who is no longer subject to this law.
6. In speaking in vague terms.
7. Lit., 'spoke in clean language'.
8. Having thus passed out of her minority.
9. The pubic hair.
10. The growth of no more than two hairs does not suffice in his opinion to deprive her of the right of *Mi'un* (cf. Gemara *infra*).
11. Which are rites already included in the general rule.
12. Of *Halizah*.
13. Deut. XXV, 7; 'man', excluding the woman, implies that only the male must be of age.
14. Sc. a minor also may perform *Halizah*.
15. In the case of a girl also.
16. Lit., 'yes'.
17. Cf. Yeb. 105b, B.B. 156a.
18. A statement which brings the boy under the same obligations as the girl.
19. So that there was a valid marriage *Kinyan* (cf. Kid, 2a) after she had attained her majority.



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20. Only where no intercourse had taken place after two hairs have grown does R. Judah maintain his view (cf. relevant n. on our Mishnah). The first Tanna, however, maintains that, even if she allowed only one moment to pass after the growth of two hairs, irrespective of whether intercourse did or did not take place, her right to *Mi'un* is lost.
21. Lit., 'to do a deed'.
22. Who, after her father's death, while she was in her minority was given in marriage by her mother.
23. Lit., 'a great weeping'. For the reading cf. MS.M. Cur. edd. 'and she wept ... in the schoolhouse and they said'.
24. R. Ishmael.
25. Num, V, 13. E. V. neither she be taken in the act.
26. Sc. if she did not act under compulsion but willingly.
27. To her husband.
28. If, for instance, a condition was attached to it and the condition remained unfulfilled, or if the marriage was with a minor (in the absence of her father) whose act (even with the consent of her mother) has no validity. In such a case the woman may leave her husband without a letter of divorce and she has the status of a feme sole who had never before been married.
29. Since the marriage had no validity.
30. Lit., 'the daughter'.
31. R. Kahana's colleagues.
32. Lit., 'and did not do the deed'.
33. The Prince, Judah II.
34. Or 'a detachment of police. Lit., 'searcher'.
35. From her second husband who had married her in reliance on her *Mi'un*.
36. Of R. Judah's ruling on our Mishnah.
37. Owing to the length of the hairs.
38. The skin.
39. V. our Mishnah.
40. If they are to be taken as a mark of puberty.
41. That has been used on a festival for the roasting of meat, may, by an indirect movement, be made to slip into a corner, though direct movement is forbidden (v. Bezah 28b).
42. Brought by a woman to her husband at her marriage (v. Keth. 59b).
43. The law cited here.
44. The law that an Israelite who trims the hairs of a heathen must withdraw his hand at a distance of three fingers' breadth on every side of the forelock (v. A.Z. 29a).
45. Forbidden to be spread on a wound because it gives it the appearance of an incised imprint (v. Mak. 21a).
46. If made by a heathen is forbidden to be eaten on account of the lard that he smears over it.
47. Shemathatha, those not recorded in a Mishnah or a Baraitha.
48. To help one to recollect which of the statements mentioned were made by R. Malkio and R. Malkia respectively.
49. Mathnitha, a general term for both Mishnah and Baraitha as opposed to shemathatha (cf. prev. n. but one).
50. Sc. more authoritative than a reported statement. Malkia ([H]) whose name closely resembles [H] (queen) is to be associated with the Mishnah and the Baraitha that are designated 'queen'.
51. R. Hanina and R. Papa.
52. Which is recorded in a Mishnah. According to R. Papa the comment on it must be that of R. Malkia (cf. prev. n. but one) while according to R. Hanina it is one of the rulings attributed to R. Malkio,
53. If follicles alone, in the absence of hairs, sufficed to establish puberty.
54. Anywhere in the Mishnah.
55. Tanna.
56. By the mention of two hairs only.
57. Two hairs in one follicle.
58. Job IX, 17.
59. *Var. lec.* Rabbah (cf. B.B. 16a).
60. [H] (Iyob).
61. [H] (Oyeb).

## Niddah 52b

Job out of the whirlwind, and said<sup>1</sup> to him, 'Most foolish man,<sup>2</sup> I have created many hairs<sup>3</sup> in a man's head and for every hair I have created a separate follicle, so that two should not suck from the same follicle, for if two were to suck from the same follicle they would impair the sight of man. I did not confuse one follicle with another, would I confuse "Job" and "enemy"?'<sup>4</sup> — This is no difficulty since one<sup>5</sup> refers to the body while the other<sup>6</sup> refers to the head.

Rab Judah citing Samuel ruled: The two hairs of which they spoke [establish puberty] even if one is on the crest and the other on the testes. So it was also taught: The two hairs of which they spoke [establish puberty]

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even if one grows on her back and the other on her belly, one on the joints of the fingers of her hand and the other on the joints of her toes; so R. Simeon b. Judah of Kefar Akko who cited it in the name of R. Ishmael.<sup>7</sup> But Rab citing R. Assi ruled: puberty is not established unless two hairs grow in the same spot.

Our Rabbis taught: Up to what age may a girl exercise the right of *Mi'un*? Until she grows two hairs; so R. Meir. R. Judah ruled: Until the black predominates.<sup>8</sup> R. Jose ruled: Until a ring is formed around the nipple. Ben Shelakoth ruled: Until she grows her hair in profusion.<sup>9</sup> In connection with this R. Simeon stated: Hanina b. Hakinai once met me at Zidon and said to me,<sup>10</sup> 'When you arrive at R. Akiba's ask him "until what age may a girl exercise the right of *Mi'un*". If he tells you, "Until she grows two hairs", ask him this: Did not Ben Shelakoth testify in the presence of all of you at Jamnia, "Until she grows her hair in profusion", and you did not say to him a word to the contrary?' When I arrived at R. Akiba's the latter told me, 'I do not know anything about the growing of hair in profusion, and I do not know Ben Shelakoth; a girl may exercise the right of *Mi'un* until the age when she grows two hairs'.

**MISHNAH.** THE TWO HAIRS SPOKEN OF IN REGARD TO THE RED HEIFER<sup>11</sup> AND IN REGARD TO LEPROSY<sup>12</sup> AS WELL AS THOSE SPOKEN OF ANYWHERE ELSE<sup>13</sup> MUST BE LONG ENOUGH FOR THEIR TIPS TO BE BENT TO THEIR ROOTS; SO R. ISHMAEL. R. ELIEZER RULED: LONG ENOUGH TO BE GRASPED BY A FINGER-NAIL, R. AKIBA RULED: LONG ENOUGH TO BE TAKEN OFF WITH SCISSORS.

**GEMARA.** R. Hisda citing Mar Ukba stated: The *Halachah* is in agreement with the views of all these in that the law is thereby invariably restricted.<sup>14</sup>

**MISHNAH.** A WOMAN WHO OBSERVED A BLOOD-STAIN<sup>15</sup> IS IN AN UNSETTLED CONDITION<sup>16</sup> AND MUST<sup>17</sup> TAKE INTO CONSIDERATION THE POSSIBILITY THAT IT WAS DUE TO *ZIBAH*; SO R. MEIR. BUT THE SAGES RULED: IN THE CASE OF BLOOD-STAINS THERE IS NO [NEED TO CONSIDER THE POSSIBILITY OF THEIR BEING] DUE TO *ZIBAH*.

**GEMARA.** Who are THE SAGES? — R. Hanina b. Antigonus. For it was taught: R. Hanina b. Antigonus ruled, In the case of blood-stains there is no [need to consider the possibility of their being] due to *Zibah*, but sometimes blood-stains do lead to *Zibah*. How so? If a woman<sup>18</sup> put on three shirts that she had previously examined and then found a blood-stain on each of them, or if she<sup>19</sup> observed a discharge<sup>20</sup> on two days and [a blood-stain on] one shirt,<sup>21</sup> these are the blood-stains that lead to *Zibah*. But since in the case of three shirts, where she observed no direct discharge from her body, the possibility of *Zibah* is taken into consideration, why was it necessary to mention<sup>22</sup> that of 'two days and one shirt'? —

It might have been presumed<sup>23</sup> that in any instance like this<sup>24</sup> the woman brings a sacrifice which may be eaten,<sup>25</sup> hence we were informed [that only the possibility<sup>26</sup> of *Zibah* is taken into consideration].<sup>27</sup> Raba observed: In this matter R. Hanina b. Antigonus vindicated his case against the Rabbis. For why is it [that when a bloodstain] less than three beans in size is in one spot we do not take into consideration the possibility of *Zibah*? [presumably] because we assume that it is the result of observations on two days.<sup>28</sup> But then why should we not, even if a stain of the size of three beans was in one spot, similarly assume that only to the extent of the size of two and a half beans the discharge was from her body while the rest is the blood of a louse due to the filth?<sup>29</sup> — And the Rabbis?<sup>30</sup> —

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Since the stain<sup>31</sup> can be divided up into parts of the size of a bean and over for each day<sup>32</sup> we do not ascribe it to any external cause. As to R. Hanina b. Antigonus, is it<sup>33</sup> only when a stain of the size of three beans in one spot that we do not take the possibility of *Zibah* into consideration, but if it is in three different places<sup>34</sup> the possibility is taken into consideration? But did you not say<sup>35</sup> that this<sup>36</sup> applies only to stains on<sup>37</sup> three shirts,<sup>38</sup> from which it follows that it does not apply to stains<sup>39</sup> in three spots?<sup>40</sup> — He<sup>41</sup> spoke to them on the line of the view of the Rabbis. As far as I am concerned, he said in effect, it<sup>42</sup> applies only to three shirts<sup>38</sup> and not to three spots;<sup>40</sup> but according to your view, agree with me at least that, where she had observed a stain of the size of three beans in one spot, we assume that to the extent of two and a half beans the discharge came from her body while the rest is the blood of a louse due to the filth. And the Rabbis? — Since the stain<sup>43</sup> can be divided up into parts of the size of a little more than a bean for each day,<sup>44</sup> we do not ascribe it to any external cause,

Our Rabbis taught: If a woman observed a blood-stain, if it is big enough<sup>43</sup> to be divided into parts corresponding respectively to three beans, each of which being slightly bigger than the size of a bean, she must take into consideration the possibility of *Zibah*; otherwise, she need not take this possibility into consideration. R. Judah b. Agra citing R. Jose ruled: In the one case and in the other<sup>45</sup> the possibility must be taken into consideration.<sup>46</sup>

1. Job XXXVIII, 1.
2. Lit., 'fool that (you are) in the world'.
3. The Heb. word for tempest, 'se'arah', may also be rendered 'hair'.
4. From which it is obvious that two hairs can never grow from the same follicle. How then could it be maintained (*supra* 52a) that two hairs may sometimes grow from the same follicle?
5. The case of the hairs mentioned in our Mishnah.
6. The hairs mentioned in connection with Job,

7. The reading to 'ruled' is that of MS.M. Cur. edd. read, 'And the Rabbis [what is their view]? R. Hisda replied'. BaH. substitutes 'Ashi' for 'Hisda'.
8. Cf. relevant n. on our Mishnah,
9. Cf. Tosaf.
10. So MS.M.
11. Cf. A.Z. 24a and Parah II, 5.
12. Cf. Neg. I, 5.
13. In regard to the marks of puberty.
14. Sc. as soon as the hairs grow to the smallest length mentioned in our Mishnah she is no longer regarded as minor and the right of *Mi'un* is denied to her, while *Halizah* may not be performed until the hairs grew to the maximum of the lengths mentioned, when her majority is beyond all doubt.
15. On her underclothing.
16. Lit., 'damaged', sc. the calculations (that enable her to determine in which days she is liable to menstruation and in which she is susceptible to *Zibah*) are upset since she is unable to ascertain when exactly the discharge (of which the blood-stain is the result) had occurred.
17. Under certain circumstances (cf. Gemara *infra*).
18. On three consecutive days respectively during the period in which she is susceptible to *Zibah*,
19. In the *Zibah* period (cf. prev. n.).
20. An actual flow of blood.
21. That was previously duly examined.
22. That *Zibah* must be taken into consideration.
23. If the latter case had not been mentioned.
24. Two actual discharges and one blood-stain.
25. Sc. that the sacrifice is deemed to be valid as in the case of certain *Zibah*.
26. But not the certainty.
27. So that the sacrifice is of a doubtful nature. As the method of killing that is prescribed for a bird sacrifice renders an unconsecrated bird *Nebelah* and forbidden to be eaten, the bird sacrifice offered in this case must (on account of its doubtful nature) be forbidden to be eaten.
28. While *Zibah* cannot be established unless discharges occurred on three consecutive days.
29. Of menstruation; so that (cf. prev. n.) there was no *Zibah* at all.
30. How can they maintain their ruling in view of this argument?
31. Being of generous dimensions and rather larger than the size of three beans.
32. So that on each day there may have been a new stain of the size prescribed.
33. As Raba's statement seems to suggest.

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34. Though on the same shirt.
35. In the Baraitha *supra*.
36. That the possibility of *Zibah* is taken into consideration.
37. Lit., 'yes'.
38. One stain on each.
39. Lit., 'not'.
40. On the same shirt.
41. R. Hanina according to Raba's submission.
42. That the possibility of *Zibah* is taken into consideration.
43. Being of generous dimensions and rather larger than the size of three beans.
44. So that on each day there may have been a new stain of the size prescribed.
45. Sc. even if the stain was no bigger than the size of two beans.
46. Since it is possible that at least one of the stains was due to a discharge at twilight which counts as two (v. *infra*).

## Niddah 53a

Rabbi stated: R. Judah b. Agra's ruling is acceptable where she did not examine<sup>1</sup> and the ruling of the Sages where she did examine. What is meant by 'she did examine' and by 'she did not examine'? —

Raba replied: I found the Rabbis of the schoolhouse sitting at their studies and discoursing thus: 'Here<sup>2</sup> we are dealing with the case of a woman who examined herself,<sup>3</sup> but did not examine her shirt;<sup>4</sup> and even her own body was examined by her only at the twilight of R. Judah,<sup>5</sup> while at the twilight of R. Jose<sup>6</sup> she did not examine herself. In such a case, the Rabbis being of the opinion that at the twilight of R. Jose it is already night, [the question of *Zibah* does not arise] since she had examined herself at the twilight of R. Judah,<sup>7</sup> and R. Jose follows his own view, he having stated that twilight is a doubtful time'.<sup>8</sup> But I said to him: 'Had her hands been kept in her eyes<sup>9</sup> throughout the twilight<sup>10</sup> you would<sup>11</sup> have spoken well,<sup>12</sup> but now,<sup>13</sup> is it not possible that she experienced a discharge<sup>14</sup> as soon as she had removed her hands?'<sup>15</sup> They then told me, 'We only spoke of a case where the woman had her hands in her eyes<sup>9</sup> throughout the twilight'.

'Rabbi stated: R. Judah b. Agra's ruling<sup>16</sup> is acceptable where she did not examine'. Now<sup>17</sup> what is meant by 'she did not examine'? If it be suggested that she examined herself in the twilight of R. Judah but did not examine herself in the twilight of R. Jose [the difficulty would arise]: From this<sup>18</sup> it follows that R. Judah holds<sup>19</sup> that even where she examined herself both times,<sup>20</sup> the possibility of *Zibah* must be considered; [but why should this be so] seeing that she did examine herself?<sup>21</sup> It is obvious then [that the meaning<sup>22</sup> is] that she did not examine herself either in the twilight of R. Judah or in that of R. Jose;<sup>23</sup> but if she had examined herself in R. Judah's twilight<sup>24</sup> and did not examine herself in R. Jose's<sup>25</sup> there is no need for her to consider the possibility [of *Zibah*].<sup>26</sup> It is thus clear that the twilight of R. Jose is according to Rabbi<sup>27</sup> regarded as night.<sup>28</sup> Now read the final clause: 'And the ruling of the Sages where she did examine' —

What is meant by 'she did examine'? If it be suggested that she examined herself in the twilight of R. Judah but did not examine herself in that of R. Jose,<sup>29</sup> it would follow<sup>30</sup> that the Rabbis are of the opinion that even if she did not examine herself in either<sup>31</sup> there is no need to consider the possibility of *Zibah* [but why should this be so] seeing that she did not examine herself?<sup>32</sup> It is obvious then that [the meaning<sup>33</sup> is] that she examined herself both in the twilight of R. Judah and in that of R. Jose, but that if she had examined herself in the twilight of R. Judah and not in that of R. Jose the possibility of *zibah*<sup>34</sup> must be considered.<sup>35</sup> It is thus clear that the twilight of R. Jose is according to Rabbi<sup>36</sup> regarded as doubtful time.<sup>37</sup> Does not this then present a contradiction between two statements of Rabbi?<sup>38</sup> —

It is this that he<sup>39</sup> meant: The view of R. Judah b. Agra<sup>40</sup> is acceptable to the Rabbis<sup>41</sup> when she did not examine herself at all either in R. Judah's twilight or in that of R. Jose's, for even the Sages differed from him<sup>42</sup> only when she has examined herself in R. Judah's

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twilight<sup>43</sup> and did not examine herself in that of R. Jose,<sup>44</sup> but where she did not examine herself at all they agree with him,<sup>45</sup> But does not the following show incongruity?<sup>46</sup> [For it was taught:] If a woman observed a bloodstain, the observation being one of a large one,<sup>47</sup> she must take into consideration the possibility of a discharge at twilight,<sup>48</sup> but if the observation was one of a small stain<sup>49</sup> she should not take the possibility into consideration. This is the ruling of R. Judah b. Agra who cited it in the name of R. Jose.

Said Rabbi: I heard from him<sup>50</sup> that in both cases must the possibility be taken into consideration; 'and', he said to me, 'it is for this reason: What if she had been a menstruant who did not<sup>51</sup> make sure of her cleanness<sup>52</sup> from the Minha time<sup>53</sup> and onwards, would she not<sup>54</sup> have been regarded as being in a presumptive state of uncleanness?<sup>55</sup> And his ruling is acceptable to me where she has examined herself. Now what is meant by 'she has examined herself'?

If it be suggested that she has examined herself in the twilight of R. Judah and did not examine herself in that of R. Jose, it would follow that R. Judah b. Agra holds that even though she did not examine herself either in the twilight of R. Judah or in that of R. Jose the possibility need not be considered; but why should this be so seeing that she did not examine herself? It must be obvious then that she did examine herself both in the twilight of R. Judah and in that of R. Jose. Thus it follows that R. Judah b. Agra holds that if she examined herself in the twilight of R. Judah and not in that of R. Jose she need not consider the possibility. It is thus clear that the twilight of R. Jose is according to R. Judah b. Agra regarded as night. Does not this then present a contradiction between two rulings of R. Judah b. Agra?<sup>56</sup> In the absence of Rabbi's interpretations<sup>57</sup> there would well be no difficulty, since the former ruling might refer to a case where she has examined herself in R. Judah's twilight and not in that of R. Jose while here it is a case where she

has examined herself in R. Jose's twilight as in that of R. Judah's; but with Rabbi's interpretations<sup>58</sup> does not the contradiction arise? —

Two Tannas expressed different views as to the opinion of R. Judah b. Agra. The first Tanna holds that the twilight of R. Judah ends first

1. This is discussed presently.
2. In the dispute between R. Judah b. Agra and the Rabbis,
3. Each day at twilight.
4. Which was examined for the first time on the third day when a stain of the size of two beans was discovered. As it is thus unknown when the stain was made, the possibility must be taken into consideration that there may have been a discharge at the twilight of each, or at least one, of the two days; and, since a discharge at twilight counts as two (one for the passing and one for the coming day), that she had experienced no less than three discharges on three consecutive days.
5. Which extends after sunset for a time during which one can walk a distance of a thousand cubits.
6. Which lasts no longer than a 'wink of the eye', beginning and ending later than R. Judah's twilight.
7. When she had ascertained that on that day she was clean, Any subsequent discharge at the twilight of R. Jose could only be counted as one for the following day. The total of her discharges cannot consequently have been more than two.
8. Cf. prev. n. but one, As it is possible that there was a discharge at that time (which counts as both possible day and possible night) the woman must be treated as if she experienced two discharges (one on the passing, and one on the incoming day) in addition to the discharge on the other day in question, thus making a total of three discharges.
9. Euphemism.
10. Of R. Judah.
11. As far as the Rabbis are concerned.
12. Since it would have been definitely established that during the passing day no discharge had occurred.
13. That a general statement was made that the discharge is always ascribed to one day only.
14. During the twilight of R. Judah.
15. And this would count as two.
16. That the possibility of *Zibah* is to be considered even where a stain is not big

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- enough to be divided into three parts, each of the prescribed minimum.
17. Since Rabbi stated that only in this case he accepted the ruling of R. Judah b. Agra, it follows that where she did examine herself he does not accept his ruling though R. Judah himself maintains that the possibility of *Zibah* must be considered even in the latter case.
  18. Since 'no examination' only means the absence of one in R. Jose's twilight though one did take place in R. Judah's twilight.
  19. Cf. prev. n. but one.
  20. The twilight of R. Judah and the twilight of R. Jose.
  21. Making sure that on that day there was no discharge. How then could one subsequent possible discharge in the night be counted as two?
  22. Of the expression 'she did not examine',
  23. So that the possibility must be considered that she may have experienced a discharge in R. Judah's twilight.
  24. Thus ascertaining that she was clean on that day.
  25. Which is regarded as night.
  26. Since one discharge in the night cannot possibly be counted as two discharges.
  27. Who on this point disagrees with R. Judah.
  28. Cf. prev. n. but two
  29. And it is in this case only that Rabbi stated that the ruling of the Sages is acceptable but, it follows, where she examined herself in neither, though the Rabbis still maintain that the possibility of *Zibah* need not be considered he holds that it must be taken into consideration.
  30. Cf. prev. n.
  31. Lit., 'in the two'. The twilights of R. Judah and R. Jose respectively.
  32. In consequence of which she may have experienced a discharge at twilight when the one discharge is counted as two. How then could the possibility of *Zibah* be ruled out?
  33. Of the expression 'she did examine', in Rabbi's approval of the ruling of the Sages.
  34. According to Rabbi who in this case disagrees with the Sages' ruling.
  35. It being possible that she experienced a discharge in R. Jose's twilight when one discharge is counted as two.
  36. Who on this point disagrees with the Sages.
  37. Cf. prev. n. but one.
  38. Lit., 'a difficulty of Rabbi on Rabbi'. According to the inference from the first clause R. Jose's twilight is regarded by him as right while according to the inference from the final clause it is doubtful whether it is day or night.
  39. Rabbi.
  40. That the possibility of a discharge at twilight is to be considered.
  41. Not to himself; sc. Rabbi did not express any opinion as to what view he accepted and with whom he agreed (as was previously assumed when the contradiction was pointed out) but merely explained the extent and limits of the dispute between the Sages and R. Judah b. Agra.
  42. In maintaining that the possibility (cf. p. 368, n. 14) may be disregarded.
  43. Thus ascertaining that there was no discharge at twilight.
  44. Which in their opinion is regarded as night.
  45. Cf. p. 368 n. 14. R. Jose, however, who holds his twilight to be a doubtful time, takes into consideration the possibility of a discharge in his twilight which would be regarded as two, one of which must be attributed to the passing, and the other to the incoming day.
  46. With what had been said *supra* that according to R. Judah b. Agra it is not certain whether the twilight of R. Jose is night or day.
  47. One that can be divided into three stains each of which is slightly bigger than the size of a bean.
  48. Which counts as two.
  49. Sc. one not bigger than a little more than the size of two beans, so that it can only be divided into two stains of the prescribed minimum.
  50. R. Jose.
  51. On the seventh day after menstruation.
  52. Lit., 'separated in cleanness'.
  53. Two and a half seasonal hours before nightfall.
  54. Though in the morning she made sure of her cleanness.
  55. Of course she would, and in consequence she would not be allowed to undergo immersion in the evening. Thus it follows that in the absence of an examination, the possibility of a discharge is considered. Similarly in the case of the stain under discussion, since no examination was held at twilight, the possibility of a discharge that must be counted as two must be taken into consideration.
  56. According to his first ruling *supra* the twilight of R. Jose is only a doubtful time while according to his present ruling it is definitely night.
  57. Both here and *supra*.
  58. Which inevitably lead to the conclusion (as stated *supra*) that, according to the first ruling, R. Judah b. Agra holds R. Jose's twilight to be a doubtful time, while according to his second ruling, it is definitely night.

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## Niddah 53b

and then begins the twilight of R. Jose,<sup>1</sup> while the second Tanna holds that the twilight of R. Jose is absorbed in that of R. Judah.<sup>2</sup>

Our Rabbis taught: A woman who observes a bloodstain causes uncleanness to herself<sup>3</sup> and to consecrated things retrospectively;<sup>4</sup> so Rabbi. R. Simeon b. Eleazar ruled: She causes uncleanness<sup>5</sup> to consecrated things but does not cause uncleanness to herself, since her bloodstain cannot be subject to greater restrictions than her observation.<sup>6</sup> But<sup>7</sup> do we not find that her bloodstain is subject to greater restrictions in regard to consecrated things? — Read rather thus: R. Simeon b. Eleazar ruled, Even to consecrated things she conveys no uncleanness,<sup>8</sup> since her bloodstain should in no case be subject to greater restrictions than her observation.<sup>6</sup>

Our Rabbis taught: If a woman observed first a bloodstain and then<sup>9</sup> she observed a discharge of blood she may for a period of twenty-four hours ascribe her stain to her observation;<sup>10</sup> so Rabbi. R. Simeon b. Eleazar ruled: Only during the same day.<sup>11</sup> Said Rabbi: His view seems more acceptable than mine, since he improves<sup>12</sup> her position while I make it worse. 'He improves it!' Does he not in fact<sup>13</sup> make it worse? — Rabina replied: Reverse the statement,<sup>14</sup> R. Nahman said: You need not really reverse it, [the meaning being:] Since he improves her position in regard to the laws of *Zibah* while I make her position worse as regards the laws of *zibah*.<sup>15</sup>

R. Zera enquired of R. Assi: Do stains<sup>16</sup> necessitate an interval of cleanness<sup>17</sup> or not? The other remained silent, answering him nothing at all. Once he<sup>18</sup> found him<sup>19</sup> as he was sitting at his studies and discoursing as follows: 'She may for twenty-four hours ascribe her stain to her observation. This is the ruling of Rabbi. In connection with this Resh Lakish explained that it applied only where she has examined herself,<sup>20</sup> while R. Johanan explained: Even though she did not

examine herself'.<sup>21</sup> 'Thus it follows', he<sup>18</sup> said to him,<sup>19</sup> 'that<sup>22</sup> stains necessitate an interval of cleanness'. 'Yes', the other<sup>19</sup> replied. 'But did I not ask you this question many a time and you gave me no answer at all? It is likely that you recalled the tradition<sup>23</sup> in the rapidity of your reviewing?'<sup>24</sup> — 'Yes', the other replied, 'in the rapidity of my reviewing I recalled it'.

*MISHNAH.* IF A WOMAN OBSERVED A DISCHARGE OF BLOOD ON THE ELEVENTH DAY<sup>25</sup> AT TWILIGHT,<sup>26</sup> AT THE BEGINNING OF A MENSTRUATION PERIOD AND AT THE END OF A MENSTRUATION PERIOD,<sup>27</sup> AT THE BEGINNING OF A *ZIBAH* PERIOD AND AT THE END OF A *ZIBAH* PERIOD,<sup>27</sup> ON THE FORTIETH DAY AFTER THE BIRTH OF A MALE<sup>28</sup> OR ON THE EIGHTIETH DAY AFTER THE BIRTH OF A FEMALE,<sup>29</sup> [THE DISCHARGE HAVING BEEN OBSERVED] AT TWILIGHT IN ALL THESE CASES,<sup>30</sup> BEHOLD WOMEN IN SUCH CIRCUMSTANCES<sup>31</sup> ARE IN A STATE OF PERPLEXITY.<sup>32</sup> SAID R. JOSHUA: BEFORE YOU MAKE PROVISION FOR THE FOOLISH WOMEN<sup>33</sup> COME AND MAKE PROVISION FOR THE WISE ONES.<sup>34</sup>

*GEMARA.* AT THE BEGINNING OF A MENSTRUATION PERIOD AND AT THE END OF A MENSTRUATION PERIOD! Is it<sup>35</sup> not rather the beginning of a menstruation period and the end of a *Zibah* period?<sup>36</sup> — R. Hisda replied: It is this that was meant: IF A WOMAN OBSERVED A DISCHARGE OF BLOOD ON THE ELEVENTH DAY AT TWILIGHT a time which is THE BEGINNING OF A MENSTRUATION PERIOD AND THE END OF A *ZIBAH* PERIOD, or on the seventh day of her menstruation when it is THE END OF A MENSTRUATION PERIOD AND THE BEGINNING OF A *ZIBAH* PERIOD.

SAID R. JOSHUA: BEFORE YOU MAKE PROVISION FOR THE FOOLISH WOMEN, etc. But are these

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1. Hence it is uncertain whether it still belongs to the day or to the following night.
2. And since in his opinion the examination must extend over all the twilight of the latter it obviously covers also the twilight of the former, so that the examination took place in both twilights.
3. Sc. if she was in the process of counting her clean days she must start anew (Tosaf.).
4. To the time the article on which the stain was found had been washed.
5. Retrospectively.
6. In the latter case the uncleanness is retrospective for twenty-four hours only, while in the former it would go back to the time the article had been washed.
7. Since R. Simeon b. Eleazar agrees with Rabbi in the case of consecrated things.
8. Retrospectively.
9. Within twenty-four hours.
10. Sc. her uncleanness does not extend retrospectively to the time the article had been washed but begins at the time the stain was found.
11. Sc. only where the stain was observed on the same day as the discharge of the blood may the former be ascribed to the latter (cf. prev. n.); but if the stain was discovered in the daytime while the blood was not observed until after sunset, though this took place within twenty-four hours, the former cannot be ascribed to the latter.
12. This is discussed presently.
13. By reducing the period of twenty-four hours.
14. Reading, 'my view seems more acceptable, etc.'
15. According to Rabbi who for a period of twenty-four hours ascribes the stain to the observation of the blood the woman is deemed to have been unclean on the day of her observation as well as on the previous day. If, therefore, she were to observe some blood on the next day following she would be regarded as a confirmed Zabah, while according to R. Simeon who ascribes a stain to blood observed during the same day only the woman would be deemed unclean on one day only and could not become a confirmed Zabah unless blood was observed on the two following days also (R. Han.).
16. According to Rabbi who attributes a stain to an observation of blood if the latter took place within twenty-four hours, and does not regard the woman's uncleanness as having begun at the time the article (on which the stain was found) had been washed,
17. Sc. must the woman have examined herself between the time the article had been washed and the discovery of the stain? (Tosaf.).
18. R. Zera.
19. R. Assi.
20. Near the time of discovering the stain, within twenty-four hours; but if twenty-four hours have passed between the examination and the discovery of the stain the woman is deemed unclean retrospectively from the time of the examination (Tosaf.).
21. Sc. near the examination between which and the discovery of the stain an interval of twenty-four hours had been allowed to pass. Despite this interval the woman's uncleanness is not retrospective since less than twenty-four hours have passed between the time the article had been washed and the discovery on it of the stain. As the uncleanness in such a case is not retrospective to the time of the washing of the article, it is equally not retrospective over the twenty-four hours' period (Tosaf.). Cf. Tosaf. Asheri.
22. According to both Resh Lakish and R. Johanan.
23. Lit., 'it came to thee'.
24. Cf. Jast,
25. After the termination of a menstruation period. Any issue of blood within the eleven days is deemed to be *Zibah*.
26. A time which is neither certain day nor certain night, so that it is doubtful whether the issue was one of *Zibah* or one of menstruation. If the time were certain day the issue (cf. prev. n.) would be *Zibah* and if it were certain night (when a new menstruation period commences) it would be menstrual.
27. This is discussed in the Gemara *infra*.
28. All discharges of blood from the eighth to the fortieth day after the birth of a male is regarded as clean and after that begins the menstruation period of seven days followed by the *Zibah* one of eleven days.
29. From the fifteenth to the eightieth day after the birth of a female all discharges of blood are clean and after the eightieth day the menstruation period followed by that of *Zibah* (cf. prev. n.) begins.
30. Cf. prev. n. but three.
31. Lit., 'these'.
32. Lit., 'erring', as regards the counting of the clean and unclean days prescribed in the various cases mentioned; because they are unable to determine on which of the 'two days involved they had observed the discharge.
33. Those of the type just mentioned.
34. Women who observed their discharges in the day or the night when no doubt arises. This is further explained in a Baraita cited *infra*.
35. The twilight of THE ELEVENTH DAY.
36. Since the *Zibah* period which began after the seventh day of the menstruation period



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terminated at the conclusion of the eleventh day when a second menstruation period begins.

## Niddah 54a

**FOOLISH WOMEN? Are they not merely IN A STATE OF PERPLEXITY?<sup>1</sup> —** Rather read: Women who are in a state of perplexity. For<sup>2</sup> it was taught: [If a woman is alternately] unclean on one day and clean on the next,<sup>3</sup> she may perform her marital duty<sup>4</sup> on the eighth day,<sup>5</sup> the night following being included,<sup>6</sup> and on four nights out of every eighteen days.<sup>7</sup> If, however, she observed any issue in the evening,<sup>8</sup> she performs her marital duty on the eighth day<sup>9</sup> only.<sup>10</sup> [If she is alternately] unclean<sup>11</sup> for two days and clean for two days, she may perform her marital duty on the eighth,<sup>12</sup> the twelfth,<sup>13</sup> the sixteenth<sup>14</sup> and the twentieth.<sup>15</sup> But why is she not allowed to perform her marital duty on the nineteenth?<sup>16</sup> —

R. Shesheth replied: This<sup>17</sup> proves that the 'gluttony'<sup>18</sup> of which we have learnt<sup>19</sup> is forbidden. R. Ashi<sup>20</sup> replied: Granted that the eleventh day<sup>21</sup> requires no safeguard,<sup>22</sup> the tenth day<sup>23</sup> at any rate does require a safeguard.<sup>24</sup> If she is alternately unclean for three days and clean for three days, she may perform her marital duty on two days<sup>25</sup> and may never again perform it.<sup>26</sup> If she is alternately unclean for four days and clean for four days she performs her marital duty on one day,<sup>27</sup> and may never again perform it.<sup>28</sup> If she is alternately unclean for five days and clean for five days, she performs her marital duty on three days<sup>29</sup> and may never again perform it.<sup>28</sup> If she is alternately unclean for six days and clean for six days she performs her marital duty on five days<sup>30</sup> and may never again perform it.<sup>28</sup> If she is alternately unclean for seven days and clean for seven days, she may perform her marital duty during a quarter of her lifetime, [seven days]<sup>31</sup> out of each twenty-eight days.<sup>32</sup> If she is alternately unclean for eight days and clean for eight days, she may perform her

marital duty on fifteen days<sup>33</sup> out of every forty-eight days.<sup>34</sup> But is not the number<sup>35</sup> fourteen?<sup>36</sup> —

R. Adda b. Isaac replied: This proves that the days of her menstruation in which she observes no discharge<sup>37</sup> are reckoned in the counting<sup>38</sup> prescribed for her *zibah*;<sup>39</sup> for the question was raised:

1. V. *supra* p. 373, n. 6.
2. The following series of rules applies to the WISE ONES of which R. Joshua spoke.
3. Sc. is discharging blood every alternate day.
4. If the discharge never occurs in the night.
5. Counting from the one on which her first discharge was observed. On the eighth day her cleanness is established beyond any possible doubt since her unclean period of menstruation terminated with the seventh, and the eighth is one of her alternate clean days.
6. Lit., 'and its night with it', since (cf. Prev. n. but one) she never discharges any blood in the night.
7. Again counting from the day of the first discharge (cf. prev. n. but one). As she never discharges on three consecutive days she can never become a major Zabah (who must allow seven clean days to pass before she can attain cleanness). When she discharges on the ninth day (one of the alternate unclean days) she, as a minor Zabah (the discharge having taken place within the eleven days of the *Zibah* period which began on the eighth), must allow one clean day (the tenth) to pass and may perform her marital duty in the night following it. Observing a discharge on the eleventh day (one of the alternate unclean days) she allows the twelfth day to pass and performs her duty in the night that follows. Similarly she may perform her marital duty on the nights following respectively the fourteenth and the sixteenth. By the time eighteen days have passed with the sunset of the eighteenth day she has, in addition to the eighth day and night following it, the four nights that follow respectively the tenth, twelfth, fourteenth and sixteenth day. The night following the eighteenth day is again one in which performance of marital duty is permitted, but it belongs to the next cycle. On the nineteenth, the seven days of menstruation begin again and the cycle is repeated.
8. Of the alternate unclean days.
9. After her first discharge, sc. the day and the night preceding it. On the day she is definitely

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- clean since her discharge does not appear until evening, and in the previous night she is also clean since with the day preceding it (the seventh) her unclean menstruation period had come to an end.
10. During the first seven days she is unclean as a menstruant and in the night following the eighth (one of the alternate unclean nights) she is unclean as a minor *Zabah* (the *Zibah* period having commenced on the eighth) and must consequently allow one day, the ninth, to pass. On the night following the ninth (another of the alternate unclean nights) she is again unclean as a minor *Zabah* and must again allow a day, the tenth, to pass, and so on until the termination of eighteen days when a new cycle of the same number of days begins in which again she is allowed marital duty on the eighth day and the night preceding it only.
  11. The discharge making its appearance (as is also the case in all the following rulings) in the evenings.
  12. Which (with the night preceding) is the second of the two alternating clean days and (unlike the first of these two days) follows the immersion on the seventh day of the unclean seven days of the menstruation period.
  13. The preceding night included, On the ninth and the tenth (two of the alternating unclean days) she is (since these days are within her *Zibah* period) a minor *Zabah* and must in consequence allow the eleventh also to pass, performing immersion in the evening of that day and thus attaining cleanness on the twelfth.
  14. Including also the night preceding it. On the thirteenth and fourteenth (cf. prev. n. mut. mut.) she is a minor *Zabah*, the fifteenth is the day she must allow to pass and in the evening of which she performs immersion and attains cleanness by the sixteenth.
  15. Cf. prev. n. mut. mut. The uncleanness on the twenty-first and twenty-second is already part of a menstruation period and belongs to the next cycle.
  16. The day following the eleventh day of the *Zibah* period, which (as stated *infra* 72b) need not be passed before cleanness is attained.
  17. The prohibition of marital intercourse on the nineteenth.
  18. Lit., 'glutton'.
  19. *Infra* 72a: If a woman observed a discharge on the eleventh day of her *Zibah* period, and performed immersion on the twelfth, and, after intercourse, again observed a discharge, her husband (who had not the patience to allow the twelfth day to pass) is described by Beth Hillel as a glutton.
  20. Maintaining that 'gluttony' is not forbidden,
  21. Of the *Zibah* period (the eighteenth in the cycle).
  22. Sc. allowing one clean day to pass after it before cleanness is attained.
  23. The seventeenth in the cycle which is also one of the two alternating unclean days.
  24. Cf. prev. n. but one. As the day following it (the eleventh of *Zibah* or the eighteenth in the cycle) is an unclean one, the next clean day (the nineteenth in the cycle) must be allowed to pass as a safeguard. Hence it is that marital intercourse cannot in this case be permitted before the twentieth.
  25. The eleventh and twelfth after her first discharge. On the first seven days she is unclean as a menstruant, on the eighth and the ninth (two of the alternating three unclean days) being within the eleven days of the *Zibah* period, she is unclean as a minor *Zabah*, and the tenth must be allowed to pass as a safeguard against these days.
  26. Since after the twelfth day she will never attain cleanness. The thirteenth, fourteenth and fifteenth (three of the alternating three unclean days) will be unclean days within her *Zibah* period that subject her to the restrictions of a major *Zabah* who cannot attain cleanness before seven clean days have passed, but (owing to these three alternating unclean days) she will never experience a full period of seven clean days.
  27. The eighth, the first day after her first unclean menstruation period, which is the last of the second group of four clean days.
  28. Cf. prev. n, but one mut. mut.
  29. The eighth, ninth and tenth (immediately following the first menstruation period) being the last three of the first group of five clean days.
  30. The eighth to twelfth. Cf. prev. n. mut. mut.
  31. That follow the unclean seven days of the menstruation period.
  32. Made up as follows: Seven unclean days of menstruation, seven days of cleanness (in which marital intercourse is permitted), seven days of uncleanness in which the woman becomes a major *Zabah* and seven days that must be counted after the confirmed *Zibah*; and so on with each cycle of twenty-eight days.
  33. The tenth to the sixteenth (seven days), the twenty-sixth to the thirty-second (seven days) and the forty-eighth ( $7 + 7 + 1 = 15$  days). Cf. foll. n.
  34. Composed as follows: Eight unclean days (the last of which being the first of the eleven days of *Zibah* turns the woman into a minor *Zabah*); one day (the first of the second group of eight days) that must be allowed to pass by

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a minor Zabah before cleanness is attained, and seven clean days in which marital intercourse is permitted; two days (the first of the third group of eight days) of *Zibah* (being the last two of the eleven days of the first *Zibah* period) and six days of the second menstruation period; one day (the first of the fourth group of eight days) completing the seventh day of menstruation, and seven days in which marital intercourse is permitted; eight days of uncleanness (the fifth group of eight days during the first three of which she becomes a major Zabah); seven days (the first of the sixth group) that serve as the number of days prescribed for a major Zabah and one day (the last of the sixth group and the forty-eighth day in the cycle) in which marital intercourse is permitted.

35. Lit. 'behold they are', the days on which marital intercourse is permitted.
36. Since the forty-eighth day should be excluded. It is now assumed that in the sixth group of eight days five clean days only are available for the prescribed counting, since the first three days of the group completed a menstruation period that began on the fifth day of the fifth group, and, since seven clean days have not yet passed, the forty-eighth, as the day following it, should be equally forbidden for marital intercourse.
37. As is the case with the first three days of the sixth group in which she was clean.
38. Sc. of the seven days.
39. Since the counting thus begins with the first day of the sixth group of eight days it terminates (cf. prev. n.) on the seventh. On the eighth day, the forty-eighth of the cycle, the woman having attained cleanness and undergone immersion on the preceding night, marital intercourse is permitted.

## Niddah 54b

May the days succeeding childbirth<sup>1</sup> on which the woman observes no discharge<sup>2</sup> be reckoned in the counting prescribed for her *zibah*?<sup>3</sup> R. Kahana replied, Come and hear: If a woman<sup>4</sup> observed a discharge on two days, and on the third day she miscarried but was unaware what she miscarried, behold this is a case of doubtful *Zibah* and doubtful birth<sup>5</sup> and<sup>6</sup> she must bring a sacrifice<sup>7</sup> which may not be eaten<sup>8</sup> while the days succeeding her childbirth<sup>2</sup> on which she observes no

discharge are reckoned in the counting prescribed for her *zibah*.<sup>10</sup>

R. Papa retorted: There<sup>11</sup> the case is quite different,<sup>12</sup> since it might be assumed<sup>11</sup> that she gave birth to a male child,<sup>13</sup> so that all the extra seven days that we impose upon her<sup>14</sup> may well be reckoned in the counting prescribed for her *zibah*.<sup>15</sup> Said R. Huna son of R. Joshua to R. Papa: Is there<sup>11</sup> only the doubt of having given birth to a male child, and is there no doubt as to the possibility of the birth of a female child?<sup>16</sup> But the fact is that<sup>17</sup> you may well infer from here that they<sup>18</sup> may be reckoned.<sup>19</sup> This is conclusive.

If a woman is alternately unclean for nine days and clean for nine days she may have marital intercourse on eight days out of every eighteen days.<sup>20</sup> If she is alternately unclean for ten days and clean for ten days, the days in which she is permitted marital intercourse are the same in number as the days of her *zibah*.<sup>21</sup> And the same<sup>22</sup> applies to cycles of a hundred<sup>23</sup> and so also to cycles of a thousand.<sup>24</sup>

## CHAPTER VII

*MISHNAH.* THE BLOOD OF A MENSTRUANT AND THE FLESH OF A CORPSE CONVEY UNCLEANNESS WHEN WET AND WHEN DRY. BUT THE ISSUE, PHLEGM AND SPITTLE OF A ZAB, A DEAD CREEPING THING, A CARCASS AND SEMEN CONVEY UNCLEANNESS WHEN WET BUT NOT WHEN DRY. IF, HOWEVER, ON BEING SOAKED, THEY ARE CAPABLE OF REVERTING TO THEIR ORIGINAL CONDITION THEY CONVEY UNCLEANNESS WHEN WET AND WHEN DRY. AND WHAT IS THE DURATION<sup>25</sup> OF THEIR SOAKING?<sup>26</sup> TWENTY-FOUR HOURS IN LUKEWARM WATER.<sup>27</sup> R. JOSE RULED: IF THE FLESH OF A CORPSE IS DRY, AND ON BEING SOAKED CANNOT REVERT TO ITS ORIGINAL CONDITION, IT IS CLEAN.<sup>28</sup>

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**GEMARA.** Whence are these rulings<sup>29</sup> deduced? — Hezekiah replied: From Scripture which says, And of her that is sick with her impurity,<sup>30</sup> her impurity<sup>31</sup> is like herself, as she conveys her uncleanness so does her impurity convey similar uncleanness. Thus we find the law concerning wet blood,<sup>32</sup> whence the deduction concerning dry blood? —

**R. Isaac** replied: Scripture said, Be,<sup>33</sup> it shall retain its original force.<sup>34</sup> But might it not be suggested that this<sup>35</sup> applies only to blood that was wet and then dried up; whence, however, the deduction that it applies also to blood that was originally<sup>36</sup> dry? And, furthermore, with reference to what we have learnt, 'If a woman aborted an object that was like a rind, like earth, like a hair, like red flies, let her put it in water and if it dissolves she is unclean', whence is this<sup>37</sup> deduced? — 'Be'<sup>38</sup> is an inclusive statement.<sup>39</sup> If [it be argued:] As she causes couch and seat to convey uncleanness to man and to his garments<sup>40</sup> so should her blood also cause couch and garment to convey uncleanness to man and his garments. [it can be retorted:] Is then her blood capable of using a couch or a seat?<sup>41</sup> —

But according to your argument<sup>42</sup> [it could also be objected]: Is a leprous stone<sup>43</sup> capable of using a couch or a seat that a text should be required to exclude it?<sup>44</sup> For it was taught. 'It might have been presumed that a leprous stone should cause a couch and a seat to convey uncleanness to man and to his garments, this being arrived at logically, for if a *Zab* who does not convey uncleanness by means of entry<sup>45</sup> causes couch and seat to convey uncleanness to man and to his garments, how much more then should a leprous stone, which does convey uncleanness by means of entry,<sup>46</sup> convey uncleanness to couch and seat to convey it to man and his garments, hence it was specifically stated, He that hath the issue,<sup>47</sup> implying only 'he that hath the issue' [is subject to the restriction]<sup>48</sup> but not a leprous stone'. Now the reason<sup>49</sup> is

that Scripture has excluded it, but if that had not been the case it would have conveyed the uncleanness, would it not?<sup>50</sup> —

A reply may indeed be forthcoming from this very statement,<sup>51</sup> for did you not say. 'He that hath the issue<sup>52</sup> [is subject to the restriction] but not a leprous stone'? Well here also Scripture said, Whereon she sitteth,<sup>53</sup> only she but not her blood.

