

**The Soncino Babylonian Talmud**

**Book I**

**Folios 2a-23a**



**NIDDOH**

**TRANSLATED INTO ENGLISH WITH NOTES**

**BY**  
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**UNDER THE EDITORSHIP OF**  
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## INTRODUCTION TO SEDER TOHOROTH

BY

THE EDITOR

Tohoroth ('Cleannesses'),<sup>1</sup> which is the name given to the last of the six 'Orders' into which the Talmud is divided, has for its subject the laws of the 'clean' and 'unclean' in things and persons. These laws constitute a code of Levitical purity and are of much more special application than those relating to the 'clean' and 'unclean' food (animals, birds, locusts, fishes), which are discussed and elaborated in the tractate Hullin, included in the immediately preceding Order Kodashim. Whereas these latter laws are absolute, and are valid for all times and all places, most of those treated in this 'Order' are connected inseparably with the sanctuary, and have no validity apart from it. Even in Temple times many of them did not affect the common man, and unless he was to visit the sanctuary precincts, or come into contact with consecrated food, he need have paid little regard to them. Nor did these laws of 'uncleanness' ever apply outside Palestine; and with the destruction of the Temple they have as a whole fallen into obsolescence even in the Holy Land itself. An exception to this strictly circumscribed character of the laws dealt with in this 'Order' is the law of the menstruant which remains in force to the present day; but even in this case the emphasis here is primarily on the Levitical 'uncleanness', rather than on the prohibition of marital relations which this impurity involves.<sup>2</sup>

This connection with the sanctuary makes the Seder Tohoroth a fitting sequel to Seder Kodashim, which deals principally with the Temple and its sacrificial system and rites.

The 'Order' consists of twelve tractates, arranged according to the separate printed

editions of the Mishnah in the following sequence:

1. **KELIM (Vessels):**<sup>3</sup> Deals with the rules about the uncleanness of 'vessels' (a term denoting articles of utility of every kind), indicating under which conditions they are unclean, or become susceptible to uncleanness, in accordance with Leviticus XI, 33-35. 30 Chapters.
2. **OHOLOTH (Tents):** Treats of the laws concerning the defilement conveyed by a dead body to persons or 'vessels' which happen to be in the same tent or under the same roof with it, as set forth in Numbers, XIX, 14-15. 18 Chapters.
3. **NEGA'IM (Leprosy):** Sets forth the rules concerning the treatment of leprosy in men, garments and dwellings in accordance with Leviticus XIII-XIV, and the prescriptions for the leper's purification. 14 Chapters.
4. **PARAH (Heifer):** Describes the required properties of the Red Heifer, and the preparation and use of its ashes for the purification of the unclean, according to Numbers XIX. 12 Chapters.
5. **TOHOROTH (Cleannesses):** Deals with the rules about the uncleanness of food-stuffs and liquids, indicating under what conditions they are rendered unclean through contact with different sources and grades of impurity. 19 Chapters.

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6. **MIKWA'OTH (Pools of Immersion):** Gives the requirements for wells and reservoirs in order to render them ritually fit for immersions, and the regulations governing all ritual immersions. 10 Chapters.
7. **NIDDAH (The Menstruant).** Details the rules about the legal uncleanness arising from certain conditions in women, such as those described in Leviticus, XV, 19-31 and XII, 2-8. 10 Chapters.
8. **MAKSHIRIN (Predispositions).** Has for its theme the conditions under which foodstuffs become 'predisposed', that is susceptible to uncleanness after having come into contact with liquid (in accordance with Leviticus XI, 34, 38), and enumerates the liquids that make foodstuffs susceptible in this sense. 6 Chapters.
9. **ZABIM (They That Suffer Flux):** Treats of the uncleanness of men and women affected with a running issue, according to Leviticus, XV, 2-18. 5 Chapters.
10. **TEBUL YOM (Immersed at Day Time):** Discusses the character of the uncleanness which, until the setting of the sun, adheres to one who has immersed himself during the day time for his purification (cf. Leviticus XXII, 6f.) 4 Chapters.
11. **YADAYIM (Hands):** Treats of the uncleanness of unwashed hands and of their purification. It also includes a discussion on certain books of the Canon of the Bible, and records some controversies between the Sadducees and the Pharisees. 4 Chapters.
12. **'UKZIN (Stalks):** Deals with the conditions under which stalks of plants or fruits convey uncleanness to

the fruits or plants to which they are attached or *vice versa*. 3 Chapters.

Kelim is well qualified by its contents to serve as a sort of Introduction to the whole of the 'Order'.<sup>4</sup> This alone, quite apart from its length, entitles it to the pride of place as opening tractate in most of the printed editions of the Mishnah. In the Talmud editions, the first place is assigned to Niddah, as being the only tractate within the 'Order' to which there is Gemara extant. Whether there has ever been Gemara to the other tractates is a question which cannot be answered with a definite 'Yes' or 'No'. There is clear evidence in the Talmud that in the days of Raba (299-352 C.E.) the Order Tohoroth was studied with the same intensity as the other 'Orders'.<sup>5</sup> Significant in this connection is the mention of 'Ukzin', which we are told was discussed in the school of Raba at thirteen sessions;<sup>6</sup> this indicates apparently that the studies covered the whole of the 'Order' to its very last tractate. Reference is also made in a Berlin MS. to a Palestine Gemara for "Ukzin".<sup>7</sup> On the other hand, Maimonides, who speaks of a Palestine Gemara to Kodashim, of which nothing is known to us, declares that 'except for Niddah, there is to be found no Gemara of any kind to Seder Tohoroth, neither in the Babylonian nor the Palestinian version.'<sup>8</sup> It is therefore natural to assume that, while the study of the other 'Orders' was continuous and regular, suffering no break or interruption through the centuries, that of Tohoroth was casual and intermittent; and, but for some exceptions, was undertaken in the schools of Palestine and Babylon only in so far as its principles and teachings had a bearing on the subjects of study. This comparative neglect of the 'Order' meant that much of its contents was left unelucidated and unexplained, and that little material beyond that which had already been distributed here and there throughout the other 'Orders', was provided for the Redactors of the Talmud to work up into a separate

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Gemara.<sup>8</sup>

This neglect was not due to the fact that the subject matter of Tohoroth had no relevancy to the times when the edifice of the Talmud was being reared. Had this been the sole explanation there would have been, apart from Hullin, no Gemara on Kodashim either, seeing that also this 'Order' is devoted to laws which had lost all practical significance. There must have been some deeper reason for this disregard of the study of precepts which were recognized as belonging to the 'essentials of the Torah'.<sup>2</sup> The opinion may be hazarded that it was some vision of the Messianic future which inspired the different attitudes of the schools to Kodashim and Tohoroth. That vision embraced the restoration of the Temple with its sacrificial rites; but whereas the study of Kodashim was maintained with all diligence in order to keep the people prepared for the resumption of the Temple service, no similar motive applied to the laws of uncleanness which are treated in Tohoroth. They had been rendered obsolete with the destruction of the Temple, and no hope was set on their revival in the future. Not that there was no longing for purity, but Messianism itself spelled purity. The Messianic future, as Jewish teachers conceived it, was one in which, generally speaking, there would be no defilement, no uncleanness, God Himself appearing in His self-manifesting power and redemptive love to cleanse His people from all filthiness and pollution: *'Then I will sprinkle upon you clean water, and ye shall be clean from all your filthiness and from all your idols will I cleanse you'* (Ezekiel XXXVI, 25); *'and I will also cause the unclean spirit to pass out of the land'* (Zechariah, XIII, z). With the loss of all practical interest which this vision entailed, it was natural for the study of Tohoroth to fall into desuetude. There were nevertheless still teachers, particularly of, priestly descent,<sup>10</sup> for whom the 'Order' had its fascination, perhaps in satisfaction

of a wistful longing for a glory that was past. Preeminent among these was Rabbah bar Nahmani (d. 339 C.E.) who contributed greatly to the exposition of Tohoroth and whose pronouncement on a matter of Levitical purity, uttered by him as he was breathing his last, received, according to Talmudic Aggadah, the stamp of Divine approval with the words: 'Happy art thou, O Rabbah bar Nahmani, whose body is pure and whose soul has departed in purity'.<sup>11</sup> It is thanks to these teachers that the 'disciple of the Torah' may, notwithstanding the absence of Gemara, find his way through the branchings and windings of this 'Order' and through the maze of laws and regulations that compose it.

## THE SIGNIFICANCE OF THE LAWS OF 'CLEANNESSES'

The laws of uncleanness elaborated in this 'Order' are based on a number of injunctions found in various places in the Pentateuch, principally in Leviticus Chapters XI-XV. There we find enumerated a list of things and persons which are deemed unclean in themselves and may communicate uncleanness either directly or sometimes even through an intermediary.

An examination of the sources of uncleanness shows that they are reducible to three categories: (a) Death; (b) Disease; (c) Sexual Functions.

*Death:* The most potent source of uncleanness is Death. A human corpse or part of it spreads uncleanness, conveying it not only to the person or thing that comes directly or indirectly in contact with it, but even (according to Numbers XIX, 14) to such as happen to be under the same 'tent' or 'cover' as itself. Uncleanness of a minor character also is attached to the carcass of animals, of birds and of certain species of vermin.

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**Disease.** A very high degree of uncleanness is attached to various diseases comprehended under the general term, *Zaraath* ('leprosy'), of which there are three types: Leprosy of Men, Leprosy of Houses, and Leprosy of Garments.

**Sexual Functions.** Sexual functions, whether normal or pathological, carry with them a type of uncleanness varying in severity according to the nature of the affection. Included in this category are the menstruant, and the woman after childbirth.

Each type of uncleanness has its own specific rules defining both its character and the means by which it can be removed.

These laws are the least intelligible in the Torah. The words of the Wise King *'I said, I will get wisdom but it was far from me'* (Eccl. VII. 2.3), were applied by the Rabbis of the Talmud to the laws of 'cleanness' and 'uncleanness'.<sup>12</sup> Maimonides likewise in the Introduction to his commentary on *Tohoroth* describes the whole subject as 'bristling with difficulties, far from human understanding and one which even the Great Sages of the Mishnah found hard to comprehend'.<sup>13</sup> This may perhaps be the reason that this Order has been designated in the Talmud as *'Da'ath'*<sup>14</sup> ('Knowledge'). While, that is to say, it communicates the knowledge of a body of divine ordinances, to explain the reason for them is beyond the reach of human wisdom. Yet it was inevitable that the attempt should be made; for it cannot be supposed that these ordinances were devoid of some purpose of vital importance for the life of the Jew. Some there are who would define the object of these laws as mainly hygienic.<sup>15</sup> And indeed when we read the directions for cleanness set forth in the Bible they seem not unlike hygienic orders of a General to soldiers on march, or the rules of a Board of Health. Yet while this will hardly be contested, it cannot be maintained that the hygienic motive is paramount in these laws.

The fact that many of the regulations bear no relation whatsoever to hygiene is clear evidence to the contrary. The same criticism applies to other motives which have been suggested, such as taboos and totemism. While these might account for some of the regulations, it is obvious that much of the legislation regarding uncleanness has no connection with these ideas, and they cannot therefore be regarded as the operative reason for it.<sup>16</sup>

More satisfactory is the view of Maimonides,<sup>17</sup> who declared that the object of these regulations was to impose certain limitations and conditions upon Israel's approach to God, which should have the effect of deepening in them the sense of awe and reverence for the majesty of their divine Father and King. It is for this reason, as he points out, that the whole of these laws apply only to relations with the sanctuary and the holy objects connected with it and not to other cases.

This basic principle provides Maimonides with a key to many of the details of the laws of uncleanness and purifications. The source of uncleanness is, in his view, physical dirt and filth. Human corpses, carcasses of animals, birds or creeping things, sexual functions, leprous diseases, are all dirt and filth and accordingly convey uncleanness.

While Maimonides is certainly correct in relating the laws of purity to the sanctuary, his idea of the source of uncleanness does not appear adequate. It does not account for the exclusion from the Biblical list of 'uncleannesses' other things that are equally dirty and filthy. There is therefore much to be said in favor of the suggestion that the laws of uncleanness as related to the sanctuary were as a whole instituted to wean Israel away from the then prevalent animal worship and cult of the dead as well as from the sexual perversions that were inseparable from Canaanite idolatrous cults.<sup>18</sup> But while there is no reason to

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doubt that this motive is present in the institution of corpse and carcass uncleanness and the uncleanness of sexual functions, this would still leave most of the laws of uncleanness unexplained.

Many more suggestions in explanation of these laws have been made by Biblical commentators both Jewish and non-Jewish, mediaeval and modern, but notwithstanding the penetration and richness of thought that is to be found in some of them, particularly in those of Nahmanides, Gersonides and Abrabanel, they cannot be said to satisfy the student. The only correct attitude to adopt in regard to this legislation is that of Maimonides. With all his endeavor to give in his '*Guide*' a rational explanation of these laws, even to their smallest details, he declares categorically in his *Yad ha-Hazakah* that they are to be treated as divine statutes which baffle human understanding. 'It is clear and obvious', he writes, 'that the regulations concerning uncleanness and cleanness are decrees of the Holy Writ, and do not belong to the subjects which a man can rationally explain. They thus belong to the category of statutes. Similarly the act of immersion to rid oneself of impurity belongs to that class of "statutes" because defilement is not material filth that can be removed by water. It is but a decree of the Holy Writ, and the removal is dependent upon the intention of the heart. On that account the Sages said, "If a man immersed himself without specific intention, it is as though he had not immersed himself at all." Nevertheless there is symbolical significance in this matter. In the same way that a person who directs his heart to self-purification attains cleanness as soon as he immerses although there has been no physical change in him, so the person who directs his heart to purify his soul from spiritual impurities, such as iniquitous thoughts and evil notions, becomes clean as soon as he determines in his heart to keep apart from these courses, and bathes his

soul in the waters of the pure knowledge.'<sup>19</sup>

This attitude follows logically from the belief in Revelation, and any other attitude is *ipso facto* a rejection of the Torah of Israel and of God who is its Author. This does not mean to say that the laws of the Torah are arbitrary, with no purpose and significance. Had this been admitted, Jewish religious thinkers throughout the ages would not have devoted so much of their energies to an inquiry into the specific reasons of the Commandments. But what it does mean is that whilst the laws of the Torah, by the very virtue of their educative character, cannot contain anything which is irrational and which cannot be made to fit into a general framework of reason, and that therefore every attempt to discover their significance is justified, they are nevertheless not reducible altogether to logical concepts; and over and above the reasons that may be adduced there are others that transcend all human thoughts and imagining.

Reverting to the laws of 'cleanness' and 'uncleanness', all that Jewish religious teachers sought to establish in their quest for a meaning of these ordinances was a rationale in accord with the moral and spiritual nature of man which would explain the inclusion of them in the Torah, without however attempting to penetrate into their innermost significance. This, they recognized, was related to a higher order of existence, incomprehensible to our state of human knowledge. Fundamental to their view of life is the close relationship of body and soul, so that what affects the one affects the other. Nor is there anything strange in this conception. In the words of R. Aaron Halevi, 'We may indeed be astonished at this close relationship between body and soul, but we do not know the nature of the soul nor its essence; how then should we know what is good or harmful for it? Just as a doctor can effect no cure without first ascertaining the cause of the malady, so is the reason for some of the commandments

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bound to elude us so long as we have no complete knowledge of the nature of the soul.<sup>20</sup> From this conception it follows that the soul is affected by the uncleanness of the body. The nature of this affection varies in accordance with the source of uncleanness, as determined by the wisdom of the 'Creator of all Souls'. In general, bodily uncleanness has a contaminating influence on the soul, disqualifying the person thus affected from approaching the sanctuary of God. Although no longer valid, the relevant laws have not lost their symbolic significance: the necessity of purity of body, mind and soul in order to gain acceptance with God. Graver in its consequences and in full force to the present day is the law of *Niddah*. The reasons for the *Niddah* ordinances are many and varied. They promote sexual hygiene, physical health, marital continence, respect for womanhood, consecration of married life, and family happiness. But over and above these weighty reasons, they concern the very being of the soul of the Jew. They safeguard the purity of the Jewish soul, without which no true religious moral and spiritual life — individual or corporate — as Judaism conceives it, is attainable.

While the Halachic student will turn to Seder Tohoroth in order to satisfy his thirst for knowledge in an important department of Jewish law, and to find intellectual delight in its dialectic, which is of a very high order, the non-Halachic student will be rewarded in his study of the Seder by the discovery of a wealth of material of archaeological, medical and general cultural interest. Of particular value are its deposits of linguistic elements which can supply much of the needs of New Judea for Hebrew norms of expression in keeping with the advance of technology, commerce, science, and modern life in general.

## METHOD AND SCOPE

**TEXT.** The Text used for this edition is in the main that of the Wilna Romm Edition. Note has, however, been taken of the most important variants of manuscript and printed editions some of which have been adopted in the main body of the translation, the reason for such preference being generally explained or indicated in the Notes. All the censored passages appear either in the text or in the Notes.

**TRANSLATION.** The translation aims at reproducing in clear and lucid English the central meaning of the original text. It is true some translators will be found to have been less literal than others, but in checking and controlling *every line* of the work, the Editor has endeavored not to lose sight of the main aim of the translation. Words and passages not occurring in the original are placed in square brackets.

**NOTES.** The main purpose of these is to elucidate the translation by making clear the course of the arguments, explaining allusions and technical expressions, thus providing a running commentary on the text. With this in view resort has been made to the standard Hebrew commentators, Rashi, the Tosafists, Asheri, Alfasi, Maimonides, Maharsha, the glosses of BaH, Rashal, Strashun, the Wilna Gaon, etc.<sup>21</sup> Advantage has also been taken of the results of modern scholarship, such as represented by the names of Graetz, Bacher, Weiss, Halevy, Levy, Kohut, Jastrow, Obermeyer, and — happily still with us — Krauss, Buchler, Ginzberg, Klein and Herford among others, in dealing with matters of general cultural interest with which the Talmud teems — historical, geographical, archaeological, philological and social.

**GLOSSARY AND INDICES.** Each Tractate is equipped with a [Glossary](#) wherein recurring technical terms are fully explained, thus obviating the necessity of explaining them afresh each time they appear in the text. To this have been added

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a Scriptural Index and a [General Index](#) of contents.

In the presentation of the tractates the following principles have also been adopted:

- i. The Mishnah and the words of the Mishnah recurring and commented upon in the Gemara are printed in capitals.
- ii. [H] introducing a Mishnah cited in the Gemara, is rendered 'we have learnt'.
- iii. [H] introducing a Baraitha, is rendered 'it has been (or was) taught'.
- iv. [H] introducing a Tannaitic teaching, is rendered 'Our Rabbis taught'.
- v. Where an Amora cites a Tannaitic teaching the word 'learnt' is used, e.g., [H], 'R. Joseph learnt'.
- vi. The word Tanna designating a teacher of the Amoraic period (v. [Glos.](#)) is written with a small 't'.
- vii. A distinction is made between ...: [H] referring to a Tannaitic ruling and ...: [H] which refers to the ruling of an Amora, the former being rendered 'the *Halachah* is ...' and the latter, 'the law is ...'
- viii. R. stands either for Rabbi designating a Palestinian teacher or Rab designating a Babylonian teacher, except in the case of the frequently recurring Rab Judah where the title 'Rab' has been written in full to distinguish him from the Tanna of the same name.
- ix. [H], lit., 'The Merciful One', has been rendered 'the Divine Law' in cases where the literal rendering may appear somewhat incongruous to the English ear.
- x. Biblical verses appear in italics except for the emphasized word or words in the quotation which appear in Roman characters.
- xi. No particular English version of the Bible is followed, as the Talmud has

its own method of exegesis and its own way of understanding Biblical verses which it cites. Where, however, there is a radical departure from the English versions, the rendering of a recognized English version is indicated in the Notes. References to chapter and verse are those of the Massoretic Hebrew text.

- xii. Any answer to a question is preceded by a dash ( — ), except where the question and the answer form part of one and the same argument.
- xiii. Inverted commas are used sparingly, that is, where they are deemed essential or in dialogues.
- xiv. The archaic second person 'thou', 'thee', etc. is employed only in *Haggadic* passages or where it is necessary to distinguish it from the plural 'you', 'yours', etc.
- xv. The usual English spelling is retained in proper names in vogue like Simeon, Isaac, Akiba, as well as in words like *Halachah*, *Shechinah*, *Shechitah*, etc. which have almost passed into the English language. The transliteration employed for other Hebrew words is given at the end of each tractate.
- xvi. It might also be pointed out for the benefit of the student that the recurring phrases 'Come and hear:' and 'An objection was raised:' or 'He objected:' introduce Tannaitic teachings, the two latter in contradiction, the former either in support or contradiction of a particular view expressed by an Amora.

## THANKSGIVING

In presenting this Seder, the Soncino Press is resuming the publication of its English edition of the Babylonian Talmud, interrupted by the hard and bitter years of the world-engulfing and world-devastating war. These were years of unparalleled



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tragedy for mankind, but for none has the tragedy been so staggering and overwhelming as for the Jewish people. With many Jewries decimated and the flower of their kith and kin annihilated, the Jews stand today terribly diminished in numbers and in material and spiritual resources. As they gaze in horror on the universal scene of desolation left by the war, they cannot escape the particularly bewildering shock of the landscape as it affects Jewish life. They look out and see the ruins of many flourishing communities and famous *Torah* centers, which for generations sent forth beams of spiritual and cultural and religious light to Jews throughout the world. It is therefore only fitting on this occasion, for those of us who have been closely connected with this publication and been spared to this day, to utter the traditional [H]. We, in a spirit of sincere humility, thank God that to us has been granted the privilege of making a notable and specific contribution to the preservation of the *Torah*, so that it might not be forgotten from Israel, and of continuing the work which can provide a great and stimulating force to this generation in the mighty tasks of spiritual and religious reconstruction that lie ahead.

## ACKNOWLEDGEMENTS

I should also like to take this opportunity of expressing my warmest appreciation to the several translators for the learning and industry they have brought to bear upon their work; to Mr. Maurice Simon, M. A., for his helpfulness in many directions; to Mr. Eli Cashdan, M. A., for his valuable assistance, particularly in reading and checking the proofs; and to my dear wife for her help in many ways whilst I was engaged in this work.

Nor must I forget to express my very special thanks to Mr. Jacob Davidson, the Governing Director of the Soncino Press, whose inflexible resolve and dauntless

energy enabled him to triumph over all obstacles and difficulties and to resume the publication of this gigantic work.

Nor can I take leave from the reader without a word in affectionate remembrance of the late Chief Rabbi, Dr. J. H. Hertz, who was, alas, not spared to see the completion of the Soncino version of the Talmud. As a patron of Jewish scholarship and learning, the Chief Rabbi took a keen personal interest in this work, as his Forewords to the Orders *Nezikin*, *Nashim* and *Mo'ed* testify. His sponsoring of this publication has indeed been most valuable.

For technical reasons, Seder *Tohoroth*, which is the last of the Sedarim, is published before the two remaining Orders — *Zera'im* and *Kodashim*. These two Sedarim will shortly be issued and thus bring this great and important task to completion. In the meantime, on behalf of all collaborators and co-workers, associated with me in this publication, I offer the time-honored traditional prayers of the student of the Law as applied to this Seder:

'May it be Thy will, O Lord our God, even as Thou hast helped us to complete Seder *Tohoroth*, so to help us to begin the other Sedarim and complete them.'

I. EPSTEIN

Jews' College, London.  
5th Tishri, 5708  
19th September, 1947

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## Footnotes

1. Generally taken as euphemism for 'uncleanliness', see Z. Frankel, *Darke Ha-Mishnah*, p. 254.
2. Another exception is the prohibition of defilement for the dead imposed on priests which is valid for all times and places. The law of leprosy is also, in a sense, another exception in that its discontinuance since the destruction of the Temple is not due to the absence of the sanctuary but to the lack of authenticated expert priests to whom alone the treatment of this contagion was entrusted. See Maimonides, *Yad, Tummeath Zaraath*, iii, q, and *Sefer ha-Hinnuk*, 169, 171, 177. The question whether the general laws of 'cleanness' and 'uncleanness' are operative in our time is a matter of controversy between the Rabbanites and Karaites, see L. Ginzberg, *Ginze Schechter*, II, pp. 491ff. See also Judah ha-Levi, *Kuzari*, iii, 49.
3. This tractate was also known under the name 'Tohoroth', see J. N. Epstein, *Der gaonaische Kommentar zur Mishnaordnung Teharoth*, Berlin 1915, p. 59 and Berlin 1921; and in *Tarbiz*, XV, pp. 71-134.
4. See I. Halevy, *Doroth ha-Rishonim*, 1 (c) 1918, pp. 231-35.
5. See Ta'an. 24ab, and [Sanh. 106a](#).
6. See H. L. Strack, *Introduction to the Talmud and Midrash* (English ed.) Philadelphia, 1931 pp. 68 and 266.
7. See Maimonides, *Introduction to Seder Zeraim*. The reference to a 'Talmud Kelim found in "Rome"' [H] in the Gaonic commentary on Tohoroth (see above XIV, n. 1), is not to a Gemara but simply to some lost commentary on the tractate. See J. N. Epstein *op. cit.*, 1921, p. 40: [H] = [H]
8. A Gemara on Kelim and Oholoth consisting of relevant material scattered in the Talmudim and Midrashim has been compiled by Rabbi Gershon Enoch Henech Lainer of Radzin, and published under the name *Sidre Taharah*, Jozefow, 1873, Pietrkow, 1903.
9. Hag. 10a.
10. See M. Kaplan, *The Redaction of the Babylonian Talmud*, p. 252.
11. See [B.M. 86a](#).
12. With special reference to the Red Heifer ordinances, see *Midrash Numbers Rabbah*, xix, 3.
13. See Maimonides' *Introduction to Seder Toboroth*.
14. See [Shab. 31a](#).
15. See I. L. Katzenelsohn, *Talmud and Medizin* (Hebrew), pp. 354,ff.
16. Cf. W. Robertson Smith, *Religion of the Semites*, (2nd ed. 1894) pp. 296.
17. *Guide for the Perplexed*, iii, 47.
18. See Katzenelsohn, *op. cit.* pp. 365f. and *op. cit.* 381ff. On the ancient idolatrous cults referred to, see A. Lods, *Israel*, pp. 227, 243, 409f.
19. *Yad, Mikwa'oth*, xi, 12.
20. *Sefer ha-Hinnuk 159*; see I. Epstein, *The Conception of the Commandments of the Torah in Aaron Halevi's Sefer ha-Hinnuk*, in 'Essays Presented to J. H. Hertz' pp. 157-8.
21. These names are referred to more fully in the list of Abbreviations at the end of each Tractate.

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## INTRODUCTION

The Tractate *Niddah*, which comes seventh in the Mishnah editions of the Order of Tohoroth, is placed first in the editions of the Talmud, since it is the only Tractate in this order which consists of Gemara as well as Mishnah.

The term *niddah*<sup>1</sup> is applied in Biblical and Rabbinical literature to a woman in menstruation who, by reason of her uncleanness, is subject to certain restrictions during her periods and for a varying number of days subsequently.

The origin of these regulations is Lev. XV, 19ff, which prescribe some general rules concerning *Niddah* and *Zibah* (v. Glos.). These enactments have been expounded and amplified in accordance with Rabbinical methods of interpretation and tradition, and have been made still more onerous by the strict customs adopted by Jewish women themselves.

The following is a brief summary of the ten chapters of this Tractate:

**CHAPTER I** describes the factors that determine the length of the periods of uncleanness in various classes of women, particularly with reference to the retroactive effect of the uncleanness.

**CHAPTER II** states the test which establishes the beginning of the menstrual period and indicates which colors of discharge are clean and which are unclean.

**CHAPTER III** deals with the woman in childbirth, stating under what conditions and for what length of time she is unclean, and determining the period of uncleanness in those cases where the sex of the child cannot be established either because of hermaphroditism or on account of miscarriage or abortion.

**CHAPTER IV** is concerned with the condition of uncleanness of non-Jewish women, such as Samaritans, Sadduceans and idolaters, and of women in protracted labor. [page xxviii]

**CHAPTER V** deals with the uncleanness of a woman whose child was delivered by a Caesarean section. It indicates also the signs of puberty in both sexes, determining their symptoms and the times of their appearance.

**CHAPTER VI** gives further details on the signs of puberty in the female. In this connection the rule is evolved that on the appearance of a particular symptom the other are assumed to exist, whereas the converse is not true. This terse rule is illustrated by a number of diverse topics where, likewise, it is seen that one condition or fact implies another, but not *vice versa* (cf. 49a ff).

**CHAPTER VII** discusses the uncleanness of menstrual blood and other impurities. It also states the circumstances and to what extent Samaritans are believed in regard to uncleanness.

**CHAPTERS VIII — X** indicate the tests to be applied to decide whether a stain is that of menstrual blood or of some other matter; describe the symptoms of the approach of the menstrual period; and deal finally with the condition of uncleanness of the corpse of a menstruant.

This Tractate contains little Haggadic material. Apart from the occasional homiletical interpretations of Biblical verses the following passages are noteworthy: the view that the physical qualities and characteristics of a person are preordained before birth whereas the moral character and spiritual outlook are left to the free choice of man (16b); the remarkable experiences of Abba Saul as a grave digger (24b); and the folkloristic belief in the blissful condition of the unborn child in the mother's womb (30b).

ISRAEL W. SLOTKI

### Footnotes

1. [H] (from root [H] or [H]) 'isolation', 'impurity'. A menstruant is 'isolated' from her husband and keeps away from other persons and things because, being in her 'impurity' she renders them ritually unclean if she comes into contact with them.

The Indices of this Tractate have been compiled by Dr. Judah J. Slotki, M. A.

# NIDDOH – 2a-23a

## Niddah 2a

### CHAPTER I

**MISHNAH.** SHAMMAI RULED: FOR ALL WOMEN<sup>1</sup> IT SUFFICES [TO RECKON] THEIR [PERIOD OF UNCLEANNESS FROM THE] TIME [OF THEIR DISCOVERING THE FLOW].<sup>2</sup> HILLEL RULED: [THEIR PERIOD OF UNCLEANNESS IS TO BE RECKONED RETROSPECTIVELY] FROM THE [PREVIOUS] EXAMINATION TO THE [LAST] EXAMINATION,<sup>3</sup> EVEN [IF THE INTERVAL EXTENDED] FOR MANY DAYS. THE SAGES, HOWEVER, RULED: [THE LAW IS] NEITHER IN AGREEMENT WITH THE OPINION OF THE FORMER<sup>4</sup> NOR IN AGREEMENT WITH THAT OF THE LATTER,<sup>5</sup> BUT [THE WOMEN ARE DEEMED TO HAVE BEEN UNCLEAN] DURING [THE PRECEDING] TWENTY-FOUR HOURS<sup>6</sup> WHEN THIS<sup>7</sup> LESSENS THE PERIOD FROM THE [PREVIOUS] EXAMINATION TO THE [LAST] EXAMINATION, AND DURING THE PERIOD FROM THE [PREVIOUS] EXAMINATION TO THE [LAST] EXAMINATION WHEN THIS<sup>8</sup> LESSENS THE PERIOD OF TWENTY-FOUR HOURS.

FOR ANY WOMAN WHO HAS A SETTLED PERIOD IT SUFFICES [TO RECKON HER PERIOD OF UNCLEANNESS FROM] THE TIME SHE DISCOVERS THE FLOW: AND IF A WOMAN USES TESTING-RAGS WHEN<sup>9</sup> SHE HAS MARITAL INTERCOURSE, THIS IS INDEED<sup>10</sup> LIKE AN EXAMINATION WHICH LESSENS EITHER THE PERIOD OF THE [PAST] TWENTY-FOUR HOURS OR THE PERIOD FROM THE [PREVIOUS] EXAMINATION TO THE [LAST] EXAMINATION. HOW [IS ONE TO UNDERSTAND THE RULING THAT]<sup>11</sup> IT SUFFICES [TO RECKON HER PERIOD OF UNCLEANNESS FROM] THE TIME SHE DISCOVERS THE FLOW? IF SHE WAS SITTING ON A BED AND WAS OCCUPIED WITH RITUALLY CLEAN OBJECTS<sup>12</sup> AND, HAVING LEFT THEM, OBSERVED A FLOW,

SHE IS RITUALLY UNCLEAN WHILE THE OBJECTS<sup>13</sup> REMAIN RITUALLY CLEAN.

ALTHOUGH THEY<sup>14</sup> HAVE LAID DOWN THAT SHE<sup>15</sup> CONVEYS UNCLEANNESS FOR A PERIOD OF TWENTY-FOUR HOURS [RETROSPECTIVELY]<sup>16</sup> SHE COUNTS [THE SEVEN DAYS OF HER MENSTRUATION]<sup>17</sup> ONLY FROM THE TIME SHE OBSERVED THE FLOW.

**GEMARA.** What is Shammai's reason?<sup>18</sup> — He is of the opinion that a woman<sup>19</sup> should be presumed to enjoy<sup>20</sup> her usual status, and the status of the woman<sup>21</sup> was one of cleanness.<sup>22</sup> And Hillel?<sup>23</sup> — When is it said that an object is presumed to possess its usual status? Only when the unfavourable condition<sup>24</sup> is not internal;<sup>25</sup> but as regards a woman,

1. In respect of menstrual uncleanness.
2. It being assumed that up to that moment there was no vestige of blood even in the ante-chamber (cf. Mishnah *infra* 40a). Hence only objects that were touched by the woman after the discovery become ritually unclean. All objects touched prior to that moment remain clean.
3. When she discovered the discharge. If the last, for instance, took place at 5 p.m. on a Thursday and the previous one at 8 a.m. on the preceding Sunday, all objects touched since the Sunday examination are deemed to be ritually unclean because it is assumed that some blood, prevented from leaving the body by the walls of the womb, may have made its way into the ante-chamber immediately after that examination.
4. Shammai, whose ruling is too lenient.
5. Hillel, who is too restrictive, since blood could not well be retained in the ante-chamber for a very long time.
6. Me'eth le'eth, lit., 'from time to time'.
7. An interval of more than twenty-four hours having intervened between the two examinations.
8. The two examinations having taken place within twenty-four hours.
9. Before and after.
10. Lit., 'behold this'.
11. In the case of 'ANY WOMAN WHO HAS A SETTLED PERIOD (*supra*).
12. In the preparation, for instance, of foodstuffs.
13. The bed, and the foodstuffs which she handled.

# NIDDOH – 2a-23a

14. The Sages.
15. A woman who had no settled period.
16. From the time she observed the flow.
17. Prescribed in Lev. XV, 19.
18. For his ruling in the first clause of our Mishnah.
19. About whom it is uncertain when her flow began.
20. Lit., 'cause to stand ... upon'.
21. Spoken of in our Mishnah.
22. Since she was occupied with ritually clean things.
23. How, in view of Shammai's reason, can he maintain his ruling.
24. Which might impair its status.
25. But is due to some external cause. MS.M. adds, 'as, for instance, when it is doubtful whether one did, or did not touch (an unclean object)'.

## Niddah 2b

since what she observes [is a discharge] from her own body, it cannot be held that she is presumed to have her usual status.

Wherein, however, does this<sup>1</sup> essentially differ<sup>2</sup> from that of a ritual bath of which we learnt: If a ritual bath<sup>3</sup> was measured and found lacking, all purifications that have heretofore been effected through it, whether it was in a public<sup>4</sup> or in a private domain,<sup>5</sup> are regarded<sup>6</sup> as unclean?<sup>7</sup> According to Shammai<sup>8</sup> the difficulty arises from 'heretofore'; while according to Hillel the difficulty arises, does it not, from the certainty; for, whereas in the case of the twenty-four hours' period<sup>9</sup> of the menstruant [any *terumah*<sup>10</sup> she touched] is only held in suspense, it being neither eaten nor burned,<sup>11</sup> here<sup>12</sup> the uncleanness is regarded as a certainty?<sup>13</sup> —

The reason<sup>14</sup> there<sup>15</sup> is that it may be postulated that the unclean person shall be regarded as being in his presumptive status<sup>16</sup> and assumed<sup>17</sup> not to have performed proper immersion.<sup>18</sup> On the contrary! Why not postulate that the ritual bath shall be regarded as being in its presumptive status of validity and assume that it was not lacking?<sup>19</sup> —

Surely a lacking [bath] is before you. But in this case also,<sup>20</sup> is not blood before you? — She has only just now observed it.<sup>21</sup> In that case<sup>22</sup> too, is it not<sup>23</sup> lacking only just now?<sup>24</sup> —

What a comparison!<sup>25</sup> In that case<sup>22</sup> it might well be presumed that the water was gradually diminishing,<sup>26</sup> but can it here also be presumed that she was gradually observing the flow?<sup>27</sup> —

What an objection is this! Is it not possible that she observed the blood only when it was coming in profusion?<sup>28</sup> — In the former case<sup>29</sup> there are two unfavourable factors<sup>30</sup> while in the latter<sup>31</sup> there is only one unfavourable factor.<sup>32</sup> Wherein, however,<sup>33</sup> does this<sup>31</sup> differ from the case of the jug concerning which we have learnt:<sup>34</sup> If one tested<sup>35</sup> a wine jug for the purpose of periodically taking from it *Terumah* [for wine kept in other jugs]<sup>36</sup> and, subsequently,<sup>37</sup> it was found to contain vinegar,<sup>38</sup> all<sup>39</sup> three days it is certain,<sup>40</sup> and after that it is doubtful.<sup>41</sup> Now does not this<sup>42</sup> present an objection against Shammai?<sup>43</sup> —

The reason there<sup>44</sup> is that it can be postulated that the *tebel*<sup>45</sup> shall be regarded as having its presumptive status, and then it may be presumed that it had not been ritually prepared.<sup>46</sup> On the contrary! Why not postulate that the wine be regarded as having its presumptive status<sup>47</sup> and then it might be assumed that it had not become sour? —

Surely it stands sour before you. But in that case also<sup>48</sup> is there not blood before you? — She has only just now observed it. But in that case too<sup>49</sup> is it not sour only just now? —

What a comparison! In the latter case<sup>49</sup> it might well be presumed that the wine turned sour by degrees,<sup>50</sup> but can it also be said in the former case<sup>48</sup> that she observed the flow by degrees?<sup>51</sup> —

# NIDDOH – 2a-23a

What an objection is this! Is it not possible that she observed the blood only when it came in profusion? — In the former case<sup>49</sup> there are two unfavourable factors<sup>52</sup> while in the latter<sup>48</sup> there is only one such factor.<sup>53</sup>

An incongruity, however, was pointed out between the case of the jug<sup>54</sup> and that of the ritual bath:<sup>55</sup> Wherein lies the essential difference between the two<sup>56</sup> that in the latter case<sup>57</sup> [the retrospective uncleanness is regarded as] a certainty while in that of the former<sup>58</sup> [the uncleanness of the *Terumah* is deemed] doubtful? —

R. Hanina of Sura replied: Who is the author [of the ruling concerning the] jug? R. Simeon, who in respect of a ritual bath also regards [the retrospective uncleanness] as a matter of doubt; for it was taught:<sup>59</sup> If a ritual bath was measured and found lacking all purifications heretofore effected through it whether it was in a public or in a private domain, are regarded as unclean.<sup>60</sup> R. Simeon ruled: In a public domain they are regarded as clean but in a private domain they are regarded as being in suspense.<sup>61</sup>

1. The case of the menstruant.
2. Both according to Shammai and Hillel.
3. Which must contain a minimum of forty *se'ah* of water.
4. Where a case of doubtful uncleanness is elsewhere regarded as clean.
5. Where a doubtful case is regarded as unclean (cf. prev. n.).
6. Since the bath is now ritually invalid.
7. Mik. II, 2.
8. Who ruled that the period of uncleanness of menstruant women begins FROM THE TIME OF THEIR DISCOVERY OF THE FLOW and not retrospectively.
9. According to the Sages; or the interval between her last and previous examinations according to Hillel (v. our Mishnah).
10. V. [Glos.](#)
11. As explained *infra* 6a.
12. In the case of the ritual bath, where it is categorically stated 'are retrospectively unclean'.
13. And the *Terumah* must be burned.
14. For the restrictions.
15. The case of the ritual bath.

16. Of uncleanness, which before valid immersion is a certainty.
17. On account of the discovered invalidity of the ritual bath he used.
18. Since the invalidity may have begun at the time the immersion took place.
19. At the time of the immersion.
20. That of the menstruant.
21. Hence there is no need to assume that the flow began any earlier.
22. Ritual bath.
23. As far as is known.
24. Why then should it be assumed to have been lacking earlier?
25. Lit., 'thus, now'.
26. So that the presumptive state of validity has long ago been impaired. And since it is not known when the process began the restrictive ruling given is well justified.
27. Obviously not. Hence it may well be assumed that the flow began only at the moment when it was discovered.
28. While in fact a particle of it which is quite sufficient to cause uncleanness (cf. *infra* 40) may have been in the antechamber long before she was aware of any flow.
29. That of the ritual bath.
30. The assumption that the unclean person was in his confirmed status of uncleanness and the lacking condition of the bath.
31. The case of the menstruant.
32. The present observation of the blood. Since against this factor there is the favorable one of the woman's previous condition of confirmed cleanness it may well be assumed that the flow began not earlier than the moment when it was observed.
33. According to Shammai.
34. What follows is a Baraita (Tosef. Ter. IV) and is quoted here as Mishnah. This is not an isolated instance. V. Higger *Ozar ha Beraitoth*, pp. 37ff.
35. Either by tasting some of its contents (Rashi) the *Terumah* and tithes having been duly taken from it (Rashb. B.B. 96a) or by smelling it (Tosaf. l.c.).
36. In order that he might be allowed to use the wine in the other jugs he keeps this one jug for the purpose of taking from it daily, or whenever required, the appropriate quantity of wine as *Terumah* or tithes for the wine in the other jugs.
37. After a month or two, for instance.
38. A liquid which (according to Rabbi, B.B. 84b) may not be used as *Terumah* for wine.
39. So MS.M. and Rashal. Cur. edd. in parenthesis insert 'the first'.
40. V. following note.

# NIDDOH – 2a-23a

41. Tosef. Ter. IV. The meaning according to R. Johanan (B.B. 96a) is that during the first three days after the test the contents of the jug are regarded as 'certain' wine because in less than three days wine cannot turn into vinegar. Even if it be assumed that it began to turn sour immediately after the test it could not be called 'vinegar' until full three days had elapsed. The *Terumah* given within these three days must inevitably have been wine and consequently have exempted the wine in the other jugs. After three days the contents are regarded as 'doubtful wine' since it is possible that the wine began to deteriorate only three days before it was found to be vinegar, into which it may have turned just at that moment. As the *Terumah* is accordingly of a doubtful nature another portion must be set aside for the purpose. The meaning according to R. Joshua b. Levi (ibid.) is that during the last three days prior to the discovery that it had turned into vinegar, it is regarded as 'certain' vinegar because, in his opinion, the contents are deemed to be vinegar as soon as the wine begins to deteriorate in odor though its taste may still be that of wine. Since it is now proper vinegar the deterioration must have commenced at least three days earlier. Prior to the three days it is regarded as 'doubtful' because it is unknown when the deterioration had set in.
42. The ruling in the Baraitha cited according to which where unfavourable factors exist restrictions are applied retrospectively.
43. Who ruled in our Mishnah that menstruants are not deemed to have been unclean for any length of time retrospectively, but reckon their period of uncleanness only from the moment OF THEIR DISCOVERING THE FLOW.
44. In the Baraitha cited.
45. The untithed wine, v. [Glos.](#)
46. Sc. that the priestly and Levitical dues have not been duly set aside for it.
47. Of being wine.
48. That of the menstruant.
49. That of the jug of wine.
50. So that it lost its status long before it completely turned into vinegar.
51. Of course not. Hence the assumption that the flow began the moment it was discovered.
52. The confirmed status of the wine as *Tebel* and its present sour condition.
53. The present observation of the blood.
54. Cited *supra* from Tosef. Ter. IV.
55. Mik. II, 2, also cited *supra*.
56. In both of which (as stated *supra*) there are equally two unfavourable factors.
57. Mik. II, 2.

58. Cited *supra* from Tosef. Ter. IV.

59. So marg. gl. Cur. edd. 'we learnt'.

60. *Supra* q.v. notes.

61. Tosef. Mik. I; the reason is discussed *infra*.

## Niddah 3a

And both<sup>1</sup> deduced it<sup>2</sup> from no other law than that of sotah.<sup>3</sup> The Rabbis<sup>4</sup> hold [that the law of the ritual bath is the same] as that of Sotah; as [the offence of] the Sotah is a matter of doubt and is regarded as a certainty<sup>5</sup> so here also<sup>6</sup> [where the uncleanness is] a matter of doubt it is regarded as a certainty. If [the inference, however, is made] from the Sotah might it not be argued: It is like the Sotah in this respect, viz., that as the Sotah is clean [if she is suspected of an offence] in a public domain<sup>7</sup> so should [all the purifications effected in] this case also<sup>6</sup> be regarded as clean [if the bath was] in a public domain? —

What a comparison!<sup>8</sup> There<sup>9</sup> the cause<sup>10</sup> is seclusion<sup>11</sup> but seclusion in a public domain is impossible,<sup>12</sup> but here,<sup>6</sup> the cause<sup>13</sup> being the deficiency,<sup>14</sup> what matters it whether the deficiency takes place in a public, or in a private domain?<sup>15</sup> And should you argue: Is not every doubtful case of ritual uncleanness in a public domain regarded as clean [it could be retorted:] Since [in the case of the bath] there are two unfavourable factors<sup>16</sup> it is regarded as certain uncleanness. R. Simeon, however, holds [that the law of the ritual bath is the same as that of Sotah [in this respect]: As the Sotah is regarded as clean [where she is suspected of an offence] in a public domain so also here<sup>17</sup> [are all the purifications effected regarded as] clean [if the bath was] In a public domain. If [the inference, however, is made] from the Sotah, might it not be argued: It is like the Sotah in this respect viz., that as the Sotah [if suspected of the offence] in a private domain is regarded as definitely unclean so should also [all purifications effected in this case] be deemed to be definitely unclean [where the bath was] in a private domain? —

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What a comparison!<sup>18</sup> In that case<sup>19</sup> there is some basis for the suspicion,<sup>20</sup> seeing that he<sup>21</sup> had warned her and she had secluded herself with the stranger; what basis for uncleanness,<sup>20</sup> however, is there here?<sup>22</sup>

And if you prefer I might say that this is R. Simeon's reason:<sup>23</sup> He infers the law of the termination of uncleanness<sup>24</sup> from that of the inception of uncleanness;<sup>25</sup> as with the inception of uncleanness if it is doubtful whether an object has or has not touched an uncleanness in a public domain it is deemed to be clean, so also with the termination of uncleanness, if it is doubtful whether an object had been duly immersed or not, in a public domain it is deemed to be clean. And the Rabbis?<sup>26</sup> —

What an inference!<sup>27</sup> There,<sup>28</sup> since the man is in the presumptive status of ritual cleanness, we cannot on account of a doubt transfer him to a state of uncleanness, but here,<sup>29</sup> seeing that the man is in the presumptive status of uncleanness, we cannot on account of a doubt release him from his uncleanness.

Wherein, however, does this<sup>30</sup> essentially differ<sup>31</sup> from the case of an alley of which we learnt: If a dead creeping thing was found in an alley it causes ritual uncleanness retrospectively<sup>32</sup> to such time as one can testify, 'I examined this alley and there was no creeping thing in it',<sup>33</sup> or to such time as it was last swept?<sup>34</sup> — There<sup>35</sup> also, since there are creeping things from the alley itself and also creeping things that make their way into it from the outside world, the case is the same as one that has two unfavourable factors. And if you prefer I might reply,<sup>36</sup> This is Shammai's reason:<sup>37</sup> Because a woman is herself conscious [when she suffers a flow].<sup>38</sup> And Hillel?<sup>39</sup> — She might have thought that the sensation<sup>40</sup> was that of urine. As to Shammai, is there not [the possibility of suffering a flow while] asleep?<sup>41</sup> — A woman asleep too would<sup>42</sup> awake on account of the

pain,<sup>43</sup> as is the case where one feels a discharge of urine.<sup>44</sup> But is there not the case of an imbecile?<sup>45</sup> —

Shammai agrees<sup>46</sup> in the case of an imbecile. But did he not state, ALL WOMEN?<sup>47</sup> — [He meant:] All sensible women. Then why did he not merely state WOMEN?<sup>48</sup> — He intended to indicate that the law is not in agreement with R. Eliezer; for R. Eliezer mentioned 'Four classes of women'<sup>49</sup> and no more, hence he<sup>50</sup> informed us [that the law applies to] ALL WOMEN. But is there not the case of stains?<sup>51</sup> Must we then<sup>52</sup> assume that we learnt the Mishnah about stains<sup>53</sup> in disagreement with Shammai? —

Abaye replied: Shammai agrees<sup>54</sup> in the case of stains. What is the reason? — Since she was neither handling a slaughtered bird nor was she passing through the butchers' market, whence could that blood have come?<sup>55</sup> And<sup>56</sup> if you prefer I might reply, This is Shammai's reason: If in fact any blood were there<sup>57</sup> it would have flowed out earlier.<sup>58</sup> And Hillel?<sup>59</sup> — The walls of the womb may have held it back.<sup>60</sup> And Shammai?<sup>61</sup> — The walls of the womb do not hold blood back. But what can be said for a woman<sup>62</sup> who<sup>63</sup> uses an absorbent in her marital intercourse?<sup>64</sup> —

Abaye replied: Shammai agrees<sup>65</sup> in the case of one who uses an absorbent,<sup>66</sup> Raba replied: An absorbent too [does not affect Shammai's ruling, since] perspiration causes it to shrink.<sup>67</sup> Raba, however, agrees<sup>68</sup> in the case of a tightly packed absorbent.<sup>69</sup>

What, however, is the practical difference between the latter explanations<sup>70</sup> and the former explanation?<sup>71</sup> —

1. R. Simeon and the first Tanna.
2. Each his respective rulings in the Baraita just cited.
3. V. Glos., in connection with whom Scripture speaks of uncleanness or defilement (cf. Num. V, 13).
4. Sc. the first Tanna (cf. *supra* n. 7).