1. Which took place in *Zibah* that immediately ceased.
2. But is nevertheless Pentateuchally unclean.
3. So that at the conclusion of seven days, and the due performance of immersion, she is exempt from the restrictions that are imposed upon a *Zabah*.
4. During the eleven days of her *Zibah* period.
5. Since it is possible that she gave birth to a proper child and that no bleeding accompanied it, in which case it is a valid birth and no *Zibah*. It is equally possible that the birth was not that of a proper child and that it was accompanied by a flow of blood, in which case it is a proper *Zibah* and no valid birth. It is also possible that the birth was a proper one and that it was accompanied by bleeding in which case it is both a valid birth and a proper *Zibah*. It is equally possible that there was neither proper birth nor bleeding so that there was neither *Zibah* nor valid birth.
6. Adopting the most restrictive course in order to meet all possible circumstances,
7. In case the birth was a valid one.
8. Since it is possible that the birth was not valid, that in consequence no sacrifice was required, and that the bird that was mistakenly killed in the manner prescribed for a sacrifice was, therefore, *Nebelah*,
9. During the first fourteen days of which, since it is possible that the birth was that of a female, the woman is unclean even though no discharge was observed,
10. To the restrictions of which she is subject on account of the possibility that the miscarriage was accompanied by bleeding. Thus it has been shown that the days succeeding childbirth on which no discharge is observed are reckoned in the counting prescribed for a *Zabah*.
11. In the case just cited by R. Kahana where uncertainties exist,
12. From that discussed *supra* 54a where no doubtful factor is involved,

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13. After the birth of whom a woman is unclean for seven days only.
14. A total of fourteen days as a precaution against the possibility that the birth was that of a female child.
15. Had it, however, been certain that the birth was that of a female child (similar to the certainty *supra* 54a) the days succeeding birth could not be reckoned in the counting prescribed for a Zabah.
16. Of course there is. The birth of the latter is as possible as the birth of the former and the possibility, therefore, exists that the woman is unclean for fourteen days.
17. Lit., 'but not'.
18. The days succeeding a childbirth during which no discharge is observed.
19. In the seven days prescribed for a Zabah.
20. In the first group of nine days she is a menstruant during the first seven days and a minor Zabah on the last two days; and in the second group of nine days she allows the first day to pass (as prescribed for a minor Zabah) while in the remaining eight days, being fully clean, she is permitted marital intercourse. The same process is repeated in every cycle of eighteen day.
21. During the first ten days she is a menstruant for seven days and a Zabah during the last three days, while during the second group of ten days she counts the prescribed seven days and has three days left in which she is clean and permitted marital intercourse. The three latter days are thus equal in number to the three days of her *Zibah*.
22. That the number of days in which marital intercourse is permitted is equal to the number of the days of *Zibah*.
23. The woman is menstrual during the first seven days of the first hundred and is a Zabah during the remaining ninety-three days, while the first seven days of the second hundred are counted as the days prescribed after the *Zibah* and in the remaining ninety-three days she is permitted marital intercourse.
24. Cf. prev. n. mut. mut.
25. Sc. the maximum time.
26. To cause them to be regarded as CAPABLE OF REVERTING TO THEIR ORIGINAL CONDITION.
27. But if they do not resume their original freshness unless soaked for a longer time or in warmer water they convey uncleanness when wet only.
28. V. Gemara.
29. That the blood of menstruation conveys uncleanness by contact and carriage.
30. Lev. XV, 33, emphasis on 'her' and 'impurity'.
31. Sc. menstrual blood.
32. Which is its natural state when discharged from the body.
33. Her issue ... be blood (Lev. XV, 19).
34. Lit., 'in its being it shall be'.
35. Retention of its original force.
36. Sc. when it was discovered. Cf. the cited Mishnah that follows.
37. That subsequent solution renders the originally dry object unclean.
38. Her issue ... be blood (Lev. XV, 29).
39. Covering all the objects mentioned.
40. Sc. she does not merely convey to them an uncleanness of a degree next to, and lower than her own but one, that of 'father of uncleanness', which is on a par with hers. Only a 'father of uncleanness' can affect the uncleanness of a man.
41. Of course not. The analogy, therefore, cannot be drawn.
42. That since blood cannot use a couch or a seat it cannot cause it to be a 'father of uncleanness'.
43. Cf. Lev. XIV, 34ff.
44. From the restriction of causing a couch and a seat to become 'fathers of uncleanness'.
45. If a clean person enters with a *Zab* into the same house the former does not thereby become unclean.
46. Cf. Lev. XIV, 46.
47. Lev. XV, 4.
48. Of causing couch and seat to convey uncleanness to man and his garments.
49. Why a leprous stone was excluded from the restriction (cf. prev. n.).
50. Though it is not capable of using couch or seat.
51. Lit., 'and from it'.
52. Lev. XV, 4.
53. Lev. XV. 23. emphasis on 'she'.

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But might it not be suggested that<sup>1</sup> as she conveys uncleanness to objects under a heavy stone<sup>2</sup> so does her blood also convey uncleanness to objects under a heavy stone? — R. Ashi replied: Scripture said, And he that beareth those things,<sup>3</sup> implying<sup>4</sup> an exclusion.<sup>5</sup>

AND THE FLESH OF A CORPSE. Whence is this deduced? — Resh Lakish replied: Scripture said, Whatsoever uncleanness he hath,<sup>6</sup> implying all forms of uncleanness<sup>7</sup> that emanate from him.<sup>8</sup> R. Johanan replied:

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Or a bone of a man, or a grave,<sup>9</sup> 'a man' is<sup>10</sup> on a par with 'a bone'; as a bone [conveys uncleanness when] dry so does a man.<sup>11</sup> What is the practical difference between them?<sup>12</sup> — The practical difference between them is the case of flesh that<sup>13</sup> crumbles.<sup>14</sup>

An objection was raised: The flesh of a corpse that was crumbled is clean?<sup>15</sup> — There it is a case where it was pulverized and turned into dust.

An objection was raised:<sup>16</sup> Every part of a corpse conveys uncleanness except the teeth, the hair and the nails, but while they are attached [to the corpse] they are all unclean?<sup>17</sup> — R. Adda b. Ahabah replied: It<sup>18</sup> must be exactly like a bone; as a bone was created simultaneously with it<sup>19</sup> so must every other part<sup>20</sup> be such as was created with it.<sup>21</sup> But are there not the hair and nails that were created with it<sup>19</sup> and they are nevertheless clean? —

Rather, said R. Adda b. Ahabah, It<sup>20</sup> must be exactly like a bone; as a bone was created simultaneously with it<sup>19</sup> and when cut<sup>22</sup> does not grow again<sup>23</sup> so must every other part<sup>20</sup> be such as was created with it and when cut<sup>22</sup> does not grow again. The teeth are, therefore, excluded since they were not created with it,<sup>19</sup> and the hair and nails were excluded since, though they were created with it, they<sup>22</sup> grow again. But skin surely [is a part of the body] that<sup>22</sup> grows again, for<sup>24</sup> we have learnt: A skinned animal,<sup>25</sup> R. Meir declares, is ritually fit,<sup>26</sup> and only the Sages declare it to be unfit.<sup>27</sup> And even the Rabbis declare it to be unfit only because in the meantime<sup>28</sup> the air affects it and it would die, but the skin<sup>29</sup> would, as a matter of fact, grow again,<sup>30</sup> and yet have we not learnt: In the case of the following their skins are on a par with their flesh,<sup>31</sup> viz., the skin of a human being?<sup>32</sup> —

Surely in connection with this ruling it was stated: 'Ulla said, 'Pentateuchally the skin of a human being is clean, and what is the reason why they ruled it to be unclean? It is a

preventive measure against the possibility that a person might use the skins of his father and mother as spreads for an ass.'

Others there are who read: Skin, surely, [is a part of the body] that<sup>33</sup> does not grow again, for<sup>34</sup> we have learnt: And the Sages declare it to be unfit.<sup>35</sup> And even R. Meir declares it to be fit only because its flesh hardens and the animal recovers its health but it does not, as a matter of fact, grow again,<sup>36</sup> and yet did not 'Ulla state, 'Pentateuchally the skin of a man is clean'? — When 'Ulla's statement was made it had reference to the final clause<sup>37</sup> only: But all these,<sup>38</sup> if they were dressed or trodden upon sufficiently to render them fit for dressing, are clean<sup>39</sup> with the exception of a human skin.<sup>40</sup> And it was in connection with this ruling that 'Ulla stated, 'Pentateuchally the human skin is clean if it had been dressed; and what is the reason why they ruled it to be unclean? It is a preventive measure against the possibility that a person might use the skins of his father and mother as spreads'. But does not flesh grow again and yet it is unclean? — Mar son of R. Ashi replied: The place of missing flesh becomes a scar.<sup>41</sup>

**BUT THE ISSUE.** Whence is this<sup>42</sup> deduced? — It was taught: His issue is unclean,<sup>43</sup> teaches concerning an issue of a *Zab* that it is unclean.<sup>44</sup> But cannot this be arrived at by a process of reasoning: If it<sup>45</sup> causes uncleanness to others<sup>46</sup> would it not, with more reason, cause uncleanness to itself?<sup>47</sup> The case of the scapegoat proves the contrary, since it causes uncleanness to others<sup>48</sup> while it is itself clean. You also should not, therefore, be surprised in this case<sup>49</sup> where, though the issue carries uncleanness to others,<sup>46</sup> it is itself<sup>49</sup> clean. Hence it was specifically stated, 'His issue is unclean'<sup>43</sup> teaching thereby that the issue is unclean. But might it not be suggested that this<sup>50</sup> applies only to contact [uncleanness] but not to carriage, this being a case similar to that of a dead creeping thing?<sup>51</sup> —

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**R. Bibi b. Abaye replied:** There was no need for a Scriptural text as far as contact is concerned, since it<sup>50</sup> is not inferior<sup>52</sup> to semen,

1. Lit., 'if'.
2. On which she sits; though her weight can hardly exercise any tangible pressure on the objects (Tosaf.). Lit., 'a stone (used) for closing (a pit)'. V. Shab., Sonc. ed., p. 394, n. 2.
3. Lev. XV, 10, dealing with the couch of a *Zab* which (as explained in *Torath Kohanim*) when carried on a heavy stone conveys uncleanness to objects under the stone.
4. Emphasis on 'those'.
5. Sc. only those but not blood.
6. Lev. XXII, 5.
7. Whether wet or dry.
8. Lit., 'separate'.
9. Num. XIX, 16.
10. By analogy.
11. Sc. his corpse.
12. R. Johanan and Resh Lakish.
13. Owing to its extreme dryness.
14. While according to Resh Lakish it would still be unclean since it emanates from a corpse, it would lose its uncleanness according to R. Johanan since it is not one solid piece like a bone.
15. An objection against Resh Lakish.
16. Both against Resh Lakish and R. Johanan.
17. Oh. III, 3. Now teeth are on a par with bones and yet it was stated that when detached from the corpse they are clean (cf. prev. n.).
18. To convey uncleanness.
19. The body.
20. To convey uncleanness.
21. Teeth grow later.
22. Lit., 'its stem'.
23. Lit., 'changes', sc. once a bone has been removed no other will grow in its place.
24. So MS.M. and marg. note. Cur. edd., 'and'.
25. One whose skin has worn away owing to scabs or excessive work.
26. For consumption, sc. it is not forbidden as *Terefah*, since the skin grows again.
27. Hul. 54a.
28. Before a new skin has grown.
29. Lit., 'its stem'.
30. So that according to R. Adda b. Ahabah the skin should be clean.
31. Sc. the former are as unclean as the latter.
32. Hul. 122a.
33. Lit., 'whose root'.
34. So MS.M. and marg. note. Cur. edd., 'and'.
35. Hul. 54a; because it does not grow again.

36. The skin should consequently have been unclean.
37. Of the Mishnah, beginning 'In the case of the following their skins, etc.' cited *supra*.
38. The skins which the Sages ruled to be unclean.
39. Since they have lost all resemblance to flesh.
40. Hul. 122a, Pes. 46a.
41. Sc. it does not grow again to its original shape as is the case with hair or nails.
42. That the issue of a *Zab* is unclean.
43. Lev. XV, 2.
44. *Supra* 34b.
45. The issue.
46. Sc. the *Zab*.
47. What need then was there for the text of Lev. XV, 2?
48. The man who carries it away (cf. Lev. XVI, 26).
49. *Zibah*.
50. The conveyance of uncleanness by an issue.
51. Which also conveys uncleanness by means of contact but not by carriage.
52. In its uncleanness.

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so that if a Scriptural text was required it was only in respect of carriage. But might it not be suggested that by means of carriage it conveys uncleanness to both man and his garments, while by means of contact it conveys uncleanness to man but not to his garments, this being a case similar to that of contact with a carcass?<sup>1</sup> — This cannot be entertained, for it was taught: Others<sup>2</sup> Say, Of them that have an issue, whether it be a man, or a woman,<sup>3</sup> his 'issue' is compared<sup>4</sup> to himself;<sup>5</sup> as in his case you make no distinction between his contact and his carriage as regards the conveyance of uncleanness to man and to his garments,<sup>6</sup> so also in that of his issue. But now that the law<sup>7</sup> is deduced from 'Of them that have an issue',<sup>3</sup> what need is there for 'His issue is unclean'?<sup>8</sup> —

R. Judah of Daskarta<sup>9</sup> replied: It was required; since<sup>10</sup> it might have been presumed that the case of the scapegoat proves the contrary,<sup>11</sup> for it causes uncleanness to others<sup>12</sup> while it itself is clean; and as to the deduction from<sup>13</sup> 'Of them that have an issue' [it might have been explained

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that] it serves the purpose of indicating the number,<sup>14</sup> viz., 'issue', one; 'his issue',<sup>15</sup> two; while after the third issue the All Merciful compared him to the 'woman',<sup>16</sup> hence the All Merciful has written, 'His issue is unclean'. And now that the All Merciful has also written, 'His issue is unclean'<sup>17</sup> you may apply to the other text<sup>18</sup> this exposition<sup>19</sup> also.

AND SPITTLE. Whence do we deduce [the uncleanness of] spittle? — It was taught And if he<sup>20</sup> ... spit.<sup>21</sup> As this might be presumed to apply even if the spittle did not touch,<sup>22</sup> it was explicitly stated, upon him that is clean,<sup>21</sup> only if it touched him that is clean.<sup>23</sup> Thus I know the law concerning his spittle only,<sup>24</sup> whence could I deduce the uncleanness of his mucus, phlegm and nasal discharge? From the explicit statement, And<sup>25</sup> if he ... spit.<sup>26</sup>

The Master said, 'As this might be presumed to apply even if the spittle did not touch',<sup>27</sup> but whence could this uncleanness<sup>28</sup> be deduced? — It might have been presumed that the expression of 'spit' here<sup>26</sup> may be inferred from that of 'spit'<sup>29</sup> mentioned in the case of a Yebamah, as there the act<sup>30</sup> is valid though the spittle does not touch [the Yabam] so is the act<sup>31</sup> valid here also even though the spittle did not touch the clean person, hence we were informed [that actual contact is essential]. But might it not be suggested that this<sup>31</sup> applies only to touch<sup>32</sup> but not to carriage, the law being similar to that of a dead creeping thing?<sup>33</sup> —

Resh Lakish replied: The school of R. Ishmael taught, Scripture said, 'upon that'<sup>34</sup> which is with the clean',<sup>26</sup> implying, whatever is in the hand of him that is clean,<sup>35</sup> I have declared it to be unclean to you.<sup>36</sup> But might it not be suggested that by carriage it conveys uncleanness to the man and his garments while by contact it conveys uncleanness to man only but not to his garments, this law being similar to that of the touch of *Nebelah*?—

Resh Lakish replied and so it was also taught at the school of R. Ishmael: Scripture said, 'upon that which is with the clean'<sup>37</sup> implying that that which I have declared to you as clean elsewhere I have declared to you as unclean here, and what is this? It is the touch of *nebelah*.<sup>38</sup> But might it not be suggested that this<sup>39</sup> refers to<sup>40</sup> the carrying of a dead creeping thing?<sup>41</sup> — If that were so, Scripture should have written, 'upon that which is with a man',<sup>42</sup> why then did it write 'upon that which is with the clean'?<sup>43</sup> Consequently the two deductions may be made.<sup>44</sup>

'And nasal discharge'. What [uncleanness] is [there in a] nasal discharge?<sup>45</sup> — Rab replied: This is the case where it was drawn and discharged through the mouth,<sup>46</sup> since in the circumstances it is impossible for the nasal secretion to be free from particles of spittle. R. Johanan, however, stated that it is unclean even if it is drawn and discharged through the nose. It is thus clear that he is of the opinion that the nose is a source,<sup>47</sup> the All Merciful<sup>48</sup> having included it.<sup>49</sup> As to Rab,<sup>50</sup> why should not the tears of a Zab's eyes<sup>51</sup> be enumerated?<sup>52</sup> For<sup>53</sup> has not Rab stated, He who wishes to blind his eye shall have it painted by an idolater,<sup>54</sup> and Levi stated, He who wishes to die shall have his eyes painted by an idolater, and in connection with this R. Hiyya b. Goria explained, 'What is Rab's reason for not saying "He who wishes to die [etc.]"? Because one might sniff them up and discharge them, through the mouth'.<sup>55</sup> Now<sup>56</sup> what is Rab's explanation?<sup>57</sup> — Granted that the poison is discharged,<sup>58</sup> the tears themselves are not so discharged.

Come and hear: 'There are nine fluids of<sup>59</sup> a *Zab*. His sweat, foul secretion and excrement are free from all uncleanness of *Zibah*; the tears of his eye, the blood of his wound and the milk of a woman convey the uncleanness of liquids<sup>60</sup> if they consist of a minimum quantity of a quarter of a *log*; but his *Zibah*, his spittle and his urine<sup>61</sup> convey major uncleanness';<sup>62</sup> but nasal discharge was not



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mentioned. Now according to Rab<sup>63</sup> one can well see why this was not mentioned, since it was not definite enough to be mentioned, for it is only sometimes that it is discharged through the mouth while at other times it is discharged through the nose;<sup>64</sup> but according to R. Johanan<sup>65</sup> why was it not mentioned?—

But according to your view,<sup>66</sup> was his mucus and phlegm<sup>67</sup> mentioned?<sup>68</sup> But the fact is that spittle was mentioned and the same law applies to all other secretions the law of whose uncleanness was derived from the Pentateuchal amplification,<sup>69</sup> and so also here<sup>70</sup> spittle was mentioned and all other secretions the law of whose uncleanness was derived from the amplification are also included. 'The tears of his eye' [is legally a fluid] since it is written in Scripture, And given them tears to drink in large measure,<sup>71</sup> 'the blood of his wound', since it is written, And drink the blood of the slain,<sup>72</sup> and there is no difference<sup>73</sup> between striking one down outright or striking one down in part;<sup>74</sup> 'the milk of a woman', since it is written, And she opened a bottle of milk, and gave him drink.<sup>75</sup> Whence do we derive the law that 'his urine' [is legally a fluid]? —

It was taught: His issue is unclean, and this<sup>76</sup> includes his urine in respect of uncleanness. But may not this<sup>77</sup> be arrived at by a logical argument? If spittle, that emanates from a region of cleanness, is unclean how much more so his urine that emanates

1. Cf. Lev. XI, 39, 40.
2. Sc. R. Meir.
3. Lev. XV, 33.
4. By juxtaposition and analogy.
5. The *Zab*.
6. Cf. Lev. XV, 7, 10. The latter verse speaks of the *Zab*'s couch and seat and applies with greater force to the *Zab* himself.
7. That the issue of a *Zab* conveys uncleanness by contact and carriage.
8. Lev. XV, 2.
9. Darkarah, 16 parasangs N.E. of Bagdad.
10. If the text of Lev. XV, 2, had not been available.
11. Of what is deduced from Lev. XV, 33.

12. The man who carries it away (cf. Lev. XVI, 26).
13. Lit., 'and if on account of'.
14. Lit., 'it is for the number that it came'.
15. E.V., 'of them that have'.
16. Who becomes unclean even in a case of an accidental issue. After no more than two issues a man does not become unclean unless they were intentional.
17. From which the principle of the uncleanness of an issue is deduced.
18. From which the prescribed number of issues had already been deduced.
19. That no distinction is to be made between contact and carriage.
20. A *Zab*.
21. Lev. XV, 8.
22. The clean person in whose direction it was thrown.
23. Only then is he unclean.
24. Lit., 'I have not but'.
25. Emphasis on 'and' which might well have been omitted.
26. Lev. XV, 8.
27. The clean person in whose direction it was thrown.
28. Cf. prev. n.
29. Deut. XXV, 9.
30. *Halizah*.
31. The conveyance of uncleanness by the *Zab*'s spittle.
32. Sc. only if it came in contact with the clean person does it convey uncleanness to him.
33. Which also conveys uncleanness by contact but not through carriage if an object intervened between it and the person.
34. E.V. Upon him that is clean, Sc. within his hand.
35. Sc. even if the spittle has fallen on an object that was merely carried by the clean person, so that the spittle did not come in direct contact with the man.
36. Sc. that it conveys uncleanness to the person.
37. Emphasis on 'clean'.
38. Which causes the uncleanness of the man alone who touched it while his garments remain clean. In the case of the spittle of a *Zab*, however, its touch by a clean man conveys uncleanness to his garments also.
39. The deduction just made (cf. MS.M.).
40. Cur. edd. 'like'.
41. Sc. the garments which remain clean in the case of the carrying of a dead creeping thing are unclean in this case (cf. p. 386, n. 15). Whence, however, the proof that touch in this case is not like the touch of *Nebelah* which causes the uncleanness of the man only and not that of his garments?

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42. From which (cf. *supra* p. 386, nn. 11 and 12) the deduction ('whatever is in the hand, etc.') could well have been made.
43. Emphasis on 'clean'.
44. Cf. *supra* p. 386, n. 15 (second clause) and *supra* n. 2 (first clause).
45. Seeing that Scripture speaks of spittle only.
46. The uncleanness being due to the spittle.
47. In the case of a *Zab* whose sources are unclean.
48. By the use of the expression *ki yarok* (E.V., if he spit) which (by change of vowels) may be read as one word, *kerok*, 'like spittle', Sc. anything that is similar to spittle is subject to the same uncleanness.
49. Among the sources of a *Zab*.
50. Who does not regard the nose as a source and attributes the uncleanness of a discharge from it to the particles of spittle that get mixed up with it when it passes through the mouth.
51. Which might also pass through his mouth and collect particles of spittle.
52. Among the unclean discharges.
53. The following is evidence that Rab agrees that tears may be made to pass through the mouth.
54. Who may well be suspected of mixing poisonous drugs in the eye paint.
55. And thus avoid swallowing them.
56. Cf. prev. n. but two.
57. Of the omission of tears of the eye (cf. *supra* p. 387, nn. 11 and 12) from the list of unclean discharges.
58. Through the mouth.
59. Cf. MS.M. and Bomb. ed.
60. Sc. cause the uncleanness of food and drink (as other unclean liquids) but not that of man and garments.
61. Being sources.
62. I.e., that of man and garments. Ker. 13a.
63. V. *supra* p. 387, n. 11.
64. When it is free from uncleanness. Hence it could not be included among those discharges that are invariably unclean.
65. Who ruled that it is always unclean, irrespective of the channel through which it passed.
66. That a discharge that is always unclean should have been mentioned among the others.
67. Which are undoubtedly as unclean as his spittle.
68. Of course not.
69. V. *supra* p. 387, n. 9.
70. The Baraita cited from Ker. 13a.
71. Ps. LXXX, 6; emphasis on 'drink'.
72. Num. XXIII, 24, cf. prev. n.
73. In respect of the blood.
74. Lit., 'what (difference is there) to me (whether) he killed all of him ... his half'.

75. Judges IV, 19, cf. p. 388, n. 14
76. Lev. XV, 2f, emphasis on 'and this', sc. and another fluid also is unclean.
77. The uncleanness of urine.

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from an unclean region?<sup>1</sup> — The blood that issues from the orifice of the membrum<sup>2</sup> could prove the contrary, for though it issues from an unclean region it is nevertheless clean; you also need not, therefore, be surprised at this that, though it issues from an unclean region, it should be clean. Hence it was explicitly stated, 'His issue is unclean and this', to include his urine in respect of uncleanness. Whence is it deduced that the blood that issues from the orifice of the membrum<sup>2</sup> is clean? — From what was taught It might have been assumed that blood that issues from his<sup>2</sup> mouth or from the orifice of the membrum is unclean,<sup>3</sup> hence it was explicitly stated, As to his issue it is unclean,<sup>4</sup> only 'it' is unclean, but blood that issues from his mouth or from his membrum is not unclean but clean.<sup>5</sup> But might I not reverse the deductions?<sup>6</sup> —

R. Johanan citing R. Simeon b. Yohai replied: It<sup>7</sup> must be similar to spittle; as spittle is formed in globules when it is discharged so must any other unclean fluid be one that is formed in globules when it is discharged; blood is, therefore, excluded since it is not formed in globules when it is discharged. But is not a woman's milk formed in globules when it is discharged and the Master nevertheless stated that 'a woman's milk conveys the uncleanness of liquids' which implies: Only<sup>8</sup> the uncleanness of liquids but not major uncleanness? —

Rather said R. Johanan citing R. Simeon b. Yohai: It<sup>7</sup> must be similar to spittle, as spittle is formed in globules when discharged but<sup>2</sup> may be re-absorbed, so must any other unclean fluid be one that is formed in globules when discharged and that<sup>10</sup> may be re-absorbed; blood is, therefore, excluded

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since it is not formed in globules when it is discharged, and a woman's milk is excluded since, though it is formed in globules when discharged, it cannot be re-absorbed. But why should not deduction be made from the Zab's issue: As his issue which is not formed in globules when it is discharged causes uncleanness so does any other fluid?<sup>11</sup> — Raba replied: One cannot make a deduction from his issue, since it also causes uncleanness to others.<sup>12</sup>

**A DEAD CREEPING THING.** Resh Lakish ruled: A dead creeping thing that dried up but whose shape was retained is unclean. But have we not learnt that they CONVEY UNCLEANNESS WHEN WET BUT NOT WHEN DRY? —

R. Zera replied: This is no difficulty since the former<sup>13</sup> refers to a whole<sup>14</sup> while the latter<sup>15</sup> refers to a part;<sup>16</sup> for it was taught: R. Isaac son of R. Bisna citing R. Simeon b. Yohai stated, In them,<sup>17</sup> one might presume that it is necessary<sup>18</sup> to touch a whole, hence it was explicitly stated, Of them.<sup>19</sup> If only 'Of them' had been written it might have been presumed that it suffices<sup>18</sup> to touch a part, hence it was explicitly stated 'In them'.<sup>17</sup> How then are the two to be reconciled? The one<sup>20</sup> refers to a wet creeping thing while the other<sup>21</sup> refers to a dry one. Raba ruled: The lizards of Mahuza,<sup>22</sup> if their shapes are retained, are unclean.

Resh Lakish further stated: If a dead creeping thing was burnt while its shape was retained it is unclean. An objection was raised: If a burnt creeping thing was found upon olives and so also if a tattered rag<sup>23</sup> was found upon them they are clean, because all questions of uncleanness are determined by the condition of the objects at the time they are found!<sup>24</sup> —

R. Zera replied: This is no difficulty since the former<sup>25</sup> refers to a whole<sup>26</sup> while the latter<sup>27</sup> refers to a part; for it was taught: R. Isaac son of R. Bisna citing R. Simeon b. Yohai

stated, In them',<sup>28</sup> one might presume that it is necessary<sup>29</sup> to touch a whole, hence it was explicitly stated, Of them.<sup>30</sup> If only 'of them' had been written it might have been presumed that it suffices<sup>29</sup> to touch a part, hence it was explicitly stated, 'in them'. How then are the two to be reconciled? The one<sup>31</sup> refers to a burnt creeping thing while the other refers to one that is not burnt.

**CONVEY UNCLEANNESS WHEN WET. The ISSUE?**<sup>32</sup> Because it is written, His flesh run.<sup>33</sup> His mucus, PHLEGM AND SPITTLE?<sup>32</sup> Because it is written, If he that hath the issue spit<sup>34</sup> implying<sup>35</sup> any fluid like spittle. **A DEAD CREEPING THING?**<sup>32</sup> The All Merciful said, When they are dead,<sup>36</sup> implying when they have the appearance of being dead.<sup>37</sup> **SEMEN?**<sup>32</sup> Since it must be capable of causing fertilization. **A CARCASS?**<sup>32</sup> Since it is written, If ... die<sup>38</sup> implying when they have the appearance of being dead.<sup>37</sup>

**IF, HOWEVER, ON BEING SOAKED THEY ARE CAPABLE.** R. Jeremiah enquired: Is the soaking to be from beginning to end<sup>39</sup> in LUKEWARM WATER,<sup>40</sup> or only at the beginning although it is not so at the end?<sup>41</sup> —

Come and hear what was taught: For how long must they be soaked in lukewarm water? Judah b. Nakosa replied, For twenty-four hours, being lukewarm at the beginning though not at the end. R. Simeon b. Gamaliel replied, They must be lukewarm throughout the twenty-four hours.

**R. JOSE RULED: THE FLESH OF A CORPSE,** etc. Samuel explained: It is CLEAN in so far only as not to convey uncleanness if it is of the bulk of an olive, but it does convey the uncleanness of corpse mould.<sup>42</sup> So it was also taught: R. Jose ruled, The flesh of a corpse that is dry and, on being soaked, cannot return to its original condition is clean in so far only as not to convey uncleanness if it is of the bulk of an

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olive but it is subject to the uncleanness of corpse-mould.<sup>42</sup>

**MISHNAH.** IF A DEAD CREEPING THING WAS FOUND IN AN ALLEY IT CAUSES UNCLEANNESS RETROSPECTIVELY TO SUCH TIME AS ONE CAN TESTIFY, 'I EXAMINED THIS ALLEY AND THERE WAS NO CREEPING THING IN IT', OR TO SUCH TIME AS IT WAS LAST SWEEPED. SO ALSO A BLOODSTAIN, IF IT WAS FOUND ON A SHIRT, CAUSES UNCLEANNESS RETROSPECTIVELY TO SUCH TIME AS ONE CAN TESTIFY, 'I EXAMINED THIS SHIRT AND THERE WAS NO STAIN ON IT' OR TO SUCH TIME AS IT WAS LAST WASHED. AND IT<sup>43</sup> CONVEYS UNCLEANNESS<sup>44</sup> IRRESPECTIVE OF WHETHER IT IS WET OR DRY.<sup>45</sup> R. SIMEON RULED: IF IT IS DRY<sup>45</sup> IT CAUSES UNCLEANNESS RETROSPECTIVELY,<sup>46</sup> BUT IF IT IS WET<sup>45</sup> IT CAUSES UNCLEANNESS ONLY TO A TIME WHEN IT COULD STILL HAVE BEEN WET.<sup>47</sup>

**GEMARA.** The question was raised: Is the alley TO SUCH TIME AS IT WAS LAST SWEEPED in the presumptive state of having been duly examined,<sup>48</sup> or is it possible that it is in the presumptive state of having been properly swept?<sup>49</sup> And in what case could this<sup>50</sup> matter? — In that where a person declared that he had swept the alley but did not examine it.<sup>51</sup> If you say that 'it is in the presumptive state of having been duly examined'<sup>48</sup> surely, he had not examined it;<sup>52</sup> but if you say, 'it is in the presumptive state of having been properly swept'<sup>49</sup> surely, at that time<sup>53</sup> it was properly swept.<sup>54</sup>

1. Whence actual *Zibah* comes.
2. Of a confirmed *Zab*.
3. As his spittle and issue respectively are unclean.
4. Lev. XV, 2.
5. Yeb. 105a.
6. 'And this' including blood that issues from his mouth or membrum, and 'as to his issue, etc.' excluding urine.
7. A fluid that is to be included in the same law of uncleanness as spittle.
8. Lit., 'yes'.

9. If it is not ejected.
10. If it is not ejected.
11. Though it is not formed in globules when discharged.
12. Sc. the *Zab* himself.
13. The ruling of Resh Lakish.
14. Such is unclean even when dry.
15. Our Mishnah.
16. Cf. MS.M. Cur. edd., 'in all of them ... in their part'.
17. Lev. XI, 31. E.V. 'them'.
18. In order to become unclean.
19. Lev. XI, 32; emphasis on 'of', sc. a part.
20. Uncleanness through contact with a part.
21. Requiring contact with a whole.
22. Which are discovered dry.
23. Which is no longer subject to uncleanness.
24. Toh. IX, 9; thus the burnt creeping thing, like the tattered rag, is regarded as clean: how then could Resh Lakish maintain that it is unclean?
25. The ruling of Resh Lakish.
26. Which is unclean even if burnt.
27. The Mishnah cited.
28. Lev. XI, 31 E.V., 'them'.
29. In order to become unclean.
30. Lev. XI, 32; emphasis on 'of', sc. a part.
31. Requiring contact with a whole.
32. Conveys uncleanness when wet.
33. Lev. XV, 3.
34. Lev. XV, 8, Heb.; *ki yarok* (v. next note).
35. Since *ki yarok* by change of vowels might be made to read *kerok*, 'like spittle'.
36. Lev. XI, 31.
37. Sc. while still moist.
38. Lev. XI, 39.
39. 'Sc. throughout the TWENTY-FOUR HOURS.
40. I.e., even if they resume their original moist condition only after soaking in lukewarm water for the full period of twenty-four hours they are unclean.
41. Sc. they are regarded as clean if they have not resumed their original condition after being soaked in water that was at first lukewarm and then turned cold, though they would have resumed that condition if they had been soaked all the time in lukewarm water.
42. Sc. a ladleful of it conveys uncleanness by means of touch, carriage and overshadowing.
43. The dead creeping thing as well as the bloodstain.
44. RETROSPECTIVELY to the times indicated.
45. When discovered.
46. To the times previously indicated, since it is possible that the creeping thing or stain may have been there soon after the alley had been swept or the shirt washed.

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47. And not to the times previously indicated if they are earlier. For if it had been there since the earlier times it would have been dry by now.
48. By the person who swept it who had thus definitely ascertained that there was no unclean object in it at the time.
49. So that if any unclean object had been there at the time it would have been swept away.
50. The assumption of the former or of the latter.
51. To ascertain whether any unclean object remained after the sweeping.
52. And the uncleanness would be retrospective to the time before the sweeping.
53. Though no examination took place.
54. And no unclean object could have remained. Hence the uncleanness could be retrospective only to the time of the sweeping.

## Niddah 56b

Or also in the case where the creeping thing was found in a hole.<sup>1</sup> If you say that 'it is in the presumptive state of having been duly examined', anyone who examines the alley examines also any hole in it; but if you say that 'it is in the presumptive state of having been properly swept', a hole is not usually swept.<sup>2</sup>

**SO ALSO A BLOODSTAIN, etc.** The question was raised: Is the shirt **TO SUCH TIME AS IT WAS LAST WASHED** in the presumptive state of having been duly examined,<sup>3</sup> or is it possible that it is in the presumptive state of having been properly washed?<sup>4</sup> And in what case could this<sup>5</sup> matter? — In that where a person declared that he had washed the shirt but did not examine it — If you say that 'it is in the presumptive state of having been duly examined', surely, he had not examined it,<sup>6</sup> but if you say that 'it is in the presumptive state of having been properly washed', surely, it had been properly washed.<sup>7</sup> Or also in the case where the stain was discovered in a fold.<sup>8</sup> If you say that 'it is in the presumptive state of having been duly examined', anyone engaged in an examination examines also the folds,<sup>9</sup> but if you say that 'it is in the presumptive state of having been properly

washed', a stain in a fold may not have been washed out.<sup>10</sup> Now what is the decision? —

Come and hear: For it was taught: R. Meir stated, Why did they<sup>11</sup> rule that if a dead creeping thing was found in an alley it causes uncleanness retrospectively to such time as one can testify, 'I examined this alley and there was no creeping thing in it', or to such time as it was last swept?<sup>12</sup> Because there is presumption that the children of Israel examine their alleys at the time they are swept; but if they did not examine them, they impaired its presumptive cleanness retrospectively.<sup>13</sup> And why did they<sup>14</sup> rule that a bloodstain, if found on a shirt, causes uncleanness retrospectively to such time as one can testify, 'I examined this shirt and there was no stain on it', or to such time as it was last washed?<sup>14</sup> Because there is presumption that the daughters of Israel examine their shirts at the time they are washing them; but if they did not examine them, they impair its presumptive cleanness retrospectively.<sup>15</sup>

R. Aha ruled: Let her<sup>16</sup> wash it again. If its color fades<sup>17</sup> it may be taken for granted<sup>18</sup> that it was made after the previous washing,<sup>19</sup> but if it does not fade it may be taken for granted<sup>18</sup> that it was made before the previous washing. Rabbi said, A stain after its washing is not like a stain before it had been washed, for the former penetrates into the material while the latter remains clotted on its surface. Thus it may be inferred<sup>20</sup> that<sup>21</sup> there is presumption that it was duly examined. This is conclusive.

**AND IT CAUSES UNCLEANNESS IRRESPECTIVE OF WHETHER IT IS WET, etc.** R. Eleazar explained: This<sup>22</sup> was learnt only concerning the dead creeping thing, but a wet bloodstain also causes uncleanness retrospectively,<sup>23</sup> for it might be assumed that it was already dry but water had fallen upon it. But can it not be assumed in the case of a dead creeping thing also that it was already dry but water had fallen upon

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it? — If that were the case it would have been completely dismembered.<sup>24</sup>

**MISHNAH.** ALL BLOODSTAINS<sup>25</sup> THAT COME FROM REKEM<sup>26</sup> ARE CLEAN.<sup>27</sup> R. JUDAH DECLARES THEM UNCLEAN, BECAUSE THE PEOPLE WHO LIVE THERE ARE PROSELYTES<sup>28</sup> THOUGH MISGUIDED.<sup>29</sup> THOSE<sup>30</sup> THAT COME FROM THE HEATHENS<sup>31</sup> ARE CLEAN.<sup>32</sup> THOSE THAT COME FROM ISRAELITES OR FROM SAMARITANS, R. MEIR DECLARES, ARE UNCLEAN, BUT THE SAGES DECLARED THEM CLEAN<sup>33</sup> BECAUSE THEY ARE UNDER NO SUSPICION<sup>33</sup> IN REGARD TO THEIR STAINS.

**GEMARA.** Since the statement<sup>34</sup> was made categorically<sup>35</sup> it follows, does it not, that it applies even to those from Tarmod?<sup>36</sup> — R. Johanan replied: This proves that proselytes may be accepted from Tarmod.<sup>37</sup> But can this be right<sup>38</sup> seeing that both R. Johanan and Sabya ruled, No proselytes may be accepted from Tarmod? And should you reply that R. Johanan only said, 'This',<sup>39</sup> but he himself<sup>40</sup> does not hold this view [it could be retorted]: Did not R. Johanan lay down, 'The *Halachah* is in accordance with an anonymous Mishnah'?<sup>41</sup> — It is a question in dispute between Amoras as to what was actually R. Johanan's view.

FROM ISRAELITES, etc. As to the Rabbis,<sup>42</sup> if they declare the menstrual blood of Israelites clean, whose do they hold to be unclean? — Some words are missing from our Mishnah, this being the correct reading: FROM ISRAELITES are unclean, FROM SAMARITANS, R. MEIR DECLARES, ARE UNCLEAN, since Samaritans are true proselytes,<sup>43</sup> BUT THE SAGES DECLARED THEM CLEAN because, in their opinion, Samaritans are merely lion-proselytes.<sup>44</sup> If so, instead of saying, BECAUSE THEY ARE UNDER NO SUSPICION IN REGARD TO THEIR STAINS, It should have been said, Because they are lion-proselytes? —

The fact rather is that it is this that was meant: FROM ISRAELITES OR FROM SAMARITANS they are unclean, since Samaritans are true proselytes; those that are found in Israelite cities<sup>45</sup> are clean since they are not suspected of leaving their stains exposed, for they rather keep them in privacy; and those that are found<sup>45</sup> in Samaritan cities, R. MEIR DECLARES, ARE UNCLEAN because they are suspected of leaving their stains exposed, BUT THE SAGES DECLARED THEM CLEAN BECAUSE THEY<sup>46</sup> ARE UNDER NO SUSPICION IN REGARD TO THEIR STAINS.

**MISHNAH.** ALL BLOODSTAINS, WHERESOEVER THEY ARE FOUND,<sup>47</sup> ARE CLEAN, EXCEPT THOSE THAT ARE FOUND INDOORS<sup>48</sup> OR ROUND ABOUT A CHAMBER FOR<sup>49</sup> UNCLEAN WOMEN.<sup>50</sup> A CHAMBER FOR<sup>49</sup> UNCLEAN SAMARITAN WOMEN CONVEYS UNCLEANNESS BY OVERSHADOWING<sup>51</sup> BECAUSE THEY BURY MISCARRIAGES THERE. R. JUDAH STATED, THEY DID NOT BURY THEM BUT THREW THEM AWAY AND THE WILD BEASTS DRAGGED THEM OFF. THEY<sup>52</sup> ARE BELIEVED WHEN THEY DECLARE, 'WE BURIED MISCARRIAGES THERE', OR 'WE DID NOT BURY THEM'. THEY<sup>52</sup> ARE BELIEVED WHEN THEY DECLARE CONCERNING — A BEAST WHETHER IT HAD GIVEN BIRTH TO A FIRSTLING<sup>53</sup> OR HAD NOT GIVEN BIRTH TO ONE. THEY<sup>52</sup> ARE BELIEVED WHEN GIVING INFORMATION ON THE MARKING OF GRAVES,<sup>54</sup> BUT THEY ARE NOT BELIEVED EITHER IN REGARD TO OVERHANGING BRANCHES,<sup>55</sup> OR PROTRUDING STONES<sup>55</sup> OR A BETH HA-PERAS.<sup>55</sup> THIS IS THE GENERAL RULE: IN ANY MATTER WHERE THEY ARE UNDER SUSPICION THEY ARE NOT BELIEVED.

1. And the sweeper made no declaration at all.
2. And the creeping thing may have been lying in that hole long before the alley had been swept (cf. n. 5).

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3. At the time it was washed, when it was definitely ascertained that there was then no stain on it.
4. When any stain that may have been on it would have been washed out.
5. Our assumption of the former or of the latter.
6. The uncleanness would, therefore, be retrospective to the time before the washing.
7. And the uncleanness could be retrospective to the time of washing only.
8. Lit., 'side', 'border'; and the washer did not make any declaration.
9. V. p. 393, n. 14.
10. V. p. 393, n. 13.
11. The Rabbis.
12. Sc. why does not the uncleanness begin prior to the sweeping?
13. To the time prior to the sweeping.
14. Sc. why does not the uncleanness begin before the washing?
15. The uncleanness beginning prior to the washing.
16. Who did not examine her shirt when she washed it and subsequently found a bloodstain on it, and it is unknown whether that stain was there before the washing or was made subsequently.
17. As a result of the last washing.
18. Lit., 'it is known'.
19. For if it had been there before the previous washing it would have faded in the course of that washing. Hence the uncleanness is retrospective to the time of the previous washing only.
20. From R. Meir's ruling.
21. When nothing to the contrary is definitely known.
22. R. Simeon b. Gamaliel's ruling.
23. To the time it had last been washed.
24. The assumption can, therefore, be applied to a bloodstain only.
25. On women's garments.
26. V. Yeb., Sonc. ed., p. 88, n. 10.
27. Because no Israelites of pure stock live there. The menstrual blood of heathens is Levitically clean.
28. Whose menstrual blood is unclean like that of Israelites proper.
29. Sc. though they no longer observed the religious laws of Israel.
30. Bloodstains.
31. Sc. from places where no Israelites live.
32. Cf. n. 6.
33. This is discussed in the Gemara *infra*.
34. **THOSE THAT CAME FROM THE HEATHENS ARE CLEAN.**
35. Lit., 'he decided and teaches'.
36. Whose inhabitants were reputed to have an admixture of Jewish blood. But how could this

- be reconciled with the law that Jewish menstrual blood is unclean?
37. Palmyra: the inhabitants being regarded in all respects as heathens and not as a mixed breed of bastards from whom no proselytes may be accepted.
  38. Lit., 'I am not.'
  39. Sc. 'this proves, etc.'
  40. Maintaining that no proselytes may be accepted from Tadmor.
  41. From which, as shown *supra*, it follows that proselytes may be accepted from the Tarmodites.
  42. **THE SAGES.**
  43. Whose menstrual blood is, therefore, as unclean as that of a proper Israelite.
  44. Sc. proselytes who were converted to Judaism not out of religious convictions but out of fear of the lions that attacked them (cf. II Kings XVII, 25).
  45. In an open place.
  46. Keeping them in privacy.
  47. In an Israelite locality.
  48. Lit., 'in rooms', it being assumed that, since they are kept in privacy, they must be menstrual.
  49. Lit., 'a house of'.
  50. Sc. a chamber used by menstruants.
  51. Sc. any person who enters into the chamber.
  52. Samaritans.
  53. So that the next birth is free from the restrictions imposed on a firstling.
  54. Sc. any place not so marked may be treated as clean.
  55. This is explained in the Gemara *infra*.

## Niddah 57a

**GEMARA.** What exposition did they rely upon?<sup>1</sup> — Thou shalt not remove thy neighbor's landmark,<sup>2</sup> which they of old time have set, in thine inheritance,<sup>3</sup> whosoever has an 'inheritance'<sup>4</sup> has also a 'landmark',<sup>2</sup> but whosoever has no inheritance<sup>5</sup> has no landmark.<sup>2</sup>

**THEY ARE BELIEVED WHEN THEY SAY, 'WE BURIED ...'** But,<sup>6</sup> surely, they do not uphold, do they, the exposition of the injunction, Nor put a stumbling-block before the blind?<sup>7</sup> — R. Abbahu replied: This<sup>8</sup> is a case where a [Samaritan] priest stood there.<sup>2</sup> But is it not possible that the priest was unclean?<sup>10</sup> — It is a case where he holds

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*Terumah* in his hand.<sup>11</sup> But is it not possible that the *Terumah* was unclean?<sup>10</sup> — It is a case where he was eating of it.<sup>12</sup> If so,<sup>13</sup> what was the need of stating it?<sup>14</sup> — It might have been presumed that they are not acquainted with the stages of formation,<sup>15</sup> hence we were informed [that we do rely upon them].<sup>16</sup>

**THEY ARE BELIEVED WHEN THEY DECLARE CONCERNING A BEAST, etc.** But, surely, they do not uphold, the exposition of the injunction, Nor put a stumbling-block before the blind, do they?<sup>17</sup> — R. Hiyya b. Abba citing R. Johanan replied: It is the case of a beast that is shorn and engaged in work.<sup>18</sup> If so, what was the need of stating such a law?<sup>14</sup> — It might have been presumed that they are not acquainted with the nature of a discharge [from the womb],<sup>19</sup> hence we were informed [that they are to be believed].

**THEY ARE BELIEVED WHEN GIVING INFORMATION ON THE MARKING OF, etc.** Although this<sup>20</sup> is only a Rabbinical institution<sup>21</sup> they are careful to observe it, since it is mentioned in Scripture. For it is written, And any seeth a man's bone, then shall he set up a sign by it.<sup>22</sup>

**BUT THEY ARE NOT BELIEVED EITHER IN REGARD TO OVERHANGING BRANCHES, etc.** 'OVERHANGING BRANCHES', as we have learnt: The following are regarded as overhanging branches. The foliage of a tree that affords a covering over the ground.<sup>23</sup>

**PROTRUDING STONES, as we have learnt: protruding stones that project from a wall.**<sup>24</sup>

**BETH HA-PERAS.** Rab Judah citing Samuel ruled: A man<sup>25</sup> may<sup>26</sup> blow away the earth in a Beth ha-peras<sup>27</sup> and<sup>28</sup> continue on his way. R. Judah b. Ammi citing Rab Judah ruled: A Beth Peras that had been trodden out is clean.<sup>29</sup> One further taught: If one plows a graveyard he forms thereby a Beth ha-peras.<sup>30</sup> And to what extent does he form it?

To that of a full length of a furrow of a hundred cubit [squared, which covers an area of] four Beth *se'ah*.<sup>31</sup> R. Jose ruled: Five Beth *se'ah*. But are they<sup>32</sup> not believed?<sup>33</sup> Was it not in fact taught, 'Concerning a field in which a grave was lost<sup>34</sup> a Samaritan is believed when he stated, "There is no grave there",<sup>35</sup> since he gives his evidence only about the grave itself,<sup>36</sup> concerning a tree whose foliage affords a covering over the ground<sup>37</sup> he is believed when he stated, "There is no grave under it",<sup>38</sup> since he renders evidence only about the grave itself'.<sup>36</sup> — R. Johanan replied: This<sup>39</sup> is a case where he walks backward and forward throughout all its area.<sup>40</sup> If so,<sup>41</sup> what was the need of stating it?<sup>42</sup> — It might have been presumed that a narrow strip jutted out,<sup>43</sup> hence we were informed that<sup>44</sup> he is believed.<sup>45</sup>

**THIS IS THE GENERAL RULE, etc.** What is the expression **THIS IS THE GENERAL RULE** intended to include? — To include Sabbath boundaries<sup>46</sup> and wine of libation.<sup>47</sup>

1. In not burying their miscarriages (v. our Mishnah.).
2. Sc. his ancestral grave-yard (Sifri).
3. Deut. XIX, 14.
4. Sc. a normal child.
5. A miscarriage.
6. How can they be relied upon?
7. Lev. XIX, 14, which is homiletically applied to the supply of misleading information which leads the unwary into sin. As the Samaritans do not mind misleading in such matters, how could their evidence on the cleanness or uncleanness of a place be acted upon?
8. The law that Samaritans may be relied upon when they declare 'WE DID NOT BURY THEM'.
9. Had there been a grave in that place the priest would not have been there.
10. So that he has nothing to lose by remaining in the unclean place.
11. He would not have held the *Terumah* there if the place had been unclean.
12. A certain proof that the *Terumah* was clean. Unclean *Terumah* is forbidden to a clean, and much more so to an unclean priest.
13. Cf. prev. n.
14. A law that is self-evident.



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15. Sc. of the embryo; so that a mature one might be mistaken by them for an abortion and, in consequence, they would declare a place to be free from graves when in fact it is not clean.
16. Because they are well capable of distinguishing between an abortion and a normal child.
17. Cf. *supra* p. 397, nn. 15f mut. mut.
18. In the case of a firstling both these are forbidden and the Samaritan would not have ventured to shear it or to work with it.
19. Which in the case of small cattle is an indication of a birth that exempts the next from the restrictions of a firstling (cf. Bek. 21b); sc. they might mistake an ordinary discharge for one of abortion and thus erroneously regard the next birth as free from the restrictions of a firstling.
20. The marking of graves.
21. Which Samaritans usually disregard.
22. Ezek. XXXIX, 15.
23. Oh. VIII, 2. If one of the branches overshadowed a grave, uncleanness is conveyed only to a person under it but not to one under any of the other branches; but when the exact spot of the grave is unknown all the area overshadowed by the foliage is on account of the doubt subject to the same restriction. A Samaritan who is lax in the observance of uncleanness in a doubtful case, is not to be relied upon when he states that the grave was overshadowed by a particular branch or branches and that the others did not overshadow it.
24. Cf. prev. n. mut. mut.
25. Who desires to remain clean while making his way through a Beth Peras.
26. Since no flesh of the corpse need be expected, while the bones which the plow crushed (v. *infra*) to fractions convey uncleanness (if they are no smaller than a barley-grain) only by means of touch or carriage.
27. A grave area, v. Hag., Sonc. ed., p. 160, n. 1.
28. By thus making sure that his feet would touch no bone.
29. Because the bones are crushed and scattered by the constant treading and no bone of the prescribed minimum bulk (cf. prev. n. but one) remains.
30. Peras is derived from a root meaning 'to crush' the bones being crushed by the plow. Aliter: 'Peras' means a 'half', the extent of the unclean area being half a furrow in each direction from the grave. Aliter: 'Peras' is derived from a root meaning 'to extend', the uncleanness being extended to an area larger than that of the grave.
31. Which means a hundred times a hundred cubits.
32. The Samaritans.
33. About a Beth ha-Peras.
34. And which also, like a field in which a grave was plowed, is subject to the uncleanness of a Beth ha-Peras (cf. M.K. 5b).
35. Sc. in any particular spot in the field.
36. Which is subject to Pentateuchal uncleanness which Samaritans observe. As his evidence amounts to an assertion that no Pentateuchal uncleanness is involved in that particular place he may well be relied upon. How then is this to be reconciled with our Mishnah?
37. Cf. *supra* p. 399, n. 2.
38. Under any particular branch.
39. The cited Baraita according to which a Samaritan is relied upon.
40. Which may well be taken as reliable evidence that there was no grave there. Our Mishnah, however, refers to a case where the Samaritan walks only across a part of the field. As he omits the other part there is reason to suspect that he knows it to contain a grave and that his evidence on the doubtful part of the field is intended to mislead Israelites so that they become subject to an uncleanness in which he himself does not believe. Hence the ruling of our Mishnah.
41. That the Samaritan walked throughout the suspected area.
42. A rule that is self evident. As a grave was known to have been in the field and the Samaritan nevertheless walked through all its area, it must be obvious that he knew that the corpse had been removed.
43. From the field; and that he assumed the grave to be located within that strip. As the rest of the field is still a suspected area the doubtful uncleanness of which Samaritans disregard his evidence ought not to be relied upon.
44. Since he walked across its four sides.
45. The possibility of a narrow strip jutting out not being taken into consideration.
46. Which are a Rabbinical institution. Samaritans who reject it are not trusted when they state where the limit is.
47. Yen nesek, wine touched by an idolater and suspected of having been dedicated by him to idolatry. Samaritans do not regard such wine as forbidden and their evidence in such a case cannot, therefore, be trusted.

## Niddah 57b

### CHAPTER VIII

**MISHNAH.** IF A WOMAN OBSERVED A BLOODSTAIN ON HER BODY,<sup>1</sup> IF IT WAS

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NEAR THE PUDENDA SHE IS UNCLEAR<sup>2</sup> BUT IF IT WAS NOT NEAR THE PUDENDA SHE REMAINS CLEAN. IF<sup>3</sup> IT WAS ON HER HEEL OR ON THE TIP OF HER GREAT TOE, SHE IS UNCLEAR.<sup>4</sup> ON HER THIGH OR ON HER FEET, IF ON THE INNER SIDE, SHE IS UNCLEAR; IF ON THEIR OUTER SIDE, SHE REMAINS CLEAN; AND IF ON THE FRONT AND BACK SIDES<sup>5</sup> SHE REMAINS CLEAN. IF SHE OBSERVED IT ON HER SHIRT BELOW THE BELT, SHE IS UNCLEAR,<sup>2</sup> BUT IF ABOVE THE BELT, SHE REMAINS CLEAN. IF SHE OBSERVED IT ON THE SLEEVE OF HER SHIRT, SHE IS UNCLEAR IF IT<sup>6</sup> CAN REACH AS LOW AS THE PUDENDA,<sup>2</sup> BUT IF IT CANNOT, SHE REMAINS CLEAN. IF SHE TAKES IT OFF AND COVERS HERSELF WITH IT IN THE NIGHT, SHE IS UNCLEAR WHEREVER THE STAIN IS FOUND,<sup>7</sup> SINCE IT CAN TURN ABOUT.<sup>8</sup> AND THE SAME LAW<sup>9</sup> APPLIES TO A PALLIUM.<sup>10</sup>

**GEMARA.** Samuel ruled: If a woman examined the ground<sup>11</sup> and after sitting on it, found on it some blood, she remains clean, for it is said, In her flesh,<sup>12</sup> implying that she is not unclean unless she feels<sup>13</sup> in her flesh. But the expression<sup>14</sup> 'in her flesh' is required for the deduction that she conveys uncleanness within<sup>15</sup> as without?<sup>16</sup> — If so,<sup>17</sup> Scripture could have said, 'In flesh', why then did it say 'in her flesh'? It may, therefore, be deduced that she is not unclean 'unless she feels<sup>18</sup> in her flesh'. But still, is not the expression required for the deduction, 'In her flesh, but not within a sac or within a lump of flesh'?<sup>19</sup> — Both deductions may be made from it.

Come and hear: If a woman while attending to her needs<sup>20</sup> observed a discharge of blood, R. Meir ruled: If she was standing at the time she is unclean,<sup>21</sup> but if she was then sitting she remains clean.<sup>22</sup> Now how is one to imagine the circumstance?<sup>23</sup> If she felt the discharge, why should she be clean where she was sitting? Consequently this must be a case where she did not feel a discharge, and yet it was taught, was it not, that she was

unclean?<sup>24</sup> — This may in fact be a case where she did feel a discharge but<sup>25</sup> it might be assumed that the feeling was that of the ejection of the urine. When she stands, the urine might well return to the interior of her womb<sup>26</sup> and then carry out some blood with it, but if she sits,<sup>27</sup> she remains clean.

Come and hear: If on a testing rag that was placed under a pillow some blood was found, it is regarded as clean if it<sup>28</sup> was round,<sup>29</sup> but if it was elongated it is unclean. Now how are we to understand the circumstances? If she felt a discharge, why should it be clean when round? Consequently it must be a case where she felt no discharge, and yet it was stated, was it not, that if it was elongated it is unclean?<sup>30</sup> — No, it may in fact be a case where<sup>31</sup> she felt the discharge, but it might be assumed that it was the feeling of the testing rag. Hence if it is elongated it must certainly have issued from her body.<sup>32</sup> but if it is round<sup>33</sup> it is clean.<sup>34</sup>

Come and hear: If a vestige of blood is found on his rag they are both unclean and are also under the obligation of bringing a sacrifice. If any blood is found on her rag immediately after their intercourse they are both unclean and are also under the obligation of bringing a sacrifice. If, however, any blood is found on her rag after a time they are both unclean by reason of the doubt but exempt from the sacrifice.<sup>35</sup> Now how are we to imagine the circumstance? If she has felt a discharge, why should they be exempt from the sacrifice where the blood is found after a time? Must it not then be a case where she did not feel any discharge, and yet it was taught, was it not, that 'if any blood is found on her rag immediately after their intercourse they are both unclean and are also under the obligation of bringing a sacrifice'?<sup>30</sup> — No, she may in fact have felt the discharge, but it might be assumed that it was the feeling of the attendant.<sup>36</sup>

Come and hear: You are thus in a position<sup>37</sup> to say that three forms of doubt appertain to

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a woman. A bloodstain on her body, concerning which there is doubt whether it is unclean and clean, is regarded as unclean;<sup>38</sup> on her shirt, when it is doubtful whether it is unclean or clean, is regarded as clean;<sup>38</sup> and in regard to the laws of the uncleanness of contact and *heset*<sup>39</sup> you follow the majority. Now what is meant by 'you follow the majority'? Is it not that if on most days she is unclean<sup>40</sup> this is a cause of uncleanness<sup>41</sup> even when she felt no discharge?<sup>30</sup> — No, the meaning is that if on most days her observation of the blood is accompanied by a feeling of the discharge she is unclean since it might be assumed that she had felt it this time also but did not pay any attention to it.

The Master said, 'A bloodstain on her body, concerning which there is doubt whether it is unclean or clean, is regarded as unclean; on her shirt, when it is doubtful whether it is unclean or clean, is regarded as clean'. How is one to understand the circumstances? If it<sup>42</sup> was below her belt, why, when on her shirt, is it regarded as clean seeing that we have learnt, **BELOW THE BELT, SHE IS UNCLEAN**; and if it was above her belt, why, when on her body is it regarded as unclean, seeing that we have learnt that if she observed blood on her body, **IF IT WAS NOT NEAR THE PUDENDA, SHE REMAINS CLEAN?** —

If you wish I could reply that the stain was below the belt; and if you prefer I might reply that it was above the belt. 'If you wish I could reply that the stain was below the belt', in a case, for instance, where she passed through a butchers' market. If the stain was on her body it must have emanated from herself, for if it had emanated from an external source<sup>43</sup> it should have been found on her shirt; but if it is found on her shirt, it must have emanated from an external source,<sup>43</sup> for if it had emanated from herself it should have been found on her body. 'And if you prefer I might reply that it was above her belt', in a case, for instance, where she jumped backwards. If the stain is on her

body it must undoubtedly have emanated from herself, for if it had emanated from an external source<sup>43</sup> it should have been found on her shirt; but if it is found on her shirt, it must have emanated from an external source,<sup>43</sup> for if it had emanated from herself, it should have been found on her body. At all events, it was stated, was it not, 'A bloodstain on her body, concerning which there is doubt whether it is unclean or clean, is regarded as clean', presumably even if she did not feel any discharge?<sup>44</sup> Furthermore, we have learnt, **IF A WOMAN OBSERVED A BLOODSTAIN ON HER BODY. IF IT WAS NEAR THE PUDENDA, SHE IS UNCLEAN. Does not this imply even where she did not feel any discharge?<sup>45</sup> — R. Jeremiah of Difti replied: Samuel agrees that<sup>46</sup> she is unclean**

1. Lit., 'flesh'.
2. Since it may be attributed to menstruation.
3. The following illustrates the previous general rule.
4. The reason follows *infra* in the Gemara.
5. Lit., 'and on the sides from here and from here'.
6. The place of the stain.
7. Sc. even if it is on a part which when worn cannot reach as low as the pudenda.
8. And the upper part then comes in contact with the lower parts of the body.
9. That she is UNCLEAN WHEREVER THE STAIN IS FOUND.
10. [G] a square sheet used as a cloak and as a bed cover. When used as a cover the upper part might well turn about (cf. prev. n. but one).
11. Lit., 'floor of the world'.
12. Lev. XV, 19.
13. The discharge.
14. Lit. 'that'.
15. Sc. while the blood is still within her body.
16. *Supra* 21b q.v. nn. How then can Samuel's deduction be made from the same expression?
17. That only the latter deduction is to be made.
18. The discharge.
19. Sc. if blood is found within any of these abortions, but not on the woman's person, she remains clean (*supra* 21b).
20. Making water.
21. Since owing to the narrowness of the passage occasioned by her standing position, her urine may have returned to the interior of her womb whence it gathered up some menstrual blood.

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22. *Infra* 59b, *supra* 14a, the blood being attributed to a wound in the bladder.
23. In which R. Meir's rule applies.
24. An objection against Samuel.
25. As to the reason why she remains clean.
26. Lit., source'.
27. A position which does not block the passage.
28. The blood mark.
29. Because it cannot be the result of the test which would produce an elongated patch.
30. An objection against Samuel.
31. In the course of the test.
32. This being the shape that a blood mark would assume on a testing rag.
33. And, therefore, likely to be the result of some wound.
34. Because it cannot be the result of the test which would produce an elongated patch.
35. Mishnah *supra* 14a q.v. notes.
36. Euphemism.
37. Lit., 'thou art found'.
38. This is explained *infra*.
39. V. [Glos.](#)
40. Cf. Rashi and Tosaf. for different illustrations of this uncleanness.
41. Lit., 'unclean'.
42. The stain.
43. Lit., 'from the world'.
44. An objection against Samuel.
45. An objection against Samuel.
46. Since it is possible that she was so much pre-occupied at the time of the discharge that she was unconscious of her sensation.

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according to Rabbinic law.<sup>1</sup> R. Ashi<sup>2</sup> replied: Samuel gave his ruling in accordance with the view of R. Nehemiah. For we learnt: R. Nehemiah ruled, Anything that is not susceptible to uncleanness is not susceptible to stains.<sup>3</sup> According to R. Ashi one can well see the reason why he<sup>4</sup> mentioned 'ground',<sup>5</sup> but according to R. Jeremiah of Difti,<sup>6</sup> what was the point of mentioning 'ground', seeing that even in the case of a cloak<sup>7</sup> the woman is subject to the same law? — This is a case of an implied climax:<sup>8</sup> There is no question [that the woman is clean where she sat on] a cloak since it cannot be thoroughly examined and one may, therefore, well assume [that the stain] emanated from an external source,<sup>9</sup> but even [where she sat on] the ground which can well be thoroughly examined,<sup>2</sup> and

where<sup>10</sup> it might justifiably be assumed that it emanated from her body, she is nevertheless regarded as clean.

**ON HER HEEL OR ON THE TIP OF HER GREAT TOE. SHE IS UNCLEAN, etc.** One can well concede that HER HEEL<sup>11</sup> is likely<sup>12</sup> to come in contact with that place,<sup>13</sup> but what is the reason for the uncleanness in the case of a stain on THE TIP OF HER GREAT TOE? And should you reply: It might sometimes touch her heel [the objection would arise]: Do we [as regards] uncleanness presume transfer from place to place? Was it not in fact taught: If she<sup>14</sup> had a wound on her neck in a position to which the blood stain might be attributed,<sup>15</sup> she may so attribute it,<sup>16</sup> if it was on her shoulder, in which case she cannot so attribute it,<sup>17</sup> she must not so attribute it; and we do not suggest that it is possible that she had taken it<sup>18</sup> with her hand and transferred it there?<sup>19</sup> —

The fact rather is that THE TIP OF HER TOE is in a different category.<sup>20</sup> because [direct dropping of blood] might occur while she is walking. But do we not [as regards] uncleanness presume transfer from place to place? Was it not in fact taught: If it<sup>21</sup> was found on her finger joints.<sup>22</sup> she is unclean, because hands are active.<sup>23</sup> Now what is the reason?<sup>24</sup> Is it not this: That we assume that she had examined herself with one hand<sup>25</sup> and then touched it with her other hand?<sup>26</sup> — No, her hand is different<sup>20</sup> since all of it might come in direct contact<sup>27</sup> [with the menstrual source].

**ON HER THIGH OR ON HER FEET, IF ON THEIR INNER SIDE, etc.** How far<sup>28</sup> ON THEIR INNER SIDE?<sup>29</sup> — The school of R. Jannai replied: As far as the place of hebek.<sup>30</sup> The question was asked: Is the place of the hebek.<sup>31</sup> regarded as the inner, or as the outer side? —

Come and hear what R. Kattina learnt: As far as the place of the hebek, and the hebek

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itself is regarded as the inner side. R. Hiyya son of R. Iwya taught this<sup>32</sup> explicitly: The School of R. Jannai ruled, As far as the place of the hebek and the hebek itself is regarded as in the inner side.

R. Jeremiah enquired: What is the ruling<sup>33</sup> where a bloodstain had the shape of a ring, of a straight line of drops,<sup>34</sup> or of a splash of drops.<sup>35</sup> or where it runs across the breadth of her thigh? —

Come and hear: 'A bloodstain on her body concerning which there is doubt whether it is unclean or clean, is regarded as unclean'. Now does not 'on her body' imply stains of such shapes? — No, it might only refer to one that is shaped like a stripe.<sup>36</sup>

A woman once found blood on her web. When she came to R. Jannai<sup>37</sup> he told her to experiment by repeating<sup>38</sup> her forward and backward movements.<sup>39</sup> But was it not taught: No repetition [test is recognized] in questions of cleanness?<sup>40</sup> — We say that no repetition test is recognized only<sup>41</sup> where the law would thereby<sup>42</sup> be relaxed, but where it is thereby restricted we do recognize a test of repetition.<sup>43</sup>

IF SHE TAKES IT OFF, etc. It was taught: R. Eleazar son of R. Jose stated, In such a case<sup>44</sup> I gave a ruling in the city of Rome imposing a prohibition,<sup>45</sup> and when I came to the Sages of the South they said to me, 'You have given the right decision.

Our Rabbis taught: Where a tall woman put on the shirt<sup>46</sup> of a short woman or if a short one put on the shirt<sup>46</sup> of a tall one, if [a blood stain]<sup>47</sup> corresponds to the position of the pudenda of the tall one, they are both unclean, but if it does not correspond to it,<sup>48</sup> the tall one is clean while the short one is unclean. Another Baraitha taught: If a woman examined her shirt<sup>49</sup> and then<sup>50</sup> lent it to her friend,<sup>51</sup> she is clean, but her friend may attribute it<sup>52</sup> to her. R. Shesheth explained: This<sup>53</sup> was learnt only in regard to

the civil law,<sup>54</sup> but as regards the law of uncleanness the lender is clean while her friend is unclean.

1. The ruling cited in objection to Samuel being also Rabbinical only. Samuel's ruling, however, was concerned with the Pentateuchal law.
2. Maintaining that Samuel's ruling is not at all based on the principle that the woman must feel the discharge.
3. *Infra* 59b, sc. a stain found on such an object is no cause of uncleanness to the person in whom it may possibly have originated. As the ground on which the woman sat is not susceptible to uncleanness the woman also, despite the stain found, remains clean. All the rulings cited in objection to Samuel based on the principle of 'feeling', are, therefore, irrelevant.
4. Samuel.
5. Since the ground is not susceptible to uncleanness.
6. Who, as appears from his reply, accepted the view that Samuel based his ruling on the absence of sensation.
7. If, while sitting on it, the woman experienced no sensation of a discharge.
8. Lit., 'there is no question, he implied'.
9. Before the woman sat on it.
10. Since no stain was noticed before she sat down but was found after she rose.
11. When she sits with her legs folded under her body in eastern fashion.
12. Lit., 'does'.
13. Euphemism. Hence the uncleanness.
14. A woman who discovered a bloodstain near her pudenda.
15. Sc. if the position of the wound was such that when the woman bends down some blood might drop from it on to the spot where the stain was discovered.
16. And remain clean.
17. Because even when she bends her head low the blood from the shoulder would not fall on the spot (cf. prev. n. but two) where the stain was discovered.
18. The blood from the shoulder wound.
19. How then could it be suggested here that the blood might have been transferred from the heel to the toe?
20. From the shoulder.
21. A bloodstain.
22. On the back of her hand.
23. And might, though the woman was not conscious of the fact, have touched menstrual blood.

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24. That blood on the back of the hand (cf. prev. n. but one), which one would not expect to come in contact with the menstrual source, even in the course of an examination, should be regarded as unclean.
25. The palm of which became soiled in the process.
26. Which proves, does it not, that we do presume transfer as regards uncleanness?
27. Lit., 'does that it touches'.
28. From their front and back.
29. Sc. at what distance from their front and back is a stain regarded as being on their inner side.
30. The sinews that connect the thigh and the leg. The part of the leg beneath this junction and the part of the thigh above it are regarded as the INNER SIDE (cf. Rashi and Tosaf. Asheri). Aliter: The place where the leg meets the thigh when the woman squats (Aruk); the part of the leg to the place where the (ankle) loop sits (Jast.).
31. Sc. the sinews themselves (cf. Rashi and Tosaf. Asheri). Aliter: The ankle itself (Jast.).
32. The ruling that was just given in the form of a question and answer.
33. As regards menstrual uncleanness.
34. Cf. Tosaf. and Tosaf. Asheri.
35. Lit., 'drops, drops'.
36. Running downwards, which is the natural shape that may be expected if the blood was menstrual.
37. To enquire whether the stain was to be regarded as menstrual.
38. At the loom.
39. Lit., 'let her go and come'. By repeating the process several times she would be able to ascertain whether the web comes sometimes in contact with the menstrual source.
40. *Supra* 5b q.v. notes.
41. Lit., when do we say'.
42. By sanctioning the test.
43. Because here, since it was found neither on her body nor shirt, in the absence of evidence we assume her to be clean.
44. Lit., 'this thing', a shirt that a woman used at night as a covering (v. our Mishnah).
45. Sc. that the blood is regarded as menstrual and that the woman is consequently unclean.
46. Without previously examining it.
47. Discovered subsequently.
48. Not reaching so low.
49. *Var. lec.*, 'herself and her shirt' (v. BaH.).
50. Having made sure that it was clean.
51. And subsequently a stain was found on it.
52. The stain.
53. That the borrower may attribute the stain to the lender.

54. Sc. the lender, having no valid proof that the shirt was clean when she had lent it to the other, has no legal claim on the other for the cost of washing.

## Niddah 58b

But why is this case different from the following where it was taught: If two women were engaged in the preparation of one bird which contained no more than one *Sela'* of blood, and then a stain of the size of a *Sela'* was found on each, they are both unclean?<sup>1</sup> — There<sup>2</sup> the law is different since there was an additional *sela'*.<sup>3</sup>

Our Rabbis taught: Where a woman put on three shirts<sup>4</sup> that she had previously examined<sup>5</sup> [and then found blood on one of them]. if she is in a position to attribute [the blood to an external source]<sup>6</sup> she may do so even though [the blood was found] on the lowest shirt, but if she is not in a position to attribute [it to an external cause]<sup>6</sup> she may not do so even though [the blood was found] on the uppermost shirt. How so? If she passed through a butchers' market she may attribute the blood to it even though it was found on the lowest shirt, but if she did not pass through a butchers' market she may not attribute the blood to it even if it was found on the uppermost.

**MISHNAH.** [A WOMAN] MAY ATTRIBUTE [A BLOODSTAIN] TO ANY [EXTERNAL] CAUSE TO WHICH SHE CAN POSSIBLY ATTRIBUTE IT.<sup>7</sup> IF [FOR INSTANCE] SHE HAD SLAIN A DOMESTIC BEAST, A WILD ANIMAL OR A BIRD, IF SHE WAS HANDLING BLOODSTAINS OR SAT BESIDE THOSE WHO HANDLED THEM. OR IF SHE KILLED A LOUSE. SHE MAY ATTRIBUTE THE BLOODSTAIN TO IT. HOW LARGE A STAIN MAY BE ATTRIBUTED TO A LOUSE?<sup>8</sup> R. HANINA B. ANTIGONUS REPLIED: ONE UP TO THE SIZE<sup>9</sup> OF A SPLIT BEAN; [AND IT MAY BE ATTRIBUTED TO A LOUSE] EVEN THOUGH SHE DID NOT KILL IT.<sup>10</sup> SHE MAY ALSO ATTRIBUTE IT TO HER SON OR TO

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HER HUSBAND.<sup>11</sup> IF SHE HERSELF HAD A WOUND THAT<sup>12</sup> COULD OPEN AGAIN AND BLEED SHE MAY ATTRIBUTE IT TO IT. A WOMAN ONCE CAME TO R. AKIBA AND SAID TO HIM: I HAVE OBSERVED A BLOODSTAIN'. 'HAD YOU PERHAPS', HE SAID TO HER. 'A WOUND?' YES'.

SHE REPLIED, 'BUT IT HAS HEALED'. IS IT POSSIBLE HE AGAIN ASKED HER, THAT IT COULD OPEN AGAIN AND BLEED?' 'YES', SHE REPLIED; AND R. AKIBA DECLARED HER CLEAN. OBSERVING THAT HIS DISCIPLES LOOKED AT EACH OTHER IN ASTONISHMENT. HE SAID TO THEM, 'WHY DO YOU FIND THIS DIFFICULT, SEEING THAT THE SAGES DID NOT LAY DOWN THE RULE<sup>13</sup> IN ORDER TO IMPOSE RESTRICTIONS BUT RATHER TO RELAX THEM, FOR IT IS SAID IN SCRIPTURE, AND IF A WOMAN HAVE AN ISSUE, AND HER ISSUE IN HER FLESH BE BLOOD.<sup>14</sup> ONLY BLOOD<sup>15</sup> BUT NOT A BLOODSTAIN. IF ON A TESTING RAG THAT WAS PLACED UNDER A PILLOW SOME BLOOD WAS FOUND, IF THE STAIN IS ROUND IT IS CLEAN BUT IF IT IS ELONGATED IT IS UNCLEAN; SO R. ELIEZER SON OF R. ZADOK.

*GEMARA*. Thus we have here<sup>16</sup> learnt what our Rabbis taught elsewhere: It once happened that R. Meir attributed it to collyrium, and Rabbi attributed it to the sap of a sycamore.<sup>17</sup>

OR SAT. Only where SHE SAT<sup>18</sup> but not [where she believes that] she did not sit.<sup>19</sup> Thus<sup>20</sup> we have here learnt what our Rabbis taught elsewhere: If a woman passed through a butchers' market, and it is a matter of doubt whether any blood was or was not squirted on her she may attribute [any bloodstain on her to a possible contingency]; but if it is doubtful whether she did or did not pass the market she<sup>21</sup> is unclean.<sup>22</sup>

IF SHE KILLED A LOUSE. Only where SHE KILLED<sup>18</sup> but not where she did not kill any. Whose view then does our

Mishnah<sup>23</sup> represent? — That of R. Simeon b. Gamaliel. For it was taught: If she killed a louse she may attribute a bloodstain to it, but if she did not kill any she may not so attribute it; so R. Simeon b. Gamaliel. But the Sages ruled: In either case she may attribute the one to the other. Said R. Simeon b. Gamaliel: According to my view there is no limit<sup>24</sup> and according to the view of my colleagues there is no end.<sup>24</sup> 'According to my view there is no limit' since you could hardly find<sup>25</sup> a woman who could be regarded as clean for her husband, seeing that there is hardly<sup>25</sup> a bed that does not contain ever so many drops of louse blood.<sup>26</sup> 'According to the view of my colleagues there is no end', since there is hardly<sup>25</sup> a woman who could be regarded as unclean for her husband, seeing that there is hardly a sheet on which there are not ever so many drops of blood;<sup>27</sup> but the view of R. Hanina b. Antigonus is more feasible than mine and theirs, for he has laid down, 'How large a stain may be attributed to a louse? One not bigger than the size of a split bean',<sup>28</sup> and we rule in agreement with his view.<sup>29</sup> But according to the Rabbis who ruled, SHE MAY ATTRIBUTE,<sup>30</sup> how large may be the stain?<sup>31</sup> — R. Nahman b. Isaac replied: She may attribute it to a bed-bug even if it is as big as a lupine.<sup>32</sup>

Our Rabbis taught: A<sup>33</sup> bed-bug is of the same length and breadth and the taste of it is like its odor. Whosoever crushes it cannot help<sup>34</sup> smelling it. It was stated to be of 'the same length and breadth' in regard to bloodstains.<sup>35</sup> 'The taste of it is like its odor' has been stated in regard to *terumah*.<sup>36</sup> For we have learnt: 'Or if he tasted the flavor of a bed-bug in his mouth he must spit it out.<sup>37</sup> But how could he know this?<sup>38</sup> Because 'the taste of it is like its odor'. But still, whence could he know this?<sup>39</sup> [Because] 'whosoever crushes it cannot help<sup>34</sup> smelling it'.

R. Ashi ruled: In a town in which there are pigs there is no need to consider the possibility of menstrual bloodstains.<sup>40</sup> R. Nahman b. Isaac stated: The condition of<sup>41</sup>

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Dokereth<sup>42</sup> is<sup>43</sup> like that of a town in which there are pigs.<sup>44</sup>

**HOW LARGE A STAIN MAY BE ATTRIBUTED, etc.** R. Huna explained: If the stain is equal in size to a split bean it may not be attributed to a louse; if it is smaller in size than a split bean it may be attributed to it. R. Hisda, however, explained: If it was of the same size as a split bean it may be attributed to it, but if it was bigger than the size of a split bean it may not be attributed to it. Must it be assumed that they<sup>45</sup> differ on the question whether UP TO' is meant to include the terminus,<sup>46</sup> R. Huna<sup>47</sup> holding the opinion that 'up to' does not include the terminus<sup>48</sup> while R. Hisda<sup>49</sup> holds that 'up to' is inclusive of the terminus?<sup>50</sup> —

R. Huna can answer you: 'Up to' may sometimes include the terminus and sometimes exclude it, but in either case<sup>51</sup> the meaning must be one that leads to a restriction,<sup>52</sup> while R. Hisda can answer you: Elsewhere I agree with you<sup>53</sup> that we adopt a meaning that leads to a restriction and not one that leads to a relaxation, but here the meaning must be in agreement with a ruling of R. Abbahu, R. Abbahu having ruled: All prescribed minima of the Sages are intended to impose restrictions, except the prescribed size of a split bean in the case of bloodstains which is intended to relax the law.<sup>54</sup> There are others who give this tradition<sup>55</sup> as an independent statement:<sup>56</sup> R. Huna ruled, A bloodstain of the size of a split bean is treated as one bigger than the size of a split bean;<sup>57</sup> while R. Hisda ruled, One of the size of a split bean is treated as one that is less than the size of a split bean;<sup>58</sup> but they differ on the interpretation of UP TO here, as has just been explained.<sup>59</sup>

An objection was raised:

1. Sc. as in this case, though one stain could well be attributed to the bird, both women are unclean, so also in the former case, since it is possible that the lender did not properly

examine her shirt, both lender and borrower should be unclean.

2. The latter case.
3. Which cannot possibly be attributed to the bird. As the stain of one woman at least must be an unclean one, and since it cannot be ascertained which one it is, uncleanness must be imposed on both women. In the former case, however, where one woman examined the shirt and the other did not, uncleanness may well be imposed on the latter only.
4. One on the top of the other.
5. Lit., 'that are examined to her'.
6. This is explained presently.
7. And thus regard herself as clean.
8. Lit., 'until how much may she attribute?'
9. This is discussed *infra* in the Gemara.
10. Contrary to the view of the Rabbis.
11. If any of them had a wound.
12. Though it is already dry.
13. About bloodstains.
14. Lev. XV, 19.
15. Causes uncleanness.
16. In our Mishnah.
17. *Supra* 19b f q.v. notes.
18. Does the law apply. Lit., 'yes'.
19. Though it might well be possible that she did sit there without being conscious of the fact (cf. Rashi and Tosaf. Asheri).
20. Since the possibility of an unconscious act is here disregarded.
21. If any bloodstain was found on her.
22. Cf. prev. n. but two mut. mut.
23. Sc. the anonymous ruling which is contrary to the view of R. Hanina b. Antigonus.
24. This is explained presently.
25. Lit., 'since you have not'.
26. So that the woman, unless she was certain that she killed one, would always be unclean, however minute the speck of blood.
27. And these can be attributed to lice, however big the stain.
28. Even if she killed nothing; while if it is bigger it is unclean even though a louse was killed.
29. So Elijah Wilna. Cf. MS.M. Cur. edd., 'and we agree with his view'.
30. Even if she is not aware of killing anything.
31. To be regarded as clean. If it is very big it could not obviously be attributed to a louse.
32. Cf. prev. n.
33. Lit., 'this'.
34. Lit., 'a covenant is made for it'. sc. a protection for its preservation.
35. A stain, though bigger than a split bean, may be regarded as clean if its length is equal to its breadth since it may be attributed to a bug.
36. And the same applies to unconsecrated produce. *Terumah* was mentioned because the



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Mishnah of Ter. cited happens to deal with *Terumah*.

37. Ter. VIII, 2.
38. The taste of vermin.
39. Its odor.
40. Since the pigs, eating all sorts of creeping things and vermin, scatter about their blood.
41. Lit., 'and that of'.
42. Darankat on the Tigris. v. Obermeyer p. 197.
43. Since it had many butchers' shops and swarmed with dung hills and vermin.
44. Cf. prev. n. but three.
45. R. Huna and R. Hisda.
46. Lit., 'until and until included'.
47. Who holds that a stain that is equal in size to a split bean may not be attributed to vermin.
48. Which is (cf. our Mishnah) 'THE SIZE OF A SPLIT BEAN'.
49. Who maintains that a stain of the size of a split bean may be attributed to vermin.
50. But if so how could each respectively reconcile his view with (cf. Hul. 55a) the cases to the contrary?
51. Lit., 'and here ... and here'.
52. As in the case of stains here under discussion the law is restricted by excluding the terminus, he justifiably maintains that the stain of the size of a split bean is excluded.
53. Lit., 'In the world I will tell you'.
54. Hence the inclusion of the terminus in the ruling of our Mishnah.
55. The dispute between R. Huna and R. Hisda.
56. Sc. not as an explanation of our Mishnah.
57. Sc. is regarded as unclean.
58. Is regarded as clean.
59. R. Huna, here as elsewhere, adopting the meaning that leads to a restriction while R. Hisda regards the meaning here as an exception in agreement with R. Abbahu's ruling.

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If a woman had drops of blood on her body below her belt<sup>1</sup> and drops of blood above it, she may attribute [the former to the blood that is assumed to be the cause of the drops] on the latter<sup>2</sup> up to the size of a split bean. Now does not this<sup>3</sup> mean a stain of the size of a split bean below her belt?<sup>4</sup> — No, a stain of the size of a split bean above the belt.<sup>5</sup>

It was stated: If on the body of a woman<sup>6</sup> was found a stain of the size of a split bean plus some addition,<sup>7</sup> and to that addition clung a

louse, R. Hanina ruled: She is unclean;<sup>8</sup> and R. Jannai ruled: She is clean.<sup>9</sup> 'R. Hanina ruled: She is unclean', since she may attribute a stain to a louse only where the former is of the size of a split bean but not where it is of the size of a split bean plus. 'R. Jannai ruled: She is clean', since this restriction<sup>10</sup> applies only where no louse clings to the addition, but where a louse clings to it, it is quite evident that the addition is the blood of a louse, so that only a stain of the size of a split bean remains;<sup>11</sup> and since such a size may elsewhere<sup>12</sup> be attributed to a louse it may also here be so attributed.

R. Jeremiah enquired: What is the ruling where a woman handled some blood of the bulk of a split bean but on her body was found a bloodstain of the size of a split bean and a little more? This question arises according to R. Hanina and it also arises according to R. Jannai. 'This question arises according to R. Hanina', since R. Hanina may have maintained his view there<sup>13</sup> that the woman was unclean, only because she did not handle any blood, but here, where she did handle some, she may well attribute [the stain to an extraneous cause].<sup>14</sup> or is it possible that, even according to R. Jannai who ruled<sup>15</sup> that she was clean, the ruling applies only where a louse clings to the stain, but where no louse clings to it, the stain may not be attributed to it? —

Come and hear: If she was handling red stuff she may not attribute to it a black stain; if she was handling a small quantity<sup>15</sup> she may not attribute to it a large stain. Now how is one to imagine the circumstances?<sup>16</sup> Would you not agree that they were of the same nature?<sup>17</sup> — No, this<sup>16</sup> might be a case, for instance, where she handled a quantity of blood of the bulk of a split bean while on her body was found a stain of the size of two split beans and a little more in excess.<sup>18</sup> But if so,<sup>19</sup> what was the need of mentioning it?<sup>20</sup> — It might have been presumed that one takes the part of the stain<sup>21</sup> that may be attributed to

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the blood of the bird<sup>22</sup> to be in the middle<sup>23</sup> so that there remains less than the prescribed minimum on either of its sides,<sup>24</sup> hence we were informed [that the stain cannot be attributed to it<sup>25</sup> at all].

Raba ruled: If one kind of material<sup>26</sup> was found upon a woman<sup>27</sup> she may attribute to it any kind of stain.<sup>28</sup> It was objected: If she was handling red stuff she may not attribute to it a black stain.<sup>29</sup> — A case where she had handled the stuff is different.<sup>30</sup> There are some who say: Raba ruled, If a woman was handling one kind of material, she may attribute to it any kinds of stain.<sup>28</sup> It was objected: If she was handling red stuff she may not attribute to it a black stain.<sup>31</sup> — When Raba laid down his ruling he referred to a woman who was handling a hen which contains several kinds of blood.

A WOMAN ONCE, etc. But was it not taught: Seeing that the Sages did not lay down the rule in order to relax the law but rather to restrict it?<sup>32</sup> — Rabina replied: The meaning is that they did not lay down the rule to relax Pentateuchal laws,<sup>33</sup> but rather to add restrictions to them;<sup>34</sup> but the uncleanness of bloodstains is altogether a Rabbinical enactment.<sup>35</sup>

IF ON A TESTING RAG THAT WAS PLACED. The question was raised: Do the Rabbis differ from R. Eliezer son of R. Zadok or not? —

Come and hear: A long stain is counted<sup>36</sup> but scattered drops are not combined.<sup>37</sup> Now whose view does this represent? If it be suggested: That of R. Eliezer son of R. Zadok [the difficulty would arise:] Why was there need<sup>38</sup> for the combination, seeing that he ruled that even a stain that was only slightly elongated is unclean. Must we not then conclude that it represents the view of the Rabbis? Thus it follows, does it not, that they differ from his view? — No, this may indeed represent the view of R. Eliezer son of R. Zadok, for he laid down the law<sup>39</sup> in regard

to a testing rag<sup>40</sup> but not in regard to a bloodstain.<sup>41</sup>

Come and hear<sup>42</sup> what Rab Judah citing Samuel stated: 'The *Halachah* is in agreement with R. Eliezer son of R. Zadok'. Now since the *Halachah* had to be declared it follows that they<sup>43</sup> differ from him.<sup>44</sup> This is conclusive.

1. So Tosaf. and Tosaf. Asheri, (contra Rashi) whose interpretation is here followed.
2. Lit., 'on the upper'. As the drops above the belt may be attributed to blood from a source external to her body so may also the drops below it.
3. The prescribed 'size of a split bean'.
4. But if so, it would follow that only where there are bloodstains above the belt are stains of the size of a split bean below it regarded as originating from the same extraneous source as those above and, therefore, treated as clean, but that where there are no drops of blood above the belt, even a stain of the size of a split bean below it is regarded as unclean. An objection against R. Hisda who ruled that a stain of such size is invariably attributed to vermin and is, therefore, clean.
5. Sc. so long as the stain above is not smaller than the size of a split bean the stain below, though bigger than the size of a split bean, may be attributed to the same cause as that of the stain above. When the stain below, however, is no bigger than the size of a split bean, it is invariably clean irrespective of whether the body above was or was not stained with drops of blood.
6. Lit., 'upon her'.
7. Lit., 'and more'.
8. It being regarded as due to menstrual blood.
9. Sc. it is not attributed to blood of menstruation.
10. That only a stain no bigger than a split bean is attributed to a louse.
11. In doubt as to its origin.
12. Where there is no addition to it.
13. In the statement just cited.
14. One part of the stain, to the extent of the size of a bean, might be attributed to the blood of the same quantity that she had previously handled while the remainder might be attributed to some vermin.
15. Of the blood of a bird (cf. *infra*).
16. In the latter case.
17. As the case submitted by R. Jeremiah. Would then a solution be forthcoming from here?