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5. A Sotah, until her innocence is proved by the test (cf. Num. V, 15-28), being definitely forbidden to her husband.
6. The case of the ritual bath under discussion.
7. Where no privacy is possible.
8. Lit., 'thus, now'.
9. Sotah.
10. Of the woman's uncleanness or prohibition to her husband.
11. Of the woman with the suspected stranger.
12. Hence the ruling that in such a case the woman is deemed clean.
13. Of uncleanness.
14. Of the water in the bath.
15. Nothing. Hence the Rabbis' ruling that all purifications effected, irrespective of domain, are deemed to be unclean.
16. As pointed out *supra* 2b.
17. The case of the ritual bath under discussion.
18. Lit., 'thus, now'.
19. Sotah.
20. Lit., 'there are feet for the thing'
21. Her husband.
22. In the case of the bath. As there is no basis whatever for the assumption that this deficiency occurred before the purifications had been effected it may well be assumed that it occurred afterwards immediately before the bath was measured. It has thus been shown, as R. Hanina replied *supra*, that according to R. Simeon all cases of doubtful uncleanness in a private domain where there is no basis for the affirmation of the uncleanness, are regarded as being in suspense.
23. For holding doubtful cases of uncleanness in a public domain to be clean.
24. Sc. ritual immersion which takes place when the period of uncleanness is concluded.
25. I.e., uncleanness contracted from coming in contact with an unclean object.
26. How, in view of R. Simeon's inference, could they maintain (v. *supra* 2b ad fin.) that 'all purifications ... whether it was in a public or in a private domain, are unclean'?
27. Lit., 'thus, now'.
28. The case of the inception of uncleanness.
29. In a case of termination of uncleanness.
30. The case of the menstruant in our Mishnah.
31. According to Shammai.
32. To all clean objects that were in the alley prior to its discovery.
33. Sc. only clean objects that were in the alley prior to that examination are ritually clean since the examination has established that during that time there was no creeping thing in the alley.
34. *Infra* 56a; and no creeping thing was found. The sweeping, which is presumably accompanied by a search for any unclean things, has the same force as a direct examination. Hence (cf. prev. n.) only objects that were in the alley prior to the sweeping are clean while those that were there after the sweeping, since a creeping thing may have fallen into the alley immediately after the sweeping was over, are regarded as unclean. Now seeing that here uncleanness in a doubtful case is caused retrospectively, why does Shammai in our Mishnah restrict the period of uncleanness to the time of THEIR DISCOVERING only?
35. The case of the alley in the Mishnah just cited.
36. To the objection raised against Shammai.
37. For his ruling that menstruants begin their period of uncleanness from the time OF THEIR DISCOVERING OF THE FLOW only and not, as in the case of the alley, retrospectively.
38. As she did not feel any prior to her present discovery it may be safely assumed that previously there had not been any.
39. How, in view of this argument, can he maintain that a menstruant's uncleanness is RECKONED RETROSPECTIVELY?
40. Of the menstrual flow.
41. When the woman is unconscious of it. As this is quite possible, why does not Shammai extend the period of uncleanness retrospectively?
42. In Shammai's opinion.
43. Of the flow.
44. As she did not awake, it may well be presumed that the flow began just before its discovery.
45. Who is incapable of distinguishing the first appearance of a flow.
46. That the period of uncleanness extends retrospectively.
47. Which presumably includes the imbecile also.
48. Omitting 'ALL'.
49. *Infra* 7a.
50. Shammai.
51. Of menstrual blood, which (v. *infra* 56a) cause uncleanness retrospectively, though prior to the moment of its discharge the woman was unaware of any flow.
52. Since Shammai does not extend the unclean period retrospectively, maintaining that a woman is invariably aware when her flow first appears.
53. Where it was ruled that a stain causes uncleanness even where the woman had felt no flow whatever.
54. That the menstruant's uncleanness is extended retrospectively.
55. Hence it must be assumed to have come from the woman's menstrual flow.
56. So BaH. Cur. edd. omit 'and'.

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57. Sc. prior to its discovery.
58. As none flowed out it may well be assumed that the flow began only just before it had been discovered.
59. Sc. how can he maintain his ruling in view of the argument here advanced for Shammai?
60. As, however, it might have made its way to the ante-chamber the period of uncleanness must extend from that time onwards.
61. Cf. prev. n. but one mut. mut.
62. Of the three classes enumerated *infra* 45a.
63. To prevent conception.
64. As the material used would also absorb any menstrual blood, there could be no proof that the discharge did not begin prior to the discovery. How then could Shammai rule that the menstrual uncleanness begins only at 'THE TIME OF THEIR DISCOVERING THE FLOW'?
65. That menstrual uncleanness is reckoned retrospectively.
66. Cf. prev. n. but one.
67. Lit., 'on account of perspiration it inevitably shrinks' and consequently, enables the blood to pass out. As no blood appeared prior to the discovery Shammai may well maintain that the uncleanness does not begin prior to the DISCOVERING OF THE FLOW.
68. With Abaye.
69. Since the blood cannot pass through it.
70. That (a) 'a woman feels' and (b) 'it would have flowed out earlier' (*supra*).
71. *Supra* 2a, 'a woman should be presumed to enjoy her usual status'.

## Niddah 3b

The practical difference between them is the possibility of pointing out an incongruity [between the ruling in our Mishnah and the rulings concerning] the jug, the ritual bath and the alley:<sup>1</sup> According to the former explanation such an incongruity may justifiably be pointed out<sup>1</sup> while according to the latter explanations such an incongruity does not exist. But what practical difference is there [in the case of the latter] between the one and the other explanation? —

According to Abaye<sup>2</sup> there is the case of the absorbent,<sup>3</sup> and according to Raba<sup>2</sup> there is the case of the absorbent tightly packed.<sup>4</sup> It was taught in agreement with that explanation that 'if in fact any blood were

there it would have flowed out earlier': Hillel said to Shammai, 'Do you not agree that in the case of a basket one corner of which was used for Levitically clean objects while in another corner was found<sup>5</sup> a dead creeping thing, the objects that were formerly clean are regarded as unclean retrospectively?'<sup>6</sup> — 'Indeed', the other replied. 'Then [Hillel rejoined] what is the difference between the one case and the other?'<sup>7</sup> —

'The one<sup>8</sup> [Shammai replied] has a bottom,<sup>9</sup> the other<sup>10</sup> has none.'<sup>11</sup> Raba stated: Shammai's reason<sup>12</sup> is to avoid<sup>13</sup> neglect of marital life.<sup>14</sup> So it was also taught: Shammai said to Hillel, 'If so,<sup>15</sup> you cause the daughters of Israel the neglect of marital life'.<sup>16</sup> Now according to him<sup>17</sup> who taught this explanation<sup>18</sup> [it may be objected:] Was it not taught,<sup>19</sup> in agreement with the former explanation,<sup>18</sup> that 'if in fact any blood were there it would have flowed out earlier'? —

There<sup>19</sup> it was Hillel who erred. He thought that Shammai's reason was that if any blood had been there it would have flowed out earlier and, therefore, he raised an objection against him from the case of the basket,<sup>20</sup> but Shammai answered him, 'My reason is the avoidance of the neglect of marital life; and as regards your erroneous assumption too, in consequence of which you raised an objection from the case of the basket, the latter has a bottom while the former has none.'<sup>21</sup>

But according to him who taught<sup>22</sup> the first explanation<sup>23</sup> [it may be objected:] Was it not in fact taught, in agreement with the latter version, that the reason is to avoid the neglect of propagation? It is this that Hillel in fact said to Shammai, 'Even if you give as your reason that "if in fact any blood were there it would have flowed out earlier," you must nevertheless make a fence<sup>24</sup> for your ruling, for why should this law be different from all the Torah for which a fence is made?' To this the other replied, 'If so,<sup>25</sup> you would cause the daughters of Israel to neglect marital life'.<sup>26</sup> And Hillel?<sup>27</sup> —

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'Do I [he can reply] speak of marital life?<sup>28</sup> I only speak of Levitical cleanness'. And Shammai?<sup>29</sup> — [Restrictions, he holds, must] not [be imposed] even as regards Levitical cleanness, since otherwise<sup>30</sup> the man might have scruples<sup>31</sup> and keep away altogether.<sup>32</sup>

(Mnemonic:<sup>33</sup> *Bottom examined covered in a corner.*)

It was stated: If one corner of a basket was used for Levitically clean objects and a dead creeping thing was found in another corner, Hezekiah ruled that the objects that were formerly<sup>34</sup> clean remain clean. R. Johanan ruled: The objects that were formerly<sup>35</sup> clean are now regarded as retrospectively unclean. But do not Shammai<sup>36</sup> and Hillel in fact agree<sup>37</sup> in the case of a basket that the objects that were formerly clean are deemed to be retrospectively unclean?<sup>38</sup> —

Shammai and Hillel agree<sup>39</sup> only in the case of a basket that had a bottom,<sup>40</sup> while Hezekiah and R. Johanan differ in that of a basket that had no bottom.<sup>41</sup> But if the basket had no bottom what could be R. Johanan's reason?<sup>42</sup> — It had no bottom, but it had<sup>43</sup> a rim.<sup>44</sup> But surely, it was taught:<sup>45</sup> 'If a man drew<sup>46</sup> ten buckets of water one after the other<sup>47</sup> and a creeping thing was found in one of them, this one<sup>48</sup> is unclean and all the others<sup>49</sup> remain clean';<sup>50</sup> and in connection with this Resh Lakish citing R. Jannai stated, 'This<sup>51</sup> was taught only in a case where the bucket had no rim<sup>52</sup> but if it had a rim<sup>53</sup> all the buckets of water are deemed to be unclean.' Now must it be assumed that Hezekiah<sup>54</sup> does not adopt the view of R. Jannai?<sup>55</sup> —

[No, since] water<sup>56</sup> glides<sup>57</sup> while fruits<sup>58</sup> do not glide;<sup>59</sup> or else [it may be replied] one is not particular with water<sup>60</sup> but with fruit one is particular.<sup>61</sup> And if you prefer I might reply: Shammai and Hillel agree<sup>62</sup> only in respect of a basket that was not [previously]<sup>63</sup> examined<sup>64</sup>

1. *Supra* 2b and 3a.
2. *Supra* 3a ad fin.
3. If the explanation is that 'a woman feels' the period of menstrual uncleanness would begin at the time of the discovery of the blood even where a woman used an absorbent, while if the explanation is that 'it would have flowed out earlier' uncleanness would begin retrospectively since the discharge might have begun earlier but was soaked up by the absorbent.
4. Cf. prev. note.
5. After the clean objects had been removed from the basket.
6. Lit., 'the former clean are unclean', because it is possible that the creeping thing was in the basket before the objects had been removed and that it consequently imparted uncleanness to the basket from which it was conveyed to the objects. If the creeping thing, it may be added, had been found in the same corner in which the objects were previously kept there could be no question that the latter remain clean, since it may be regarded as certain that they had been removed before the creeping thing had fallen into the basket. For if it had been there earlier it would have been discovered at the time the objects were being removed.
7. Sc. why is the uncleanness deemed to be retrospective in the case of the basket and not in that of the menstruant?
8. The basket.
9. Where the creeping thing may well have rested quite unobserved by the person who removed the objects.
10. The menstruant.
11. Sc. had any blood found its way to the ante-chamber it would inevitably have flowed out.
12. For his ruling in the first clause of our Mishnah that the uncleanness is not retrospective.
13. Lit., 'on account of'.
14. Lit., 'propagation'. Were it to be assumed that blood can make its way to the vagina even when the woman is unconscious of it, men would abstain from all marital intercourse in order to avoid possible complications of uncleanness.
15. That menstrual uncleanness is to be retrospective (v. our Mishnah).
16. Cf. note 10.
17. Raba.
18. Of Shammai's reason.
19. *Supra*.
20. Where it is not assumed (on the analogy of the blood of the menstruant) that if a creeping thing had been there it would have come out

# NIDDOH – 2a-23a

- together with the objects when the basket had been cleared.
21. Cf. notes *supra*.
  22. *Supra*.
  23. That Shammai's reason is that if any blood had been in the vagina it would have flowed out earlier.
  24. I.e., add some restriction (retrospective uncleanness) in order to avoid possible transgression of the law itself.
  25. That menstrual uncleanness is to be retrospective (v. our Mishnah).
  26. V. *supra* p. 11 n. 10.
  27. How, in view of this reply, could he maintain his ruling.
  28. No. He did not say that any marital relations were to be affected.
  29. Cf. note 8 mut. mut.
  30. Lit., 'for if so', were retrospective uncleanness to be imposed.
  31. Owing to the possibility of some flow of blood in the vagina.
  32. Lit., 'his heart beats him and he separates (from his wife)'.
  33. Containing striking words or phrases from each of the four following explanations of the points on which Shammai and Hillel on the one hand and Hezekiah and R. Johanan on the other differ.
  34. Lit., 'the first'.
  35. Lit., 'the first'.
  36. So BaH. and MS.M. Cur. edd. in parenthesis insert 'Beth'.
  37. *Supra*. — MS.M. reads, 'Does not Shammai agree with Hillel'.
  38. How then can Hezekiah differ from the unanimous ruling of both?
  39. *Var. lec.* 'Shammai agrees with Hillel' (MS.M.).
  40. And the objects were removed through the open top, so that it was quite possible for the creeping thing to be at the time of the removal at the bottom of the basket and thus to have escaped observation.
  41. And that was used while it was lying on its side. In such circumstances the objects would be removed by inverting the basket in which case all its contents, including any creeping thing that might have been there, would fall out.
  42. For treating the objects as unclean.
  43. Near the position of the bottom.
  44. Turning inwards, so that the creeping thing might have been caught by it and there remained unobserved.
  45. *Var. lec.*, 'we learnt' (BaH. citing Toh. IV, 4, which, however, differs slightly from the version here cited).
  46. With the same bucket.
  47. All of which were poured into one large tank.
  48. In which the creeping thing was found.
  49. Since no creeping thing was observed to be in them when they were being emptied into the tank.
  50. It being assumed that the creeping thing had not fallen into the bucket until it was filled for the last time.
  51. That all the others remain clean.
  52. Turning inwards so that the creeping thing could not possibly have remained in the bucket when it was tipped over the tank.
  53. On which the creeping thing might have been caught and remained unobserved at the time.
  54. Who, as explained *supra* in the case of the basket, holds the objects to be clean even where the basket had a rim.
  55. Is it likely, however, that Hezekiah would differ from such an authority?
  56. When the bucket is tipped.
  57. Hence it is not necessary to incline the bucket at too great an angle when it is being emptied. The creeping thing might, therefore, well have remained within the bucket, held by the rim and unobserved.
  58. From a basket.
  59. If the basket is only slightly inclined. As it must consequently be turned upside down before all the fruit it contains can be emptied it is quite impossible for the creeping thing to have remained within. If, therefore, one was subsequently found in the basket it may be safely assumed that it fell in after the clean objects had been removed.
  60. And does not mind if some of it remains in the bucket. Hence one does not tip the bucket very much, and the creeping thing might consequently have remained within the bucket behind the rim.
  61. And turns the bucket upside down in order to get out even the last fruit (cf. prev. n. but one mut. mut.).
  62. *Var. lec.* 'Shammai agrees with Hillel' (MS.M.).
  63. Before the clean objects were put into it.
  64. Hence it cannot be regarded as having a presumptive state of cleanness.

## Niddah 4a

while Hezekiah and R. Johanan differ in the case of a basket that had been examined. One Master<sup>1</sup> holds [the objects to be clean because the basket] surely had been examined,<sup>2</sup> and the other Master<sup>3</sup> [holds them to be unclean, since] it might be assumed that the creeping thing fell in just

## NIDDOH – 2a-23a

when the man<sup>4</sup> removed his hand.<sup>5</sup> But [the case of the basket,]<sup>6</sup> surely, was taught in the same manner as that of the woman,<sup>7</sup> and is not a woman<sup>8</sup> deemed to be duly examined?<sup>9</sup> Since the flow of blood from her body is a regular occurrence she is regarded as unexamined.<sup>10</sup> And if you prefer I might reply:<sup>11</sup> Shammai and Hillel agree<sup>12</sup> only in respect of a basket that<sup>13</sup> is uncovered,<sup>14</sup> while Hezekiah and R. Johanan differ in respect of a covered basket.<sup>15</sup> 'Covered!' Then how [could the creeping thing]<sup>16</sup> have fallen into it? —

[This is possible when] for instance, the way of using it was by [opening and closing] its cover.<sup>17</sup> But [the case of the basket] surely, was taught in the same manner as that of the woman,<sup>18</sup> and is not a woman<sup>19</sup> in the condition of being covered?<sup>20</sup> — Since the flow of blood from her body is a regular occurrence she is regarded as being in an uncovered condition.<sup>21</sup> And if you prefer I might reply:<sup>22</sup> Shammai and Hillel agree<sup>23</sup> only in respect of the corner of a basket, while Hezekiah and R. Johanan differ in that of the corner of a room.<sup>24</sup> But was not a 'basket' spoken of?<sup>25</sup> —

It is this that was meant:<sup>25</sup> If a basket was used for clean objects in one corner of a room and, when it was moved into another corner,<sup>26</sup> a creeping thing was found [in it while it was] in that other corner, Hezekiah holds that we do not presume the uncleanness found in one place<sup>27</sup> to apply to another place,<sup>28</sup> while R. Johanan holds that we do presume.<sup>29</sup> But do we<sup>29</sup> apply the rule of presumptive uncleanness? Have we not learnt: 'If a man touched someone in the night and he did not know whether it [was a person who was] alive or [one that was] dead, and in the morning when he got up he found him to be dead, R. Meir declares [the man] clean, but the Sages declare [him] to be unclean because all questions of uncleanness are determined by [the condition of the objects at] the time they are found',<sup>30</sup> and in connection with this it was taught, 'As at the

time they are found and in accordance with the place in which they are found'?<sup>31</sup>

And should you reply that this<sup>32</sup> holds good only<sup>33</sup> in respect of the law of burning<sup>34</sup> but that in respect of the law of suspense it is well applied,<sup>35</sup> have we not learnt, [it could be retorted,] If a needle<sup>36</sup> was found<sup>37</sup> full of rust or broken<sup>38</sup> it is regarded as clean<sup>39</sup> because all questions of uncleanness are determined by [the condition of the objects at] the time they are found?<sup>40</sup> Now why should this be so?<sup>41</sup> Why should it not rather be assumed that this needle was formerly<sup>42</sup> in a sound condition<sup>43</sup> and that it produced the rust just now?<sup>44</sup> Furthermore, have we not learnt: If a burnt creeping thing was found upon olives and so also if a tattered<sup>45</sup> rag<sup>46</sup> was found upon them it is clean,<sup>47</sup> because all [questions of] uncleanness are determined by [the conditions of the objects at] the time they are found?<sup>48</sup>

And should you reply that [the uncleanness is determined] in accordance with [the condition of the objects at] the time they are found, irrespective of whether the result is a relaxation<sup>49</sup> or a restriction of the law,<sup>50</sup> only in the place where they<sup>51</sup> are found, but [if the doubt arises] in regard to the place in which they<sup>51</sup> were not found<sup>52</sup> the objects<sup>53</sup> are not to be burned but are nevertheless to be held in suspense,<sup>54</sup> was it not in fact taught,<sup>55</sup> [it could be retorted,] If a loaf of bread was lying on a shelf under which<sup>56</sup> lay an object of a minor degree of uncleanness,<sup>57</sup> [the loaf,]<sup>58</sup> although if it had fallen down it would have been impossible for it not to touch the unclean object,<sup>59</sup> is clean, because it is assumed that a clean person entered there and removed it,<sup>60</sup> unless one can testify, 'I am certain that no one entered there',<sup>61</sup> in connection with which R. Eleazar stated: This assumption<sup>62</sup> was required only in the case of a sloping shelf?<sup>63</sup> — There<sup>64</sup> the reason<sup>65</sup> is as stated,<sup>66</sup>

1. Hezekiah.

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2. And since at the time it contained no unclean objects a presumptive state of cleanness has been established.
3. R. Johanan.
4. Who conducted the examination.
5. And the clean objects were still in the basket.
6. On which Shammai and Hillel differ.
7. Hillel having asked (*supra* 3b) 'what is the difference between the one case and the other?'
8. Whose duty it is to examine herself every morning and evening.
9. Apparently she is. Hence the basket also, which is in a similar condition (cf. prev. n. but one), must be deemed to be duly examined. Now since it was stated that the objects that were in the basket were regarded as retrospectively unclean an objection arises against Hezekiah.
10. And so also the basket. Hence the justification for Hezekiah's ruling.
11. To the difficulty raised *supra* 3b ad fin on the apparent contradiction between the joint ruling of Shammai and Hillel and the view of Hezekiah.
12. MS.M. 'Shammai agrees with Hillel'.
13. Though examined.
14. So that the creeping thing might well have fallen in as soon as the examiner has removed his hand.
15. Into which nothing could fall in by accident. Hence the justification for Hezekiah's ruling that the objects are clean.
16. Which was actually found in it.
17. Hezekiah is of the opinion that as long as clean objects are in the basket one is careful to keep it closed in order to prevent any unclean object from falling into it, but when the basket is empty care is no longer exercised and it is quite possible, therefore, for the creeping thing to have fallen in then. R. Johanan, however, holds that it is possible for the creeping thing to have fallen in unobserved, even while the clean objects were still in the basket, at a moment when the latter was opened in the ordinary course of use.
18. Hillel having asked (*supra* 3b) 'what is the difference between the one case and the other?'
19. Since no blood from the outside can flow into her body.
20. Cf. *supra* p. 14, n. 19, mut. mut.
21. And so also the basket. Hence the justification for Hezekiah's ruling.
22. V. *supra* p. 14, n. 21.
23. MS.M., 'Shammai agrees with Hillel'.
24. This is explained presently. Lit., 'house'.
25. In the statement, *supra* 3b ad fin, under discussion.
26. After the objects had been taken out.
27. If the unclean object was first discovered in the second place.
28. It is rather assumed that the creeping thing fell into the basket when it was already in the second place after the objects had been removed from it.
29. Even in such a case.
30. Lit., 'as the time of their finding', Toh. V, 7.
31. Sc. if in the morning the person was found dead in the place where he was touched in the night the man who touched him is unclean, but if he was found dead in a different place he remains clean. Thus it follows that we do not presume uncleanness found in one place to apply to another. How then could R. Johanan maintain that the rule is applied even in such a case?
32. That the rule that we do not presume uncleanness found in one place to apply to another.
33. Since the uncleanness is not a matter of certainty.
34. If it was *Terumah*; sc. the *Terumah* need not be burned on account of the doubtful nature (cf. prev. n.) of its uncleanness.
35. Lit., 'to suspend we suspend', i.e., the uncleanness of the objects thus affected is treated as a matter of doubt, and R. Johanan's ruling might be given the same interpretation and may thus be reconciled with that of the Mishnah just cited.
36. That was known to be unclean.
37. In contact with clean objects.
38. Conditions which render it useless as a 'vessel'. Only a proper vessel contracts and conveys uncleanness.
39. I.e., it (cf. prev. n.) conveys no uncleanness whatsoever to the objects with which it was found in contact.
40. Toh. III, 5. Hence it is assumed that' the objects and the needle came in contact after the latter had lost the status of 'vessel' when it was no longer able to convey any uncleanness.
41. That the objects should be regarded as absolutely clean and their uncleanness should not be regarded even as doubtful.
42. When it first came in contact with the objects under discussion.
43. When it duly conveyed its uncleanness to the objects.
44. Since, however, the assumption is not made and the objects are not subjected either to a certain or to a suspended condition of uncleanness, even, presumably, where there was a change of place, how could R. Johanan maintain, even only in respect of a condition of suspense, that the rule of presumptive uncleanness is applied?

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45. Aliter: scorched.
46. That was cut off from the unclean garment of a *Zab* (v. [Glos.](#)).
47. Sc. it is assumed that the creeping thing or the rag did not come in contact with the olives until after it had lost its uncleanness (the former by the burning and the latter by becoming tattered or scorched) and was unable to convey any.
48. Toh. IX, 9. Now since the olives are not subjected even to the status of suspended uncleanness (as the categorical rule 'it is clean' implies) it follows that presumptive uncleanness does not apply when there was a change of time and so also, presumably, where there was a change of place. How then could R. Johanan maintain his ruling?
49. As in the case of the needle and the rag (cited from Toh. III, 5 and IX, 9) where the objects are declared clean.
50. Where a man touched some person in the night (cited from Toh. V, 7) in which case the man, according to the Sages, is decidedly unclean.
51. The objects about which the doubt had arisen.
52. I.e., whence the objects have been removed, as is the case with the basket with which R. Johanan was concerned.
53. *Terumah*, for instance.
54. And the same interpretation might also be given to R. Johanan's ruling which would thus be reconciled with the one cited from Toh. IX, 9.
55. V. marg. [glos.](#) Cur. edd. 'we learnt'.
56. On the ground.
57. Middaf. This is now assumed to be an object (a garment, for instance) which, though not subject to Midras (v. [Glos.](#)) uncleanness (which could convey uncleanness to both man and vessels) conveys nevertheless uncleanness to foodstuffs and the like, Pentateuchally.
58. Found on the ground away from the unclean object.
59. Which would have conveyed uncleanness to it.
60. From the shelf, and placed it on the ground where it was found.
61. Tosef. Toh. IV.
62. 'That a clean person entered, etc.'
63. From which the loaf is most likely to slide down and fall on the unclean object below. Now, since even in such a case it is not presumed that the loaf fell upon the unclean object and contracted uncleanness before it rolled away to its present position, it follows that the rule of presumptive uncleanness is not applied when two different places are involved. How then could R. Johanan rule *supra* (3b ad fin.) that presumptive uncleanness is applied even (as in the case of

the basket and the creeping thing) where two places are involved?

64. In the Baraita just cited.
65. Why the rule of presumptive uncleanness is not applied to the loaf.
66. Lit. — 'as he learned the reason'.

## Niddah 4b

'Because it is assumed that a clean person entered there and removed it'.<sup>1</sup> But why should it not be assumed here also<sup>2</sup> that a raven came and dropped [the creeping thing into the basket]?<sup>3</sup> — In the case of a man who acts<sup>4</sup> with intention such an assumption<sup>5</sup> is made, but in that of a raven which<sup>6</sup> does not act with intention such an assumption<sup>7</sup> is not made. But consider: The loaf<sup>8</sup> is a case of doubtful uncleanness in a private domain. Now is not any case of doubtful uncleanness in a private domain regarded as unclean?<sup>9</sup> — [The loaf is deemed to be unclean] because it is a thing that possesses no intelligence to answer questions,<sup>10</sup> and any thing that possesses no intelligence to answer questions, irrespective of whether it was in a public or in a private domain, is in any doubtful case of uncleanness regarded as clean.<sup>11</sup> And if you prefer I might reply: Here<sup>12</sup> we are dealing with a Rabbinical uncleanness.<sup>13</sup> A deduction [from the wording]<sup>14</sup> also supports this view, for the expression used is 'middaf'<sup>15</sup> which is analogous to the Scriptural phrase, 'a driven [Niddaf] leaf'.<sup>16</sup>

THE SAGES, HOWEVER, RULED: [THE LAW IS] NEITHER IN AGREEMENT WITH THE OPINION OF THE FORMER NOR IN AGREEMENT WITH THAT OF THE LATTER, etc. Our Rabbis taught: And the Sages ruled, [The law is] neither in agreement with the opinion of the former nor in agreement with that of the latter, neither [that is] in agreement with the opinion of Shammai who<sup>17</sup> provided no fence for his ruling<sup>18</sup> nor in agreement with the opinion of Hillel who<sup>19</sup> restricted far too much,<sup>20</sup> but [the women are deemed to be unclean] during the preceding twenty-four hours when this lessens the period from the [previous]

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examination to the [last] examination, and during the period from the [previous] examination to the [last] examination when this lessens the period of twenty-four hours. '[The women are deemed to be unclean] during the preceding twenty-four hours when this lessens the period from the [previous] examination to the [last] examination'. How is this to be understood? If a woman examined her body on a Sunday<sup>21</sup> and found herself to be clean and then she spent Monday and Tuesday without holding any examination while on Wednesday she examined herself and found that she was unclean, it is not ruled that she should be deemed to be unclean retrospectively from the previous examination to the last examination but only [that she should be deemed to be unclean] during the preceding twenty-four hours. 'And during the period from the [previous] examination to the [last] examination when this lessens the period of twenty-four hours'. How is this to be understood?

If the woman examined her body during the first hour of the day and found herself to be clean and then she spent the second and the third hour without holding any examination while in the fourth hour she examined herself and found that she was unclean, it is not ruled that she should be deemed to be unclean retrospectively for a period of twenty-four hours but only during the period from the previous examination to the last examination. But is it not obvious that, since she has examined herself during the first hour and found that she was clean, she is not to be deemed unclean retrospectively for twenty-four hours?<sup>22</sup> — As it was taught, 'during the preceding twenty-four hours when this lessens the period from the [previous] examination to the [last] examination'<sup>23</sup> it also stated,<sup>24</sup> 'during the period from the [previous] examination to the [last] examination when this lessens the period of twenty-four hours'.

Rabbah stated: What is the reason of the Rabbis?<sup>25</sup> Because a woman well feels herself.<sup>26</sup> Said Abaye to him: If so,<sup>27</sup> [a period of uncleanness from] the time of her observation of the flow should suffice!<sup>28</sup> And Rabbah?<sup>29</sup> — He only wished to exercise Abaye's wits.<sup>30</sup> What then is the reason of the Rabbis?<sup>31</sup> — It is one such as that which Rab Judah gave in the name of Samuel: The Sages have ordained for the daughters of Israel that they should examine themselves in the morning and in the evening; 'in the morning', in order to verify the cleanness of objects they handled during the previous night,<sup>32</sup> 'and in the evening' in order to verify the cleanness of objects they handled during the previous day;<sup>33</sup> but this woman,<sup>34</sup> since she did not [regularly] examine her body,<sup>35</sup> has<sup>36</sup> lost one 'onah.<sup>37</sup> But what could be meant by 'one 'onah'?<sup>38</sup> — One additional 'onah.<sup>39</sup>

Said R. Papa to Raba: But would you not sometimes find that there are three 'Onahs in twenty-four hours?<sup>40</sup> — The Sages have laid down a uniform limit<sup>41</sup> in order that there shall be no variations in the twenty-four hours' period. And<sup>42</sup> if you prefer I might reply:<sup>43</sup> [the period extends to three 'Onahs] in order that the sinner<sup>44</sup> shall not<sup>45</sup> be at an advantage.<sup>46</sup> What is the practical difference between them?<sup>47</sup> — The practical difference between them is the case of a woman who was the victim of circumstances and in consequence of which she did not hold her examination.<sup>48</sup>

FOR ANY WOMAN WHO HAS A SETTLED PERIOD, etc. Must it be conceded that our Mishnah represents the view of R. Dosa and not that of the Rabbis seeing that it was taught:<sup>49</sup> R. Eliezer ruled, For four classes of women it suffices [to reckon the period of their uncleanness from the time they discovered the discharge,] viz., a virgin,<sup>50</sup> a pregnant woman, a woman that gives suck and an old woman; and R. Dosa ruled, For any woman who has a settled period it suffices [to reckon her period of uncleanness from] the time she discovered



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the discharge?<sup>51</sup> — It may even be held [that our Mishnah represents the view of] the Rabbis, for the Rabbis differ from R. Dosa only [in respect of a flow] that did not occur at the woman's set time<sup>52</sup> but [in the case of one that did occur] at her set time they might agree with him; and our Mishnah deals with a flow that occurred at the woman's set time and it, therefore, represents the view of both.<sup>53</sup> Thus<sup>54</sup> it follows that R. Dosa maintains his view even where a flow did not occur at the woman's set time. Who then is the author of the following which the Rabbis taught: Though a woman has a settled period her bloodstain<sup>55</sup> is deemed to be unclean retrospectively,<sup>56</sup> for were she to observe a flow when it is not her set time she would be unclean retrospectively for a period of twenty-four hours?<sup>57</sup> Must it be conceded<sup>58</sup> to be the Rabbis only and not R. Dosa?<sup>59</sup> —

It may be said to be even R. Dosa; for R. Dosa may disagree with the Rabbis only in the case where the flow occurred at the woman's set time but where it occurred when it was not her set time he agrees with them,<sup>60</sup> and our Mishnah deals with one that occurred at her set time and it is, therefore, in agreement with the opinion of R. Dosa

1. This assumption cannot, of course, be made in the case of the basket, with which R. Johanan deals, since the unclean object (the dead creeping thing) was actually found in it, and when it was found it was still in its state of uncleanness.
2. In the case of the basket and the creeping thing.
3. After the clean objects had been removed from it and after it had been moved into its new position.
4. When he removed the loaf from the sloping shelf.
5. That the man entered and moved the loaf to its present safer place.
6. Even if it were to drop the creeping thing into the basket.
7. That the raven dropped the thing after the clean objects had been removed, etc. (cf. *supra* n. 11).
8. Since (a) it is uncertain whether it touched the unclean object or not and (b) it was found within a house.

9. The answer being in the affirmative, the difficulty arises, why is the loaf deemed to be clean?
10. Lit., 'to be asked', whether it came in contact with the unclean object or not.
11. Because the rule that doubtful uncleanness in a private domain is deemed to be unclean is deduced from that of Sotah (v. [Glos.](#)) and consequently only rational beings like the Sotah herself (who is able to answer whether she was or was not defiled) are subject to the same restrictions.
12. In the case of the loaf.
13. One, for instance, of those enumerated in Hag. 18b and 20b. A doubtful case of Rabbinical uncleanness is regarded as clean even in a private domain.
14. Of the Tosef. Toh. IV cited.
15. Rendered (*supra* 4a) 'an object of a minor degree of uncleanness'.
16. Lev. XXVI, 36; the rt. of Niddaf, and so also that of Middaf implying something 'light', 'of minor importance', hence a 'minor degree of or Rabbinical uncleanness'.
17. Having laid down that the period of uncleanness begins only 'FROM THE TIME OF THEIR DISCOVERING OF THE FLOW'.
18. I.e., made no restriction whatever against the possible infringement of the actual law.
19. Laying down that the period of uncleanness 'IS TO BE RECKONED RETROSPECTIVELY FROM THE PREVIOUS EXAMINATION'.
20. Lit., 'who broke through beyond his measures.
21. Lit., 'on the first of the week'.
22. Of course it is. Why then should such an obvious ruling have to be stated?
23. A ruling that had to be enunciated, since otherwise it could have been argued that the flow began on the Sunday immediately after the examination.
24. As a kind of antithesis.
25. For fixing a twenty-four hours' period of uncleanness. The reason for Hillel's period, 'from examination to examination' (cf. our Mishnah), is quite intelligible since the flow may well have begun as soon as the previous examination was concluded, but the twenty-four hours' period appears to have no logical justification whatsoever.
26. Any flow. Had it begun immediately after the conclusion of her previous examination she would have been aware of it.
27. That a woman is aware of the flow as soon as it begins.
28. It being obvious that the flow began only at that moment, for if it had begun earlier she

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- (cf. prev. n.) would have been aware of the fact. Why then should her period of uncleanness extend backwards for twenty-four hours? An objection against Rabbah.
29. Sc., why did he take up such an untenable position?
  30. Lit., 'to sharpen (the mind) of Abaye'. Rabbah advanced the reason merely to afford an opportunity for Abaye, whose guardian and teacher he was, to prove it to be wrong.
  31. Cf. p. 20. n. 5.
  32. If a woman finds herself on examination to be clean it is thereby verified that all clean objects she handled during the previous night are to be regarded as clean; and should she discover any flow later at the evening examination the doubtful uncleanness would extend only to objects she handled during the day.
  33. Cf. prev. n. mut. mut.
  34. Spoken of in our Mishnah, and in the Baraitha cited.
  35. In defiance of the ordinance of the Rabbis.
  36. As a penalty.
  37. Lit., 'a time' or 'a period' of one day or night, sc. her uncleanness begins retrospectively one 'Onahs earlier.
  38. Seeing that the uncleanness extends backwards for twenty-four hours which represent two 'Onahs.
  39. I.e., in addition to the 'Onahs immediately preceding the one in which her last examination was held (during which she is in any case unclean owing to the doubt as to when the flow began), she must suffer the penalty of being treated as unclean retrospectively even during the 'Onahs that preceded that one.
  40. When, for instance, the first examination after a number of days without an examination took place at midday. If the uncleanness extended backwards for a period of twenty-four hours it would cover [1] the 'Onahs of the day of the examination, [2] the 'Onahs of the preceding night and [3] the 'Onahs of the day preceding that night. Now since the penalty imposed was only one additional 'Onahs why should it in this case be increased to two 'Onahs?
  41. Lit., 'made their measures equal', i.e., the period of twenty-four hours has been fixed, irrespective of whether it covers two 'Onahs or three.
  42. So BaH. Cur. edd. omit.
  43. To the objection why in the case mentioned (cf. *supra* p. 21, n. 15) the uncleanness should extend over three 'Onahs.
  44. The woman who, not only failed to examine her body regularly in accordance with the ordinance of the Sages but also delayed her last examination from the morning hour to noon.
  45. By having her period of uncleanness reduced to less than twenty-four hours.
  46. Over one in a similar position who held her examination in the early morning and whose period of uncleanness is extended retrospectively for a full period of twenty-four hours to the previous morning.
  47. The two replies offered.
  48. According to the first reply she would be subject to uncleanness for a full period of twenty-four hours, while according to the second reply, since in this case she is no sinner, the period would be reduced to two 'Onahs and her uncleanness would be reckoned from the beginning of the previous evening only.
  49. What follows, with the exception of R. Dosa's ruling occurs also in the Mishnah *infra* 7a.
  50. I.e., one, whether married or unmarried, who suffered a flow for the first time in her life.
  51. Now, since the Rabbis elsewhere differ from R. Dosa's ruling, must it be conceded that our Mishnah represents his view only?
  52. As the appearance is obviously irregular it may well be suspected that one occurred earlier also.
  53. Lit., 'and the words of all', those of the Rabbis as well those of R. Dosa.
  54. Since the dispute between R. Dosa and the Rabbis has been limited to a flow that did not occur at the set time.
  55. Sc. one on a garment of hers.
  56. From the time it had been washed.
  57. As in this case, despite the woman's settled period, the uncleanness is deemed to be retrospective so it is retrospective in the case of the stain also.
  58. Since, from what has been said, it is only the Rabbis who impose retrospective uncleanness in the case of a woman who, though having a settled period, suffered a flow before or after that time.
  59. Is it likely, however, that R. Dosa would differ from an anonymous Baraitha?
  60. That the uncleanness is retrospective.

## Niddah 5a

while the Baraitha<sup>1</sup> is in agreement with both.<sup>2</sup> But why should not the final assumption be<sup>3</sup> reversed?<sup>4</sup> — As it is possible to adopt an explanation that leads to a relaxation of the law<sup>5</sup> and one that leads to

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a restriction of it<sup>6</sup> we adopt the one that leads to the restriction.

Now it was just taught,<sup>7</sup> 'For were she to observe a flow when it is not her set time she would be unclean retrospectively for a period of twenty-four hours' — [If this<sup>8</sup> is] the reason<sup>9</sup> [it follows] that only in the case of a woman who has a settled period do the Rabbis draw a distinction between her stain and her observation<sup>10</sup> [of a flow],<sup>11</sup> but in the case of the other women<sup>12</sup> concerning whom the Sages ruled that it sufficed for them to reckon their uncleanness from the time they discovered the flow<sup>13</sup> [the extent of the uncleanness of] their stains is like that of their observation of a flow.<sup>14</sup> Now whose view is this? —

It is that of R. Hanina b. Antigonus; for Rab Judah citing Samuel who had it from R. Hanina b. Antigonus stated, In the case of all women their stains cause uncleanness retrospectively but in that of the women<sup>12</sup> concerning whom the Sages ruled that it sufficed for them to reckon their uncleanness from the time they discovered the flow [the extent of the uncleanness of] their stains is like that of their observation of a flow,<sup>14</sup> the exception being a child who has not yet attained the age of the suffering of a flow of whom, though her sheets are soiled with blood,<sup>15</sup> no notice is to be taken.<sup>16</sup> But does R. Hanina at all uphold<sup>17</sup> the law of the uncleanness of a stain?<sup>18</sup> Was it not taught: In the case of all women their stains are unclean and also in the case of the women concerning whom the Sages ruled that it sufficed for them to reckon their period of uncleanness from the time they discovered the flow their stains are unclean; while R. Hanina b. Antigonus ruled, The women concerning whom the Sages ruled that it sufficed for them to reckon their uncleanness from the time they discovered the flow are not subject to the law of uncleanness of the stain? Now does not this mean that they are not subject at all to the law of uncleanness of the stain?<sup>19</sup> —

No, it means that they are not subject to the law of the uncleanness of the stain retrospectively but they are well subject to it from now<sup>20</sup> onwards. Does this<sup>21</sup> then imply that the first Tanna<sup>22</sup> is of the opinion that their uncleanness is even retrospective? —

Yes; it<sup>23</sup> being the view of R. Meir who restricts the law in respect of stains. For it was taught: In the case of all women their stains are unclean retrospectively and also in the case of the women concerning whom the Sages ruled that it sufficed for them to reckon their period of uncleanness from the time they discovered the flow their stains are unclean retrospectively; so R. Meir. R. Hanina b. Antigonus ruled, In the case of the women concerning whom the Sages ruled that it sufficed for them to reckon their period of uncleanness from the time they discovered the flow [the uncleanness of] their stains is like that of their observation [of their flow]; and a child who has attained the age of suffering a flow is subject to the law of the uncleanness of the stain while one who has not attained that age is not subject to the uncleanness of a stain, and when does she attain the age of suffering a flow? When she attains her maidenhood.<sup>24</sup>

AND IF A WOMAN USES TESTING-RAGS WHEN SHE HAS MARITAL INTERCOURSE, etc. Rab Judah citing Samuel ruled: A testing-rag used before<sup>25</sup> marital intercourse does not reduce [the doubtful period<sup>26</sup> of retrospective uncleanness] as an examination. What is the reason? — R. Kattina replied: Because the woman is in a hurry to do her marital duty.<sup>27</sup> But what matters it even if she is in a hurry to do her marital duty? — Since she is in a hurry to do it she does not insert the testing-rag into depressions and folds.<sup>28</sup>

We learnt: IF A WOMAN USES TESTING-RAGS WHEN SHE HAS MARITAL INTERCOURSE, THIS IS INDEED LIKE AN EXAMINATION. Does not this mean that she uses one before intercourse and one

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after it?<sup>29</sup> — No, the one as well as the other is used after intercourse but<sup>30</sup> one is for the man<sup>31</sup> and the other is for her; as we learnt: It is the custom of the daughters of Israel when having marital intercourse to use two testing-rags, one for the man and the other for herself.<sup>32</sup> What a comparison!<sup>33</sup> If you concede that one is used before intercourse and the other after it one can well understand the necessity for the ruling.<sup>34</sup> As it might have been presumed that on account of her being in a hurry to do her marital duty she does not properly perform her test we were informed that **THIS IS INDEED LIKE AN EXAMINATION**. If you maintain, however, that the one testing-rag as well as the other is used after marital intercourse, is not the ruling obvious?<sup>35</sup> —

It might have been presumed [that the test should be ineffective]<sup>36</sup> on account of the possibility of the appearance of a drop of blood of the size of a mustard seed<sup>37</sup> which semen might cover up,<sup>38</sup> hence we were informed [that such a remote possibility need not be considered]. And if you prefer I might reply: The Rabbis required a woman to perform two tests, one before intercourse and one after it,<sup>39</sup> and in stating '**THIS IS INDEED LIKE AN EXAMINATION**' the reference is to the one after the intercourse. But was it not stated, **IF A WOMAN USES, etc.**?<sup>40</sup> — Read: And a woman shall use.<sup>41</sup>

**LESSENS EITHER THE PERIOD OF THE PAST TWENTY-FOUR HOURS.** Now that you stated that it<sup>42</sup> lessens **THE PERIOD OF THE PAST TWENTY-FOUR HOURS**<sup>43</sup>

1. Just cited, dealing with the bloodstain.
2. Cf. *supra* n. 3.
3. Lit., 'and let him make it stand'.
4. As has been suggested at first, that our Mishnah represents the view of the Rabbis as well as that of R. Dosa while the Baraita represents only that of the Rabbis.
5. As has been previously suggested: That a flow at the set time causes no retrospective uncleanness in accordance with the general opinion, while one occurring at any other time

- is subject to retrospective uncleanness only in accordance with the view of the Rabbis.
6. The one finally adopted: That a flow at the set time causes retrospective uncleanness according to the Rabbis at least, while one at any other time causes retrospective uncleanness even according to R. Dosa.
  7. In the Baraita *supra* 4b ad fin.
  8. 'For were she to observe, etc.'
  9. Why a stain causes retrospective uncleanness, sc. though a stain cannot be subject to greater restrictions than a discharge it causes uncleanness retrospectively, since a flow that occurred at any time other than the set time also causes retrospective uncleanness.
  10. At the set time.
  11. Sc. while in the latter case the uncleanness is not retrospective in the former, for the reason stated (cf. prev. n.) it is.
  12. The four classes, for instance, mentioned *supra* 4b and *infra* 7a.
  13. So that in their case the law of retrospective uncleanness never applies.
  14. Sc. both are not retrospective.
  15. It being unknown whether it came from her body or from elsewhere.
  16. It being assumed, though the assumption might be most unlikely, that she passed through a butcher's market and soiled her sheets there. In no case is it assumed that the blood came from her own body because the law of uncleanness, as far as stains are concerned, is merely Rabbinical, and in the case of a minor no Rabbinical measure was enacted.
  17. In the case of the four classes of women mentioned.
  18. Even after it had been discovered.
  19. How then could it be said *supra* that R. Hanina does uphold the law of the uncleanness of the stain?
  20. The time of discovery.
  21. The explanation according to which R. Hanina agrees with the first Tanna as regards the uncleanness of stains from the time they are discovered onwards, and that he only differs from him in rejecting their retrospective uncleanness.
  22. Whose opinion is stated in the first clause of the Baraita cited.
  23. The first clause (cf. prev. n.).
  24. The age when she assumes the status of Na'arah (v. *Glos.*), i.e., the age when she grows two pubic hairs or (she has no pubic hairs) when she is twelve years and one day old.
  25. I.e., only before but not after (cf. relevant note on our Mishnah).

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26. Either that of the twenty-four hours or the one between the previous and the last examination.
27. Lit., 'she is in a state of excitement about her house'.
28. The examination, therefore, is not a proper one.
29. Which shows that the test before intercourse, despite R. Kattina's argument, is deemed to be a proper one.
30. In reply to the objection, why two rags.
31. For wiping.
32. *Infra* 14a.
33. Lit., 'that, what'.
34. In our Mishnah, that the test is effective.
35. And why should an obvious ruling be enunciated?
36. Even though it took place after intercourse.
37. That is sufficient to cause uncleanness.
38. Thus rendering the test useless.
39. Hence the mention of RAGS in the plural.
40. Emphasis on IF which implies that there is no obligation. How then could it be maintained that 'the Rabbis required her, etc.'?
41. Sc. the clause is to be divided into two separate rulings, (a) that a woman shall use two testing-rags, one before intercourse and the other after it and (b) the second test is indeed like an examination.
42. The testing-rag examination.
43. Though it is a comparatively long period extending as it does to the previous day.

## Niddah 5b

was it also necessary to state that it lessens THE PERIOD FROM THE PREVIOUS EXAMINATION TO THE LAST EXAMINATION?<sup>1</sup> — As it might have been presumed that only in the case of the twenty-four hours' period did the Rabbis<sup>2</sup> take into consideration the possible loss of clean things<sup>3</sup> but not in that of the period from the previous examination to the last examination,<sup>4</sup> we were informed [that both periods are equally reduced].

HOW [IS ONE TO UNDERSTAND THE RULING THAT] 'IT SUFFICES [TO RECKON HER PERIOD OF UNCLEANNESS FROM] THE TIME SHE DISCOVERS THE FLOW', etc. What need was there<sup>5</sup> for stating, IF SHE WAS SITTING ON A BED AND WAS

OCCUPIED WITH RITUALLY CLEAN OBJECTS, when it should rather have been stated,<sup>6</sup> IF SHE WAS OCCUPIED<sup>7</sup> WITH RITUALLY CLEAN OBJECTS AND HAVING LEFT THEM, OBSERVED A FLOW? — It is this that we were informed:<sup>8</sup> The reason [why the bed is regarded as clean is] because [in the case of that woman]<sup>9</sup> it suffices [for her to reckon] her [period of uncleanness from the] time [of her discovery of the flow] but<sup>10</sup> [where the uncleanness extends backwards over] twenty-four hours the bed also is regarded as unclean.<sup>11</sup> This provides support for Ze'iri, for Ze'iri ruled: [A woman<sup>12</sup> during] the twenty-four hours preceding her discovery of a menstrual flow causes bed and seat<sup>13</sup> to convey uncleanness to a man who in turn conveys it to his clothes.<sup>14</sup>

But consider: This bed is a thing that has no sense to answer questions,<sup>15</sup> and is not doubtful uncleanness<sup>16</sup> in the case of an object that has no sense to answer questions regarded as clean?<sup>17</sup> Ze'iri explained: [This<sup>18</sup> refers to a case] where her friends were carrying her in the bed so that the latter may be regarded as the hand of her friends.<sup>19</sup> Now, however, that R. Johanan ruled that in the case of doubtful uncleanness conveyed through a human agency<sup>20</sup> the object in doubt,<sup>21</sup> though lying on the ground, is deemed to be capable of answering questions as if it had been a human being who has the sense to answer questions<sup>22</sup> [this<sup>23</sup> holds good] even though her friends were not carrying her in the bed.

[Reverting to] the [above] text, 'R. Johanan ruled: In the case of doubtful uncleanness conveyed through a human agency the object in doubt, though lying on the ground, is deemed to be capable of answering questions as if it had been a human being who has the sense to answer questions'.<sup>24</sup> An objection was raised: If a man was wrapping himself in his cloak while clean or unclean objects were at his side<sup>25</sup> or above his head and it is doubtful whether there was contact<sup>26</sup> or not,

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they<sup>27</sup> are deemed to be clean,<sup>28</sup> but if it was impossible [for the cloak and the other objects] not to have come in contact they<sup>29</sup> are regarded as unclean. R. Simeon b. Gamaliel ruled: The man is told, 'Do it again'<sup>30</sup> and he does it again.<sup>31</sup> They,<sup>32</sup> however, said to him: No repetition [test<sup>33</sup> is recognized] in questions of cleanness.<sup>34</sup> Now why [should they<sup>35</sup> be clean]<sup>36</sup> seeing that this is a case of uncleanness that is conveyed through a human agency?<sup>37</sup> — This is beside the point,<sup>38</sup> for R. Hoshai learnt: In a private domain [such a case of] doubtful uncleanness<sup>39</sup> is regarded as unclean, and in a public domain it is regarded as clean.<sup>40</sup>

[Reverting to] the [above] text, 'Ze'iri ruled: [A woman during] the twenty-four hours preceding her discovery of a menstrual flow causes bed and seat to convey uncleanness to a man who in turn conveys it to his clothes'.<sup>41</sup> But, surely, this cannot be correct.<sup>42</sup> For did not Abimi from Be Hozai<sup>43</sup> when he came bring with him<sup>44</sup> a Baraitha which stated, 'During the twenty-four hours preceding the discovery of her menstrual flow a woman's bed and seat are [as unclean] as the object she touches', which means, does it not, that as an object she touches does not convey uncleanness to a human being<sup>45</sup> so also does not her bed convey uncleanness to a human being?<sup>46</sup> —

Raba retorted: And do you understand this ruling<sup>47</sup> seeing that it [may be refuted by an inference] a *minori ad majus*: If an earthen vessel that was covered with a tight fitting lid, which is protected from uncleanness in a corpse's tent,<sup>48</sup> is yet not so protected [from the uncleanness] of the twenty-four hours preceding the discovery of a menstrual flow,<sup>49</sup> is it not logical that the beds and seats [of a menstruant], which are not protected from uncleanness in a corpse's tent, should not be protected from the uncleanness of the twenty-four hours preceding the discovery of a menstrual flow?<sup>50</sup> — But did not Abimi of Be Hozai quote a Baraitha?<sup>51</sup> — Read:<sup>52</sup> A woman's bed and seat<sup>53</sup>

1. Which is a much shorter one (cf. prev. n.) being confined to the limits of the same day.
2. By enacting that the test is effective and reduces it.
3. Which the woman may have handled during this comparatively long time.
4. A shorter period (cf. *supra* n. 10) during which not many things could have been handled and a much lesser loss is consequently involved.
5. Lit., 'wherefore to me'.
6. Lit., 'let him teach'.
7. Omitting the apparently superfluous 'WAS SITTING ON A BED'.
8. By the additional words (cf. prev. n.).
9. Who has a settled period.
10. In the case of a woman whose periods were not regular.
11. As the bed of a confirmed menstruant (cf. Lev. XV, 21) which conveys uncleanness to the man that touches it as well as to the clothes he wears though the latter did not come in direct contact with it.
12. Cf. prev. n. but one.
13. On which she lay or sat.
14. Cf. *supra* n. 6.
15. Lit., 'to be asked'.
16. Such as that caused by the woman in question during the twenty-four hours preceding the time she observed the flow.
17. Of course it is, since the law of treating doubtful uncleanness as unclean is deduced from that of the Sotah (v. [Glos.](#)) who is able to answer questions.
18. The ruling in our Mishnah, which does regard (by implication) the bed on which the woman sat as unclean.
19. The hand, being part of a human being who is well able to answer questions, is justly compared to the Sotah whose doubtful uncleanness is regarded as unclean. It is for a similar reason (that things handled by a human being are regarded as his hand), it may be added, that the things the woman handled when sitting on the bed are regarded as unclean even where the bed was resting on the ground, and this explains why the objection *supra* was raised in connection with the bed and not in connection with the things the woman has handled.
20. As in that of the bed and the menstruant during the twenty-four hours preceding the observation of the flow or in that of a dead creeping thing that was carried by a man and a doubt arose as to whether it came in contact with a certain clean object.
21. Since the uncleanness, if any, was brought to it by a human agency.