18. As the excess over the size of a split bean amounts to more than a split bean, it cannot possibly be attributed to vermin. Hence the uncleanness.
19. Cf. prev. n.
20. A ruling that is self-evident.
21. The size of one split bean.
22. Cf. *supra* n. 5.
23. Lit., 'take like the size of a split bean; threw it in the middle' of the stained area.
24. Lit., 'go here there is no prescribed size (bis)'. As the stain is thus smaller than the size prescribed it might have been presumed to be clean.
25. The blood of the bird.
26. Collyrium or sap, for instance, which leaves a stain after it is removed.
27. Lit., 'upon her'.
28. That she subsequently discovers; though the latter is not of the same color as the material to which it is attributed.
29. How then can Raba maintain that a stain of any color may be attributed to any stuff that was previously found on the woman?
30. From where, unknown to herself, something had clung to her body. In this latter case, since she was unaware of the particular stuff that clung to her, she may well be presumed to have been unaware also of the presence upon her of the substance from which the stain had originated. In the former case, however, where she had handled a red substance and was fully aware of it no ground for such an assumption exists.
31. Cf. prev. n. but one mut. mut.
32. An objection against R. Akiba.
33. Regarding menstruation.
34. Sc. by declaring certain stains (which are Pentateuchally clean) to be unclean they have added restrictions to the Pentateuchal laws.
35. Hence wherever it is possible to attribute one to a cause that would exempt it from uncleanness the lenient course must be followed.
36. Lit., 'combined', sc. is regarded as compact in respect of the prescribed size of a split bean.
37. Cf. prev. n. mut. mut.
38. in the case of a long stain.
39. That even a stain that is only slightly elongated is unclean.
40. An elongated stain on which is obviously the natural shape of one obtained in the course of the test.
41. Which he does not regard as unclean unless it was no less in size than a split bean.
42. In reply to the question whether the Rabbis differ from R. Eliezer son of R. Zadok.
43. The Rabbis.

44. Had they been in agreement with him the question of the *Halachah* would not have arisen.

## Niddah 59b

### CHAPTER IX

**MISHNAH.** IF A WOMAN WHEN ATTENDING TO HER NEEDS<sup>1</sup> OBSERVED AN ISSUE OF BLOOD, R. MEIR RULED: IF SHE WAS STANDING SHE IS UNCLEAN<sup>2</sup> BUT IF SHE WAS SITTING SHE REMAINS CLEAN. R. JOSE RULED: IN EITHER CASE SHE REMAINS CLEAN. IF A MAN AND A WOMAN ATTENDED TO THEIR NEEDS<sup>1</sup> IN THE SAME BOWL AND BLOOD WAS FOUND ON THE WATER, R. JOSE<sup>3</sup> RULED THAT IT WAS CLEAN,<sup>4</sup> WHILE R. SIMEON RULED THAT IT WAS UNCLEAN, SINCE IT IS NOT USUAL FOR A MAN TO DISCHARGE BLOOD, BUT THE PRESUMPTION IS THAT BLOOD ISSUES FROM THE WOMAN.

**GEMARA.** Wherein does the case where the woman WAS STANDING differ [from that of sitting]? [Obviously] in that we presume that the urine had returned to the source<sup>5</sup> and brought back blood with it. But then, even where SHE WAS SITTING why should it not also be assumed that the urine had returned to the source and brought back blood with it? —

Samuel replied: The reference is to a woman who discharges in a gush.<sup>6</sup> But even where a discharge is gushing is it not possible that<sup>7</sup> the blood issued<sup>8</sup> after the water had ceased to flow?<sup>2</sup> —

R. Abba replied. The reference is to a woman who sat on the rim of a bowl, discharging into the bowl, and blood was found within the bowl, [in which case it is obvious] that if the blood had issued after the water had ceased to flow it<sup>10</sup> should have been found on the rim of the bowl.<sup>11</sup> Samuel ruled or, as some say, Rab Judah citing Samuel ruled: The *Halachah* is in agreement with R. Jose; and

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also R. Abba gave a ruling to Kala:<sup>12</sup> The *Halachah* is in agreement with R. Jose.

**IF A MAN AND A WOMAN**, etc. The question was asked: Where both the man and the woman were standing,<sup>13</sup> what, pray tell me, is the ruling of<sup>14</sup> R. Meir?<sup>15</sup> Did R. Meir maintain his view<sup>16</sup> only where one doubt<sup>17</sup> is involved, but where a double doubt<sup>18</sup> is involved he does not hold the woman to be unclean, or is it possible that there is no difference? —

Resh Lakish replied: His ruling<sup>19</sup> is the same in both. Whence is this<sup>20</sup> inferred? — Since it was not stated:<sup>21</sup> R. Meir and R. Jose<sup>22</sup> ruled that she remains clean'. If so,<sup>23</sup> [the difficulty arises:] Now that R. Meir holds the woman to be unclean where a double doubt is involved,<sup>24</sup> was there any need for his ruling<sup>25</sup> where only one doubt is involved?<sup>26</sup> — Yes, in order to inform you how far reaching is the ruling<sup>27</sup> of R: Jose who laid down that the woman is clean even where only one doubt is involved. But, instead of disputing about such a case involving only one doubt in order to inform you how far reaching is the ruling of R. Jose, why should they not dispute about a case involving a double doubt in order to inform you how far reaching is the ruling of R. Meir?<sup>28</sup> The power of a lenient view<sup>29</sup> is preferred.<sup>30</sup>

R. Johanan, however, replied: R. Meir gave his ruling<sup>31</sup> only where one doubt is involved, but where a double doubt is involved<sup>32</sup> he did not maintain his view. But if so,<sup>33</sup> why was it not stated:<sup>34</sup> R. Meir and R. Jose<sup>35</sup> ruled that she remains clean? — This should indeed have been done,<sup>36</sup> but since he had just left R. Jose<sup>37</sup> he also began<sup>38</sup> With R. Jose. As to R. Jose, however, since he holds the woman clean where only one doubt is involved,<sup>39</sup> was there any need for his ruling where a double doubt is involved?<sup>40</sup> — As it might have been presumed that his ruling applied only *ex post facto*<sup>41</sup> but not *ab initio*,<sup>42</sup> we were informed<sup>43</sup> that the ruling applied even *ab initio*. It was taught in agreement with R. Johanan: If a

man and a woman attended to their needs in the same bowl and blood was found on the water, R. Meir and R. Jose declared it clean and R. Simeon declared it unclean.

The question was raised: Where a woman<sup>44</sup> was sitting,<sup>45</sup> what, pray tell me, is the ruling of<sup>46</sup> R. Simeon? Did R. Simeon maintain his view only where she is standing, since her passage is then compressed.<sup>47</sup> but not where she was sitting;<sup>48</sup> or is it possible that there is no difference? — Come and hear what was taught: If she was sitting she may attribute [any discharge of blood to an internal wound], but if she was standing she may not attribute [it to it]; so R. Meir. R. Jose ruled: In either case she may attribute [it to it]. R. Simeon ruled: In either case she may not attribute [it to it].

The question was raised: Where a man and a woman were sitting,<sup>49</sup> what, pray tell me, is the ruling of<sup>46</sup> R. Simeon? Did R. Simeon maintain his view only where the woman was standing, since her passage is then compressed,<sup>50</sup> or where she was sitting, since only one doubt is involved, but not where a double doubt is involved;<sup>51</sup> or is it possible that there is no difference? — Come and hear: Since R. Simeon ruled, **THE PRESUMPTION IS THAT BLOOD ISSUES FROM THE WOMAN**,<sup>52</sup> no distinction is to be made between an issue when they<sup>53</sup> were standing and one when they were sitting.

**MISHNAH.** IF SHE LENT HER SHIRT TO A GENTILE WOMAN OR TO A MENSTRUANT SHE MAY ATTRIBUTE A STAIN<sup>54</sup> TO EITHER.<sup>55</sup> IF THREE WOMEN HAD WORN THE SAME SHIRT OR HAD SAT ON THE SAME WOODEN BENCH AND SUBSEQUENTLY BLOOD WAS FOUND ON IT, ALL ARE REGARDED AS UNCLEAN.<sup>56</sup> IF THEY HAD SAT ON A STONE BENCH<sup>57</sup> OR ON THE PROJECTION WITHIN THE COLONNADE OF A BATH HOUSE,<sup>57</sup> R. NEHEMIAH RULES THAT THEY ARE CLEAN;<sup>58</sup> FOR R. NEHEMIAH HAS LAID DOWN: ANY THING THAT IS NOT

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## SUSCEPTIBLE TO UNCLEANNES IS NOT SUSCEPTIBLE TO STAINS.<sup>59</sup>

### GEMARA. Rab explained: The reference<sup>60</sup> is to a GENTILE WOMAN

1. Making water.
2. This is discussed in the Gemara *infra*.
3. Who regards the blood as clean even where, as in the first clause, only one doubt is involved, viz., whether the blood originated in the menstrual source or in a wound in the bladder.
4. Since in addition to the doubt mentioned (cf. prev. n.) there is also the one whether the blood issued from the woman or from the man. The necessity for this ruling will be discussed *infra* in the Gemara.
5. Whence the menstrual blood issues.
6. Sc. in the natural manner, no strain being involved in the process. Only when a strain is involved (as where the woman is standing or where the discharge is slow) is it likely for the urine to return to the source and to re-issue mixed with blood, but not where the discharge is flowing normally and easily.
7. Though the urine does not return to the source.
8. From the menstrual source, independently of the other discharge.
9. Why then is the woman regarded as clean?
10. Since the discharge of blood is not bow-shaped.
11. As, however, it was found within the bowl it must be assumed to have found its way there together with the water.
12. A person who sought 'his opinion on the question.
13. When attending to their needs; and blood was found in the bowl.
14. Lit. 'what, to me, said'.
15. Who (v. our Mishnah) regards a woman as unclean if she was standing alone.
16. cf. prev. n.
17. Whether the blood emanated from the menstrual source or from a wound in the bladder.
18. Lit., 'doubt of a doubt'. Firstly there is the doubt whether the blood emanated from the woman or from the man; and secondly, even if it emanated from the woman, there remains the doubt previously mentioned (cf. prev. n.).
19. That the woman is unclean.
20. Resh Lakish's statement.
21. In our Mishnah in the case where A MAN AND A WOMAN ATTENDED, etc.
22. Instead of the latter name alone.
23. That even in the latter case, where a double doubt is involved (cf. n. 11). R. Meir holds the woman to be unclean.
24. Cf. prev. n.
25. In the first clause of our Mishnah.
26. Apparently not. For if the woman is unclean in the case of a double doubt it is obvious that she is unclean in the case of one doubt. Why then was R. Meir's ruling given in the first clause, from which the second cannot be derived, instead of in the second clause from which the first would be self-evident?
27. Lit., 'the power'.
28. Who even in such a case regards the woman as unclean.
29. As is that of R. Jose who holds the woman to be clean.
30. To that which is more restrictive. While the former must be the result of careful study and conviction the latter may be due to mere indecision and doubt.
31. That the woman is unclean.
32. As in the case of A MAN AND A WOMAN, etc.
33. That in the latter case (cf. prev. n.). R. Meir is of the same opinion as R. Jose that the woman is clean.
34. In our Mishnah in the case where A MAN AND A WOMAN ATTENDED, etc.
35. Instead of the latter name alone.
36. Lit., 'yes, thus also'.
37. At the conclusion of the preceding clause.
38. The clause under discussion.
39. In the first clause of our Mishnah.
40. Cf. *supra* p. 418, n. 11.
41. Where the woman, for instance, had already handled clean things.
42. Sc. if she had not yet come in contact with clean things she is to be ordered to keep away from them.
43. By the additional and apparently superfluous clause.
44. Alone.
45. When attending to her needs; and blood was found in the bowl.
46. Lit., 'what, to me, said'.
47. Lit., 'the world is pressed for her'. As a result of the narrowness of the passage blood from the menstrual source might well be presumed to issue together with the returned urine, and since this presumption almost amounts to a certainty there remains no more than one doubt, as to whether the blood emanated from the man or the woman, which well justifies R. Simeon's ruling that the blood is unclean.
48. And the passage allowed of the free movement of the urine. Any blood discharged in this case might well be attributed to a wound in the bladder, and, therefore, regarded as clean.

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49. When attending to their needs; and blood was found in the bowl.
50. And the presumption that the blood emanated from the menstrual source is then so strong that, despite the double doubt involved, R. Simeon, disregarding one of the doubts, maintains his view.
51. Whether (a) the blood issued from the woman or the man and (b) if from the woman whether from the menstrual source or from some internal wound.
52. Which clearly indicates that he never attributes it to the man.
53. The man and the woman.
54. That was found on it after she herself had worn it.
55. Lit., 'on her'; and she remains clean. Such a presumption is permitted since neither the gentile woman nor the menstruant is thereby placed at a disadvantage, the former being free from the restrictions in any case while the latter is already in a state of uncleanness.
56. Since each one might be presumed to have been the cause.
57. Which, unlike a wooden one, is not susceptible to uncleanness.
58. [The same applies to one woman sitting on a stone bench, etc. The plural is used here in continuation of the preceding clause. v. Strashun].
59. Sc. no uncleanness of the person is assumed by reason of a stain that was found on it. This is further explained in the Gemara *infra*.
60. In our Mishnah.

## Niddah 60a

who once experienced a discharge.<sup>1</sup> Whence is this derived? From the fact that she is placed on a par with A MENSTRUANT. As the menstruant is a woman who experienced a discharge<sup>1</sup> so must the GENTILE WOMAN be one who experienced a discharge.<sup>1</sup> R. Shesheth remarked, Rab must have made this statement when he was lying down and about to doze, for it was taught: 'She may attribute it<sup>2</sup> to the gentile woman.<sup>3</sup> R. Meir said, To the gentile woman who is capable of a menstrual discharge',<sup>4</sup> Now even R. Meir<sup>5</sup> only spoke of one who is 'capable of a menstrual discharge' but did not require one who actually experienced a discharge.<sup>6</sup> Raba retorted: But do you understand R. Meir to restrict the law?<sup>7</sup> R. Meir in fact

relaxes it. For it was taught: 'She may not attribute it<sup>8</sup> to the gentile woman. R. Meir ruled: She may attribute it to her'.<sup>9</sup> But, then, does not a difficulty arise<sup>10</sup> from the former?<sup>11</sup> — Explain thus:<sup>12</sup> Only when she<sup>13</sup> experienced a discharge once before; and R. Meir said, If she is capable of a menstrual discharge even though she never yet experienced one.<sup>14</sup>

Our Rabbis taught: A woman may attribute a stain<sup>15</sup> to another woman<sup>16</sup> who was awaiting a day for a day, if it<sup>17</sup> was the latter's second day,<sup>18</sup> and<sup>19</sup> to a woman<sup>16</sup> who counted seven days<sup>20</sup> before she had performed ritual immersion.<sup>21</sup> Hence she is at an advantage<sup>22</sup> while her friend is at a disadvantage;<sup>23</sup> so R. Simeon b. Gamaliel. Rabbi ruled, She<sup>24</sup> may not so attribute it.<sup>25</sup> Hence both are at a disadvantage. They<sup>26</sup> agree, however, that she may attribute a stain to a woman who was awaiting a day for a day if it<sup>27</sup> was the latter's first day,<sup>28</sup> and to a woman who was abiding in her clean blood,<sup>29</sup> and to a virgin whose blood is clean.<sup>30</sup> Why was it necessary to state the 'hence' of R. Simeon b. Gamaliel?<sup>31</sup> — On account of the ruling of Rabbi.<sup>32</sup> Why was it necessary to state the 'hence' of Rabbi?<sup>33</sup> — It might have been presumed that only the woman on whom the stain was found shall be at a disadvantage while the other shall not be disadvantaged, hence we were informed that both are at a disadvantage.

R. Hisda stated: If a clean and an unclean person walked respectively in two paths one of which was clean and the other unclean,<sup>34</sup> we arrive at the dispute between Rabbi and R. Simeon b. Gamaliel.<sup>35</sup> R. Adda demurred: Rabbi may have maintained his view only<sup>36</sup> there, because both are in similar conditions,<sup>37</sup> but what difference [to the unclean person in this case] could our assumption make?<sup>38</sup> And R. Hisda?<sup>39</sup> — After all<sup>40</sup> she has yet to perform the immersion.<sup>41</sup> It was stated:<sup>42</sup> R. Jose son of R. Hanina ruled, If a clean and an unclean person, and even if a clean, and a doubtfully

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clean person walked respectively in two paths one of which was unclean and the other clean, it may be assumed, according to the opinion of all,<sup>43</sup> that the unclean path was taken by the doubtfully clean person and the clean path by the clean one.

R. Johanan enquired of R. Judah b. Liwai: May a stain<sup>44</sup> be attributed to [another woman<sup>45</sup> who was unclean on account of] a stain? So far as Rabbi's view is concerned the question does not arise; for, since in that case<sup>46</sup> where the woman had observed a discharge from her own body<sup>47</sup> you said [that the other woman's stain] may not be attributed [to her], how much less then may this be done in this case where the stain may have originated from an external cause.<sup>48</sup> The question arises only in connection with the view of R. Simeon b. Gamaliel: Is it only in that case,<sup>46</sup> where the woman had observed a discharge from her own body,<sup>47</sup> that the other woman's stain may be attributed to her, but here, where the stain may have originated from an external cause,<sup>48</sup> she may not so attribute it,<sup>49</sup> or is it possible that no difference is made between the two cases? — The other replied: One may not so attribute it. What is the reason? — Because [there is a tradition that]<sup>50</sup> one may not so attribute it.<sup>51</sup>

He pointed out to him the following objection: 'Is it not permissible to attribute a stain<sup>52</sup> to [another woman<sup>53</sup> who was unclean on account of] a stain. If a woman<sup>54</sup> had lent her shirt to a gentile woman or to one who continued unclean by reason of a stain, she may attribute its to her.<sup>55</sup> (But is not this Baraitha self contradictory: In the first clause you stated, 'it is not permissible to attribute' while in the final clause you stated that it was permissible to attribute? — This is no difficulty: The former is the view of Rabbi while the latter is that of R. Simeon b. Gamaliel. There are some who read: The latter as well as the former represents the view of Rabbi, but<sup>56</sup> the latter<sup>57</sup> applies to her first day<sup>58</sup> while the former<sup>59</sup> applies to her second day.<sup>60</sup> R. Ashi replied: The former<sup>61</sup>

as well as the latter<sup>57</sup> represents the view of R; Simeon b. Gamaliel and yet there is no difficulty,

1. Lit., 'who sees'.
2. A stain found on her shirt.
3. And thus remain clean.
4. Sc. one of mature age.
5. Who seems to be more restrictive than the first Tanna.
6. Much less (cf. prev. n.) would the Rabbis (the first Tanna) require that the gentile woman should be one who actually experienced a discharge once before.
7. More than the Rabbis. V. p. 421, nn. 12, 13.
8. A stain found on her shirt.
9. And since the first Tanna restricts the law he may well uphold also the restriction imposed by Rab.
10. Against the Baraitha cited by Raba from which it is evident that R. Meir is more lenient than the Rabbis.
11. Lit., 'that', the Baraitha cited by R. Shesheth from which it appears that R. Meir is more restrictive.
12. The Baraitha cited by R. Shesheth, according to which the first Tanna ruled that 'she may attribute it to a gentile woman'.
13. The gentile woman.
14. Similarly the Baraitha cited by Raba is to be explained that the first Tanna holds that 'she may not attribute it to the gentile woman' unless the latter had experienced a discharge once before, while R. Meir maintains that it may be attributed to her even if she is only capable of a discharge, though she had not experienced one. Both Baraithas thus give the same rulings in different words, and Rab's view is upheld by that of the first Tanna in each.
15. Found on her underclothing.
16. To whom she had previously lent it.
17. The day on which the latter had worn it.
18. Sc. the day during a *Zibah* period following the one on which she observed a discharge, though on that day none had been observed. This assumption in favor of the former is permitted (despite the slight disadvantage to the latter of having to wait another day) because of the latter's known condition of uncleanness.
19. For a similar reason (cf. prev. n. second clause).
20. After an established *Zibah*.
21. Though the latter would in consequence have to count again a new period of seven days.
22. Lit., 'repaired', 'sound', sc. she remains clean.

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23. Lit., 'spoil', 'damaged'; the one having to wait an additional day (cf. *supra* n. 12) and the other to count another seven days (cf. prev. n. but one).
24. Since her attribution would be a disadvantage to her friend.
25. Though she herself would in consequence be regarded as unclean.
26. Rabbi and R. Simeon b. Gamaliel.
27. The day on which the latter had worn it.
28. When the assumption that the stain was due to her would impose no additional uncleanness upon her.
29. From the eighth to the fortieth day after the birth of a male child and from the fifteenth to the eightieth after the birth of a female child. Cf. prev. n.
30. Cf. *supra* 10b and prev. n. but one.
31. Sc. in view of his specific statement that the stain may be attributed to the other woman who was already in a state of uncleanness, is it not obvious that the former is at an advantage while the latter is at a disadvantage?
32. According to which both women are at a disadvantage.
33. Cf. prev. n. but one mut. mut.
34. And it is unknown who walked in which.
35. According to the latter, who ruled that a stain found on a clean woman may be attributed by her to a woman who was known to be unclean while she herself remains clean, it may be here assumed that the clean person walked in the clean path and the unclean walked in the unclean one; while according to Rabbi no such assumption could be allowed and both persons must be regarded as unclean.
36. Lit., 'until here Rabbi only said'.
37. Since even the woman who was hitherto unclean could, by performing immersion, attain cleanness on the day the stain was found. The assumption would consequently place her at an undeserved disadvantage.
38. None; since whatever the assumption he is unclean. As the assumption would not place him under any disadvantage Rabbi in this case may well agree with R. Simeon b. Gamaliel.
39. How in view of this argument could he maintain his statement?
40. Granted the woman could attain to cleanness by immersion.
41. Before doing which she is still unclean in all respects. As Rabbi nevertheless rules out the assumption that the stain was due to her, it is obvious that he would equally rule out the assumption that it was the unclean person who walked in the unclean path.
42. In agreement with R. Adda's view that even according to Rabbi it may be assumed that the clean person walked in the clean path and the unclean person in the unclean one.
43. Sc. even according to Rabbi.
44. Found on the under garment of a woman who was known to be clean.
45. Who had previously worn that garment.
46. Discussed *supra*. Lit., 'there'.
47. A case of certain uncleanness.
48. Lit., 'where it came from the world'; a case of doubtful uncleanness.
49. And both women are, therefore, unclean.
50. Since the uncleanness that is due to a stain is merely of a doubtful nature, it being possible that the stain originated from an external cause, and the woman cannot in consequence be regarded as prone to a discharge.
51. And both women are, therefore, unclean.
52. Found on the under garment of a woman who was known to be clean.
53. Who had previously worn that garment.
54. Who discovered the stain.
55. The stain she discovered.
56. As to the apparent contradiction.
57. 'It is permissible to attribute'.
58. Sc. the stain was discovered by the woman on the same day on which the other (to whom the garment had been lent) had found a stain on an under garment of hers which caused her to be unclean on that day and also imposed upon her the restriction of remaining unclean until a second day (a day for a day) had passed. Since she has in any case to lose a second day, the attribution does not cause her any disadvantage.
59. Which does not allow the attribution.
60. When the attribution would place her under a disadvantage by extending her uncleanness to the third day.
61. Which does not allow the attribution.

## Niddah 60b

for the former applies to retrospective uncleanness<sup>1</sup> while the latter applies to future uncleanness.)<sup>2</sup> At all events does not a difficulty arise?<sup>3</sup> — Rabina replied: This is no difficulty for it is this that was meant:<sup>4</sup> If she had lent her shirt to a gentile woman,<sup>5</sup> she who discovered<sup>6</sup> the stain<sup>7</sup> may attribute it to her.<sup>8</sup> But was it not stated, 'or to one who continued unclean by reason of a stain'?<sup>2</sup> — It is this that was meant: Or to one who continued clean owing to clean blood,<sup>10</sup> she who discovered<sup>11</sup> the stain may attribute it to her.<sup>12</sup>



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IF THREE WOMEN HAD WORN, etc. FOR R. NEHEMIAH HAS, etc. R. Mattenah stated: What is R. Nehemiah's reason? That it is written, And clean<sup>13</sup> she shall sit upon the ground,<sup>14</sup> provided she sat on the ground she is clean.<sup>15</sup> R. Huna citing R. Hanina stated: R. Nehemiah rules that they are clean if they sat even on the back of an earthenware vessel. But is not this obvious?<sup>16</sup> — It might have been presumed that a restriction shall be imposed on its back as a preventive measure against the possible relaxation of the law in regard to its inside,<sup>17</sup> hence we were informed that on the back of an earthenware vessel they are clean. Abaye stated: R. Nehemiah holds them to be clean if they sat on strips of cloth that were less than three by three fingerbreadths, since such are unsuitable for use either by the poor or the rich.<sup>18</sup>

R. Hiyya son of R. Mattenah citing Rab stated in his discourse: The *Halachah* is in agreement with R. Nehemiah. Said R. Nahman to him: Abba<sup>19</sup> learnt, 'A case was once submitted to the Sages and they declared the woman concerned to be unclean' and you state, 'the *Halachah* is in agreement with R. Nehemiah'? — What was that case? — The one concerning which it was taught: If two women were grinding with a hand mill and blood was found under the inner one,<sup>20</sup> both are unclean.<sup>21</sup> If it was found under the outer one,<sup>22</sup> the outer one is unclean<sup>23</sup> but the inner one remains clean.<sup>24</sup> If it was found between the two, both are unclean.<sup>25</sup> It once happened that blood was found on the edge of a bath,<sup>26</sup> and on an olive leaf while they were making a fire in an oven, and when the case was submitted to the Sages they declared them to be unclean.<sup>27</sup> This<sup>28</sup> is a point at issue between Tannas. For it was taught: R. Jacob<sup>29</sup> ruled that they were unclean and R. Nehemiah ruled that they were clean, and the Sages<sup>30</sup> ruled in agreement with R. Nehemiah.

**MISHNAH.** IF THREE WOMEN SLEPT IN ONE BED AND BLOOD WAS FOUND UNDER ONE

OF THEM, THEY ARE ALL UNCLEAR. IF ONE OF THEM EXAMINED HERSELF AND WAS FOUND TO BE UNCLEAR, SHE ALONE IS UNCLEAR WHILE THE TWO OTHERS ARE CLEAR. THEY MAY ALSO ATTRIBUTE THE BLOOD TO ONE ANOTHER.<sup>31</sup> AND IF THEY WERE NOT LIKELY<sup>32</sup> TO OBSERVE A DISCHARGE,<sup>31</sup> THEY MUST BE REGARDED AS THOUGH THEY WERE LIKELY TO OBSERVE ONE.

**GEMARA.** Rab Judah citing Rab explained: But this<sup>33</sup> applies only where she examined herself immediately [after the discovery of the blood],<sup>34</sup> He is of the same opinion as Bar Pada who laid down: Whenever her husband is liable to a sin-offering,<sup>35</sup> her clean things<sup>36</sup> are<sup>37</sup> to be unclean;<sup>38</sup> where her husband is liable to a suspensive guilt-offering,<sup>39</sup> her clean things<sup>40</sup> are regarded as being in a suspended state of uncleanness;<sup>41</sup> and where her husband is exempt,<sup>42</sup> her clean things<sup>43</sup> remain clean.

But R. Oshaia<sup>44</sup> ruled: Even where her husband is liable to a sin-offering,<sup>45</sup> her clean things are<sup>46</sup> deemed to be in a suspended state.<sup>47</sup> One can see the reason<sup>48</sup> there, since it might well be assumed that the waiter<sup>49</sup> had caused the obstruction of the blood; but, in this case,<sup>50</sup> if it were a fact that the blood was there,<sup>51</sup> what could have caused its obstruction?<sup>52</sup> R. Jeremiah observed: As to R. Oshaia's metaphor<sup>53</sup> to what may this be compared? To an old man and a child who were walking together on a road. While they are underway the child restrains his gait.<sup>54</sup> but after they enter the town<sup>55</sup> the child accelerates his pace.<sup>56</sup> Abaye on the other hand observed: As to the metaphor of R. Oshaia, to what may this be compared? To a man who puts his finger on his eye. While the finger is on the eye the tears are held back, but as soon as the finger is removed the tears quickly come forth.<sup>56</sup>

THEY MAY ALSO ATTRIBUTE THE BLOOD TO ONE ANOTHER. Our Rabbis taught: In what manner do they attribute it

to one another? If one was a pregnant woman<sup>54</sup> and the other was not pregnant, the former may attribute the blood to the latter. If one was a nursing woman<sup>57</sup> and the other was not a nursing woman, the former may attribute the blood to the latter. If one was an old woman<sup>57</sup> and the other was not an old woman, the former may attribute the blood to the latter. If one was a virgin<sup>58</sup> and the other was no virgin, the former may attribute the blood to the latter. If both were pregnant, nursing, old or virgins — it is [a case like] this concerning which we have learnt, **IF THEY WERE NOT LIKELY TO OBSERVE A DISCHARGE, THEY MUST BE REGARDED**

1. Sc. to a case where the owner of the shirt discovered the stain on it before the other to whom she had lent it had discovered the stain on her own under garment, Though the other subsequently discovered the stain, she cannot be regarded as unclean retrospectively (from the time the owner of the shirt had discovered the stain) since at that time she was still in a condition of cleanness (cf. Tosaf. and Tosaf. Asheri, contra Rashi).
2. The stain on the lent shirt having been discovered after the woman who borrowed it had discovered hers (cf. prev. n.).
3. Apparently it does; for since, according to the Baraitha cited, R. Simeon b. Gamaliel allows the attribution how could R. Judah b. Liwai maintain that he does not.
4. By the Baraitha under discussion.
5. Who experienced a discharge.
6. Lit., 'the owner of'.
7. Sc. the Israelitish woman.
8. The gentile, who loses thereby nothing, while the Israelitish woman remains clean.
9. Of course it was. Now if the reference is to the woman who just discovered the stain, how could the expression 'continued' (which implies that the counting of the clean days had already begun) be used?
10. I.e., either to a gentile woman who is free from the restrictions of uncleanness or to an Israelitish woman who for the reason stated is exempt from uncleanness.
11. Lit., 'the owner of'.
12. Since neither would thereby be adversely affected while she remains clean in consequence.
13. E.V., utterly bereft.
- 14.
- 15.
16. Isa. III, 26.
17. I.e., a stain found on the ground does not render her unclean.
18. Apparently it is, since like a stone bench, the back of an earthenware vessel is not susceptible to uncleanness.
19. Which is susceptible to uncleanness, and a stain on which would in accordance with Rabbinic law subject a woman to uncleanness.
20. And hence unsusceptible to uncleanness.
21. Abba Arika or Rab. 'My father' (Golds.), MS.M., 'ana' ('I').
22. The one nearer to the mill.
23. Since the other who sits behind her would naturally shift her position towards the mill and, assuming sometimes the same position as the inner one, would be as likely as she to be the cause of the stain in that spot. As it is thus uncertain which of the two was the cause both must be regarded as unclean.
24. A position which the inner one would never occupy, the tendency being to come up as close as possible to the mill.
25. Since she may have been the cause of the stain.
26. Cf. prev. n. but one.
27. Because either might have been the cause.
28. Which two women were using.
29. Now an olive leaf is not susceptible to uncleanness and yet the Sages (the majority) ruled that a stain on it causes uncleanness. How then could it be said that the *Halachah* agrees with R. Nehemiah who was only an individual?
30. Whether R. Nehemiah is opposed by an individual authority or by a majority.
31. An individual.
32. The majority.
33. This is explained in the Gemara *infra*.
34. Lit., 'suitable'.
35. That **IF ONE OF THEM EXAMINED HERSELF ... SHE ALONE IS UNCLEAN WHILE THE TWO OTHERS ARE CLEAN.**
36. If, however, her examination had been delayed the others too are unclean.
37. In the case, for instance, where she discovered menstrual blood immediately after their intercourse, when it is assumed that the discharge had occurred during intercourse.
38. *Terumah*, for instance, which may be eaten only when clean.
39. If she discovered menstrual blood immediately after her contact with them.
40. It being assumed (cf. prev. n. but two) that the discharge occurred while she was still handling the clean things. In such a case the uncleanness is regarded as certain and the things she handled must be burnt.

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41. This is the case where she discovered the blood after an interval had elapsed during which she could descend from the bed and wash her genitals it being doubtful whether the discharge had occurred during or after intercourse.
42. If she discovered the blood after such an interval (cf. prev. n.) had passed since she handled them.
43. Sc. they may be neither eaten nor burnt.
44. In the case where the longer interval (cf. prev. n. but two) had passed before the blood was discovered, when it is regarded as certain that the discharge occurred after intercourse.
45. If a similar interval (cf. prev. n.) had elapsed between the time she has handled them and the discovery of the blood.
46. Maintaining that even if a discovery of blood was made immediately after she handled the clean things one cannot be sure that the discharge had occurred earlier when she was still handling them.
47. V. *supra* n. 2.
48. On account of the doubt.
49. Thus it follows that our Mishnah which ruled that only the woman who found herself on examination to be unclean is regarded as the cause of the blood while the two others remain clean, upholds the opinion of Bar Pada who, where the examination took place immediately after the clean things had been handled, regards the things as definitely unclean. It must be contrary to the view of R. Oshaia who, even in such a case (an examination after the shortest interval), regards the clean things as being merely in a suspected state.
50. Why it may be assumed that the discharge occurred earlier during intercourse.
51. Euphemism.
52. The handling of clean things.
53. Sc. that the discharge occurred earlier.
54. Obviously nothing. Hence it is only in the case of intercourse (where the assumption is possible) that the husband becomes liable for a sin-offering, but in the case of clean things (where no such assumption is possible) no certain uncleanness may be presumed and only that of a doubtful nature may be imposed upon them Rabbinically for twenty-four hours retrospectively.
55. 'The waiter had caused the obstruction of the blood'.
56. Lit., 'delays to come', waiting for the lead of the old man.
57. When they walk in different directions to their own respective homes.
58. Lit., 'hastens to come'.
59. Who usually loses her menstrual flow.

60. Sc. a young woman (whether unmarried or married) who had not yet experienced any menstrual discharge (cf. *supra* 8b).

## Niddah 61a

**AS THOUGH THEY WERE LIKELY TO OBSERVE ONE.**

**MISHNAH.** IF THREE WOMEN SLEPT IN ONE BED, AND BLOOD WAS FOUND UNDER THE MIDDLE ONE, THEY ARE ALL UNCLEAN. IF IT WAS FOUND UNDER THE INNER ONE,<sup>1</sup> THE TWO INNER ONES<sup>2</sup> ARE UNCLEAN WHILE THE OUTER ONE IS CLEAN. IF IT WAS FOUND UNDER THE OUTER ONE,<sup>3</sup> THE TWO OUTER ONES<sup>4</sup> ARE UNCLEAN WHILE THE INNER ONE<sup>5</sup> IS CLEAN. WHEN<sup>6</sup> IS THIS THE CASE?<sup>7</sup> WHEN THEY PASSED<sup>8</sup> BY WAY OF THE FOOT OF THE BED,<sup>9</sup> BUT IF THEY PASSED ACROSS IT,<sup>10</sup> THEY ARE ALL UNCLEAN.<sup>11</sup>

**IF ONE OF THEM EXAMINED HERSELF AND WAS FOUND CLEAN, SHE REMAINS CLEAN WHILE THE TWO OTHERS ARE UNCLEAN.**

**IF TWO, EXAMINED THEMSELVES AND WERE FOUND TO BE CLEAN THEY REMAIN CLEAN WHILE THE THIRD IS UNCLEAN.**

**IF THE THREE EXAMINED THEMSELVES AND WERE FOUND TO BE CLEAN, THEY ARE ALL UNCLEAN.**

**TO WHAT MAY THIS BE COMPARED? TO AN UNCLEAN HEAP<sup>12</sup> THAT WAS MIXED UP WITH TWO CLEAN HEAPS, WHERE, IF THEY EXAMINED ONE OF THEM AND FOUND IT TO BE CLEAN, IT IS CLEAN WHILE THE TWO OTHERS ARE UNCLEAN; IF THEY EXAMINED TWO OF THE HEAPS AND FOUND THEM TO BE CLEAN, THEY ARE CLEAN WHILE THE THIRD ONE IS UNCLEAN; AND IF THEY EXAMINED THE THREE AND THEY WERE FOUND TO BE CLEAN, THEY ARE ALL UNCLEAN; SO R. MEIR, FOR R. MEIR RULED: ANY OBJECT THAT IS IN A PRESUMPTIVE STATE OF**

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UNCLEANNESSE ALWAYS REMAINS UNCLEAN UNTIL IT IS KNOWN TO YOU WHERE THE UNCLEANNESSE IS. BUT THE SAGES RULED: ONE CONTINUES THE EXAMINATION OF THE HEAP UNTIL ONE REACHES BEDROCK OR VIRGIN SOIL.<sup>13</sup>

*GEMARA.* Why is it that in the first clause<sup>14</sup> no distinction is made<sup>15</sup> while in the final clause<sup>16</sup> a distinction is made? — R. Ammi replied: The former is a case where the women were interlocked.<sup>17</sup>

IF ONE OF THEM EXAMINED HERSELF, etc. What need was there for stating, 'TO WHAT MAY THIS BE COMPARED'? — It is this that R. Meir in effect said to the Rabbis: Why is it that in the case of blood you do not differ from me<sup>18</sup> while in that of a heap you differ?<sup>19</sup> — And the Rabbis?<sup>20</sup> — There [the heap may be regarded as clean] since it might well be assumed that a raven had carried away the piece of corpse, but here, whence<sup>21</sup> could the blood have come?<sup>22</sup>

It was taught: R. Meir stated, It once happened that a sycamore tree at Kefar Saba, held to be in a presumptive state of uncleanness, was examined and no object of uncleanness was found. After a time the wind blew upon it and uprooted it when the skull of a corpse was found stuck in its root.<sup>23</sup> They<sup>24</sup> answered him: 'Do you adduce proof from there? It might be suggested that the examination was not thorough enough'.<sup>25</sup>

It was taught: R. Jose stated, It once happened that a cave at Shihin, held to be in a presumptive state of uncleanness, was examined until ground, that was as smooth as a finger nail<sup>26</sup> was reached, but no unclean object was found. After a time laborers entered it to shelter from<sup>27</sup> rain, and chopping with their axes found a mortar full of bones.<sup>28</sup> They<sup>29</sup> answered him: 'Do you adduce proof from there? It might be suggested that the examination was not thorough enough'.<sup>30</sup>

It was taught: Abba Saul stated, It once happened that a clod at Beth Horon was held in a presumptive state of uncleanness, and the Sages could not properly examine it because its area was extensive.<sup>31</sup> But there was an old man in the place<sup>32</sup> whose name was R. Joshua b. Hananiah and he said to them, 'Bring me some sheets'. They brought to him sheets and he soaked them in water and then spread them over the clod.<sup>33</sup> The clean area<sup>34</sup> remained dry while the unclean area<sup>35</sup> became moist. And, having examined the latter, they found a large pit full of bones. One taught: That was the pit which Ishmael the son of Nethaniah had filled with slain bodies, as it is written, Now the pit wherein Ishmael cast all the dead bodies of the men whom he had slain by the hand<sup>36</sup> of Gedaliah.<sup>37</sup> But was it Gedaliah that killed them? Was it not in fact Ishmael that killed them?<sup>38</sup> — But owing to the fact that he<sup>39</sup> should have taken note of the advice of Johanan the son of Kareah<sup>40</sup> and did not do so Scripture regards him as though he had killed them.

Raba observed: As to slander, though one should not believe<sup>41</sup> it one should nevertheless take note of it. There were certain Galileans about whom a rumor was spread that they killed a person. They came to R. Tarfon and said to him, 'Will the Master hide us?' 'How', he replied, 'should I act? Should I not hide you, they<sup>42</sup> would see you.<sup>43</sup> Should I hide you, I would be acting contrary to the statement of the Rabbis,<sup>44</sup> "As to slander, though one should not believe<sup>45</sup> it, one should take note of it".<sup>46</sup> Go you and hide yourselves'.

And the Lord said unto Moses: Fear him not'.<sup>47</sup> Consider: Sihon and Og were brothers, for a Master stated, 'Sihon and Og were the sons of Ahijah the son of Shamhazai',<sup>48</sup> then why was it that he feared Og while he did not fear Sihon? R. Johanan citing R. Simeon b. Yohai replied: From the answer that was given<sup>49</sup> to<sup>50</sup> that righteous man<sup>51</sup> you may understand what was in his

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mind.<sup>52</sup> He thought: Peradventure the merit of our father Abraham will stand him<sup>53</sup> by, for it is said, And there came one that had escaped, and told Abram the Hebrew,<sup>54</sup> in connection with which R. Johanan explained: This refers to Og who escaped the fate of the generation of the flood.<sup>55</sup>

Our Rabbis taught:<sup>56</sup> If a [woman's] bloodstain was lost in a garment<sup>57</sup> one must apply to it<sup>58</sup> seven substances<sup>59</sup> and thus neutralize it. R. Simeon b. Eleazar ruled:

1. The woman that was nearest to the wall.
2. Sc. the one under whom the blood was found (cf. prev. n.) and the middle one.
3. The woman furthest from the wall.
4. The one mentioned and the middle one.
5. The woman that was nearest to the wall.
6. Sep. edd. of the Mishnah read, 'R. Judah said, When'.
7. That IF IT WAS FOUND UNDER THE OUTER ONE... THE INNER ONE IS CLEAN.
8. On entering the bed.
9. So that the inner one never passed the spot where the blood was found.
10. Lit., 'the way over it'. The inner two thus passing over the place of the outer one.
11. Even the middle and the inner one, since it is possible that either discharged the blood when she was passing over that spot.
12. One that contained a piece of corpse of the minimum size of an olive.
13. And if no uncleanness can be found even there, it may be presumed that the heap is clean.
14. The previous Mishnah, *supra* 60b.
15. Between blood found under the middle, the inner or the outer woman.
16. Our Mishnah.
17. As they were so close to each other it is quite possible for the blood of the one to be found under the other.
18. Agreeing that if the three women examined themselves and were found to be clean, they are all unclean.
19. Maintaining that, if the examination was continued down to bedrock or virgin soil and no trace of corpse was found, the heap may be regarded as clean despite the presumptive existence of a piece of corpse in one of the heaps.
20. On what ground do they maintain their view?
21. If all the women are clean.
22. Hence the ruling that they are all unclean.
23. This, in the opinion of R. Meir, proves that an examination that revealed no unclean object is no evidence of cleanness.
24. The Rabbis who disagreed with him.
25. Lit., 'they did not examine all its requirement'.
26. Sc. that was never cultivated.
27. Lit., 'on account of'.
28. Cf. *supra* p. 431, n. II mut. mut.
29. The Rabbis who disagreed with him.
30. Lit., 'they did not examine all its requirement'.
31. Lit., 'much'.
32. Lit., 'there'.
33. Lit., 'them'.
34. The soil of which had never been dug and was, therefore, hard and impervious to the moisture from the sheets.
35. Which contained corpses and which, having been dug, consisted of loose earth that absorbed the moisture.
36. E.V., 'side'.
37. Jer. XLI, 9.
38. Why then was it stated, 'By the hand of Gedaliah'?
39. Gedaliah.
40. Who told him that Simeon b. Nethaniah wished to kill him. V. Jer. XL, 13ff.
41. Lit., 'accept'.
42. The avengers of the blood.
43. And execute vengeance.
44. Lit., 'surely the Rabbis said'.
45. Lit., 'accept'.
46. And in case the report about you is true, I have no right to shield you.
47. Num. XXI, 34.
48. One of the fallen angels referred to in Gen. VI, 2, 4 as 'sons of God' or 'Nephilim'.
49. By God.
50. Lit., 'of'.
51. Moses.
52. Lit., 'heart'.
53. Og.
54. Gen. XIV, 13.
55. Cf. Zeb. 113b.
56. The following Baraitas have been suggested to the compiler by the law *supra* concerning heaps in which an unclean object had been lost beyond recovery.
57. By falling, for instance, into water or was soiled with the blood of an animal.
58. Lit., causes to pass'.
59. Enumerated in next Mishnah.

## Niddah 61b

One must examine it in small sections.<sup>1</sup> If semen was lost in it, when new it should be

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examined with a needle,<sup>2</sup> and when worn out it should be examined in sunlight.<sup>3</sup> One taught: No section need be smaller than three fingerbreadths.

Our Rabbis taught: A garment in which kil'ayim<sup>4</sup> was lost<sup>5</sup> may not be sold to an idolater,<sup>6</sup> nor may one make of it a packsaddle for an ass, but it may be made into<sup>7</sup> a shroud for a corpse. R. Joseph observed: This<sup>8</sup> implies that the commandments will be abolished in the Hereafter.<sup>9</sup> Said Abaye (or as some say R. Dimi) to him: But did not R. Manni<sup>10</sup> in the name of R. Jannai state, 'This<sup>8</sup> was learnt only in regard to the time of the lamentations<sup>11</sup> but for burial<sup>12</sup> this is forbidden'?<sup>13</sup> — The other replied: But was it not stated in connection with it, 'R. Johanan ruled: Even for burial'? And thereby R. Johanan followed his previously expressed view, for R. Johanan stated: 'What is the purport of the Scriptural text, Free<sup>14</sup> among the dead?<sup>15</sup> As soon as a man dies he is free from the commandments'.

Rafram b. Papa citing R. Hisda ruled: A garment in which Kil'ayim was lost may be dyed<sup>16</sup> and<sup>17</sup> it is then permitted to be worn.<sup>18</sup> Said Raba to Rafram b. Papa: Whence does the old man derive this?<sup>19</sup> The other replied: It is in our Mishnah, for we have learnt, ONE CONTINUES THE EXAMINATION OF THE HEAP UNTIL ONE REACHES BEDROCK; and if it<sup>20</sup> is not there, it is obviously assumed that a raven had carried it away. Here too, dye does not have the same effect on wool and flax and, since no [difference could be] discerned,<sup>21</sup> it may well be assumed [that the compromising threads] had dropped out.