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22. And in a private domain is regarded as unclean. Only when the inanimate object in doubt was near an unclean one that was also inanimate, and 'no human agency was involved, is it regarded as clean.
23. V. p. 28, n. 14.
24. *Supra* q.v. notes.
25. He being either unclean (in the former case) or clean (in the latter one).
26. Between the cloak and the objects in its vicinity. If there was contact, the cloak that (in the former case) contracted uncleanness from its wearer would convey uncleanness to the clean objects, or the unclean objects (in the latter case) would convey uncleanness to the cloak.
27. The objects in the vicinity (in the former case) and the cloak (in the latter case).
28. Even, it is now assumed, in a private domain, because the cloak as well as the objects in its vicinity are incapable of answering questions.
29. The objects in the vicinity (in the former case) and the cloak (in the latter case).
30. Sc. to wrap himself again in his cloak in the same place and position in which he did it first.
31. In this manner it is ascertained whether the cloak and the other objects have or have not come in contact.
32. The Rabbis who disagreed with him.
33. Since it may not exactly reproduce the former conditions.
34. Tosef. Toh. IV which, however, has the following variation: 'R. Dosa ruled, He is told, "Do it again"... They, however, said to him, No repetition ... R. Simeon b. Gamaliel ruled, He sometimes does it again'.
35. V. p. 29, n. 10.
36. According to the first Tanna.
37. Which according to R. Johanan is unclean.
38. Lit., 'outside of that'.
39. One involving conveyance through a human agency.
40. No objection, therefore, may be raised from the Tosef. cited which may be explained to refer to a case in a public domain.
41. *Supra* q.v. notes.
42. Lit., 'I am not'.
43. The Khuzistan.
44. Lit., 'came and brought'.
45. Only a primary uncleanness can do that. An object touched by a menstruant assumes only the status of a first grade of uncleanness which conveys uncleanness to objects but not to a human being.
46. The answer apparently being in the affirmative, the difficulty arises: How could Ze'iri maintain that the woman causes bed

and seat to convey uncleanness to a man who in turn, etc.'?

47. Which seems to reduce the uncleanness of the bed and seat of the menstruant in question to a lower degree than that of earthenware.
48. Only when uncovered does it contract uncleanness (cf. Num. XIX, 15).
49. If it was touched by the woman during the twenty-four hours (cf. *infra* 6a)
50. As the soundness of this argument cannot be questioned Abimi's ruling is obviously untenable and may well be disregarded.
51. Which is an authoritative utterance.
52. The ruling in the Baraitha.
53. During the twenty-four hours preceding her discovery of a menstrual flow.

## Niddah 6a

are [as unclean] as that which touches the body of the menstruant herself; just as the touching of her body causes the uncleanness of a human being who in turn causes the uncleanness of the clothes he wears<sup>1</sup> so does the touching of her bed or seat cause the uncleanness of a human being who in turn causes the uncleanness of the clothes he wears.

It was taught in agreement with Raba: A woman who observed a bloodstain<sup>2</sup> conveys uncleanness retrospectively.<sup>3</sup> And what are the things to which she conveys the uncleanness?<sup>4</sup> Foodstuffs and drinks,<sup>5</sup> beds and seats,<sup>6</sup> as well as any earthen vessel, even though it was covered with a tightly fitting lid,<sup>7</sup> and her counting<sup>8</sup> is<sup>9</sup> disturbed,<sup>10</sup> and she conveys<sup>11</sup> uncleanness to the man who cohabited with her retrospectively. R. Akiba<sup>12</sup> ruled: She conveys uncleanness to the man who cohabited with her but begins her counting<sup>13</sup> from the time only of her observing a flow. If she observed a flow of blood,<sup>14</sup> she conveys uncleanness retrospectively for twenty-four hours.<sup>15</sup> And what are the things to which she conveys uncleanness?<sup>16</sup> Foodstuffs and drinks,<sup>17</sup> beds and seats<sup>18</sup> as well as any earthen vessel, though it was covered with a tightly fitting lid,<sup>19</sup> her counting<sup>20</sup> is not<sup>21</sup> disturbed and

## NIDDOH – 2a-23a

she does not convey<sup>22</sup> uncleanness to the man who cohabited with her.<sup>23</sup>

In either case, however,<sup>24</sup> the uncleanness<sup>25</sup> is held in suspense [and any consecrated foodstuffs touched] must neither be eaten nor burned.<sup>26</sup> As to Raba, however,<sup>27</sup> if he heard of the Baraitha,<sup>28</sup> why did he not say [that his ruling is derived from] a Baraitha? And if he did not hear of the Baraitha, whence did he [derive the law for his inference] a *minori ad majus*? — The fact is that he heard of the Baraitha, but<sup>29</sup> were he to derive his ruling from the Baraitha it could have been objected [that the uncleanness<sup>30</sup> is conveyed] either to the man or to his clothes<sup>31</sup> but not to the man as well as to the clothes he wears,<sup>32</sup> hence he had recourse to his inference a *minori ad majus*.<sup>33</sup>

R. Huna ruled: [The retrospective uncleanness during] the twenty-four hours [preceding the observation] of a menstrual flow is conveyed only to hallowed things but not to *Terumah*. But if so, should not this law have been mentioned together with those of the other grades [of sanctity]?<sup>34</sup> — Only cases that involve definite uncleanness are enumerated but any in which no definite uncleanness is involved<sup>35</sup> is not mentioned.

An objection was raised: What are the things to which she conveys uncleanness? Foodstuffs and drinks.<sup>36</sup> Does not this<sup>37</sup> mean those that are hallowed as well as those that are *Terumah*? — No, only those that are hallowed.<sup>38</sup>

Come and hear: R. Judah ruled [that priestly women must examine their bodies] even after they have concluded a meal<sup>39</sup> of *terumah*;<sup>40</sup> and the point raised, 'Is not the consumed meal a matter of the past?'<sup>41</sup> [And to this] R. Hisda replied: This<sup>42</sup> was necessary only for the sake of ensuring the fitness of the remnants before her?<sup>43</sup> — R. Huna reads:<sup>44</sup> 'To burn the remnants that were in her hands',<sup>45</sup> the examination being held immediately after<sup>46</sup> [the meal].<sup>47</sup>

Come and hear: It once happened that Rabbi acted<sup>48</sup> in accordance with the ruling of R. Eliezer,<sup>49</sup> and after he reminded himself<sup>50</sup> he observed, 'R. Eliezer deserves to be relied upon

1. Torath Kohanim on Lev. XV, 19.
2. So BaH. and MS.M. Cur. edd. 'blood'.
3. Cf. prev. n. (Cur. edd. read 'twenty-four hours'), from the time the garment was last washed, it being unknown how soon after this the stain was made.
4. During the period mentioned (cf. prev. n.).
5. Which she touched (cf. foll. n.).
6. On which she lay or sat. (Cur. edd. reverse the order.)
7. Provided the woman shook the vessel and did not merely touch it.
8. Of the 'eleven days' following the seven days of a menstrual period.
9. Cur. edd. 'is not'.
10. So MS.M and Rashi; because it is unknown when the flow actually appeared and the limits of the menstruation period cannot consequently be determined.
11. Cur. edd. 'does not convey'.
12. MS.M inserts R. Akiba's ruling *infra* before 'In either case, however'.
13. Of the seven days of menstruation.
14. So BaH. and MS.M. Cur. edd., 'stain'.
15. BaH. and MS.M. Cur. edd. omit 'for twenty-four hours'.
16. During the period mentioned.
17. Which she touched.
18. On which she lay and sat.
19. Provided the woman shook the vessel and did not merely touch it.
20. Of the 'eleven days' following the seven days of a menstrual period.
21. Cf. Rashi and MS.M. Cur. edd. omit 'not'.
22. So MS.M. Cur. edd., 'she conveys'.
23. Cur. edd. add, 'but begins her counting from the time only of her observing of the flow'.
24. Whether there was only a stain or a flow.
25. During the period mentioned.
26. Thus it has been shown that, in agreement with Raba, the Baraitha tacitly assumes that the beds and seats under discussion convey uncleanness not only to the man who came in contact with them but also to the clothes he wears (cf. Tosaf. Asheri a.l.).
27. Who (*supra* 5b ad fin.) took the law of the uncleanness of an earthen vessel for granted and deduced from it that of the bed.
28. That was just cited, in which the law of the earthen vessel is explicitly enunciated.
29. As to the reason why he did not quote it.



30. Of the bed or seat.
31. Whichever of them came in contact with the unclean object.
32. Which did not come in direct contact with the seat or the bed.
33. From an earthenware vessel.
34. In Hag. 20b where are enumerated the restrictions that are applicable to hallowed things and not to *Terumah* and vice versa.
35. Such as that of the twenty-four hours' period under discussion where the uncleanness is merely a preventive measure.
36. *Supra*, in the Baraitha last cited.
37. 'Foodstuffs and drinks'.
38. The oil of a meal-offering, for instance, or the wine of libation.
39. Lit., 'at the time of their passing away from eating'.
40. *Infra* 11a.
41. Lit., 'what has been, has been', sc. what is the use of an examination after the meal has been consumed when nothing can be done even if the woman were to be found unclean.
42. The examination.
43. Should a woman, for instance, discover a flow later in the day the examination after her morning meal would ensure the cleanness of the *Terumah* that remained from that meal. Thus it follows that in the absence of an examination the *Terumah* would be deemed to be unclean retrospectively. How, then, could R. Huna maintain that the uncleanness is conveyed to hallowed things only?
44. In place of R. Hisda's version of R. Judah's meaning.
45. Sc., if she finds herself on examination to be unclean the remnants of her meal, since she touched them, are deemed to be unclean and, as unclean *Terumah* must be burned.
46. Heb. Keshi'ur Weseth (v. Rashi). Evthion (Tosaf. Asheri) [G], 'forthwith' (cf. Jast.).
47. So that it may be taken for granted that the *Terumah* she had just handled had come in contact with a confirmed menstruant. Where, however, the woman held no examination immediately after her meal, a subsequent discovery of a place causes no retrospective uncleanness to the *Terumah* she handled.
48. In the case of a young woman who did not suffer a flow during three consecutive periods (of thirty days each).
49. That the period of uncleanness is to be reckoned from the discovery of the flow and not retrospectively. The Rabbis who differ from R. Eliezer hold this ruling to apply to an old woman only (whose senility might be assumed to be the cause of the irregularity) but not to a young one (cf. prev. n.).
50. This is discussed presently.

## Niddah 6b

in an emergency'.<sup>1</sup> And the point was raised, What could be the meaning of 'after he reminded himself'? If it be explained, 'After he remembered that the *Halachah* was not in agreement with R. Eliezer but in agreement with the Rabbis', [the difficulty would arise:] How could he act according to the former's ruling<sup>2</sup> even in an emergency? Hence,<sup>3</sup> [it means after he recalled] that it was not stated whether the law was in agreement with the one Master or with the other Master, and having recalled that it was not an individual that differed from him<sup>4</sup> but that many differ from him he observed, 'R. Eliezer deserves to be relied upon in an emergency'.<sup>1</sup> Now if it is granted [that retrospective uncleanness applies also] to *terumah*<sup>5</sup> one can well understand the incident<sup>6</sup> since *Terumah* was in existence in the days of Rabbi, but if it is maintained [that retrospective uncleanness is applicable only] to hallowed things<sup>7</sup> [the objection would arise:] Were there hallowed things in the days of Rabbi?<sup>8</sup> — [This may be explained] on the lines of a statement of 'Ullah. As 'Ulla stated, 'The Associates'<sup>9</sup> in Galilee<sup>10</sup> keep their things<sup>11</sup> in Levitical cleanness';<sup>12</sup> so they may have done it in the days of Rabbi.

Come and hear: It once happened that R. Gamaliel's<sup>13</sup> maid was baking bread loaves of *Terumah* and after each<sup>14</sup> she rinsed her hands with water and held an examination. After the last one when she held the examination she found herself to be unclean and she came and asked R. Gamaliel who told her that they were all unclean.<sup>15</sup> 'Master', she said to him, 'did I not hold an examination after each one'?<sup>14</sup> 'If so', he told her, 'the last<sup>16</sup> is unclean<sup>17</sup> while all the others are clean'. At all events was it not here stated, 'bread loaves of *terumah*'?<sup>18</sup> —

By *Terumah* was meant<sup>19</sup> the bread loaves<sup>20</sup> of a thanksgiving-offering.<sup>21</sup> But how does it come about that the loaves of a thanksgiving-offering<sup>22</sup> should require to be baked?<sup>23</sup> This

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is a case where they<sup>24</sup> were set aside<sup>25</sup> while they were being kneaded,<sup>26</sup> this being in line with what R. Tobi b. Kattina<sup>27</sup> ruled: 'If a man baked the loaves of a thanksgiving-offering in four loaves<sup>28</sup> he has performed his duty'. [For when] the objection was raised, 'Do we not require forty loaves',<sup>29</sup> [the reply was that] this<sup>30</sup> is just a religious requirement.<sup>31</sup> But, surely, [it was asked,] is it not necessary to separate *terumah*<sup>25</sup> from each?<sup>32</sup> And should you reply that one might break off a piece from each<sup>33</sup> [it could be retorted that:] The All Merciful said, one<sup>34</sup> which implies that one must not break off a piece.<sup>25</sup> [To this] it was replied that 'they were set aside while they were being kneaded';<sup>35</sup> so here also<sup>36</sup> it may be explained that they were separated while they were being kneaded.<sup>37</sup>

Come and hear: Another incident took place when R. Gamaliel's maid was sealing wine jars with clay that after each she rinsed her hands with water and held an examination. After the last one when she held the examination and found herself to be unclean she came and asked R. Gamaliel who told her that they were all unclean. 'But, surely', she said to him, 'I held an examination after each one'. 'If so', he told her, 'the last<sup>38</sup> is unclean while all the others are clean'. Now if it is conceded that one incident<sup>39</sup> concerned hallowed things and the other *Terumah*, it can be well understood why she asked a second time, but if it is contended that the former as well as the latter concerned hallowed things, why should she have asked him a second time? — [Each] incident occurred with a different maid.<sup>40</sup>

Another version: R. Huna ruled, [The retrospective uncleanness during] the twenty-four hours [preceding the observation] of a menstrual flow is conveyed both to hallowed things and to *Terumah*. Whence is this<sup>41</sup> inferred? From its omission in the enumeration of<sup>42</sup> the various grades [of sanctity].<sup>43</sup> Said R. Nahman to him: Surely, a Tanna<sup>44</sup> recited [that the retrospective

uncleanness]<sup>45</sup> applies only to hallowed things and not to *Terumah*. R. Samuel son of R. Isaac accepted this [teaching]<sup>46</sup> from him [and explained it] as applying to common food that was prepared under conditions of hallowed things and not to common food that was prepared in conditions of *terumah*.<sup>47</sup>

We learnt elsewhere: If a question of doubtful uncleanness has arisen about a dough<sup>48</sup> before it was rolled<sup>49</sup> it may be prepared in uncleanness,<sup>50</sup> [but if the doubt has arisen] after it had been rolled<sup>51</sup> it must be prepared in cleanness.<sup>52</sup> 'Before it was rolled it may be prepared in uncleanness', because it is common food and it is permitted to cause uncleanness to common food in Erez Israel. 'After it had been rolled it must be prepared in cleanness', because common food that is in a condition of *tebel*<sup>53</sup> in respect of the dough-offering is regarded as dough-offering, and it is forbidden to cause uncleanness to the dough-offering. A Tanna taught:

1. *Infra* 9b. Lit., 'in the time of pressure'. For the nature of the emergency cf. Tosaf. contra Rashi.
2. Which is contrary to the *Halachah*.
3. Cur. edd. in parenthesis insert 'not'.
4. R. Eliezer.
5. Contrary to the view of R. Huna (*supra* 6a).
6. That occurred in Rabbi's time.
7. As R. Huna laid down (cf. prev. n. but one).
8. Surely not, since the Temple was no longer in existence at that time!
9. Habraiya pl. of Haber (v. [Glos.](#)).
10. In their hope and expectation that the Temple might at any moment be rebuilt.
11. Wine, for instance, which was used in the Temple for libation or oil that was used for the meal-offerings.
12. Sc. bestow upon them the same care as if they were hallowed things. V. Hag., Sonc. ed., p. 157 notes.
13. R. Gamaliel the Elder (Rashb.), prob. R. Gamaliel of Jamnia (Tosaf.).
14. Lit., 'between each one and one'.
15. On account of the twenty-four hours of her retrospective uncleanness.
16. Lit., 'it'.
17. Owing to retrospective uncleanness from the previous examination to the last examination.

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18. And yet the law of retrospective uncleanness was applied (cf. prev. n.). How then could R. Huna maintain (*supra* 6a) that it applies only to hallowed things?
19. Lit., 'what *Terumah*'?
20. Sc. the four loaves (one from each of the four kinds) which are given to the priest and are subject to the restrictions of hallowed things though they are called *Terumah* (cf. Lev. VII, 14).
21. Cf. Lev. VII, 11ff.
22. I.e., the four that (cf. prev. n. but one) are given to the priest, which are to be taken from the forty (cf. Men. 76a) baked loaves of the offering.
23. After they have been hallowed by having been given to the priest.
24. The four loaves.
25. For the priest.
26. Hence the baking after they have been hallowed (cf. *supra* n. 10).
27. *Var. lec.* 'b. R. Kisna'.
28. I.e., of the dough of each of the four kinds he made only one loaf instead of the prescribed ten (cf. Men. 76a).
29. How then can four suffice?
30. The number of forty.
31. But no sine qua non.
32. Of the four kinds, one from each.
33. Of the four big loaves.
34. Lev. VII, 14, 'and ... shall offer one', 'one' implying a whole one. (Men. 77b.)
35. One loaf from each kind was set aside for the priest while nine of each were left for the owner, and subsequently each of the four small and the four large (representing nine small) loaves were duly baked.
36. In the case of R. Gamaliel's maid.
37. The maid having been engaged in the baking of the priest's share.
38. Lit., 'it'.
39. Of the two in which the maid figured.
40. Lit., 'it was with two maids'.
41. That the uncleanness mentioned is equally applicable to *Terumah* and hallowed things.
42. Lit., 'since he does not teach it'.
43. Hag. 20b where the restrictions that apply to hallowed things and not to *Terumah* and vice versa are enumerated.
44. V. [Glos.](#) s.v. (b).
45. During the twenty-four hours preceding the observation of a flow.
46. Reported by R. Nahman in the name of a Tanna.
47. It does not, however, apply to
48. Lit., 'was produced about it'.
49. So that it was not yet subject to the dough-offering. Only after it had been rolled is a

dough regarded as ready and, therefore, subject to the dough-offering.

50. Because owing to its doubtful state of uncleanness it may not be eaten in any case.
51. When it is already subject to the obligation of the offering (cf. prev. n. but one) and when consequently part of it is virtually hallowed.
52. Hal. III, 2; since it is forbidden to cause uncleanness to a hallowed thing (cf. Bek. 34a) though the dough in question could not in any case be eaten on account of its doubtful condition of uncleanness.
53. V. [Glos.](#)

## Niddah 7a

Its dough-offering<sup>1</sup> is in a suspended condition<sup>2</sup> and it may neither be eaten nor burned. In respect of what doubt did they<sup>3</sup> give this ruling?<sup>4</sup> In respect of a doubt applicable to the dough-offering.<sup>5</sup> What is meant by 'a doubt applicable to the dough-offering'? — Both Abaye and Raba explained: That one should not assume that the ruling<sup>6</sup> applies only to<sup>7</sup> a case of likely uncleanness<sup>8</sup> such as that of the two paths,<sup>9</sup> for in that case even mere common food contracts uncleanness;<sup>10</sup> but that it applies also in the case

actual *Terumah* which is subject to the same restrictions as hallowed things where only 'leaning' might be assumed;<sup>11</sup> for we learnt: If a *zab*<sup>12</sup> and a clean person were unloading an ass or loading it, if the load was heavy<sup>13</sup> [the latter] is unclean; if it was light<sup>14</sup> he is clean and in either case<sup>15</sup> he is regarded as clean<sup>16</sup> [even if he is] of the members of the Synagogue<sup>17</sup> but as unclean<sup>18</sup> in respect of *terumah*,<sup>19</sup> and 'unconsecrated food that is in a condition of *Tebel* in respect of the dough-offering' is regarded as dough-offering.<sup>20</sup> But have we not learnt:<sup>21</sup> A woman who is a *Tebulath yom*<sup>22</sup> may<sup>23</sup> knead her dough and cut off from it its dough-offering<sup>24</sup> and put it on an inverted basket of palm-twigs or on a board,<sup>25</sup> and then<sup>26</sup> bring it close [to the major portion of the dough] and designate it [as dough-offering;<sup>27</sup> this procedure being permitted] because the uncleanness of the dough<sup>28</sup> is only of the third grade,<sup>29</sup> and the

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third grade is regarded as clean in common food.<sup>30</sup> Now if you were to maintain that 'common food that is in a condition of *Tebel* in respect of the dough-offering is regarded as dough-offering' [the objection would arise:] Did she not in fact convey uncleanness to it?<sup>31</sup> —

Said Abaye: In regard to any object,<sup>32</sup> that conveys certain uncleanness to common food, uncleanness has been imposed as a preventive measure, even in a doubtful case, where common food that is in a condition of *Tebel* in respect of the dough-offering is concerned,<sup>33</sup> but in regard to the woman who is a *tebulath Yom*, since she does not convey certain uncleanness to common food,<sup>34</sup> no uncleanness has been imposed as a preventive measure in a doubtful case where common food that is in a condition of *Tebel* in respect of the dough-offering is concerned.<sup>35</sup> But is there not the case of the retrospective uncleanness of the twenty-four hours [preceding the observation] of a menstrual flow which<sup>35</sup> conveys certain uncleanness to common food and in connection with which, nevertheless, no uncleanness has been imposed as a preventive measure in a case of doubt<sup>36</sup> where common food that is in a condition of *Tebel* in respect of the dough-offering is concerned,<sup>33</sup> for has not the Master said, 'R. Samuel son of R. Isaac accepted from him this [teaching, and explained it] as applying to common food that was prepared under conditions of hallowed things and not to common food that was prepared in conditions of *terumah*'?<sup>37</sup> — In the former case<sup>38</sup> no *Terumah* is kneaded up with the common food<sup>39</sup> but in the latter case *terumah*<sup>40</sup> is kneaded up with the dough.<sup>41</sup> And if you prefer I might reply: Leave out of the question the retrospective uncleanness of the twenty-four hours, since it is merely a Rabbinical measure.

**MISHNAH. R. ELIEZER RULED: IN THE CASE OF FOUR CLASSES OF WOMEN IT SUFFICES [FOR THEM TO RECKON] THEIR [PERIOD OF UNCLEANNESS FROM] THE TIME [OF**

**THEIR DISCOVERING OF THE FLOW]: A VIRGIN,<sup>42</sup> A WOMAN IN PREGNANCY,<sup>42</sup> A NURSING WOMAN,<sup>42</sup> AND AN OLD WOMAN.<sup>42</sup> R. JOSHUA SAID: I HAVE ONLY HEARD [THE RULING<sup>43</sup> APPLIED TO] A VIRGIN.<sup>44</sup>**

1. Though it was prepared in cleanness.
2. On account of the doubt that had arisen earlier before the offering had been set aside.
3. The Rabbis.
4. That the dough-offering is in a suspended state of uncleanness.
5. And not to common food, Hullin (v. [Glos.](#)). This is explained presently.
6. Concerning the uncleanness of the dough.
7. Lit., 'we learnt'.
8. Lit., 'evidences'.
9. One of which was clean and the other unclean, and a person walked through one of them and it is unknown which one it was (Rashi). For a different interpretation cf. Tosaf.
10. And is applicable to common food which is prepared under conditions of Levitical purity. Much more then would this uncleanness apply to the common food from which dough-offering must be, set aside, and the ruling would be superfluous.
11. Sc. (cf. next n. but one) where the likelihood of uncleanness is rather remote and not applicable to common food prepared under conditions of Levitical purity.
12. V. [Glos.](#)
13. Since it is possible that on account of its heavy weight one of the men leaned on the other and was thus shaken by him, 'shaking' (Heset) being a means of conveying the uncleanness of a *Zab* (cf. Rashi and Tosaf. Asheri).
14. Cf. prev. n. mut. mut.
15. Lit., 'and all of them', i.e., even in the case of a heavy load (Rashi); a light load (Tosaf.).
16. Since (a) there might have been no shaking at all and (b) if there was it could not obviously have been a proper shaking.
17. Who observe Levitical cleanness in common food also.
18. Rabbinically.
19. Zabin III, 2. Similarly in the case of the dough-offering under discussion the expression 'a doubt applicable to the dough-offering' means a doubtful uncleanness that does not apply to members of the Synagogue in respect of common food but applies to common food from which the dough-offering has to be taken.

# NIDDOH – 2a-23a

20. Which is in the same category as *Terumah* and consequently subject to uncleanness arising from doubtful leaning.
21. So MS.M and marg. n. Cur. edd., 'it was taught'.
22. Fem. of Tebul Yom (v. [Glos.](#)).
23. Though she, as cleanness could not be completely attained before sunset, is still subject to an uncleanness of the second grade.
24. Without designating it as such, so that it still retains its status of common food.
25. Sc. on an object that is not susceptible to ritual uncleanness. Neither the board, nor the basket in its inverted position, has a receptacle, and it is only 'vessels' with proper receptacles that are susceptible to uncleanness.
26. Since the dough-offering when being set aside must be close to the dough for which it is offered.
27. By that time the uncleanness of the woman can no longer be imparted to it since the object on which it rests (cf. prev. n. but one) intervenes.
28. Lit., 'it'; that had been touched by the woman who (v. *supra*) is of the second grade of uncleanness.
29. A clean object touched by an unclean one being always (with some exceptions) subject to a grade of uncleanness that is by one grade lower than the latter.
30. T.Y. IV, 2; such as the dough is presumably before the dough-offering had been taken from it.
31. When she first touched it. What then was the use of the entire procedure and precaution after that?
32. Such, e.g., as the load carried by a *Zab*.
33. Lit., 'on account of'.
34. A third grade of uncleanness, as stated *supra*, being regarded as clean.
35. During the actual period of the flow.
36. I.e., during the twenty-four hours preceding the observation of the flow when the uncleanness is only doubtful.
37. *Supra* 6b ad fin. 'Common food that was prepared in conditions of *Terumah*' being presumably in an analogous position to 'common food that is in a condition of *Tebel* in respect of the dough-offering' both should be subject to the same restrictions. Why then was the former exempted from the restriction while the latter was subjected to it?
38. Cf. prev. n. Lit., 'there'.
39. Lit., 'in them'.
40. Sc. the dough-offering.
41. The latter must consequently be subject to greater restrictions.
42. This is explained presently.

43. Of R. Eliezer that IT SUFFICES, etc.
44. But not to the other three classes.

## Niddah 7b

THE *HALACHAH*, HOWEVER, IS IN AGREEMENT WITH R. ELIEZER.

WHO IS REGARDED AS 'VIRGIN'? ANY WOMAN, EVEN THOUGH SHE IS MARRIED, WHO HAS NEVER YET OBSERVED A FLOW. 'A WOMAN IN PREGNANCY'? ONE WHOSE EMBRYO CAN BE DISCERNED. 'A NURSING WOMAN'? A WOMAN BEFORE SHE HAS WEANED HER CHILD. IF SHE GAVE HER CHILD TO A NURSING WOMAN, IF SHE WEANED IT, OR IF IT DIED, R. MEIR RULED: SHE CONVEYS UNCLEANNESS RETROSPECTIVELY FOR TWENTY-FOUR HOURS;<sup>1</sup> BUT THE SAGES RULED: IT SUFFICES FOR HER<sup>2</sup> [TO RECKON HER PERIOD OF UNCLEANNESS FROM] THE TIME OF HER [OBSERVATION OF THE FLOW]. WHO IS REGARDED AS 'AN OLD WOMAN'? ANY WOMAN OVER WHOM THREE 'ONAHs'<sup>3</sup> HAVE PASSED<sup>4</sup> NEAR THE TIME OF HER OLD AGE.<sup>5</sup>

R. ELIEZER<sup>6</sup> RULED: FOR ANY WOMAN<sup>7</sup> OVER WHOM HAVE PASSED<sup>4</sup> THREE 'ONAHs IT SUFFICES [TO RECKON HER PERIOD OF UNCLEANNESS FROM] THE TIME OF HER [OBSERVING OF A FLOW]. R. JOSE RULED: FOR A WOMAN IN PREGNANCY AND A NURSING WOMAN OVER WHOM THREE 'ONAHs HAVE PASSED<sup>8</sup> IT SUFFICES [TO RECKON THEIR PERIOD OF UNCLEANNESS FROM] THE TIME OF THEIR [OBSERVATION OF THE FLOW].<sup>9</sup>

AND OF WHAT DID THEY<sup>10</sup> SPEAK<sup>11</sup> WHEN THEY LAID DOWN<sup>12</sup> THAT 'IT SUFFICES [FOR THEM TO RECKON] THEIR PERIOD OF UNCLEANNESS FROM THE TIME [OF THEIR DISCOVERING OF THE FLOW]'? OF A FIRST OBSERVATION,<sup>13</sup> BUT AT A SUBSEQUENT OBSERVATION<sup>14</sup> SHE CONVEYS UNCLEANNESS RETROSPECTIVELY FOR A

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PERIOD OF TWENTY-FOUR HOURS. IF, HOWEVER, SHE SUFFERED THE FIRST FLOW ON ACCOUNT OF AN ACCIDENT<sup>15</sup> IT SUFFICES FOR HER EVEN AT A SUBSEQUENT OBSERVATION [TO RECKON HER UNCLEANNESS FROM] THE TIME OF HER [OBSERVING OF THE FLOW].

**GEMARA.** It was taught: R. Eliezer said to R. Joshua, 'You have not heard<sup>16</sup> but<sup>17</sup> I have heard; you have only heard one tradition but I have heard many;<sup>18</sup> people do not ask him who has not seen the new moon to come and tender evidence<sup>19</sup> but only him who has seen it.' Throughout the lifetime of<sup>20</sup> R. Eliezer the people acted in accordance with the ruling of R. Joshua, but after the passing away of R. Eliezer, R. Joshua re-introduced the earlier practice.<sup>21</sup> Why did he<sup>22</sup> not follow R. Eliezer during his lifetime? — Because R. Eliezer was a disciple of Shammai<sup>23</sup> and he<sup>24</sup> felt that if they<sup>25</sup> would act in agreement with his ruling in one matter<sup>26</sup> they<sup>25</sup> would act in agreement with his rulings in other matters also<sup>27</sup> and that out of respect for R. Eliezer no one could interfere<sup>28</sup> with them; but after the passing away of R. Eliezer, when the people<sup>29</sup> could well be interfered with, he<sup>24</sup> re-introduced the original practice.

Rab Judah citing Samuel ruled: The *Halachah* is in agreement with R. Eliezer in four cases. One is that which has just been mentioned.<sup>30</sup> The other is that about a woman who was in a hard travail<sup>31</sup> [concerning whom it was stated:] For how long must she be relieved from pain<sup>32</sup> so as to be regarded a *zabah*?<sup>33</sup> Twenty-four hours;<sup>34</sup> so R. Eliezer.<sup>35</sup> And the *Halachah* is in agreement with his view.<sup>36</sup> And the third<sup>37</sup> is the following: If a *Zab* and a *zabah*<sup>38</sup> examined themselves on the first day<sup>39</sup> and found themselves clean and on the seventh day also<sup>40</sup> and found themselves clean, but did not examine themselves during the other days,<sup>41</sup> R. Eliezer ruled: Behold these<sup>42</sup> are in a presumptive condition of cleanness,<sup>43</sup> and R. Joshua ruled: They are entitled [to reckon as clean] only the first day and the seventh

day,<sup>44</sup> while R. Akiba ruled: They are entitled [to reckon as clean] the seventh day alone,<sup>45</sup> and it was taught: R. Simeon and R. Jose stated, 'The view of R. Eliezer<sup>46</sup> is more feasible than that of R. Joshua,<sup>47</sup> while that of R. Akiba is more feasible than those of both,<sup>48</sup> but the *Halachah* agrees with that of R. Eliezer'.<sup>49</sup> And the fourth is the following.<sup>50</sup> For we have learnt: If the outer sides<sup>51</sup> of vessels were rendered unclean<sup>52</sup> by liquids,<sup>53</sup> R. Eliezer ruled, they convey uncleanness<sup>52</sup> to other liquids<sup>54</sup> but they<sup>55</sup> do not render foodstuffs unfit.<sup>56</sup> 'They convey uncleanness to liquids' even where the latter are common, but they 'do not render foodstuffs unfit', even where the latter are *Terumah*. R. Joshua ruled: They convey uncleanness to liquids and also render foodstuffs unfit.<sup>57</sup> Said R. Joshua: This may be inferred a *minori ad majus*: If a *Tebul Yom* who<sup>58</sup> does not convey uncleanness to a common liquid,<sup>59</sup> nevertheless renders foodstuffs of *Terumah* unfit how much more then should the outsides of vessels which do convey uncleanness to an unconsecrated liquid render foodstuffs of *Terumah* unfit. And R. Eliezer?<sup>60</sup> —

The uncleanness of the outsides of vessels<sup>61</sup> is only Rabbinical<sup>62</sup> while that of a *Tebul yom*<sup>63</sup> is pentateuchal;<sup>64</sup> and, where it is a question of deducing a Rabbinical from a Pentateuchal law, no inference a *minori ad majus* can be applied.<sup>65</sup> For in accordance with Pentateuchal law no foodstuff conveys uncleanness to a vessel and no liquid conveys uncleanness to a vessel, and it is only the Rabbis that have ordained such uncleanness as a preventive measure against possible laxity in the case of the fluid<sup>66</sup> of a *Zab* or a *zabah*;<sup>67</sup> hence it is only in the case of liquids, which are prone to contract uncleanness, that the Rabbis have enacted a preventive measure, but in that of foodstuffs, since they are not prone to contract uncleanness, the Rabbis enacted no preventive measure. What, however, is the reason for the mention of the outsides of vessels?<sup>68</sup> — Because their restrictions are lighter.<sup>69</sup> For we have learnt:

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If the outside of a vessel came in contact with unclean liquids,<sup>70</sup> its outside becomes unclean while its inside, its hanger,<sup>71</sup> its rim and its handles remain clean, but if its inside has become unclean all of it is unclean.<sup>72</sup>

But what does Samuel teach us,<sup>73</sup> seeing that in all these cases we learnt that the law [was in agreement with R. Eliezer]? And should you reply that he mainly informed us about the 'outsides of vessels' concerning which we did not learn [elsewhere what the law was], why [it could be retorted] did he not simply state, 'The *Halachah* is in agreement with R. Eliezer in the case of the outsides of vessels'? — The fact is that it is this that he informed us:<sup>74</sup> That the *Halachah* may not be derived from a theoretical statement.<sup>75</sup>

But are there no more [than the four rulings]?<sup>76</sup> Is there not in fact another, since we have learnt: R. Eliezer ruled,

1. Preceding the time of her observation of the flow.
2. During the twenty-four months after the child's birth throughout which she is expected to suckle it (v. Gemara *infra*).
3. 'Periods'. This is explained in the Gemara *infra*.
4. Without her observing of a flow.
5. This is explained in the Gemara *infra*.
6. *Var. lec.*, 'Eleazar'.
7. Even a young one.
8. Without her observing of a flow.
9. If three consecutive 'Onahs, however, have not passed, there applies the law of retrospective uncleanness, contrary to the view of R. Eliezer and the first Tanna *supra*.
10. The Rabbis, *supra*.
11. So BaH. Cur. edd. 'he spoke'.
12. *Supra* in the case of the CLASSES OF WOMEN. This is discussed in the Gemara *infra*.
13. After the three 'Onahs have passed over the virgin, the woman in pregnancy or the old woman.
14. Lit., 'at the second', since her natural proneness to the flow is re-established.
15. So that it cannot be ascribed to the woman's natural disposition (cf. prev. n.).
16. Cf. R. Joshua's statement in our Mishnah.
17. Cf. BaH. Cur. edd. omit the *Waw*.

18. Reading Harbeh. *Var. lec.* Arba' ('four') sc. women, cf. BaH.
19. That he has seen it. Such evidence was essential to enable the Great Beth-din in Jerusalem (who regulated the lengths of the months and the fixation of the festival dates) to proclaim the beginning of a new month.
20. Lit., 'all his days'.
21. Lit., 'restored the thing to its old (state)', when the practice was in agreement with the view of R. Eliezer.
22. R. Joshua.
23. So R. Tam and Rashb. (contra Rashi who, referring to B.M. 59b, renders Shamuthi 'one placed under the ban'). Wherever Beth Hillel differed from Beth Shammai the law (with a very few exceptions) is always in agreement with the former.
24. R. Joshua.
25. Lit., 'we'.
26. I.e., the one mentioned in our Mishnah where the law in fact is in agreement with his view.
27. Sc. even in those where the law is in agreement with Beth Hillel.
28. Lit., 'we are not able to prevent'.
29. If they were to follow R. Eliezer in other matters (cf. prev. n. but one) also.
30. Cf. *supra* n. 6.
31. For three days (during the 'eleven days' between the menstrual periods) on each of which there was a discharge of blood. If the discharge was not due to the travail she, having observed the blood on three consecutive days, would be subject to the restrictions of a Zabah; but if it was due to travail she would be exempt from these restrictions. If a Zabah she would have to count after childbirth seven days (as a Zabah) in addition to the number of days prescribed for a woman after childbirth, and she would also have to bring two sacrifices one as a Zabah and the other as one after childbirth.
32. After the three days mentioned (cf. prev. n.) and before the birth of the child.
33. Retrospectively, on account of the discharges on the three days. If the pain had continued until delivery it would have been obvious that the discharge on the three days mentioned was also due to the same cause, but if it ceased some considerable time before birth it may well be concluded that that discharge had no connection with the childbearing and the woman would consequently come within the category of Zabah (cf. prev. n. but one).
34. If such a period has intervened it is obvious that the discharge mentioned was in no way due to travail.
35. *Infra* 36b.
36. Though R. Joshua differs from him.

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37. Lit., 'and the other'.
38. Sc. the same law applies to either.
39. After the flux had ceased.
40. Cf. prev. n. Seven days without any discharge must pass before a *Zab* or a *Zabah* can attain cleanness.
41. The intermediate five.
42. Since on the first and the last day they were definitely clean.
43. And on performing immersion at the close of the seventh day they became clean.
44. Sc. two days only. As the cleanness of the intermediate days is a matter of doubt they must count another five days to make up the prescribed number of seven. In the case of a certain discharge on any of the days all the prescribed seven days must, of course, be counted all over again.
45. *Infra* 68b; since it is possible that there was a discharge on the sixth day, when there was no examination (cf. prev. n. last clause).
46. Who is consistent in disregarding completely the possibility of a discharge on any of the five days that intervened between the first and last clean ones. Cf. following n.
47. Who (cf. prev. n.) is inconsistent, seeing that he assumes the possibility of a discharge during the intermediate days and at the same time allows counting the first day as one of the seven clean days.
48. A possible, like a certain discharge (cf. *supra* n. 11, last clause) on the sixth day might quite reasonably be regarded as sufficient ground for cancelling all the previous days counted, including the first.
49. *Infra* 68b.
50. Lit., 'and the other'.
51. In a case where the insides are not affected (as explained *infra*) lit., 'backs'.
52. Rabbinically (cf. following two notes).
53. Through contracting uncleanness from a dead creeping thing. The latter being a primary uncleanness causes the liquids to be an uncleanness of the first grade which (though Pentateuchally, since their uncleanness is not a primary one, it cannot, as explained in Pes. 18a, convey uncleanness to vessels) renders the vessels unclean Rabbinically. As the uncleanness that is conveyed to vessels by liquids is merely Rabbinical, and as it was desired to make a distinction between Pentateuchal and Rabbinical uncleanness, it was enacted that, in such a case, only the outsides of vessels and not their insides shall contract the uncleanness.
54. Because liquids are prone to uncleanness. In consequence they contract from the vessels a first grade of uncleanness, the same grade as that of the outer sides of the vessels themselves.
55. Since Pentateuchally (cf. prev. n. but one) they are deemed to be clean.
56. Toh. VIII, 7; much less do they render them unclean. (This is explained presently.)
57. Toh. VIII, 7.
58. Being subject to a secondary grade of uncleanness only (v. following n.).
59. As explained in Pes. 14b.
60. How in view of this inference can he maintain his ruling?
61. Contracted from liquids.
62. Cf. *supra* n. 3.
63. In respect of conveying uncleanness to foodstuffs of *Terumah*.
64. As deduced from Scripture in Yeb. 74b.
65. Since it is obvious that Pentateuchal uncleanness should be subject to greater restrictions.
66. E.g., spittle.
67. Which is a primary uncleanness Pentateuchally (cf. Lev. XV, 8).
68. Lit., 'wherein is the difference ... that he took up', sc. why should not the Mishnah equally speak of the insides of vessels that similarly contracted from liquids Rabbinical uncleanness?
69. Than those that govern the insides of vessels. In the latter case R. Eliezer agrees that *Terumah* is rendered invalid.
70. Lit., 'a vessel whose back became unclean by liquids'.
71. Lit., 'its ear'.
72. Kelim XXV, 6.
73. By stating *supra* that 'the *Halachah* is in agreement with R. Eliezer in four cases'.
74. By laying down the *Halachah* (cf. prev. n.) in the case of rulings where a similar statement was actually embodied in the Mishnah.
75. Talmud, lit., 'learning'. All statements as to what is the *Halachah* added by a Tanna to a ruling in a Mishnah or a Baraita must be regarded as a mere opinion or theory which a disciple expressed with reference to a ruling of his master. It is only the carefully considered decisions of the later Amoras that, being based on a minute examination and thorough analysis of their predecessor's views that may be relied upon as authoritative in determining the *Halachah* (cf. Rashi).
76. Referred to *supra* by Rab Judah in the name of Samuel, concerning which the *Halachah* is in agreement with R. Eliezer.



# NIDDOH – 2a-23a

## Niddah 8a

'A minor<sup>1</sup> is to be instructed<sup>2</sup> to exercise her right of *Mi'un* against him<sup>3</sup> and in connection with this Rab Judah citing Samuel stated, 'The *Halachah* is in agreement with R. Eliezer'<sup>4</sup> — When Samuel stated 'the *Halachah* is in agreement with R. Eliezer in four cases he referred to rulings in the Order of Toharoth,<sup>5</sup> but in the other Orders there are many such rulings. This<sup>6</sup> also stands to reason, for we learnt: R. Eliezer ruled, Also in the case of one who shovels out loaves of bread<sup>7</sup> from an oven and puts them into a basket,<sup>8</sup> the basket causes them to be combined in respect of their liability to the dough-offering',<sup>9</sup> and in connection with this Rab Judah citing Samuel stated, 'The *Halachah* is in agreement with R. Eliezer.'<sup>10</sup> This is conclusive. But why is the latter<sup>11</sup> a more valid proof<sup>12</sup> than the former?<sup>13</sup> —

Because in the former case R. Eleazar takes up the same standpoint as he,<sup>14</sup> for we learnt: R. Eleazar ruled, The minor is to be instructed<sup>15</sup> to exercise her right of *Mi'un* against him.<sup>16</sup> But does he<sup>17</sup> take up the same standpoint?<sup>18</sup> Have we not in fact shown<sup>19</sup> that both<sup>20</sup> were required because they are not like one another?<sup>21</sup> — Rather say, Because R. Judah b. Baba takes up the same position as he,<sup>22</sup> for we learnt,<sup>23</sup> 'R. Judah b. Baba testified concerning five things: That minors are urged to exercise their right of *mi'un*,<sup>24</sup> that a woman<sup>25</sup> is allowed to remarry on the evidence of one witness,<sup>26</sup> that a cock was stoned<sup>27</sup> in Jerusalem because it had killed a person,<sup>28</sup> that<sup>29</sup> wine which was only forty days old<sup>30</sup> was poured as a drink-offering upon the altar, and that<sup>29</sup> the continual morning sacrifice was offered<sup>31</sup> [as late as] at the fourth hour [of the day]'.<sup>32</sup> Now does not the expression 'minors'<sup>33</sup> imply<sup>34</sup> the one of which R. Eleazar and the one of which R. Eliezer spoke?<sup>35</sup> — No; by the expression<sup>36</sup> 'minors' minors in general<sup>37</sup> were meant.<sup>38</sup> If so,<sup>39</sup> should it not have been stated, in the case of the woman<sup>40</sup> also,

'women', meaning thereby<sup>41</sup> women in general?<sup>42</sup> As in the latter case,<sup>43</sup> however, it was stated 'woman',<sup>44</sup> and in the former 'minors'<sup>45</sup> it may be concluded that the expressions are to be taken literally.<sup>46</sup> This is conclusive.

R. Eleazar<sup>47</sup> also<sup>48</sup> stated, 'The *Halachah* is in agreement with R. Eliezer in four things'. But are there no more of such rulings?<sup>49</sup> Have we not in fact learnt, 'R. Eliezer ruled, The minor is to be instructed to exercise her right of *Mi'un* against him'<sup>50</sup> and R. Eleazar stated, 'The *Halachah* is in agreement with R. Eliezer'<sup>51</sup> And were you to reply that when R. Eleazar stated, 'The *Halachah* is in agreement with R. Eliezer in four things' he referred to the rulings in the Order of Toharoth, but that in the other Orders there are many more such rulings<sup>49</sup> [it could be retorted:] But are there any such? Have we not in fact learnt, 'The rose, henna,<sup>52</sup> lotus<sup>53</sup> and balsam as well as their proceeds are subject to the laws of the Sabbatical year<sup>54</sup> and they and their proceeds are also subject to the law of removal,<sup>55</sup> in connection with which R. Pedath<sup>56</sup> is observed, 'Who taught<sup>57</sup> that balsam is a fruit?'<sup>58</sup> R. Eliezer'; and R. Zera replied, 'I see that between<sup>59</sup> you and your father you will cause balsam to be permitted to the world,<sup>60</sup> since you said, "Who taught that balsam is a fruit? R. Eliezer" and your father said, "The *Halachah* is in agreement with R. Eliezer in four things"'.<sup>61</sup> Now, if it were so,<sup>62</sup> why did he<sup>63</sup> not reply to him,<sup>64</sup> 'When my father said, "The *Halachah* is in agreement with R. Eliezer in four things" he referred only to rulings in the Order of Toharoth but in other Orders there are many more'?<sup>65</sup> —

But then,<sup>66</sup> does not the previous difficulty<sup>67</sup> arise? — [In the case of *mi'un*<sup>68</sup> the *Halachah* is in agreement with R. Eliezer] because R. Eleazar [b. Shammua'] takes up the same standpoint as he; for we have learnt: R. Eleazar ruled, The minor is to be instructed to exercise her right of *Mi'un* against him.<sup>69</sup> But does he<sup>70</sup> take up the same standpoint?

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Have we not in fact shown that both<sup>71</sup> were required because they are not like one another?<sup>72</sup> — Rather say: Because R. Judah b. Baba takes up the same standpoint as he.<sup>70</sup> But are there no more such rulings?<sup>73</sup>

Have we not in fact learnt: 'R. Akiba ruled, One says it<sup>74</sup> as an independent benediction;<sup>75</sup> R. Eliezer ruled, One includes it in the benediction of thanksgiving';<sup>76</sup> and in connection with this R. Eleazar<sup>77</sup> stated,<sup>78</sup> 'The *Halachah* is in agreement with R. Eliezer'? — R. Abba replied: [The *Halachah* agrees with him] in that case because he [may have] said it in the name of R. Hanina b. Gamaliel, for it was taught: R. Akiba ruled, One says it<sup>79</sup> as an independent benediction;<sup>75</sup> R. Hanina b. Gamaliel ruled, One includes it in the benediction of thanksgiving.

1. Who was fatherless and was given in marriage by her mother or brothers (so that her marriage is only Rabbinically valid) and who had a sister that was of age and was married to the minor's husband's brother who died without issue. In accordance with the laws of the levirate marriage the surviving brother must marry the widow, but such marriage cannot take place in this case on account of the prohibition to marry a wife's sister. The minor, furthermore, is now forbidden to live with her husband (whose marriage with her is only Rabbinically valid) on account of the levirate bond between him and her sister (which is Pentateuchal). Rashi speaks here of two 'orphan' sisters, but the Mishnah in Yeb, speaks of 'deaf' sisters.
2. In order to avoid (cf. prev. n.) the difficulties mentioned.
3. Her husband. In virtue of *Mi'un* (v. [Glos.](#)) she annuls her marriage and sets her husband free to perform the Pentateuchal law of the levirate marriage. Yeb. 109a.
4. Yeb. 110a.
5. The sixth, and last order of the Talmud in which the tractate of *Niddah* is included.
6. That Samuel referred to the Order of Toharoth alone.
7. That were made of quantities of dough each of which was never greater than five *Kab*. Only when dough is no less than five *Kab* in bulk is it subject to the dough-offering.

8. And in their total they amounted to no less than five *Kab*.
9. Hal. II, 4.
10. Which shows that outside the Order of Toharoth there are other rulings concerning which the *Halachah* is in agreement with R. Eliezer.
11. Hal. II, 4.
12. In support of the explanation given (cf. n. 10).
13. The ruling cited from Yeb. Lit., 'and what is the strength of that from that?'
14. R. Eliezer.
15. In certain cases enumerated in Yeb. 111a.
16. Yeb. 111a, a ruling that is analogous to that of R. Eliezer in Yeb. 109a, and it might have been assumed that only in this case, since R. Eliezer is supported by the authority of R. Eleazar, is the *Halachah* in agreement with the former but not in other cases where he has no such support; hence the citation from Hal, where the *Halachah* is in agreement with R. Eliezer even though his ruling has his own authority alone.
17. R. Eleazar.
18. As R. Eliezer.
19. Yeb. 111b.
20. Statements of Samuel, that the *Halachah* is in agreement with (a) R. Eliezer and (b) R. Eleazar.
21. How then could it be suggested here that R. Eleazar's ruling provides support for that of R. Eliezer?
22. R. Eliezer.
23. So MS.M. Cur. edd. 'it was taught'.
24. Cf. notes on the similar ruling of R. Eliezer (cited from Yeb. 109a *supra*).
25. Whose husband left for a country overseas.
26. Who testifies that her husband was dead.
27. In accordance with Ex. XXI, 28 (as expounded in B.K. 54b), though the text speaks only of an ox.
28. It pecked out the brain of a child.
29. Lit., 'and about'.
30. One that is less than forty days old is invalid as 'wine from the vat', which is too new (cf. B.B. 97a, Sonc. ed. p. 405).
31. On one occasion, during the Syrian Greek siege of Jerusalem, when no sacrifice could be secured.
32. 'Ed. VI, 1.
33. Sc. the use of the plural form.
34. Lit., 'what minors? Not?', etc.
35. The answer being presumably in the affirmative it follows that R. Eliezer's ruling is supported by the authority of R. Judah b. Baba.
36. Lit., 'what'.
37. Of the class spoken of by R. Eleazar.