R. Aha son of R. Yeba citing Mar Zutra ruled: If a man inserted flaxen threads in his woolen garment and then pulled them out but is not sure whether he pulled them [all] out or not, it is quite proper [for him to wear the garment]. What is the reason? — Pentateuchally, since it is written sha'atnez<sup>22</sup>

the prohibition does not apply unless the material was hackled, spun and woven,<sup>23</sup> but it is only the Rabbis who imposed a prohibition on it,<sup>24</sup> and since the man is not quite sure about the pulling out of the threads the garment is permitted. R. Ashi demurred: Might it not be suggested that it<sup>25</sup> must be either hackled or spun or woven? — The law, however, is in agreement with Mar Zutra, because the All Merciful expressed them in one word.<sup>23</sup>

Our Rabbis taught: A dyed garment is susceptible to the uncleanness of a bloodstain. R. Nathan b. Joseph ruled: It is not susceptible to the uncleanness of a stain, for dyed garments were ordained for women only in order to relax the law in regard to their bloodstains. 'Were ordained!' Who<sup>26</sup> ordained them? — Rather read: For dyed garments were permitted to women only in order to relax the law in regard to their bloodstains. 'Were permitted!' Does this then imply that they were once forbidden? — Yes, for we have learnt: At the time of the Vespasian invasion they<sup>27</sup> prohibited the wearing of garlands by bridegrooms and the beating of drums at weddings. They also desired to prohibit dyed garments, but felt that it was better not to do so,<sup>28</sup> in order to relax the law in regard to their bloodstains.

*MISHNAH. SEVEN SUBSTANCES MUST BE APPLIED TO A STAIN:<sup>29</sup> TASTELESS SPITTLE,<sup>30</sup> THE LIQUID OF CRUSHED BEANS, URINE, NATRON, LYE,*

1. The size of each section is given presently.
2. Dried up semen offers some resistance to its penetration.
3. When holding up the garment to the light the place of the semen appears darker than the rest of it. A new garment, however, whose texture is close would not show up such a stain even in front of the light.
4. V. [Glos.](#)
5. Sc. it was known that a thread of wool had been woven into a garment of flax or a thread of flax into a garment of wool but the thread could not be traced so as to be extracted.
6. Since he might re-sell it to an Israelite.

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7. Lit., 'makes of it'.
8. The permissibility to use Kil'ayim for a shroud.
9. At the resurrection. Had they remained in force the revived dead (cf. prev. n) would he transgressing the law of Kil'ayim.
10. *Var. lec.*, Ammi.
11. Lit., 'to lament for him'.
12. Lit., 'to bury him'.
13. How then can R. Joseph derive from this ruling that 'the commandments will be abolished in the Hereafter'?
14. E.V., 'set apart'.
15. Ps. LXXXVIII, 6.
16. As the color effect of dye on wool is different from that on flax the one could be distinguished and separated from the other.
17. If the same shade of color is shown throughout.
18. The assumption being that the threads of the other kind have somehow dropped out of the texture.
19. Cf. prev. n.
20. The unclean object.
21. Even after the dye had been applied.
22. Deut. XXII, 11. E.V., 'mingled stuff'.
23. Shu'a, tawui and nuz, three words Rabbinically assumed to make up the word Sha'atnez.
24. On a material that does not satisfy all the three requirements.
25. A material that is to be forbidden as Kil'ayim.
26. Lit., 'what'.
27. The Rabbis.
28. Lit., 'they said that was better'.
29. If it is desired to ascertain whether it is blood or dye.
30. This is explained presently.

## Niddah 62a

CIMOLIAN EARTH, AND LION'S LEAF. IF ONE IMMERSED IT<sup>1</sup> AND, HAVING HANDLED CLEAN THINGS ON IT, APPLIED TO IT THE SEVEN SUBSTANCES AND THE STAIN DID NOT FADE AWAY IT MUST BE A DYE; AND THE CLEAN THINGS REMAIN CLEAN AND THERE IS NO NEED TO IMMERSER IT<sup>2</sup> AGAIN. IF THE STAIN FADED AWAY OR GREW FAINTER,<sup>3</sup> IT MUST BE A BLOODSTAIN AND THE CLEAN THINGS ARE UNCLEAR AND IT IS NECESSARY<sup>4</sup> TO PERFORM IMMERSION AGAIN.<sup>5</sup> WHAT IS MEANT BY TASTELESS SPITTLE? THAT OF A MAN WHO ON THAT DAY<sup>6</sup> TASTED

NOTHING. THE LIQUID OF CRUSHED BEANS? PASTE MADE OF CRUSHED BEANS THAT WERE NATURALLY<sup>7</sup> PEELED OFF. URINE? THIS REFERS TO SUCH AS HAS FERMENTED. ONE MUST SCOUR THE STAIN THREE TIMES WITH EACH OF THE SUBSTANCES. IF THEY WERE NOT APPLIED IN THE PRESCRIBED ORDER, OR IF THE SEVEN SUBSTANCES WERE APPLIED SIMULTANEOUSLY, NOTHING USEFUL HAS THEREBY BEEN DONE.<sup>8</sup>

**GEMARA.** One taught:<sup>9</sup> The Alexandrian natron and not the Antipatrian one.

**BORITH.**<sup>10</sup> Rab Judah stated: This means ahala.<sup>11</sup> But was it not taught: The borith and the ahal?<sup>12</sup> — The fact is that borith means sulphur. An incongruity was pointed out: They<sup>13</sup> added to them<sup>14</sup> the bulb of ornithogalum<sup>15</sup> and garden-orache,<sup>16</sup> the borith and the ahal. Now if 'borith' means sulphur [the objection would arise:] Is it subject to the restrictions of the Sabbatical year, seeing that it was taught:<sup>17</sup> This is the general rule, Whatsoever has a root<sup>18</sup> is subject to the restrictions of the Sabbatical year and whatsoever has no root is not subject to the restrictions of the Sabbatical year? — What then do you suggest: That borith means ahala? But was it not taught: 'The borith and the ahal'?<sup>19</sup> — There are two kinds of ahala.

**KIMONIA.**<sup>20</sup> Rab Judah explained: Shelofdoz.<sup>21</sup>

And eshlag.<sup>22</sup> Samuel stated: I enquired of the seamen and they told me that its name was eshлага, that it was to be found between the cracks of pearls and that it was extracted with an iron nail.

IF ONE IMMERSED IT AND, HAVING HANDLED, etc. Our Rabbis taught: If one applied to it<sup>23</sup> the seven substances<sup>24</sup> and it did not fade away and then applied to it soap and it disappeared, one's clean things are unclean.<sup>25</sup> But does not soap remove dye

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also?<sup>26</sup> — Rather read: If one applied to it<sup>23</sup> six of the substances and it did not fade away and when soap had been applied it disappeared, his clean things are unclean, since it is possible that if one had first applied to it the seventh substance it might also have disappeared.<sup>27</sup> Another [Baraita] taught: If one applied to it<sup>23</sup> the seven substances and it did not fade away but when one applied them a second time it disappeared, one's clean things remain clean.<sup>28</sup> R. Zera stated: This<sup>29</sup> was taught only in regard to clean things that were handled between the first and the second wash;<sup>29</sup> but the clean things that were handled after the second wash<sup>30</sup> are unclean, since the person was particular about it<sup>31</sup> and it had disappeared.<sup>32</sup>

1. The garment with the suspicious stain.
2. The garment with the suspicious stain.
3. As a result of the application of the seven substances.
4. Now that the stain had disappeared.
5. The first immersion when the stain was still on the garment being of no avail.
6. Lit., 'all who'. This is discussed in the Gemara *infra*.
7. Sc. not by human hands.
8. Lit., 'he did not do anything'.
9. With reference to NATRON in our Mishnah.
10. Rendered *supra* LYE.
11. An alcalic plant used as soap.
12. Ahal and ahala being the same, how could Rab Judah maintain that ahala is synonymous with borith seeing that the latter is placed in juxtaposition with ahal?
13. The Rabbis.
14. The fruits that are subject to the restrictions of the Sabbatical year.
15. Or 'Bethlehem-star'.
16. Or 'orach'.
17. V. marg. gl. Cur. edd., 'We learnt'.
18. By means of which it draws its nourishment from the ground.
19. V. p. 436, n. 11.
20. Rendered *supra* CIMOLIAN EARTH.
21. Lit., 'pull out, stick in', the popular name for Cimolian earth.
22. Rendered LION'S LEAF *supra*.
23. A stain on a woman's garment.
24. Enumerated in our Mishnah.
25. Because the disappearance of the stain under the application is evidence that it was one of blood.

26. It does. What proof then is there that the stain was not one of dye?
27. And any stain that disappears under an application of the seven substances can only be a bloodstain.
28. Since the stain must be one of dye. Had it been a bloodstain it would have disappeared after the first application.
29. That 'the clean things remain clean'.
30. Sc. the application of the substances.
31. The stain; as is evidenced by his second attempt to remove it.
32. As a result of the second application, which brings it within the category of bloodstains that disappear under the application of the seven substances.

## Niddah 62b

Said R. Abba to R. Ashi: Does then the uncleanness<sup>1</sup> depend on whether one is particular? — Yes, the other replied, for it was taught, 'R. Hiyya ruled: To that which is certain menstrual blood one may apply the seven substances and<sup>2</sup> thereby<sup>3</sup> neutralize it'.<sup>4</sup> But why should this be so,<sup>5</sup> seeing that it is menstrual blood? It is obvious then<sup>6</sup> that uncleanness<sup>1</sup> depends<sup>7</sup> on whether one is particular. Here also<sup>8</sup> then uncleanness<sup>1</sup> may depend on whether one is particular.

Elsewhere we learnt: If potsherds which a *Zab* has used<sup>2</sup> absorbed liquids and then fell into the air-space of an oven,<sup>10</sup> and the oven<sup>11</sup> was heated, the oven becomes unclean, because the liquid<sup>12</sup> would<sup>13</sup> ultimately emerge.<sup>14</sup> Resh Lakish stated: This<sup>15</sup> was learnt only in regard to liquids of a minor uncleanness<sup>16</sup> but in the case of liquids of a major uncleanness<sup>17</sup> the oven becomes unclean even though it was not heated.<sup>18</sup> R. Johanan stated: Whether the liquids were subject to a minor or a major uncleanness the oven is unclean only if it was heated but not otherwise.<sup>19</sup>

R. Johanan raised an objection against Resh Lakish: IF ONE IMMersed IT AND, HAVING HANDLED CLEAN THINGS ON IT, APPLIED TO IT THE SEVEN SUBSTANCES AND THE STAIN DID NOT



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FADE AWAY, IT MUST BE A DYE; AND THE CLEAN THINGS REMAIN CLEAN AND THERE IS NO NEED TO IMMERSE IT AGAIN.<sup>20</sup> The other replied: Leave alone the laws of stains<sup>21</sup> which are merely Rabbinical.<sup>22</sup> But [R. Johanan objected] did not R. Hiyya teach, 'To that which is certain menstrual blood one may apply the seven substances and thereby neutralize it'?<sup>23</sup> — The other replied: If Rabbi<sup>24</sup> has not taught<sup>25</sup> it,<sup>26</sup> whence could R. Hiyya<sup>27</sup> know it?<sup>28</sup>

R. Johanan pointed out another objection against Resh Lakish: 'If a quarter of a *log* of blood<sup>29</sup> was absorbed in the floor of a house [all<sup>30</sup> that is in] the house becomes unclean,<sup>31</sup> but others say: [All that is in] the house remains clean. These two versions, however, do not essentially differ, since the former refers to vessels that were there originally<sup>32</sup> while the latter refers to vessels that were brought in subsequently.<sup>33</sup> Where 'blood was absorbed in a garment, and on being washed, a quarter of a *log* of blood would emerge from it, it is unclean, but otherwise it is clean!<sup>34</sup> —

R. Kahana replied: Here they have learnt some of the more lenient rulings concerning quarters of a *log* [both referring to a mixture of clean and unclean blood]; [and the law of] mixed blood<sup>35</sup> is different<sup>36</sup> since it<sup>37</sup> is only Rabbinical.<sup>38</sup> Resh Lakish raised an objection against R. Johanan: Any absorbed uncleanness that cannot emerge is regarded as clean.<sup>39</sup> Thus it follows, does it not, that if it can emerge it is unclean even though it had not yet emerged?<sup>40</sup> —

R. Papa replied: Wherever it<sup>41</sup> cannot emerge<sup>42</sup> and the owner did not mind absorption,<sup>43</sup> all agree that it is regarded as clean. If it can emerge and the owner does mind the absorption, all agree that it is unclean. They only differ where it can emerge but the owner does not mind its absorption. One Master<sup>44</sup> holds the view that since it can emerge [it is unclean], though the owner did not mind its absorption;<sup>45</sup> and the

other Master<sup>46</sup> holds that although it can emerge

1. Lit., 'thing'.
2. Though the stain is still slightly visible.
3. Since the application of the substances destroys its natural and original appearance.
4. Since no one minds such a faint stain it becomes clean.
5. Cf. prev. n.
6. From the fact that it is regarded as clean.
7. In this case of R. Hiyya.
8. The case *supra* 62a ad fin.
9. And thus rendered unclean.
10. Without touching the oven itself.
11. Which was an earthen vessel, that contracts uncleanness through its air-space.
12. Which has contracted uncleanness from the unclean potsherd into which it was absorbed.
13. Owing to the heat of the oven which warms up the potsherds.
14. Into the air-space and thus convey uncleanness to the oven. Cf. Kel. IX, 5, where this Mishnah occurs with some variations.
15. That uncleanness is conveyed to the oven only where it was heated, but if it was not heated the absorbed liquids convey no uncleanness to it.
16. Sc. that are not 'father of uncleanness' as for instance, a Zab's tears. Since the uncleanness that such liquids convey to a vessel is only Rabbinical the oven remains clean when the liquids are in an absorbed state.
17. Which convey uncleanness to a vessel even according to Pentateuchal law.
18. And no liquid has emerged. Since heat causes it to emerge the liquid cannot be regarded as an absorbed uncleanness.
19. Lit., 'if the oven was heated yes; if not, not', since an absorbed uncleanness (cf. Hul. 71a) conveys no uncleanness.
20. Now if it be granted (with R. Johanan) that an absorbed uncleanness, though it emerges under certain special conditions, is treated as clean, the assumption here that the stain was one of dye and, therefore, clean is well justified; for even though it was blood it would (being absorbed) convey no uncleanness. But if it is maintained (with Resh Lakish) that even an absorbed uncleanness, wherever it would emerge under certain conditions, conveys uncleanness, how could the law be relaxed in this case where the possibility of blood cannot be ruled out?
21. With which our Mishnah deals.
22. And may be relaxed. Pentateuchally no uncleanness is involved unless blood was found on the woman's body.

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23. *Supra* q.v. notes. This shows that even actual blood, if it is in an absorbed state, though it would emerge under an application of soap, is regarded as clean. How then could Resh Lakish maintain that where the oven was not heated, uncleanness is conveyed by the absorbed liquids?
24. The compiler of the Mishnah.
25. In his authoritative compilation.
26. R. Hiyya's ruling.
27. Who was the disciple of Rabbi.
28. It is obvious that he could not. The Baraita cited must, therefore, be treated as spurious.
29. Of a corpse.
30. That is susceptible to uncleanness.
31. Because the blood of a corpse of the quantity prescribed conveys uncleanness by overshadowing as the corpse itself.
32. Before the blood was absorbed, and thus contracted uncleanness by overshadowing.
33. After the blood had been absorbed, when it conveys uncleanness no longer.
34. Oh. III, 2; though a full quarter of a *log* of blood is absorbed in it. Those two rulings prove that an absorbed uncleanness, though it would emerge under special conditions, is regarded as clean. An objection against Resh Lakish.
35. Dam tebusah (defined *infra* 71a) whose uncleanness is doubtful.
36. From blood that is definitely unclean.
37. Even in an unabsorbed condition.
38. Hence 'the relaxation of the law when it is absorbed.
39. Oh. III, 2.
40. How then could R. Johanan maintain in the case of the potsherd that the oven is unclean only when the liquids emerged?
41. The unclean substance.
42. From the object that absorbed it.
43. MS.M., Maharsha, and some old edd. omit the last eight words.
44. Resh Lakish.
45. Hence his ruling in the case of the potsherd where the liquid would emerge if the oven were heated.
46. R. Johanan.

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it is unclean only if the owner minds the absorption, but not otherwise.<sup>1</sup>

WHAT IS MEANT BY 'TASTELESS SPITTLE'. One taught:<sup>2</sup> That of a man who tasted nothing since the previous evening. R.

Papa intended to explain before Raba [that this bears the same meaning] as when one says that he had tasted nothing in the evening.<sup>3</sup> But Raba<sup>4</sup> pointed out to him: Does it say 'in the evening'?<sup>3</sup> It only says, 'Since the previous evening',<sup>5</sup> thus excluding only the case of one who got up early<sup>6</sup> and ate.<sup>7</sup> Rabbah b. Bar Hana citing R. Johanan stated: What is meant by tasteless spittle? [That of a person] who spent half a night in sleep.<sup>8</sup> This then implies that the quality of spittle<sup>9</sup> depends on sleep. But have we not learnt:<sup>10</sup> If a man slept all day his is no tasteless spittle and if he was awake all night it is tasteless spittle?<sup>11</sup> — There<sup>12</sup> it is a case, where one was in a state of drowsiness.<sup>13</sup> What state of drowsiness is hereby to be understood? —

R. Ashi replied: Where a man is half asleep and half awake,<sup>14</sup> when addressed he answers but is unable to give any rational reply, and when he is reminded of anything he can recall it.

One taught: If a man rose up early in the morning and studied his lesson, his is no tasteless spittle.<sup>15</sup> But for how long?<sup>16</sup> — R. Judah b. Shila citing R. Ashi who had it from R. Eleazar replied: For a period during 'which<sup>17</sup> can be uttered the greater part of one's usual talk in the course of three hours.

THE LIQUID OF CRUSHED BEANS? — PASTE MADE OF CRUSHED BEANS, etc. May it be suggested that this<sup>18</sup> provides support for Resh Lakish; for Resh Lakish said: There must be tasteless spittle with each of the substances? — It is possible that the heat of one's mouth suffices.<sup>19</sup> Our Mishnah<sup>20</sup> is not in agreement with R. Judah. For it was taught: R. Judah explained,<sup>21</sup> Boiling liquid of crushed beans before [o]ber salt is put into it.<sup>22</sup> What is the proof that the expression<sup>23</sup> 'o]ber' means 'before'? —

R. Nahman b. Isaac replied: Since Scripture says, Then Ahimaaz ran by way of the plain, and overran [wa-ya'abor]<sup>24</sup> the Cushite.<sup>25</sup>

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Abaye replied, The proof comes from here: And he himself passed over [‘abar]<sup>24</sup> before them.<sup>26</sup> And if you prefer I might reply that the proof comes from here: And their king is passed on [wa-ya‘abor]<sup>24</sup> before them, and the Lord before them.<sup>27</sup>

**URINE? THIS REFERS TO SUCH AS HAS FERMENTED.** One taught: What must be the duration of<sup>28</sup> their fermentation? Three days. R. Johanan observed, All the standards of the Sages in respect of bloodstains need additional standards to define them:<sup>29</sup> [Is the urine that] of a child or of an old man,<sup>30</sup> of a man or of a woman,<sup>30</sup> covered<sup>30</sup> or uncovered, of the summer season<sup>30</sup> or of the winter season?

**ONE MUST SCOUR THE STAIN THREE TIMES.** R. Jeremiah enquired: Does the forward and backward movement<sup>31</sup> count as one or is it possible that it counts as two? Now what is the decision? — This stands undecided.<sup>32</sup>

**IF THEY WERE NOT APPLIED IN THE PRESCRIBED ORDER.** Our Rabbis taught: If the latter<sup>33</sup> were applied before the former,<sup>34</sup> one Baraitha teaches, 'The latter<sup>35</sup> are counted<sup>36</sup> and the former<sup>37</sup> are not counted,<sup>38</sup> while another [Baraitha] teaches, 'The former are counted and the latter are not counted'<sup>39</sup> — Abaye replied: According to both statements the latter<sup>35</sup> are counted, and the former<sup>40</sup> are not; but 'former'<sup>41</sup> refers to those that are<sup>42</sup> first in the prescribed order<sup>43</sup> though second in the process of application.

**MISHNAH.** FOR EVERY WOMAN THAT HAS A SETTLED PERIOD IT SUFFICES [TO RECKON HER PERIOD OF UNCLEANNES FROM] HER SET TIME. AND THESE ARE THE SYMPTOMS OF SETTLED PERIODS: [IF THE WOMAN]<sup>44</sup> YAWNS, SNEEZES, FEELS PAIN AT THE TOP OF<sup>45</sup> HER STOMACH OR THE BOTTOM OF HER BOWELS, DISCHARGES,<sup>46</sup> OR IS SEIZED BY A KIND OF SHIVERING, OR ANY OTHER SIMILAR

**SYMPTOMS.**<sup>46</sup> ANY WOMAN WHO ESTABLISHED FOR HERSELF [ONE OF THE SYMPTOMS]<sup>44</sup> THREE TIMES MAY BE DEEMED TO HAVE<sup>47</sup> A SETTLED PERIOD.

**GEMARA.** Have we not learnt once before, 'For any woman who has a settled period it suffices [to reckon her period of uncleanness from] her set time'<sup>48</sup> — There the reference is to settled periods [that are determined by the number] of days<sup>49</sup> while here the reference is to settled periods [that are determined by conditions] of the body; as it was actually taught, 'The following are the symptoms of settled periods: If a woman yawns, sneezes, feels pain at the top of her stomach or the bottom of her bowels or discharges'. 'Discharges'! Is she not then<sup>50</sup> constantly discharging?<sup>51</sup> —

'Ulla son of R. Elai replied:

1. Lit., 'yes; if not, not'. The inference from the Mishnah cited by Resh Lakish, from which it follows that 'if it can emerge it is unclean even though it had not yet emerged', applies to a case where the owner minded the absorption.
2. In explanation of TASTELESS SPITTLE.
3. Sc. had nothing to eat since sunset of the previous day.
4. MS.M., Rabina.
5. Sc. a part of the night.
6. Before day-break.
7. Since the food sweetens the spittle and causes it to lose its strength. The food, however, that one eats in the early evening before going to bed has no such weakening effect.
8. Lit., over whom half a night has passed, and in sleep'.
9. Lit., 'thing'.
10. Emden reads, 'was it not taught'.
11. Which shows that it is the night and not sleep that is the determining factor.
12. The statement, 'If he was awake, etc.'
13. Not fully awake. Two conditions are necessary for spittle to be tasteless: Sleep or dozing and night. Sleep in the day-time (after one has had some food which sweetens the spittle) or night without sleep (when the effect of the food has not passed) is not enough.
14. Lit., 'asleep and not asleep, awake and not awake'.
15. Speech also takes away its edge

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16. Must his study have extended. Lit., 'and unto how much?'
17. Lit., 'all'.
18. The ruling in our Mishnah that the beans must be crushed into a paste that is presumably mixed with spittle.
19. To make the paste. Lit., 'avails'.
20. In its definition of the liquid of crushed beans.
21. Cf. prev. n.
22. Since salt would weaken it.
23. Lit., 'that'.
24. Of the same root as 'ober'.
25. II Sam. XVIII, 23.
26. Gen. XXXIII, 3.
27. Micah II, 13.
28. Lit., 'how long'.
29. Lit., 'a standard to their standard'.
30. This is stronger and more effective.
31. Lit., 'carrying out and bringing in' of the hand in the process of scouring.
32. Teku; v. [Glos.](#)
33. The last four of the seven substances enumerated in our Mishnah.
34. The first three.
35. Sc. those applied last (first mentioned in our Mishnah).
36. Lit., 'went up for him'.
37. Sc. the substances (last mentioned in our Mishnah) that were applied first.
38. So that, if the four substances last mentioned in our Mishnah are subsequently applied again, the prescribed order of application is duly complied with.
39. Now how are the two apparently contradictory rulings to be reconciled?
40. V. p. 442, n. 16.
41. In the second Baraitha.
42. Lit., 'and what'.
43. In our Mishnah.
44. Before experiencing a menstrual discharge.
45. Lit., 'mouth'.
46. This is discussed in the Gemara.
47. Lit., 'behold this'.
48. Mishnah *supra* 2a.
49. Every fifth or tenth day of the month, for instance.
50. Since every menstrual discharge is preceded by another discharge.
51. And since no symptom precedes the first discharge, which is presumably also an unclean one, how could a settled period ever be established?

## Niddah 63b

This is a case where she discharges unclean blood as a result of a discharge<sup>1</sup> of clean blood.<sup>2</sup>

OR ... A KIND OF SHIVERING, etc. What was the expression, OR ANY OTHER SIMILAR SYMPTOMS, intended to include? —

Rabbah b. 'Ullah replied: To include a woman who feels a heaviness in her head<sup>3</sup> or a heaviness in her limbs, who shivers or belches. R. Huna b. Hiyya citing Samuel observed: Behold [the Sages] have ruled that 'for settled periods [that are determined by the number] of days two [occurrences are required],<sup>4</sup> for settled periods [that are determined by the condition] of the body one occurrence suffices,<sup>5</sup> for settled periods [that are determined by conditions] which the Sages did not enumerate three occurrences are required;<sup>6</sup> But [I do not know] what the expression, 'for settled periods that are determined by conditions which the Sages did not enumerate intended to include? —

R. Joseph replied: To include a woman who feels a heaviness in the head,<sup>3</sup> a heaviness in her limbs, who shivers or belches. Said Abaye to him:<sup>7</sup> What does he teach us thereby,<sup>8</sup> seeing that this is actually a ruling in our Mishnah,<sup>9</sup> Rabbah b. 'Ulla having thus<sup>10</sup> explained it? —

Rather, said Abaye, it<sup>8</sup> was intended to include one who ate garlic and observed a discharge, one who ate onions and observed a discharge, and one who chewed pepper and observed a discharge. R. Joseph observed: I have not heard this tradition.<sup>11</sup> Said Abaye to him: You yourself have told it to us, and it was in connection with the following that you told it to us:<sup>12</sup> If a woman was in the habit of observing a discharge on the fifteenth day of the month and this was changed to the twentieth day, intercourse is forbidden to her on both days.<sup>13</sup> If she observed a discharge on

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three consecutive months<sup>14</sup> on the twentieth day, intercourse on the fifteenth becomes permitted<sup>15</sup> and she establishes the twentieth day as her settled period: for no woman can establish for herself a settled period unless the discharge had appeared three times on the same date.<sup>16</sup> And in connection with this you told us: Rab Judah citing Samuel stated, This is the view of R. Gamaliel son of Rabbi who cited it in the name of R. Simeon b. Gamaliel,<sup>17</sup> but the Sages ruled: If she observed a discharge once<sup>18</sup> she need not<sup>19</sup> repeat it a second time and a third time. And when we asked you, 'Since you said, "She need not repeat it a second time" was there any need to state that she need not repeat it a third time'? you replied 'She need not repeat it a second time in the case of settled periods [that are determined by the condition] of her body and she need not repeat it a third time in the case of settled periods [determined by the number] of days. But why did he not simply say, 'This is the view of R. Simeon b. Gamaliel'?<sup>17</sup> — It is this that Samuel informed us: That R. Gamaliel the son of Rabbi holds the same view as R. Simeon b. Gamaliel.

**MISHNAH.** IF A WOMAN HAD THE HABIT OF OBSERVING HER MENSTRUAL DISCHARGES AT THE ONSET OF THE SYMPTOMS<sup>20</sup> OF HER SETTLED PERIODS, ALL CLEAN THINGS<sup>21</sup> THAT SHE HANDLED WHILE THE SYMPTOMS WERE IN PROGRESS<sup>22</sup> ARE UNCLEAN; BUT IF SHE HAD THE HABIT OF OBSERVING THEM AT THE END OF THE SYMPTOMS, ALL CLEAN THINGS<sup>21</sup> THAT SHE HANDLED WHILE THE SYMPTOMS LASTED<sup>22</sup> REMAIN CLEAN. R. JOSE RULED: SETTLED PERIODS MAY ALSO BE DETERMINED BY DAYS AND HOURS.<sup>23</sup> IF<sup>24</sup> SHE HAD THE HABIT OF OBSERVING HER MENSTRUAL DISCHARGES AT SUNRISE SHE IS FORBIDDEN INTERCOURSE AT SUNRISE ONLY.<sup>25</sup> R. JUDAH RULED: SHE<sup>26</sup> IS PERMITTED IT DURING ALL THAT DAY.<sup>27</sup>

**GEMARA.** One taught: What<sup>28</sup> did R. Jose mean by 'Settled periods may also be determined by days and hours'? If a woman had the habit of observing her discharge on the twentieth day of the month<sup>29</sup> and at the sixth hour of the day,<sup>30</sup> and the twentieth day arrived and she observed no discharge, she is forbidden intercourse during all the first six hours;<sup>31</sup> so R. Judah. R. Jose, however, permits it until the beginning of the sixth hour<sup>32</sup> but during the sixth hour she must take into consideration [the possibility of a discharge].<sup>33</sup> If the sixth hour has passed and she observed no discharge, she is still forbidden intercourse all that day; so R. Judah, R. Jose, however, permits it from the time of the afternoon service<sup>34</sup> onwards.

**IF SHE HAD THE HABIT** [etc.]. But was it not taught: R. Judah ruled, She<sup>35</sup> is permitted intercourse all night?<sup>36</sup> — This is no contradiction. The Baraitha deals with the case of<sup>37</sup> one who had the habit of observing the discharge at the beginning of the day<sup>38</sup> while the Mishnah deals with one who had the habit of observing the discharge at the end of the night.<sup>39</sup>

One [Baraitha] taught: R. Judah forbids intercourse before her settled period, and permits it after the period while another [Baraitha] taught: [R. Judah] forbids it after her settled period and permits it before the period. This,<sup>40</sup> however, represents no difficulty, since the former is a case where she usually observes her discharge at the end of the night while the latter is a case where she usually observes it at the beginning of the day.<sup>41</sup>

Raba stated: The *Halachah* is in agreement with R. Judah. But could Raba have said this, seeing that it was taught: Thus shall ye separate the children of Israel from their uncleanness;<sup>42</sup> from this, R. Jeremiah<sup>43</sup> observed, follows a warning to the children of Israel that they shall separate from their wives near their periods. And for how long? Raba<sup>44</sup> replied: One 'onah.<sup>45</sup> Now does not

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this mean: An additional 'onah?<sup>46</sup> — No; the same 'onah. But then, what need is there for the two statements?<sup>47</sup> — Both are required. For, if he had informed us of the former statement only, it might have been presumed that it applied only to the law relating to clean things but not to that relating to a woman's permissibility to her husband. Hence we were informed [of the latter statement]. And if [our information were to be derived] from the latter statement only it might have been presumed that near her settled period an additional 'onah is required, hence we were informed that only one 'onah is necessary.

**MISHNAH.** IF SHE WAS ACCUSTOMED TO OBSERVE A FLOW OF MENSTRUAL BLOOD ON THE FIFTEENTH DAY<sup>48</sup> AND THIS WAS CHANGED<sup>49</sup> TO THE TWENTIETH DAY,<sup>48</sup> MARITAL INTERCOURSE IS FORBIDDEN ON BOTH DAYS.<sup>50</sup> IF THIS WAS TWICE CHANGED TO THE TWENTIETH INTERCOURSE IS AGAIN FORBIDDEN ON BOTH DAYS.<sup>50</sup> IF THIS WAS CHANGED THREE TIMES TO THE TWENTIETH DAY, INTERCOURSE IS NOW PERMITTED ON THE FIFTEENTH<sup>51</sup> AND THE TWENTIETH IS ESTABLISHED AS HER SETTLED PERIOD. FOR A WOMAN MAY NOT REGARD HER MENSTRUAL PERIODS AS SETTLED UNLESS THE RECURRENCE HAS BEEN REGULAR THREE TIMES; NOR IS SHE RELEASED FROM THE RESTRICTIONS OF A SETTLED PERIOD UNLESS IT HAS VARIED<sup>52</sup> THREE TIMES.

1. Lit., 'from the midst'.
2. That is not menstrual, as can be ascertained by an examination of its color. A settled period is established where menstrual discharge is preceded by one of clean blood, v. *infra*.
3. Lit., 'whose head is heavy upon her'.
4. Lit., 'for days two'; sc. if the discharge appeared twice on the same day of the month, that day is established as a settled period.
5. To establish a settled period (cf. prev. n. mut. mut.).
6. cf. prev. n. but one mut. mut.
7. R. Joseph.

8. By the addition, 'for settled periods... did not enumerate'.
9. OR ANY OTHER SIMILAR, etc.
10. As R. Joseph.
11. Just cited in the name of Samuel.
12. R. Joseph, as a result of a serious illness, had lost his memory and had very often to be reminded of the traditions he himself had reported.
13. Lit., 'this and this is forbidden', both the fifteenth (in case her first settled period is re-established) and the twentieth (since this date might form now or become her settled period).
14. Lit., 'three times'.
15. Since a new settled period has been established.
16. Lit., 'until she will fix it three times'.
17. Who holds that presumption cannot be established unless an occurrence was repeated three times (cf. Yeb. 64b).
18. On a certain date.
19. In order to establish a settled period.
20. In the condition of her body (cf. prev. Mishnah).
21. *Terumah*, for instance, or any other foodstuffs that may be eaten only when clean.
22. Lit., 'within (the symptoms of) the settled period'.
23. This is explained in the Gemara *infra*.
24. This is a continuation of R. Jose's ruling.
25. But is permitted it during the preceding night and, if no discharge appeared at sunrise, during all that day also.
26. If no discharge was observed at sunrise.
27. Lit., 'all the day is hers', but, contrary to the view of R. Jose, not the preceding night.
28. Lit., 'how'.
29. Lit., 'from the twentieth day to the twentieth day'.
30. Lit., 'and from six hours to six hours'.
31. Since in his opinion a discharge that usually occurs in the day time causes intercourse to be forbidden all day and one that usually occurs in the night causes it to be forbidden all night.
32. Because the discharge is not due earlier. In his opinion intercourse is forbidden only at the hour the discharge usually occurs, neither earlier nor later.
33. And consequently abstain from intercourse during all that hour.
34. Sc. from midday (v. Rashi. Cf., however, Tosaf.).
35. A woman who had the habit of observing her discharge at sunrise.
36. Lit., 'all the night is hers'. How then is this to be reconciled with R. Judah's ruling in our Mishnah that SHE IS PERMITTED IT ALL DAY'?

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37. Lit., 'that'.
38. Hence intercourse is forbidden in the day time only but not during the preceding night.
39. This being the meaning of the phrase AT SUNRISE in our Mishnah. Intercourse is, therefore, forbidden in the night only but not during the following day.
40. Apparent contradiction.
41. cf. *supra* p. 446, n. 7.
42. Lev. XV, 31.
43. *Var. lec.* 'Josiah'. Cf. Bomb. ed. and Shebu. 18b.
44. Marg. gl. 'Rabbah'.
45. A period. Sc. a day or a night.
46. Sc. if the discharge occurs during day time the prohibition extends over that day and the previous night, and if it occurs during the night the prohibition extends over that night and the previous day. But, if so, would not this be contradictory to what Raba said here?
47. Of Raba.
48. Of the month.
49. Lit., 'and she changed to be seeing'.
50. Lit., 'this and this (the fifteenth and the twentieth) are forbidden.'
51. As was the case before that day had been established as a settled period.
52. Lit., 'that it shall be rooted out from her'.

## Niddah 64a

**GEMARA.** It was stated: If a woman observed a discharge on the fifteenth day of one month, on the sixteenth of the next month and on the seventeenth of the third month, Rab ruled: She has thereby established for herself a settled period in arithmetical progression,<sup>1</sup> but Samuel ruled: No settled period can be established unless the progression is repeated three times.<sup>2</sup> Must it be conceded that Rab and Samuel differ on the same principle as that on which Rabbi and R. Simeon b. Gamaliel differ? For it was taught: If a woman was married to one man who died and to a second one who also died, she may not be married to a third one; so Rabbi. R. Simeon b. Gamaliel ruled: She may be married to a third but may not be married to a fourth?<sup>3</sup> — No, all<sup>4</sup> may concede that the law is in agreement with R. Simeon b. Gamaliel but it is this principle on which they<sup>5</sup> differ here: Rab holds that the fifteenth day is included in the number while

Samuel holds that the fifteenth, since the observation on it was not in arithmetic progression, is not included in the number.<sup>6</sup>

He raised an objection against him: If a woman had been accustomed to observe her discharge on the fifteenth day<sup>7</sup> and this was changed<sup>8</sup> to the sixteenth, intercourse is forbidden<sup>9</sup> on both days.<sup>10</sup> If this was changed<sup>11</sup> to the seventeenth day, intercourse<sup>12</sup> on the sixteenth is again permitted<sup>13</sup> but on the fifteenth<sup>14</sup> and the seventeenth<sup>15</sup> it is forbidden. If<sup>12</sup> this was changed to the eighteenth intercourse<sup>12</sup> is again permitted on all the former dates;<sup>16</sup> and<sup>17</sup> is forbidden only on the day after<sup>18</sup> the eighteenth and onwards.<sup>19</sup> Now does not this<sup>20</sup> present an objection against Rab?<sup>21</sup> —

Rab can answer you: Where a woman was accustomed to observe her discharge on a certain date<sup>22</sup> the law is different.<sup>23</sup> But as to him who raised the objection, on what possible ground did he raise it?<sup>24</sup> — [He assumed that the case of] one who was accustomed to a settled period had to be stated:<sup>25</sup> As it might have been presumed that since she was accustomed to observe her discharge on a settled date and this was changed, the change is effective<sup>26</sup> even if this<sup>27</sup> occurred only twice, hence we had to be informed [that<sup>28</sup> the change must have recurred three times].

An objection was raised: If she observed a discharge on the twenty-first day of one<sup>29</sup> month, on the twenty-second of the next month and on the twenty-third of the third month, she has thereby established for herself a settled period. If she skipped over<sup>30</sup> to the twenty-fourth<sup>31</sup> day of the month, she has not established for herself a settled period.<sup>32</sup> Does not this<sup>33</sup> present an objection against Samuel?<sup>34</sup> —

Samuel can answer you: Here we are dealing with the case of a woman, for instance, who was accustomed to observe her discharge on the twentieth day and this<sup>35</sup> was changed to

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the twenty-first.<sup>36</sup> An inference from the wording also justifies this view;<sup>37</sup> for the twentieth day was left out<sup>38</sup> and the twenty-first was mentioned.<sup>39</sup> This is conclusive.

**FOR A WOMAN MAY NOT REGARD HER MENSTRUAL PERIOD AS SETTLED UNLESS THE RECURRENCE HAS BEEN REGULAR, etc. R. Papa explained: This<sup>40</sup> was said only in regard to the establishment of a settled period,<sup>41</sup> but as regards taking the possibility of a discharge into consideration<sup>42</sup> one occurrence suffices.<sup>43</sup> But what<sup>44</sup> does he<sup>45</sup> teach us, seeing that we have learnt: IF SHE WAS ACCUSTOMED TO OBSERVE A FLOW OF MENSTRUAL BLOOD ON THE FIFTEENTH DAY AND THIS WAS CHANGED TO THE TWENTIETH DAY, MARITAL INTERCOURSE IS FORBIDDEN ON BOTH DAYS?<sup>46</sup> — If the inference had to be made from there,<sup>47</sup> it might have been presumed that the ruling<sup>48</sup> applied only where the woman was still<sup>49</sup> within her menstruation period,<sup>50</sup> but where she is not within her menstruation period<sup>51</sup> she<sup>52</sup> need not consider the possibility of a discharge,<sup>53</sup> hence we were informed<sup>54</sup> [that even in the latter case the possibility of a discharge must be taken into consideration].**

**NOR IS SHE RELEASED FROM THE RESTRICTIONS OF A SETTLED PERIOD, etc. R. Papa explained: This, that it is necessary for the change to recur three times before a settled period can be abolished, was said only where a settled period had been established by three regular occurrences, but one that was established by two recurrences only may be abolished by one change. But what<sup>55</sup> does he<sup>56</sup> teach us, seeing that we learnt: A WOMAN MAY NOT REGARD HER MENSTRUAL PERIODS AS SETTLED UNLESS THE RECURRENCE HAS BEEN REGULAR THREE TIMES?<sup>57</sup> —**

It might have been presumed<sup>58</sup> that one occurrence<sup>59</sup> is required for the abolition of one,<sup>60</sup> two<sup>61</sup> for two<sup>62</sup> and three<sup>61</sup> for three,<sup>62</sup>

hence we were informed<sup>63</sup> [that even for two occurrences<sup>64</sup> only ones is required].<sup>65</sup> It was taught in agreement with R. Papa:<sup>66</sup> If a woman had a habit of observing her menstrual discharge on the twentieth day,<sup>67</sup> and this was changed to the thirtieth, intercourse is forbidden<sup>68</sup> on both days. If the twentieth day<sup>68</sup> arrived and she observed no discharge, she is permitted intercourse until the thirtieth but must consider the possibility of a discharge on the thirtieth day itself.<sup>69</sup> If the thirtieth day arrived and she observed a discharge, the twentieth<sup>68</sup> arrived and she observed none, the thirtieth arrived and she observed none and the twentieth<sup>68</sup> arrived and she observed one, the thirtieth<sup>68</sup> becomes a permitted day<sup>70</sup>

1. Lit., 'in skipping'. The eighteenth day of the fourth month, the nineteenth of the fifth and so on are consequently forbidden days.
2. Sc. only if in the intercourse given, the discharge had actually appeared on the eighteenth of the fourth month. The appearance on the fifteenth is not counted since it was the first of the series when the process of progression had not yet been apparent (v. *infra*).
3. Is the case of the husbands, it is asked, analogous to that of the periods, so that Rab's view coincides with that of Rabbi and the view of Samuel with that of R. Simeon b. Gamaliel? But, if so, why should the same principle be discussed twice?
4. Even Rab.
5. Rab and Samuel.
6. Cf. prev. n. but three.
7. Of the month.
8. In a subsequent month.
9. In the month following that in which the discharge appeared on the sixteenth.
10. The fifteenth and sixteenth.
11. In the month following that in which the discharge appeared on the sixteenth.
12. In the month following.
13. As a discharge appeared on it once only, the prohibition on it also is abolished by one change.
14. Which was the day of her established settled period.
15. The day on which her discharge was last observed.
16. It is permitted on the sixteenth and seventeenth for the reason given *supra* (prev. n. but two); and on the fifteenth it is



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- permitted because in three consecutive months the discharge appeared on days (sixteenth, seventeenth and eighteenth) other than the fifteenth which, in consequence, can no longer be regarded as the settled period.
17. Since the discharge appeared three times on days that represent an arithmetical progression.
  18. Lit., 'from'.
  19. Sc. on the nineteenth of the next month, the twentieth of the one following it, and so on in arithmetical progression in each succeeding month.
  20. From which it is obvious that, since only three occurrences cause the abolition of the old, and the establishment of a new settled period, the first occurrence is not counted.
  21. Who ruled that even a change on two dates in arithmetical progression abolishes the old, and establishes a new settled period.
  22. As is the case in the Baraitha cited.
  23. From that dealt with by Rab. In the former case, the first of the dates under discussion might well be added to the similar dates in the previous months and hence could not be counted as the first in the arithmetical progression. In the case dealt with by Rab, however, either the first of the dates under discussion was one on which the woman observed a discharge for the very first time, or the woman was one who had never before had a settled period or one whose settled period was on a day other than the first of those under discussion. The first day, therefore, may well be counted as one of the three days that establish a settled period.
  24. Sc. did he not know of the difference between a settled and an unsettled period?
  25. Though the same law applies to one who had no settled period.
  26. Sc. the first date is no longer regarded as a settled period.
  27. The change from the date mentioned.
  28. If a new settled period is to be established.
  29. Lit., 'this'.
  30. From the twenty-second.
  31. Instead of the twenty-third.
  32. Since the difference between the dates of the first and the second month was only one day while that between the second and the third was two days.
  33. The first case where three observations, including the first one, establish a settled period.
  34. Who maintains that no settled period in arithmetical progression can be established unless the discharge appeared on three dates exclusive of the first.
  35. The first discharge mentioned.
  36. So that the change actually occurred three times (on the twenty-first, twenty-second and twenty-third) on dates in arithmetical progression exclusive of the first date which was the twentieth.
  37. That we are here dealing with a case where the woman 'was accustomed to observe her discharge on the twentieth'.
  38. From the three dates given.
  39. Had not the woman had the habit of observing her discharge on the twentieth, that date (which is simpler than the twenty-first) would have been taken as an example of the first of the three dates, and the twenty-first and twenty-second would have been taken as examples of the subsequent dates.
  40. That the occurrence must be repeated three times.
  41. Sc. that the uncleanness should begin just at the time of the period and not earlier; and that the settled period should not be abolished unless a change occurred three times.
  42. Sc. to treat the date on which a discharge appeared in one month as one on which intercourse is forbidden in the next month.
  43. Lit., 'in one time she fears'. If, for instance, she observed a discharge on the fifteenth of one month intercourse is forbidden on the same date in the next month.
  44. That we did not know before.
  45. R. Papa.
  46. A ruling which embodies that of R. Papa.
  47. Our Mishnah.
  48. As enumerated by R. Papa.
  49. When the discharge appeared.
  50. As is the case in our Mishnah where the discharge occurred on the fifteenth day after immersion, which is the fourth day (11 days of *Zibah* + 4 days of the 7 of menstruation = 15) of a menstruation period. Hence the restriction when the next fifteenth day (also within the menstruation period) arrives.
  51. But in the *Zibah* period; where, for instance, her discharge appeared on the tenth day after immersion, which is still within the eleven days of a *Zibah* period that follows that of the seven days of menstruation.
  52. Since the *Zibah* period is one during which a discharge is unusual.
  53. And intercourse should, therefore, be permitted when the next similar date arrives.
  54. By R. Papa.
  55. That we did not know before.
  56. R. Papa.
  57. And since this is followed by NOR IS SHE RELEASED ... UNLESS IT HAS VARIED THREE TIMES it is obvious that the three occurrences for the abolition of a settled period (the latter case) are necessary only

## CHAPTER X

where there were three occurrences for its establishment (the first case). What need then was there for R. Papa's ruling?

58. If only our Mishnah were available and not R. Papa's ruling.
59. A change of date
60. Discharge on a certain date.
61. Changes.
62. Discharges on similar dates.
63. By R. Papa.
64. Discharges on similar dates.
65. To release a woman from the restrictions of a settled period.
66. That one change of date suffices to release a woman from the restrictions of a settled period that had been established by two occurrences.
67. Of a month.
68. In the next month.
69. And must consequently abstain from intercourse.
70. Because, though in the course of two months a discharge appeared on it, there was none, in the third one, and one change suffices to release the woman from its restrictions (cf. prev. n. but three).

### Niddah 64b

and the twentieth<sup>1</sup> becomes a forbidden one, because the guest<sup>2</sup> comes in his usual time.

**MISHNAH.** WOMEN IN REGARD TO THEIR VIRGINITY ARE LIKE VINES. ONE VINE MAY HAVE RED WINE<sup>3</sup> WHILE ANOTHER HAS BLACK WINE, ONE VINE MAY YIELD MUCH WINE WHILE ANOTHER YIELDS LITTLE.<sup>4</sup> R. JUDAH STATED: EVERY NORMAL VINE YIELDS<sup>5</sup> WINE,<sup>6</sup> AND ONE THAT YIELDS NO WINE IS BUT A DORKETAI.<sup>7</sup>

**GEMARA.** One taught:<sup>8</sup> A generation cut off.<sup>9</sup> R. Hiyya taught: As leaven is wholesome for the dough so is [menstrual] blood wholesome for a woman. One taught in the name of R. Meir: Every woman who has an abundance of [menstrual] blood has many children.

**MISHNAH.** IF A YOUNG GIRL, WHOSE AGE OF MENSTRUATION<sup>10</sup> HAS NOT ARRIVED, MARRIED, BETH SHAMMAI RULED: SHE IS ALLOWED<sup>11</sup> FOUR NIGHTS,<sup>12</sup> AND BETH HILLEL RULED: UNTIL THE WOUND IS HEALED.<sup>13</sup> IF THE AGE OF HER MENSTRUATION HAS ARRIVED<sup>14</sup> AND SHE MARRIED, BETH SHAMMAI RULED: SHE IS ALLOWED<sup>15</sup> THE FIRST NIGHT, AND BETH HILLEL RULED: FOUR NIGHTS, UNTIL THE EXIT OF THE SABBATH.<sup>15</sup> IF SHE HAD OBSERVED A DISCHARGE WHILE SHE WAS STILL IN HER FATHER'S HOUSE,<sup>16</sup> BETH SHAMMAI RULED: SHE IS ONLY ALLOWED THE OBLIGATORY MARITAL INTERCOURSE,<sup>17</sup> AND BETH HILLEL RULED: ALL THAT<sup>18</sup> NIGHT.

**GEMARA.** R. Nahman b. Isaac explained:<sup>19</sup> Even if she already observed a discharge.<sup>20</sup> Whence is this inferred? — Since in the final clause<sup>21</sup> a distinction is drawn between one who did and one who did not observe a discharge it follows that in the case in the first clause no distinction is made between the one and the other.<sup>22</sup> So it was also taught: Beth Hillel ruled: Intercourse is allowed until the wound is healed irrespective of whether she already<sup>23</sup> did or did not observe a discharge.

**UNTIL THE WOUND IS HEALED.** For how long?<sup>24</sup> — Rab Judah replied: Rab said, 'So long as it discharges matter', but when I mentioned this in the presence of Samuel the latter said to me, 'I do not know what that "discharging" exactly means; rather explain.<sup>25</sup> So long as spittle is engendered in the mouth<sup>26</sup> on account of intercourse'.<sup>27</sup> How is one to understand the 'discharging' of which Rab spoke? —

R. Samuel son of R. Isaac replied. This was explained to me by Rab: If when standing she observes a discharge and when sitting she does not observe one, it may be known that the wound has not healed; if when lying on

# NIDDOH – 48b-73a

the ground she observes a discharge and when lying on cushions and bolsters she does not observe one, it may be known that the wound had not healed; and if when lying on any of these she either observes a discharge or does not observe one, it may be known that the wound is healed.

**IF THE AGE OF HER MENSTRUATION HAS ARRIVED**, etc. It was stated: If she had intercourse in the day time,<sup>28</sup> Rab ruled, She has not lost thereby the right to intercourse during the nights. but Levi ruled, She has thereby lost the right to intercourse in the nights. Rab ruled, 'She has not lost thereby the right to intercourse during the nights', because we learnt, **UNTIL THE EXIT OF THE SABBATH.**<sup>29</sup> 'But Levi ruled, She has thereby lost the right to intercourse in the nights', for the meaning of<sup>30</sup> **FOUR NIGHTS** mentioned is four 'onahs.<sup>31</sup> But according to Rab<sup>32</sup> what was the purpose of mentioning **FOUR NIGHTS**? —

We were thereby informed of what is regarded as good manners, viz., that intercourse should take place at night.<sup>33</sup> But according to Levi<sup>34</sup> it should only have been stated **FOUR NIGHTS**, what was the purpose of saying, **UNTIL THE EXIT OF THE SABBATH**? — It is this that we were informed:<sup>35</sup> That it is permitted to perform the first marital intercourse<sup>36</sup> on the Sabbath,<sup>37</sup> in agreement with a ruling of Samuel; for Samuel ruled: It is permissible to enter through a narrow breach<sup>38</sup> on the Sabbath although one causes pebbles to fall.<sup>39</sup>

It was stated: If a man had marital intercourse<sup>40</sup> and found no blood but, having repeated the act,<sup>41</sup> he found blood, R. Hanina ruled: The woman is unclean;<sup>42</sup> but R. Assi ruled: She is clean. 'R. Hanina ruled: The woman is unclean', for if it were the case that the blood was that of virginity it would have issued on the first occasion. 'But R. Assi ruled: She is clean', because it is possible that something unusual may have happened to her, in accordance with a statement of

Samuel; for Samuel stated, 'I could perform a number of acts of intercourse without causing any bleeding'. And the other?<sup>43</sup> — Samuel is different from ordinary people since his capability<sup>44</sup> was great.

Rab stated: A woman who has reached her maturity<sup>45</sup> is<sup>46</sup> allowed<sup>47</sup> all the first night.<sup>48</sup> But this applies only to a woman who had never yet observed a discharge, but if she did observe one she is permitted the obligatory act of intercourse only and no more. An objection was raised: It once happened that Rabbi allowed a woman intercourse on four nights in twelve months.<sup>49</sup> Now how is one to understand his ruling? If it be suggested that he allowed her all these nights<sup>50</sup> during the period of her minority

1. The established settled period which was changed to the thirtieth no more than twice. (The absence of a discharge on the twentieth in the month in which there was none on the thirtieth is not counted as a deviation from the established habit since there was no discharge whatever in that month.)
2. The established period that re-appeared on the twentieth.
3. Lit., 'there is a vine whose wine is red'.
4. Similarly with the blood of virginity. It may be red or black, much or little.
5. Lit., 'has'.
6. Every normal woman has the blood of virginity.
7. Cf. [G] a grape that yields no wine and is used for eating only. Aliter: Dorketai = dor katu'a. This is explained presently.
8. In explanation of *DORKETAI*.
9. Cf. prev. two notes. A woman who has no blood of virginity cannot have many children.
10. Lit., 'her time to see'.
11. For marital intercourse.
12. Though blood appeared, it is assumed to be that of injured virginity which, unlike menstrual blood, is clean.
13. This is explained in the Gemara *infra*.
14. But she experienced no discharge.
15. Saturday night. A virgin's marriage takes place usually on a Wednesday, v. Keth. 2a.
16. Sc. before her marriage.
17. But no more, since the blood may possibly be that of menstruation.
18. The first.
19. The ruling of Beth Hillel in the first clause of our Mishnah.

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20. Before marriage, when she was still in her father's house. Even in such a case, since the age of menstruation had not yet arrived, Beth Hillel allow intercourse UNTIL THE WOUND IS HEALED.
21. Dealing with one whose age of menstruation had arrived.
22. Lit., 'no difference whether thus and no difference (whether) thus', sc. whether she did or did not observe any menstrual discharge before her marriage.
23. Before her marriage.
24. Is the wound regarded as unhealed.
25. The statement, UNTIL THE WOUND, etc.
26. Euphemism.
27. Sc. when intercourse is accompanied by bleeding.
28. Lit., 'in the days', the four days following marriage.
29. Implying both the intervening days and the intervening nights.
30. Lit., 'what'.
31. An 'onah (period) being either a day or a night.
32. Who allows intercourse during both the days and the nights.
33. Lit., 'that the way of ... in the nights'.
34. Who allows no more than four 'onahs.
35. By the statement mentioned, from which it follows that if intercourse had taken place on two weekday 'onahs only the night and the day of the Sabbath are also permitted 'onahs.
36. Sc. the one before virginity is finally removed.
37. Though virginity is injured in the process.
38. Euphemism. After the two acts of intercourse the opening is still narrow.
39. Injures virginity.
40. With a virgin, for the first time.
41. Within the following four nights.
42. The blood being deemed to be menstrual.
43. R. Hanina. How in view of Samuel's statement can he maintain that the blood must be menstrual?
44. Lit., 'his strength'.
45. Bogereth, v. [Glos.](#)
46. Even according to Beth Hillel.
47. For intercourse despite the possibility of bleeding.
48. Of her married life.
49. The husband having departed for three months after each of the first three acts of intercourse every one of which has been accompanied by bleeding. Despite the length of time Rabbi regarded the bleeding to be due to virginity.
50. Lit., 'all of them'.

## Niddah 65a

the objection would arise: Have we not learnt, UNTIL THE WOUND IS HEALED?<sup>1</sup> If, however, it is suggested that he allowed her all the nights during the period of her na'aruth<sup>2</sup> the difficulty would arise: Does na'aruth ever extend over twelve months, seeing that Samuel had stated: The period intervening between the commencement of na'aruth and maturity is only six months? And should you suggest that the meaning is that the period is not shorter but may be longer<sup>3</sup> it could be retorted: Did he not in fact state 'only'?<sup>4</sup> If, however, it is suggested that he allowed her two nights during the days of her minority and two during her na'aruth, the difficulty would arise: Did not R. Hinena b. Shelemya once ask Rab, 'what is the ruling where her age of menstruation arrived when she was already under the authority of her husband?' and the other replied: All acts of intercourse which one performs<sup>5</sup> are regarded as one act only and the other<sup>6</sup> make up the four nights?<sup>7</sup> Consequently this must be a case where he allowed her one night during her minority, two nights during her na'aruth period and one night during the days of her maturity. Now if you grant that a woman of mature age generally is allowed<sup>8</sup> more than one night<sup>9</sup> one can well see the justification for the ruling;<sup>10</sup> for, as intercourse during minority has the effect of reducing one night<sup>11</sup> during her na'aruth period, so intercourse during the na'aruth period has the effect of reducing one night<sup>12</sup> during her maturity;<sup>13</sup> but if you maintain<sup>14</sup> that a woman of mature age generally<sup>8</sup> is not allowed more than one night, should he<sup>15</sup> not have allowed her<sup>16</sup> but one act of the obligatory marital intercourse and no more?<sup>17</sup> —

The fact is that he<sup>15</sup> allowed her one night during her minority and three nights during her na'aruth period,<sup>18</sup> but<sup>19</sup> it was not as you think<sup>20</sup> that every three months represented a period; every two months rather represented a period.

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Menjamin of Saksanah was embarking on a journey<sup>21</sup> to the locality of Samuel where he intended to act<sup>22</sup> according to the ruling of Rab,<sup>23</sup> even where the woman had observed a discharge, assuming that Rab drew no distinction between one who did and one who did not observe a discharge, but he died while he was underway. Samuel accordingly applied to Rab<sup>24</sup> the Scriptural text, There shall no mischief befall the righteous.<sup>25</sup>

R. Hinena b. Shelemya observed: As soon as a person's teeth fall out<sup>26</sup> his means<sup>27</sup> of a livelihood are reduced; for it is said: And I also have given you cleanness of teeth<sup>28</sup> in all your cities, and want of bread in all your places.<sup>28</sup>

**IF SHE OBSERVED A DISCHARGE WHILE SHE WAS STILL, etc.** Our Rabbis taught: If a girl observed a discharge while she was still in her father's house, Beth Hillel ruled: She is permitted marital intercourse all the night<sup>29</sup> and, moreover, she is allowed a full 'onah. And how long is a full 'onah?<sup>30</sup> — R. Simeon b. Gamaliel explained: A night and half a day. But do we require an 'onah to be so long?<sup>31</sup> Is not [such a requirement] rather incongruous with the following: If a person's winepresses or oil-presses were unclean and he desired to prepare his wine and oil respectively<sup>32</sup> in conditions of cleanness, how is he to proceed? He rinses the boards,<sup>33</sup> the twigs<sup>34</sup> and the troughs;

1. Why then 'four nights'?
2. V. [Glos.](#)
3. Lit., 'less than this only there is not, but there is more'.
4. He did, thus implying that the period cannot be longer than six months.
5. During her minority.
6. Performed subsequently.
7. Why then did Rabbi allow only two (instead of three) nights during her na'aruth period?
8. If she married after attaining the age of maturity.
9. Sc. two nights at least.
10. Of Rabbi who allowed, as just explained, one night during the woman's maturity period.
11. Of the four.
12. Of the two (cf. prev. n. but two).

13. Hence Rabbi's ruling (cf. prev. n. but two).
14. As Rab did (*supra* 64b ad fin.).
15. Rabbi.
16. The woman who, as explained, had been allowed some nights during her minority and na'aruth periods.
17. How then could he ignore completely all previous intercourse and allow her a full night?
18. So that the question of maturity does not arise at all.
19. As to the objection, How is it possible for three three-monthly periods to be included in the one six-monthly period of na'aruth?
20. Lit., 'do you think?'
21. Lit., 'took and went'.
22. Lit., 'to do a deed'.
23. That one of mature age is allowed all the first night (*supra* 64b ad fin.).
24. Whose ruling was misinterpreted by Menjamin.
25. Prov. XII, 21. Rab was spared the mischief that would have ensued if Menjamin had acted in accordance with his erroneous interpretation (cf. prev. n.).
26. Metaph. for old age.
27. Lit., 'his foods'.
28. Amos IV, 6.
29. That follows her marriage. Lit., 'all the night is hers'.
30. A period,
31. Lit., all this'.
32. Lit., 'to do them'.
33. That are placed on the grapes or the olives.
34. Wherewith the presses are swept and cleaned.

## Niddah 65b

and as for the wickerwork, if it is made of willows and hemp it must be scoured, and if of bast or reeds it must remain unused,<sup>1</sup> and for how long must they remain unused? For twelve months. R. Simeon b. Gamaliel ruled: One must leave them from one period of wine-pressing to another<sup>2</sup> and from one period of oil-pressing to another.<sup>2</sup> (But is not this ruling<sup>3</sup> identical with that of the first Tanna?<sup>4</sup> —

The practical difference between them arises in the case of early or late ripening fruit.)<sup>5</sup> R. Jose stated: If a person desires to obtain cleanness forthwith he pours over them boiling water or scalds them with olive water. R. Simeon b. Gamaliel citing R. Jose ruled:

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He puts them under a pipe through which runs a continuous stream of water or in a fountain with flowing water. And for how long? For one 'onah. (As these provisions were applied to *yen neseq* so were they applied to matters of cleanness. But is not the order<sup>6</sup> reversed, seeing that we are here dealing with the laws of cleanness? —

Rather say: As these provisions were applied to matters of cleanness so were they applied to *yen neseq*.) And how long is an 'onah? R. Hiyya b. Abba citing R. Johanan replied: Either a day or a night. R. Hana She'una or, as some say, R. Hana b. She'una citing Rabbah b. Bar Hana who had it from R. Johanan replied: Half a day and half a night. And in connection with this R. Samuel b. R. Isaac explained: There is no real difference between them,<sup>7</sup> the former referring to the spring and autumn equinoxes<sup>8</sup> and the latter to the summer and winter solstices?<sup>9</sup> — Here also, in the case of the menstruant woman,<sup>10</sup> read: Half a day and half a night. But did he not say 'a night and half a day'? —

Rather say: Either 'a night' in the spring or autumn equinox or 'half a day and half a night' in the winter or summer solstice. And if you prefer I might reply: The case involving a *kethubah*<sup>11</sup> is different<sup>12</sup> since protracted negotiations take place<sup>13</sup> before it is signed.<sup>14</sup>

Both Rab and Samuel laid down: The *Halachah* is that<sup>15</sup> one performs the obligatory marital act and withdraws forthwith. R. Hisda raised an objection: It once happened that Rabbi allowed a woman intercourse on four nights in twelve months!<sup>16</sup> — Said Rabbah<sup>17</sup> to him: What need have you<sup>18</sup> for repeating the same objection? Rather raise one from our Mishnah?<sup>19</sup> — But he was of the opinion that a practical decision<sup>20</sup> is weightier.<sup>21</sup> At all events,<sup>22</sup> does not a difficulty arise against Rab and Samuel?<sup>23</sup> They acted in agreement with our Masters; for it was taught: Our Masters decided by a second count of votes<sup>24</sup>

that one only performs the obligatory marital act and withdraws forthwith.

'Ulla stated: When R. Johanan and Resh Lakish were engaged in the discussions of the chapter on the 'Young Girl'<sup>25</sup> they carried away from it only what a fox carries away from a plowed field,<sup>26</sup> and concluded it<sup>27</sup> with this statement: One performs the obligatory marital act and withdraws forthwith. Said R. Abba to R. Ashi: Now then,<sup>28</sup> should a scrupulous man<sup>29</sup> not even finish his act? — The other replied: If that were to be the rule<sup>30</sup> one would be ill at ease<sup>31</sup> and would withdraw altogether.

Our Rabbis taught: But all these women if they<sup>32</sup> were continually discharging blood during<sup>33</sup> the four nights and after the four nights or<sup>34</sup> during the night and after it, must without exception<sup>35</sup> examine themselves;<sup>36</sup> and in the case of all these R. Meir imposes restrictions in agreement with the view of Beth Shammai.<sup>37</sup> In regard, however, to other observations of blood,<sup>38</sup> concerning which a difference of opinion exists between Beth Shammai<sup>39</sup> and Beth Hillel,<sup>40</sup> he is guided<sup>41</sup> by the color of the blood; for R. Meir ruled: The colors of the various kinds of blood are different from one another. In what manner? Menstrual blood is red, the blood of virginity is not so red; menstrual blood is turbid, the blood of virginity is not turbid; menstrual blood issues from the source, the blood of virginity issues from the sides. R. Isaac son of R. Jose citing R. Johanan stated: This is the ruling of R. Meir alone, but the Sages maintain: All the colors of the various kinds of blood are the same.

Our Rabbis taught: A woman who observes a discharge of blood<sup>42</sup> as a result of marital intercourse may perform her marital duty the first, second and third time. Henceforward,<sup>43</sup> however, she may not perform it until she is divorced

1. Lit., 'causes them to be old'.
2. Presumably twelve months.

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3. Of R. Simeon b. Gamaliel.
4. Apparently (cf. prev. n. but one) it is.
5. Where the period intervening between the pressing seasons of two succeeding years is sometimes less, and sometimes more than twelve months.
6. That compares the laws of cleanness to those of *yen nesek* v. [Glos.](#)
7. R. Hiyya and Rabbah b. Bar Hana.
8. Lit., 'in the cycle of Nisan and of Tishri'. When the days and the nights are equal an *onah* of twelve hours is either a day or a night.
9. Lit., 'in the cycle of Tammuz and Tebeth'. Since the days and the nights are unequal an *'onah* of twelve hours is half a day and half a night. Now in view of this definition and explanation, how could R. Simeon b. Gamaliel maintain (*supra* 65a ad fin.) that an *'onah* is 'a night and half a day'?
10. Sc. the case dealt with by R. Simeon b. Gamaliel which bears on the laws of menstruation.
11. Cf. prev. n. mut. mut.
12. From that of cleanness.
13. On its terms.
14. Hence it was necessary to extend the *'onah* to a full night and half a day.
15. Irrespective of whether the girl's age of menstruation has, or has not been reached.
16. *Supra* 64b, ad fin.; q.v. notes.
17. V. marg. gl. Cur. edd., 'Raba'.
18. So MS.M. Cur. edd., 'T'.
19. Which also allows more than one marital act.
20. As was that of Rabbi.
21. Than a mere theoretical ruling.
22. Whether from Rabbi's decision or from our Mishnah.
23. Who allow no more than one marital act. How could they differ from a Tannaitic ruling?
24. Lit., 'they were counted again'.
25. Sc. the present (the tenth) chapter of *Niddah*, which begins, IF A YOUNG GIRL.
26. I.e., nothing. They completely disregarded its rulings.
27. In agreement with 'our Masters'.
28. Since one must withdraw immediately after the act, in order to avoid possible blood of menstruation.
29. Lit., 'the master of a soul'.
30. Lit., 'if so'.
31. Lit., 'his heart beats him'.
32. Being in the category of such as observed no discharge while still in their father's homes.
33. Lit., 'from the midst of'.
34. In the case of those who did observe a discharge in the homes of their fathers.
35. Lit., 'all of them'.

36. In order that it may be ascertained (from the color of the blood) whether the bleeding was due to injured virginity or to menstruation.
37. Thus, a minor is allowed four nights and she must, therefore, examine herself if the bleeding continued beyond the fourth night while a *na'arah* who is allowed one night must examine herself if the bleeding continued after the first night.
38. Where bleeding did not continue after the four nights in the case of the minor or after the first night in that of the *na'arah*.
39. Who hold the blood to be unclean irrespective of whether its color did, or did not change.
40. Who maintain that the blood is clean even if its color had changed.
41. In deciding whether the blood is clean or unclean. Lit., 'go'.
42. Of menstruation.
43. If she observed a discharge three times as a result of intercourse.

## Niddah 66a

and marries another man.<sup>1</sup> If she was married to another man and again observed a discharge of blood as a result of her marital intercourse, she may perform her marital duty the first, second and third time. Henceforward, however, she may not perform it until she is divorced and marries another man. If she was married to another man and again observed a discharge of blood as a result of her intercourse she may perform her marital duty the first, second and third time. Henceforward, however, she may not perform it unless she first examines herself. How does she examine herself?

She inserts a tube within which rests a painting stick to the top of which is attached an absorbent. If blood is found on the top of the absorbent it may be known that it<sup>2</sup> emanated from the source<sup>3</sup> and if no blood is found on the top, it may be known that it<sup>2</sup> emanated from the sides.<sup>4</sup> If, however, she has a wound in that place she may attribute the blood to her wound.<sup>4</sup> If she has a fixed period<sup>5</sup> she may attribute it to her fixed period,<sup>6</sup> but if the nature of the blood of her wound is different from that of the blood of her observation she may not so attribute it. A

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woman, furthermore, is believed when she says, 'I have a wound in the source from which blood is discharged';<sup>4</sup> so Rabbi.<sup>7</sup> R. Simeon b. Gamaliel ruled: The blood of a wound that is discharged through the source is unclean. Our Masters, however, testified that the blood of a wound that is discharged through the source is clean. What is the point at issue between them?<sup>8</sup> —

'Ulla replied: The point at issue between them is the question whether the interior of the uterus is unclean.<sup>9</sup> Would not a tube<sup>10</sup> bruise her?<sup>11</sup> — Samuel replied: The examination is performed with a leaden tube whose edge<sup>12</sup> is bent inwards. But, said Resh Lakish to R. Johanan, why should she not<sup>13</sup> examine herself<sup>14</sup> after the third intercourse with her first husband?<sup>15</sup> — The other replied: Because not all fingers<sup>16</sup> are alike.<sup>17</sup> But, the former said, why should she not<sup>18</sup> have to examine herself<sup>14</sup> after the first intercourse with her third husband? — Because not all ejections<sup>19</sup> are of equal force.<sup>20</sup>

A certain woman once came to Rabbi [with such a complaint].<sup>21</sup> Go, he said to Abdan, and frighten her. As the latter approached and frightened her a clot of blood dropped from her. This woman, Rabbi exclaimed, is now cured. A certain woman [with a similar complaint]<sup>21</sup> once came to the Master Samuel. Go, he said to R. Dimi b. Joseph, and frighten her. The latter approached and frightened her but nothing dropped from her. This woman, Samuel pronounced, is one full of blood which she scatters,<sup>22</sup> and any woman who is full of blood which she scatters<sup>22</sup> has no cure.

Once there came to R. Johanan a certain woman who, whenever she emerged from her ritual immersion, observed a discharge of blood. It is possible, he said to her, that the gossip of your townspeople<sup>23</sup> has caused the affliction;<sup>24</sup> arrange<sup>25</sup> for your intercourse with him to take place near the river side.<sup>26</sup> There is one who says: He<sup>27</sup> said to her, Reveal your affliction to your friends so that,

as they were astounded in one way,<sup>28</sup> they may also be astounded in the other.<sup>29</sup> There is also one who says: He<sup>30</sup> said to her, Announce your trouble to your friends so that they may offer prayers for mercy to be vouchsafed to you. For it was taught: And shall cry, 'Unclean, unclean',<sup>31</sup> he must announce his trouble to the public so that they may pray for mercy to be vouchsafed to him. R. Joseph stated: Such an incident once occurred at Pumbeditha and the woman was cured.

R. Joseph citing Rab Judah who had it from Rab stated: Rabbi ordained at Sadoth,<sup>32</sup> If a woman observed a discharge on one day she<sup>33</sup> must wait<sup>34</sup> six days in addition to it.<sup>35</sup> If she observed discharges on two days she<sup>33</sup> must wait<sup>34</sup> six days in addition to these.<sup>36</sup> If she observed a discharge on three days she<sup>33</sup> must wait<sup>34</sup> seven clean days.<sup>37</sup> R. Zera stated: The daughters of Israel have imposed upon themselves the restriction that even if they observe a drop of blood of the size of a mustard seed they wait on account of it seven clean days.

Raba took R. Samuel out for a walk<sup>38</sup> when he discoursed as follows: If a woman<sup>39</sup> was in protracted labour<sup>40</sup> for two days and on the third she miscarried she must wait seven clean days; he being of the opinion that the law relating to protracted labour<sup>41</sup> does not apply to miscarriages and that it is impossible for the uterus<sup>42</sup> to open without bleeding. Said R. Papa to Raba: What is the point in speaking of one who was in protracted labor for two days seeing that the same applies even where there was the minutest discharge, since R. Zera stated, The daughters of Israel have imposed upon themselves the restriction that even where they observe only a drop of blood of the size of a mustard seed they wait on account of it seven clean days? — The other replied: I am speaking to you of a prohibition,<sup>43</sup> and you talk of a custom which applies only where the restriction has been adopted.<sup>44</sup>



# NIDDOH – 48b-73a

(Mnemonic. Had an offer, natron, In warm water, to perform immersion, folds upon a haven.)<sup>45</sup> Raba stated: If a woman had an offer of marriage and she accepted it she<sup>46</sup> must allow seven clean days to pass.<sup>47</sup>

Rabina was engaged in preparations for the marriage of his son at R. Hanina's.<sup>48</sup> 'Does the Master', the latter said to him, 'intend writing the *Kethubah* four days hence?' 'Yes', the other replied; but when the fourth day arrived he waited for another four days and thus caused a delay of seven days after the day in question.<sup>49</sup> 'Why', the first asked, 'all this delay?'<sup>50</sup> 'Does not the Master', the other replied, 'hold the opinion of Raba, Raba having ruled: If a woman had an offer of marriage and she accepted she must allow seven clean days to pass?' 'It is possible', the first suggested, that Raba spoke only of one of mature age who is likely to discharge menstrual blood,<sup>51</sup> but did he speak of a minor who is unlikely to discharge menstrual blood?' 'Raba', the other replied, 'has explicitly stated: There is no difference between one of mature age and a minor. For what is the reason why one of mature age is subject to the restriction? Because her passions are excited;<sup>52</sup> well, those of a minor also are excited.

## Raba ruled: A woman

1. The reason is explained *infra*.
2. The blood.
3. The uterus; and is unclean.
4. And it is clean.
5. During which intercourse causes her to bleed.
6. And is consequently permitted intercourse at other times without previous examination.
7. This refers to the last ruling only. All the previous rulings in the Baraita, however, represent the view of R. Simeon.
8. Rabbi and our Masters on the one hand and R. Simeon on the other.
9. Lit., 'the source, its place is unclean'.
10. Presumably a reed.
11. Why then is she expected to carry out her examination with it?
12. Lit., and its mouth'.
13. Instead of being divorced.
14. Before each subsequent intercourse.
15. And thus continue to live with him.
16. Euphemism.
17. Sc. the husband might have been the cause. It is preferable, therefore, that she marries another man with whom she can lead a normal life than continue to live with one in an abnormal condition.
18. Since a repetition of the occurrence with three husbands establishes presumption.
19. Lit., 'forces'.
20. Hence it is necessary for the occurrence to be repeated three times with the third husband before presumption is established.
21. Bleeding occasioned by intercourse.
22. As a result of intercourse.
23. Sc. their 'evil eye'; jealousy at the affection between her and her husband.
24. Lit., 'went up on thee'.
25. Lit., 'go'.
26. Thus avoiding the town's gossip.
27. R. Johanan.
28. Lit., 'side'; at her husband's affection (cf. prev. n. but four).
29. At her affliction. They would in consequence no longer envy her and the influence of their 'evil eye' would disappear.
30. R. Johanan.
31. Lev. XIII, 45.
32. A place that was inhabited by unlettered people who were incapable of calculating the dates of the menstrual, and the *Zibah* periods.
33. Before she attains cleanness.
34. Lit., 'she shall sit'.
35. Sc. seven days, the number prescribed for a menstruant, since (cf. prev. n. but two) it is possible that the discharge occurred during a menstruation period.
36. Since it is possible that the first of the two days was the last of a *Zibah* period while the second was the first of a menstruation one.
37. It being possible that the discharge occurred in a period of *Zibah*.
38. [H] V. Ta'an., (Sonc. ed.), p. 60 n. 5.
39. In her *Zibah* period.
40. Accompanied by bleeding.
41. Which regards accompanying bleeding as exempt from uncleanness.
42. Lit., 'the grave'.
43. Which is Pentateuchally applicable to all.
44. Lit., 'where it was restricted it was restricted; where it was not, etc.'
45. Words or phrases occurring in the following rulings of Raba. 'Folds' should be inserted before 'to perform' to correspond with the order of the rulings in cur. edd.
46. Since the excitement of the proposal and its acceptance may have produced some menstrual discharge.
47. Before she may regard herself as clean.

# NIDDOH – 48b-73a

48. *Var. lec.* Habiba (MS.M. and BaH.)
49. Lit., 'that day', on which the proposal was made to the girl.
50. Lit., 'what that'.
51. Lit., 'who sees blood'.
52. Lit., 'that she covets'.

## Niddah 66b

must not wash her head either with natron or with ohal.<sup>1</sup> 'With natron', because it plucks out the hair;<sup>2</sup> and 'with ohal' because it causes the hairs to cling to one another.<sup>3</sup>

Amemar also citing Raba ruled: A woman<sup>4</sup> must wash her head in warm water only and she may do it even with such as was warmed by the sun<sup>5</sup> but not with cold water. Why not with cold water? — Because cold water<sup>6</sup> loosens<sup>7</sup> the hair.<sup>8</sup>

Raba further ruled: A man should always give instructions to his household that a woman<sup>9</sup> should wash the folds of her body<sup>10</sup> with water. An objection was raised: It is not necessary for the water<sup>11</sup> to penetrate into the folds of the body<sup>12</sup> or to its concealed parts.<sup>13</sup> — Granted that it is not necessary for the water to penetrate,<sup>14</sup> it is necessary nevertheless that it be capable of penetration to every part,<sup>15</sup> in agreement with a ruling of R. Zera. For R. Zera ruled: Wherever proper mingling<sup>16</sup> is possible actual mingling is not essential,<sup>17</sup> but where proper mingling is not possible<sup>18</sup> the actual mingling is indispensable.<sup>19</sup>

Rabin son of R. Adda citing R. Isaac stated: It once happened that a bondmaid of Rabbi performed immersion and when she ascended [from the water] a bone constituting an interposition was found between her teeth, and<sup>20</sup> Rabbi required her to perform a second immersion.<sup>21</sup>

Raba further ruled: If a woman performed immersion, and when she ascended [from the water] an object that caused an interposition was found upon her, she need not wash her head or perform immersion again if her

immersion was performed immediately after the washing of her head;<sup>22</sup> otherwise, she must wash her head and perform immersion again. There are others who say: If she performed her immersion on the same day on which she washed her head, she need not wash her head or perform immersion again, otherwise she must wash her head and perform immersion again. What is the practical difference between them?<sup>23</sup> — The practical difference between them is the question whether immersion must follow immediately upon the washing of the head,<sup>24</sup> and whether a woman may wash her head during the day and perform her immersion at night.

Raba ruled: A woman may not stand upon an earthenware when she is to perform ritual immersion. R. Kahana intended to say, 'What is the reason? Because a preventive measure has been enacted against the possibility of using<sup>25</sup> bath-houses,<sup>26</sup> but that it is quite proper to stand upon a block of wood'. Said R. Hanan of Nehardea to him, 'What is the reason<sup>27</sup> there?<sup>28</sup> Because she is frightened;<sup>29</sup> on a chip of wood she is also frightened'.<sup>29</sup>

R. Samuel b. R. Isaac ruled: A woman shall not perform immersion

1. An alcalic plant. So Aruk, Alfasi and Asheri. Cur. edd. 'sand'.
2. Which, remaining on the head, form an interception between the water of the ritual bath and the body.
3. Cf. prev. n. mut. mut.
4. Before ritual immersion.
5. For the sequence of the rulings cf. MS.M., BaH. and Asheri.
6. Cf. BaH.
7. Aliter: hardens.
8. Cf. prev. n. but five mut. mut.
9. Before performing ritual immersion.
10. Her armpits for instance.
11. Of a ritual bath.
12. Lit., 'the house of folds'.
13. How then could Raba maintain that the folds must be washed?
14. Into the folds.

# NIDDOH – 48b-73a

15. Lit., 'a place that is suitable for the entry of the water we require'.
16. Of the flour and the oil of a meal-offering. Perfect mingling is effected with one *log* of oil to sixty 'Esronim of flour in one pan; v. Men. 103b.
17. The meal-offering being acceptable even if no mingling took place.
18. If, for instance, the proportions were less than a *log* of oil to sixty 'Esronim of flour.
19. Similarly in the case of ritual immersion, though the water need not penetrate to all parts of the body, the immersion is invalid if owing to dirt or some other interception the water cannot penetrate everywhere.
20. Though it is not necessary for the water to come in contact with the teeth.
21. In agreement with R. Zera's rule.
22. It being assumed in such a case that the interposition became attached to the body after the immersion.
23. The two readings.
24. According to the first reading it must.
25. For ritual immersion.
26. Where the benches on which people stand when bathing are made of earth and are thus similar to earthenware. Were a woman to be allowed to stand on earthenware when performing ritual immersion in a ritually valid bath she might assume that ritual immersion is also valid when she stands on an earthen bench in a bath-house.
27. Why a woman must not stand on earthenware.
28. Where immersion is performed in a ritual bath.
29. That she might fall; and in consequence might not perform the immersion in a proper manner.

## Niddah 67a

in a harbour;<sup>1</sup> although there may be no [mud]<sup>2</sup> now<sup>3</sup> it may well be assumed that it had fallen off with the drippings.<sup>4</sup> Samuel's father made ritual baths for his daughters in the days of Nisan<sup>5</sup> and mats<sup>6</sup> in the days of Tishri.<sup>7</sup>

R. Giddal citing Rab ruled: If a woman gave to her child some cooked food and then performed her ritual immersion and ascended from the water,<sup>8</sup> her immersion has no validity,<sup>9</sup> because, though there may be no

food<sup>10</sup> now,<sup>11</sup> it may well be assumed that it had fallen off with the drippings.<sup>12</sup>

Rami b. Abba<sup>13</sup> ruled: Scars<sup>14</sup> constitute no interposition<sup>15</sup> during the first<sup>16</sup> three days;<sup>17</sup> henceforth they constitute an interposition.

Mar Ukba ruled: Pus within the eye constitutes no interposition when it is moist, but when it is dry it constitutes one. When is it called 'dry'? — From the time it begins to turn yellow.

Samuel ruled: Stibium within the eye constitutes no interposition but on the outside of the eye it constitutes one. If a woman's eyes were twitching it constitutes no interposition even if it is on the outside of the eye.<sup>18</sup>

R. Johanan ruled: If a woman<sup>19</sup> opened her eyes too wide<sup>20</sup> or shut them too closely,<sup>21</sup> her immersion has no validity.

Resh Lakish ruled: A woman must perform immersion only when standing in her natural position;<sup>22</sup> as we have learnt:<sup>23</sup> A man<sup>24</sup> is inspected<sup>25</sup> in the same position as when he hoes<sup>26</sup> or<sup>27</sup> gathers olives;<sup>28</sup> and a woman<sup>24</sup> is inspected<sup>25</sup> in the same position as when she weaves<sup>29</sup> or<sup>27</sup> suckles her child.<sup>28</sup>

Rabbah b. R. Huna<sup>30</sup> stated, 'One knotted hair constitutes an interposition,<sup>31</sup>

1. Where mud, stirred up by the incoming and outgoing ships, might cling to her body and constitute an interposition between it and the water.
2. On the woman's body.
3. After she has emerged from the water.
4. Beridyoni. Aliter: Into the stream.
5. When the flowing river, swollen by rainwater, could not be used for the purpose since no ritual immersion may be performed in rainwater that is not collected and stationary.
6. To spread under the feet of the bathers so as to protect them from the river mud which might cling to their feet and constitute an interposition. Aliter: He hung up mats on the river shore, to serve as screens for the bathers. Aliter: He put up reed tents; v. Ned., (Sonc. ed.), p. 129 notes.

# NIDDOH – 48b-73a

7. When the river contained its normal flow (cf. prev. n. but one mut. mut.).
8. With nothing of the food clinging to it.
9. Lit., 'did not go up for her', since it is possible that some of the food clung to her body during the immersion when it constitutes an interposition.
10. On the woman's body.
11. After she has emerged from the water.
12. Beridyoni. Aliter: Into the stream.
13. MS.M. Hama.
14. Lit., 'the patches of the lancet', 'the marks of the punctures'.
15. In ritual immersion.
16. Lit., 'until'
17. Following the bleeding. Being tender they are regarded as a part of the body.
18. Because the frequent movement of the eye-lids prevents the accumulation of the matter and no interposition can be formed.
19. When performing immersion.
20. Thus forming above the eye a fold that prevents the water from penetrating to every part of that region.
21. Forming a fold below the eye (cf. prev. n.).
22. Sc. she must neither press her arms to her body nor her legs or feet to each other, since thereby she prevents the water from reaching parts that are normally exposed; nor need she stretch any natural fold or expose any concealed part to enable the water to reach every part of it, since these regions are normally concealed.
23. Neg. II, 4.
24. Afflicted with leprosy.
25. By the examining priest.
26. Sc. if the eruption is high in his arm-pit there is no need for the man to raise his arm higher than he does when hoeing. If, as a result, the priest cannot see it the man must be declared clean.
27. In the case of an eruption in the concealed region of the genitals.
28. When one does not bend too low (cf. prev. n. but one mut. mut.).
29. In the case of an eruption in her arm-pit (cf. prev. n. but five mut. mut.).
30. The reading in the parallel passage in Suk. 6a is 'b. Bar Hana'.
31. Since it is possible to tie it so closely that no water could penetrate to all its parts.

## Niddah 67b

three hairs<sup>1</sup> constitute no interposition;<sup>2</sup> but I do not know the ruling in the case of two'. R. Johanan, however, stated, 'We have only

this one principle: R. Isaac said, According to traditional law<sup>3</sup> an interposition on its<sup>4</sup> major part<sup>5</sup> to which a man objects constitutes an interposition but one which he does not mind constitutes no interposition; but the Rabbis ruled that an interposition on its<sup>4</sup> greater part shall constitute an interposition, even when the man does not mind it, as a preventive measure against the possibility of allowing an interposition on its major part to which the man does object; and they also ruled that an interposition on its minor part to which a man objects shall constitute an interposition as a preventive measure against the possibility of allowing an interposition on its major part to which a man objects.<sup>6</sup> But why should no prohibition be enacted also against an interposition on its lesser part, to which one does not object, as a preventive measure against the possibility of allowing an interposition over the lesser part to which one does object?<sup>7</sup> — This ruling itself<sup>8</sup> is but a preventive measure, shall we go so far<sup>2</sup> as to institute a preventive measure against the possibility of infringing a preventive measure?<sup>10</sup>

Rab ruled: If a menstruant performs immersion at 'the proper time<sup>11</sup> she may do it only at night<sup>12</sup> but if she performs it after the proper time<sup>13</sup> she may do it either in the day time or at night.<sup>14</sup> R. Johanan ruled: Whether at the proper time or after the proper time a menstruant may perform immersion only at night, on account of the possibility of her daughter's following her lead.<sup>15</sup> Rab, moreover, also withdrew his ruling; for R. Hiyya b. Ashi citing Rab laid down: Whether at the proper time or after the proper time<sup>13</sup> a menstruant may perform immersion only at night on account of the possibility of her daughter's following her lead.<sup>15</sup>

R. Idi ordained at Narash that immersion shall be performed on the eighth day<sup>16</sup> on account of lions.<sup>17</sup> R. Aha b. Jacob issued a similar ordinance at Papunia on account of thieves.<sup>17</sup> Rab Judah did the same at

# NIDDOH – 48b-73a

Pumbeditha on account of the cold. Rabbah<sup>18</sup> acted similarly at Mahoza on account of the guards of the city gates.<sup>19</sup> Said R. Papa<sup>20</sup> to Raba,<sup>21</sup> Consider: At the present time the Rabbis have put all menstruants on the same level as zabahs,<sup>22</sup> why then should they not allow them<sup>23</sup> to perform immersion in the daytime of the seventh day?<sup>24</sup> — This cannot be allowed on account of the following ruling of R. Simeon. For it was taught: After that she shall be clean,<sup>25</sup> 'after' means after all of them, implying that no uncleanness may intervene between them; but R. Simeon stated: After that she shall be clean<sup>24</sup> implies that after the act<sup>26</sup> she shall<sup>27</sup> be clean, but the Sages have ruled that it was forbidden to do so in case she might thereby land in a doubtful situation.<sup>28</sup>

R. Huna ruled: A woman<sup>29</sup> may wash her head on a Sunday<sup>30</sup> and perform immersion on the following Tuesday,<sup>31</sup> since similarly she<sup>32</sup> is allowed to wash her head<sup>33</sup> on a Friday<sup>34</sup> and undergo immersion on the following Saturday night.<sup>35</sup> A woman may wash her head on a Sunday and undergo immersion on the following Wednesday, since similarly she<sup>36</sup> is allowed to wash her head<sup>37</sup> on a Friday<sup>34</sup> and undergo immersion in the night following a festival that occurred on a Sunday. A woman may wash her head on a Sunday and undergo immersion on the following Thursday, since similarly she may wash her head on a Friday and undergo immersion in the night following the two festival days of the New Year that happened to fall immediately after a Saturday.

R. Hisda, however, stated: In all these cases<sup>38</sup> we rule as mentioned<sup>39</sup> but we do not draw the inference of 'since similarly'; for where [the avoidance of an interval] is possible an interval must be avoided,<sup>40</sup> and only where this is impossible<sup>41</sup> may an interval be allowed.<sup>42</sup>

R. Yemar, however, stated: We may even draw the inferences of 'since similarly'<sup>43</sup> except in the case where a woman is

permitted to wash her head on a Sunday and undergo immersion on the following Thursday, for the parallel of the night following the two festival days of the New Year that happened to fall immediately after a Saturday does not hold, since it is possible for the woman to wash her head and undergo immersion in the same night.<sup>44</sup> Meremar in his discourse laid down: The law is in agreement with R. Hisda<sup>45</sup> but<sup>46</sup> in accordance with the interpretation of R. Yemar.<sup>47</sup>

The question was raised: May a woman wash her head at night<sup>48</sup> and perform immersion the same night?<sup>49</sup> — Mar Zutra forbids this, but R. Hinena of Sura permits it. Said R. Adda to R. Hinena of Sura:<sup>50</sup> Did not the following incident<sup>51</sup> actually occur<sup>52</sup> to the wife of the Exilarch Abba Mari? She having had some quarrel<sup>53</sup> R. Nahman b. Isaac proceeded to pacify her, and when she said to him, 'What is the hurry now?'<sup>54</sup>

1. Which cannot be tied very closely.
2. Though they were knotted.
3. Debar Torah, lit., 'the word of the (oral) law'.
4. One's hair.
5. When each single hair is knotted.
6. Sc. while traditional law restricts a disqualifying interposition to (a) its extension over the major part of one's hair and (b) the man's objection to it, the Rabbis regard (a) without (b) or (b) without (a) also as a disqualifying interposition.
7. Both cases involving a lesser part.
8. The one forbidding an interposition over the lesser part to which one objects.
9. Lit., 'we shall arise
10. Certainly not.
11. On the seventh day.
12. Before nightfall the seven prescribed unclean days have not been completed.
13. On the eighth day.
14. Cf. prev. n. but one mut. mut.
15. Not knowing the difference between an immersion on the seventh and one on the eighth she, following the example of her mother on an eighth day, would perform immersion in the day time on a seventh also.
16. Instead of the night following the seventh day.
17. That the woman might encounter at night.
18. So with old edd. and Maharsha. Cur. edd., Raba.