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38. Excluding the one spoken of by R. Eliezer who, consequently, stands unsupported.
39. That the plural form in this context is used to indicate the class.
40. 'That a woman is allowed, etc.'
41. Lit., 'and let us say'.
42. Obviously it should.
43. Lit., 'since here' (cf. *supra* p. 47, n. 25).
44. In the sing., though the whole class is included.
45. In the plural.
46. Lit., 'he learns exactly', sc. that 'minors' in the plural refers to the two classes of minor, the one dealt with by R. Eleazar and the one spoken of by R. Eliezer.
47. I.e., R. Eleazar b. Pedath who was an Amora. R. Eleazar who laid down the rule of *Mi'un* is a Tanna and was b. Shammua'.
48. Like Rab Judah who cited Samuel *supra* 7b.
49. In regard to which the *Halachah* is in agreement with R. Eliezer.
50. *Supra* q.v. notes.
51. Yeb. 110a.
52. Or 'cyprus flower'.
53. Or 'gum-mastich'.
54. Shebi. VII, 6: sc. during that year they must be treated as Hefker (v. [Glos.](#)) and no trade may be carried on with them.
55. Sc., as soon as none of these products respectively remained in the field the owner must remove from his house all that he had previously gathered in. The last quoted part, 'and they ... removal' is wanting in the Mishnah.
56. The son of R. Eleazar b. Pedath.
57. In the Mishnah cited from Sheb.
58. Were it no fruit it would not have been subject to the laws of the Sabbatical Year.
59. Lit., 'from'.
60. During the Sabbatical Year, i.e., to be exempt from its restrictions.
61. But no more. R. Eliezer's restrictive law concerning balsam, since it is not included in the four, must consequently be against the *Halachah* and must, therefore, be disregarded.
62. That outside the Order of Toharoth there are other rulings of R. Eliezer in agreement with the *Halachah*.
63. R. Pedath.
64. R. Zera.
65. And R. Zera's objection would thus have been met. Since R. Pedath, however, gave no such reply it follows that R. Eleazar's statement that 'the *Halachah* is in agreement with R. Eliezer in four things' applies to all the Orders of the Talmud.
66. Cf. prev. n.
67. How is it that in the case of *Mi'un* (which is not included in the four) the *Halachah* is also in agreement with R. Eliezer?
68. Though it is not one of the four (cf. prev. n.).
69. *Supra* q.v. notes.
70. R. Eleazar [b. Shammua'].
71. The rulings of R. Eliezer and R. Eleazar respectively.
72. *Supra* q.v. notes.
73. Concerning which the *Halachah* is in agreement with R. Eliezer.
74. The benediction of Habdalah in the evening service at the conclusion of the Sabbath (cf. P.B., p. 46).
75. Sc. it is not to be included in any of the statutory benedictions.
76. Ber. 29a, 33a. Cf. P.B., p. 51.
77. b. Pedath (cf. *supra*).
78. M. J. Ber. (Tosaf).
79. The benediction of Habdalah in the evening service at the conclusion of the Sabbath (cf. P.B., p. 46).

## Niddah 8b

But was he<sup>1</sup> not much older than he?<sup>2</sup> — Rather say:<sup>3</sup> Because R. Hanina b. Gamaliel took up<sup>4</sup> the same line as he, But did he<sup>5</sup> take it up? Was it not in fact taught: On the night of the Day of Atonement<sup>6</sup> one recites in his prayers seven benedictions and makes confession; in the morning<sup>6</sup> one recites seven benedictions and makes confession; during the additional prayer<sup>2</sup> one recites seven benedictions and makes confession; in the afternoon prayer one recites seven benedictions and makes confession; In the concluding prayer<sup>8</sup> one recites seven benedictions and makes confession, and in the evening<sup>2</sup> one recites seven benedictions embodying the substance of the Eighteen;<sup>10</sup> and R. Hanina b. Gamaliel in the name of his ancestors ruled: One must recite in his prayers<sup>11</sup> all the eighteen benedictions because it is necessary to include habdalah<sup>12</sup> in 'who favorest man with knowledge'?<sup>13</sup> — R. Nahman b. Isaac replied: He cited it<sup>14</sup> in the name of his ancestors but he himself<sup>15</sup> does not uphold it.

Said R. Jeremiah to R. Zera:<sup>16</sup> But do you not yourself hold that he who taught that

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balsam was a fruit is R. Eliezer, seeing that we have learnt: R. Eliezer ruled, Milk curdled with the sap of 'Orlah is forbidden?<sup>17</sup> — This<sup>18</sup> might be said to agree even with the view of the Rabbis, since they differed from R. Eliezer only in respect of the sap of the tree but in the case of the sap of the fruit they agree with him, for we have learnt: R. Joshua stated, I have explicitly heard that milk curdled with the sap of the leaves or with the sap of the roots is permitted, but if it was curdled with the sap of unripe figs it is forbidden because the latter is regarded as a proper fruit.<sup>19</sup> And if you prefer I might reply: The Rabbis differ from R. Eliezer only in respect of a fruit producing tree but in the case of a tree that does not produce fruit they agree that its sap is regarded as its fruit, for we have learnt: R. Simeon ruled, Balsam is not subject to the laws of the Sabbatical Year<sup>20</sup> and the Sages ruled, Balsam is subject to the laws of the Sabbatical Year because the sap of the tree is regarded as its fruit.<sup>21</sup> Now who are the Sages? Are they not in fact the Rabbis who differ<sup>22</sup> from R. Eliezer?<sup>23</sup> —

Thus, a certain elder replied to him, said R. Johanan, 'Who are the "Sages"? R. Eliezer who ruled that its balsam is its fruit'. But if by the 'Sages' R. Eliezer was meant what was the point in speaking of a tree that does not produce fruit seeing that even where a tree produces fruit its sap is regarded as its fruit? — He<sup>24</sup> spoke to them<sup>25</sup> according to the view of the Rabbis. 'According to my view' [he said in effect,] 'even in the case of a fruit producing tree its sap is regarded as its fruit, but according to your view<sup>26</sup> agree with me at least in this case of a tree that produces no fruit that its sap is its fruit. But the Rabbis told him: No difference is made.<sup>27</sup>

WHO IS REGARDED AS A 'VIRGIN'? ANY WOMAN WHO HAS NOT YET OBSERVED, etc. Our Rabbis taught: [If a virgin] married and observed a discharge of blood that was due to the marriage, or if when she bore a child she observed a discharge of blood that was due to the birth,

she is still called a 'virgin', because the virgin of whom the Rabbis spoke is one that is a virgin as regards menstrual blood but not one who is so in regard to the blood of virginity.<sup>28</sup> Can this, however, be correct?<sup>29</sup> Has not R. Kahana in fact stated, 'A Tanna taught: There are three kinds of virgin, the human virgin, the soil virgin and the sycamore virgin. The "human virgin" is one that never<sup>30</sup> had any sexual intercourse, the practical issue<sup>31</sup> being her eligibility to marry a High Priest<sup>32</sup> or else her claim to a *Kethubah* of two hundred *zuz*;<sup>33</sup> the "virgin soil" is one that had never<sup>30</sup> been cultivated, the practical issue<sup>31</sup> being its designation as "a rough valley"<sup>34</sup> or else its legal status as regards purchase and sale;<sup>35</sup> the "virgin sycamore" is one that has never<sup>36</sup> been cut,<sup>37</sup> the practical issue<sup>38</sup> being its legal status as regards purchase and sale<sup>39</sup> or else the permissibility to cut it<sup>37</sup> in the Sabbatical Year, as we have learnt: A virgin sycamore may not be cut in the Sabbatical Year because such cutting is regarded as cultivation'.<sup>40</sup> Now if this<sup>41</sup> were correct why did he<sup>42</sup> not mention this one also? —

R. Nahman b. Isaac replied: He only mentioned such as has no special<sup>43</sup> name<sup>44</sup> but one which bears a special<sup>43</sup> name<sup>45</sup> he does not mention. R. Shesheth son of R. Idi replied: He<sup>46</sup> only mentioned those, the loss of whose virginity<sup>47</sup> is dependent on an act<sup>48</sup> but one the loss of whose virginity<sup>47</sup> is not dependent on an act<sup>49</sup> he does not mention. R. Hanina son of R. Ika replied: He<sup>46</sup> only mentioned those<sup>47</sup> which do not change<sup>50</sup> into their original condition<sup>51</sup> but one which does change to its original condition<sup>52</sup> he does not mention. Rabina replied: He<sup>53</sup> only mentioned that to which a purchaser is likely to object<sup>54</sup> but that to which a purchaser is not likely to object<sup>55</sup> he does not mention. But do not people object?<sup>56</sup> Was it not in fact taught, 'R. Hiyya stated: As leaven is wholesome for the dough so is menstrual blood wholesome for a woman'<sup>57</sup> and it was also taught in the name of R. Meir, 'Every woman who has an abundance of menstrual

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blood has many children'?<sup>57</sup> — Rather say: He<sup>53</sup> only mentioned that which a purchaser is anxious to acquire<sup>58</sup> but that<sup>59</sup> which a purchaser is not anxious to acquire<sup>60</sup> he does not mention.

Our Rabbis taught: What is meant by a virgin soil? One which<sup>61</sup> turns up clods<sup>62</sup> and whose earth is not loose. If<sup>61</sup> a potsherd is found in it, it may be known that it had once been cultivated;<sup>63</sup> if flint, it is undoubtedly<sup>64</sup> virgin soil.

'A WOMAN IN PREGNANCY'? ONE WHOSE EMBRYO 'CAN BE DISCERNED. At what stage<sup>65</sup> is the embryo discernible? — Symmachus citing R. Meir replied: Three months after conception. And though there is no actual proof for this statement there is an allusion<sup>66</sup> to it, for it is said in Scripture, And it came to pass about three months after<sup>67</sup>, etc. 'An allusion to it' [you say], is not this a text of Scripture and a most reliable<sup>68</sup> proof? — [It can only be regarded as an allusion] because some women<sup>69</sup> give birth after nine months and others after seven months.<sup>70</sup>

Our Rabbis taught: If a woman was<sup>71</sup> in a condition of presumptive pregnancy and after observing a discharge of blood she miscarried an inflated object<sup>72</sup> or any other object which had no vitality<sup>73</sup> she<sup>74</sup> is still deemed to be<sup>75</sup> in the condition of her presumptive pregnancy and it suffices for her to reckon her period of menstrual uncleanness from the time of her observation of the discharge.<sup>76</sup> And though there is no actual proof for this ruling<sup>77</sup> there is an allusion<sup>78</sup> to it, for it is said in Scripture, We have been with child, we have been in pain, we have as it were brought forth wind.<sup>79</sup> But why only 'an allusion to it' seeing that the text provides actual<sup>80</sup> proof? — That text was in fact written about males.<sup>81</sup>

I would, however, point out an incongruity: If a woman was in hard labour<sup>82</sup> for two days<sup>83</sup> and on the third day<sup>84</sup> she miscarried an inflated object or any thing that had no

vitality, she<sup>85</sup> is regarded as bearing in the condition of a zabah.<sup>86</sup> Now if you maintain that such miscarriage is a proper birth

1. R. Eliezer, a contemporary and brother-in-law of R. Gamaliel the son of Simeon who was one of the 'Ten Royal Martyrs' (Rashi).
2. Hanina, who was a son of R. Gamaliel of Jamnia (v. Tosaf.). Now is it likely that an older scholar would quote a tradition on the authority of a younger one?
3. In explanation why the *Halachah* is in agreement with R. Eliezer in this particular case.
4. At a later date. Lit., 'stands'.
5. R. Hanina.
6. The 'Day' extending over a night and the following day.
7. Musaf, which on Sabbaths and festivals is recited after the morning service.
8. Ne'ilah, the last prayer before sunset on the Day of Atonement.
9. That follows the solemn day.
10. I.e., instead of all the 'eighteen (now nineteen) benedictions' that are to be recited at ordinary weekday services (cf. P.B., p. 44ff) one recites on this occasion only the first three and the last three benedictions, and inserts between a shortened prayer embracing the salient features of the intermediate ones (cf. P.B., p. 55).
11. Even on the evening mentioned.
12. The prayer added to the service at the conclusion of Sabbaths and festival days (cf. P.B., p. 46).
13. Yoma 87b, Pes. 3a. Cf. P.B., i.e. In the shortened prayer, where this benediction is reduced to a few words, this cannot be done. Now, since R. Hanina here states that Habdalah is to be included in the benediction 'who favorest, etc.' how could it be said *supra* that he adopts the same line as R. Eliezer who requires it to be included in the benediction of thanksgiving?
14. The last quoted ruling.
15. Who is in agreement with R. Eliezer.
16. Who objected (*supra* 8a) to R. Pedath's assertion as to the authorship of the ruling on balsam.
17. 'Orlah I, 7; because the sap is considered a fruit to which the prohibitions of 'Orlah apply. Balsam also being a sap, must not the ruling that balsam is a fruit obviously be that of R. Eliezer?
18. The ruling just cited.
19. 'Orlah I, 7.
20. 'Because it is not regarded as a fruit', Sheb. VII, 6.

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21. This quotation does not actually occur in the Mishnah cited (cf. prev. n.) but is implied from the ruling of the first Tanna *ibid*.
22. In the case of other trees.
23. Presumably they are. Thus it follows, as R. Zera submitted, that in the case of balsam the Rabbis are of the same opinion as R. Eliezer and that there is no need, therefore, to attribute to him the ruling which is in agreement with the *Halachah*.
24. R. Eliezer.
25. Those who differed from him.
26. Which does not regard the sap of a fruit bearing tree as fruit.
27. Between the two kinds of tree. In neither case can sap be regarded as fruit.
28. Or birth.
29. Lit., 'I am not'.
30. Lit., 'all the time that she (had) not'.
31. Between being regarded as a virgin or not.
32. Cf. Lev. XXI, 13.
33. Only a virgin is entitled to that sum. One who is no virgin is entitled to one hundred *Zuz* only.
34. Deut. XXI, 4, in the case where a murdered man was found in a field and his murderers cannot be discovered when a heifer is brought into a rough valley and a prescribed ceremonial is performed (v. *ibid*. 1ff).
35. If a plot of land has been sold or bought as 'virgin soil' it must be one that has never before been cultivated.
36. Lit., 'all the time that she (had) not'.
37. Since the cutting causes new growth.
38. Between being regarded as a virgin or not.
39. Cf. *supra* n. 10 mut. mut.
40. Which is forbidden (cf. Lev. XXV, 4); Sheb. IV, 5.
41. That there is also a virginity as regards menstrual blood.
42. R. Kahana who only spoke of three kinds of virgin.
43. Lit., 'attached', 'accompanying'.
44. 'Virgin' alone being sufficient.
45. Such as the 'virgin in respect of menstrual blood' whom 'virgin' alone would not sufficiently describe.
46. R. Kahana who only spoke of three kinds.
47. Lit., 'a thing that'.
48. Such as intercourse, cultivation or cutting.
49. As is the case with a discharge of menstrual blood which is a natural and involuntary process.
50. After intercourse, cultivation and cutting respectively.
51. Lit., 'to its creation', neither the woman nor the soil nor the sycamore can (cf. prev. n.) change into her or its original condition.
52. A woman in old age loses her flow and changes, in this respect, into a condition similar to her original virginity.
53. R. Kahana who only spoke of three kinds.
54. No one who could help it would be likely to marry a non-virgin or to buy land that was already exploited or a sycamore that was cut.
55. One who marries a virgin does not care whether or not she ever had her menstrual flow.
56. Cf. prev. n.
57. Keth. 10b.
58. Lit., 'that ... jumps on it', people are anxious to marry a virgin, to buy a plot of land that was never before exploited and a sycamore that was never before cut.
59. A virgin who has no menstrual flow.
60. For the reasons indicated by R. Hiyya and R. Meir *supra*.
61. On being broken up.
62. That need crushing.
63. How else could the potsherd have found its way into it?
64. Lit., 'behold this'.
65. Lit., 'and how much'.
66. Lit., 'remembrance'.
67. That it was told ... she is with child, Gen. XXXVIII, 24.
68. Lit., 'great'.
69. Lit., 'there is'.
70. And it might have been assumed that the three months of the text (representing a third of nine) applied to the former only while in the case of the latter the stage of recognition begins after  $7/3 = 2\frac{1}{3}$  months.
71. Lit., 'behold she was'.
72. Lit., 'wind'.
73. Lit., 'existence'.
74. Despite the fact that her pregnancy, as is now evident, was not natural.
75. As regards retrospective uncleanness.
76. Not twenty-four hours retrospectively as is the case with one who is not pregnant.
77. That an inflated object (cf. *supra* n. 12) is regarded as a viable embryo in respect of pregnancy.
78. Lit., 'remembrance'.
79. Emphasis on the last word. Isa. XXVI, 18. Tosef. Nid. I.
80. Lit., 'great'.
81. In whose case conception and birth are mere metaphorical expressions.
82. Accompanied by a flow of blood.
83. During the eleven days in which she is susceptible to the uncleanness of a *Zabah* (v. foll. nn.).
84. After a further discharge of blood, so that (cf. prev. n. but one) her bleeding and pain extended over three consecutive days.

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85. Since there was no proper birth though she had no relief from her pain between the time of the discharge and the miscarriage.
86. V. Glos. Sc. she must count seven days and bring the sacrifice prescribed for a Zabah before she can attain cleanness.

## Niddah 9a

did not the All Merciful [it may be objected] ordain that [a flow of blood in] painful labor immediately before birth<sup>1</sup> is regarded as clean?<sup>2</sup> — R. Papi replied: Leave alone the question of the twenty-four hours retrospective uncleanness<sup>3</sup> which only involves a Rabbinical enactment.<sup>4</sup> R. Papa replied: The actual reason<sup>5</sup> is that the woman<sup>6</sup> feels a heaviness in her head and limbs;<sup>7</sup> well then, here also<sup>8</sup> she feels a heaviness in her head and in her limbs.<sup>9</sup>

R. Jeremiah enquired of R. Zera: What is the ruling<sup>10</sup> where a woman observed a flow and immediately after her pregnancy was discerned? Is she retrospectively unclean because her pregnancy was not known at the time she observed the flow or is she not retrospectively unclean since she observed it immediately before she became aware of her pregnancy? — The other replied: The sole reason<sup>11</sup> is that she<sup>12</sup> feels a heaviness in her head and limbs<sup>13</sup> but<sup>14</sup> at the time she observed the flow she felt no heaviness either in her head or in her limbs.<sup>15</sup>

A certain old man asked R. Johanan: 'What is the ruling if, when the time of her fixed period had come during the days of her pregnancy and she did not examine herself? I am raising this question on the view of the authority who laid down [that a woman's duty to hold an examination on the arrival of her] fixed periods is an ordinance of the Torah.<sup>16</sup> What is the ruling [I ask]? Must she<sup>17</sup> examine herself since [the duty of holding an examination on the arrival of] the fixed periods is an ordinance of the Torah<sup>16</sup> or is it possible that since<sup>18</sup> her menstrual blood is suspended,<sup>19</sup> she requires no examination'?<sup>20</sup> —

The other<sup>21</sup> replied, You have learnt it: R. Meir ruled, If a woman was in a hiding-place<sup>22</sup> when the time of her fixed period arrived and she did not examine herself she is nevertheless clean because fear suspends the menstrual flow.<sup>23</sup> Now the reason is<sup>24</sup> that there was fear, but if there had been no fear and the time of her fixed period had arrived and she did not examine herself she would have been deemed unclean. It is thus clear<sup>25</sup> [that a woman's duty to examine herself at the time of the arrival of her] fixed periods is an ordinance of the Torah and that, nevertheless, since there was fear, her menstrual blood is deemed to be suspended and she requires no exemption; so also here,<sup>26</sup> since her menstrual blood is suspended she requires no examination.

'A NURSING WOMAN'? A WOMAN BEFORE SHE HAS WEANED, etc. Our Rabbis taught: A nursing mother whose child died within twenty-four months<sup>27</sup> is in exactly the same position as all other women<sup>28</sup> and causes retrospective uncleanness for a period of twenty-four hours or from the previous to the last examination. If, therefore,<sup>29</sup> she continued to suck it for four or five years it suffices for her to reckon her period of uncleanness from the time she has observed the flow; so R. Meir. R. Judah, R. Jose and R. Simeon ruled: Only during the twenty-four months<sup>30</sup> does it suffice for women to reckon their uncleanness from the time they have observed a flow.<sup>31</sup> Therefore,<sup>32</sup> even if she suckled it for four or five years she causes uncleanness retrospectively for twenty-four hours or from the previous to the last examination.<sup>33</sup> Now if you will carefully consider [the views just expressed] you will find that<sup>34</sup> according to the view of R. Meir the menstrual blood is decomposed and turns into milk while according to the view of R. Jose, R. Judah and R. Simeon the woman's limbs<sup>35</sup> are disjointed and her natural vigour<sup>36</sup> does not return before the lapse of twenty-four months. Why the necessity for the 'therefore'<sup>37</sup> of R. Meir?<sup>38</sup> —

On account of the 'therefore'<sup>39</sup> of R. Jose. But why the necessity for the 'therefore' of R. Jose?<sup>40</sup> — It might have been assumed that R. Jose maintains that<sup>41</sup> there are two [causes];<sup>42</sup> hence we were informed<sup>43</sup> [that he upholds the one cause only].<sup>44</sup> So it was also taught: The menstrual blood<sup>45</sup> is decomposed and turns into milk; so R. Meir. R. Jose stated: Her limbs<sup>46</sup> are disjointed and her natural strength does not return before twenty-four months.<sup>47</sup> R. Elai explained: What is R. Meir's reason?<sup>48</sup> That it is written, Who can bring a clean thing<sup>49</sup> from out of an unclean?<sup>50</sup> Is it not the Only One?<sup>51</sup> And the Rabbis?<sup>52</sup> —

R. Johanan replied: The reference<sup>53</sup> is to semen which is unclean, while the man who is created from it is clean; and R. Eleazar replied: The reference<sup>53</sup> is to the water of sprinkling<sup>54</sup> in the case of which the man who sprinkles it as well as the man upon whom it is sprinkled is clean while he who touches it is unclean. But is the man who sprinkles it clean? Is it not in fact written, And he that sprinkleth the water of sprinkling shall wash his clothes?<sup>55</sup> — What is meant by 'He that sprinkleth'? He that touches it. But is it not actually written, 'He that sprinkleth'<sup>55</sup> and also 'He that toucheth'?<sup>55</sup> Furthermore, is not 'He that sprinkleth' required to wash his clothes<sup>55</sup> while 'He that toucheth' is not required to do so?<sup>55</sup> — Rather say: What is meant by 'He that sprinkleth'? He that carries.<sup>56</sup> Then why was it not written, 'He that carries'? —

We were informed<sup>57</sup> that uncleanness is not contracted unless one carried the minimum quantity prescribed for sprinkling. This is a satisfactory explanation according to him who holds<sup>58</sup> that sprinkling must be performed with a prescribed minimum of the water.<sup>59</sup> What, however, can be said according to him who holds that no prescribed minimum is required?<sup>58</sup> — Even according to him who holds that no prescribed quantity is required the ruling refers only to the quantity applied to the

body of the man but as regards that which is in the vessel a prescribed quantity is required; as we have learnt: What must be the quantity of water<sup>59</sup> that it shall suffice for a sprinkling? As much as suffices for both the dipping therein of the tops of the stalks and for the sprinkling.<sup>60</sup> It is, in fact, in view of such laws<sup>61</sup> that Solomon observed, I said: 'I will get wisdom'; but it was far from me.<sup>62</sup>

**WHO IS REGARDED 'AN OLD WOMAN'? ANY WOMAN OVER WHOM THREE ONAHS HAVE PASSED NEAR THE TIME OF HER OLD AGE.** What is to be understood by NEAR THE TIME OF HER OLD AGE? — Rab Judah replied: The age when her women friends speak of her as an old woman; and R. Simeon<sup>63</sup> replied:

1. The woman having had no relief from her pain between the appearance of the flow and birth (cf. prev. n. but one).
2. V. *infra* 37b. Why then should the woman here be treated as a Zabah?
3. With which the first of the apparently contradictory Baraithas deals.
4. And could, therefore, be relaxed even in the case of a pregnancy that ended in a miscarriage. As regards the Pentateuchal uncleanness of a Zabah, however, a miscarriage of the nature spoken of in the last cited Baraitha cannot be regarded as a proper birth.
5. Why a pregnant woman is to reckon her menstrual uncleanness from the very moment she has observed a discharge and not retrospectively.
6. During her pregnancy.
7. Sc. she is suffering from a malady which causes her menstrual flow to disappear.
8. In the case of a pregnancy that ended in a miscarriage spoken of in the first of the Baraithas under discussion.
9. It is obvious, therefore, that she also suffers from the same malady (cf. prev. n. but one) in consequence of which she is entitled to the same privileges (cf. *supra* n. 10).
10. In respect of the twenty-four hours retrospective uncleanness.
11. V. p. 55, n. 10.
12. During her pregnancy.
13. V. p. 55, n. 12.
14. In the case about which R. Jeremiah enquired.



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15. She cannot, therefore, be regarded as a pregnant woman, and her uncleanness is retrospective.
16. Sc. a traditional *Halachah* handed down from the time of Moses (Rashi), so that since the flow may be expected to make its appearance on the regular day, a woman who did not examine herself at such a period, must be regarded as unclean (v. *infra* 16a).
17. If she is to be regarded as clean.
18. During pregnancy.
19. And the regular appearance of her menstrual blood need not be expected.
20. I.e., she is deemed to be clean even if she did not examine herself.
21. R. Johanan.
22. In fear of her life.
23. *Infra* 39a.
24. Why in this particular case the woman is regarded as clean.
25. Since in the absence of fear the woman is deemed to be unclean.
26. The case of the pregnant woman referred to in the old man's enquiry.
27. After birth. This is the normal period a mother is expected to suckle her child.
28. Who are not pregnant or nursing; because the menstrual flow is suspended only on account of its transformation into the mother's milk, but when the child dies and the milk is no longer used the blood changes into its original condition.
29. Since the cleanness of the woman is entirely due to her suckling (cf. prev. n.).
30. Irrespective of whether the child is suckled or not.
31. The suspension of the menstrual blood for twenty-four months being due in their opinion to the physical disturbance caused by the process of childbearing.
32. Since it is the process of bearing and not the suckling of the child (cf. prev. n.) that causes the suspension of the blood and since that suspension does not continue longer than twenty-four months.
33. Cf. Tosef. Nid. II where, however, 'R. Judah' is omitted.
34. Lit., 'as you will find to say'.
35. When she is in childbirth.
36. Manifested by her menstrual flow.
37. 'If, therefore, she continued, etc.' *supra*.
38. Sc. since R. Meir ruled that the death of the child causes its mother to resume the status of an ordinary non-nursing woman it obviously follows that the main cause of her former exemption from retrospective uncleanness was her suckling of the child, what need then was there to specify an inference (cf. prev. n.) which is all too obvious?
39. 'Therefore, even if she suckled, etc.' *supra*.
40. Cf. prev. n. but one mut. mut.
41. For the suspension of the menstrual flow.
42. (a) The blood turns into milk and (b) the woman's limbs are disjointed on account of (b) the woman is exempt from retrospective uncleanness during the twenty-four months following her childbearing, irrespective of whether the child is suckled or not, while on account of (a) she should be similarly exempt throughout the time she is suckling the child.
43. By the addition of 'Therefore' (cf. *supra* n. 14).
44. That 'the woman's limbs are disjointed'.
45. Of a nursing woman.
46. Those of a woman in childbirth.
47. Bek. 6b.
48. For holding that the menstrual blood turns into milk.
49. Milk.
50. Menstrual blood.
51. Job XIV, 4; E. V. 'not one'.
52. Sc. how do they, who differ from R. Meir, in maintaining that the blood does not turn into milk, explain the text cited?
53. In Job XIV, 4 cited.
54. Cf. Num. XIX, 9.
55. *Ibid.* 21.
56. The water of sprinkling.
57. By the expression, 'He that sprinkleth' instead of 'he that carries'.
58. Cf. Zeb. 80a.
59. The water of sprinkling.
60. Parah XII, 5.
61. Which are apparently paradoxical: The man who sprinkles the water or is sprinkled upon is clean while he who merely touched it is unclean.
62. Eccl. VII, 23.
63. MS.M. adds 'b. Lakish'.

## Niddah 9b

when people call her mother in her presence<sup>1</sup> and she does not blush. R. Zera and R. Samuel b. Isaac differ:<sup>2</sup> One says, '[When she is called mother] and<sup>3</sup> she does not mind,' and the other says, 'And<sup>3</sup> she does not blush' — What is the practical difference between them? — The practical difference between them is the case of one who blushes but does not mind.

What is the length of an 'Onahs? — Resh Lakish citing R. Judah Nesi'ah<sup>4</sup> replied: A normal 'Onahs is thirty days; but Raba,

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citing R. Hisda, replied: Twenty days. In fact, however, there is no difference of opinion between them. One Master<sup>5</sup> reckons both the clean and the unclean days<sup>6</sup> while the other Master<sup>7</sup> does not reckon the unclean days.<sup>8</sup>

Our Rabbis taught: If over an old woman have passed three 'onahs<sup>9</sup> and then she observed a flow, it suffices for her to reckon her period of uncleanness from the time she observed the flow; if another three 'Onahs have passed<sup>2</sup> and then she observed a flow, it again suffices for her to reckon her uncleanness from the time she observed it. If, however, another three 'Onahs have passed<sup>2</sup> and then she observed a flow she is regarded<sup>10</sup> as all other women and causes uncleanness retrospectively for twenty-four hours or from the previous examination to the last examination. This<sup>11</sup> is the case not only<sup>12</sup> where she observed the flow at perfectly regular intervals<sup>13</sup> but even where she observed it at successively decreasing intervals or<sup>14</sup> increasing intervals.<sup>15</sup> [You say,] 'Even<sup>16</sup> where she observed it at successively decreasing intervals'. It thus follows<sup>17</sup> that there is no need to mention that this law<sup>11</sup> applies where she observed the flow at perfectly regular ones. But should not the law be reversed, seeing that where she observes a flow at perfectly regular intervals she thereby establishes for herself a fixed period and it should, therefore, suffice for her to reckon her period of uncleanness from the time she observed the flow? And should you reply that this<sup>18</sup> represents the view of the Rabbis who differ from R. Dosa in maintaining that even a woman who has a fixed period causes retrospective uncleanness for twenty-four hours,<sup>19</sup> [it could be objected:] Should not the order<sup>20</sup> have been reversed to read as follows: Not only where she observed the flow at successively decreasing intervals or increasing intervals<sup>21</sup> but even where she observed it at perfectly regular ones?<sup>22</sup> —

Read: Not only where she observed the flow at successively decreasing intervals or

increasing intervals<sup>21</sup> but even where she observed it at perfectly regular ones.<sup>23</sup> And if you prefer I might reply, It is this that was meant: This<sup>24</sup> does not apply where a woman observed the flow at perfectly regular intervals but only where she observed it at successively decreasing or increasing ones. Where, however, she observed it at perfectly regular intervals she thereby establishes for herself a fixed period and it suffices for her to reckon her uncleanness from the time she has observed the flow. And whose view does this represent? That of R. Dosa.<sup>19</sup>

**R. ELIEZER RULED: FOR ANY WOMAN OVER WHOM HAVE PASSED, etc.** It was taught: R. Eliezer said to the Sages. It once happened to a young woman at Haitalu<sup>25</sup> that her menstrual flow was interrupted for three 'Onahs, and when the matter was submitted to the Sages they ruled that it sufficed for her to reckon her uncleanness from the time she observed the flow. They replied: A time of emergency is no proof. What was the emergency? — Some say, It was a time of dearth,<sup>26</sup> while others say, The quantity of foodstuffs the woman had prepared<sup>27</sup> was rather large and the Rabbis took into consideration the desirability of avoiding the loss of the Levitically clean things.

Our Rabbis taught: It once happened that Rabbi acted in agreement with the ruling of R. Eliezer, and after he reminded himself observed, 'R. Eliezer deserves to be relied upon in an emergency'. What could be the meaning of 'after he reminded himself'? If it be explained: After he reminded himself that the *Halachah* was not in agreement with R. Eliezer but in agreement with the Rabbis [the difficulty would arise:] How could he act according to the former's ruling even in an emergency? — The fact is that it was not stated whether the law was in agreement with the one Master or with the other Master. Then what is meant by 'after he reminded himself'? — After he reminded himself that it was not an individual that differed from him but that many differed from him, he

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observed 'R. Eliezer deserves to be relied upon in an emergency'.

Our Rabbis taught: If a young girl who had not yet attained the age of menstruation<sup>28</sup> observed a discharge, after the first time it suffices for her to reckon her uncleanness from the time she observed it; after the second time also<sup>29</sup> it suffices for her to reckon her uncleanness from the time she observed it, but after the third time<sup>30</sup> she is in the same position as all other women<sup>31</sup> and<sup>32</sup> causes uncleanness retrospectively<sup>33</sup> for twenty-four hours or from her previous examination to her last examination. If subsequently three 'Onahs have passed over her<sup>34</sup> and then she again observed a discharge it suffices for her<sup>35</sup> to reckon her uncleanness from the time she observed it.<sup>36</sup> If another three 'Onahs have passed over her<sup>34</sup> and then again she observed a discharge it suffices for her to reckon her uncleanness from the time she observed it. But if another three 'Onahs have passed over her<sup>37</sup> and she again observed a discharge she is in the same position as all other women<sup>38</sup> and causes uncleanness retrospectively for twenty-four hours or from her previous examination to her last one.<sup>39</sup> When, however, a girl had attained the age of menstruation,<sup>40</sup> after the first observation it suffices for her to reckon her uncleanness from the time she observed the discharge, while after the second time she causes uncleanness retrospectively for twenty-four hours or from her previous examination to her last examination.<sup>41</sup> If subsequently three 'Onahs have passed over her<sup>42</sup> and then she again observed a discharge, it suffices for her to reckon her uncleanness from the time she observed it.<sup>43</sup>

The Master said,<sup>44</sup> 'If subsequently three 'Onahs have passed over her and then she again observed a discharge, it suffices for her to reckon her uncleanness from the time she observed it'.

1. So MS.M. Cur. edd. 'mother, mother'.
2. On what was meant by 'near old age'.

3. Lit., 'all that'.
4. The Prince, Judah II.
5. Resh Lakish.
6. I.e., the interval between one period and another which is thirty days.
7. Raba.
8. Which number ten (seven as menstruant and three as Zabah) leaving (thirty minus ten are) twenty clean days (Rashi. Cf., however, Tosaf.).
9. Without her observing any flow during all this time.
10. Lit., 'behold she'; since the appearance of the flow for the third time establishes the fact that her menstrual flow had not yet ceased and that only the length of the intervals between its periodic appearances has changed.
11. That after a third appearance the woman's uncleanness begins twenty-four hours retrospectively.
12. Cf. MS.M and marg. n. Cur. edd. 'and it is not necessary (to state)', the word 'necessary' appearing in parenthesis.
13. I.e., if each interval was, for instance, exactly ninety days.
14. Cur. edd. in parenthesis. 'and even'.
15. Sc. irrespective of whether (a) the first interval extended over ninety-three days, the second over ninety-two and the third only over ninety or (b) the first extended over ninety-one days, the second over ninety-two and the third over ninety-three days.
16. Emphasis on this word.
17. Since the expression 'even' is used (cf. prev. n.).
18. That the woman is unclean retrospectively even when she has a fixed period.
19. *Supra* 4b.
20. Of the Baraitha under discussion.
21. Is her uncleanness retrospective for twenty-four hours.
22. Where it might have been presumed that she has thereby established for herself a fixed period.
23. Cf. prev. n. but one; the ruling representing the view of the Rabbis (*supra* 4b).
24. That after a third appearance the woman's uncleanness begins twenty-four hours retrospectively.
25. [Babylonian form for Aitalu, modern Aiterun, N.W. of Kadish. V. S. Klein, *Beitrage*, p. 47.]
26. When a decision to regard all the foodstuffs the woman had touched during the preceding twenty-four hours as unclean would have involved a serious loss and undue hardship.
27. During the preceding twenty-four hours.
28. Lit., 'whose time to see (the menses) has not arrived'.

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29. Since presumptive menstruation like any other condition of presumption cannot be established by one occurrence.
30. Since according to Rabbi (with whose view, as shown *infra*, this Baraita agrees) two occurrences suffice to establish a condition of presumption.
31. Who are in a condition of presumptive menstruation.
32. In accordance with Rabbinic law.
33. As a preventive measure enacted in the case of all such women (cf. prev. n. but one).
34. Without her observing any discharge.
35. Since the complete absence of the flow for three 'Onahs is regarded as the cessation of the flow.
36. In agreement with R. Eliezer (cf. our Mishnah).
37. Without her observing any discharge.
38. Who are in a condition of presumptive menstruation.
39. Because the appearance of the discharge for the third time proved that her flow had not ceased and that only the intervals between the discharges had been lengthened.
40. This being the case spoken of in our Mishnah: AND OF WHAT DID THEY SPEAK ... OF A FIRST OBSERVATION.
41. Cf. our Mishnah: BUT AT A SUBSEQUENT OBSERVATION ... HOURS.
42. Without her observing any discharge.
43. In agreement with R. Eliezer (cf. our Mishnah).
44. *Supra*; in regard to a young girl who had not yet attained the age of menstruation and who observed a discharge at the end of each of three consecutive 'Onahs.

## Niddah 10a

What is the ruling where<sup>1</sup> she again observes discharges at the end of subsequent single 'onahs?<sup>2</sup> — R. Giddal citing Rab replied: After the first time and after the second time it suffices for her to reckon her uncleanness from the time of her observation of the discharge, but after the third time she causes uncleanness retrospectively for twenty-four hours or from her previous examination to her last examination.

'If another three 'Onahs have passed over her and then again she observed a discharge it suffices for her to reckon her uncleanness from the time she observed it'. What is the

ruling where she again observes discharges at the end of single 'onahs?<sup>3</sup> — R. Kahana citing R. Giddal who had it from Rab replied: After the first time it suffices for her to reckon her uncleanness from the time she observed the discharge but after the second time she causes uncleanness retrospectively for twenty-four hours or from her previous examination to her last examination. Whose view does this<sup>4</sup> represent? That of Rabbi who laid down that if a thing has occurred twice presumption is established.<sup>5</sup> Read then the final clause:<sup>6</sup> 'If subsequently three 'Onahs have passed over her and then she again observed a discharge, it suffices for her to reckon her uncleanness from the time she observed it'. Does not this agree only with the view of R. Eliezer?<sup>7</sup> And should you reply that it in fact represents the view of Rabbi but that in the case of [an interval of three] 'Onahs he holds the same view as R. Eliezer, [it could be retorted]: Does he indeed hold the same view seeing that it was stated, 'After he reminded himself'?<sup>8</sup> — The fact is that it represents the view of R. Eliezer but<sup>9</sup> [in respect of presumption in the case of] menstrual periods he is of the same opinion as Rabbi.<sup>10</sup>

A stain [discovered by one who had not yet reached the age of menstruation] between her first and second [observation of a discharge] is regarded as clean,<sup>11</sup> but as regards one discovered between her second and third observation, Hezekiah ruled: It is unclean, while R. Johanan ruled: It is clean. 'Hezekiah ruled: It is unclean', since, when she observed [a discharge for the third time] she becomes unclean [retrospectively],<sup>12</sup> her stain also<sup>13</sup> causes her to be unclean; 'while R. Johanan ruled: It is clean,' for this reason: Since<sup>14</sup> she was not yet confirmed in the condition of presumptive menstruation<sup>15</sup> she cannot be regarded as unclean on account of her stain.

1. After the one discharge at the end of the three 'Onahs respectively.
2. Sc. does it suffice for her to reckon her uncleanness from the time she observes the discharge or is her uncleanness to be

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retrospective? The reasons for and against are discussed in Rashi.

3. V. p. 63, n. 10.
4. The ruling that after the second time she is already in a condition of presumptive menstruation.
5. *Infra* 64a, Keth. 43b, Yeb. 26a.
6. The case of one who 'had attained the age of menstruation'.
7. Who ruled in our Mishnah: FOR ANY WOMAN OVER WHOM HAVE PASSED THREE 'ONAH'S IT SUFFICES ... TO RECKON FROM THE TIME SHE OBSERVED IT.
8. *Supra* 9b q.v., from which it is evident that only after much hesitation and reluctance did he follow R. Eliezer's view.
9. As regards the difficulty of establishing presumption after two occurrences.
10. Who in all cases holds that two occurrences constitute presumption.
11. I.e., it is not deemed to be due to menstrual blood. Cf. *supra* 5a.
12. Which shows that her presumptive menstruation begins after her second discharge.
13. Since it appeared at a period of (cf. prev. n.) presumptive menstruation.
14. At the time the stain was discovered.
15. This condition being established retrospectively only after the appearance of a third discharge.

## Niddah 10b

R. Elai demurred:<sup>1</sup> But what is the difference between this class of woman and a virgin [just married] whose blood is clean?<sup>2</sup> — R. Zera replied: In the case of the latter her secretion<sup>3</sup> is frequent<sup>4</sup> but in that of the former her secretion is not frequent.<sup>5</sup>

'Ulla stated: R. Johanan who had it from R. Simeon b. Jehozadak<sup>6</sup> ruled, 'If a young girl who had not yet attained the age of menstruation observed a discharge, her spittle or her *Midras*-uncleanness in the street<sup>7</sup> after a first discharge and after a second discharge is clean,<sup>8</sup> and her stain is also clean'; but I do not know [whether the last ruling]<sup>9</sup> was his own or his Master's.<sup>10</sup> In what practical issue could this matter? — In respect of establishing the ruling<sup>11</sup> to be the view of one authority<sup>11</sup> against two

authorities.<sup>12</sup> When Rabin and all the other seafarers came<sup>13</sup> they stated that the ruling was in agreement with the view of R. Simeon b. Jehozadak.

R. Hilkiah b. Tobi ruled: In the case of a young girl who had not yet reached the age of menstruation<sup>14</sup> a discharge of menstrual blood, even if it continued<sup>15</sup> throughout all the seven days,<sup>16</sup> is regarded as a single observation.<sup>17</sup> [Since you say,] 'Even<sup>18</sup> if it continued'<sup>15</sup> it follows that there is no necessity to state that the law is so<sup>19</sup> where there was a break.<sup>20</sup> But is not this contrary to reason, seeing that a break would cause the discharge to be like two separate observations? — Rather read: In the case of a young girl who had not yet reached the age of menstruation,<sup>14</sup> a discharge of menstrual blood that<sup>21</sup> continued throughout all the seven days<sup>22</sup> is regarded as a single observation. R. Shimi b. Hiyya ruled: Dripping is not like an observation.<sup>23</sup> is But does not the woman in fact observe it?<sup>24</sup> — Read: It is not like a continuous discharge but like one broken up.<sup>25</sup> Does this<sup>26</sup> then imply that the continuous discharge<sup>27</sup> was one like<sup>28</sup> a river?<sup>29</sup> — Rather read: It is only like a continuous discharge.<sup>30</sup>

Our Rabbis taught: It is established that the daughters of Israel before reaching the age of puberty are definitely<sup>31</sup> in a condition of presumptive cleanness and the [elder] women need not examine them. When they have reached the age of puberty they are definitely<sup>31</sup> in a condition of presumptive uncleanness and [elder] women must examine them. R. Judah ruled: They must not examine them with their fingers<sup>32</sup> because they might corrupt them,<sup>33</sup> but they dab them with oil within and wipe it off from without and they are thus self examined.<sup>34</sup>

R. JOSE RULED: FOR A WOMAN IN PREGNANCY, etc. A Tanna recited in the presence of R. Eleazar, 'R. Jose ruled: As for a woman in pregnancy and a nursing woman over whom three Onahs have passed it

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suffices for her<sup>35</sup> [to reckon her<sup>35</sup> period of uncleanness from] the time of her [observation of the flow]. 'You', the other remarked, 'began with two<sup>36</sup> and finished with one;<sup>37</sup> do you perchance mean: A pregnant woman who was also<sup>38</sup> a nurse,<sup>39</sup> and this<sup>40</sup> teaches us incidentally the law that [in respect of an interval of three 'Onahs]<sup>41</sup> the days of a woman's pregnancy supplement those of her nursing and those of her nursing supplement those of her pregnancy? As it was taught: 'The days of her pregnancy supplement those of her nursing and the days of her nursing supplement those of her pregnancy. In what manner? If there was a break<sup>42</sup> of two 'Onahs during her pregnancy and of one during her nursing, or of two during her nursing and one during her pregnancy, or of one and a half during her pregnancy and one and a half during her nursing, they are all combined into a series of three 'onahs'.<sup>43</sup> One can well understand the ruling that 'the days of her pregnancy supplement those of her nursing' since this is possible where a woman became pregnant while she was still continuing her nursing. But how is it possible that 'the days of her nursing<sup>44</sup> supplement those of her pregnancy'?<sup>45</sup> — If you wish I might reply: This is possible in the case of a dry birth.<sup>46</sup> And if you prefer I might reply: Menstrual blood is one thing and birth blood is another thing.<sup>47</sup> And if you prefer I might reply: Read the first clause only.<sup>48</sup>

**OF WHAT DID THEY SPEAK WHEN THEY LAID DOWN THAT IT SUFFICES [FOR THEM TO RECKON] THEIR [PERIOD OF UNCLEANNESS FROM] THE TIME [OF THEIR DISCOVERY OF THE FLOW]?', etc. Rab stated: This<sup>49</sup> refers to all of them,<sup>50</sup> and Samuel stated: This<sup>49</sup> was learnt only in respect of a virgin<sup>51</sup> and an old woman<sup>52</sup> but for pregnant or nursing women<sup>53</sup> it suffices for them, throughout all the days of their pregnancy and throughout all the days of their nursing respectively to reckon their uncleanness from the time of their observing a flow. In the same manner**

R. Simeon b. Lakish stated: This<sup>54</sup> refers to all of them; while R. Johanan stated: This was learnt only in respect of a virgin and an old woman but for pregnant or nursing women it suffices throughout all the days of their pregnancy and throughout all the days of their nursing respectively to reckon their uncleanness from the time of their observing the flow. This dispute<sup>55</sup> is analogous to one between Tannas. [For it was taught]: If pregnant or nursing women were

1. Against Hezekiah.
2. In the case of the latter the blood is assumed to be that of the wound caused by a first intercourse which is exempt from the laws of uncleanness. If on the following day, however, the color of the discharge changed the woman becomes unclean, but a bloodstain discovered after intercourse (cf. *infra* 60a) is nevertheless clean. Why then should a stain in the former case be unclean on account of the subsequent discharge? (V. Tosaf.).
3. The discharge of the wound (cf. prev. n.).
4. So that there is a double reason why the stain should be regarded as clean. For (a) it might be attributed to blood that issued from a foreign body and (b) even if it is to be attributed to blood of the woman's own body that blood might have been the secretion of the wound (v. Tosaf.).
5. And if the stain is due to blood that originated from the woman's body it could not be other than menstrual which causes uncleanness.
6. This is not the scholar of the same name mentioned in Sanh. 26a who was spoken of disparagingly in the presence of R. Johanan (R. Tam.). The one here mentioned was a teacher of R. Johanan whose honor the latter would have protected had anything derogatory been said against him in his presence.
7. I.e., if it was discovered in a public place and it is uncertain whether the girl was a menstruant at that time.
8. As presumptive menstruation had not yet been established uncleanness cannot be imposed in a doubtful case (cf. prev. n.).
9. Concerning the stain.
10. R. Simeon b. Jehozadak's.
11. Of Hezekiah (*supra* 10a).
12. R. Johanan and R. Simeon b. Jehozadak; and the law would accordingly be in agreement with the majority. If R. Johanan, however, gave the ruling in his own name alone Hezekiah is opposed by one authority only

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- and the law need not necessarily be against him.
13. From Palestine to Babylon.
  14. Lit., 'whose time to see (the menses) has not arrived'.
  15. Lit., 'she pours'.
  16. The normal period of menstruation.
  17. Sc. until there were two more observations her period of uncleanness does not begin retrospectively but from the time she observes the discharge.
  18. Emphasis on this word.
  19. That the discharge 'throughout all the seven days is regarded as a single observation'.
  20. Though it was followed by a renewal of the discharge.
  21. Omitting 'even' (cf. *supra* n. 9) used in the first version *supra*.
  22. The normal period of menstruation.
  23. Lit., 'one who drips is not like one who sees'. This is now assumed to mean that dripping is not regarded even as a single observation.
  24. The dripping. How then can it be maintained that it is not regarded even as one observation (cf. prev. n.)?
  25. I.e., like a number of separate observations. By the time the dripping ceases completely the woman is deemed to be in a confirmed condition of presumptive menstruation and any subsequent discharge causes her uncleanness to be retrospective.
  26. The distinction drawn between 'dripping' and a 'continual discharge'.
  27. Since it is regarded as a single observation.
  28. Cur. edd. in parenthesis, 'also'.
  29. Sc. without a stop. But is this likely? No woman surely could survive a discharge of blood that was continuous for seven days.
  30. It is regarded as one observation and the girl is not subject to retrospective uncleanness before she has experienced two more menstrual discharges.
  31. Lit., 'behold they'.
  32. Lit., 'with the hand'.
  33. By teaching them unnatural gratification (Jast.). Aliter: They might injure them with their nails (Rashi).
  34. Since at puberty an application of oil induces the menstrual flow.
  35. The use of the sing. for the plural is discussed presently.
  36. 'A woman in pregnancy and a nursing woman'.
  37. By using the sing. (cf. prev. n. but one).
  38. Rendering the *Waw* as 'who' instead of 'and'.
  39. A woman, for instance, (v. *infra*) who became pregnant while she was still nursing her last-born child.
  40. Since the same law applies also to one who is pregnant only.
  41. Which exempts a woman from retrospective uncleanness.
  42. In the menses.
  43. *Infra* 36a.
  44. Between which and pregnancy there must be the childbirth and consequent bleeding.
  45. Would not the bleeding at childbirth interrupt the bloodless interval of the three 'Onahs'?
  46. So that there is no bleeding (cf. prev. n. but one) to interrupt the three 'Onahs'.
  47. I.e., the latter does not in any way interrupt the interval of the former.
  48. Lit., 'one', viz., 'the days of her pregnancy supplement those of her nursing', omitting the final clause, 'the days of her nursing ... pregnancy'.
  49. The statement just quoted the conclusion of which is that 'AT A SUBSEQUENT OBSERVATION SHE CONVEYS UNCLEANNESS RETROSPECTIVELY FOR A PERIOD OF TWENTY-FOUR HOURS'.
  50. Sc. the four classes enumerated earlier in our Mishnah.
  51. Who, after two observations, may well be deemed to have reached the age of presumptive menstruation.
  52. Who also, since after the interruption she had her menses twice, may be assumed to be reverting to her former status of presumptive menstruation while the interruption might be attributed to a mere delay in the appearance of the discharge.
  53. Whose menstrual flow must normally cease and any discharge of blood on whose part, however often that may occur (cf. Tosaf.), can only be regarded as an irregular and passing phase.
  54. For notes on the statements of R. Simeon b. Lakish and R. Johanan cf. those on the statements of Rab and Samuel *supra*.
  55. Between the Amoras mentioned regarding a pregnant and a nursing woman.

## Niddah 11a

bleeding profusely it suffices for them, throughout all the days of their pregnancy and throughout all the days of their nursing respectively, to reckon their uncleanness from the time of their observing their flow; so R. Meir. R. Jose and R. Judah and R. Simeon, however, ruled: Only after a first observation did [the Sages] rule that it

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suffices for them<sup>1</sup> to reckon their uncleanness from the time of their observing the flow but after a second observation they cause uncleanness retrospectively for twenty-four hours or from their previous examination to their last examination.

IF, HOWEVER, SHE SUFFERED THE FIRST FLOW, etc. R. Huna ruled: If on three occasions she jumped and suffered a flow she<sup>2</sup> has thereby established for herself a fixed period.<sup>3</sup> In what respect?<sup>4</sup> If it be suggested, In respect of certain days,<sup>5</sup> could it not be objected that on any day on which she did not jump she observed no flow?<sup>6</sup> — Rather, [the fixation meant is in respect] of jumps.<sup>7</sup> But surely it was taught: 'Any regular discharge established as a result of an accident, even though it had been repeated many times, does not establish a fixed period'. Does not this mean that no fixed period whatsoever<sup>8</sup> is established? — No, it means that no fixed period is established in respect of days alone<sup>9</sup> or jumps alone,<sup>10</sup> but as regards days and jumps jointly<sup>11</sup> a fixed period is well established.<sup>12</sup> But 'is it not obvious<sup>13</sup> [that no fixed period can be established] in respect of days alone?<sup>14</sup> — R. Ashi replied: [This<sup>15</sup> was necessary in a case] for instance, where the woman jumped on two Sundays and suffered a flow while on a Sabbath<sup>16</sup> she jumped and suffered no flow but on the Sunday following she observed one without jumping. As it might have been presumed that it had now become known retrospectively that<sup>17</sup> it was the day<sup>18</sup> and not the jumping<sup>19</sup> that had caused the flow,<sup>20</sup> we were informed<sup>21</sup> that it was the jump of the previous day<sup>16</sup> 'that was the cause<sup>22</sup> and that the reason why the woman did not observe it was because the jump was premature.<sup>23</sup>

Another reading:<sup>24</sup> R. Huna' ruled: If on three occasions she jumped and suffered a flow she has thereby established for herself a fixed period in respect of days but not in respect of jumps. In what circumstances?<sup>25</sup> — R. Ashi replied: If a woman jumped on two Sundays and on each occasion suffered a

flow while<sup>26</sup> on one<sup>27</sup> Sunday she suffered one without jumping where it is obvious that it is the day<sup>28</sup> that is the cause.<sup>29</sup>

*MISHNAH.* ALTHOUGH [THE SAGES] HAVE LAID DOWN THAT [FOR A WOMAN WHO HAS A SETTLED PERIOD] IT SUFFICES TO RECKON HER PERIOD OF UNCLEANNESS FROM THE TIME SHE OBSERVED THE FLOW, SHE MUST NEVERTHELESS EXAMINE HERSELF [REGULARLY],<sup>30</sup> EXCEPT WHERE SHE IS A MENSTRUANT<sup>31</sup> OR<sup>32</sup> IS CONTINUING IN THE BLOOD OF PURIFICATION.<sup>33</sup> SHE<sup>34</sup> MUST ALSO USE TESTING-RAGS WHEN<sup>35</sup> SHE HAS MARITAL INTERCOURSE EXCEPT WHEN SHE CONTINUES IN THE BLOOD OF PURIFICATION<sup>33</sup> OR WHEN SHE IS A VIRGIN<sup>36</sup> WHOSE BLOOD IS CLEAN.<sup>37</sup> AND TWICE [DAILY] MUST SHE<sup>34</sup> EXAMINE HERSELF: IN THE MORNING<sup>38</sup> AND AT THE [EVENING] TWILIGHT,<sup>39</sup> AND ALSO WHEN SHE IS ABOUT<sup>40</sup> TO PERFORM HER MARITAL DUTY.<sup>41</sup> PRIESTLY WOMEN ARE SUBJECT TO AN ADDITIONAL RESTRICTION [IN HAVING TO MAKE EXAMINATION] WHEN THEY ARE ABOUT TO EAT *TERUMAH*. R. JUDAH RULED: [THESE MUST EXAMINE THEMSELVES] ALSO AFTER THEY HAVE CONCLUDED A MEAL<sup>42</sup> OF *TERUMAH*.

*GEMARA.* EXCEPT WHEN SHE IS A MENSTRUANT, because during the days of her menstruation she needs no examination.<sup>43</sup> This<sup>44</sup> is quite satisfactory according to R. Simeon b. Lakish who ruled, 'A woman may establish for herself a settled period during the days of her *zibah*<sup>45</sup> but not during the days of her menstruation',<sup>46</sup> [since the discarding of an examination would be] well justified.<sup>47</sup> According to R. Johanan, however, who ruled, 'A woman may establish for herself a settled period during the days of her menstruation', why should she not examine herself seeing that it is possible that she had established for herself a settled period?<sup>48</sup> — R. Johanan can answer you: I only spoke of a case where the woman



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observed the flow issuing<sup>49</sup> from a previously closed source,<sup>50</sup> but I did not speak of one where she observed it issuing<sup>51</sup> from an already open source.<sup>52</sup>

**OR IS CONTINUING IN THE BLOOD OF PURIFICATION.** It was assumed that the reference is to one who is only desirous of continuing in the blood of purification.<sup>53</sup> Now this<sup>54</sup> is quite satisfactory according to Rab who holds that 'it<sup>55</sup> all emanates from the same source which the Torah declared to be unclean [during a certain period]<sup>56</sup> and clean [during another period]'<sup>57</sup> [since the discarding of an examination would be] well justified;<sup>58</sup> but according to Levi who holds that 'it<sup>55</sup> emanates from two different sources'<sup>59</sup> why should she not examine herself, seeing that it is possible<sup>60</sup> that the unclean source had not yet ceased to flow?<sup>61</sup> — Levi can answer you: This<sup>62</sup> is in agreement with<sup>63</sup>

1. Pregnant and nursing women.
2. Though a flow resulting from a jump is obviously an accident.
3. This is explained presently.
4. Is the period fixed.
5. I.e., if the jump and resulting flow took place, for instance, on three Sundays, every subsequent Sunday is regarded as the fixed day so that even in the absence of a jump, if on examination she discovered a flow, her uncleanness is not retrospective, while if she failed to examine herself she is deemed to be unclean on the presumption that the flow had appeared at the fixed time.
6. Which proves that the day itself is not the fixed period. How then could a Sunday on which she does not jump (cf. prev. n.) be regarded as the fixed period?
7. Sc. on any day she jumped she is presumed to be unclean unless on examination she found herself to be clean.
8. Even in respect of jumps.
9. The Sundays, for instance, (cf. *supra*, p. 69, n. 7) on which she did not jump.
10. On any day other than a Sunday.
11. I.e., a Sunday on which she jumped.
12. If she jumped on any Sunday that day is deemed to be her fixed period.
13. Since each discharge was preceded by a jump.
14. The answer being in the affirmative the difficulty arises: What need was there to teach the obvious?
15. The ruling that no fixed period is established in respect of days alone.
16. Saturday.
17. As on the Saturday on which she jumped she suffered no flow while on the Sunday following on which she did not jump she observed one.
18. The Sunday, since it was the third on which she observed a flow.
19. Cf. prev. n. but one.
20. And Sunday might consequently be regarded as her fixed period irrespective of whether she jumped on it or not.
21. By the ruling under discussion (cf. *supra* n. 10).
22. Of the discharge on the Sunday.
23. Lit., 'the time of jumping had not yet arrived'. Her fixed period, therefore, is only a Sunday (not any other day of the week) on which she jumped (and no Sunday on which she did not jump).
24. Cf. nn. on first reading *supra*, mut. mut.
25. Lit., 'how is this to be imagined?'
26. Cur. edd. in parenthesis, 'and on the Sabbath (Saturday) she jumped and did not observe (a flow)'. Cf. Elijah Wilna's glosses.
27. Cur. edd. insert 'another' in parenthesis.
28. In this case the Sunday.
29. Of the discharge. Hence the ruling that a fixed period has been established 'in respect of days'.
30. Morning and evening; in order to make sure that there was no discharge whatsoever.
31. Who, having suffered a flow, is unclean for seven days irrespective of whether she had a flow or not on any of the last six days.
32. After a childbirth.
33. Cf. Lev. XII, 4. The examination would be purposeless since even the appearance of blood would not affect her cleanness.
34. WHO HAS A FIXED PERIOD.
35. Before or after.
36. Newly married
37. During the first four nights (cf. *supra* n. 9).
38. To make sure that the objects she handled during the previous night are clean.
39. Cf. prev. n. mut. mut.
40. Lit., 'passes'.
41. Lit., 'to serve her house'.
42. Lit., 'at the time of their passing away from eating'.
43. Cf. relevant n. on our Mishnah.
44. That no examination is necessary.
45. I.e., during the eleven days between the periods of menstruation. If, for instance, she suffered a menstrual flow on the first day of

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- two consecutive months and also on the fifteenth day (which is one of the eleven days of *Zibah*) of the same months, while on the first of the third month she had no menstrual flow and on the fifteenth of that month she again observed a flow she (on account of the three observations on the fifteenth) establishes for herself a settled period on the fifteenth of the subsequent months though the first two observations had taken place during the eleven days of *Zibah*.
46. If, for instance, she suffered a flow on the first and on the fifth day of one month and again on the fifth of the two subsequent months no settled period is thereby established for the fifth of the month, because during menstruation, a woman normally bleeds and a recurrent discharge proves no settled habit.
  47. Lit., 'beautiful', 'right'. Such an examination could serve no useful purpose whatsoever. It cannot serve the purpose of ascertaining whether she is clean (since she is in any case unclean even in the absence of a discharge) and it cannot serve the purpose of enabling her to establish a settled period (since no settled period can be established during the seven days of menstruation).
  48. Cf. prev. n. but one mut. mut.
  49. On each of the three occasions.
  50. If, e.g., the flow made its first appearance (cf. *infra* 39b) on the first day of three consecutive months as well on the twenty-fifth of the second month. In this case the first day of each subsequent month is regarded as the settled period, because the first two of the three discharges originated from a closed source (there having been no flow before) while the last (though it appeared after the menstruation had begun on the twenty-fifth of the previous months) is also regarded as originating from a closed source since the discharge on the twenty-fifth which originated from a closed source is deemed to be the commencement of the flow on the first of the following month that followed it.
  51. Even on one of the three occasions.
  52. As is the case spoken of in our Mishnah where even the first observation would be made during menstruation where the source is already open.
  53. But had not yet commenced then, i.e., a woman after childbirth who concluded the seven unclean days for a male or the fourteen unclean days for a female (cf. Lev. XII, 1-5).
  54. The ruling that no examination is necessary on the seventh or fourteenth day (cf. prev. n.).
  55. The blood discharged within forty or eighty days respectively after childbirth (cf. Lev. XII, 1-5).
  56. Cf. *supra*, n. 3.
  57. The thirty-three days after the seven for a male and the sixty-six days after the fourteen for a female (cf. Lev. XII, 4f).
  58. Lit., 'beautiful', 'right'. Such an examination would be purposeless since after the seventh and the fourteenth day respectively the woman would in any case be clean irrespective of whether there was any discharge or not.
  59. The unclean source being open during the first seven and fourteen days respectively and after the forty and eighty days respectively when the clean one is closed, while the latter is open during the thirty-three and sixty-six days respectively when the former is closed.
  60. Where there was a continuous issue from the unclean period into the clean one (cf. *infra* 35b).
  61. Unless there was an examination and it had been ascertained that there was a definite break in the flow at the end of the seven and the fourteen days respectively the woman might still be unclean even though the unclean period prescribed had passed. Why then should no examination be necessary?
  62. The ruling that the menstruant needs no examination.
  63. Lit., 'whose'.

## Niddah 11b

Beth Shammai who hold that 'it<sup>1</sup> all emanates from the same source'.<sup>2</sup> But would the Tanna teach an anonymous Mishnah<sup>3</sup> in agreement with the view of Beth Shammai?<sup>4</sup> — This is an anonymous ruling that is followed by a divergence of opinion, and wherever an anonymous ruling is followed by a dispute the *Halachah* does not agree with the anonymous ruling. And if you prefer I might reply: Was it stated,<sup>5</sup> 'desirous of CONTINUING'?<sup>6</sup> It was only stated, 'CONTINUING'.<sup>7</sup> But if the woman was already 'continuing'<sup>2</sup> what was the purpose of stating the ruling?<sup>8</sup> — It might have been assumed that she should examine herself in case she establishes for herself<sup>9</sup> a settled period, hence we were informed [that no examination is necessary] because no settled period can be established [by the regularity of a discharge from] a clean source for that of an unclean one. This is satisfactory according to Levi who stated that there are two

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sources,<sup>10</sup> but according to Rab who stated that there was only one source<sup>10</sup> why should she not examine herself seeing that she might have established for herself<sup>2</sup> a settled period? — Even in that case she cannot establish a settled period in the clean days for the unclean ones.

**SHE MUST ALSO USE TESTING-RAGS WHEN SHE HAS MARITAL INTERCOURSE,** etc. We have learnt elsewhere: If a young girl, whose age of menstruation<sup>11</sup> had not yet arrived, married, Beth Shammai ruled: She is allowed<sup>12</sup> four nights,<sup>13</sup> and Beth Hillel ruled: Until the wound is healed.<sup>14</sup> R. Giddal citing Samuel stated: They<sup>15</sup> learnt this<sup>16</sup> only in the case where bleeding through intercourse had not ceased, though she subsequently observed a discharge that may not have been due to intercourse;<sup>17</sup> but if bleeding through intercourse had ceased<sup>18</sup> and then she observed a discharge<sup>19</sup> she<sup>20</sup> is unclean.<sup>21</sup> If one night has passed without intercourse and then she observed a discharge she is unclean. If the color of her blood changed<sup>22</sup> she is unclean.

R. Jonah raised an objection:<sup>23</sup> **OR WHEN SHE IS A VIRGIN WHOSE BLOOD IS CLEAN** [she need not use testing-rags]. But why should she not rather use testing-rags<sup>24</sup> seeing that it is possible that the color of her blood had changed? — Raba replied, Read the first clause: **EXCEPT WHERE SHE IS A MENSTRUANT OR IS CONTINUING IN THE BLOOD OF PURIFICATION,** from which it follows that only in those cases no examination is required but that a virgin whose blood is clean does require one.<sup>25</sup> But, then, are not the two rulings<sup>26</sup> mutually contradictory? —

The former<sup>27</sup> refers to one who had marital intercourse, where it might well be assumed that the membrum was the cause of the change;<sup>28</sup> while the latter<sup>29</sup> refers to one who had no marital intercourse.<sup>30</sup> So it was also taught: This<sup>31</sup> applies only in the case where

'bleeding through intercourse had not ceased, though she subsequently observed a discharge that may not have been due to intercourse, but if bleeding through intercourse had ceased and then she observed a discharge she is unclean. If one night has passed without intercourse and then she observed a discharge she is unclean. If the color of her blood has changed she is unclean.<sup>32</sup>

**TWICE [DAILY] MUST SHE,** etc. Rab Judah citing Samuel stated: They learnt this<sup>33</sup> only in respect of clean things, but to her husband she is permitted.<sup>34</sup> Is not this<sup>35</sup> obvious, seeing that we learnt, **IN THE MORNING?**<sup>36</sup> — Rather, if the statement<sup>37</sup> was at all made it was in connection with the final clause: **AND**<sup>38</sup> **ALSO WHEN SHE IS ABOUT TO PERFORM HER MARITAL DUTY;** Rab Judah citing Samuel stated, They learnt this only as regards a woman who was handling clean things, who, since it is necessary that she examine herself<sup>39</sup> for the sake of the clean things,<sup>40</sup> must also examine herself<sup>41</sup> for the sake of her husband, but if a woman was not handling clean things she requires no examination. But what new point does he<sup>42</sup> teach us, seeing that we have learnt: All women are in a condition of presumptive cleanness for their husbands?<sup>43</sup> — If the ruling were to be derived from the Mishnah<sup>43</sup> it might have been presumed that the ruling applied only to a woman who had a settled period but that a woman who had no settled period does require examination.<sup>44</sup> But does not our Mishnah<sup>45</sup> deal with one who has a settled period?<sup>46</sup> —

Our Mishnah deals with both one who had a settled period, and one who had no settled period,<sup>47</sup> and it is this that was meant,<sup>48</sup> that although she had a settled period, since she must be examined for the sake of the clean things she handled she must also be examined for the sake of her husband. But did not Samuel state this<sup>49</sup> once, for R. Zera citing R. Abba b. Jeremiah who had it from Samuel stated, 'A woman who had no settled period

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may not perform marital intercourse before she has examined herself<sup>50</sup> and it has been explained<sup>50</sup> to refer to one who was engaged in the handling of clean things?<sup>51</sup> — The one statement<sup>52</sup> was inferred from the other.<sup>53</sup> So it was also taught: This<sup>54</sup> applies only to clean things<sup>55</sup> but to her husband she is permitted.<sup>56</sup> This,<sup>57</sup> however, applies only where he left her in a state of presumptive cleanness, but if he left her in one of presumptive uncleanness she remains for ever in her uncleanness until she tells him, 'I am clean'.

1. The blood discharged within the forty or eighty days respectively after childbirth (cf. Lev. XII, 1-5).
2. *Infra* 35b.
3. Which, as a rule, represents the *Halachah*.
4. Whose rulings generally are contrary to the *Halachah* which is in agreement with those of Beth Hillel.
5. As has been arbitrarily assumed *supra*.
6. Certainly not.
7. Sc. the clean days had already begun.
8. That no examination is necessary. Is it not obvious that an examination in such circumstances could serve no purpose whatsoever?
9. During the period of clean days, by a discharge at regular intervals.
10. *Supra* 11a.
11. Lit., 'her time to see'.
12. After the first intercourse.
13. In which intercourse with her husband is permitted despite the flow of blood, it being assumed that the flow is not due to menstruation (as is the case with one who married after attaining the age of menstruation) but to the wound that had been caused by the first intercourse.
14. Keth. 6a. Cf. prev. two nn. mut. mut.
15. Beth Hillel.
16. 'Until the wound is healed'.
17. As intercourse invariably caused the wound to bleed, any discharge of blood before the wound is healed is attributed to the same cause.
18. Even if only on one occasion.
19. Irrespective of whether it occurred during intercourse or at any other time.
20. Since during one intercourse at least there was no bleeding and the wound may consequently be presumed to have been healed.
21. The discharge being attributed to menstruation.
22. From that of the blood at the first intercourse.
23. Against the last ruling, 'If the color, etc.'
24. Before and after intercourse.
25. As R. Jonah expected.
26. The one referred to by R. Jonah and the inference from the first clause of our Mishnah cited by Raba.
27. Lit., 'here', the ruling referred to by R. Jonah.
28. Lit., 'the attendant (euphemism) disturbed them', so that the test after the intercourse would prove nothing: and since no test is to be made after intercourse none is required before it (v. Rashi).
29. The inference of Raba.
30. And a change of color would be a clear indication that the wound is healed and the blood is that of menstruation.
31. For notes v. those on R. Giddal's statement *supra*.
32. For notes v. those on R. Giddal's statement *supra*.
33. That there must be an examination (v. our Mishnah).
34. Even without an examination.
35. That the ruling had no reference to the woman's permissibility to her husband.
36. When no marital intercourse is permitted.
37. Of Samuel, 'They learnt this only, etc.'
38. She must examine herself.
39. After intercourse.
40. It being possible that intercourse was the cause of some menstrual discharge.
41. Before intercourse.
42. Samuel, by the statement cited.
43. *Infra* 15a.
44. Hence the necessity for Samuel's ruling that even such a woman requires no examination in respect of her husband.
45. Which begins, **ALTHOUGH ... A WOMAN WHO HAS A SETTLED PERIOD** and to which Samuel referred.
46. How then could it have been maintained that Samuel applied the law to one who had no settled period?
47. Since (as has explicitly been stated) the former requires examination it is self-evident that the latter also requires it.
48. By our Mishnah.
49. That even a woman who had no settled period need not be examined as far as her husband is concerned unless she was also in the habit of handling clean things.
50. *Infra* 12b.
51. But not to one who was not so engaged.
52. Cited in the name of Samuel.
53. Samuel himself having made one statement only.

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54. That examination is required.
55. Sc. to ascertain whether the things the woman has handled are clean.
56. Even without an examination.
57. That to her husband she is permitted even without an examination.

## Niddah 12a

R. Zera enquired of Rab Judah: Should<sup>1</sup> a wife examine herself<sup>2</sup> for her husband? — The other replied: She should not examine herself. But [why should she not] examine herself, seeing that none could be the worse for it?<sup>3</sup> If [she were to do] so her husband would be uneasy in his mind<sup>4</sup> and he would keep away from her.

R. Abba enquired of R. Huna: Must<sup>5</sup> a woman examine herself immediately [after intercourse] in order to make her husband liable to a sin-offering?<sup>6</sup> The other replied: Is it at all possible for an examination to take place immediately [after intercourse], seeing that it was taught: 'What is meant by "immediately"?' This may be illustrated by the parable of an attendant<sup>7</sup> and the witness<sup>8</sup> who stand at the side of the lintel<sup>9</sup> where the witness enters immediately after the attendant goes out, this being the interval which the Rabbis allowed as regards wiping off<sup>10</sup> but not as regards examination?<sup>11</sup> — The question rather is whether she must wipe herself.<sup>12</sup> Some there are who say that it was this that he<sup>13</sup> enquired of him:<sup>14</sup> Must a woman examine herself [after intercourse]<sup>15</sup> in order to make her husband liable<sup>16</sup> to a suspended guilt-offering?<sup>17</sup> — The other replied: She should not examine herself. But [why should she not] examine herself, seeing that none could be the worse for it?<sup>18</sup> — If [she were to do] so<sup>19</sup> her husband would be uncertain in his mind<sup>20</sup> and he would keep away from her.

AND ALSO WHEN SHE IS ABOUT, etc. R. Ammi citing R. Jannai remarked: And this is the test<sup>21</sup> of virtuous women.<sup>22</sup> Said R. Abba b. Memel to R. Ammi: The Tanna learnt MUST,<sup>23</sup> [how then could] you learn

'virtuous women'?<sup>22</sup> — The other replied: Because I maintain that whosoever observes the enactments of the Sages may be described as<sup>24</sup> virtuous.<sup>25</sup> Said Raba: Would then<sup>26</sup> one who does not observe the enactments of the Sages merely lose the designation of<sup>27</sup> virtuous man but would not be called wicked? Rather, said Raba, as for virtuous women the testing-rag, with which they have examined themselves before one intercourse, they do not use it before any other intercourse, but those who are not virtuous use it and do not mind.

[Reverting to] the main text,<sup>28</sup> 'R. Zera citing R. Abba b. Jeremiah who had it from Samuel stated: A woman who has no settled period may not perform marital intercourse before she has examined herself'. Said R. Zera to R. Abba b. Jeremiah: Is it<sup>29</sup> only one who has no settled period that must have an examination while a woman who has a settled period requires no examination?<sup>30</sup> — The other replied: A woman who has a settled period must have an examination<sup>31</sup> only when she is awake<sup>32</sup> but not when she is asleep;<sup>33</sup> while a woman who has no settled period must have an examination whether she is awake or asleep. Raba observed: Could he<sup>34</sup> not reply<sup>35</sup> that a woman who had a settled period must be examined<sup>36</sup> in respect of clean things<sup>37</sup> but not in respect of her husband [alone]<sup>38</sup> while a woman who had no settled period must have an examination even in respect of her husband [alone]?<sup>39</sup> As, however, he did not give such a reply it may be inferred that Samuel holds the view that in respect of her husband alone<sup>38</sup> a woman<sup>40</sup> needs no examination.<sup>41</sup>

Our Rabbis taught: The wives of ass-drivers,<sup>42</sup> labourers<sup>43</sup> and people coming from a house of mourning<sup>43</sup> or a house of feasting<sup>44</sup> are in respect of their husbands<sup>45</sup> deemed to be in a state of presumptive cleanness and the latter may, therefore, come and stay with them whether they are asleep or awake. This, however, applies only where the men<sup>46</sup> left the woman in a state of

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presumptive cleanness but if they left them in a state of presumptive uncleanness each woman is forever regarded as unclean until she announces to her husband 'I am clean'. But how does Samuel<sup>47</sup> explain this case?<sup>48</sup> If it refers to a woman who has a settled period, does not a difficulty arise from the case where she is awake?<sup>49</sup> And if it refers to one who has no settled period, does not a difficulty arise both from the case where she is awake and from that where she is asleep?<sup>50</sup> — As a matter of fact it refers to one who had a settled period<sup>51</sup> but<sup>52</sup> as the husband had solicited her<sup>53</sup> there can be no more reliable<sup>54</sup> examination than this.<sup>55</sup>

R. Papa asked Raba: May one<sup>56</sup> act in accordance with that Baraitha?<sup>57</sup>

1. Lit., what is it (the ruling)?
2. Before intercourse.
3. Lit., 'and what is there in it'.
4. Lit., 'his heart beats him'.
5. Lit., 'what is it (the ruling)'.
6. Should any trace of blood be found. If any blood is discovered immediately after intercourse the discharge is presumed to have begun before or during intercourse and the man is liable to a sin-offering (cf. *infra* 14a.).
7. Euphemism, 'the membrum'.
8. The testing-rag. The consonants of the Hebrew equivalent may be rendered 'witness' as well as 'testing-rag'.
9. Euphemism.
10. Externally.
11. *Infra* 14b; which requires a longer interval. How then could it happen that an examination should be carried out 'immediately'?
12. Immediately after intercourse, so as to ascertain (cf. *supra* p. 77, n. 17) whether her husband is liable to a sin-offering.
13. R. Abba.
14. R. Huna.
15. After the lapse of the interval defined *supra* as 'immediately'.
16. Should any blood be discovered.
17. Which is incurred in the case of a doubtful transgression. The discovery of blood (cf. prev. n.) is no proof that the discharge began before or during the intercourse as it may have begun after.
18. Lit., 'and what is there in it'.
19. Even if only after intercourse.
20. Lit., 'his heart beats him'.
21. Lit., 'their time' or 'testing-rag'.
22. Ordinary women, however, examine themselves only morning and evening (cf. Mishnah *infra* 14a).
23. Implying that every woman is subject to the obligation.
24. Lit., 'is called'.
25. Sc. it is the duty of every woman who desires to live in accordance with Rabbinic law to examine herself on each of the occasions specified in our Mishnah.
26. If R. Ammi's submission is correct.
27. Lit., 'would not be called'.
28. Quoted *supra* 11b ad fin.
29. Since Samuel spoke only of a woman 'who has no settled period'.
30. But how could this assumption be upheld in view of our Mishnah which prescribes an examination though it speaks of a woman who had a settled period?
31. Before intercourse is permitted.
32. Because (a) as she is then able to handle clean things and would have to be examined for the purpose she must also be examined for the sake of her husband: and (b) an examination when one is awake does not involve undue inconvenience.
33. When (a) she is unable to handle clean things and (b) an examination would mean much inconvenience (cf. prev. n. mut. mut.).
34. R. Abba b. Jeremiah.
35. To R. Zera.
36. For the sake of her husband also.
37. Sc. if she handled such objects. As she must be examined on account of the latter she must also be examined on account of the former.
38. If she handled no clean things.
39. Sc. even if no clean things had been handled by her.
40. Even if she has no settled period.
41. Samuel's statement *supra* that 'a woman ... may not ... before she examined herself' refers, therefore, to one who was engaged in the handling of clean things.
42. Sc. people whose occupations take them away from their homes for considerable periods.
43. Cf. prev. n.
44. Beth ha-mishteh, usually a wedding feast.
45. When these return home.
46. On departing.
47. Who, according to R. Abba b. Jeremiah, holds that (a) one who has a settled period must be examined when awake but not when asleep, while (b) one who has no settled period must be examined even when asleep.
48. In the Baraitha just cited.
49. Of course it does. According to this Baraitha no examination is required while according to Samuel (cf. (a) note 6) an examination is required.

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50. In both cases (even when the woman is awake), no examination is expected, while according to Samuel (cf. (b) note 6) an examination must be held even when she is asleep.
51. Hence the ruling that no examination is necessary when she is asleep (cf. note 6).
52. In reply to the objection why no examination is required when she is awake.
53. And she consented.
54. Lit., 'great'.
55. Had she not ascertained beforehand that she was clean she would not have consented. Samuel's ruling, however, which ordains an examination applies only to husbands whose occupations do not take them away from their homes, and not to such (of whom the Baraita speaks) as returned home after a considerable absence (cf. Tosaf. and Tosaf. Asheri).
56. Lit., 'what is it'.
57. Of the ass-drivers, etc. i.e., (cf. Tosaf. contra Rashi) that no examination is necessary, as far as the husband is concerned, where the woman is half asleep (v. Tosaf, s.v. [H]).

## Niddah 12b

— The other replied: Brewer,<sup>1</sup> no; because [otherwise]<sup>2</sup> she would become repulsive to him.

R. Kahana stated, 'I asked the women folk of the house of R. Papa and of R. Huna son of R. Joshua, "Do the Rabbis on coming home from the schoolhouse require you to undergo an examination"? And they answered me in the negative'. But why did he<sup>3</sup> not ask<sup>4</sup> the Rabbis themselves? — Because it is possible that they imposed additional restrictions upon themselves.<sup>5</sup>

Our Rabbis taught: A woman who has no settled period is forbidden marital intercourse and is entitled neither to a *kethubah*<sup>6</sup> nor to a usufruct<sup>7</sup> nor to maintenance,<sup>8</sup> nor to her worn-out clothes.<sup>9</sup> Her husband, furthermore, must divorce her and may never marry her again; so R. Meir. R. Hanina b. Antigonus ruled: She must use two testing-rags when she has marital intercourse; they render her unfit<sup>10</sup> and they also render her fit.<sup>11</sup> In the name of Abba Hanan it was stated: Woe to her husband.<sup>12</sup>

'She is forbidden marital intercourse', because she might<sup>13</sup> cause him moral injury. 'And is entitled neither to a *Kethubah*', since she is unfit for cohabitation she is not entitled to a *Kethubah*. 'Nor to usufruct nor to maintenance nor to her worn-out clothes' because the provisions<sup>14</sup> embodied in the agreed terms of a *Kethubah* are subject to the same laws as the *Kethubah* itself.<sup>15</sup> 'Her husband, furthermore, must divorce her and may never marry her again'. Is not this obvious?<sup>16</sup> —

It was necessary in the case where she was subsequently cured.<sup>17</sup> As it might have been presumed that [in such a case] he may remarry her we were informed [that this is forbidden], because it may sometimes happen that having proceeded to marry another man she would be cured and [her first husband] would then say, 'Had I known that to be the case I would not have divorced her even if you had given me a hundred Maneh', and the get would thus be annulled and her children would be bastards.<sup>18</sup>

'In the name of Abba Hanan it was stated: Woe to her husband'. Some explain: He said this in opposition to R. Meir,<sup>19</sup> because [Abba Hanan maintains that] she must be allowed to collect her *Kethubah*. Others there are who explain: He said it in opposition to R. Hanina b. Antigonus,<sup>20</sup> because [Abba Hanan maintains that intercourse is always forbidden] since thereby she might<sup>21</sup> cause her husband to sin.

Rab Judah citing Samuel stated: The *Halachah* is in agreement with R. Hanina b. Antigonus. But in what case? If it is one where the woman is engaged in the handling of clean things, has not Samuel [it may be objected] said it once?<sup>22</sup> And if it is one where she was not engaged in the handling of clean things, did he not say [it may again be objected] that as far as her husband is concerned she requires no examination, for did not R. Zera in fact state in the name of R. Abba b. Jeremiah who had it from Samuel,

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'A woman who had no settled period may not perform marital intercourse before she examines herself', and it has been explained to refer to one who was engaged in the handling of clean things?<sup>23</sup> — He who taught the one did not teach the other.<sup>24</sup>

1. Sodani, reference to R. Papa's occupation. (Cf. B.M. 65a). Aliter: 'Learned' or 'wise man' (v. Rashi).
2. I.e., (cf. Tosaf.) if it had been necessary for the husband to rouse her and to wait until she has collected her thoughts and was in a condition to reply (contra Rashi).
3. R. Kahana.
4. What the law was.
5. And this could be ascertained only by enquiring from the women. Had the enquiry been addressed to the Rabbis themselves they might have given the lenient ruling which applied to all, while R. Kahana was anxious to adopt any additional restrictions which the Rabbis may have imposed upon themselves.
6. Sc. the fixed amount that is due to her from her husband on divorce or when he dies (v. [Glos.](#)).
7. Of the *Melog* (v. [Glos.](#)) property which she brought to her husband. Her husband is entitled to the usufruct despite the fact that she is deprived of her *Kethubah*.
8. Sc. if her husband before divorcing her went abroad the court does not authorize her to collect her maintenance expenses from his estate.
9. Though a woman as a rule is entitled to take with her when divorced whatever is left of the clothes she brought to her husband on marriage as *Melog* property (cf. Keth. 79b).
10. If any blood is observed on them.
11. If they remained clean.
12. This is explained *infra*.
13. Should a discharge occur during intercourse.
14. Such as are the benefits mentioned.
15. As she cannot claim her *Kethubah* she cannot claim these benefits either.
16. Why then should an obvious ruling have to be enunciated?
17. I.e., acquired a settled period.
18. Hence the ruling that he may never again marry her, even if she subsequently acquired a settled period. On the basis of this ruling the husband is duly cautioned when divorce is arranged that his act is definite and final and, consequently, any subsequent plea of his 'Had I known, etc.' has no validity whatsoever (cf. Git. 46a).

19. Who ruled that she is not entitled to her *Kethubah* from her husband.
20. Who holds that if she uses testing-rags she may have intercourse.
21. Were a discharge to occur during intercourse.
22. Cf. *supra* 11b ad fin. and *infra*.
23. *Supra* l.c.
24. It refers indeed to the case where the woman was engaged in handling clean things: but Samuel having given his ruling only once, Rab Judah applied it to the ruling of R. Hanina b. Antigonus, while R. Abba quoted it as an independent ruling.

## Niddah 13a

### CHAPTER II

**MISHNAH.** EVERY HAND THAT MAKES FREQUENT EXAMINATION IS IN THE CASE OF WOMEN PRAISEWORTHY,<sup>1</sup> BUT IN THE CASE OF MEN IT OUGHT TO BE CUT OFF.<sup>2</sup>

**GEMARA.** Wherein [in this respect]<sup>3</sup> do women differ from men?<sup>4</sup> — Women [in this matter] are not sensitive,<sup>5</sup> hence they are praiseworthy,<sup>1</sup> but in the case of men who are highly sensitive [their hands] ought to be cut off.<sup>2</sup> But, if so,<sup>2</sup> what was the point in saying 'MAKES FREQUENT' [seeing that the same reason<sup>2</sup> applies] also where [the examinations are] infrequent? — When 'MAKES FREQUENT' was mentioned it was intended to refer to women only.<sup>6</sup>

One taught: This<sup>7</sup> applies only to the emission of semen but as regards flux<sup>8</sup> a man also is as praiseworthy as the women;<sup>2</sup> and even in regard to the emission of semen, if he desires to make the examination with a splinter or with a potsherd<sup>10</sup> he may do so. May he not, however, do it with a rag, seeing that it was taught: A man may examine himself with a rag or with any other thing he wishes? — As Abaye stated elsewhere: 'With a thick rag'.<sup>10</sup> So also here<sup>11</sup> it may be explained: With a thick rag.<sup>10</sup> And in what connection was Abaye's statement made? In connection with the following: If a priest, while eating *Terumah*, felt a shiver run through his body<sup>12</sup> he takes hold of his



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membrum<sup>13</sup> and swallows the *terumah*.<sup>14</sup> 'Takes hold'! But has it not been taught: R. Eliezer said, 'Whoever holds his membrum when he makes water is as though he had brought a flood on the world'?<sup>15</sup> To this Abaye replied. 'With a thick rag'.<sup>16</sup> Raba replied: It<sup>17</sup> may even be said to apply to a soft rag for once the semen has been detached the subsequent touch does no longer matter.<sup>18</sup> And Abaye?<sup>19</sup> — He made provision against the possibility of an additional discharge.<sup>20</sup> And Raba? — He does not consider the possibility of any additional discharges. But does he not, seeing that it was taught, 'To what may this<sup>21</sup> be compared? To the putting of a finger upon the eye where, as long as the finger remains on it, the eye continues to tear'?<sup>22</sup> Now Raba?<sup>23</sup> — It is quite uncommon for one to get heated twice in immediate succession.<sup>24</sup>

[Reverting to] the main text: 'R. Eliezer said, Whoever holds his membrum when he makes water is as though he had brought a flood on the world'. But, they said to R. Eliezer, would not the spray bespatter his feet and he would appear to be maimed in his privy parts so that he<sup>25</sup> would be the cause of casting upon his children the reflection of being illegitimate? — It is preferable, he answered them, that a man should be the cause of casting upon his children the reflection of being illegitimate than that he should make himself a wicked man, even for a while, before the Omnipresent. Another [Baraitha] taught: R. Eliezer replied to the Sages. It is possible for a man to stand on a raised spot and to make water or to make water in loose earth and thus to avoid making himself wicked, even for a while, before the Omnipresent. Which<sup>26</sup> did he<sup>27</sup> tell them<sup>28</sup> first? If it be suggested that it was the first mentioned statement that he gave them first [is it likely, it may be objected], that after he spoke to them of a prohibition<sup>29</sup> he would merely offer a remedy?<sup>30</sup> — The fact is that it was the last mentioned statement<sup>31</sup> that he gave them first, and when they asked him, 'What is he to do when he can find no raised

spot or loose earth', he answered them, 'It is preferable that a man should be the cause of casting upon his children the reflection of being illegitimate than that he should make himself a wicked man, even for a while, before the Omnipresent'.

But why all these precautions?<sup>32</sup> — Because otherwise one might emit semen in vain, and R. Johanan stated: Whosoever emits semen in vain deserves death, for it is said in Scripture. And the thing<sup>33</sup> which he did<sup>33</sup> was evil in the sight of the Lord, and He slew him also.<sup>34</sup> R. Isaac and R. Ammi said. He<sup>35</sup> is as though he shed blood, for it is said in Scripture. Ye that inflame yourselves among the Terebinths, under every leafy tree, that slay the children in the valleys under the clefts of the rocks;<sup>36</sup> read not 'that slay'<sup>37</sup> but 'that press out'.<sup>38</sup> R. Assi said: He<sup>39</sup> is like one who worships idols; for here<sup>36</sup> it is written, 'Under every leafy tree' and elsewhere<sup>40</sup> it is written, upon the high mountains ... and under every leafy tree.<sup>41</sup>

Rab Judah and Samuel once stood upon the roof of the Synagogue of Shaf-veyathib<sup>42</sup> in Nehardea. Said Rab Judah to Samuel 'I must make water'. 'Shinena',<sup>43</sup> the other replied, 'take hold of your membrum<sup>44</sup> and make the water outside [the roof]'. But how could he<sup>45</sup> do so, seeing that it was taught: R. Eliezer said, Whoever holds his membrum when he makes water is as though he brought a flood on the world? —

Abaye replied: He treated this case as that of a reconnoitering troop, concerning which we learnt, 'If a reconnoitering troop has entered a town in time of peace the open wine jars are forbidden<sup>46</sup> and the closed ones are permitted,<sup>47</sup> but in times of war the former as well as the latter are permitted because the troops have no time to offer libations'.<sup>48</sup> Thus it clearly follows that owing to their being in a state of fear they do not think<sup>49</sup> of offering libations, and so also in this case, since he<sup>45</sup> was in a state of fear he would not think of lustful matters. But what fear could there be

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here? — If you wish I might reply: The fear of the night and of the roof.<sup>50</sup> If you prefer I might reply: The fear of his Master.<sup>51</sup> If you prefer I might say: The fear of the *Shechinah*.<sup>52</sup> If you prefer I might say: The fear of the Lord that was<sup>53</sup> upon him,<sup>54</sup> for Samuel once remarked of him<sup>55</sup> 'This man is no mortal being'.<sup>55</sup> If you prefer I might say: He was a married man, and concerning such R. Nahman ruled, 'If a man was married, this is permitted'. If you prefer I might say: It was this that he taught him, vis., that which R. Abba the son of R. Benjamin b. Hiyya learnt: But he may support the testicles from below. And if you prefer I might say: It was this that he taught them, viz., that which R. Abbahu stated in the name of R. Johanan: It has a limit; from the corona downward [touch] is permitted

1. Since both husband and wife are thereby saved either from doubtful uncleanness or from certain transgression.
2. Because of masturbation.
3. FREQUENT EXAMINATION.
4. Sc. why is the hand of the former PRAISEWORTHY while that of the latter OUGHT TO BE CUT OFF?
5. I.e., the examination does not unduly excite their passions.
6. Cf. n. 1.
7. The culpability of men who make such examinations.
8. I.e., when a man is suffering from gonorrhoea and is desirous of ascertaining the number of attacks he had (v. next n.).
9. Since it is necessary to ascertain whether the attack occurred only twice or three times. In the former case the man is only unclean while in the latter he must also bring a sacrifice.
10. Avoiding masturbation.
11. In the Baraitha just cited.
12. Lit., 'that his limbs trembled', an indication of the imminent emission of semen.
13. To restrain the emission. Uncleanness does not set in until the semen has actually left the body.
14. *Infra* 40a.
15. Shab. 41a, *infra* 43a. The generation of the flood were guilty of such offences (cf. R.H. 12a). Now how, in view of R. Eliezer's statement, could one be allowed to commit an offence even for the sake of *Terumah*?
16. Avoiding masturbation.
17. In the Baraitha just cited.
18. Lit., 'since it was uprooted it was uprooted', no more semen would be emitted despite the heat engendered.
19. Why, in view of Raba's explanation, does he restrict the application to a thick rag only?
20. Of semen.
21. The touching of the membrum after an emission.
22. *Infra* 43a. Lit. 'tears and tears again'.
23. How could he differ from this Baraitha?
24. Lit., 'any being heated and being heated again in its time'. Hence the ruling in the Mishnah *infra* 40a. The Baraitha *infra* 43a, on the other hand, refers to one who practiced self-abuse.
25. Being assumed to be incapable of procreation.
26. Of the two statements cited.
27. R. Eliezer.
28. The Sages.
29. Which applies in all cases.
30. Implying that where the remedy is inapplicable the prohibition may be disregarded.
31. Lit., 'that'.
32. Lit., 'and all such, why'.
33. 'He spilled it on the ground' (Gen. XXXVIII, 9).
34. Gen. XXXVIII, 10.
35. Who emits semen in vain.
36. Isa. LVII, 5.
37. [H].
38. [H] interchange of the sibilants shin and sin.
39. Who emits semen in vain.
40. In reference to idolatry.
41. Deut. XII, 2; an inference by analogy.
42. The name of a man or place. v. Meg. (Sonc. ed.) p. 175, n. 5.
43. 'Keen-witted', 'long-toothed' (denoting some facial characteristic) or 'man of iron endurance', cf. B.B. (Sonc. ed.) p. 561, n. 14.
44. To prevent the water from falling on the roof.
45. Rab Judah.
46. Because the troops may have offered them as libation to their idols.
47. It being assumed that the troops who have at their disposal the open jars would not meddle with the closed ones.
48. Keth. 27a, A.Z., 70b.
49. Lit., 'come'.
50. Standing on its edge in the darkness of the night he is afraid of falling off.
51. Samuel.
52. Which abides in the Synagogue.
53. Always, even when not on a roof or in the darkness of night.
54. So that no impure thoughts would occur to him even at any other time or place.
55. Lit., 'born of woman'.

# NIDDOH – 2a-23a

## Niddah 13b

but from the corona upwards<sup>1</sup> it is forbidden.

Rab stated: 'A man who willfully causes erection should be placed<sup>2</sup> under the ban'. But why did he<sup>3</sup> not say, 'This is forbidden'? Because the man<sup>4</sup> merely incites his evil inclination against himself.<sup>5</sup> R. Ammi, however, stated: He<sup>4</sup> is called a renegade, because such is the art of the evil inclination: To-day it incites man to do one wrong thing,<sup>6</sup> and to-morrow<sup>7</sup> it incites him to worship idols and he proceeds to worship them.

There are others who read: R. Ammi<sup>8</sup> stated, He who excites himself by lustful thoughts will not be allowed to enter the division of the Holy One, blessed be He. For here it is written, Was evil in the sight of the Lord,<sup>2</sup> and elsewhere it is written, For Thou art not a God that hath pleasure in wickedness; evil shall not sojourn with Thee.<sup>10</sup>

R.<sup>11</sup> Eleazar stated: Who are referred to<sup>12</sup> in the Scriptural text, Your hands are full of blood?<sup>13</sup> Those that commit masturbation with their hands.

It was taught at the school of R. Ishmael, Thou shalt not commit adultery<sup>14</sup> implies, Thou shalt not practice masturbation either with hand or with foot.

Our Rabbis taught: 'proselytes and those that play with children delay the advent of the Messiah'. The statement about proselytes may be understood on the lines of the view of R. Helbo, for R. Helbo said, 'proselytes are as hard for Israel to endure as a sore',<sup>15</sup> what, however, could be meant by 'those that play with children'?<sup>16</sup> If it be suggested: Those that practice pederasty [it could well be objected]: Are not such people subject to stoning?<sup>17</sup> If, however, it be suggested: Those that practice Onanism through external contact<sup>18</sup> [it could be objected]: Are not such deserving destruction by flood?<sup>17</sup> — The

meaning rather is: Those that marry minors who are not capable of bearing children, for R. Jose<sup>19</sup> stated: The Son of David<sup>20</sup> will not come before all the souls in Guf<sup>21</sup> will have been disposed of, since it is said, For the spirit that enwrappeth itself is from Me, and the souls which I have made.<sup>22</sup>

**BUT IN THE CASE OF MEN IT OUGHT TO BE CUT OFF.** The question was raised: Have we here<sup>23</sup> learnt a law or merely an execration? 'Have we here learnt a law' as in the case where R. Huna cut off one's hand;<sup>24</sup> 'or merely an execration'? —

Come and hear what was taught: R. Tarfon said, 'If his hand touched the membrum let his hand be cut off upon his belly'. 'But', they said to him,<sup>25</sup> 'would not his belly be split'? 'It is preferable', he replied, 'that his belly shall be split rather than that he should go down into the pit of destruction'.<sup>26</sup> Now if you concede that we have here<sup>27</sup> learnt a law<sup>28</sup> one can well understand why they said, 'Would not his belly be split'; but if you maintain that we have only learnt of an execration,<sup>29</sup> what could be meant by [the question] 'His belly be split'? — What then would you suggest, that we have learnt here a law, would it not suffice, [it may be objected, that the cutting off shall] not be done on his belly? — The fact, however, is that it was this that R. Tarfon meant: Whosoever puts his hand below his belly that hand shall be cut off. They said to R. Tarfon, 'If a thorn stuck in his belly, should he not remove it'? 'No', he replied. 'But [they said] would not his belly be split'?<sup>30</sup> 'It is preferable', he replied, 'that his belly shall be split rather than that he should go down to the pit of destruction'.<sup>26</sup>

*MISHNAH.* IN THE CASE OF A DEAF,<sup>31</sup> AN IMBECILE, A BLIND OR AN INSANE<sup>32</sup> WOMAN, IF OTHER WOMEN OF SOUND SENSES ARE AVAILABLE<sup>33</sup> THEY ATTEND TO HER,<sup>34</sup> AND SHE MAY THEN EAT *TERUMAH*.

# NIDDOH – 2a-23a

**GEMARA.** Why should not a DEAF woman make her own examination, seeing that it was taught: Rabbi stated, A deaf woman was living in our neighborhood and not only<sup>35</sup> did she examine herself but her friends also on observing a discharge would show it to her?<sup>36</sup> — There it was a woman who could speak but not hear while here the reference is to one who can neither speak nor hear; as we have learnt: The deaf person of whom the Sages spoke is always<sup>37</sup> one who can neither hear nor speak.<sup>38</sup>

**A BLIND.** Why should she not make her own examination and show the testing-rag to her friend? — R. Jose son of R. Hanina replied: The 'blind' is no part of the Mishnah.<sup>39</sup>

**OR AN INSANE WOMAN.** Is not this exactly the same as IMBECILE?<sup>40</sup> This refers to one whose mind was deranged owing to a disease.

Our Rabbis taught: A priest who is an imbecile may be ritually immersed and then fed with *terumah*<sup>41</sup> in the evening.<sup>42</sup> He must also be watched that he does not fall asleep.<sup>43</sup> If he falls asleep he is deemed unclean<sup>44</sup> and if he does not fall asleep he remains clean. R. Eliezer son of R. Zadok ruled: He should be provided with a leather bag.<sup>45</sup> The Rabbis said to him: 'Would not this cause heat all the more?' 'According to your view', he replied, 'should an imbecile have no remedy?' 'According to our view', they retorted, 'only if he falls asleep<sup>46</sup> is he deemed unclean but if he does not fall asleep he remains clean, while according to your view there is the possibility that he might discharge a drop of blood of the size of a mustard seed and this would be absorbed in the bag'.<sup>47</sup>

A Tanna taught: It was stated in the name of R. Eleazar, The imbecile is to be provided with a metal bag. Abaye explained: It must be one of copper, as we have learnt:<sup>48</sup> R. Judah ruled, Those buds of hyssop<sup>49</sup> are regarded<sup>50</sup> as if they had been made of copper.<sup>51</sup>

R. Papa remarked: From this<sup>52</sup> it may be inferred that breeches<sup>53</sup> are forbidden. But is it not written in Scripture, And thou shalt make them linen breeches to cover the flesh of their nakedness?<sup>54</sup> — That may be explained as it was taught: To what were the breeches of the priests like? They were like the knee breeches of horsemen, reaching upwards to the loins and downwards to the thighs. They also had laces but had no padding either back or front.<sup>55</sup>

Abaye stated:

1. In the direction of the body.
2. Cf. Tosaf.
3. Rab.
4. Who indulges in the reprehensible practice.
5. The practice, therefore, could only be condemned but not forbidden.
6. Lit., 'tells him: Do so'.
7. Lit., 'and on the morrow'.
8. MS.M., 'Assi'.
9. Gen. XXXVIII, 10.
10. Ps. V, 5. analogy between the two expressions of 'evil'. Alfasi (Shab. XIV) inserts, 'R. Eleazar said, What is meant by evil shall not sojourn with thee? The evil (minded) man shall not sojourn in Thy dwelling'.
11. So MS.M. and BaH. Cur. edd. and Alfasi, 'and R.'
12. Lit., 'what'.
13. Isa. I, 15.
14. Ex. XX, 13.
15. V. Yeb. 47b.
16. Who apparently commit no crime at all.
17. They are; while here they are merely described as delaying the advent of the Messiah.
18. Lit., 'by way of limbs'.
19. Var. lec. 'Assi' (Yeb. 62a) 'Joseph' (MS.M.).
20. The Messiah.
21. Lit., 'Body', the region inhabited by the souls of the unborn.
22. Isa. LVII, 16.
23. In the expression of 'OUGHT TO BE CUT OFF'.
24. Though the same expression (cf. prev. n.) was used. Sanh. 58b.
25. Cur. edd. in parenthesis, 'If a thorn stuck in his belly should he not remove it? He said to them: No'.
26. Gehenna.
27. In the expression of 'OUGHT TO BE CUT OFF'.