# NIDDOH – 48b-73a

19. Who were men of doubtful morality. Aliter: Dangerous caverns on the road to the ritual bath.
20. MS.M., Papi.
21. So with Alfasi and Bomb, ed. Cur. edd. insert 'and to Abaye'.
22. Who must allow seven clean days to pass before they can attain cleanness,
23. As in the case of a Zabah
24. And should one happen to be no Zabah but a menstruant her uncleanness had in fact terminated seven days earlier.
25. Lev. XV, 28.
26. Of counting the seventh day, even before the day had ended.
27. On performing immersion.
28. Of cleanness. She might have intercourse on that day and experience a discharge subsequently before its termination, in which case her counting as well as her immersion must be deemed invalid, and her intercourse has thus taken place during a period of doubtful cleanness.
29. About to undergo immersion.
30. Lit., 'on the first day of the week'.
31. Sc. an interval of a day may be allowed between the washing of her head and her immersion.
32. Whose immersion is due on a Saturday night.
33. An act forbidden on a Saturday which is the Sabbath day. This question is asked on the view that the washing of the head may not be performed on the same night as the immersion, v. *infra*.
34. Lit., 'Sabbath eve'.
35. Lit., 'at the goings out of the Sabbath'. As an interval of one day must inevitably be allowed in this case (cf. prev. nn.) it is also allowed where the interval is merely a matter of the woman's convenience.
36. Whose immersion is due on the termination of a festival day that fell on a Sunday.
37. An act forbidden on a festival day.
38. Where immersion is due on a night that followed a Sabbath or a festival day on which the washing of one's head is forbidden.
39. That an interval of a day or more is permitted between the time of the washing of the head and immersion.
40. Lit., 'possible'.
41. As in the cases where the days preceding the nights of immersion are ones on which the washing of the head is forbidden.
42. Lit., 'it is not possible'.
43. Sc. an interval may be allowed even on account of a woman's personal convenience, since she is allowed a similar interval when the day preceding the night of her immersion is one on which it is forbidden to wash one's head.
44. The one following the second festival day of the New Year. Had she been allowed to wash her head on the preceding Friday the interval between the washing and the immersion would have been too long; hence it is preferable that the washing be done in the same night as the immersion. As a long interval of three day is not allowed even in such a case, where the washing of the head on the day preceding the night of the immersion is impossible, it cannot be allowed, with much more reason, where the interval is no necessity but a matter of convenience.
45. That 'we do not draw the inference of since similarly' and that, consequently, no interval for the sake of a woman's personal convenience may be allowed between the washing of her head and her immersion.
46. Though R. Hisda allows an interval where the day preceding the immersion is one on which labor is forbidden.
47. Who allows the interval only in the first two cases but not in the third case where the immersion is due on the termination of the New Year festival that happened to fall on a Sunday and a Monday.
48. The night in which her immersion is due.
49. Is she, it is asked, likely to pay scant attention to the former on account of her hurry to get through with her immersion?
50. *Var. lec.*, R. Adda of Sura to Mar Zutra (BaH.).
51. Which proves that washing the head and immersion may take place the same night.
52. Lit., 'was not thus the incident'.
53. With her husband, as a result of which she refused to perform immersion.
54. At night.

## Niddah 68a

There will be time enough to-morrow', he understood what she meant<sup>1</sup> and retorted, 'Are you short of kettles? Are you short of buckets?<sup>2</sup> Are you short of servants?'<sup>3</sup>

Raba delivered the following discourse: A woman may wash her head on the Sabbath eve<sup>4</sup> and perform immersion at the termination of the Sabbath.<sup>5</sup> Said R. Papa to Raba: But did not Rabin send in his letter the message that 'a woman must not wash her head on the Sabbath eve and perform

## NIDDOH – 48b-73a

immersion at the termination of the Sabbath? And, furthermore, is it not surprising to yourself that a woman should be allowed to<sup>6</sup> wash her head in the day time and perform immersion at night seeing that it is required that immersion should follow immediately after the washing of the head, which is not the case here?

Raba subsequently appointed an amora<sup>2</sup> in connection with this matter and delivered the following discourse: The statement I made to you is an erroneous one,<sup>8</sup> but in fact it was this that was reported in the name of R. Johanan, 'A woman may not wash her head on the Sabbath eve and perform immersion at the termination of the Sabbath'; and, furthermore, it would be surprising that a woman should be allowed to<sup>6</sup> wash her head in the day time and perform immersion at night seeing that it is required that immersion should closely follow the washing of the head, which would not be the case here. But the law is that a woman may wash her head in the day time and perform immersion at night. And the law is that a woman may wash her head at night only.<sup>2</sup> But does not a contradiction arise between the one law and the other? — There is no contradiction: The former refers to a case where washing in the day time is possible while the latter refers to one where this is impossible.<sup>10</sup>

**MISHNAH.** IF A MENSTRUANT EXAMINED HERSELF ON THE SEVENTH DAY<sup>11</sup> IN THE MORNING AND FOUND HERSELF TO BE CLEAN, AND AT TWILIGHT<sup>12</sup> SHE DID NOT ASCERTAIN HER SEPARATION,<sup>13</sup> AND AFTER SOME DAYS SHE EXAMINED HERSELF AND FOUND THAT SHE WAS UNCLEAR, BEHOLD SHE IS<sup>14</sup> IN A PRESUMPTIVE STATE OF CLEANNESS.<sup>15</sup> IF SHE EXAMINED HERSELF ON THE SEVENTH DAY<sup>16</sup> IN THE MORNING AND FOUND THAT SHE WAS UNCLEAR, AND AT TWILIGHT<sup>17</sup> SHE DID NOT ASCERTAIN HER SEPARATION,<sup>13</sup> AND AFTER A TIME SHE EXAMINED HERSELF AND FOUND THAT

SHE WAS CLEAN, BEHOLD SHE IS<sup>14</sup> IN A PRESUMPTIVE STATE OF UNCLEANNESS.<sup>18</sup> SHE<sup>19</sup> CONVEYS, HOWEVER, UNCLEANNESS FOR TWENTY-FOUR HOURS RETROSPECTIVELY OR DURING THE TIME BETWEEN THE LAST AND THE PREVIOUS EXAMINATION, BUT IF SHE HAD A SETTLED PERIOD, IT SUFFICES FOR HER TO BE DEEMED UNCLEAR FROM THE TIME OF HER DISCHARGE.

R.<sup>20</sup> JUDAH RULED: ANY WOMAN WHO DID NOT,<sup>21</sup> FOLLOWING THE AFTERNOON, ASCERTAIN HER SEPARATION TO A STATE OF CLEANNESS IS REGARDED AS BEING IN A PRESUMPTIVE STATE OF UNCLEANNESS.<sup>22</sup> BUT THE SAGES RULED: EVEN IF SHE EXAMINED HERSELF ON THE SECOND DAY OF HER MENSTRUATION AND FOUND THAT SHE WAS CLEAN, AND AT TWILIGHT SHE DID NOT ASCERTAIN HER SEPARATION, AND AFTER A TIME SHE EXAMINED HERSELF AND FOUND THAT SHE WAS UNCLEAR, SHE IS REGARDED AS BEING IN A PRESUMPTIVE STATE OF CLEANNESS.<sup>23</sup>

**GEMARA.** It was stated: Rab ruled: She<sup>24</sup> is a certain Zabah, but Levi ruled: She is a doubtful Zabah. What do they refer to? If it be suggested: To the first clause [it could be objected]: Was it not stated, BEHOLD SHE IS IN A PRESUMPTIVE STATE OF CLEANNESS? If, on the other hand, they refer<sup>25</sup> to the final clause,<sup>26</sup> one can well see the logic of regarding the woman<sup>27</sup> as a doubtful zabah,<sup>28</sup> but why also<sup>29</sup> a certain Zabah seeing that she has examined herself and found that she was clean?<sup>30</sup> The fact is that when the statements of Rab and Levi were made they were given as independent rulings:<sup>31</sup> If a menstruant examined herself on the seventh day in the morning and found that she was unclear, and at twilight she did not ascertain her separation, and after some days she examined herself and found that she was unclear, Rab ruled: She is a certain Zabah, but Levi ruled: She is a doubtful Zabah. 'Rab ruled: she is a certain Zabah',

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since she was previously found to be unclean and now also she was found to be unclean, she must be definitely unclean. 'But Levi ruled: She is a doubtful Zabah', because it might be assumed that the discharge may have been discontinued in the intervening time.

1. Viz., that she had not washed her head before nightfall.
2. Tashteke. Aliter: Bath chairs. Aliter: Combs.
3. To bring, and warm up the water. This proves that the washing of the head may take place the same night.
4. Friday.
5. Saturday night.
6. Lit., 'and wonder at yourself how'.
7. To expound and clarify his discourse to the public.
8. Lit., 'they ate an error in my hand'.
9. Sc. immediately before immersion.
10. Where, for instance, immersion is due on a night that follows a Sabbath or a festival day.
11. After her first discharge, sc. on the last day of her seven days period of menstruation.
12. When the prescribed menstruation period terminates.
13. Lit., 'she did not separate', sc. did not examine herself to make sure of the separation of her clean, from her unclean days.
14. In regard to the days intervening between the seventh and the one on which she found herself unclean.
15. It being assumed that the discharge did not occur before the moment she had discovered it. All clean things which she handled between the time of her immersion (on the night following the seventh day) and the time of her last examination are consequently regarded as clean.
16. After her first discharge, sc. on the last day of her seven days' period of menstruation.
17. When the prescribed menstruation period terminates.
18. Since she was known to be unclean on the seventh day and at its twilight she did not ascertain that the discharge had ceased.
19. In the case dealt with in the first clause.
20. V. margl. gl. Cur. edd., 'and R.'
21. On the seventh day.
22. Even though she examined herself earlier in the day and found that she was clean.
23. The examination on the second day being sufficient to establish a presumptive cleanness.
24. This is explained presently.
25. Lit., 'but'.

26. SHE EXAMINED HERSELF ... IN THE MORNING AND FOUND THAT SHE WAS UNCLEAN AND AT TWILIGHT SHE DID NOT ASCERTAIN HER SEPARATION.

27. According to Levi.

28. Since on the seventh day in the morning she was still unclean and since at twilight of that day it was not ascertained that she was clean, it may well be suspected that there was a discharge on the eighth, ninth and tenth in consequence of which she would become a Zabah.

29. According to Rab.

30. In consequence of which it might justifiably be assumed that as she was now found clean she was also clean previously.

31. Not in connection with our Mishnah.

## Niddah 68b

Levi also taught the same ruling in a Baraitha: After these days<sup>1</sup> irrespective of whether she examined herself and found that she was clean or whether she examined herself and found that she was unclean, behold she is to be regarded as a doubtful Zabah.

SHE CONVEYS, HOWEVER, UNCLEANNESS FOR TWENTY-FOUR HOURS RETROSPECTIVELY. Must it be conceded that this<sup>2</sup> represents an objection against a view of Raba, since Raba stated: This<sup>3</sup> tells that<sup>4</sup> a woman during the days of her *Zibah* does not<sup>5</sup> cause twenty-four hours retrospective uncleanness? — But was not an objection against Raba raised once before?<sup>6</sup> — It is this that we meant: Must it be conceded that an objection may be raised against Raba from this Mishnah also? —

Raba can answer you: When it was stated, SHE CONVEYS, HOWEVER, UNCLEANNESS FOR TWENTY-FOUR HOURS RETROSPECTIVELY, the reference was to the beginning of this chapter, viz., to a girl who observed a discharge while she was still in her father's house.<sup>7</sup> As it might have been presumed that, since clean days intervened, the discharge should be regarded as one at the beginning of



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her menstruation and she<sup>8</sup> should in consequence convey no retrospective uncleanness for twenty-four hours, hence we were informed [that she does].

**BUT IF SHE HAS A SETTLED PERIOD.** Must it be conceded that this<sup>2</sup> presents an objection against the view of R. Huna b. Hiyya cited in the name of Samuel, since R. Huna b. Hiyya citing Samuel stated: This<sup>10</sup> tells that a woman cannot establish for herself a regular period<sup>11</sup> during the days of her *Zibah*? —

R. Huna b. Hiyya can answer you: When we ruled that 'a woman cannot establish for herself a regular period during the days of her *Zibah*' we meant that it is not necessary for her<sup>12</sup> to have a change of period three times for the purpose of abolishing a settled period because we maintain that her blood is suspended; and, since her blood is suspended, IT SUFFICES FOR HER TO BE DEEMED UNCLEAN FROM THE TIME OF HER DISCHARGE.

**R. JUDAH RULED.** It was taught: They said to R. Judah, Had her hands been lying in her eyes<sup>13</sup> throughout twilight you would have spoken well, but now, since it might be assumed that she experienced a discharge as soon as she removed her hands, what practical difference is there between the case where she ascertained her separation to a state of cleanness on the seventh day following the afternoon and that where she has ascertained her separation to a state of cleanness on the first day? 'On the first day!' Is there any authority who holds such a view?<sup>14</sup> —

Yes; and so it was taught: Rabbi stated, 'I once asked R. Jose and R. Simeon when they were underway: What is the law where a menstruant examined herself on the seventh day in the morning and found that she was clean, and at twilight she did not ascertain her separation,<sup>15</sup> and after some days she examined herself and found that she was

unclean? And they replied:<sup>16</sup> Behold such a woman is in a presumptive state of cleanness. What, I asked, is the law where she examined herself on the sixth, fifth, fourth, third or second? And they replied: There is no difference. As regards an examination on the first day I did not ask, but it was a mistake on my part that I did not ask. For is she not on all these days in a state of presumptive uncleanness and yet as soon as the discharge ceased it is deemed to have completely ceased, so also in regard to the first day as soon as the discharge ceased it may be deemed to have ceased completely'.<sup>17</sup> What view, however, did he<sup>18</sup> hold at first?<sup>19</sup> — [That the woman is unclean] since there is<sup>20</sup> the presumption of an open source.

**MISHNAH.** IF A ZAB AND A ZABAH<sup>21</sup> EXAMINED THEMSELVES ON THE FIRST DAY<sup>22</sup> AND FOUND THEMSELVES CLEAN AND ON THE SEVENTH DAY<sup>22</sup> ALSO AND FOUND THEMSELVES CLEAN, BUT DID NOT EXAMINE THEMSELVES DURING THE OTHER, INTERVENING, DAYS, R. ELIEZER RULED: BEHOLD THESE ARE IN A PRESUMPTIVE CONDITION OF CLEANNES. R. JOSHUA RULED: THEY ARE ENTITLED [TO RECKON AS CLEAN] ONLY THE FIRST DAY AND THE SEVENTH DAY. R. AKIBA RULED: THEY ARE ENTITLED TO RECKON AS CLEAN THE SEVENTH DAY ALONE.<sup>23</sup>

**GEMARA.** It was taught: Said R. Eliezer to R. Joshua, According to your view<sup>24</sup> you would be counting with interruptions; but did not the Torah state, After that she shall be clean,<sup>25</sup> 'after' meaning 'after all of them', implying that no uncleanness may intervene between them?<sup>26</sup> —

Said R. Joshua to him: But do you not agree that a *Zab* who<sup>27</sup> observed an emission of semen<sup>28</sup> or a Nazirite who<sup>29</sup> walked under overshadowing branches or mural projections<sup>30</sup> counts with interruptions though the Torah said,<sup>31</sup> But the former days shall be void?<sup>32</sup> And R. Eliezer?<sup>33</sup> — All is well there<sup>34</sup> since the All Merciful has said,<sup>35</sup>

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So that he is unclean thereby,<sup>36</sup> implying that it renders void one day only.<sup>37</sup> And if the imposition of a restriction<sup>38</sup> be suggested, on account of the possibility of mistaking one uncleanness for another,<sup>39</sup> it could be retorted: A *Zab* would not be mistaken for one who emitted semen. All is also well<sup>40</sup> with a Nazirite who walked under overshadowing branches or mural projections, since Pentateuchally it is necessary<sup>41</sup> that the [overshadowing] tent shall be a proper one and it is only the Rabbis who enacted the ruling<sup>42</sup> as a preventive measure, and no one would mistake a Rabbinic law for a Pentateuchal one; but here,<sup>43</sup> if we were to take into consideration the possibility of a doubtful observation,<sup>44</sup> one might mistake this case for one of a certain observation.<sup>45</sup>

It was taught: R. Jose and R. Simeon stated, The view of R. Eliezer is more feasible than that of R. Joshua, and the view of R. Akiba is more acceptable than those of all of them, but the *Halachah* is in agreement with R. Eliezer.

The question was raised: If a *Zab* or a *Zabah* examined themselves on the first day<sup>46</sup> and on the eighth day<sup>47</sup> and found that they were clean while on the other days they did not examine themselves,

1. Referred to in the second clause of our Mishnah (cf. prev. n. but five).
2. The ruling that if after the passing of her menstruation period a woman found that she was unclean (the first clause in our' Mishnah) her uncleanness is retrospective for twenty-four hours (the third clause of our Mishnah which, as explained *supra*, is an interpretation of the first).
3. The first clause of the second Mishnah *supra* 38b: Throughout all the eleven days a woman is in a presumptive state of cleanness.
4. Since during the *Zibah* period the menstrual flow is suspended.
5. After the first discharge.
6. Of course it was, *supra* 39a where the objection remained unsolved.
7. *Supra* 64b. In such a case Beth Hillel ruled that intercourse is permitted all night, and to this our Mishnah adds that if the woman found subsequently that she was unclean, her

uncleanness is retrospective for twenty-four hours.

8. As a virgin who experienced a discharge for the first time.
9. That IF SHE HAS A SETTLED PERIOD and she observed a discharge at that period in the days of her *Zibah*, IT SUFFICES FOR HER TO BE DEEMED UNCLEAN FROM THE TIME OF HER DISCHARGE, It is now assumed that this ruling of our Mishnah referred to the case where AFTER SOME DAYS (viz., after the termination of the menstruation period and during one of *Zibah*) SHE EXAMINED HERSELF AND FOUND THAT SHE WAS UNCLEAN.
10. The first clause of the second Mishnah *supra* 38b: Throughout all the eleven days a woman is in a presumptive state of cleanness.
11. Though menstruation began on the same date in three consecutive months.
12. In the days of her *Zibah*.
13. Euphemism.
14. That an examination whereby uncleanness was established on the first day has the same validity as one on the seventh day.
15. From her state of uncleanness to that of cleanness.
16. Lit., 'they said to me' (Emden). Cur. edd. 'they said to him'.
17. A question as to the first day might consequently have elicited the same reply as the one concerning the other days mentioned.
18. Rabbi.
19. When he was reluctant to put the question to them.
20. On the first day.
21. Whose discharge has ceased.
22. Of the prescribed seven days.
23. Since it is possible that during the intervening days they have experienced a discharge which caused the counting of the previous days to be null and void.
24. That the first and the seventh days are counted,
25. Lev, XV, 28.
26. How then could the five days that are presumably unclean be allowed to intervene?
27. While he was counting, after the termination of his *Zibah*, the prescribed number of seven days.
28. Which renders him unclean for one day while on the following day he resumes his counting from the interrupted number.
29. While counting the thirty days prescribed for him.
30. Under which lay parts of a corpse. As the branches and the projections have the character of a doubtful 'tent' the Nazirite is subject to uncleanness for one day only, and

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on the following one he continues his interrupted counting.

31. Where a longer uncleanness interrupted the counting.
32. Num, VI, 12.
33. How in view of this argument of R. Joshua can he maintain his ruling?
34. The case of a *Zab* who emitted semen where an interrupted counting is allowed.
35. About such an uncleanness.
36. Lev. XV, 32, emphasis on the last word.
37. Lit., 'its day'.
38. That interrupted counting should not be allowed,
39. And, as a result, such interrupted counting would also be allowed in the case of a discharge of *Zibah*.
40. With the permission for interrupted counting.
41. If corpse uncleanness is to be conveyed by overshadowing.
42. That even an imperfect 'tent' conveyed uncleanness for one day.
43. The case discussed by R. Eliezer and R. Joshua.
44. On the days on which no examination took place; and, in consequence, those days would not be counted,
45. And, assuming that on the uncounted days the woman was definitely unclean, one would also allow interrupted counting in the case of the intervention of a certain uncleanness.
46. Of the seven that must be counted after a *Zibah* before cleanness is attained.
47. Cf. prev. n. The eighth day is the one that follows the period of the seven prescribed days in which obviously it is not included.

## Niddah 69a

what is the law according to R. Eliezer.<sup>1</sup> Is it necessary<sup>2</sup> that an examination should take place both at the beginning and at the end of the prescribed days<sup>3</sup> [hence this case is excluded]<sup>4</sup> since there was one at the beginning only<sup>5</sup> but not at the end,<sup>6</sup> or is it possible that an examination at the beginning<sup>5</sup> suffices although there was none at the end?<sup>6</sup> — Rab replied: The law is the same in either case,<sup>7</sup> an examination at the beginning sufficing although there was none at the end. R. Hanina, however, replied: It is necessary<sup>2</sup> that there be an examination both at the beginning and at the end<sup>8</sup> [hence this case is excluded] since there was one at the beginning only but not at the end.

An objection was raised: But both hold the same opinion,<sup>9</sup> where a *Zab* and a *Zabah* examined themselves on the first day and on the eighth day and found themselves clean, that they may count the eighth day only as clean.<sup>10</sup> Now who are referred to in the expression 'both hold the same opinion'? Is it not R. Eliezer and R. Joshua?<sup>11</sup> — No; R. Joshua and R. Akiba.<sup>12</sup>

R. Shesheth citing R. Jeremiah b. Abba who had it from Rab stated: If a menstruant has ascertained her separation to a state of cleanness on her third day,<sup>13</sup> she may count it in the number of the seven clean days.<sup>14</sup> 'A menstruant!' What need has she for counting?<sup>15</sup> — Rather read: If a *Zabah* has ascertained her separation to a state of cleanness on her third day,<sup>13</sup> she may count it in the number of the seven clean days.<sup>14</sup> Said R. Shesheth to R. Jeremiah b. Abba: Did then Rab pronounce his ruling in agreement with the view of the Samaritans who ruled that the day on which a woman ceases to have her discharge may be counted by her in the number of the prescribed seven days?<sup>16</sup> —

When Rab spoke he meant: Exclusive of the third day.<sup>17</sup> But if 'exclusive of the third day' is not the ruling obvious? — The ruling was necessary only in a case, for instance, where the woman<sup>18</sup> did not examine herself until the seventh day,<sup>19</sup> so that<sup>20</sup> we were informed there<sup>21</sup> that an examination at the beginning<sup>22</sup> suffices although there was none at the end,<sup>23</sup> while here<sup>24</sup> we were informed that an examination at the end<sup>23</sup> suffices<sup>25</sup> even though there was none at the beginning.<sup>22</sup> As it might have been presumed that only where there was an examination at the beginning,<sup>22</sup> though there was none at the end,<sup>23</sup> do we assume [the days to be clean], because we regard them as remaining in their presumptive state,<sup>26</sup> but not where the examination was held at their conclusion<sup>23</sup> and<sup>27</sup> not at their beginning,<sup>22</sup> hence we were informed [that in either case the days are regarded as clean].

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But can this<sup>28</sup> be correct seeing that<sup>29</sup> when Rabin came<sup>30</sup> he stated, 'R. Jose b. Hanina raised an objection [from a Baraita dealing with] a forgetful<sup>31</sup> woman but I do not know what his objection was', and<sup>32</sup> we have an established rule that during the first week of her appearance before us we require her to undergo immersion in the nights<sup>33</sup> but we do not require her to undergo immersion in the day time. Now if it could be entertained that it is not necessary that the days<sup>34</sup> be counted in our presence, she<sup>35</sup> should have been made to undergo immersion in the day time also, since it is possible that she gave birth during a *Zibah* period and had completed the counting on that day. Must it not consequently be inferred from the ruling that it is necessary for the counting to take place in our presence?<sup>36</sup> —

But have we not explained this ruling to be in agreement with the view of R. Akiba who ruled that it was necessary for the counting to take place in our presence?<sup>37</sup> — And whence do you infer that according to the Rabbis it is not necessary for the counting to take place in our presence? — From what was taught:<sup>38</sup> 'If a forgetful<sup>39</sup> woman stated, "I observed some uncleanness on a certain day",<sup>40</sup> she<sup>41</sup> is expected to undergo nine immersions, seven<sup>42</sup> in respect of menstruation<sup>43</sup> and two<sup>44</sup> in respect of *zibah*.<sup>45</sup> If she states, "I observed some uncleanness at twilight", she is to undergo eleven immersions'. 'Eleven'! For what purpose?<sup>46</sup> —

R. Jeremiah of Difti replied: This is a case, for instance, where the woman<sup>47</sup> actually appeared before us at twilight,<sup>48</sup> so that provision has to be made for<sup>49</sup> eight immersions in respect of menstruation<sup>50</sup> and for three in respect of *zibah*.<sup>51</sup> 'If she states, "I observed no discharge whatsoever", she is to undergo fifteen immersions'.<sup>52</sup>

Raba observed: 'This kind of law that is a negation of all reason<sup>53</sup> is in vogue at Galhi where there is a law that one who owns a bull must feed the town's cattle one day while one

who owns no bull must feed them on two days. Once they had occasion to deal with<sup>54</sup> an orphan the son of a widow. Having been entrusted with the bulls [to feed] he proceeded to kill them, saying to the people, "He who owned a bull shall receive one hide and he who owned no bull shall receive two hides". "What", they said to him, "is this that you say?" "The conclusion of this process", he answered them, "follows the same principle as the beginning of the process. Was it not the case with the beginning of this process that one who owned nothing was better off? Well, at the conclusion of the process too, one who owned nothing is better off". Here also: If where a woman states, "I observed a discharge", it suffices for her to undergo either nine immersions or eleven immersions,<sup>55</sup> should it be necessary for her, where she states, "I observed no discharge whatsoever", to undergo fifteen immersions?' —

Rather read thus: If she states, 'I observed a discharge and I do not know how long it continued<sup>56</sup> and whether I observed it during a menstruation period or a *Zibah* one', she is to undergo fifteen immersions. For if she appeared before us in the day-time we allow her seven days in respect of menstruation<sup>55</sup>

1. Who, in the case of an examination on the first and the seventh, regards all the seven days as clean.
2. If the seven days are to be regarded as clean.
3. Lit., 'their beginning and their end'.
4. And the days are regarded as unclean,
5. On the first of the seven days.
6. On the seventh day, the examination having taken place on the eighth.
7. Lit., 'it it', the seven days are regarded as clean in both cases.
8. Lit., 'their beginning and their end'.
9. Lit., 'and equal'.
10. Lit., 'that they have only the eighth day'.
11. Who agree in this case with R. Akiba though they differ from him where the examination took place on the first and the seventh. How then could Rab maintain his view on the ruling of R. Eliezer?
12. But R. Eliezer maintains, as Rab stated, that since the examination on the first day proved

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- the person to be clean all the seven days also are regarded as clean.
13. Since her discharge first appeared.
  14. Sc. the clean days may begin to be counted from that day.
  15. None, since a menstruant becomes clean after seven days irrespective of whether these were clean or not.
  16. *Supra* 33a.
  17. The counting beginning from the following day.
  18. Though her discharge ceased on the third day.
  19. So that the beginning of the counting was not in a condition of ascertained cleanness.
  20. Rab adopting two relaxations of the law.
  21. Where Rab stated that R. Eliezer holds the woman clean if she examined herself on the first and the eighth.
  22. On the first day.
  23. On the seventh.
  24. In the last cited ruling of Rab.
  25. To justify the assumption that all the six preceding days were also clean,
  26. Which, owing to the examination, was known to be one of cleanness.
  27. Lit., 'although'.
  28. Rab's ruling that it is not necessary to make sure that each of the seven days individually has been a clean one,
  29. Lit., 'I am not, for surely'.
  30. From Palestine to Babylon,
  31. Lit., 'erring'.
  32. So with BaH. Cur. edd. 'for'.
  33. Since of each night it might be said that it is the one following the seventh day of the period of uncleanness prescribed after the birth of a male child.
  34. Following *Zibah*.
  35. Since a *Zabah* undergoes immersion on her seventh clean day.
  36. Apparently it must; and thus an objection arises against Rab.
  37. And, since the Rabbis differ from R. Akiba, Rab may follow their view.
  38. V. marg. [glos.](#) Cur. edd., 'for we learnt'.
  39. Lit., 'erring'.
  40. But she is unable to say whether it happened on the same, or on any other day, or whether that day was one of the days of her menstruation or of her *Zibah*.
  41. In order to perform the precept of immersion at the proper time and at the earliest possible moment.
  42. On the following seven nights, if she arrived in the day time.
  43. V. *supra* p. 482, n. 12.
  44. In the day time.
  45. On the first day of her arrival she must undergo immersion since it is possible that the previous day was one of her *Zibah* period and her discharge appeared that day (a woman who experienced a discharge on one of the days of her *Zibah* period awaits one day, viz., the following one, and on that day she undergoes immersion in the day time). On the second day of her arrival she again undergoes immersion for a similar reason, since it is possible that the day on which her discharge had appeared was not the previous one but the day of her arrival. On the third day no immersion is necessary since it is certain that on the second there was no discharge.
  46. Sc. why should more immersions be required in this case, where she states that her discharge took place at twilight, than in the former where she does not specify the time of day.
  47. Who did not merely state during the day that her discharge took place at twilight.
  48. And stated that her discharge occurred either earlier or possibly at that very moment when it is doubtful whether it was day or night.
  49. Lit., 'and they are'.
  50. In addition to the seven immersions as in the former case (beginning on the night that followed the twilight at which she arrived) there must be one on the eighth night because it is possible that her discharge took place actually at the twilight of her arrival which was part of the following night, so that the menstruation period did not terminate until the seven following days have passed and her cleanness is attained by her immersion on the last, which is the eighth night after her arrival.
  51. She performs the first two immersions for the same reason as in the former case, since it is possible that her discharge in *Zibah* took place on the day prior to her arrival (so that immersion must be performed immediately at the twilight when she arrived) or on that day (so that immersion has to be performed on the following day). She must also undergo immersion on the third day since it is possible that the discharge occurred at the twilight at which she arrived and that that time was a part of the night, so that she was unclean on the day following, and having waited the second day she becomes clean on the third when the immersion is performed.
  52. This is discussed presently.
  53. Lit., 'this law that is no law'.
  54. Lit., 'it happened to them'.
  55. As explained *supra*.
  56. Sc. whether it appeared on one day only or on three days.

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## Niddah 69b

and eight in respect of *zibah*;<sup>1</sup> and if she appeared before us at night we allow her eight in respect of menstruation<sup>2</sup> and seven in respect of *zibah*.<sup>3</sup> But does not menstruation require eight days?<sup>4</sup> — Rather say: In either case<sup>5</sup> seven in respect of menstruation and eight in respect of *Zibah*. But if she appeared at night, does she not require<sup>4</sup> eight in respect of menstruation?<sup>6</sup> —

In respect of *Zibah* where the number of immersions is fixed, since it does not vary whether she appeared before us in the day time or at night, [the eighth immersion] was counted, but in respect of menstruation where the number is not fixed, for only where she appeared before us at night does she require eight immersions while if she appeared before us in the day time she does not require eight [the eighth immersion] was not counted. Now, if it could be entertained that it is necessary for all the counting to take place in our presence, what need is there<sup>7</sup> for all these immersions?<sup>8</sup> Should she not rather count the seven days and then undergo immersion?<sup>2</sup> Consequently it may be inferred from here that<sup>10</sup> it is the Rabbis<sup>11</sup> who hold that it is not necessary for the counting to take place in our presence.<sup>12</sup>

Said R. Aha son of R. Joseph to R. Ashi, Have we not had recourse to explanations of this ruling?<sup>13</sup> Explain it then in the following manner and read thus: If a woman states, 'I counted<sup>14</sup> and know not how many days I counted and whether I counted them during the period of menstruation or during that of *Zibah*', she is to undergo fifteen immersions.<sup>15</sup> But if she stated, 'I counted and know not how many days I counted', it is at any rate impossible that she should not have counted one day, at least, is she then not short of one immersion?<sup>16</sup> Rather read: If she states, 'I know not whether I did or did not count'.<sup>17</sup>

**MISHNAH.** IF A ZAB, A ZABAH, A MENSTRUANT, A WOMAN AFTER CHILDBIRTH OR A LEPPER HAVE DIED [THEIR CORPSES] CONVEY UNCLEANNESS BY CARRIAGE<sup>18</sup> UNTIL THE FLESH HAS DECAYED. IF AN IDOLATER HAS DIED HE CONVEYS NO UNCLEANNESS.<sup>19</sup> BETH SHAMMAI RULED: ALL WOMEN DIE AS MENSTRUANTS,<sup>18</sup> BUT BETH HILLEL RULED: A WOMAN<sup>20</sup> CANNOT BE REGARDED AS A MENSTRUANT UNLESS SHE DIED WHILE SHE WAS IN MENSTRUATION.

**GEMARA.** What is the meaning of BY CARRIAGE? If it be suggested: By actual carriage, [the objection would arise:] Does not in fact every corpse convey uncleanness by carriage?<sup>21</sup> — Rather say that BY CARRIAGE means<sup>22</sup> through a heavy<sup>23</sup> stone,<sup>24</sup> for<sup>25</sup> it is written, And a stone was brought, and laid<sup>26</sup> upon the mouth of the den.<sup>27</sup> What is the reason?<sup>28</sup> — Rab replied: This<sup>29</sup> is a preventive measure against the case where they<sup>30</sup> swoon.<sup>31</sup> One taught: In the name of R. Eliezer it was stated, This possibility must be taken into consideration until his stomach bursts.

IF AN IDOLATER HAS DIED, etc. It was taught: Rabbi stated, On what ground did they rule that if an idolater has died he conveys no uncleanness by carriage? Because his uncleanness when alive<sup>32</sup> is not Pentateuchal, but Rabbinical.

Our Rabbis taught: Twelve questions did the Alexandrians address to R. Joshua b. Hananiah.<sup>33</sup> Three were of a scientific nature,<sup>34</sup> three were matters of Aggadah, three were mere nonsense and three were matters of conduct.<sup>35</sup>

'Three were of a scientific nature': If a *Zab*, a *Zabah*, a menstruant, a woman after childbirth or a leper have died, how long do their corpses convey uncleanness by carriage? He replied: Until the flesh has decayed. Is the daughter of a woman that was

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divorced and remarried by her first husband<sup>36</sup> allowed to marry a priest? Do we say that this might be inferred a *minori ad majus*: If the son of a widow who was married to a High priest, who is not forbidden to all,<sup>37</sup> is nevertheless tainted,<sup>38</sup> how much more so the offspring of her<sup>39</sup> who is forbidden to all;<sup>40</sup> or is it possible to refute the argument, thus: The case of a widow married to a High Priest is different because she herself is profaned?<sup>41</sup> He replied:

1. Because each of the eight days might be the last of the seven clean days that followed a *Zibah* discharge that had extended over three days. No immersion is necessary on the ninth day because even if the very day of the woman's arrival had been the last of the three days on which her *Zibah* discharge had been making its appearance seven clean days have elapsed since that day.
2. On the first night of her arrival and on the following six nights immersion is necessary because each might be the night following the seventh day, while on the eighth immersion is required on account of the possibility of the discharge having appeared on the very night of her arrival which caused the day following to be regarded as the first of the prescribed seven days of menstruation.
3. This is discussed presently.
4. As explained *supra*.
5. Whether the woman arrived at night or in the day time.
6. Of course she does.
7. In respect of *Zibah*,
8. That the woman is expected to perform in the day time.
9. But not before; since even if her seven clean days have terminated she, owing to her neglect of examining herself, is not fit for immersion,
10. As submitted *supra* 69a.
11. Who differ from R. Akiba.
12. And Rab in his ruling *supra* follows their view.
13. We had; since in the absence of explanations it bristles with difficulties,
14. Sc. she examined herself on certain days and ascertained that she was then clean.
15. As explained *supra*.
16. Obviously she is; why then was the number given fifteen and not fourteen?
17. So that it is possible that she did not count even one clean day.
18. This is discussed in the Gemara *infra*.
19. Lit., 'clean from causing uncleanness'.
20. Who died.
21. Of course it does; why then did our Mishnah restrict it to the classes specified?
22. Lit., 'but what by carriage'.
23. Mesamma, lit., 'closing' (cf. foll. n.).
24. One used for closing up a pit. If the corpse lay on such a heavy stone, and certain objects rested under it, the latter contract the uncleanness though the weight of the corpse can hardly be perceptible.
25. The following explains the etymology of mesamma ('heavy').
26. Wesumath, a word of a sound similar to mesamma (v. prev. n. but two).
27. Dan. VI, 18.
28. Why the corpses enumerated in our Mishnah convey uncleanness through the stone mentioned while others do not.
29. The enactment that the corpses enumerated in our Mishnah shall convey uncleanness even through a heavy stone.
30. The persons mentioned.
31. As such persons when alive, if they sit on such a stone, convey uncleanness to objects under it, in accordance with Pentateuchal law, a Rabbinic enactment has imposed a similar restriction when they are dead in case they might be merely in a swoon and mistaken for a corpse. Were the objects to be deemed clean in 'the case of a corpse they might erroneously be deemed clean even when the person is alive.
32. Through *Zibah*, for instance.
33. V. marg. [glos.](#) and Bomb. ed. Cur. edd., 'Hinena'.
34. *Halachah*,
35. Lit., 'the way of the earth', worldly affairs.
36. After she had been married and divorced by a second husband. Such a marriage is forbidden according to Deut. XXIV, 1-4.
37. A widow being forbidden to a High Priest only (v. Lev. XXI, 14).
38. Though not actually a bastard he would be, if of priestly stock, disqualified from the priesthood.
39. A remarried divorcee after she had been married and divorced by another man.
40. Non-priests as well as priests.
41. If the High Priest to whom she was unlawfully married dies she may not marry even a common priest, and if she was a priest's daughter she is henceforth forbidden to eat *Terumah*. No such restrictions are imposed on the woman who was remarried after her divorcement.

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## Niddah 70a

She is an abomination,<sup>1</sup> but her children are no abomination. If the sacrifices of two lepers were mixed up and after the sacrifice of one of them was offered<sup>2</sup> one of them died, what is to be done about the other?<sup>3</sup> He replied: He assigns<sup>4</sup> his possessions to others so that he becomes a poor man and then<sup>5</sup> brings a bird sin-offering which may be brought<sup>6</sup> even in a case of doubt. But is there not also a guilt-offering?<sup>7</sup> —

Samuel replied: This<sup>8</sup> applies only where his guilt-offering had been duly offered.<sup>9</sup> R. Shesheth observed: A great man like Samuel should say such a thing! In agreement with whose view [could his answer<sup>10</sup> have been given)? If in agreement with that of R. Judah<sup>11</sup> [the difficulty arises:] Did he not state that<sup>12</sup> the guilt-offering<sup>13</sup> determines a person's status,<sup>14</sup> so that since the guilt-offering determined for him<sup>15</sup> a status of wealth he could no longer bring a sin-offering in the state of poverty? For we have learnt, 'If a leper brought the sacrifice of a poor man<sup>16</sup> and then<sup>17</sup> became rich or if he brought that of a rich man<sup>18</sup> and became poor, all depends<sup>19</sup> on<sup>20</sup> the sin-offering;<sup>21</sup> so R. Simeon.

R.<sup>22</sup> Judah ruled: All depends on the guilt-offering.<sup>23</sup> R. Eliezer b. Jacob ruled: All depends on the birds'.<sup>24</sup> And if [Samuel has given his answer] in agreement with the view of R. Simeon who ruled that the sin-offering<sup>25</sup> determines the man's status,<sup>26</sup> why should he not bring another sacrifice<sup>27</sup> even where the guilt-offering had not been offered,<sup>28</sup> for, surely, we have heard R. Simeon say, 'Let him bring one and make his stipulation'; for it was taught: R. Simeon ruled,<sup>29</sup> On the morrow<sup>30</sup> he brings his guilt-offering and its *log*<sup>31</sup> with it, places it at the Nikanor gate<sup>32</sup> and pronounces over it the following stipulation: If he is a leper, behold his guilt-offering and its *log*<sup>31</sup> with it, and if he is not,

let this guilt-offering be a freewill peace-offering. Now this guilt-offering<sup>33</sup> is

1. Deut. XXIV, 4, dealing with a remarried divorcee. Emphasis on 'she'
2. It being unknown whose sacrifice it was.
3. The survivor. Sc. how is he to attain cleanness? He cannot bring the second sacrifice, since it may possibly be the one that belonged to the dead man and a sin-offering whose owner is dead may not be offered upon the altar; and he cannot bring a new sacrifice, since it is possible that the one that was already offered was his so that he is now exempt from bringing any other sacrifice and the new one he would bring would have no sanctity and, as an unconsecrated animal, is forbidden to be brought into the Temple court.
4. Lit., 'writes'.
5. Exercising the privilege of the poor.
6. Into the Temple.
7. Which a leper whether rich or poor, must bring. Of course there is. Now since the sacrifice (presumably both the sin- and the guilt-offerings) were mixed up, how can he bring an animal as a guilt-offering in a case of doubt?
8. R. Joshua's ruling.
9. Before the other leper died.
10. 'Where his guilt-offering had been duly offered'
11. Who, holding that a guilt-offering may not be brought conditionally, could find no remedy for the leper if his guilt-offering had not been offered up before.
12. Cf. marg. n., Rashi and Bomb. ed. Cur. edd., 'for he said'.
13. The first of the three sacrifices which a leper must bring at the termination of his uncleanness.
14. Sc. if at that time he was rich or poor his other two sacrifices must be those prescribed for a rich or poor man respectively, irrespective of whether at the time he brings the latter his condition has changed from wealth to poverty or from poverty to wealth.
15. Lit., 'for itself', dative of advantage.
16. A bird.
17. Before bringing his burnt-offering, the last of the prescribed sacrifices.
18. A ewe-lamb.
19. As regards the burnt-offering.
20. Lit., 'follows'.
21. Cf. p. 488, n. 15 mut. mut.
22. V. marg. n. Cur. edd. 'and R.'
23. Cf. p. 488, n. 15.



# NIDDOH – 48b-73a

24. Which the leper brings seven days before the ritual cutting of his hair. His financial condition at that time determines whether the sacrifices he is to bring later are to be those of a rich man or of a poor man.
25. And not the guilt-offering.
26. So that even though the guilt-offering was brought when the man was rich he may still bring a poor man's sin-offering if he subsequently became poor.
27. As a conditional guilt-offering (v. *infra*).
28. And the adoption of this procedure would remove the necessity for Samuel to limit the case *supra* to one who had already brought his guilt-offering.
29. In the case of a doubtful leprosy.
30. The day following immersion on which the sacrifices have to be brought.
31. Of oil,
32. Of the Temple court. A leper is not permitted to enter into the court.
33. Being subject to the requirements of both guilt-offerings and peace-offerings.

## Niddah 70b

to be slain<sup>1</sup> in the north<sup>2</sup> and is subject to the requirements of application<sup>1</sup> in the thumbs,<sup>3</sup> leaning,<sup>4</sup> drink-offerings, waving<sup>5</sup> and the presentation of the breast and shoulder to the priest.<sup>5</sup> It may also be eaten by the priestly males on the same day and the following night;<sup>1</sup> but the Sages did not agree with R. Simeon because<sup>6</sup> one might<sup>7</sup> cause holy things<sup>8</sup> to be brought into the place of disqualified sacrifices.<sup>9</sup> — Samuel may hold the same view as R. Simeon in one respect<sup>10</sup> while differing from him in another.<sup>11</sup>

'Three were matters of Aggadah'; One verse says, For I have no pleasure in the death of him that dieth,<sup>12</sup> but another verse says, Because the Lord would slay them?<sup>13</sup> — The former refers to those who are penitents while the latter refers to those who are not penitent. One verse says, who regardeth not persons,<sup>14</sup> nor taketh reward,<sup>15</sup> but another verse says, The Lord lift up his countenance upon thee?<sup>16</sup> — The former refers to the time before sentence is passed while the latter refers to the time after the sentence has been passed. One verse says, For the Lord hath

chosen Zion,<sup>17</sup> but another verse says, For this city<sup>18</sup> hath been to me a provocation of Mine anger and of My fury from the day that they built it even unto this day?<sup>19</sup> The former applied to the time before Solomon married the daughter of Pharaoh while the latter applied to the time after Solomon married the daughter of Pharaoh.

'Three were mere nonsense': Does the wife of Lot<sup>20</sup> convey uncleanness? He replied: A corpse conveys uncleanness but no pillar of salt conveys uncleanness. Does the son of the Shunamite<sup>21</sup> convey uncleanness?<sup>22</sup> He replied: A corpse conveys uncleanness but no live person conveys uncleanness. Will the dead in the hereafter<sup>23</sup> require to be sprinkled upon<sup>24</sup> on the third and the seventh<sup>25</sup> or will they not require it? He replied: When they will be resurrected we shall go into the matter.<sup>26</sup> Others say: When our Master Moses will come with them.

'Three were concerned with matters of conduct': What must a man do that he may become wise? He replied: Let him engage much in study<sup>27</sup> and a little in business. Did not many, they said, do so and it was of no avail to them? — Rather, let them pray for mercy from Him to whom is the wisdom, for it is said, For the Lord giveth wisdom, out of His mouth cometh knowledge and discernment.<sup>28</sup>

R. Hiyya taught: This<sup>29</sup> may be compared to the action of a mortal king who prepared for his servants a banquet but to his friends he sent from that which he had before himself. What then<sup>30</sup> does he<sup>31</sup> teach us?<sup>32</sup> That one without the other<sup>33</sup> does not suffice. What must a man do that he may become rich? He replied: Let him engage much in business<sup>34</sup> and deal honestly. Did not many, they said to him, do so but it was of no avail to them? — Rather, let him pray for mercy from Him to whom are the riches, for it is said, Mine is the silver, and Mine the gold.<sup>35</sup> What then<sup>36</sup> does he<sup>37</sup> teach us?<sup>38</sup> — That one without the other<sup>39</sup> does not suffice. What must a man do

# NIDDOH – 48b-73a

that he may have male children? He replied:  
He shall marry a wife that is worthy of him

1. As a guilt-offering.
2. Of the altar.
3. Cf. Lev, XIV, 17.
4. As a peace-offering (cf. Lev. III, 2).
5. As peace-offerings.
6. By restricting the time of consumption to a day and a night.
7. If some of the sacrificial meat remained after the day and the night (cf. prev. n.) have passed.
8. Sc. this sacrifice which, in case the man was no leper, is a peace-offering that may be eaten on two days.
9. Lit., 'the house of disqualification', the enclosure where disqualified sacrificial meat was burnt. Now since Samuel follows R. Simeon and the latter allows a conditional sacrifice why was it necessary for the former to explain (*supra* 70a) that the guilt-offering had been offered while the man was rich?
10. That the guilt-offering of a leper does not determine his financial condition in regard to his other two sacrifices,
11. Maintaining, contrary to R. Simeon's view, that a guilt-offering may not be offered up conditionally.
12. Ezek. XVIII, 32.
13. I Sam, II, 25.
14. Heb. lo yissa panim, lit., 'shall not lift up the countenance',
15. Deut. X, 17.
16. Num. VI, 26.
17. Ps. CXXXII, 13.
18. Zion.
19. Jer. XXXII, 31.
20. Who became a pillar of salt (Gen. XIX, 26.).
21. "Whom Elisha restored to life (II Kings IV, 35).
22. As if he were still dead.
23. At the resurrection.
24. As is the case with one who was in contact with a corpse.
25. Of the seven days that are to be counted after one had contracted corpse uncleanness.
26. Lit., 'we shall be wise about them'.
27. Lit., 'in sitting (in the schoolhouse)'.
28. Prov. II, 6.
29. The knowledge that is given 'out of His mouth'.
30. Seeing that one has in any case to pray for mercy.
31. Samuel who stated, 'Let him engage much', etc.
32. Sc. what is the use of study if mercy from heaven must in any case be sought?