# NIDDOH – 2a-23a

28. So that R. Tarfon's statement is to be taken literally.
29. The 'cutting off' being a mere figure of speech.
30. By the thorn.
31. I.e., deaf-mute (v. Gemara *infra*).
32. Lit., 'whose mind was deranged'.
33. Lit., 'they have'.
34. Lit., 'they prepare them', i.e., make the necessary examination and supervise the prescribed ritual immersion.
35. Lit., 'it was not enough'.
36. Who was an authority on the subject, in order to obtain her opinion on the color whether it was that of clean or of unclean blood.
37. Lit., 'in every place'.
38. Hag. 2b.
39. It is a spurious addition.
40. Apparently it is; why then the repetition?
41. Which is forbidden to an unclean priest.
42. Since after due immersion one attains to cleanness at nightfall.
43. In his sleep under his bedclothes heat might be engendered and this would cause him to emit semen which would render him unclean and, therefore, unfit to eat *Terumah*.
44. Cf. prev. n.
45. Which can be examined for traces of semen before any *Terumah* is given to him.
46. After immersion and after nightfall.
47. Tosef. Nid. II. As it would thus be lost to sight the priest would be regarded as clean and *Terumah* would, as a result, be eaten by one who is in fact unclean; and consequently an offence that is punishable by death (at the hand of God) would unconsciously be committed.
48. MS.M. and marg. n. Cur. edd., 'as it was taught'.
49. Used in connection with the water of purification.
50. When the water is measured to ascertain whether it contained sufficient for a sprinkling (cf. *supra* 9a).
51. Parah Xli, 5. Sc. as if they did not absorb any water at all; from which it follows, in support of Abaye's explanation, that copper is a non-absorbent.
52. The prohibition of a bag *supra* on account of the heat it engenders.
53. Such as engender heat, v. *infra*.
54. Ex. XXVIII, 42.
55. Hanging loosely round the organ the breeches could engender no heat.

## Niddah 14a

Camel riders<sup>1</sup> are forbidden to eat *terumah*.<sup>2</sup> So it was also taught: All camel-drivers are wicked,<sup>3</sup> all sailors are righteous,<sup>4</sup> but among the ass-drivers some are wicked and others righteous. Some say: The latter are those who use a saddle<sup>5</sup> and the former are those who use no saddle;<sup>6</sup> while others say: The former are those who ride astraddle<sup>7</sup> and the latter are those who do not ride astraddle.<sup>8</sup>

R. Joshua b. Levi cursed the man who sleeps on his back.<sup>9</sup> But this, surely, is not correct,<sup>10</sup> for did not R. Joseph rule that one lying on his back should not read the *shema*,<sup>11</sup> from which it follows, does it not, that it is only the *Shema* that he must not read but that he may well sleep in this manner? — As regards sleeping on one's back this is quite proper if one slightly inclines sideways, but as regards the reading of the *Shema* even if one inclines sideways this is forbidden.<sup>12</sup> But did not R. Johanan turn slightly on his side and read the *Shema*? — R. Johanan was different [from other people] because he was corpulent.<sup>13</sup>

**MISHNAH.** IT IS THE CUSTOM OF THE DAUGHTERS OF ISRAEL WHEN HAVING MARITAL INTERCOURSE TO USE TWO TESTING-RAGS, ONE FOR THE MAN AND THE OTHER FOR HERSELF,<sup>14</sup> AND VIRTUOUS WOMEN PREPARE ALSO A THIRD RAG WHEREBY TO MAKE THEMSELVES FIT FOR MARITAL DUTY.<sup>15</sup> IF A VESTIGE OF BLOOD IS FOUND ON HIS RAG<sup>16</sup> THEY ARE BOTH UNCLEAN<sup>17</sup> AND ARE ALSO UNDER THE OBLIGATION OF BRINGING A SACRIFICE.<sup>18</sup> 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 UNCLEAN<sup>19</sup> BY REASON OF DOUBT<sup>20</sup> BUT EXEMPT FROM THE SACRIFICE. WHAT IS MEANT BY 'AFTER A TIME'? WITHIN AN INTERVAL IN WHICH SHE CAN

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DESCEND FROM THE BED AND WASH HER FACE.<sup>21</sup> BUT [IF BLOOD WAS FOUND SOME TIME] AFTER SUCH AN INTERVAL SHE CAUSES UNCLEANNESS RETROSPECTIVELY<sup>22</sup> FOR A PERIOD OF TWENTY-FOUR HOURS<sup>23</sup> BUT SHE DOES NOT CAUSE THE MAN WHO HAD INTERCOURSE WITH HER TO BE UNCLEAR.<sup>24</sup> R. AKIBA RULED: SHE<sup>25</sup> ALSO CAUSES THE MAN WHO HAD INTERCOURSE WITH HER TO BE UNCLEAR.<sup>26</sup> THE SAGES, HOWEVER, AGREE WITH R. AKIBA THAT ONE WHO OBSERVED A BLOODSTAIN CONVEYS UNCLEANNESS TO THE MAN WHO HAD INTERCOURSE WITH HER.

**GEMARA.** But<sup>27</sup> why should not the possibility be considered that the blood might be that of a louse?<sup>28</sup> — R. Zera replied that place is presumed to be tested as far as a louse is concerned. There are others, however, who reply: It is too narrow for a louse. What is the practical difference between them?<sup>29</sup> — The practical difference between them is the case where a crushed louse was found.<sup>30</sup> According to the reply<sup>31</sup> that the place is presumed to be tested, this must have come from somewhere else,<sup>32</sup> but according to the reply<sup>31</sup> that the place is too narrow it might be presumed that the attendant<sup>33</sup> has crushed it.<sup>34</sup>

It was stated: If a woman examined herself with a rag that she had previously examined,<sup>35</sup> and then she pressed it against her thigh on which she found blood on the following day, Rab ruled: She<sup>36</sup> is subject to the uncleanness of a menstruant.<sup>37</sup> Said R. Shimi b. Hiyya to him: But, surely, you told us, 'She has only to take the possibility<sup>38</sup> into consideration'. It was also stated: Samuel ruled: She is subject to the uncleanness of a menstruant.<sup>37</sup> And so they also ruled at the schoolhouse: She is subject to the uncleanness of a menstruant.

It was stated: If a woman examined herself with a rag which she had not previously

examined and having put it into a box she found upon it, on the following day, some blood,<sup>39</sup> R. Joseph stated: Throughout all his lifetime R. Hiyya regarded [her] as unclean but in his old age he ruled that [she] was clean. The question was raised: What<sup>40</sup> does he<sup>41</sup> mean: That throughout all his<sup>42</sup> lifetime he regarded [her] as menstrually unclean<sup>43</sup> and in his old age he ruled that [she] was clean as far as menstruation is concerned but unclean on account of the bloodstain,<sup>44</sup> or it is possible that throughout his lifetime he regarded [her] as unclean on account of the stain<sup>44</sup> and in his old age he ruled that [she] was absolutely<sup>45</sup> clean? —

Come and hear what was taught: If a woman examined herself with a rag which she had not previously examined and having put it into a box she found upon it, on the following day, some blood, Rabbi ruled: She is regarded as menstrually unclean,<sup>46</sup> and R. Hiyya ruled: She is regarded as unclean on account of the bloodstain.<sup>47</sup>

1. Though priests.
2. The friction is apt to engender heat resulting in an emission of semen which renders them unclean and therefore unfit to eat *Terumah*.
3. Cf. prev. n.
4. Because, though most of their life is spent on the perilous seas, they nevertheless remain constant in their ancestral faith.
5. When riding. Hence no heat is engendered (v. foll. n.).
6. Cf. prev. n. Contact with the animal's bare back engenders heat, as in the case of the camel-riders who never use a saddle.
7. Which is a cause of friction.
8. Holding both legs on one side.
9. Since this causes erection.
10. Lit., 'I am not'.
11. Cf. P. B., p. 40ff.
12. One must either sit or lie fully on his side.
13. It would have been too great a strain for him to lie on his side.
14. *Supra* 5a q.v. notes.
15. By examining themselves before intercourse. On the difference between the practice of the virtuous and that of the ordinary women cf. *supra* 12a.
16. Even though he made use of it some considerable time after intercourse.

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17. Since it is obvious that the blood was due to a menstrual discharge during intercourse. As the woman is unclean the man also is unclean (cf. Lev. XV, 24).
18. For the sin of intercourse during uncleanness.
19. For seven days.
20. Anything they touched is, therefore, in a suspended state of uncleanness.
21. Euphemism.
22. According to Rabbinic, but not Pentateuchal law.
23. Both to objects and human beings, their uncleanness lasting until the evening.
24. For seven days. He is unclean, however, on the same day until evening in accordance with Rabbinic law (cf. prev. two nn.).
25. On account of the doubt.
26. For seven days (cf. *supra* 6a).
27. With reference to the ruling that IF A VESTIGE OF BLOOD IS FOUND ... THEY ARE BOTH UNCLEAN ... AND ARE ALSO UNDER THE OBLIGATION OF BRINGING A SACRIFICE.
28. As this is not impossible the uncleanness should only be one of a doubtful nature, so that if any *Terumah* is involved it should not be burned but only kept in suspense, and the sacrifice also should be one for doubtful (Asham Talui) and not one for certain trespass (Asham Waddai).
29. The two replies.
30. On the testing-rag at some distance from the blood mark.
31. Lit., 'that expression which says'.
32. The blood must, therefore, be assumed to be that of menstruation.
33. Euphemism.
34. During intercourse, and the blood may consequently be attributed to it.
35. And ascertained that it was clean.
36. Since the rag was examined by her before use and found to be clean, and the blood that was transferred from it to her thigh must consequently be that of menstruation.
37. Sc. her uncleanness is definitely established. It is not regarded as one of a doubtful nature despite the possibility that the blood on her thigh may have come from some object other than the rag.
38. That the blood was that of menstruation.
39. And it is uncertain whether the blood was that of menstruation or of some other source with which the rag may have come in contact before the woman had used it.
40. Lit., 'how'.
41. R. Joseph.
42. R. Hiyya's.
43. I.e., certain uncleanness.
44. I.e., uncleanness of a doubtful nature.

45. Lit., 'from nothing'.

46. I.e., certain uncleanness.

47. I.e., uncleanness of a doubtful nature.

## Niddah 14b

Said R. Hiyya to him: 'Do you not agree that it<sup>1</sup> must be slightly bigger than the size of a bean?'<sup>2</sup> 'Indeed', the other replied. 'If so',<sup>3</sup> the first retorted, 'you also regard it as a stain'.<sup>4</sup> Rabbi, however, holds the opinion that it is necessary for the stain to be slightly bigger than the size of a bean in order to exclude the possibility of its being the blood of a louse, but as soon as this possibility is ruled out the blood must undoubtedly have come from her body. Now did not this occur<sup>5</sup> when he was in his old age but when he was young he regarded it<sup>6</sup> as menstrually unclean?<sup>7</sup> This is conclusive.

Rabbi was commending R. Hama b. Bisa to R. Ishmael son of R. Jose as a great man, when the latter said to him, 'If you come across him<sup>8</sup> bring him to me'. When he<sup>9</sup> came he<sup>10</sup> said to him, 'Ask me something'. 'What is the ruling', the other asked, 'if a woman examined herself with a rag which she had not previously examined and having put it into a box she found some blood upon it on the following day?' 'Shall I give you,' the first answered, 'the ruling according to the views of my father<sup>11</sup> or shall I rather give it to you according to the views of Rabbi?'<sup>12</sup> 'Tell me,' the other said, 'the ruling according to Rabbi'. 'Is this the person', R. Ishmael exclaimed, 'of whom it is said that he is a great man! How could one ignore<sup>13</sup> the views of the Master<sup>14</sup> and listen to those of the disciple?'<sup>15</sup> R. Hama b. Bisa, however, was of the opinion that since Rabbi was the head of the college and the Rabbis were frequently in his company his traditions were more reliable.<sup>16</sup> What is the view of Rabbi [that has just been referred to] and what is that of R. Jose? — R. Adda b. Mattena replied: —

A Tanna taught, Rabbi declares her<sup>17</sup> unclean and R. Jose declares her clean. In

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connection with this R. Zera stated: When Rabbi declared her unclean he did so in agreement with the ruling of R. Meir, but when R. Jose declared her clean he did so in accordance with his own view. For we learnt:<sup>18</sup> If a woman when attending to her needs<sup>19</sup> observed a discharge of blood, R. Meir ruled: If she was standing at the time she is unclean but if she was sitting she is clean. R. Jose ruled: In either case she is regarded as clean.<sup>20</sup> Said R. Aha son of Raba to R. Ashi: But did not R. Jose the son of R. Hanina state that when R. Meir ruled that the woman was unclean he did so only on account of the bloodstain,<sup>21</sup> whereas Rabbi regarded her as unclean by reason of menstruation?<sup>22</sup> — The other replied, What we maintain is this: When that ruling<sup>23</sup> was stated it was that the uncleanness was due to menstruation.<sup>24</sup>

**IF ANY BLOOD IS FOUND ON HER RAG IMMEDIATELY AFTER HER INTERCOURSE THEY ARE BOTH UNCLEAN, etc.** Our Rabbis taught:<sup>25</sup> What is meant by 'immediately'? This may be illustrated by the parable of the attendant and the witness who stood at the side of the lintel where the witness enters immediately after the attendant goes out, this being the interval which the Rabbis allowed as regards wiping off,<sup>26</sup> but not as regards an examination.<sup>27</sup>

**IF, HOWEVER, ANY BLOOD IS FOUND ON HER RAG AFTER A TIME, etc.** A Tanna taught: They<sup>28</sup> do incur the obligation of bringing a suspensive guilt-offering. But what is the reason of our Tanna?<sup>29</sup> — It is essential<sup>30</sup> [that the doubt shall be of the same nature as in the case of the consumption of] one piece of two pieces.<sup>31</sup>

**WHAT IS MEANT BY 'AFTER A TIME'?, etc.** Is not, however, this<sup>32</sup> incongruous with the following: What is meant by 'after a time'? R. Eleazar<sup>33</sup> son of R. Zadok explained: Within an interval in which<sup>34</sup> she can stretch out her hand, put it under the

cushion or bolster, take out a testing-rag and make examination with it?<sup>35</sup> — R. Hisda replied: By AFTER is meant the interval following this interval.<sup>36</sup> But was it not stated in connection with this,<sup>37</sup> **IF, HOWEVER, ANY BLOOD IS FOUND ON HER RAG AFTER A TIME THEY ARE UNCLEAN, BY REASON OF THE DOUBT BUT EXEMPT FROM THE SACRIFICE. WHAT IS MEANT BY 'AFTER A TIME'? WITHIN AN INTERVAL IN WHICH SHE CAN DESCEND FROM THE BED AND WASH HER FACE?**<sup>38</sup> —

It is this that was implied:<sup>39</sup> **WHAT IS MEANT BY 'AFTER A TIME'?** Within an interval in which she can stretch out her hand, put it under the cushion or bolster, take out a testing-rag and make examination with it; and **WITHIN AN INTERVAL IN WHICH SHE CAN DESCEND FROM THE BED AND WASH HER FACE** [the question of uncleanness is subject to] a divergence of view between R. Akiba and the Sages. But was it not stated,<sup>40</sup> **AFTER SUCH AN INTERVAL?**<sup>41</sup> — It is this that was meant: And this is the interval concerning which R. Akiba and the Sages are at variance.

R. Ashi replied: The former and the latter<sup>42</sup> represent the same length of time; when she has the testing-rag in her hand the time IS **WITHIN AN INTERVAL IN WHICH SHE CAN DESCEND FROM THE BED AND WASH HER FACE**, but if she has not the rag in her hand the time is limited to 'within an interval in which she can stretch out her hand, put it under the cushion or bolster, take out a testing-rag and make examination with it'.

An objection was raised: What is meant by 'after a time'? This question was submitted by R. Eleazar son of R. Zadok to the Sages at Usha when he asked them,

1. The bloodmark on the rag.



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2. Lit., 'like a bean and more'. If it is smaller it may be presumed to be that of a louse (cf. *infra* 58b).
3. That the stain must be no less than a certain minimum.
4. Cf. *supra* n. 2. Had it been regarded as menstrual blood the smallest speck of it would have sufficed to cause certain uncleanness (cf. *infra* 40a)
5. Lit., 'he stood'.
6. In agreement with Rabbi.
7. Obviously he did, since in his youth he would not have ventured to differ from Rabbi who was his master (Rashi). Aliter: In his youth he would not have addressed Rabbi in the second person (cf. B.B. 158b) but as 'the Master' (Tosaf.).
8. Lit., 'when he comes to your hand'.
9. R. Hama.
10. R. Ishmael.
11. R. Jose.
12. These views are stated *infra*.
13. Lit., 'put down'.
14. R. Jose.
15. Rabbi.
16. Lit., 'sharpened'.
17. The woman referred to in R. Bisa's question.
18. So MS.M. and marg. gl. Cur. edd., 'it was taught'.
19. Making water.
20. Mishnah *infra* 59b q.v. notes.
21. I.e., doubtful uncleanness.
22. Certain uncleanness. How then could R. Zera maintain that Rabbi followed the view of R. Meir?
23. Of R. Jose b. Hanina.
24. Cf. prev. n. but one mut. mut.
25. *Supra* 12a, q.v. notes.
26. Externally, which takes place instantly after intercourse.
27. Internally, which must inevitably take place after a longer interval than the one allowed had elapsed. In the former case the uncleanness is certain and the sacrifice incurred is a sin-offering, while in the latter case the uncleanness is of a doubtful nature and the sacrifice incurred is a suspensive guilt-offering.
28. Husband and wife, contrary to the ruling of the Tanna of our Mishnah that they are EXEMPT FROM THE SACRIFICE.
29. Cf. prev. n.
30. If a suspensive guilt-offering is to be incurred.
31. One of which was e.g., permitted fat and the other was forbidden fat, and it is not known which of the two pieces the person in question had consumed. Only in such a case of doubt is a suspensive guilt-offering incurred (cf. Ker. 17b). Where, however, the doubt involves only

one object or person (as is the case under discussion where only one woman is concerned) no suspensive guilt-offering can be incurred.

32. The definition of 'AFTER A TIME'
33. So BaH. Cur. edd. 'Eliezer'.
34. While still in bed.
35. This interval (cf. prev. n.) being shorter than the one IN WHICH SHE CAN DESCEND FROM THE BED, etc. it follows that, according to this Baraitha, during the longer interval the woman does not convey uncleanness to her husband and is only subject to the lesser restrictions of the twenty-four hours' period of retrospective uncleanness. How then are the two rulings to be reconciled?
36. Defined in our Baraitha. Lit., 'after the after'. During the interval as defined in the Baraitha both husband and wife are subject to doubtful uncleanness but after that interval, and during the one defined in our Mishnah, the woman, according to the Rabbis, as stated in the next clause of the Mishnah, does not convey any uncleanness to her husband.
37. The interval defined in our Mishnah.
38. Which clearly shows, does it not, that during the interval spoken of in our Mishnah the woman does carry uncleanness to her husband?
39. Sc. some words are missing from our Mishnah and are to be regarded as inserted.
40. In connection with the dispute between R. Akiba and the Sages.
41. Sc. after the one defined in our Mishnah; from which it follows that during this interval both agree that the woman does carry uncleanness to her husband.
42. The interval defined in our Mishnah and the one defined in the Baraitha.

## Niddah 15a

'Are you perchance of the same opinion as R. Akiba that the woman<sup>1</sup> carries uncleanness to the man who had intercourse with her?'<sup>2</sup> 'We', they answered him, 'have not heard his ruling'.<sup>3</sup> 'Thus', he said to them, 'did the Sages at Jamnia enunciate the ruling: If the woman did not delay more than the time in which she can descend from the bed and wash her face,<sup>4</sup> this<sup>5</sup> is regarded as 'within the time limit' and both are unclean on account of the doubt,<sup>6</sup> and exempt from bringing a sacrifice but they are subject to

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the obligation of a suspensive guilt-offering. If she delayed for such a time during which she could descend from the bed and wash her face,<sup>7</sup> this<sup>8</sup> is regarded as being 'after the time',<sup>9</sup> Similarly if she delayed<sup>10</sup> for twenty-four hours<sup>11</sup> or for a period between her previous and her present examination,<sup>12</sup> the man who had intercourse with her is unclean on account of his contact,<sup>13</sup> but not on account of his intercourse.<sup>14</sup>

R. Akiba ruled: He also contracts uncleanness on the ground of his intercourse.<sup>15</sup> R. Judah son of R. Johanan b. Zakkai ruled: Her husband may enter the Temple and burn incense.<sup>16</sup> Now according to R. Hisda<sup>17</sup> one can well see why the Rabbis declare the man clean, but according to R. Ashi<sup>18</sup> why do the Rabbis declare him clean? And should you reply that this is a case where she did not have the rag in her hand<sup>19</sup> [it could be retorted:] Should not then<sup>20</sup> a distinction have been made explicitly between the case where the woman had a rag in her hand and where she had no rag in her hand?<sup>21</sup> — This is a difficulty.

'R. Judah son of R. Johanan b. Zakkai ruled: Her husband may enter the Temple and burn incense'. But why should not a prohibition be imposed<sup>22</sup> on the ground that the man came in contact with a menstruant during the twenty-four hours of her retrospective uncleanness? — He<sup>23</sup> holds the same view as Shammai who ruled: For all women it suffices to reckon their period of uncleanness from the time of their discovering the flow.<sup>24</sup> But should not a prohibition be imposed<sup>21</sup> on the ground that the man has experienced an emission of semen? — This is a case where his intercourse was not consummated.<sup>25</sup>

THE SAGES, HOWEVER, AGREE WITH R. AKIBA THAT ONE WHO OBSERVED A BLOODSTAIN. Rab explained: [She conveys UNCLEANNESS] retrospectively and the ruling is that of R. Meir.<sup>26</sup> Samuel, however, explained: [She conveys UNCLEANNESS] from now<sup>27</sup> onwards and

the ruling is that of the Rabbis. 'From now onwards'! Would not this<sup>28</sup> be obvious? — It might have been presumed that, since retrospective uncleanness for a period of twenty-four hours is only a Rabbinical measure and the uncleanness of bloodstains at all times<sup>29</sup> is also only a Rabbinical measure, as during the twenty-four hours' period a woman does not convey uncleanness to the man who had intercourse with her so also in the case of a stain<sup>29</sup> does she not convey uncleanness to the man who had intercourse with her, hence we were informed [that she does convey uncleanness to the man]. Might it not, however, be suggested that the law is so indeed?<sup>30</sup> — [No, since] in the former case there is no slaughtered ox in your presence<sup>31</sup> but here there is a slaughtered ox in your presence.<sup>32</sup> Resh Lakish also explained in the same way<sup>33</sup> [that uncleanness is conveyed] retrospectively and that the ruling is that of R. Meir. R. Johanan explained: [The uncleanness is conveyed] from now onwards and the ruling is that of the Rabbis.

*MISHNAH.* ALL WOMEN ARE IN THE CONDITION OF PRESUMPTIVE CLEANNESS FOR THEIR HUSBANDS.<sup>34</sup> FOR THOSE WHO RETURN FROM A JOURNEY THEIR WIVES ARE IN THE CONDITION OF PRESUMPTIVE CLEANNESS.

*GEMARA.* What need was there<sup>35</sup> to state,<sup>36</sup> THOSE THAT RETURN FROM A JOURNEY? — It might have been presumed that this<sup>37</sup> applies only to a husband who was in the town, since in such a case the woman thinks of her duties<sup>38</sup> and duly examines herself, but not to a husband who was not in town since the question of [marital] duty does not occur to her, hence we were informed [that the law applies to the latter case also]. Resh Lakish in the name of R. Judah Nesi'ah<sup>39</sup> observed: But this<sup>40</sup> applies only where the husband came and found her within her usually clean period.<sup>41</sup> R. Huna observed: This<sup>42</sup> was learnt only of a woman

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who had no settled period, but if she had a settled period intercourse with her is forbidden.<sup>43</sup> Topsy turvy!<sup>44</sup> Does not, on the contrary, the reverse stand to reason, since in the case of a woman who has no settled period it might well be assumed that she experienced a discharge, but where she has a settled period [she should be presumed to be clean] since her period was fixed? —

Rather, if the statement was at all made it was made in the following terms: R. Huna said, This<sup>45</sup> was learnt only in the case of a woman the time of whose settled period had not arrived<sup>46</sup> but if that time had arrived<sup>47</sup> she is forbidden,<sup>43</sup> for he<sup>47</sup> is of the opinion that [the laws of] settled periods<sup>48</sup> are Pentateuchal. Rabbah b. Bar Hana said: Even if the time of her settled period has arrived she is also permitted,<sup>49</sup> for he is of the opinion that [the laws relating to] settled period are only Rabbinical.<sup>50</sup> R. Ashi reported thus: R. Huna said,

1. For a period of twenty-four hours retrospectively.
2. This (cf. prev. n.) being the only time limit recognized.
3. Sc. his time limit. Consequently they could not possibly have adopted it.
4. Sc. the time elapsed was no longer than that during which she can examine herself while still in bed.
5. The discovery of a discharge within that space of time (cf. prev. n.).
6. In agreement with R. Hisda *supra*.
7. A period of time which is longer than the former (cf. *supra* n. 1).
8. The discharge discovered after the period mentioned (cf. prev. n.).
9. I.e., 'the interval following this interval' as R. Hisda explained (*supra* 14b).
10. Longer than the periods mentioned.
11. After intercourse.
12. When the discharge was discovered.
13. With the woman. Such a contact with a menstruant within the twenty-four hours' period only subjects him to one day's uncleanness until nightfall and the uncleanness is only Rabbinical and of an uncertain character.
14. With a menstruant; sc. the uncleanness, even in its uncertain character, does not extend over seven days as would have been the case with one who had intercourse with a confirmed menstruant.
15. Cf. prev. n. mut. mut.
16. This is explained *infra*.
17. Who explained *supra* that the interval within which SHE CAN DESCEND FROM THE BED is regarded as the 'interval after this interval'.
18. Who maintained *supra* that 'the former and the latter represent the same length of time'.
19. So that after she descended from the bed she spent some more time in taking up the rag.
20. In order to avoid the possible mistake that even within the shorter interval, when the woman had the rag in her hand, the Rabbis hold the man to be clean.
21. Of course it should. Since no such distinction, however, is made it is obvious, is it not, that the Rabbis hold the man to be clean even if the discharge was discovered after the interval in which the woman can descend from the bed with the rag in her hand?
22. Lit., 'and let (the prohibition) be inferred'.
23. R. Judah.
24. *Supra* 2a.
25. R. Akiba, however, maintains that the first stage of intercourse with a menstruant is regarded as its consummation, and consequently uncleanness is conveyed even in such a case (Rashi).
26. Who in regard to bloodstains adopts (*supra* 5a and *infra* 52b) the more restrictive view.
27. The time of the discovery of the stain.
28. That the Rabbis agree she conveys uncleanness after the discovery of a stain (cf. prev. n.).
29. Even after discovery.
30. That she does not convey uncleanness to the one who had intercourse with her after the discovery of a bloodstain just as she does not render him unclean retrospectively during the twenty-four hours prior to her having observed a discharge.
31. Metaphor. Within the twenty-four hours prior to her having observed a discharge.
32. Sc. the bloodstain had actually been discovered.
33. As Rab *supra*.
34. In respect of intercourse; sc. no examination is required for the purpose. It is necessary only for determining the condition of any clean objects the woman may have handled.
35. Lit., 'wherefore to me'.
36. After the ruling in the first clause which applies to all husbands.
37. The ruling in the first clause.
38. Lit., 'she throws upon herself' —
39. The Prince, R. Judah II.
40. The ruling in the final clause.

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41. I.e., within thirty days after her last observation of a discharge. After the thirty days, since most women have monthly periods, intercourse must be preceded by an examination.
42. That 'within her usually clean period' no examination is required.
43. Unless there was previous examination.
44. Lit., 'towards where' or towards the tail' (cf. B.B. (Sonc. ed.) p. 435, n. 17).
45. That 'within her usually clean period' no examination is required.
46. During the husband's absence from town.
47. R. Huna.
48. Sc. that when the date of a settled period arrives the woman is presumed to be in a state of doubtful uncleanness.
49. No previous examination being required.
50. Sc. the Rabbis required a woman to examine herself when the date of her settled period arrives in order to ascertain whether there was a discharge or not. If, however, her husband was out of town and on his return it was unknown to him whether she did or did not examine herself she is not to be regarded as being in a condition of doubtful uncleanness.

## Niddah 15b

This<sup>1</sup> was learnt only of a woman who had no settled period that was determinable by days alone but one that was determinable by both days and leaps, so that since the period depends on some specific act it might well be presumed, that she did not leap and that, therefore, did not observe any discharge. Where, however, she has a settled period that was determinable by the days alone, she must have no intercourse, for he is of the opinion that the restrictions relating to settled periods are Pentateuchal. Rabbah b. Bar Hana ruled: Even if she has a settled period that was determined by the days alone, she is permitted intercourse, for he holds the opinion that [the restrictions relating to] settled periods are only Rabbinical.

R. Samuel citing R. Johanan ruled: If a woman has a settled period, her husband<sup>2</sup> may<sup>3</sup> calculate the days of that period and<sup>4</sup> come in unto her.<sup>5</sup> Said R. Samuel b. Yeba to R. Abba: Did R. Johanan refer also to a

young wife who<sup>6</sup> is too shy to perform immersion? — The other replied: Did then R. Johanan speak of one who had actually<sup>7</sup> observed a discharge? It may [in fact be held] that R. Johanan spoke<sup>8</sup> only of a case where it is doubtful whether or not the woman did observe a discharge and where, [so that] even if some reason could be found for assuming that she did observe one, it may also be assumed that she had since performed immersions,<sup>9</sup> but in a case where it is certain that she had observed a discharge, who could say that she had since performed immersion? And, seeing that it is a question of a doubt<sup>10</sup> being opposed by a certainty<sup>11</sup> [she must be deemed unclean] since a doubt cannot take one out of a certainty. But does it not? Was it not in fact taught: If a haber<sup>12</sup> died and left a store-room full of fruits, even if they were only then due to be tithed,<sup>13</sup> they are presumed to have been properly prepared.<sup>14</sup> Now here it is a case of certain *tebel*<sup>15</sup> and there is only the doubt as to whether or not it was tithed, and the doubt nevertheless sets aside the certainty? —

No, there it is a case of a certainty against a certainty, in agreement with a statement of R. Hanina of Hozae,<sup>16</sup> for R. Hanina of Hozae said: It is presumed with a Haber that he does not allow anything to pass out of his control unless it has been duly prepared. And if you prefer I might say: It is a case of doubt against doubt, since [the man might have acted] in accordance with a suggestion of R. Oshaia, for R. Oshaia said: A man<sup>17</sup> may resort to a device with his produce and store it<sup>18</sup> together with its chaff<sup>19</sup> so that<sup>20</sup> his cattle may eat of it<sup>21</sup> and it is exempt from the tithe.<sup>22</sup>

But does not a doubt set aside a certainty? Surely it has been taught: It once happened that the handmaid of a certain tax-collector in Rimmon<sup>23</sup> threw the body of a premature child into a pit, and a priest<sup>24</sup> came and gazed into it to ascertain whether it was male or female,<sup>25</sup> and when the matter came before the Sages<sup>26</sup> they pronounced him clean

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because weasels and martens are commonly found there.<sup>27</sup> Now here, surely, it is a certainty that the woman had thrown a premature child into the pit and a doubt whether they had dragged it away or not, and yet does not the doubt set aside the certainty? — Do not read, 'Threw the body of a premature child into a pit' but

1. That the woman is presumed to be clean even if the date of her settled period had already arrived.
2. Having been out of town for seven days after that period.
3. On returning home during the days in which she had the opportunity of performing immersion and attain cleanness.
4. Without asking her whether she had made use of her opportunity (cf. prev. n.).
5. On the assumption that she had duly performed immersion and is now clean.
6. Unless urged by her husband.
7. Lit., 'certainly'.
8. That the woman need not be asked.
9. And since R. Johanan's ruling is based on the existence of these doubts there can be no distinction between a younger and an older woman.
10. As to whether there was immersion in consequence of which she would be clean.
11. Of a discharge which renders her unclean.
12. V. [Glos.](#)
13. Lit., 'sons of their day'.
14. A.Z. 41b; i.e., that the priestly and Levitical dues have been duly set aside for them.
15. V. [Glos.](#) Since the fruit had reached a stage when it was liable to the dues (cf. prev. n.).
16. A district on the eastern side of the Tigris.
17. Desirous of avoiding tithes.
18. Lit., 'and brings it in'.
19. Only corn that had been winnowed before it was brought into the store-room within the house is liable to tithe.
20. Since it was brought in unwinnowed (cf. prev. n.).
21. Even after its subsequent winnowing. A human being, though permitted to eat it in accordance with Pentateuchal law, may not do so in accordance with a Rabbinic measure.
22. Even Rabbinically. Now since it is possible that the produce was taken to the store-room in accordance with R. Oshaia's suggestion (a case of doubtful *Tebel*) and it is also possible that it had been duly tithed, we have here a case of doubt against doubt. As a Haber is presumed not to allow anything to pass out of his hand unless it had been duly prepared the

Rabbis in this case waived aside their restriction and allowed a human being also to eat of the produce.

23. A town near Jerusalem.
24. Who was ignorant of the laws of uncleanness (cf. Rashi's fourth interpretation and Tosaf.) and unaware that by bending over the pit just above the embryo he would contract uncleanness.
25. The period of a woman's uncleanness after childbirth is twice as long in the case of the latter as in that of the former (cf. Lev. XII, 2ff).
26. To decide whether the priest contracted uncleanness by bending over the pit and thus 'overshadowing' the dead body.
27. In pits. Tosef. Oh. XVI. These creatures might be presumed to have devoured or dragged away the body so that there was no 'overshadowing' on the part of the priest.

## Niddah 16a

'a kind of premature child'.<sup>1</sup> But was it not stated, 'To ascertain whether it was male or female'?<sup>2</sup> — It is this that was meant: And a priest came and gazed into it to ascertain whether she had aborted an inflated object or a premature child and, if some ground could be found for assuming that she aborted a premature child, to ascertain whether it was male or female. And if you prefer I might reply: Since weasels and martens are commonly found there they had certainly dragged it away.<sup>3</sup>

An enquiry was addressed to<sup>4</sup> R. Nahman: [Is the examination at] regular menstrual periods Pentateuchal<sup>5</sup> or only Rabbinical?<sup>6</sup> The latter replied: Since our colleague Huna citing Rab ruled, If a woman who has a settled period did not make an examination when that period arrived but later on<sup>7</sup> observed a discharge, she must take into consideration the possibility [of a discharge] on the date of the settled period,<sup>8</sup> and also the possibility of [twenty-four hours retrospective uncleanness] on account of her observation.<sup>9</sup> Thus<sup>10</sup> it clearly follows that [the examination at] regular menstrual periods is Pentateuchal. There are others who say that he<sup>11</sup> replied thus: The reason

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then<sup>12</sup> is that she had 'observed a discharge,'<sup>13</sup> but if she had not observed one the possibility<sup>14</sup> need not be taken into consideration. Thus<sup>15</sup> it follows clearly that [the examination at] regular menstrual periods is only Rabbinical.

It was stated: If a woman had a settled period, and when the time of that period arrived she did not make the examination and later she did make one, Rab ruled: If on examination she found that she was unclean she is unclean but if she found that she was clean she remains clean. Samuel, however, ruled, Even if on examination she found herself clean she is deemed unclean, since the guest<sup>16</sup> comes at the usual time. Must it be assumed that they<sup>17</sup> differ on [the question of the necessity for an examination at] regular menstrual periods, one Master<sup>18</sup> holding that it is Pentateuchal<sup>19</sup> and the other Master<sup>20</sup> maintaining that it is only Rabbinical?<sup>21</sup> R. Zera replied: Both<sup>17</sup> may agree that<sup>22</sup> [the examination at] regular menstrual periods is Pentateuchal, but<sup>23</sup> one ruling<sup>24</sup> refers to a woman who examined herself within the period of the duration of her menstruation<sup>25</sup> while the other<sup>26</sup> refers to a woman who did not examine herself within the period of the duration of her menstruation.<sup>27</sup> R. Nahman b. Isaac maintained: They<sup>17</sup> differ on the very question of [the necessity for an examination at] the regular menstrual periods, one Master<sup>28</sup> holding that it is Pentateuchal<sup>29</sup> while the other Master<sup>30</sup> maintains that it is only Rabbinical.

R. Shesheth observed: [The discussion here] is analogous to that of the following Tannas: [For it was taught:] R. Eliezer<sup>31</sup> ruled, She<sup>32</sup> is to be regarded as menstrually unclean,<sup>33</sup> while R. Joshua<sup>34</sup> ruled: Let her be examined.<sup>35</sup> And these Tannas<sup>36</sup> differ on the same principle as the following Tannas. For it was taught: R. Meir ruled, She<sup>37</sup> is to be regarded as menstrually unclean,<sup>38</sup> while the Sages<sup>34</sup> ruled, Let her be examined.<sup>35</sup> Abaye observed, We also learnt to the same effect. For we learnt: R. Meir ruled, If a woman was

in a hiding place<sup>39</sup> when the time of her regular period arrived and she did not examine herself, she is nevertheless clean, because fear suspends the menstrual flow.<sup>40</sup> The reason then<sup>41</sup> is that there was fear, but if there had been no fear she would have been deemed unclean. Thus it clearly follows [that the necessity for an examination at] regular periods is Pentateuchal. May it be assumed that the following Tannas also differ on the same principle? For it was taught: If a woman observed some blood [that might be] due to a wound,<sup>42</sup> even if this occurred during her usual period of menstruation, she is deemed to be clean;<sup>43</sup> so R. Simeon b. Gamaliel. Rabbi ruled: If she has a regular period<sup>44</sup> she<sup>45</sup> must take her period into consideration.<sup>46</sup> Now do they not differ on this principle, one Master<sup>47</sup> holding that [the examinations at] the regular periods are Pentateuchal, while the other Master<sup>48</sup> holds that they are only Rabbinical? —

Rabina replied: No; both may agree that [the examinations at] the regular periods are only Rabbinical, but it is on the question whether the interior of the uterus is unclean<sup>49</sup> that they differ. R. Simeon b. Gamaliel holds that the woman is clean<sup>50</sup> but the blood<sup>51</sup> is unclean because it comes through the uterus,<sup>52</sup> and Rabbi<sup>53</sup> in effect said to him: If<sup>54</sup> you take into consideration the possibility of her usual menstrual flow, the woman also should be unclean,<sup>55</sup> and if<sup>56</sup> you do not take into consideration the possibility of her usual menstrual flow, [the blood also should be clean since] the interior of the uterus<sup>57</sup> is clean.

*MISHNAH.* BETH SHAMMAI RULED: A WOMAN NEEDS TWO<sup>58</sup> TESTING-RAGS FOR EVERY INTERCOURSE,<sup>59</sup> OR SHE MUST PERFORM IT IN THE LIGHT OF A LAMP.<sup>60</sup> BETH HILLEL RULED: TWO TESTING-RAGS<sup>61</sup> SUFFICE HER FOR THE WHOLE NIGHT.<sup>62</sup>

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1. Sc. it was not certain whether it was a child at all. Hence it is here also a case of doubt against doubt.
2. Implying that it was definitely a child and that the only doubt was as to its sex.
3. Hence it is a case of a certainty against a certainty.
4. *Var. lec.*, 'Raba enquired of' (MS.M. and Asheri).
5. So that if a woman failed to make the examination at the proper time she is deemed to be unclean (on the ground that the discharge had appeared at its usual time) even though she observed no blood when she examined herself some time later (since it might have dropped on the ground and been lost).
6. Hence if she failed to make the examination at the proper time she is regarded as clean.
7. Sc. at the first examination after the settled period.
8. If it was due prior to the period of twenty-four hours immediately preceding the observation. Her uncleanness in such a case extends backward to the time of the settled period.
9. If less than twenty-four hours intervened between the time of the settled period and the observation.
10. Since the possibility of a discharge at the time of the settled period is taken into consideration presumably even where no subsequent discharge had been observed. It is now assumed that 'discharge' was mentioned only on account of the second clause, 'the possibility ... on account of her observation'.
11. R. Nahman.
12. Why 'she must take into consideration ... the date of the settled period'.
13. It being assumed that as she discovered a discharge on examination she might also have discovered one if she had made an examination at the time of her settled period.
14. Cf. prev. n. but one.
15. Since in the absence of an examination she is regarded as clean.
16. Euphemism, sc. the regular menstrual discharge.
17. Rab and Samuel.
18. Samuel.
19. Hence the woman's uncleanness in the absence of one.
20. Rab.
21. Cf. prev. n. but one mut. mut. But how could this be reconciled with the first version of R. Nahman *supra* according to which Rab is of the opinion that the examination is Pentateuchal?
22. Lit., 'that all the world'.
23. As to the difficulty raised (v. *supra* n. 11).
24. The last cited.
25. As she nevertheless discovered no discharge, it may safely be assumed that there was none even earlier when the regular menstruation period had begun.
26. The first version of R. Nahman.
27. But did so later on. As it is quite likely that earlier, during the period of menstruation, there was a discharge, the woman must well be deemed unclean. An old ed. inserts here: 'And there are others who say that one Master spoke of one particular case and the other spoke of another particular case and there is in fact no difference of opinion between them' (v. Maharsha and marginal gloss).
28. Samuel.
29. Hence the woman's uncleanness in the absence of one.
30. Rab.
31. Maintaining that the examination is Pentateuchal.
32. A woman who failed to make the examination at the time of her regular period.
33. From the time her regular period was due to commence.
34. Holding that the examination is only Rabbinical.
35. Even though her period of menstruation had passed. If on examination she finds herself to be clean she is regarded as clean (despite the possibility of an earlier discharge) and if she finds herself unclean, the uncleanness is retrospective from the time her settled period was due.
36. R. Eliezer and R. Joshua.
37. A woman who failed to make the examination at the time of her regular period.
38. From the time her regular period was due to commence.
39. Sheltering from robbers or raiders.
40. *Infra* 39a.
41. Why she is regarded as clean.
42. In her womb.
43. The blood being attributed to the wound.
44. If she has no regular period Rabbi, for the reason given in prev. n., agrees with R. Simeon b. Gamaliel.
45. If the blood was observed on the day the period was due to commence.
46. Sc. she is regarded as unclean, since it is possible that some particle of menstrual blood was mixed up with that of the wound.
47. Rabbi.
48. R. Simeon b. Gamaliel.
49. Lit. 'as to the source, the place thereof is unclean'. And, therefore, capable of imparting uncleanness to any clean blood that passes through it.

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50. Sc. she is not subject to the major uncleanness of menstruation which extends over seven days.
51. Though coming from a wound.
52. Where it contracts an uncleanness (a 'father of uncleanness') which causes it to impart a one day's uncleanness to a human being, so that any object touched by the woman on that day becomes unclean.
53. Relaxing the law.
54. By regarding the blood as unclean.
55. For seven days, as any other menstruant.
56. Since you exempt the woman from menstrual uncleanness.
57. Lit., 'the source of its place'.
58. Previously unused.
59. One is used before, and the other after and both are preserved until the morning when they are to be examined in daylight.
60. So that the testing-rag may be immediately examined.
61. One of which is used prior to the first intercourse and the other after the last.
62. This being sufficient to determine whether she is menstrually unclean and whether she is to convey uncleanness to any clean object she may have handled. (So Rashi; cf., however, Tosaf. and Tosaf. Asheri for a different interpretation.)

## Niddah 16b

**GEMARA.** Our Rabbis taught: Although [the Sages] have said, 'He who has intercourse in the light of a lamp is contemptible',<sup>1</sup> Beth Shammai ruled: A woman needs two<sup>2</sup> testing-rags for every intercourse<sup>3</sup> or she must perform it in the light of a lamp, but Beth Hillel ruled: Two testing-rags suffice for her for the whole night.

It was taught: Beth Shammai said to Beth Hillel, 'According to your view<sup>4</sup> is there no need to provide against the possibility that she might emit<sup>5</sup> a drop of blood of the size of a mustard seed in the course of the first act and this would be covered up with semen during the second act?'<sup>6</sup> 'But', replied Beth Hillel, even according to your view<sup>7</sup> is there no need to provide against the possibility that the spittle,<sup>8</sup> while still in the mouth,<sup>9</sup> was crushed out of existence?'<sup>10</sup> '[We maintain our view,] the former retorted, 'because what

is crushed once is not the same as that which is crushed twice'.

It was taught: R. Joshua stated, 'I approve<sup>5</sup> of the view of Beth Shammai'.<sup>7</sup> 'Master', said his disciples to him, 'what an extension [of the restrictions] you have imposed upon us!' 'It is a good thing', he replied, 'that I should impose extensive restrictions upon you in this world in order that your days may be prolonged in the world to come.

R. Zera remarked: From the words of all these authorities<sup>11</sup> we may infer<sup>12</sup> that a conscientious man should not indulge in intercourse twice in succession.<sup>13</sup> Raba said: One may indulge in intercourse twice in succession, for that ruling<sup>14</sup> was taught only in respect of clean objects.<sup>15</sup> So it was also taught: This<sup>16</sup> applies only to clean objects<sup>15</sup> but to her husband she is permitted.<sup>17</sup> This,<sup>18</sup> however, applies only where he had left her in a state of presumptive cleanness, but if he left her in a state of presumptive uncleanness she is presumed to be in that state forever until she tells him, 'I am clean'.

R. Abba citing R. Hiyya b. Ashi who had it from Rab ruled: If a woman<sup>19</sup> examined herself with a testing-rag which was subsequently lost she is forbidden intercourse until she had reexamined herself. R. Ela demurred: If it had not been lost<sup>20</sup> would she not<sup>21</sup> have been allowed intercourse even though she is unaware [whether there was or there was not a discharge], why then should she not now also<sup>22</sup> be allowed intercourse? — Raba replied: In the former case her proof is in existence,<sup>23</sup> but in the latter case<sup>22</sup> her proof is not in existence.<sup>24</sup>

R. Johanan stated: It is forbidden to perform one's marital duty in the day-time.<sup>25</sup> What is the Scriptural proof? That it is said, Let the day perish wherein I was born, and the night wherein it was said: 'A man-child is brought forth'.<sup>26</sup> The night is thus set aside<sup>27</sup> for conception but the day is not set aside for conception. Resh Lakish stated: [The proof



is] from here: But he that despiseth His ways<sup>28</sup> shall die.<sup>29</sup> As to Resh Lakish, how does he expound R. Johanan's text?<sup>26</sup> — He requires it for the same exposition as that made by R. Hanina b. Papa. For R. Hanina b. Papa made the following exposition: The name of the angel who is in charge of conception is 'Night', and he takes up a drop and places it in the presence of the Holy One, blessed be He, saying, 'Sovereign of the universe, what shall be the fate of this drop? Shall it produce a strong man or a weak man, a wise man or a fool, a rich man or a poor man?' Whereas 'wicked man' or 'righteous one' he does not mention, in agreement with the view of R. Hanina. For R. Hanina stated: Everything is in the hands of heaven except the fear of God, as it is said, And now, Israel, what doth the Lord thy God require of thee, but to fear, etc.<sup>30</sup> And R. Johanan?<sup>31</sup> —

If that were the only meaning,<sup>32</sup> Scripture should have written,<sup>33</sup> 'A man-child is brought forth'<sup>34</sup> why then was it stated, 'was brought forth a man-child'?<sup>35</sup> To indicate that the night<sup>36</sup> is set aside for conception<sup>36</sup> but the day is not set aside for conception. As to R. Johanan how does he expound the text of Resh Lakish?<sup>29</sup> — He requires it for [an application to the same types] as those described in the Book of Ben Sira:<sup>37</sup> 'There are three [types] that I hate, yea, four that I do not love: A Scholar<sup>38</sup> who frequents wine-shops<sup>39</sup> [or, as others say, a scholar that is a gossip],<sup>40</sup> a person who sets up a college in the high parts of a town,<sup>41</sup> one who holds the membrum when making water and one who enters his friend's house suddenly'.<sup>42</sup> R. Johanan observed:<sup>43</sup> Even his own house.

R. Simeon b. Yohai observed: There are four [types]<sup>44</sup> which the Holy One, blessed be He, hates, and as for me, I do not love them: The man who enters his house suddenly and much more so [if he so enters] his friend's house, the man who holds the membrum when he makes water,

1. The reason is given *infra*.

2. Previously unused.
3. V. *supra* p. 108, n. 16.
4. That there is no need for a testing-rag after every act.
5. Lit., 'see'.
6. So that the test after that act would not reveal it.
7. That testing-rags must be used after each act.
8. Sc. a drop of blood.
9. Euphemism; the uterus; i.e., during the first intercourse.
10. So that the test after that act would not reveal it.
11. Lit., 'all of them', even Beth Hillel who requires only one test after the last act.
12. Since intercourse is presumed to be the possible cause of a discharge.
13. If there was no examination after the first act.
14. That each or, at least, the last intercourse must be followed by an examination.
15. Sc. to make sure that the woman did not convey to them uncleanness when handling them. As regards intercourse, however, when a woman is in a presumptive state of cleanness no examination is necessary.
16. That each or, at least, the last intercourse must be followed by an examination.
17. Even in the absence of an examination.
18. That as regards her husband no examination is required.
19. At night, before intercourse.
20. Lit., 'it is'.
21. Since the examination of the rags, according to Beth Hillel, is never to take place before the following morning and, even according to Beth Shammai, no lamp is required at night and the examination is equally postponed until the morning whenever two rags are used for each act.
22. Where the rag is lost.
23. And it may well be examined in the morning to ascertain, regarding clean objects the woman had handled, whether she is clean or unclean. As regards intercourse too, should it be found that her uncleanness began prior to the act, she could bring a sin-offering.
24. Were intercourse to be allowed in such a case there would be no possible means of ascertaining the condition of the woman any more than if there had been no examination at all. Hence Rab's prohibition.
25. Cur. edd. insert in parenthesis, 'said R. Hamnuna. MS.M. reads for 'Hamnuna' 'Huna'.
26. Job III, 3.
27. Lit., 'given'.
28. Sc. has intercourse at an improper time.
29. Prov. XIX, 16.
30. Deut. X, 12.

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31. Since Job III, 3 is required for the exposition of R. Hanina, whence does he derive his rulings?
32. Lit., 'if so'.
33. As E.V. in fact renders the Heb.
34. Sc. the word Gaber (male-child) should have preceded Horoh (brought forth).
35. Horoh (cf. prev. n.) preceding Gaber and thus standing close to the word 'night'.
36. Cf. prev. n.
37. Cf. Ecclesiasticus XXI, 23.
38. Lit., 'chief'.
39. Lit., 'a house of drinkings'.
40. Cur. edd. in parenthesis insert 'and others say, an excitable scholar'.
41. A manifestation of arrogance.
42. It was to types like these that Prov. XIX, 16 alluded.
43. Not only 'his friend's house'.
44. Lit., 'things'.

## Niddah 17a

the man who when naked makes water in front of his bed, and the man who has intercourse in the presence of any living creature. 'Even', said Rab Judah to Samuel, 'in the presence of mice?' 'Shinena',<sup>1</sup> the other replied, 'no; but [the reference is to] a house like that of So and so where they have intercourse in the presence of their men-servants and maidservants.<sup>2</sup> But what was the exposition they made? — Abide ye here with<sup>3</sup> the ass,<sup>4</sup> implies: peoples that are like an ass. Rabbah son of R. Huna used to chase away the wasps from his curtained bed.<sup>5</sup> Abaye drove away the flies.<sup>6</sup> Rabba<sup>7</sup> chased away the mosquitoes.<sup>8</sup>

R. Simeon b. Yohai stated, There are five things which [cause the man] who does them to forfeit his life and his blood is upon his own head: Eating<sup>9</sup> peeled garlic, a peeled onion or a peeled egg, or drinking diluted liquids that<sup>2</sup> were kept overnight; spending a night in a graveyard; removing one's nails and throwing them away in a public thoroughfare; and blood-letting followed immediately by intercourse.