33. Study without prayer and vice-versa.
34. 'Engage ... business' is deleted by Elijah Wilna.
35. Hag. II, 8.
36. Seeing that one has in any case to pray for mercy.
37. Samuel who stated, 'Let him engage much', etc.
38. Cf. prev. n. but five mut. mut.
39. Honest dealing without prayer and vice versa.

## Niddah 71a

and conduct himself in modesty<sup>1</sup> at the time of marital intercourse. Did not many, they said to him, act in this manner but it did not avail them? — Rather, let him pray for mercy from Him to whom are the children, for it is said, Lo, children are a heritage of the Lord; the fruit of the womb is a reward.<sup>2</sup> What then<sup>3</sup> does he teach us? That one without the other does not suffice. What is exactly meant by 'the fruit of the womb is a reward'? — R. Hama son of R. Hanina replied: As a reward for containing oneself during intercourse in the womb, in order that one's wife may emit the semen first, the Holy One, blessed be He, gives one the reward of the fruit of the womb.

BETH SHAMMAI RULED, etc. What is Beth Shammai's reason? If it be suggested: Because it is written, And the queen was exceedingly pained,<sup>4</sup> and Rab explained, 'This teaches that she had experienced a menstrual discharge', so that here also,<sup>5</sup> owing to the fright of the angel of death, she experiences a discharge [it could be retorted]: Have we not in fact learnt that fear causes blood to disappear?<sup>6</sup> — This is no difficulty since fear<sup>6</sup> detains it while sudden fright<sup>7</sup> loosens it. But [then what of] that which was taught,<sup>8</sup> 'Beth Shammai stated: All men die as Zabs and Beth Hillel stated: No dying man is deemed to be a *Zab* unless he died when he was actually one', why<sup>9</sup> should not one apply here<sup>10</sup> the text, Out of his flesh<sup>11</sup> but not on account of a mishap?<sup>12</sup> —

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Beth Shammai's reason is rather as it was taught: Formerly they were wont to subject to ritual immersion all utensils that had been used by dying menstruants,<sup>13</sup> but as living menstruants felt ashamed in consequence<sup>14</sup> it was enacted that utensils used by all dying women should be subject to immersion,<sup>15</sup> out of a deference to the living menstruants. Formerly they were wont to subject to ritual immersion utensils used by dying zabs,<sup>16</sup> but as living Zabs felt ashamed in consequence it was enacted that utensils used by all dying men<sup>17</sup> should be subject to ritual immersion, out of deference to the living zabs.<sup>18</sup>

**MISHNAH.** IF A WOMAN DIED AND A QUARTER OF A LOG OF BLOOD ISSUED FROM HER, IT<sup>19</sup> CONVEYS UNCLEANNESS AS A BLOODSTAIN<sup>20</sup> AND IT<sup>21</sup> ALSO CONVEYS UNCLEANNESS BY OVERSHADOWING.<sup>22</sup> R. JUDAH RULED: IT DOES NOT CONVEY UNCLEANNESS AS A STAIN, SINCE IT WAS DETACHED AFTER SHE HAD DIED.<sup>23</sup> R. JUDAH, HOWEVER, AGREES THAT WHERE A WOMAN SITTING ON THE TRAVAILING STOOL DIED AND A QUARTER OF A LOG OF BLOOD ISSUED FROM HER, IT<sup>24</sup> CONVEYS UNCLEANNESS AS A BLOODSTAIN.<sup>20</sup> R. JOSE RULED: HENCE<sup>24</sup> IT CONVEYS NO UNCLEANNESS BY OVERSHADOWING.<sup>25</sup>

**GEMARA.** Does it then follow<sup>26</sup> that the first Tanna<sup>27</sup> holds that even though blood was detached after she died<sup>28</sup> it conveys uncleanness as a bloodstain?<sup>29</sup> — Ze'iri<sup>30</sup> replied: The difference between them<sup>31</sup> is<sup>32</sup> the question whether the interior of the uterus is unclean.<sup>33</sup>

**R. JUDAH, HOWEVER, AGREES.** Does it then follow that the first Tanna<sup>34</sup> holds that it conveys uncleanness by overshadowing also?<sup>35</sup> — Rab Judah replied: The difference between them<sup>36</sup> is<sup>37</sup> the question of mingled blood;<sup>38</sup> for it was taught: What is meant by 'mingled blood'?<sup>39</sup> R. Eleazar son of R. Judah explained: If blood issued from a slain man both while he was still alive and when he was

dead and it is doubtful whether [a full quarter of a log] issued while he was still alive or when he was already dead or whether it partly issued while he was alive and partly while he was dead, such is mingled blood.<sup>39</sup>

But the Sages<sup>40</sup> ruled: In a private domain such a case of doubt is unclean while in a public domain such a case of doubt is clean. What then is meant by 'mingled blood'?<sup>39</sup> If a quarter of a log of blood issued from a slain man both while he was still alive and when he was dead and the flow had not yet ceased<sup>41</sup> and<sup>42</sup> it is doubtful whether the greater part<sup>43</sup> issued while he was alive and the lesser part when he was dead or whether the lesser part issued while he was alive and the greater part when he was dead, such is mingled blood.<sup>44</sup>

R. Judah ruled: The blood of a slain man, from whom a quarter of a log of blood issued while he was lying in a bed with his blood dripping into a hole, is unclean, because the drop of death is mingled with it, but the Sages hold it to be clean<sup>45</sup> because<sup>46</sup>

1. Cf. Rashi. Lit., 'and sanctify himself'.
2. Ps. CXXVII, 3.
3. Seeing that one has in any case to pray for mercy.
4. Est. IV, 4,
5. The case of dying women spoken of in our Mishnah.
6. *Supra* 39a, Sot. 20b.
7. As was the case with Esther or with a dying woman who sees the angel of death.
8. So MS.M. Cur. edd., 'we have learnt'.
9. According to Beth Shammai, if in their opinion the discharge is due to the fright of the angel of death.
10. The discharge of a dying man.
11. Lev. XV, 2; only in that case is the man unclean.
12. In which case he is clean; and since a discharge that is due to the fright of the angel of death is evidently a mishap, why should the man be unclean?
13. Since uncleanness is conveyed from the person to the utensils.
14. For being differentiated from all other women even when dying.
15. Even though they did not come in contact with them after death.

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16. V. p. 492, n. 12.
17. V. p. 492, n. 14.
18. Tosef. Nid. IX, M.K. 27b; from which it follows that the reason for the uncleanness of the utensils any dying person had used is a Rabbinical enactment instituted in deference to the feeling of living menstruants and Zabs. This reason is also that of Beth Shammai in our Mishnah.
19. Sc. the minutest drop of the blood.
20. Of a menstrual discharge. As the blood of a corpse it could convey no uncleanness unless it consisted of no less a quantity than a quarter of a *log*.
21. If all the quarter-*log* is accumulated.
22. As the blood of a corpse.
23. When menstrual uncleanness does not apply.
24. Since it was detached while the woman was still alive.
25. Only a corpse or the prescribed minimum of a part of it conveys uncleanness in this manner.
26. From R. Judah's ruling.
27. From whom R. Judah obviously differs.
28. When menstrual uncleanness does not apply.
29. But on what ground could such a view be justified?
30. So MS.M. Cur. edd. in parenthesis add, 'R.'
31. R. Judah and the first Tanna.
32. Not the point whether the blood is menstrual or not.
33. According to the first Tanna it is unclean, hence the uncleanness of the blood that was within it when the woman was alive though when it emerged the woman was dead and no longer subject to the uncleanness of menstruation. According to R. Judah it is clean.
34. With whom R. Judah agrees only on the one point mentioned. Rashi and Meharsha read 'R. Jose' for 'the first Tanna'.
35. But how could uncleanness be conveyed in this manner, seeing that the blood issued when the woman was still alive?
36. R. Judah and the first Tanna.
37. Not, as has been assumed, the question whether the blood is subject to corpse uncleanness.
38. Sc. the blood of a corpse mingled with that of a living person. According to R. Judah, since it is doubtful whether all the blood was detached while the woman was still alive or whether part of it was detached after she died, it is regarded as mingled blood which Rabbinically conveys uncleanness by overshadowing (though Pentateuchally it cannot do so unless the prescribed minimum had been detached after death), while the first Tanna (or R. Jose according to Rashi and Meharsha) maintains that, since the woman

was in travail, all the blood that issued may be presumed to have been detached while she was alive so that the question of mingled blood does not arise.

39. The corpse uncleanness of which is Rabbinic, and is conveyed by overshadowing.
40. Maintaining that in such a case, since one must take into account the possibility that all the quarter of a *log* may have issued after death, a possible Pentateuchal uncleanness is involved.
41. So that it is yet possible for the quantity of blood to increase to the prescribed minimum of a quarter of a *log*. Where the flow ceased, so that it is certain that the blood issuing after death will never make up the prescribed minimum, not even a Rabbinical prohibition is imposed (cf. Tosaf. Asheri).
42. Though it is certain that a full quarter of a *log* of blood did not issue after death.
43. Of the quarter.
44. V. p. 494, n. 6.
45. Even if the greater part issued after his death.
46. Since the blood did not emerge in a continuous flow but in single drops.

## Niddah 71b

each single drop<sup>1</sup> is detached from the other.<sup>2</sup> But did not the Rabbis speak well to R. Judah?<sup>3</sup> — R. Judah follows his own principle, for he laid down that no blood can neutralize other blood.<sup>4</sup> R. Simeon ruled: If the blood of a man crucified upon the beam was flowing slowly<sup>5</sup> to the ground, and a quarter of a *log* of blood was found under him, it is unclean.<sup>6</sup> R. Judah declared it clean, since it might be held<sup>7</sup> that the drop of death remained on the beam. But why should not R. Judah say to himself<sup>8</sup> 'Since it might be held<sup>7</sup> that the drop of death remained on the bed'? — [The case of blood] in a bed is different<sup>9</sup> since it percolates.<sup>10</sup>

**MISHNAH. FORMERLY IT WAS RULED: A WOMAN WHO ABIDES IN CLEAN BLOOD<sup>11</sup> MAY POUR OUT<sup>12</sup> WATER<sup>13</sup> FOR [WASHING OF] THE PASCHAL LAMB.<sup>14</sup> SUBSEQUENTLY THEY CHANGED THEIR VIEW: IN RESPECT OF CONSECRATED FOOD SHE IS LIKE ONE WHO CAME IN CONTACT WITH A PERSON THAT WAS SUBJECT TO CORPSE UNCLEANNESS.<sup>15</sup> THIS ACCORDING TO THE**

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VIEW OF BETH HILLEL. BETH SHAMMAI RULED: EVEN AS ONE WHO IS SUBJECT TO CORPSE UNCLEANNESS.<sup>16</sup>

*GEMARA.* 'SHE MAY POUR OUT' only, but may not touch it.<sup>17</sup> It is thus evident<sup>18</sup> that unconsecrated foodstuffs prepared in conditions of holiness<sup>19</sup> are treated as holy. But then read the final clause: SUBSEQUENTLY THEY CHANGED THEIR VIEW: IN RESPECT OF CONSECRATED FOOD SHE IS LIKE ONE WHO CAME IN CONTACT WITH A PERSON THAT WAS SUBJECT TO CORPSE UNCLEANNESS. Thus only<sup>20</sup> IN RESPECT OF CONSECRATED FOOD but not in respect of unconsecrated food.<sup>21</sup> It is thus evident, is it not, that unconsecrated foodstuffs prepared in conditions of holiness<sup>19</sup> are not treated as holy? — Who is the author of our Mishnah?<sup>22</sup> It is Abba Saul; for it was taught: Abba Saul ruled, A Tebul Yom is unclean in the first grade in respect of consecrated food to cause two further grades of uncleanness<sup>23</sup> and one grade of disqualification.<sup>24</sup>

*MISHNAH.* BUT THEY<sup>25</sup> AGREE THAT SHE<sup>26</sup> MAY EAT<sup>27</sup> SECOND TITHE; SHE MAY SET ASIDE HER<sup>28</sup> DOUGH-OFFERING,<sup>29</sup> BRING IT NEAR<sup>30</sup> TO THE DOUGH<sup>31</sup> AND DESIGNATE IT AS SUCH;<sup>32</sup> AND THAT IF ANY OF HER SPITTLE OR OF THE BLOOD OF HER PURIFICATION<sup>33</sup> FELL ON A LOAF OF *TERUMAH* THE LATTER REMAINS CLEAN. BETH SHAMMAI RULED: SHE REQUIRES IMMERSION AT THE END [OF HER DAYS OF PURIFICATION],<sup>34</sup> AND BETH HILLEL RULED: SHE REQUIRES NO IMMERSION AT THE END.

*GEMARA.* Because<sup>35</sup> a Master ruled: If a person performed immersion and came up [from his bathing] he may<sup>36</sup> eat of second tithe.

SHE MAY SET ASIDE HER DOUGH-OFFERING. For unconsecrated dough that

is *tebel*<sup>37</sup> in respect of the dough-offering<sup>38</sup> is not treated like the dough-offering.<sup>39</sup>

BRING IT NEAR. Because a Master stated: It is a religious duty to set aside the offering from dough that is in close proximity to that for which it is set aside.

AND DESIGNATE IT AS SUCH. Since it might have been presumed that this should be forbidden as a preventive measure against the possibility of her touching the dough<sup>40</sup> from the outside,<sup>41</sup> we were informed [that this is permitted].

AND IF ANY OF HER SPITTLE ... FELL. For we have learnt: The liquid [issues] of a Tebul yom<sup>42</sup> are like the liquids that he touches, neither of them conveying uncleanness. The exception is the liquid issue of a *zab*<sup>43</sup> which is a father of uncleanness.

BETH SHAMMAI. What is the point at issue between them?<sup>44</sup> — R. Kattina replied: The point at issue between them is the necessity for immersion<sup>45</sup> at the end of a long day.<sup>46</sup>

*MISHNAH.* IF A WOMAN OBSERVED A DISCHARGE ON THE ELEVENTH DAY<sup>47</sup> AND PERFORMED IMMERSION IN THE EVENING AND THEN HAD MARITAL INTERCOURSE, BETH SHAMMAI RULED: THEY<sup>48</sup> CONVEY UNCLEANNESS<sup>49</sup> TO COUCH AND SEAT<sup>50</sup> AND THEY ARE LIABLE TO A SACRIFICE,<sup>51</sup>

1. Lit., 'first first'.
2. And so soon as it drops into the hole it becomes neutralized in the clean blood that issued while the man was still alive. Only where the flow of the blood is continuous and the man lies on the ground, so that there is no mingling of the two kinds of blood, is corpse uncleanness imposed by the Rabbis where the greater part issued after death.
3. They did. How then (cf. prev. n.) can R. Judah maintain his view?
4. V. Zeb. 78a.
5. In a continuous stream. Had it been falling in drops each drop would have been neutralized as it fell into the clean blood that issued earlier while the man was still alive.

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6. Since the blood that issued after death and that could not be neutralized (cf. prev. n.) is subject to corpse uncleanness.
7. Lit., 'because I say'.
8. In the case of his previous ruling about a slain man lying in a bed (*supra* 71a ad fin.) where R. Judah ruled that the blood is unclean.
9. From that on the beam.
10. Through the bed to the ground.
11. Sc. from the eighth to the fortieth, and from the fifteenth to the eightieth day after the birth of a male and female child respectively (cf. Lev. XII, 2ff).
12. Lit., was pouring out'.
13. From one vessel into another, the water itself not being touched by her (v. next n. final clause).
14. Sc. she is subject to the second grade of uncleanness like a Tebul Yom (v. [Glos.](#)), since her immersion was performed at the end of the seven, and the fourteen days respectively, and the sunset prior to the first day of her complete cleanness will not occur before the fortieth and eightieth day respectively. One who is subject to second grade of uncleanness conveys a third grade of uncleanness to foodstuffs only but not to vessels.
15. Sc. her uncleanness in this respect is of the first grade. In regard to unconsecrated things, however, she is still subject to the second grade of uncleanness only.
16. Who is a 'father of uncleanness' and conveys an uncleanness of the first grade to vessels also.
17. The water.
18. Since she may not touch the water itself.
19. As in the case of the water under discussion which was being prepared for the washing of the paschal lamb.
20. Lit., 'yes'.
21. So that the woman may touch the water itself.
22. Sc. of the final clause.
23. The consecrated food that comes in contact with him is unclean in the second grade and that which comes in contact with this food is unclean in the third grade.
24. If *Terumah*, for instance, came in contact with the food that is unclean in the third grade (cf. prev. n.) it becomes disqualified but cannot convey any uncleanness to other foodstuffs.
25. Beth Shammai and Beth Hillel.
26. Cf. prev. Mishnah.
27. Like a Tebul Yom.
28. Lit., 'for herself'.
29. Before she designates it as such.
30. In the vessel in which she has put it.
31. Since the dough-offering must be close to the dough for which it is taken when it is named as the offering for it.
32. After which, of course, she must not touch it (cf. prev. n. but one).
33. Cf. *supra* p. 496, n. 1.
34. After the fortieth and eightieth day respectively.
35. A reason for the first ruling in our Mishnah.
36. Even before sunset.
37. V. [Glos.](#)
38. Sc. from which the dough-offering had not been taken.
39. A Tebul Yom (as one subject to the second grade of uncleanness) cannot, therefore, impart any uncleanness to it.
40. Lit., 'it', after it had been designated as dough offering.
41. Sc. she might put her hand across the sides of the vessel in which the dough-offering is kept, and so impart uncleanness to the offering.
42. 'The liquids that issue from him' is added in cur. edd., in parenthesis.
43. The passage from here to the end of the sentence is deleted by Elijah Wilna.
44. Beth Shammai and Beth Hillel.
45. If earlier in that day immersion had already been performed.
46. That terminated a period of uncleanness. The forty as well as the eighty days (cf. *supra* p. 496, n. 1) are regarded as one long day in the course of which (on the seventh and the fourteenth day respectively) immersion had already been performed.
47. Sc. the last day of a *Zibah* period which is followed by the first day of the next menstruation period.
48. The woman and her husband.
49. As a woman under the obligation of allowing a clean day to pass after a day of uncleanness and as the man who had intercourse with such a woman respectively.
50. I.e., to any object on which they lie or sit, which in turn conveys uncleanness to foodstuffs and drinks.
51. Prescribed for a woman and a man who had intercourse in such circumstances (cf. prev. n. but one).

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**BUT BETH HILLEL<sup>1</sup> RULED: THEY ARE EXEMPT FROM THE SACRIFICE.<sup>2</sup> IF SHE PERFORMED IMMERSION ON THE NEXT DAY<sup>3</sup> AND THEN HAD MARITAL INTERCOURSE AND AFTER THAT OBSERVED A DISCHARGE, BETH SHAMMAI RULED: THEY<sup>4</sup> CONVEY UNCLEANNESS<sup>5</sup> TO COUCH AND SEAT<sup>6</sup> AND ARE EXEMPT**

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FROM THE SACRIFICE,<sup>7</sup> BUT BETH HILLEL RULED: SUCH A PERSON<sup>8</sup> IS A GLUTTON,<sup>9</sup> THEY<sup>10</sup> AGREE, HOWEVER, THAT, WHERE A WOMAN OBSERVED A DISCHARGE DURING THE ELEVEN DAYS<sup>11</sup> AND PERFORMED IMMERSION IN THE EVENING AND THEN HAD INTERCOURSE, BOTH<sup>12</sup> CONVEY UNCLEANNESS TO COUCH AND SEAT<sup>13</sup> AND ARE LIABLE TO A SACRIFICE.<sup>14</sup> IF SHE PERFORMED IMMERSION ON THE NEXT DAY<sup>15</sup> AND THEN HAD INTERCOURSE, SUCH AN ACT IS IMPROPER<sup>16</sup> CONDUCT,<sup>17</sup> BUT THE UNCLEANNESS OF THEIR TOUCH AND THEIR LIABILITY TO A SACRIFICE ON ACCOUNT OF THEIR INTERCOURSE ARE IN SUSPENSE.<sup>18</sup>

**GEMARA.** Our Rabbis taught: And both<sup>19</sup> agree<sup>20</sup> that if a woman performs immersion at night after a *zibah*<sup>21</sup> the immersion is invalid, for both agree that if a woman who observed a discharge during the eleven days<sup>21</sup> and performed immersion in the evening and then had intercourse she conveys uncleanness to couch and seat and both are liable to a sacrifice. They<sup>19</sup> only differ where a discharge occurred on the eleventh day in which case Beth Shammai ruled: They<sup>22</sup> convey uncleanness to couch and seat and are liable to a sacrifice, and Beth Hillel exempt them from the sacrifice.

Said Beth Shammai to Beth Hillel: Why should in this respect the eleventh day differ from one of the intermediate of the eleven days; seeing that the former is like the latter in regard to uncleanness, why should it not also be like it in regard to the sacrifice? Beth Hillel answered Beth Shammai: No; if you ruled that a sacrifice is due after a discharge in the intermediate of the eleven days because the following day<sup>23</sup> combines with it in regard to *Zibah*, would you also maintain the same ruling in regard to the eleventh day which<sup>24</sup> is not followed by one that we could combine with it in regard to *Zibah*? Said Beth Shammai to them: You must be consistent;<sup>25</sup> if the one is like the other in regard to

uncleanness it should also be like it in regard to the sacrifice, and if it is not like it in regard to the sacrifice it should not be like it in regard to uncleanness either.

Said Beth Hillel to them: If we impose upon a man<sup>26</sup> uncleanness in order to restrict the law<sup>27</sup> we cannot on that ground impose upon him the obligation of a sacrifice which might<sup>28</sup> lead to a relaxation of the law.<sup>29</sup> And, furthermore, you stand refuted<sup>30</sup> Out of your own rulings. For, since you rule that if she performed immersion on the next day and having had intercourse she observed a discharge, uncleanness is conveyed to couch and seat and she is exempt from a sacrifice, you also must be consistent.<sup>31</sup> If the one is like the other in regard to uncleanness it should also be like it in regard to the sacrifice and if it is not like it in regard to the sacrifice it should not be like it in regard to uncleanness either. The fact, however, is that they are like one another only where the law is thereby restricted but not where it would thereby be relaxed; well, here also, they are like one another where the law is thereby restricted but not where it is thereby relaxed.

R. Huna stated: Couches and seats<sup>32</sup> which she occupies on the second day<sup>33</sup> are held to be unclean<sup>34</sup> by Beth Shammai even though she performed immersion<sup>35</sup> and even though she observed no discharge.<sup>35</sup> What is the reason? — Because if she had observed a discharge she would have been unclean,<sup>36</sup> she is therefore now<sup>37</sup> also unclean.<sup>34</sup> Said R. Joseph: What new law does he<sup>38</sup> teach us,<sup>39</sup> seeing that we have learnt, IF SHE PERFORMED IMMERSION ON THE NEXT DAY<sup>40</sup> AND THEN HAD MARITAL INTERCOURSE AND AFTER THAT OBSERVED A DISCHARGE, BETH SHAMMAI RULED: THEY<sup>41</sup> CONVEY UNCLEANNESS TO COUCH AND SEAT<sup>42</sup> AND ARE<sup>41</sup> EXEMPT FROM THE SACRIFICE?<sup>43</sup> R. Kahana objected:<sup>44</sup> Where she observed a discharge<sup>45</sup> the case is different.<sup>46</sup> Said R. Joseph: But what matters

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is that she observed a discharge<sup>47</sup> seeing that it is one of menstruation?<sup>48</sup> —

Abaye answered R. Joseph: R. Kahana<sup>49</sup> had this difficulty: Where the woman did observe a discharge one can well see the reason why uncleanness has been imposed since<sup>50</sup> an observation of menstruation had to be declared unclean as a preventive measure against the possibility of an observation of a discharge of *Zibah*, but where one observed no discharge<sup>51</sup> what possibility was there to be provided against? And, furthermore, we have learnt:<sup>52</sup> If a man observed one discharge of *Zibah*, Beth Shammai ruled: He is like a woman who waits a day for a day<sup>53</sup> and Beth Hillel ruled: Like a man who emitted semen,<sup>54</sup>

1. Maintaining that a woman who observed a discharge on the eleventh day of her *Zibah* period need not allow a clean day to pass before cleanness can be established.
2. But, in accordance with a Rabbinical enactment, are subject to uncleanness, as a preventive measure against a discharge during the eleven days (other than the last) in which case the uncleanness is Pentateuchal unless a portion at least of the following day had passed in cleanness.
3. The day following the *Zibah* period (which is the first day of that of menstruation), a portion of that day having passed in cleanness.
4. The woman and her husband.
5. Rabbinically as a preventive measure (cf. p. 498, n. 14).
6. V. p. 498, n. 11.
7. Since a portion of the day at least, has passed in cleanness. The discharge observed later in the day has no bearing on *Zibah* since that day belonged to the menstruation period.
8. Lit., 'behold this', the person who is in such a hurry as not to allow even one clean day to pass after a *Zibah* discharge.
9. Sexually. Such hurry is indecent, since it might lead one to act similarly in the case of a discharge in the intermediate days of the *Zibah* period when a Pentateuchal prohibition might be infringed. The uncleanness of *Zibah*, however, does not apply.
10. Beth Shammai and Beth Hillel.
11. Other than the last.
12. Husband and wife.
13. Though no discharge appeared on the following day.
14. Since, as a minor *Zabah* (one who experienced a discharge on one of the days of a *Zibah* period) she must allow one clean day to pass before she can regard herself as clean.
15. So that a part of the day at least had passed in cleanness.
16. Lit., 'bad'.
17. Because a discharge that might possibly occur later in the day would continue and extend the uncleanness of the previous day and render the immersion invalid.
18. Until the evening. If later in the day she experienced a discharge their touch conveys the uncleanness of *Zibah* and they are liable to bring the prescribed sacrifice; but if no discharge appeared the touch conveys no uncleanness and no liability to a sacrifice is incurred.
19. Beth Shammai and Beth Hillel.
20. Though Beth Hillel hold that, where a discharge appeared on the eleventh day and immersion was performed in the evening, intercourse in that night does not involve the bringing of a sacrifice.
21. Sc. on any day other than the eleventh.
22. Husband and wife.
23. Which is also one of the days of the *Zibah* period.
24. Being the last of the *Zibah* days and followed by the first of those of menstruation.
25. Lit., 'make your measures equal'.
26. Lit., 'we brought him'.
27. Rabbinically.
28. In case the sacrifice is not obligatory.
29. Offering on the altar an unconsecrated beast.
30. *Noshekin*, lit., 'you bite'. *Gold.* suggests the reading *mushabin*, 'you are answered'.
31. Lit., 'make your measures equal'.
32. So *MS.M.* and *Rashi*. *Cur. edd.* 'her couch and seat'.
33. Sc. the day following one of the intermediate days of the *Zibah* period on which she experienced a discharge.
34. Rabbinically.
35. On the second day.
36. Retrospectively, in accordance with Pentateuchal law, since the discharge on the second day is joined to that on the first to constitute a continuous *Zibah*.
37. As a preventive measure.
38. *R. Huna*.
39. By his statement.
40. The day following the eleventh of a *Zibah* period, which is the first of the following menstruation period, and a discharge on which cannot be treated as a continuation of the *Zibah* discharge of the previous day.



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41. Cur. edd. use here the fem. sing.
42. In cur. edd., the plural is here used.
43. Now, since a discharge on the twelfth day cannot be treated as a continuation of that on the eleventh (cf. prev. n. but two) and since it does not invalidate the immersion on that day, that discharge, as far as *Zibah* is concerned, might well be regarded as if it had never occurred. The case is consequently similar to that of R. Huna where a discharge on an intermediate day in the *Zibah* period was followed by a day on which none had occurred. As in the Mishnah, where the second discharge occurred on the twelfth, uncleanness has been imposed Rabbinically as a preventive measure against the possibility of a second discharge occurring on the eleventh so also in the case of R. Huna uncleanness must be imposed where no discharge occurred on the second day as a preventive measure against the possibility of a discharge occurring on the second day. What need then was there for R. Huna to make a statement which is implicit in the ruling of our Mishnah?
44. Against R. Huna.
45. The case dealt with in our Mishnah though that discharge could not be attributed to *Zibah*.
46. From one where there was no discharge at all. How then could R. Huna maintain his statement?
47. The case in our Mishnah.
48. Which cannot be attributed to *Zibah*; and consequently (cf. p. 501, n. 13) might be regarded (as in the case of R. Huna) as if no discharge had taken place. What then is the basis of R. Kahana's objection?
49. Who advanced the opinion that 'where she observed a discharge the case is different'.
50. The ruling concerning one discharge being likely to be misunderstood for that of another discharge.
51. And since the absence of a discharge is not likely to be misunderstood for a discharge.
52. Contrary to the view of R. Huna.
53. Sc. who must allow one clean day to pass for every day on which she experienced a discharge before she may be regarded as clean. As the uncleanness of the touch of such a woman on the second day after she performed immersion is left in suspense to provide against the possibility of a discharge appearing later in the day, so must also be the uncleanness of such a person if after experiencing the discharge he performed immersion. If, e.g., he touches tithe its uncleanness must remain in suspense in case

he observes a second discharge which would continue his former *Zibah*.

54. Sc. he is clean in regard to tithe immediately after his immersion. At all events it was here stated that, according to Beth Shammai, a woman who waits a day for a day is on a par with a man who experienced a first discharge of *Zibah*.

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and it was taught:<sup>1</sup> If a man<sup>2</sup> caused the shaking of the [first] observed discharge, Beth Shammai ruled: The man must be held in suspense,<sup>3</sup> and Beth Hillel declared him clean.<sup>4</sup> As to couches and seats occupied between a first and a second discharge, Beth Shammai hold them in suspense and Beth Hillel declare them clean. Now in the first clause it was stated, 'If a man observed one discharge of *Zibah*, Beth Shammai ruled: He is like a woman who waits a day for a day', from which it is evident, is it not, that in the case of a woman who waits a day for a day the uncleanness is held in suspense?<sup>5</sup> — Do not read, 'A woman who waits a day for a day' but read: Like a man who had intercourse with one who waits a day for a day.<sup>6</sup> But why is it that he<sup>7</sup> does not convey uncleanness to couch and seat,<sup>8</sup> while she does convey uncleanness to them?<sup>9</sup> — About him, since he does not usually bleed, the Rabbis enacted no preventive measure,<sup>10</sup> but in her case, since she does usually bleed, the Rabbis enacted a preventive measure. But<sup>11</sup> why is it that she conveys uncleanness to couch and seat and does not convey uncleanness to the man who had intercourse with her? — To couch and seat which are in common use she conveys uncleanness but to the man who had intercourse, which in such circumstances is an unusual occurrence, no uncleanness is conveyed.

We learnt, IF SHE PERFORMED IMMERSION ON THE NEXT DAY AND THEN HAD INTERCOURSE, SUCH AN ACT IS IMPROPER CONDUCT, BUT THE UNCLEANNESS OF THEIR TOUCH AND THEIR LIABILITY TO A SACRIFICE ON

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ACCOUNT OF THEIR INTERCOURSE ARE IN SUSPENSE. Does not this represent the general view?<sup>12</sup> — No, it is only the view of Beth Hillel. For it was taught: Said R. Judah to Beth Hillel: Do you then call such an act improper conduct, seeing that this man only intended to have intercourse with a menstruant? — 'A menstruant'! How could such an idea be entertained? — Rather read: To have intercourse with a Zabah. 'A Zabah'! How could this idea be entertained? — Rather read: To have intercourse with one who waits a day for a day.

It was stated: As to the tenth day,<sup>13</sup> R. Johanan ruled, The tenth is on a par with the ninth; as the ninth<sup>14</sup> must be followed<sup>15</sup> by observation<sup>16</sup> so must the tenth<sup>17</sup> be followed by observation.<sup>18</sup> Resh Lakish ruled: The tenth is on a par with the eleventh; as the eleventh<sup>19</sup> need not be followed by observation<sup>20</sup> so the tenth need not be followed by observation.

Some there are who teach this<sup>21</sup> in connection with the following. R. Eleazar b. 'Azariah said to R. Akiba, Even if you were all day to draw inferences from<sup>22</sup> the repetition of 'with oil'<sup>23</sup> I would not listen to you, the fact being that the prescribed quantities of half a *log* of oil for a thanksgiving-offering, and a quarter of a *log* of wine for a Nazirite, and the eleven days that intervene between one menstruation period and the next are the *Halachah* of Moses handed down from Sinai. What is the '*Halachah*' referred to? —

R. Johanan replied: The one *Halachah* applicable to the eleventh day.<sup>24</sup> Resh Lakish replied: The halachahs<sup>25</sup> applicable to the eleventh day. 'R. Johanan replied: The one *Halachah* applicable to the eleventh day' i.e., the eleventh day<sup>26</sup> only need not be followed<sup>27</sup> by a day of observation<sup>28</sup> but for the other days<sup>29</sup> it<sup>30</sup> does serve as a day of observation. But 'Resh Lakish replied: The Halachahs applicable to the eleventh day', i.e., neither need the eleventh be followed by one of observation nor does it serve as one of

observation for the tenth.<sup>31</sup> But are these<sup>32</sup> Halachahs? Are they not in fact derived from Scriptural texts? For it was taught: As it might have been presumed that if a woman observes a discharge on three consecutive days at the beginning of a menstruation period she shall be a zabah,<sup>33</sup> and that the text<sup>34</sup> 'If a woman have an issue and her issue in her flesh be blood'<sup>35</sup> applies<sup>36</sup> to one who observed a discharge on one day only<sup>37</sup> it was, therefore, explicitly stated,

1. Regarding a *Zab* who experienced one discharge.
2. Who was clean.
3. Until evening. If the *Zab* experienced a second discharge on that day he becomes a confirmed *Zab* retrospectively and the man who shook the discharge becomes unclean.
4. As is the case with one who caused the shaking of semen who remains clean.
5. And if she experiences no second discharge she is clean.
6. Because R. Huna agrees in the case of the man that, if the intercourse took place on the second day after the woman's immersion, the question of his uncleanness must be held in suspense and that before a second discharge appears he is even Rabbinically free from certain uncleanness.
7. The man who had the intercourse.
8. Which he alone occupied.
9. To couch and seat that have been occupied by her.
10. That, even where the woman observed no discharge after their intercourse, he shall convey uncleanness to couch and seat.
11. Since a preventive measure was enacted in her case on account of her tendency to bleed.
12. Even that of Beth Shammai who accordingly hold that on the day following a discharge during the intermediate days of the *Zibah* period the woman's touch causes only a suspended uncleanness. An objection thus arises against R. Huna who maintained that according to Beth Shammai couch and seat in such circumstances are held to be unclean.
13. Sc. a first discharge on the tenth day of the *Zibah* period. Such a discharge can never develop into a major *Zibah* (by being repeated on three consecutive days) since the tenth day is followed by one day only of the *Zibah* period (the eleventh) the twelfth being the first of the next menstruation period.

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14. Since a discharge on it may develop (if it is repeated on the tenth and the eleventh) into a major *Zibah*.
15. Lit., 'requires'.
16. On the next day.
17. If it was the first day in the *Zibah* period on which a discharge appeared.
18. On the eleventh; though a repeated discharge on the latter day would not constitute a major *Zibah*.
19. Which is the last day of the *Zibah* period.
20. According to Beth Hillel the day following being one of menstruation.
21. The dispute between R. Johanan and Resh Lakish.
22. Lit., increase, i.e., to regard every Scriptural mention of 'with oil', in connection with the thanksgiving-offering, as implying an addition to the quantity specified. Any two additions imply a reduction (cf. Zeb. 82a, 89a).
23. Lit., 'with oil, with oil,' (cf. Rashal and BaH.).
24. Of a *Zibah* period.
25. Two.
26. If a discharge was observed on it.
27. As any other of the eleven days must.
28. Since the next day is the first of the menstruation period.
29. The tenth.
30. The eleventh.
31. This is the Pentateuchal law. Rabbinically, however, even the eleventh day must be followed by one of observation before the woman may be regarded as clean.
32. The rules regarding the eleventh day.
33. Requiring a count of seven days after the third, and a sacrifice at the end of the counting.
34. Lit., and what do I establish', sc, what is derived from.
35. Lev. XV, 19, which implies that neither the counting of seven days nor any sacrifice is required.
36. Cf. prev. n. but one.
37. Cf. Rashal. Cur. edd. in parenthesis, 'but she who observes on three days at the beginning shall be a *Zabah*'.

## Niddah 73a

Not in the time of her menstruation,<sup>1</sup> implying,<sup>2</sup> close to the time of her menstruation.<sup>3</sup> Thus I only know about<sup>4</sup> the three days that immediately follow<sup>5</sup> the period of her menstruation, whence is it deduced that the same restrictions apply

where the three days are separated from the period of her menstruation by one day?

It was explicitly stated, Or if she have an issue.<sup>6</sup> Thus I only know about an interval of one day, whence is it deduced that the restrictions extend [where the day or the days on which the discharge appeared were] separated [from the menstruation period] by two, three, four, five, six, seven, eight, nine or ten days? You may reason thus: As we find in the case of the fourth day<sup>7</sup> that<sup>8</sup> it is suitable for the counting<sup>9</sup> and<sup>10</sup> is also appropriate as one for *zibah*<sup>11</sup> so may I also introduce<sup>12</sup> the tenth day<sup>13</sup> since it is both suitable for the prescribed counting<sup>14</sup> and appropriate as one for *zibah*.<sup>15</sup> But whence is it deduced that the eleventh day<sup>16</sup> is also included?<sup>17</sup>

It was explicitly stated, Not in the time of her menstruation.<sup>18</sup> Might I also<sup>19</sup> include<sup>17</sup> the twelfth day?<sup>2</sup> You must admit that this cannot be done.<sup>20</sup> But what reason do you see for including<sup>17</sup> the eleventh and for excluding the twelfth? I include the eleventh since it is suitable for being counted [as one of the seven clean days following the one<sup>21</sup> that is deduced<sup>22</sup> from] 'or if she have an issue'<sup>23</sup> and I exclude the twelfth since it is not suitable for being counted as one of the seven clean days following the one that is deduced from 'or if she have an issue'.<sup>24</sup> But so far I only know that *zibah*<sup>25</sup> is established after a discharge on<sup>26</sup> three days, whence is it deduced that the restrictions apply to a discharge on two days?

It was explicitly stated, Days.<sup>27</sup> Whence the deduction that the same applies also to a discharge on one day? It was explicitly stated, All the days.<sup>27</sup> 'Unclean',<sup>27</sup> implies that she conveys uncleanness to the man who had intercourse with her like a menstruant. 'She',<sup>27</sup> implies that only she conveys uncleanness to the man who had intercourse with her but that the *Zab* conveys no uncleanness to the woman with whom he had intercourse. But is there not an argument [a *minori ad majus*]: If she, who does not

contract uncleanness on account of observation<sup>28</sup> as on account of days,<sup>29</sup> does convey uncleanness to the man who had intercourse with her, is there not more reason that the man who does contract uncleanness on account of observation as on account of days<sup>30</sup> should convey uncleanness to the woman with whom he had intercourse?

It was expressly stated, 'she',<sup>27</sup> implying that only she conveys uncleanness to the man who had intercourse with her but that a *Zab* does not convey uncleanness to the woman with whom he had intercourse. But whence is it deduced that he conveys uncleanness to couch and seat?

It was expressly stated, As the bed of her menstruation.<sup>31</sup> From this,<sup>31</sup> however, I would only know the case of a man who experienced a discharge on three days, whence the deduction that the restrictions apply to a discharge on two days?

It was explicitly stated, 'Days'. But whence the deduction that the same applies to a discharge on one day? It was stated, 'All the days' —

And whence do we infer that the woman must count one day to correspond to one day?<sup>32</sup> It was stated, She shall be.<sup>33</sup> As it might have been presumed that she should count seven days after a discharge has appeared on two days only, this being arrived at by the following argument, 'If the man who does not count one day to correspond to one day<sup>34</sup> counts seven days after a discharge on two days, how much more reason is there that she who does count one day to correspond to one day<sup>32</sup> should count seven days after a discharge on two days', it was explicitly stated, She shall be,<sup>33</sup> implying that she counts one day only. It is thus evident,<sup>35</sup> is it not, that these<sup>36</sup> are derived from Scriptural texts?<sup>37</sup> — According to R. Akiba they are derived from Scriptural texts, but according to R. Eleazar b. 'Azariah they are traditional Halachahs.

Said R. Shemaiah<sup>38</sup> to R. Abba:<sup>39</sup> Might it be suggested that on account of a discharge in the day time<sup>40</sup> a woman is a *Zabah*, and that on account of one in the night<sup>41</sup> she is a menstruant? — For your sake,<sup>42</sup> the other replied, Scripture stated, By<sup>43</sup> the time of her menstruation,<sup>44</sup> implying<sup>45</sup> a discharge close to the time of her menstruation. Now which is a discharge that is close to the time of her menstruation? One that occurred in the night;<sup>46</sup> and yet Scripture called her a *zabah*.<sup>47</sup>

The Tanna debe Eliyahu<sup>48</sup> [teaches]: Whoever repeats<sup>49</sup> *Halachahs* every day may rest assured that he will be a denizen of the world to come, for it is said, Halikoth — *the world is his*;<sup>50</sup> read not *halikoth*<sup>51</sup> but *halakoth*.<sup>52</sup>

*Original footnotes renumbered.*

1. Lev. XV, 25. E.V., 'of her impurity'.
2. Cur. edd. in parenthesis, 'beyond the time of her menstruation'.
3. Sc. the three consecutive days on which a discharge appears and which subject the woman to the restrictions of a major *Zabah* must be close to (not within) the seven days of the menstruation period, viz., the first three days of the period of *Zibah*.
4. Lit., 'and I have not but'.
5. Lit., 'near to'.
6. Lev. XV, 25.
7. After the menstruation period.
8. Where the discharge appeared on the first three days following menstruation and then ceased.
9. Of the prescribed seven days beginning with it.
10. As has just been deduced from Lev. XV, 25: Or if she have an issue.
11. If the discharge first appeared on the second day following menstruation and was repeated on the third and fourth.
12. Under the *Zibah* restrictions.
13. And, much more so, the other days enumerated.
14. Where the discharge appeared on the first three days after menstruation.
15. If the discharge occurred on it as well as on the preceding two days.

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16. Which, if the discharge appeared on the first three days, cannot be counted among the seven days prescribed.
17. In the restrictions, so that if a discharge appeared on it and on the preceding two days *Zibah* is established.
18. Lev. XV, 25. E.V. 'of her impurity'.
19. As a deduction from the text just cited.
20. A discharge on the twelfth being regarded as one of menstruation that cannot be added to the *Zibah*.
21. The fourth day.
22. *Supra*.
23. The seven days following a discharge on the fourth terminating on the eleventh.
24. It being the first day of menstruation.
25. That conveys uncleanness to couch and seat.
26. Lit., 'and I have not but'.
27. Lev. XV, 25.
28. If, e.g., she experienced three discharges on one day she is not regarded as a major *Zabah* (v. foll. n.) to incur the obligation of a sacrifice.
29. A discharge that appeared on three consecutive days confirms a woman as a major *Zabah* (cf. prev. n.).
30. A man is confirmed as a *Zab* irrespective of whether he observed three discharges on three consecutive days respectively or all the three discharges on the same day (cf. B.K. 24a).
31. Lev. XV, 16.
32. Sc. if she experienced a discharge on one day she must allow one clean day to pass before she may be regarded as clean.
33. Lit., 'shall be to her', Lev. XV, 25.
34. After one discharge on one day he performs immersion in the evening and resumes his cleanness.
35. The argument begun on 72b ad fin. is now resumed and concluded.
36. The laws regarding the intervals between the menstruation periods, viz., that each interval extends over eleven days; that a discharge on three consecutive days of these eleven subjects the woman to the restrictions of a major *Zabah*; that after a discharge on only one or two of these days no more than one clean day need be allowed to pass; that after the eleven days' period the menstruation period begins, and that a discharge on the first of these causes the woman to be unclean on that day and on the following six days.
37. How then could it be stated *supra* that these laws were Halachahs?
38. *Var. lec.*, Isaiah (Yalkut).
39. *Var. lec.*, Raba (MS.M.).
40. Since the text from which the laws of *Zibah* are derived (Lev. XV, 25) speaks of days.
41. When (cf. prev. n.) she cannot be regarded a *Zabah*.
42. Sc. in order to avert the possibility of his deduction.
43. 'Al, E.V. 'beyond'.
44. Lev. XV, 25. E.V. 'her impurity'.
45. By the use of 'al ('by').
46. Since the menstruation period comes to an end at the sunset of the seventh day.
47. The verb rendered by 'have an issue' (Lev. XV, 25) being derived from the same root as *Zabah*.
48. A treatise bearing this name is mentioned in Keth., (Sonc. ed.,) p. 680, n. 2
49. Or 'learns'.
50. Hab. III, 6. E.V. 'his goings are of old'.
51. 'Goings out'.
52. Or 'Halachahs' (the Mishnah, Baraita, and the oral laws that were handed down through Moses from Sinai). If a man studies these 'Halachahs, the world (to come) is his'.