'Eating peeled garlic, etc.' Even though they are deposited in a basket and tied up and

sealed, an evil spirit rests upon them. This, however, has been said only where their roots or peel did not remain<sup>10</sup> with them, but if their roots or peel remained with them there can be no objection.<sup>11</sup>

'And drinking diluted liquids that were kept over night'. Rab Judah citing Samuel explained: This applies only where they were kept over night in a metal vessel. R. Papa stated: Vessels made of alum crystals are the same in this respect as vessels made of metal. So also said R. Johanan: This applies only where they were kept in a metal vessel; and vessels made of alum crystals are the same in this respect as vessels made of metal.

'Spending a night in a graveyard', in order that a spirit of uncleanness may rest upon him.<sup>12</sup> [This should not be done] since in consequence he might sometimes be exposed to danger.

'Removing one's nails and throwing them away in a public thoroughfare'. [This is dangerous] because a pregnant woman passing over them would miscarry. This, however, has been said only of a case where one removes them with a pair of scissors. Furthermore, this has been said only of a case where one removes the nails of both hands and feet. Furthermore, this has been said only in the case where one did not cut anything immediately after cutting them but if something was cut immediately after they were cut there can be no danger.<sup>13</sup> This, however, is not [to be relied upon]. One should be on his guard in all the cases mentioned.<sup>14</sup>

Our Rabbis taught: Three things have been said about the disposal of nails: He who burns them is a pious man, he who buries them is a righteous man, and he who throws them away is a wicked man.<sup>15</sup>

'And blood-letting followed immediately by intercourse'. [This should be avoided] because a Master said: If a man has

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intercourse immediately after being bled, he will have feeble<sup>16</sup> children; and if intercourse took place after both husband and wife have been bled, they will have children afflicted with ra'athan.<sup>17</sup> Rab<sup>18</sup> stated: This has been said only in the case where nothing was tasted after the bleeding but if something was tasted after it there can be no harm.<sup>19</sup>

R. Hisda ruled: A man is forbidden to perform his marital duty in the day-time, for it is said, But thou shalt love thy neighbor as thyself.<sup>20</sup> But what is the proof? — Abaye replied: He might observe something repulsive in her and she would thereby become loathsome to him.

R. Huna said, Israel are holy and do not perform their marital duties in the day-time. Raba said, But in<sup>21</sup> a dark house this is permitted; and a scholar<sup>22</sup> may darken a room with his cloak and perform his marital duty. [But] we have learnt, OR SHE MUST PERFORM IT IN THE LIGHT OF A LAMP? — Read: SHE MUST examine IT IN THE LIGHT OF A LAMP.

Come and hear: Although [the Sages] have said, He who has intercourse in the light of a lamp is loathsome [etc.]?<sup>23</sup> — Read: He who examines his bed<sup>24</sup> in the light of a lamp is loathsome.<sup>25</sup>

Come and hear: And the people of the house of Monobaz<sup>26</sup> did three things, and on account of these they were honorably mentioned: They performed their marital duties in the day-time, they examined their beds with cotton,<sup>27</sup> and they observed the rules of uncleanness and cleanness in the case of snow. At all events, was it not here stated, 'They performed their marital duties in the day-time'? Read: They examined their beds in the day-time. This may also be supported by logical argument. For if one were to imagine [that the reading is] 'performed their marital duties', would they have been 'honorably mentioned'? — Yes, indeed,<sup>28</sup>

because owing to the prevalence<sup>29</sup> of sleep<sup>30</sup> she is likely to become repulsive to him.

'They examined their beds with cotton.' This provides support for a ruling of Samuel. For Samuel ruled: The bed<sup>31</sup> may be examined only with cotton tufts or with clean and soft wool. Rab observed: This explains what they said in Palestine<sup>32</sup> on Sabbath eves,<sup>33</sup> when I was there, 'Who requires cotton tufts for his bread',<sup>31</sup> and I did not understand at the time what they meant.

Raba stated: Old flax garments are admirably suited for examination purposes. But can this be correct,<sup>34</sup> seeing that the school of Manasseh taught: The bed<sup>31</sup> may not be examined either with a red rag or with a black one or with flax,<sup>35</sup> but only with cotton tufts or with clean and soft wool?<sup>36</sup> This is no difficulty, since the latter refers to flax while the former refers to garments of flax. And if you prefer I might reply: Both refer to garments of flax but the latter deals with new ones while the former deals with old ones.<sup>37</sup>

'They observed the rules of uncleanness and cleanness in the case of snow.' We learnt elsewhere: Snow is neither a food nor a drink. Though one intended to use it as food it is not subject to the laws of the uncleanness of foodstuffs,<sup>38</sup> [but if one intended to use it] as a drink it is subject to the laws of the uncleanness of drinks. If a part of it contracted uncleanness all of it does not become unclean,<sup>39</sup> but if a part of it became clean<sup>40</sup> all of it becomes clean. Now is not this self contradictory? You first said, 'If a part of it contracted uncleanness all of it does not become unclean', and then you said, 'If a part of it became clean all of it becomes clean', which implies, does it not, that all of it was previously unclean?<sup>41</sup> — Abaye replied: This is a case, for instance, where it<sup>42</sup> was carried across the air-space of an oven,<sup>43</sup> [in which case all the snow is unclean] because the Torah testified concerning an earthen vessel<sup>44</sup> that

# NIDDOH – 2a-23a

1. Cf. n. *supra* 13a.
2. Who were heathens.
3. The Heb. equivalent may be read both 'im (with) and 'am (a people).
4. Gen. XXII, 5.
5. So Aruch. V. Tosaf. contra Rashi.
6. So that no living creature should be near.
7. *Var. lec.* 'R. Papa' (MS.M and 'En Jacob).
8. Lit., 'he who eats'.
9. The adjectival clause qualifies all the foodstuffs mentioned.
10. Lit., 'he did not leave'.
11. Lit., 'we have nothing against it'.
12. 'To enable him to foretell the future', cf. [Sanh. \(Sonc. ed.\) p. 446](#).
13. Lit., 'we have nothing against it'.
14. Lit., 'we fear for all the thing'.
15. V. M.K. 18a.
16. Or 'nervous'.
17. Ra'athan is one of the skin diseases causing extreme debility and nervous trembling. Cf. *Keth. (Sonc. ed.) p. 486f.*
18. The parallel passage in *Keth. 77b* has 'R. Papa'.
19. Lit., 'we have nothing against it'.
20. Lev. XIX, 18.
21. Lit., 'and if there was'.
22. Who may be relied upon properly to darken the place.
23. V. *supra* 16b. Emphasis on the last word, implying that there is no actual prohibition.
24. Euphemism.
25. Since no proper examination can be made in its dim light.
26. King of Adiabene, whose family embraced Judaism.
27. Or 'clean and soft wool', on which the smallest particle of blood could be detected. Lit., 'wool of Parhaba' (Probably a geographical name), v. Jast.
28. Lit., 'thus also'.
29. In the night-time.
30. Which numbs the passions.
31. Euphemism.
32. Lit., 'there'.
33. Fridays. Friday night is the time appointed for scholars.
34. Lit., 'I am not'.
35. Which is not white enough to show up a small speck of blood.
36. An objection against Raba.
37. The more they are washed the more suitable they are for the purpose.
38. Since it is more like a drink than a food.
39. Because each particle of snow is regarded as a separate entity; and only that entity that had directly been touched by the unclean object contracts the uncleanness.

40. By coming in contact with the water of a ritual bath (v. Bez. 17b).
41. But how is it possible for an uncleanness to have come in contact with all of it?
42. The snow.
43. In which there was a dead creeping thing.
44. Such as the oven spoken of.

## Niddah 17b

even if it was full of mustard seed<sup>1</sup> [all within it is unclean].<sup>2</sup>

**MISHNAH.** THE SAGES SPOKE OF A WOMAN IN METAPHOR: [THERE IS IN HER] CHAMBER<sup>3</sup> AN ANTE-CHAMBER<sup>4</sup> AND AN UPPER CHAMBER.<sup>5</sup> THE BLOOD OF THE CHAMBER<sup>6</sup> IS UNCLEAN, THAT OF THE UPPER CHAMBER<sup>7</sup> IS CLEAN. IF BLOOD IS FOUND IN THE ANTE-CHAMBER, AND THERE ARISES A DOUBT ABOUT ITS CHARACTER,<sup>8</sup> IT IS DEEMED UNCLEAN, BECAUSE IT IS PRESUMED TO HAVE COME FROM THE SOURCE.<sup>3</sup>

**GEMARA.** Rami b. Samuel and R. Isaac son of Rab Judah learnt the tractate of *Niddah* at R. Huna's. Rabba son of R. Huna once found them while they were sitting at their studies and saying: The chamber is within, the ante-chamber is without and the upper chamber is built above them,<sup>9</sup> and a duct communicates between the upper chamber and the ante-chamber.<sup>10</sup> If blood is found anywhere from the duct inwards, and there is any doubt about its character,<sup>8</sup> it is deemed unclean<sup>11</sup> but if it is found anywhere from the duct outwards, and there is a doubt about its character,<sup>8</sup> it is deemed clean.<sup>12</sup> He<sup>13</sup> thereupon proceeded to his father and said to him, 'You told them, Master,<sup>14</sup> that "if there is any doubt about its character<sup>15</sup> it is deemed unclean", but have we not learnt: BECAUSE IT IS PRESUMED TO HAVE COME FROM THE SOURCE?'<sup>16</sup> 'I', the other replied, 'meant this: [Blood found anywhere] from the duct inwards is<sup>17</sup> undoubtedly unclean,<sup>18</sup> [but if it was found anywhere] from the duct outwards, it is deemed to be doubtfully unclean'.<sup>19</sup>

# NIDDOH – 2a-23a

Said Abaye: Why is<sup>20</sup> it [that if blood is found anywhere] from the duct outwards it is deemed to be doubtfully unclean?<sup>21</sup> Obviously because it is possible that she bowed down and the blood flowed thither from the chamber. [But, then, why in the case where blood is found anywhere] from the duct inwards, is it not also assumed that she might have staggered backwards<sup>22</sup> and the blood originated from the upper chamber?<sup>23</sup> Rather, said Abaye, if you follow possibilities<sup>24</sup> the uncleanness is doubtful in either case<sup>25</sup> and if you follow presumption [blood found anywhere] from the duct inwards is undoubtedly unclean,<sup>26</sup> [but if it was found anywhere] from the duct outwards it is undoubtedly clean.<sup>27</sup>

R. Hiyya taught: Blood found in the ante-chamber<sup>28</sup> renders [the woman] liable [for a sin-offering] if she enters the Sanctuary,<sup>29</sup> and *terumah*<sup>30</sup> must be burnt on its account.<sup>29</sup> R. Kattina, however, ruled: No sin-offering<sup>31</sup> is incurred if she enters the Sanctuary,<sup>32</sup> and *terumah*<sup>30</sup> is not burnt on its account.<sup>32</sup> According to the first alternative<sup>33</sup> which Abaye mentioned, viz., 'If you follow possibilities',<sup>34</sup> support is available for the ruling of R. Kattina<sup>35</sup> but<sup>36</sup> a divergence of view is presented against R. Hiyya. According to the second alternative<sup>33</sup> you mentioned, viz., 'If you follow presumption'<sup>37</sup> support is provided for the ruling of R. Hiyya<sup>38</sup>

1. So that only those seeds that are actually round the sides of the oven could possibly come into direct contact with the oven.
2. V. Hul. 24b. Which proves that, in the case of an earthenware oven, uncleanness is conveyed to objects within it, even though these had not come in direct contact with it.
3. The uterus.
4. Vagina.
5. The urinary bladder (from the point of view of a woman lying on her back).
6. Being menstrual.
7. Being due to some internal wound.
8. Sc. whether it originated in the uterus or urinary bladder.
9. Cf. *supra* n. 7.

10. So that blood from the former may trickle down into the latter.
11. Since it is obvious that it came from the chamber. Had it come from the upper chamber it could not in the natural course have made its way backwards to the spot where it was discovered.
12. Because it is presumed to have originated from the upper chamber.
13. Rabbah b. R. Huna.
14. So MS.M. Cur. ed., 'you told us, Master'.
15. The expression of 'doubt' obviously implying that there was no proof whatsoever that the blood originated in the chamber.
16. Emphasis on PRESUMED. If it is presumed to originate from the source (sc. the chamber) the uncleanness could not be described as a matter of 'doubt' but as one of certainty.
17. In agreement with our Mishnah.
18. V. *supra* p. 216, n. 13.
19. It being impossible to decide whether it originated in the chamber or in the upper chamber.
20. Lit., 'what is the difference'.
21. Though, since on that spot it is most likely to have come from the upper chamber, one might well have expected it to be clean.
22. And thus caused the blood to flow inwards.
23. Since this is obviously a possibility the uncleanness should only be a matter of doubt and not, as R. Huna asserted, a certainty.
24. Bending forward or staggering backwards.
25. Whether the blood is found on the one or on the other side of the duct, since in either case two possibilities (cf. prev. n.) may be equally assumed.
26. Since it may well be presumed to have originated in the chamber. Had it originated in the upper chamber it would have made its way to the outer side of the duct only. Our Mishnah's ruling, IT IS DEEMED UNCLEAN, etc. may thus refer to such a case.
27. Since in that place it is presumed to have come from the upper chamber, and the possibility of bending forward is disregarded.
28. It is explained *infra* on which side of the duct.
29. Because the blood is certainly unclean.
30. That was touched by the woman.
31. Though the entry is forbidden.
32. Since the character of her blood cannot be determined with any degree of certainty.
33. Lit., 'that expression'.
34. Sc. that the uncleanness is merely a matter of doubt.
35. Who also regards the uncleanness as doubtful. R. Kattina might thus refer to both cases, where the blood was found on the one, or on the other side of the duct.
36. Since no certain uncleanness is recognized.

# NIDDOH – 2a-23a

37. In accordance with which a distinction is drawn between blood found from the duct inwards or outwards.
38. Whose ruling would thus refer to blood found from the duct inwards.

## Niddah 18a

but<sup>1</sup> a divergence of view is presented against R. Kattina.<sup>2</sup> According to the ruling of R. Huna<sup>3</sup> neither of them differs from the other,<sup>4</sup> since one<sup>5</sup> might deal with blood found anywhere from the duct inwards while the other<sup>6</sup> might deal with such as was found anywhere from the duct outwards. According to Rami b. Samuel and R. Isaac the son of Rab Judah, however, who ruled, 'From the duct outwards, and there is a doubt about its character, it is deemed clean' and 'from the duct inwards, and there is a doubt about its character, it is deemed unclean', how are these rulings<sup>7</sup> to be explained? Obviously [as referring<sup>8</sup> to blood found] anywhere from the duct inwards.<sup>9</sup> Must it then be assumed<sup>10</sup> that their ruling differs from that of R. Hiyya?<sup>11</sup> — This is no difficulty, since one<sup>12</sup> refers to blood found on the floor of the ante-chamber<sup>13</sup> while the others<sup>14</sup> refer to blood found on the roof of the ante-chamber.<sup>15</sup>

R. Johanan stated: In three instances<sup>16</sup> did the Sages follow the majority rule<sup>17</sup> and treated them as certainties, viz., the 'source', the 'placenta' and the 'piece'. The 'source'? The case already spoken of.<sup>18</sup> The 'placenta'? Concerning which we have learnt: If a placenta<sup>19</sup> is within a house, the house is unclean;<sup>20</sup> and this is so not because a placenta is regarded as a child but because generally there is no placenta without a child in it.<sup>21</sup> R. Simeon said, The child might have been mashed<sup>22</sup> before it came forth.<sup>23</sup> A 'piece'? For it was taught:<sup>24</sup> If a woman aborted a shaped<sup>25</sup> hand or a shaped foot she<sup>26</sup> is subject to the uncleanness of birth,<sup>27</sup> and there is no need to consider the possibility<sup>28</sup> that it might have come from a shapeless body.<sup>29</sup> But are there<sup>30</sup> no others?<sup>31</sup> Is there not in fact the case of nine shops<sup>32</sup>

concerning which it was taught: If there were nine shops<sup>32</sup> all of which were selling ritually killed meat and one shop that was selling *nebelah*<sup>33</sup> meat and a man bought some meat in one of them and he does not know in which of them he bought it, the meat is forbidden on account of the doubt;<sup>34</sup> but if<sup>35</sup> meat is found,<sup>36</sup> the majority rule is to be followed?<sup>37</sup> —

We<sup>38</sup> speak of uncleanness;<sup>39</sup> we do not discuss the question of a prohibition.<sup>40</sup> But is there not the case of the nine [dead] frogs among which there was one [dead] creeping thing<sup>41</sup> and a man touched one of them and he does not know which one it was that he touched, where he is unclean on account of the doubt if this occurred in a private domain,<sup>42</sup> but if it occurred in a public domain such a doubtful case is regarded as clean; and if one<sup>43</sup> was found<sup>44</sup> the majority rule is to be followed?<sup>45</sup> — We<sup>46</sup> deal with the uncleanness of a woman; we do not discuss general questions of uncleanness. But is there not the following case of which R. Joshua b. Levi spoke: If a woman crossed a river

1. As no doubtful uncleanness is recognized.
2. Who does recognize it (cf. prev. n.).
3. Who told his son that blood on the inward side of the duct is unclean and on its outward side is clean.
4. Neither R. Hiyya and R. Kattina differ from each other nor either of them from him.
5. R. Hiyya.
6. R. Kattina.
7. Of R. Hiyya and R. Kattina.
8. In agreement with R. Kattina.
9. Since blood found on its outward side is deemed to be clean and the woman is not only exempt from a sin-offering if she enters the Sanctuary, but is not even forbidden to enter it.
10. Since in no case do they recognize certain uncleanness.
11. Who does recognize certain uncleanness. Is it likely, however, that they would both differ from him?
12. R. Hiyya, in ruling that the blood is definitely unclean.
13. Which is the natural passage for blood issuing from the chamber.

## NIDDOH – 2a-23a

14. Rami and R. Isaac, who regard the blood as only doubtfully unclean.
15. Which is nearer to the upper chamber.
16. Lit., 'places', where doubts existed.
17. Sc. the majority of the respective cases concerning which no doubt exists.
18. In the last clause of our Mishnah, and in the ruling of R. Hiyya (*supra* 17b), from which it is obvious that, since mostly the blood in question issues from the source, any blood in the ante-chamber is assumed to originate from that source.
19. About which it is unknown whether it did or did not contain a dead embryo.
20. As overshadowing a corpse, though it is unknown (cf. prev. n.) whether the placenta contained one.
21. From which it is obvious that the uncleanness of the placenta is regarded as a certainty by the majority rule, since most placentas contain embryos.
22. And mixed up with the blood of birth which, representing the greater part of the mixture, neutralizes it.
23. *Infra* 26a.
24. Cf. marg. gl. Cur. edd., 'we learnt'.
25. Lit., 'cut'.
26. Lit., 'its mother'.
27. And, since it is unknown whether it was that of a male or a female, the restrictions of both are imposed upon her.
28. Which (cf. *infra* 24a) would exempt her from the certainty of uncleanness.
29. *Infra* 24a, which proves that by the majority rule, the doubtful case is regarded as a certainty because the majority of births (which are normal) is followed.
30. Beside the three instances mentioned by R. Johanan.
31. Where the majority rule is followed.
32. In a market in which there were ten such shops.
33. V. [Glos.](#)
34. Because the shop with the prohibited meat, being a fixed place, has the same status as half the number of all the shops in the market; and, consequently, the majority rule does not apply.
35. On the floor of the market in which the ten shops were situated.
36. So that the meat did not come from a fixed place.
37. V. Hul. 95a; and, since the majority of the shops sold meat that was ritually killed, the meat found is also regarded as ritually fit. Now since this provides another instance of a doubtful case that, by reason of the majority rule, is regarded as a certainty, why did R. Johanan mention three instances only?
38. Sc. R. Johanan in mentioning the three instances.
39. With which all the three instances deal.
40. To which the last case cited refers.
41. The latter conveys uncleanness but not the former (cf. Lev. XI, 29).
42. Since the creeping thing was in a fixed place which is equal in status to half of all the animals in the place.
43. Of the ten creatures mentioned.
44. Sc. the man touched an isolated animal which had no fixed place.
45. Tosef. Toh. VI. As the majority are frogs the man is clean. Now why was not this case of doubtful uncleanness mentioned by R. Johanan?
46. Sc. R. Johanan in mentioning the three instances.

### Niddah 18b

and miscarried<sup>1</sup> in it, she must bring a sacrifice which may be eaten, since we follow the majority of women, and the majority of women bear normal children?<sup>2</sup> — We spoke of Tannaitic rulings;<sup>3</sup> we did not discuss reported traditions.<sup>4</sup> But, surely, when Rabin came<sup>5</sup> he stated, 'R. Jose son of R. Hanina raised an objection [against R. Joshua b. Levi from a Baraitha dealing with] a forgetful woman,<sup>6</sup> but I do not know what objection it was',<sup>7</sup> Does not this mean that it<sup>8</sup> presented no objection but rather provided support?<sup>9</sup> — No; it is possible [that he meant that it] neither presented an objection nor provided any support.

What does it<sup>10</sup> exclude?<sup>11</sup> If it be suggested that it<sup>10</sup> was intended to exclude the case<sup>12</sup> where the majority rule is opposed by the rule of presumption<sup>13</sup> so that in such a case *terumah*<sup>14</sup> may not be burnt on its account,<sup>15</sup> surely [it could be retorted] did not R. Johanan once say this,<sup>16</sup> for we learnt, 'If a child is found at the side of dough, with a piece of dough in his hand, R. Meir declares the dough clean, but the Sages declare it unclean because it is the nature of a child to slap<sup>17</sup> [dough]';<sup>18</sup> and when it was asked, 'What is R. Meir's reason' [the answer given was that] he holds the view that though most children slap dough a minority of them do

## NIDDOH – 2a-23a

not, and since this dough stands in the presumption of cleanness;<sup>19</sup> you combine the status of the minority<sup>20</sup> with the rule of presumption<sup>21</sup> and the majority rule<sup>22</sup> is impaired,<sup>23</sup> while the Rabbis [regard] the minority as non-existent, and, where the majority rule is opposed by that of presumption, the majority rule takes precedence; and in connection with this Resh Lakish citing R. Oshaia stated: This is a presumption<sup>24</sup> on the strength of which *Terumah* is burnt,<sup>25</sup> while R. Johanan stated, This<sup>26</sup> is not a presumption on the strength of which *Terumah* is burnt?<sup>27</sup> —

It<sup>28</sup> was rather intended to exclude the rule of majority of which R. Judah spoke.<sup>29</sup> For we learnt: If a woman aborted a shapeless object,<sup>30</sup> if there was blood with it she is unclean<sup>31</sup> otherwise she is clean; R. Judah ruled: In either case she is unclean.<sup>32</sup> And in connection with this Rab Judah citing Samuel stated: R. Judah declared the woman unclean only where the shapeless object had the color of one of the four kinds of blood,<sup>33</sup> but if it had that of any other kinds of blood<sup>34</sup> the woman is clean, while R. Johanan stated: [If it had the color] of one of the four kinds of blood<sup>35</sup> all<sup>36</sup> agree that she is unclean, and if it had that of any other kinds of blood all agree that she is clean; they<sup>37</sup> differ only in the case where she aborted something

1. In consequence of which it is unknown whether or not the miscarriage was a developed child.
2. *Infra* 29a. Now since her sacrifice, a bird sin-offering (the method of whose killing by pinching would have caused an unconsecrated, or doubtfully consecrated bird to be *Nebelah*), may be eaten, it follows that the bird is deemed to be duly consecrated because, by reason of the majority rule, the woman's doubtful birth is regarded as a certain birth of a normal child. Why then did not R. Johanan mention this case which concerns a woman's uncleanness?
3. Lit., 'our Mishnah', sc. rulings occurring in a Mishnah or a Baraitha.
4. Of Amoras. R. Joshua b. Levi was an Amora.
5. From Palestine to Babylon.
6. Lit., 'mistaken', one who cannot tell the date on which she bore her child.
7. *Infra* 29a.
8. The Baraitha dealing with the forgetful woman.
9. For R. Joshua b. Levi's ruling. Since the answer is presumably in the affirmative the ruling given here in the name of R. Joshua b. Levi has its origin in a Baraitha. Why then, since it is a case of the uncleanness of a woman and is also a Tannaitic ruling, was it not included among those cited *supra* by R. Johanan?
10. R. Johanan's limitation of the instances *supra* to three.
11. I.e., what other doubtful instance is there that, despite the majority rule, is not treated as a certainty?
12. Of a woman's uncleanness.
13. Lit., 'there ... with it'.
14. Being doubtfully unclean.
15. Sc. on account of the doubtful uncleanness.
16. Explicitly, in other cases of uncleanness. Why then should he repeat it here by implication?
17. Toh. III, 8.
18. In consequence of which he imparts to it the uncleanness which he is presumed to have contracted from menstrual women who coddle him or play with him (R. *Tam.*). Aliter (Rashi): 'To dabble in the rubbish heap', where he contracts uncleanness from dead creeping things. His contact with the dough is regarded as a certainty (cf. Tosaf.).
19. As is any dough, unless the contrary is proved.
20. Of children who do not slap dough and, therefore, cannot impart to it their uncleanness (so according to Tosaf.). Aliter: Who do not dabble in the rubbish heap and, therefore, contract no uncleanness (according to Rashi).
21. The dough is presumed to be clean (cf. prev. n. but one).
22. That 'most children slap dough' or 'dabble in the rubbish heap'.
23. By the major force of two to one.
24. Sc. that it is a child's nature to slap dough (Rashi). The term 'presumption' is here used loosely and really denotes 'majority'.
25. Sc. the majority rule by which it is offered has been given the force of a certainty.
26. Since 'the presumption of uncleanness' is here opposed by 'majority'.
27. Because it has not the force of a certainty. Now, since R. Johanan made here this explicit statement on the relative importance of the majority rule and that of presumption, what need was there to repeat it implicitly *supra*?



# NIDDOH – 2a-23a

28. R. Johanan's limitation *supra* to three instances.
29. Sc. that in that case the uncleanness which is dependent on the majority rule is not regarded as a certainty. It is only one of a doubtful character and, in consequence, *Terumah* that is subject to such uncleanness may not be burnt.
30. Lit., 'piece'.
31. As a menstruant. Since the abortion cannot be regarded as a child she is exempt from the uncleanness of childbirth.
32. *Infra* 21a. It is impossible in his opinion for an abortion to be free from all blood, though the latter might sometimes escape attention.
33. Described in the Mishnah *infra* 19a, as unclean. Black and red blood are here regarded as of the same color, the latter being a deteriorated form of the former. The Mishnah treating them as two gives the total number of kinds of unclean blood as five. In R. Judah's opinion the color of unclean blood is proof that the entire mass is a piece of clotted blood. Hence the woman's menstrual uncleanness. The Rabbis, however, do not regard it as blood but as a shapeless piece of flesh.
34. Green or white, for instance.
35. Cf. prev. n. but one.
36. Even the Rabbis.
37. The Rabbis and R. Judah.

## Niddah 19a

and she does not know what she has aborted.<sup>1</sup> [In such a case,] R. Judah holds, one must be guided by the nature of most of such shapeless objects, and most such objects have the color of one of the four kinds of blood, while the Rabbis hold that we do not say that one must be guided by the nature of most such objects.<sup>2</sup>

**MISHNAH.** FIVE KINDS OF BLOOD IN A WOMAN ARE UNCLEAR: RED, BLACK, A COLOUR LIKE BRIGHT CROCUS, OR LIKE EARTHY WATER OR LIKE DILUTED WINE.<sup>3</sup> BETH SHAMMAI RULED: ALSO A COLOUR LIKE THAT OF FENUGREEK WATER OR THE JUICE OF ROASTED MEAT; BUT BETH HILLEL DECLARE THESE CLEAN. ONE THAT IS YELLOW, AKABIA B. MAHALALEL DECLARES UNCLEAR AND THE SAGES DECLARE CLEAN. R. MEIR SAID: EVEN IF IT

DOES NOT CONVEY UNCLEANNESS AS A BLOODSTAIN IT CONVEYS UNCLEANNESS AS A LIQUID.<sup>4</sup> R. JOSE RULED: IT DOES NEITHER THE ONE NOR THE OTHER.<sup>5</sup>

WHAT COLOUR IS REGARDED AS 'RED'? ONE LIKE THE BLOOD OF A WOUND.<sup>4</sup> 'BLACK'? LIKE THE SEDIMENT OF INK; IF IT IS DARKER IT IS UNCLEAN AND IF LIGHTER IT IS CLEAN. 'BRIGHT CROCUS COLOUR'? LIKE THE BRIGHTEST SHADE IN IT.<sup>4</sup> 'A COLOUR LIKE EARTHY WATER'? EARTH FROM THE VALLEY OF BETH KEREM<sup>6</sup> OVER WHICH WATER IS MADE TO FLOAT. 'ONE LIKE DILUTED WINE'? TWO PARTS OF WATER AND ONE OF WINE OF THE WINE OF SHARON.

**GEMARA.** Whence is it deduced that there is clean discharge of blood in a woman? Is it not possible that all blood that issues from her is unclean? — R. Hama b. Joseph citing R. Oshaia<sup>7</sup> replied: Scripture says, If there arise a matter too hard for thee in judgment, between blood and blood,<sup>8</sup> which implies between clean blood and unclean blood. But then, would the expression 'between a leprous stroke and a leprous stroke'<sup>8</sup> also mean between an unclean stroke and a clean one? And should you reply: This is so indeed, [it could be retorted:] Is there at all a leprous stroke that is clean? And should you reply, 'It is all turned white; he is clean',<sup>9</sup> [it could be retorted:] That is called a white scurf!<sup>10</sup> Consequently it must mean: Between human leprosy and the leprosy of houses and the leprosy of garments, all of which are unclean; why then should it not be said heres also that the distinction implied is that between the blood of a menstruant and that of one suffering from gonorrhoea both of which are unclean?<sup>11</sup> —

What a comparison! There<sup>12</sup> [the controversy<sup>13</sup> is well justified<sup>14</sup> since] a difference of opinion might arise in the case of human leprosy on the lines of that between R. Joshua and the Rabbis. For we have learnt: If the bright spot<sup>15</sup> preceded the white

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hair, he<sup>16</sup> is unclean; if the reverse was the case, he is clean. If [the order of appearance is] a matter of doubt he is unclean; but R. Joshua said: It is as though darkened,<sup>17</sup> and in connection with this Rabbah explained: It is as though [the spot] darkened<sup>18</sup> and he is therefore clean.<sup>19</sup> As regards leprosy in houses the point at issue<sup>20</sup> may be the one between R. Eleazar son of R. Simeon and the Rabbis. For we have learnt: R. Eleazar son of R. Simeon ruled: A house never becomes unclean unless the leprosy appears in the size of two beans on two stones,<sup>21</sup> in two walls,<sup>21</sup> at a corner,<sup>22</sup> and it must be two beans in length and one bean in breadth.<sup>23</sup> What is R. Eleazar son of R. Simeon's reason? —

It is written<sup>24</sup> wall<sup>25</sup> and it is also written walls,<sup>26</sup> now what wall is it that is like two walls? Admit that that is a corner.<sup>27</sup> As regards leprosy in garments the divergence of opinion<sup>28</sup> may be the one between R. Jonathan b. Abtolemos and the Rabbis. For it was taught: R. Jonathan<sup>29</sup> b. Abtolemos stated, Whence is it deduced that leprosy that is spread over entire garments is clean? Since *karahath*<sup>30</sup> and *gabath*<sup>31</sup> are mentioned in respect of garments, and *karahath*<sup>32</sup> and *gabath*<sup>33</sup> are also mentioned in the case of human beings, as in the latter case if the leprosy spread over the whole body, he is clean so also in the former case if it spread over the whole garment it is clean.<sup>34</sup> Here,<sup>35</sup> however, if clean blood does not exist, what could be the point at issue between them?<sup>36</sup> But whence is it inferred that these kinds of blood are clean and the others are unclean?<sup>37</sup> —

R. Abbahu replied: Since Scripture says, And the Moabites saw the water as red as blood,<sup>38</sup> which indicates that blood is red.<sup>39</sup> Might it not be suggested that only red blood<sup>40</sup> is unclean but no other?<sup>41</sup> — R. Abbahu replied: Scripture says; Her blood,<sup>42</sup> Her blood<sup>43</sup> implying four kinds.<sup>44</sup> But have we not learnt, FIVE KINDS? — R. Hanina replied: Black blood is really red [blood] that had deteriorated.<sup>45</sup> So it was also taught:

Black blood is like the sediment of ink; if it is dark it is unclean, and if lighter, even though it has the color of stibium, it is clean. And black blood is not black originally. It<sup>46</sup> assumes the black color only after it is discharged, like the blood of a wound which becomes black after it had been discharged from it.

BETH SHAMMAI RULED: ALSO A COLOUR LIKE THAT OF FENUGREEK. But do not Beth Shammai uphold the deduction from, Her blood,<sup>42</sup> her blood<sup>43</sup> which imply four kinds?<sup>44</sup> — If you wish I may reply that they do not uphold it — And if you prefer I may reply that they do uphold it, but<sup>47</sup> did not R. Hanina explain, 'Black blood is really red [blood] that had deteriorated'?<sup>48</sup> Well, here also<sup>49</sup> it may be explained that [the blood]<sup>50</sup> had merely deteriorated.

BUT BETH HILLEL DECLARE THESE CLEAN. Is not this ruling identical with that of the first Tanna?<sup>51</sup> — The practical difference between them is

1. The object having been lost.
2. Because they do not agree that most such objects have one or other of the colors of the unclean kinds of blood. R. Johanan, by his limitation to three (*supra* 18a) of the cases in which the majority rule is given the force of a certainty, has implicitly indicated that, in the case dealt with by R. Judah, the uncleanness of the woman, which is entirely dependent on the majority rule, is not one of certainty but one of a doubtful nature. Consequently *Terumah* that had been touched by the woman may not be burnt.
3. *Mazug*, wine mixed with water.
4. This is explained in the Gemara *infra*.
5. Lit., 'neither so nor so'.
6. V. Nid. III, 4.
7. MS.M., 'Joshua'.
8. Deut. XVII, 8.
9. Lev. XIII, 13.
10. Not a leprous stroke.
11. An objection against R. Oshaia's reply.
12. In the case of leprosy.
13. Implied in Deut. XVII, 8.
14. Though all leprosy is unclean.
15. In leprosy. Cf. Lev. XIII, 2-4.

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16. The man affected.
17. Neg. IV, II.
18. Cf. If the plague be dim (or dark) ... then the priest shall pronounce him clean (Lev. XIII, 6).
19. The dispute implied in Deut. XVII, 8, may consequently be analogous to the one between R. Joshua and the Rabbis.
20. Implied in Deut. XVII, 8.
21. The size of one bean on each.
22. Where the walls meet.
23. Neg. Xli, 3; so that each stone is covered by leprosy of the size of one bean by one bean, which is the minimum required for effecting uncleanness.
24. In respect of leprosy.
25. Lev. XIV, 37.
26. Ibid.
27. The divergence of view implied in Deut. XVII, 8, may consequently be one analogous to that between R. Eleazar son of R. Simeon and the Rabbis.
28. Referred to in Deut. XVII, 8.
29. *Var. lec.* 'Nathan' (v. Zeb. 49b).
30. E.V., within, Lev. XIII, 55.
31. E.V., without, *ibid.*
32. E.V., bald head, *ibid.* 42.
33. E.V. bold forehead, *ibid.*
34. Sanh. 87b, Zeb. 44b. The dispute implied in Deut. XVII, 8, may consequently be the one between R. Jonathan b. Abtolemos and the Rabbis.
35. In the case of a divergence of view in respect of blood.
36. The authorities in dispute regarding blood referred to in Deut. XVII, 8. Consequently it must be conceded that clean blood also exists.
37. Cf. our Mishnah.
38. II Kings III, 22.
39. As red is the usual color of blood, all blood which has one of the five colors enumerated in our Mishnah (all of which are shades of red) is unclean.
40. But if so, why does our Mishnah declare the others also to be unclean?
41. One like that of a wound.
42. Dameha, the plural form, Lev. Xli, 7.
43. *Ibid.* XX, 18 (cf. prev. n.).
44. Twice two (cf. prev. two notes).
45. The two colors may, therefore, be treated as one.
46. Being originally red.
47. As to the objection from the limitation of the number to five.
48. *Supra.* Of course he did.
49. Blood of the color of fenugreek.
50. Being originally red.
51. In the first clause of our Mishnah.

## Niddah 19b

the question of suspense.<sup>1</sup>

ONE THAT IS YELLOW, AKABIA B. MAHALALEL DECLARES UNCLEAN. But does not Akabia uphold the deduction from 'Her blood, her blood', which imply four kinds?<sup>2</sup> — If you wish I may reply: He does not uphold it. And if you prefer I may reply: He does uphold it; but did not R. Hanina explain, 'Black blood is really red [blood] that had deteriorated'? Well, here also it may be explained that [the blood] had merely deteriorated.<sup>2</sup>

AND THE SAGES DECLARE IT CLEAN. Is not this ruling identical with that of the first Tanna?<sup>3</sup> — The practical difference between them is the question of suspense.<sup>4</sup>

R. MEIR SAID: EVEN IF IT DOES NOT CONVEY UNCLEANNESS AS A BLOODSTAIN, etc. R. Johanan stated: R. Meir took up<sup>5</sup> the line of Akabia b. Mahalalel and declared it<sup>6</sup> unclean;<sup>7</sup> and it is this that he in effect said to the Rabbis, 'Granted that where a woman finds a yellow bloodstain on her garment you do not regard her as unclean;<sup>8</sup> where she observed a discharge of yellow blood from her body<sup>2</sup> she must be deemed unclean'. If so, instead of saying, EVEN IF IT DOES NOT CONVEY UNCLEANNESS AS A BLOODSTAIN IT CONVEYS UNCLEANNESS AS A LIQUID, should he not have said 'on account of her observation'?<sup>10</sup> —

Rather, it is this that he in effect said to them, 'Granted that where the woman observed yellow blood at the outset you do not<sup>11</sup> regard her as unclean;<sup>12</sup> where she observed first red blood<sup>13</sup> and then a yellow discharge the latter also must be deemed unclean,<sup>14</sup> since it is something like the liquids<sup>15</sup> of a *Zab* or a *zabah*'.<sup>16</sup> And the Rabbis?<sup>17</sup> — [An unclean liquid must be] similar to spittle; as spittle is formed in globules when it is discharged so must any other unclean liquid be one that is

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formed in globules when it is discharged; that liquid<sup>18</sup> is therefore excluded since it is not formed in globules when discharged. If so, do not the Rabbis indeed give R. Meir a most satisfactory answer?<sup>19</sup> —

It is rather this that he said to them in effect: 'It<sup>18</sup> should have the status of a liquid in respect of rendering seed susceptible to uncleanness'.<sup>20</sup> And the Rabbis?<sup>21</sup> — [For such a purpose] it is necessary that it shall be like the blood of the slain,<sup>22</sup> which is not the case here. If so, did not the Rabbis indeed answer R. Meir well?<sup>19</sup> —

It is rather this that he in effect said to them: 'Deduce this<sup>23</sup> by Gezera Shawah;<sup>24</sup> here<sup>25</sup> it is written, Thy shoots<sup>26</sup> are a park of pomegranates<sup>27</sup> and elsewhere it is written, And sendeth<sup>28</sup> water upon the fields.<sup>29</sup> And the Rabbis?<sup>30</sup> A man may infer a ruling a minori ad majus on his own but he may not infer on his own one that is derived from a Gezera shawah.<sup>31</sup>

**R. JOSE RULED: IT DOES NEITHER THE ONE NOR THE OTHER,** etc. Is not this ruling identical with that of the first Tanna?<sup>32</sup> — It is this that we were informed: Who is the first Tanna? R. Jose; for he who repeats a thing in the name of him who said it brings deliverance into the world.<sup>33</sup>

**WHAT COLOUR IS REGARDED AS RED? ONE LIKE THE BLOOD OF A WOUND.** What is meant by **LIKE THE BLOOD OF A WOUND?** — Rab Judah citing Samuel replied: Like the blood of a slaughtered ox.<sup>34</sup> Why then was it not stated, 'Like the blood of slaughtering'? — If it had been stated, 'Like the blood of slaughtering' it might have been presumed to mean like the blood during the entire process of slaughtering,<sup>35</sup> hence we were told, **LIKE THE BLOOD OF A WOUND,** meaning like that caused by the first stroke of the knife. 'Ulla replied:<sup>36</sup> Like the blood of [a wound inflicted on] a live bird. The question was raised: Does 'live'<sup>37</sup> exclude

a slaughtered bird or does it possibly exclude an emaciated one? — This is undecided.<sup>38</sup>

Ze'iri citing R. Hanina replied:<sup>36</sup> Like the blood of a head louse. An objection was raised: If she<sup>39</sup> killed a louse she may attribute the stain to it.<sup>40</sup> Does not this refer to a louse of any part of the body? — No, to one of her head. Ammi of Wardina<sup>41</sup> citing R. Abbahu replied:<sup>36</sup> Like the blood of the little finger of the hand that was wounded and healed and wounded again. Furthermore, it does not mean that of any person but only that of a young unmarried man. And up to what age? — Up to that of twenty.

An objection was raised: She<sup>39</sup> may attribute it to her son<sup>42</sup> or to her husband.<sup>42</sup> [Now the attribution] to her son is quite reasonable since it is possible [that he was unmarried],<sup>43</sup> but how is this possible in the case of her husband?<sup>44</sup> — R. Nahman b. Isaac replied: Where, for instance, the woman entered the bridal chamber but had no intercourse.<sup>45</sup> R. Nahman replied:<sup>46</sup> Like the blood of the arteries.<sup>47</sup>

An objection was raised: It once happened that R. Meir attributed it<sup>48</sup>

1. I.e., whether blood of a color other than those of the five enumerated is (a) absolutely clean or (b) only doubtfully so. Beth Hillel are in agreement with (a) and the first Tanna agrees with (b).
2. Cf. nn. on previous paragraph but one.
3. In the first clause of our Mishnah.
4. Cf. prev. n. but one mut. mut.
5. Lit., 'descended'.
6. A yellow discharge.
7. As menstrual blood.
8. Being yellow (an unusual color for blood) it might well be presumed to have originated from some source other than her body.
9. So that its origin is certain.
10. Of an actual discharge.
11. Despite the observation.
12. Because yellow is not the color of blood; **UNCLEANNESS AS A BLOODSTAIN** meaning: As other blood whose stain conveys uncleanness.
13. Which causes her to be definitely unclean.

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14. Sc. in respect of conveying uncleanness to man or object that comes in contact with it.
15. Spittle, for instance.
16. Which, though they are no blood, convey uncleanness.
17. How, in view of this argument, could they maintain that a yellow discharge is clean in all circumstances?
18. A yellow discharge.
19. How then could R. Meir still maintain his view?
20. Cf. Lev. XI, 38.
21. Cf. *supra* n. 3.
22. Num. XXIII, 24, sc. blood on which life depends (cf. Pes. 16a).
23. That a yellow discharge renders seed susceptible to uncleanness.
24. V. [Glos.](#)
25. In respect of menstrual discharges.
26. Shelahayik (rt. [H]) euphemism (cf. prev. n.).
27. Cant. IV, 13.
28. Wesholeah (rt. [H]).
29. Job V, 10. Analogy between the two words of the same root: As the water referred to in Job renders seed susceptible to uncleanness so does a woman's discharge alluded to in Cant.
30. How can they maintain their view in opposition to the Gezera shawah?
31. Which must be traditional if it is to be valid. As R. Meir drew the analogy on his own the Rabbis could well disregard it.
32. In the first clause of our Mishnah. Why then the repetition?
33. Cf. Ab. VI, 6.
34. The true color of red. Cf. Yoma 56b.
35. During which the colors change.
36. To the question *supra*, what is meant by LIKE THE BLOOD OF A WOUND?
37. Heb. Hai (fem. Haiyah) may mean both 'live' and 'sound', 'healthy'.
38. Teku.
39. A woman who discovered a bloodstain.
40. *Infra* 58b.
41. Place name (cf. 'Er. 49a). Wardina or Barada on the eastern bank of the Tigris was two hours distance from the north of Bagdad (cf. 'Er. (Sonc. ed.) p. 340, n. 11). Aliter: 'The fragrant (Werad = rose) Ammi' (cf. Rashi).
42. If either of them was afflicted with a wound. *Infra* 58b.
43. And the blood of his wound satisfies, therefore, all the conditions laid down by R. Abbahu.
44. Who must be a married man (cf. prev. n. mut. mut.).
45. So that the blood is in reality that of an unmarried man (cf. prev. n. but one).
46. To the question, *supra*, what is meant by 'LIKE THE BLOOD OF A WOUND'?

47. Hakazah, lit., 'blood letting'.

48. A stain.

## Niddah 20a

to collyrium<sup>1</sup> and Rabbi attributed it to the sap of a sycamore.<sup>2</sup> Now did not these cases<sup>3</sup> deal with the question of red blood?<sup>4</sup> — No; with that of other kinds of blood.

Amemar and Mar Zutra and R. Ashi once sat before a cupper,<sup>5</sup> and when the first cupping-horn was taken off Amemar he saw it and said to the others, 'The red<sup>6</sup> of which we have learnt<sup>7</sup> is a shade like this'. When the second one was taken off from him, he said to them, 'This has a different shade'. 'One like myself', observed R. Ashi, 'Who does not know the difference between the one and the other must not act as an examiner of blood'.

'BLACK? LIKE THE SEDIMENT [OF INK]. Rabbah son of R. Huna stated: The HERETH<sup>8</sup> of which the Rabbis spoke<sup>7</sup> is ink. So it was also taught: Black<sup>2</sup> is a color like Hereth and the 'black' of which the Rabbis spoke<sup>9</sup> is the color of ink. Then why was it not directly stated, 'Ink'? — If 'ink' had been stated, it might have been presumed to refer to the watery part of the ink,<sup>10</sup> hence we were informed that the color is like that of the sediment of the ink. The question was raised: Is the reference to liquid, or to dry ink? — Come and hear of [the practice of] R. Ammi who used to split a grain of dry ink and with its aid performed the necessary examination.

Rab Judah citing Samuel ruled: [If a woman's discharge has a color] like that of black wax, black ink or a black grape she is unclean; and it is this that was meant by what we learnt: IF IT IS DARKER IT IS UNCLEAR.

R. Eleazar ruled: [A discharge that has a color] like that of a black olive, pitch or a raven is clean; and it is this that was alluded to in what we have learnt: IF LIGHTER IT IS CLEAN.

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'Ulla explained:<sup>11</sup> One like a Siwa<sup>12</sup> cloak. 'Ulla once visited Pumbeditha when he noticed an Arab merchant who was wearing a black cloak. 'The black of which we have learnt',<sup>13</sup> he told them, 'is a color like this'. They pulled it off him in bits<sup>14</sup> and paid him for it four hundred *Zuz*.

R. Johanan explained:<sup>11</sup> [One of the color of] those court<sup>15</sup> clothes that are imported from courtiers beyond the sea. This then implies that such clothes are black, but did not R. Jannai address the following request to his sons: 'My children, do not bury me either in black shrouds or white shrouds; "either in black", peradventure I may be worthy [of a place in paradise] and I would be like a mourner among bridegrooms;<sup>16</sup> "or in white", peradventure I might not be worthy and would be like a bridegroom among mourners;<sup>17</sup> but [bury me] only in court<sup>15</sup> clothes that are imported from countries beyond the sea', which clearly proves, does it not, that these are not black?<sup>18</sup> — This is no difficulty, the latter<sup>19</sup> referring to wrappers,<sup>20</sup> while the former<sup>21</sup> refers to clothes worn<sup>22</sup> at table.<sup>23</sup>

Rab Judah citing Samuel ruled: And all these<sup>24</sup> must be tested only on a white strip of cloth. R. Isaac b. Abudemi ruled: But black blood may be tested on a red strip of cloth. R. Jeremiah of Difti observed: There is really no difference of opinion between them,<sup>25</sup> since the latter speaks only of black blood while the former refers to the other kinds of blood. R. Ashi demurred: If so, why did not Samuel say, 'With the exception of black'? Rather, said R. Ashi, they<sup>26</sup> differ on the very question of black itself.

'Ulla ruled: In the case of all these<sup>27</sup> if the discharge is darker<sup>28</sup> It is unclean and if it is lighter<sup>28</sup> it is clean, as is the case with black.<sup>29</sup> Then why did it mention only black? — As it might have been presumed that, since R. Hanina stated, 'Black [blood] is really red blood that had deteriorated', it should, therefore, be unclean even if it is lighter,

hence we were informed [that IF LIGHTER IT IS CLEAN].

R. Ammi b. Abba ruled: In the case of all these<sup>27</sup> if the discharge is darker<sup>28</sup> it is unclean and if it is lighter it is also unclean, the only exception being black.<sup>30</sup> What then<sup>31</sup> was the use of the standard shade laid down by the Rabbis? — To exclude<sup>32</sup> one that was extremely faint.<sup>33</sup> There are others who read: Rami b. Abba ruled: In the case of all these<sup>34</sup> if the discharge is darker<sup>35</sup> it is clean and if it is lighter it is also clean, the only exception being black;<sup>30</sup> and it is in this case that the Rabbinical standard is of use.

Bar Kappara ruled: In the case of all these<sup>34</sup> if the discharge is darker it is unclean and if lighter it is clean, the exception being [the color of] diluted wine in which a darker shade is clean and a lighter one is also clean. Bar Kappara was shown a lighter shade<sup>36</sup> and he declared it clean, and when he was shown a darker shade<sup>36</sup> he also declared it clean. 'How great is the man', exclaimed R. Hanina, 'who in practice acts<sup>37</sup> in agreement with his view.

A COLOUR LIKE BRIGHT CROCUS. A Tanna taught: Fresh crocus and not dry one. One [Baraita] taught: Like the lower leaf<sup>38</sup> but not like the upper one, and another [Baraita] taught: Like the upper leaf but not like the lower one, while a third [Baraita] taught: Like the upper leaf and much more so like the lower one, and a fourth [Baraita] taught: Like the lower leaf and much more so like the upper one!<sup>39</sup> — Abaye replied: The crocus has three rows of leaves<sup>40</sup> and there are three leaves in each row; keep<sup>41</sup> to the middle row<sup>42</sup> and the middle leaf of that row.<sup>43</sup> When they came before R. Abbahu he told them: What we learnt [about the color of the crocus refers to such as are still] attached to their clods.<sup>44</sup>

OR LIKE EARTHY WATER. Our Rabbis taught: Like earthy water — one brings fertile soil from the valley of Beth Kerem

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over which he causes water to float; so R. Meir. R. Judah<sup>45</sup> said: From the valley of Jotapata.<sup>46</sup> R. Jose said: From the valley of Sikni.<sup>47</sup> R. Simeon said: Also from the valley of Gennesaret<sup>48</sup> and similar soil. Another [Baraitha] taught: And like earthy water — one brings fertile soil from the valley of Beth Kerem and over it he causes water to float until it forms a layer as thin as the husk of garlic; and no quantity has been prescribed for the water since none has been prescribed for the earth.<sup>49</sup> The water, furthermore, is not to be examined when it is clean but when turbid. If they become clear they must be stirred up again;<sup>50</sup> and when they are stirred one must not do it with the hand but with a vessel. The question was raised: [Does the expression,] 'One must not do it with the hand but with a vessel' mean that a man must not put it in his hand and stir it in it but that where it is in a vessel it is quite proper for him to stir it with his hand, or is it possible that the meaning is that one must not stir it with his hand<sup>51</sup> but with an instrument?<sup>52</sup> —

Come and hear: When he examines it<sup>53</sup> he must do it in a cup only.<sup>54</sup> But does not the question yet remain: If the examination must be in a cup, wherewith must the stirring be done? — This is undecided.<sup>55</sup>

When they came before Rabba b. Abbuha he told them: What we learnt [about the earth refers to such as is] in its own place.<sup>56</sup>

R. Hanina used to break up a piece of potter's clay and thereby performed the examination. R. Ishmael son of R. Jose cursed with croup any other person who adopts such a method

1. [G] a reddish eye-salve, which the woman had handled that day.
2. *Infra* 58b, Cf. prev. n. *mut. mut.*
3. From which it follows that colors like that of collyrium or sycamore sap that are not intensely red are regarded as similar to that of menstrual blood.

4. But, if so, how could the authorities (*supra* 19b) maintain that menstrual blood is intensely red like that, for instance, of a young unmarried man?
5. For an operation of blood drawing with cupping horns.
6. In respect of menstrual blood.
7. In our Mishnah.
8. Rendered in our Mishnah SEDIMENT OF INK.
9. In respect of a woman's discharge.
10. I.e., the upper part above the sediment. This is not so black as the lower part.
11. The unclean black in our Mishnah.
12. A place where dark clothes were manufactured. Aliter: Dirty-dark.
13. In our Mishnah.
14. To be preserved as models of the standard black.
15. Aliter: bathing attendants.
16. The righteous who are clad in white.
17. The wicked in Gehenna.
18. Is not this then contradictory to R. Johanan's view?
19. Spoken of by R. Jannai.
20. Which are red.
21. R. Johanan's statement.
22. Or 'cloths used'.
23. Which are black.
24. Five kinds of blood (v. our Mishnah).
25. Samuel and R. Isaac b. Abudemi.
26. Samuel and R. Isaac b. Abudemi.
27. Five kinds of blood (v. our Mishnah).
28. Than the standard shade.
29. Concerning which the limitations are specifically laid down in our Mishnah.
30. Which IF LIGHTER IT IS CLEAN.
31. In the case of the colors other than black which, as has just been stated, not only a darker, but also a lighter shade is unclean.
32. From uncleanness.
33. Lit., 'lighter of lighter'. Such a shade is clean.
34. Five kinds of blood (v. our Mishnah).
35. Than the standard shade.
36. Of a discharge of the color of diluted wine.
37. So Maharsha. Cur. edd., 'whose heart'.
38. Of the crocus.
39. How are the four contradictory statements to be reconciled?
40. One below the other.
41. As the most correct standard for the blood test.
42. Which has the 'lower leaf' as compared with the top row (first Baraitha) and the 'upper leaf' as compared with the lowest row (second Baraitha). V. foll. n.
43. Though the other leaves in that row may also be taken as the standard. The middle leaf is the 'lower one' as compared with the one

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above it (third Baraitha) and the 'upper one' as compared with the one below it (fourth Baraitha).

44. Of earth. Their color then is much brighter than that of the detached plant which may not be used as a standard.
45. So MS.M. and Elijah Wilna. Cur. edd., 'Akiba'.
46. A fortress in Galilee.
47. Or Siknin, on the north of Jotapata.
48. In Lower Galilee on the banks of the lake of the same name.
49. The more the earth the more the water and vice versa.
50. To mix up the earth with it.
51. Even when it is in a vessel.
52. The Heb. Keli may bear both significations.
53. The earthy water.
54. Which proves that no examination may be performed with the water and the earth in one's hand.
55. Teku (v. [Glos.](#)).
56. Exported earth changes its color.

## Niddah 20b

for R. Hanina was wise enough;<sup>1</sup> all others are not so wise. R. Johanan remarked: The wisdom of R. Hanina caused me not to examine any blood, for when I declared any unclean he declared it clean and when I declared it clean he declared it unclean. R. Eleazar remarked: R. Hanina's modesty is the cause of my examining blood. [For I felt] if R. Hanina who was modest allowed himself to be involved in doubt and examined blood, should not I examine it? R. Zera remarked: The Babylonian coinage was the cause of my refusing to examine blood; for I thought: If I do not understand the coinage system would I understand the nature of blood? This then implies that capability to examine blood depends on an understanding of the coinage; but did not Rabbah in fact understand the coinage system and yet did not understand the qualities of blood? — He was really drawing an inference a *minori ad majus*: If Rabbah who understood the coinage system refused to examine blood, should I<sup>2</sup> examine it?

'Ulla once visited Pumbeditha<sup>3</sup> and when some blood was brought to him for examination he refused to see it. If, he said, R. Eleazar who was the supreme authority in the Land of Israel<sup>4</sup> refused to see blood whenever he visited the place of R. Judah, should I see it?<sup>5</sup> And why was he described as the supreme authority in the Land of Israel? — Because a woman once brought some blood before R. Eleazar when R. Ammi sat in his presence. Having smelt it he<sup>6</sup> told her, 'This is blood of lust'.<sup>7</sup> After she went out R. Ammi joined her and she told him, 'My husband was away on a journey but I felt an intense longing for him'. Thereupon he<sup>8</sup> applied to him<sup>6</sup> the text, The counsel of the Lord is with them that fear Him.<sup>9</sup>

Ifra Hormiz,<sup>10</sup> the mother of King Shapur, once sent some blood to Raba when R. Obadiah was sitting in his presence. Having smelt it he said to him, 'This is blood of lust'.<sup>7</sup> 'Come and see', she remarked to her<sup>11</sup> son, 'how wise the Jews are'. 'It is quite possible', he replied, 'that he<sup>12</sup> hit upon it like a blind man on a window'. Thereupon she sent to him<sup>12</sup> sixty different kinds of blood and he identified them all but the last one which was lice blood with which he was not acquainted. Luckily,<sup>13</sup> however, he sent her<sup>14</sup> a comb that exterminates lice. 'O, you Jews', she exclaimed, you seem to live in the inner chamber of one's heart'.<sup>15</sup>

Rab Judah stated: 'At first I used to examine blood, but since the mother of my son Isaac told me, "We do not bring the first drop to the Rabbis because it is dirty", I refuse to see it.<sup>16</sup> [An examination, however, for the purpose of distinguishing] between the blood of uncleanness and cleanness<sup>17</sup> I certainly do perform'.<sup>18</sup>

Yaltha<sup>19</sup> once brought some blood to Rabbah b. Bar Hana who informed her that it was unclean. She then took it to R. Isaac the son of Rab Judah who told her that it was clean. But how could he act in this manner, seeing that it was taught: If a Sage declared [aught]



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unclean another Sage<sup>20</sup> may not declare it clean; if he forbade anything his colleague may not permit it?<sup>21</sup> — At first he<sup>22</sup> informed her indeed that it was unclean,<sup>23</sup> but when she told him that on every other occasion he<sup>24</sup> declared such blood as clean, but that on the last occasion he had a pain in his eye, he gave her his ruling that it was clean. But are women believed in such circumstances? — Yes, and so it was also taught: A woman<sup>25</sup> is believed when she says, 'I saw a kind of blood like this one<sup>26</sup> but I have lost it.'<sup>27</sup>

The question was raised: What is the law [where a woman says], A kind of blood like this<sup>28</sup> has been declared clean by such and such a Sage?<sup>29</sup> —

Come and hear: A woman<sup>25</sup> is believed when she says, 'I saw a kind of blood like this one<sup>26</sup> but I have lost it.'<sup>30</sup> But is not that case<sup>31</sup> different, since the blood is not available?<sup>32</sup> —

Come and hear the case of Yaltha: She once brought some blood to Rabbah b. Bar Hana who informed her that it was unclean. She then took it<sup>33</sup> to R. Isaac the son of Rab Judah who told her that it was clean. But how could he act in this manner, seeing that it was taught: If a Sage declared [a person or an article] unclean no other Sage<sup>34</sup> may declare it clean, etc. And we explained that at first he<sup>22</sup> informed her indeed that it was unclean, but when she told him that on every other occasion he<sup>24</sup> declared such blood as clean but that on that day he had a pain in his eye, he changed his view and gave her his ruling that it was clean.<sup>35</sup> Now this proves quite clearly, does it not, that a woman is believed? — R. Isaac b. Judah may have relied on his own traditions and experience.<sup>36</sup>

Rabbi once examined some blood at night and declared it unclean but when he examined it in the day time he declared it clean. Then he waited a while and again declared it unclean. 'Woe to me', he said, 'I may have made a mistake'.<sup>37</sup> 'I may have made a mistake'! Has he not in fact made a

mistake, seeing that it was taught: A Sage must not say,<sup>38</sup> 'If it had been moist it would undoubtedly have been unclean'; he must rather say, 'The judge must be guided only by what his eyes see'? — At first<sup>39</sup> he presumed it to be definitely unclean, but when he observed in the morning that its color had changed<sup>40</sup> he said<sup>41</sup> that it was undoubtedly clean but that at night it could not be seen properly. When, however, he observed that the color had changed again<sup>42</sup> he said, 'It must be unclean blood but the color is steadily fading away.'

Rabbi examined blood in the light of a lamp. R. Ishmael son of R. Joseph<sup>43</sup> examined it even on a cloudy day between the pillars.<sup>44</sup> R. Ammi b. Samuel ruled: All kinds of blood must be examined only between the sunlight and the shade. R. Nahman citing Rabbah b. Abbuha ruled: The examination may be performed in the sunlight under the shadow of one's hand.<sup>45</sup>

'ONE LIKE DILUTED WINE'? TWO PARTS, etc. A Tanna taught:

1. And was, therefore, capable of using the method.
2. Who do not understand the coinage system.
3. Which was under the jurisdiction of Rab Judah (cf. Sanh. 17b).
4. V. Git. 19b.
5. Cf. prev. n.
6. R. Eleazar.
7. A discharge due to sexual desire.
8. R. Ammi.
9. Ps. XXV, 14.
10. A gentile woman who observed some of the Jewish ritual (cf. also Zeb. 116b).
11. So Emden, Cur. edd. 'his'.
12. Raba.
13. Lit., 'the matter came to assistance'.
14. As a gift.
15. Nothing is hidden from them.
16. Because the color changes and though the second drop may be one of clean blood it could not establish a woman's cleanness if the first drop, which she did not present for examination, was one of unclean blood.
17. At the end of the period of cleanness after a childbirth which is the fortieth day for a male

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and the eightieth for a female (cf. Lev. XII, 1-5).

18. The blood in such circumstances being free from dirt a woman submits for examination the first drop she sees.
19. R. Nahman's wife.
20. Lit., 'his colleague'.
21. Hul. 44b.
22. R. Isaac.
23. Out of respect for Rabbah b. Bar Hana (v. *infra*).
24. Rabbah.
25. Who does not submit the original blood.
26. Which she produces.
27. And if the blood she submits is clean she may be declared clean.
28. Which a friend of hers showed her.
29. May her judgment, it is asked, on the exact similarity of the two kinds be relied upon by her friend or not.
30. Which proves that a woman's judgment in such cases (cf. prev. n.) is relied upon.
31. Just cited.
32. Lit., 'it is not before her'.
33. So BaH. Cur. edd. omit the last four words.
34. Lit., 'his colleagues'.
35. *Supra*.
36. Not on Yaltha's evidence. The reason why he at first declared the blood as unclean was merely to show his respect to Rabbah b. Bar Hana.
37. In finally declaring the blood unclean, since the color now was of a clean kind.
38. When examining a dry stain.
39. At the night examination.
40. It assumed a lighter shade.
41. So Emden. Cur. edd. in parenthesis 'to him'.
42. To a still lighter shade.
43. MS.M. 'Jose'.
44. Of the schoolhouse where the light was never too bright.
45. Held between the sun and the object.

## Niddah 21a

Sharon wine<sup>1</sup> [diluted] is regarded<sup>2</sup> as the Carmel wine in its natural undiluted state when it is new.<sup>3</sup> R. Isaac b. Abudemi ruled: All these<sup>4</sup> must be examined only in a plain Tiberian cup.<sup>5</sup> What is the reason? — Abaye replied: Generally<sup>6</sup> a cup that contains a *log* is made of a *maneh*<sup>7</sup> and one that contains two *log* is made of two hundred *Zuz*, but the plain Tiberian cup, even if it contains two *log*, is made of one *Maneh*, and since it is so thin

[the color of the wine can] be recognized better [than in any other kind of cup].

## CHAPTER III

**MISHNAH.** IF A WOMAN ABORTED A SHAPELESS OBJECT,<sup>8</sup> IF THERE WAS BLOOD WITH IT, SHE IS UNCLEAN,<sup>9</sup> OTHERWISE SHE IS CLEAN<sup>10</sup> R. JUDAH RULED: IN EITHER CASE SHE IS UNCLEAN.<sup>11</sup>

IF A WOMAN ABORTED AN OBJECT THAT WAS LIKE A RIND, LIKE A HAIR, LIKE EARTH, LIKE RED FLIES, LET HER PUT IT IN WATER AND IF IT DISSOLVES<sup>12</sup> SHE IS UNCLEAN,<sup>2</sup> BUT IF IT DOES NOT SHE IS CLEAN.<sup>13</sup>

IF AN ABORTION WAS IN THE SHAPE OF FISHES, LOCUSTS, OR ANY FORBIDDEN ANIMALS OR CREEPING THINGS, IF THERE WAS BLOOD WITH THEM SHE IS UNCLEAN,<sup>2</sup> OTHERWISE SHE IS CLEAN.<sup>13</sup>

IF AN ABORTION HAD THE SHAPE OF A BEAST, A WILD ANIMAL OR A BIRD, WHETHER CLEAN OR UNCLEAN,<sup>14</sup> IF IT WAS A MALE SHE MUST CONTINUE [IN UNCLEANNESS AND SUBSEQUENT CLEANNESS FOR THE PERIODS PRESCRIBED] FOR A MALE,<sup>15</sup> AND IF IT WAS A FEMALE SHE MUST CONTINUE [IN UNCLEANNESS AND SUBSEQUENT CLEANNESS FOR THE PERIODS PRESCRIBED] FOR A FEMALE,<sup>16</sup> BUT IF THE SEX IS UNKNOWN SHE MUST CONTINUE [IN UNCLEANNESS AND SUBSEQUENT CLEANNESS FOR THE PERIODS PRESCRIBED] FOR BOTH MALE AND FEMALE;<sup>17</sup> SO R. MEIR. THE SAGES, HOWEVER, RULED: ANYTHING THAT HAS NOT THE SHAPE OF A HUMAN BEING CANNOT BE REGARDED AS A HUMAN CHILD.

**GEMARA.** Rab Judah citing Samuel stated: R. Judah declared the woman<sup>18</sup> unclean only where the object had the color of one of the four kinds of blood,<sup>19</sup> but if it had that of any

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of the other kinds of blood<sup>20</sup> she is clean.<sup>21</sup> R. Johanan, however, stated: [If the object had the color] of one of the four kinds of blood<sup>22</sup> all<sup>23</sup> agree that the woman is unclean and if it had the color of any of the other kinds of blood all<sup>24</sup> agree that she is clean; they<sup>25</sup> differ only in the case where she aborted something and she does not know what she aborted.<sup>26</sup> [In such a case.] R. Judah holds, one must be guided by the nature of most of shapeless objects, and most shapeless objects have the color of one of the four kinds of blood, while the Rabbis hold that we do not say, 'most shapeless objects have the color of one of the four kinds of blood'. But is this correct?<sup>27</sup> Surely when R. Hoshaia arrived from Nehardea he came [to the schoolhouse] and brought with him a Baraitha: If a woman aborted a shapeless object that was red, black, green or white,<sup>28</sup> if there was blood with it, she is unclean, otherwise she is clean. R. Judah ruled: In either case she is unclean.

Now does not this present a difficulty against Samuel in one respect and against R. Johanan in two respects? 'Against Samuel in one respect, since Samuel stated, 'R. Judah declared the woman unclean only where the shapeless object had the color of one of the four kinds of blood' whereas here 'green and white'<sup>29</sup> were mentioned and R. Judah nevertheless disagrees.<sup>30</sup> And were you to reply that R. Judah differs only in respect of red and black but not in that of green or white [the question would arise:] For whose benefit then was green and white mentioned? If it be suggested: For that of the Rabbis,<sup>31</sup> [it could be retorted:] Since the Rabbis declared the woman clean even in the case of red and black blood,<sup>32</sup> was it any longer necessary to state that the same law applies also to green and white?<sup>29</sup> Must it not then be conceded that these<sup>33</sup> were mentioned for the benefit of R. Judah<sup>34</sup> who, it thus follows, does differ.<sup>35</sup>

Furthermore, according to R. Johanan<sup>36</sup> who also stated, '[If it had the color] of one of the four kinds of blood all agree that she is

unclean', [the additional difficulty arises:] Were not red and black also mentioned and the Rabbis nevertheless differ.<sup>37</sup> And should you reply that the Rabbis differ only in regard to green and white but not in that of red and black [the difficulty would arise:] For whose benefit, then, were red and black mentioned? If it be suggested: For that of R. Judah [it could be retorted:] Since green and white are regarded as unclean, was it at all necessary to mention red and black? Must it not then be conceded that these were mentioned for the benefit of the Rabbis who, it follows, do differ?<sup>37</sup> —

Rather, explained R. Nahman b. Isaac: The point at issue between them<sup>38</sup> is the question whether it is possible for the uterus<sup>39</sup> to open<sup>40</sup> without bleeding.<sup>41</sup> They<sup>38</sup> thus differ on the same principle as that on which the following Tannas differ. For it was taught: If a woman was in hard labor for two days<sup>42</sup> and on the third she aborted and<sup>43</sup> does not know what she had aborted<sup>44</sup>

1. Composed of one part of wine and two parts of water (cf. our Mishnah).
2. In respect of its color.
3. Lit., 'new and not old'. According to an interpretation of Maimonides and Semag (cf. Maharsha) the Sharon wine, when used in an examination of blood, must first be new and undiluted and then mixed expressly for the purpose of the examination with two parts of water.
4. Kinds of wine.
5. Which is made of thin and transparent glass.
6. Lit., 'of all the world'.
7. The weight of one hundred Zuz.
8. Lit., 'piece'.
9. As a menstruant.
10. Because, in the absence of blood, she cannot be regarded as a menstruant, and, since a shapeless object is no proper birth, she cannot be regarded as a woman in childbirth.
11. This is explained in the Gemara *infra*.
12. Into liquid blood.
13. Cf. *supra* n. 3 *mut. mut.*
14. Cf. Lev. XI.
15. Cf. Lev. XII, 2-4.
16. Cf. *ibid.* 5.
17. Sc. she is subject to the restrictions of both: The period of her uncleanness is fourteen days (as for a female) and not seven (as for a male)

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while the subsequent period of her cleanness terminates on the fortieth day (as for a male) and not on the eightieth (as for a female).

18. Who ABORTED A SHAPELESS OBJECT.
19. Described in the Mishnah *supra* 19a as unclean. (Black and red which in the Mishnah are regarded as two different colors and, therefore, bring the total number of unclean colors to five, are here regarded as one color since the former is but a deterioration of the latter). R. Judah holds that the shapeless object is but a piece of clotted blood. Hence, if its color is that of unclean blood, the woman, though not in childbirth, must be deemed unclean as a menstruant.
20. White or green, for instance.
21. Since she is neither in childbirth nor a menstruant.
22. Cf. *supra* n. 2.
23. Even the Rabbis.
24. Even R. Judah.
25. The Rabbis and R. Judah (cf. prev. two nn.).
26. The object having been lost.
27. Lit., 'I am not'.
28. The first two are of the unclean colors while the last two are among the clean ones (cf. *supra* 19a).
29. Which are not of the four unclean kinds.
30. With the Rabbis, maintaining that the woman is unclean.
31. I.e., to indicate that the Rabbis regard the woman in such cases as clean.
32. Which are among the four unclean colors.
33. Green and white.
34. Viz., that even with such colors R. Judah regards the woman as unclean.
35. From the Rabbis. How then could Samuel maintain that in such cases R. Judah regards the woman as clean?
36. Against whom, since he stated that in the case of the other kinds of blood 'all agree that she is clean', the difficulty just pointed out against Samuel equally applies.
37. From R. Judah and declare it clean.
38. R. Judah and the Rabbis.
39. Lit., 'grave'.
40. When an embryo or any other object passes out.
41. Blood of labor. Both R. Judah and the Rabbis regard the shapeless object as a piece of flesh, and not as a mass of congealed blood. Hence whatever its color the woman cannot be regarded as a menstruant. R. Judah, however, maintains that the uterus never opens without some bleeding though this may sometimes escape observation. The woman is, therefore, unclean on account of the inevitable discharge of the blood of labor even though the object was green or white and no blood whatsoever

had been observed. The Rabbis, on the other hand, maintain that the uterus sometimes opens without any accompanying bleeding and the woman is, therefore, clean whenever no discharge is observed.

42. Within the eleven days' period intervening between the menstrual periods.
43. Besides being uncertain whether the abortion was accompanied by bleeding.
44. Sc. whether it was an embryo or a mere lump of flesh.

## Niddah 21b

her case is one of doubtful childbirth and doubtful *Zibah*, and<sup>1</sup> she must, therefore, bring a sacrifice<sup>2</sup> which may not be eaten.<sup>3</sup> R. Joshua ruled: She must bring a sacrifice and it may be eaten, since it is impossible for the uterus to open without some bleeding.<sup>4</sup>

Another version reads as follows. Rab Judah citing Samuel stated: R. Judah declared the woman unclean only where the object had the color of one of the four kinds of blood, but if it had that of any of the other kinds of blood she is clean. But is this correct? Surely when R. Hoshai'a arrived from Nehardea he came [to the schoolhouse] and brought with him a Baraitha: If a woman aborted a shapeless object that was red, black, green or white, if there was blood with it, she is unclean, otherwise she is clean; but R. Judah ruled: In either case she is unclean. Now here red, black, green and white were mentioned and R. Judah nevertheless disagrees.<sup>5</sup> And should you reply that R. Judah differs only in respect of red and black but not in that of green and white [the question would arise]: For<sup>6</sup> whose benefit then was green and white mentioned? If it be suggested: For that of the Rabbis [it could be retorted]: Since the Rabbis declared the woman clean even in the case of red and black blood, was it any longer necessary to state that the same law applies also to green and white? Must it not then be conceded that these were mentioned for the benefit of R. Judah who,<sup>7</sup> it thus follows, does differ?<sup>8</sup> —

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Rather, said R. Johanan,<sup>9</sup> the point at issue between them is the question whether it is possible for the uterus to open without bleeding.<sup>5</sup> They thus differ on the same principle as that on which the following Tannas differ. For it was taught: If a woman was in hard labor for two days and on the third she aborted and she does not know what she had aborted, her case is one of doubtful childbirth and doubtful *Zibah*, and she must, therefore, bring a sacrifice which may not be eaten. R. Joshua ruled: She must bring a sacrifice, and it may be eaten, since it is impossible for the uterus to open without some bleeding.<sup>5</sup>

Our Rabbis taught: If a woman aborted a shapeless object. Symmachus ruled in the name of R. Meir, and R. Simeon b. Menasia likewise gave the same ruling: It must be split, and if there was blood in it the woman is unclean and if there is none in it she is clean. This is in agreement with the Rabbis but also more restrictive than the ruling of the Rabbis. It is 'in agreement with the Rabbis' who ruled that it was possible for the uterus to open without bleeding; but it is 'also more restrictive than the ruling of the Rabbis', since they hold that only where the blood was with it<sup>10</sup> is the woman unclean<sup>11</sup> but not where it was only within it,<sup>12</sup> while Symmachus holds that [the woman is unclean] even if the blood was only within it.<sup>12</sup>

Another [Baraita] taught: If a woman aborted a shapeless object. R. Aha ruled: It must be split, and if its interior shows red,<sup>13</sup> the woman is unclean, otherwise she is clean. This is in agreement with Symmachus,<sup>14</sup> but also more restrictive than the ruling of Symmachus.<sup>15</sup> Again another [Baraita] taught: If a woman aborted a shapeless object, R. Benjamin ruled: It must be split, and if there was a bone in it, its mother is unclean by reason of childbirth.<sup>16</sup> R. Hisda explained: This applies only to a white object.<sup>17</sup> So also when a pair [of scholars]<sup>18</sup> from Adiabene arrived they came [into the

schoolhouse] and brought with them the following Baraita: If a woman aborted a white shapeless object it must be split and if there was a bone in it the mother is unclean by reason of childbirth.<sup>16</sup>

R. Johanan citing R. Simeon b. Yohai ruled: If a woman aborted a shapeless object it must be split, and if it contained a quantity of accumulated blood she is unclean, otherwise<sup>19</sup> she is clean. This is in agreement with Symmachus<sup>20</sup> but is also the most lenient of all the previous rulings.<sup>21</sup>

R. Jeremiah enquired of R. Zera: What is the ruling where a woman observed a discharge of blood in a tube?<sup>22</sup> Since the All Merciful has said, In her flesh<sup>23</sup> He implied: But not in a tube,<sup>24</sup> or is it possible that the text, 'In her flesh', was required for the deduction that it<sup>25</sup> causes uncleanness within<sup>26</sup> as well as without?<sup>27</sup> — The other replied: The All Merciful said, In her flesh<sup>23</sup> implying: But not in a tube; for if the expression 'In her flesh' had been required for the deduction that it<sup>25</sup> causes uncleanness within as well as without, Scripture should have said, Her flesh,<sup>28</sup> why then did it say, 'In her flesh'? Both rulings may, therefore, be deduced. But did not R. Johanan rule in the name of R. Simeon b. Yohai: If a woman aborted a shapeless object it must be split, and if there was in it a quantity of accumulated blood she is unclean, otherwise she is clean?<sup>29</sup> — What a comparison!<sup>30</sup> In that case it is usual for a woman to observe blood in a shapeless abortion,<sup>31</sup> but in this case it is not usual for a woman to observe blood in a tube.<sup>32</sup>

May it be suggested that the question of blood in a tube is a point at issue between Tannas? For it was taught: If a woman aborted a shapeless object, even though it is full of blood, it is only where there was a discharge of blood with it<sup>33</sup> that the woman is unclean; otherwise she is clean. R. Eliezer ruled: 'In her flesh'<sup>23</sup> implies: But not [where the blood was] within a sac or within any

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shapeless abortion. (Is not R. Eliezer's ruling identical with that of the first Tanna?<sup>34</sup> —

Read: For R. Eliezer ruled, 'In her flesh' implies: But not [where the blood was] within a sac or within any shapeless abortion). But the Sages ruled: This is not menstrual blood but the blood of a shapeless object.<sup>35</sup> Now does not the first Tanna also declare her clean?<sup>36</sup> But the fact is that the difference between them is the case where the abortion was chapped. The first Tanna is of the opinion that 'In her flesh' implies: But not [where the blood was] in a sac or in a shapeless object,<sup>37</sup> and the same applies also to a tube.<sup>37</sup> This, however, holds good only where it<sup>38</sup> was smooth,<sup>39</sup> but if it was chapped<sup>40</sup> the woman is unclean. What is his reason? It may be described as 'In her flesh'.<sup>41</sup> Thereupon the Rabbis came to declare: Although it<sup>38</sup> was chapped [the woman is clean since] the discharge is not menstrual but that of the shapeless object.<sup>42</sup> Menstrual blood, however, is undoubtedly a cause of uncleanness<sup>43</sup> even if it was in a tube!<sup>44</sup> — Abaye replied: As regards a tube all<sup>45</sup> agree that the woman is clean,<sup>46</sup>

1. Since it is not known whether (a) the abortion was an embryo in consequence of which, whether there was bleeding or not, she is to bring the sacrifice prescribed for a woman in childbirth; or (b) a mere lump of flesh, in which case, if there was no bleeding, no such sacrifice is due; or (c) there was a discharge of blood with (b) in which case (being that of a discharge on three consecutive days) she must bring the sacrifice prescribed for *Zibah*.
2. To provide (cf. prev. n.) against the possibility of (a) or (c).
3. Since it is possible, as explained in note 3(b), that she is neither in the position of one in childbirth nor in that of one in *Zibah*, in consequence of which she is not liable to either sacrifice, and the bird that she brought as a sin-offering, having had its head pinched off in accordance with the ritual prescribed for such a sacrifice, is (owing to the possibility that it is no sacrifice at all and that it is, therefore, subject to the rules of slaughter appertaining to unconsecrated animals) thus forbidden to be eaten as the flesh of *Nebelah*.

4. So that a sacrifice is due in either case: If she gave birth to an embryo she has to bring the sacrifice prescribed for one in childbirth, and if she merely aborted a lump of flesh, since this was inevitably accompanied by bleeding, she (cf. *supra* n. 4) is regarded as a *Zabah* and is liable to bring the one prescribed for *Zibah*.
5. Cf. notes on prev. version.
6. Cf. BaH.
7. Since he ruled, 'In either case she is unclean'.
8. From the Rabbis who declared the woman clean. How then could Samuel maintain that 'if it had that of any of the other kinds of blood she is clean'?
9. Cf. Rashal. Cur. edd. in parenthesis, 'Rab Judah'.
10. Externally, sc. the passing out of the abortion was accompanied by bleeding.
11. Lit., 'yes'.
12. The object.
13. Though it contained no collected blood
14. Who laid down *supra* that blood in the interior of the object causes the same uncleanness as external blood that was discharged with it.
15. He required accumulated blood while here mere redness is regarded as a cause of uncleanness.
16. And she is subject to the restrictions of the laws of the prescribed days of both uncleanness and cleanness. Her period of uncleanness extends over fourteen days (prescribed for the birth of a female, and not seven as for a male) while her period of cleanness terminates on the fortieth day (prescribed for a male and not on the eightieth prescribed for a female).
17. Which is regarded as a kind of flesh.
18. Zuga. *Var. lec.* 'Zuza' and 'Zuwa'. (prop. noun).
19. Sc. if the blood is not accumulated in a considerable quantity.
20. Who ruled that blood in the interior is a cause of menstrual uncleanness as external blood.
21. Since according to it blood that is not accumulated (contrary to Symmachus) and a red interior (contrary to R. Aha) are no causes of uncleanness.
22. That was inserted in the uterus.
23. Lev. XV, 19, dealing with the menstruant.
24. The woman is consequently clean.
25. Menstrual blood.
26. In the vagina after it had left the uterus.
27. Sc. when it had completely left the body. In the case of *Zibah* and the emission of semen there can be no uncleanness before the discharge had left the body.
28. V. marg. gl. Cur. edd. in parenthesis 'in flesh'.

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29. *Supra*. Now if the blood in the abortion causes uncleanness why should not also blood in a tube?
30. Lit., 'thus, now'.
31. It comes, therefore, under the description 'in her flesh'; hence the woman's uncleanness.
32. Hence R. Zera's ruling that the woman is clean.
33. When it passed out.
34. Obviously it is. Why then should R. Eliezer merely repeat another authority's statement?
35. The woman is consequently clean.
36. Cf. prev. n. What then is the difference between their respective views?
37. Since in these cases there is an interposition between the woman's body ('her flesh') and the blood.
38. The abortion.
39. So that all the blood within it is completely separated from the woman's body.
40. In consequence of which some of the blood and the woman's body come in direct contact.
41. It being a Pentateuchal ordinance that when the blood was in direct contact with the woman's body uncleanness is caused.
42. As it is not menstrual at all it matters little whether it did, or did not come in contact with the body of the woman who, consequently, is in either case regarded as clean.
43. Since the discharge came from the uterus.
44. It thus follows that R. Zera's view is that of the first Tanna while the Rabbis opposed this view. Is it likely, however, that R. Zera adopted the view of the first Tanna, an individual, when it was opposed by the Rabbis who were in the majority?
45. Even the Rabbis.
46. Since the Scriptural text 'In her flesh' cannot be applied to it (Rashal).

### Niddah 22a

and they only differ in the case of a shapeless object.<sup>1</sup> One Master<sup>2</sup> holds that it is usual for a woman to observe blood in a shapeless object<sup>3</sup> and the Masters<sup>4</sup> hold that it is not usual for a woman to observe blood in such an object.<sup>5</sup> Raba replied that all<sup>6</sup> agreed that it is not usual for a woman to observe blood in a shapeless object, but it is on the question whether the woman is clean<sup>7</sup> and the interior of the uterus is unclean<sup>8</sup> that they differ, R. Eliezer being of the opinion that though the woman is clean<sup>9</sup> the blood is unclean since it comes through the uterus,<sup>10</sup> while the Rabbis

hold the opinion that the woman is clean and the interior of the uterus is also clean.<sup>11</sup>

Rabba required of R. Huna: What is the ruling where one observed semen on a splinter?<sup>12</sup> Did the Divine Law say, From him<sup>13</sup> to indicate that the man is unclean only when it<sup>14</sup> issued naturally from his body but not when it was brought out by means of a splinter, or is it possible that the expression 'from him' implies [that the man is unclean] only when his uncleanness<sup>12</sup> has come out of his body, in which case [he is unclean] even though that was effected by means of a splinter? —

The other replied: You can infer the ruling [from the fact] that the man himself<sup>15</sup> becomes unclean only when the quantity of semen emitted suffices to close up the orifice of the membrum.<sup>16</sup> This then<sup>17</sup> implies that the man<sup>18</sup> is regarded as having touched the semen.<sup>19</sup> But, then, this<sup>20</sup> should not cause [the counting of the clean days] after a *Zibah* to be void.<sup>21</sup> Why then was it taught: This is the law of him that hath an issue,<sup>22</sup> and of him from whom the flow of seed<sup>23</sup> goeth out,<sup>24</sup> as *zibah*<sup>25</sup> causes [the counting of the clean days] to be void<sup>26</sup> so does semen? —

The other replied: As regards counting again, this is the reason why the previous counting is void: because it is impossible for semen to be emitted<sup>27</sup> without an admixture of some particles of *zibah*.<sup>28</sup> Now then,<sup>29</sup> this should cause the counting of all the seven days<sup>30</sup> to be void,<sup>31</sup> why then was it taught: 'This is the law of him that hath an issue, etc.' as *Zibah* causes the clean days to be counted again so does semen? But in case you should assume that as *Zibah* causes the counting of all the seven days<sup>30</sup> to be void so does semen also, it was expressly stated, So that he is unclean thereby;<sup>24</sup> you can apply to it<sup>32</sup> only that which had been said about it,<sup>33</sup> hence it causes the counting of one day only to be void?<sup>34</sup> —

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The other<sup>35</sup> replied: It is a decree of Scripture that an absolute *Zibah* in which no semen is mixed causes the counting of all seven days to be void, but particles of *Zibah* in which semen is mixed cause only the counting of one day<sup>36</sup> to be void.

R. Jose son of R. Hanina enquired of R. Eleazar: What is the ruling in the case of dry blood?<sup>37</sup> Did the Divine Law say, Have an issue<sup>38</sup> of her blood<sup>39</sup> to indicate that it must be actually flowing,<sup>40</sup> hence it refers only to fluid blood but not to dry, or is it possible that the expression, 'have all issue of her blood'<sup>41</sup> was used merely because blood usually flows, but the same law in fact applies to dry blood also? —

The other replied: You have learnt it: The blood of a menstruant and the flesh of a corpse convey uncleanness when fresh or when dry.<sup>42</sup> Said he [R. Jose] to him, 'Where the blood was first fresh and then it dried up, I have no question to ask; my question arises only where it was originally dry'.<sup>43</sup> 'This also', the other replied, 'you have learnt: IF A WOMAN ABORTED AN OBJECT THAT WAS LIKE A RIND, LIKE A HAIR, LIKE EARTH, LIKE RED FLIES, LET HER PUT IT IN WATER

1. That was chapped.
2. The first Tanna.
3. The woman is, therefore, unclean. Only when the abortion is smooth, and the blood contained within it does not come in contact with the woman's body, the text, 'In her flesh' cannot, be applied to it.
4. The Rabbis.
5. And if she does observe any it is no menstrual blood and she consequently remains clean.
6. Even the first Tanna.
7. Because the blood was not menstrual.
8. And so conveys uncleanness to any blood that passes through it.
9. Because the blood was not menstrual.
10. Cf. prev. n. The blood consequently conveys uncleanness to any object with which it comes in contact and also to the woman herself to the extent that her uncleanness lasts until sunset.
11. So that the blood remains clean even after it had passed through the uterus.
12. After it had been inserted into the membrum.
13. And if any man's seed of copulation go out from him (A.V. Lev. XV, 16).
14. The semen.
15. Even where there was a natural discharge of semen.
16. Since the splinter used is inevitably smaller than the orifice, the quantity of semen extracted by it must obviously be less than the prescribed minimum.
17. Since (as in the case of *Nebelah* for instance) a minimum has been prescribed, below which semen conveys no uncleanness.
18. Who is deemed unclean on account of the semen.
19. Had the uncleanness been conveyed to him on account of his observation of it, no minimum would have been prescribed, as none was prescribed for menstrual blood (a case of uncleanness through observation) and where the smallest drop of blood suffices to cause uncleanness.
20. The man's contact (cf. prev. nn.) with the semen, as his contact with a dead creeping thing, for instance, whose uncleanness also is conveyed through contact.
21. As is the case where there was such contact with a dead creeping thing.
22. Sc. *Zibah*.
23. Semen.
24. Lev. XV, 32.
25. That occurs during the counting of the seven clean days after the termination of a previous *Zibah*.
26. And, before ritual cleanness is attained seven clean days must be counted again.
27. During the days following a period of *Zibah*.
28. It is the *Zibah*, and not the semen, that causes the necessity for a new counting of the seven clean days.
29. Since (cf. prev. n.) the *Zibah* is the cause.
30. If the discharge was discovered on the seventh day.
31. As is the case with a discharge of *Zibah*.
32. Semen, which causes uncleanness for one day only.
33. Sc. (cf. prev. n.) it cannot be expected to cause a recount of seven days when it never causes uncleanness for more than one day.
34. How then could R. Huna maintain that *Zibah* is the cause of the recount?
35. R. Huna.
36. The last, on which it was discovered.
37. Sc. does it, or does it not convey uncleanness?
38. Lit., 'will flow a flowing' (v. *infra*).
39. Lev. XV, 25.
40. Cf. prev. n. but one.
41. Lev. XV, 25.
42. *Infra* 54b.



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43. Sc. the abortion was a piece of dry blood.

## Niddah 22b

**AND IF IT DISSOLVES SHE IS UNCLEAN.**<sup>1</sup> But if so,<sup>2</sup> [should not uncleanness be caused] even if the object was not dissolved? —

Rabbah replied: If it is not dissolved it is an independent creature.<sup>3</sup> But is there such a phenomenon?<sup>4</sup> Yes; and so it was taught: R. Eleazar son of R. Zadok stated, A report of the following two incidents was brought up by my father from Tib'in<sup>5</sup> to Jamnia. It once happened that a woman was aborting objects like pieces of red rind and the people came and asked my father, and my father asked the Sages, and the Sages asked the physicians who explained to them that that woman had an internal sore [the crust] of which she cast out in the shape of the pieces of red rind. [It was ruled that] she should put them in water and if they dissolved she should be declared unclean. And yet another incident occurred when a woman was aborting objects like red hairs, and she came and asked my father, and my father asked the Sages, and the Sages asked the physicians who explained to them that the woman had a wart<sup>6</sup> in her internal organs and that that was the cause of her aborting objects like red hairs.<sup>7</sup>

**LET<sup>8</sup> HER PUT IT IN WATER AND IF IT DISSOLVES SHE IS UNCLEAN.** Resh Lakish ruled: And [this must be done] with lukewarm water.<sup>9</sup> So it was also taught: Let her put it in water, viz., in lukewarm water. R. Simeon b. Gamaliel ruled: She [must attempt to] crush it with spittle on her nail. What is the practical difference between them?<sup>10</sup> —

Rabina replied: The practical difference between them is [an abortion that can be] crushed by the exercise of pressure.<sup>11</sup>

Elsewhere we have learnt: How long must they<sup>12</sup> be soaked in the lukewarm water?<sup>13</sup>

Twenty-four hours.<sup>14</sup> Now in this case,<sup>15</sup> what length of time is required? Do we require a period of twenty-four hours or not?<sup>16</sup> Is it only in regard to a creeping thing and carrion, which are tough, that a twenty-four hours' soaking is required but not in that of blood, which is soft, or is it possible that there is no difference? — This is undecided.<sup>17</sup>

**IF AN ABORTION WAS IN THE SHAPE OF FISHES.** But why does not R. Judah<sup>18</sup> disagree<sup>19</sup> in this case also?<sup>20</sup> — Resh Lakish replied: This<sup>21</sup> was indeed learnt as a controversial ruling,<sup>22</sup> and it<sup>21</sup> represents only the opinion of the Rabbis. R. Johanan, however, replied: It<sup>23</sup> may even be said to agree with R. Judah,<sup>24</sup> for R. Judah gave his ruling<sup>25</sup> only there, in the case of a **SHAPELESS OBJECT**, since it is the nature of blood to congeal and to assume the form of a shapeless object,<sup>26</sup> but [not here,<sup>27</sup> since] it<sup>28</sup> can never assume the form of a creature.<sup>29</sup> According, however, to that version in which R. Johanan stated that 'the point at issue between them is the question whether it is possible for the uterus to open without bleedings',<sup>30</sup> should not R. Judah<sup>31</sup> have disagreed in this case also? — He who learnt that version<sup>32</sup> reads here: Both R. Johanan and Resh Lakish replied: This<sup>33</sup> was learnt as a controversial ruling,<sup>34</sup> and it<sup>33</sup> represents only the view of the Rabbis.

**IF AN ABORTION HAD THE SHAPE OF A BEAST, etc.** Rab Judah citing Samuel stated: What is the reason of R. Meir? Since in their case<sup>35</sup> an expression of forming<sup>36</sup> is used as in that of man.<sup>37</sup> Now then, if an abortion was in the likeness of a sea-monster<sup>38</sup> would its mother be unclean by reason of child-birth, since an expression of forming was used in its case as in that of man, it having been said, **And God created<sup>39</sup> the great sea-monsters?**<sup>40</sup> —

I can answer: An expression of forming<sup>41</sup> may be deduced from another expression of forming<sup>42</sup> but one of creating<sup>43</sup> may not be deduced from one of forming.<sup>44</sup> But where

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lies the practical difference between the two expressions? Surely the School of R. Ishmael taught: And the priest shall return,<sup>45</sup> and the priest shall come,<sup>46</sup> 'returning' and 'coming' are the same thing!<sup>47</sup> Furthermore, why should not one expression of 'creating'<sup>43</sup> be deduced from another expression of 'creating', it being written, And God created man in His own image?<sup>48</sup> —

I can answer: 'And ... created'<sup>48</sup> is required for its own context while 'and ... formed' is available for deduction, hence it is that the expression of 'forming'<sup>49</sup> may be deduced from the similar one of 'forming'.<sup>44</sup> On the contrary [might it not be submitted that] 'And ... formed'<sup>44</sup> was required for its own context while 'and ... created'<sup>48</sup> is available for deduction, hence the expression of 'creating'<sup>43</sup> may be deduced from 'creating'?<sup>48</sup> —

The fact is that the expression 'And ... formed' is available for deduction on the two sides: It is available in the case of man<sup>50</sup> and it is also available in that of beast,<sup>51</sup> but the expression of 'And ... created' is available for deduction only in the case of man<sup>52</sup> but it is not available for the purpose in that of sea-monsters.<sup>53</sup> But why is it<sup>54</sup> regarded available for deduction in the case of beast? If it be suggested because it is written, And God made the beast of the earth<sup>55</sup> and it is also written, And out of the ground the Lord God formed every beast of the field,<sup>56</sup> is not a similar expression [it may be retorted] also available for deduction in the case of a sea-monster, since it is written, And God made ... and everything that creepeth upon the ground,<sup>57</sup> and it is also written, And God created the great sea-monsters?<sup>58</sup> — 'Everything that creepeth' that was written in the previously mentioned verse refers to those on the dry land. What, however, is the practical difference between an expression that is available for deduction on one side and one that is available for deduction on two sides?<sup>59</sup> —

The practical difference is the statement Rab Judah made in the name of Samuel who had it from R. Ishmael:<sup>60</sup> From any *Gezarah shawah*<sup>61</sup> neither of whose terms is available for deduction<sup>62</sup> no deduction may be made;<sup>63</sup> if one of the terms is available for the purpose, then according to R. Ishmael, a deduction may be made and no refutation may be offered, while according to the Rabbis deduction may be made<sup>64</sup> but a refutation<sup>65</sup> may be offered; and if both terms are available for deduction, all<sup>66</sup> agree that deduction may be made and no refutation may be offered. As to R. Ishmael, however, what is the practical difference between a *Gezarah shawah* one of whose terms only is available for deduction and one both of whose terms are available for the purpose? —

The practical difference is that where there is one of which one term only is available for deduction and another both of which both terms are available for deduction we must leave the former

1. Because it is regarded as unclean blood though when she first observed the object it was as dry, for instance, as earth.
2. That dry blood also causes uncleanness.
3. And cannot be regarded as congealed blood.
4. An abortion LIKE A RIND OR LIKE A HAIR.
5. In Galilee west of Sepphoris.
6. From which grew hairs.
7. Tosef. Nid. IV.
8. Cf. Bomb. ed. Cur. edd. do not indicate that this is a quotation from our Mishnah.
9. Resistance to which is proof that it is no mass of congealed blood. Resistance to cold water alone is no proof that it is not congealed blood, since it is possible that it would dissolve in lukewarm water and the woman, therefore, cannot be declared clean.
10. R. Simeon b. Gamaliel and the first Tanna.
11. But cannot be dissolved by mere immersion in lukewarm water. According to the first Tanna, since lukewarm water cannot dissolve it, it cannot be regarded as blood, while according to R. Simeon b. Gamaliel, since it may be squashed by pressure, it must be regarded as blood.

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12. Unclean things such, for instance, as a dead creeping thing and carrion which have become dry.
13. To restore them to their original condition of freshness. These (as stated *infra*) convey uncleanness only when fresh but not when dry.
14. *Infra* 54b.
15. RIND, HAIR, EARTH, etc. spoken of in our Mishnah.
16. Sc. even a lesser period suffices to establish that they are masses of congealed blood.
17. Teku.
18. Who in an earlier clause of our Mishnah ruled, IN EITHER CASE SHE IS UNCLEAN.
19. With the ruling that, OTHERWISE SHE IS CLEAN.
20. Sc. why does he not here also maintain that the woman is unclean in either case?
21. The anonymous ruling under discussion.
22. R. Judah and the Rabbis being in disagreement on it.
23. The anonymous ruling under discussion.
24. Who in this case is of the same opinion as the Rabbis.
25. That IN EITHER CASE SHE IS UNCLEAN.
26. Hence his ruling (cf. prev. n.) whenever the object had the color of one of the four kinds of unclean blood. His ruling is thus entirely independent of the question whether the uterus does or does not open without bleeding.
27. In the case of an abortion of FISHES, LOCUSTS, etc.
28. Blood.
29. And since the abortion under discussion did assume the form of a creature, R. Judah agrees with the Rabbis that OTHERWISE SHE IS CLEAN.
30. *Supra* 21b.
31. Since the character of the abortion itself is of no consequence.
32. The one just referred to.
33. The anonymous ruling under discussion.
34. R. Judah and the Rabbis being in disagreement on it.
35. Beasts and birds.
36. And ... the Lord God formed every beast ... and every fowl (Gen. II, 19).
37. Then the Lord God formed man (ibid. 7).
38. Which may be classed as a kind of fish.
39. This is now assumed to be analogous to an expression of 'forming'.
40. Gen. I, 21. The answer being presumably in the affirmative, how could our Mishnah rule that IF AN ABORTION WAS IN THE SHAPE OF FISHES ... SHE IS CLEAN?
41. And ... the Lord God formed every beast ... and every fowl (Gen. II, 19).
42. Then the Lord God formed man (ibid. 7).
43. Used about sea-monsters in Gen. I, 21.
44. Then the Lord God formed man (ibid. II, 7).
45. Lev. XIV, 39.
46. Ibid. 44.
47. And an analogy between them may be drawn, though they are derived from different roots, v. Hul. 85a. Why then should no analogy be drawn between 'forming' and 'creating'?
48. Gen. I, 27.
49. And ... the Lord God formed every beast ... and every fowl (Gen. II, 19).
50. Since the expression of 'creating' (Gen. I, 27) has also been used about him.
51. As will be explained presently.
52. Concerning whom there is also the expression of 'forming' (Gen. II, 7).
53. Since Scripture contains no other similar expression about them.
54. The expression of 'forming'.
55. Gen. I, 25; an expression of 'making'.
56. Ibid. II, 19; expression of 'forming'.
57. Ibid. I, 25, an expression of 'making' which presumably includes the sea-monsters.
58. Gen. I, 21, an expression of 'creating' which is superfluous in view of that of 'making' (cf. prev. n.) and, therefore, available for deduction.
59. I.e., why is deduction in the latter case preferable to the former?
60. The last six words apparently require emendation.
61. V. [Glos.](#)
62. Lit., 'that is not vacant at all'.
63. Even where no refutation can be offered.
64. If no refutation can be offered against it.
65. If one can be suggested.
66. Even the Rabbis.

## Niddah 23a

and make the deduction from the latter. And it is for this reason<sup>1</sup> that in the case of beast the All Merciful made both terms available for deduction: In order that no deduction shall be made from one of which one term only is available for deduction.<sup>2</sup>

R. Aha son of Raba taught this<sup>3</sup> in the name of R. Eleazar in the direction of leniency. From any *Gezarah shawah* none of whose terms is available for deduction, one may make the deduction and one may also offer a refutation; if one of its terms only is available for the purpose, deduction, according to R.

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Ishmael, may be made and no refutation may be offered, while according to the Rabbis deduction may be made and a refutation may be offered; and if two of its terms are available for deduction, all agree that deduction may be made and no refutation may be offered. But according to the Rabbis<sup>4</sup> what is the practical difference between one whose one term is available for deduction and one none of whose terms is available for deduction? —

The practical difference between them is the case where you find a *Gezarah shawah* one of whose terms is available for deduction and another none of whose terms is available for the purpose, and neither the one nor the other can be refuted, in such a case we must leave the one neither of whose terms is available and make deduction from the one of which one term is available. But what refutation is there in this case?<sup>5</sup> — One might object:<sup>6</sup> A man is different<sup>7</sup> since he contracts uncleanness<sup>8</sup> even when he is alive.<sup>9</sup>

R. Hiyya b. Abba citing R. Johanan also stated,<sup>10</sup> This is the reason of R. Meir: Since the expression of 'forming' has been used in its case as in that of man. Said R. Ammi to him: Now then, If an abortion was in the shape of a mountain would the woman who aborted it<sup>11</sup> be unclean by reason of the birth because it is said, For, lo, He that formeth<sup>12</sup> the mountains and createth the wind?<sup>13</sup> —

The other replied: Does she ever abort a mountain? She can only abort something in the shape of a stone, and that can only be described as a lump.<sup>14</sup> But then, if the abortion was some inflated object would the woman who aborted it<sup>11</sup> be unclean by reason of the birth because the expression of 'creating' has been used about it as about man, since it is written, And createth<sup>15</sup> the wind?<sup>13</sup> And should you reply: it<sup>16</sup> is not available for deduction,<sup>17</sup> [it could be retorted:] Since it could have been written, 'Formeth the mountains and the wind', and yet it was written 'And createth the wind' it

may be inferred, may it not, that it<sup>16</sup> was intended to be made available for deduction?—

The other replied: An analogy for legal purposes may be drawn between words that occur in the Pentateuch<sup>18</sup> but no analogy may be drawn between words that occur respectively in the Pentateuch and in the post-Pentateuchal books.<sup>19</sup>

Rabbah<sup>20</sup> b. Bar Hana citing R. Johanan stated, This is the reason of R. Meir: Because [the pupils<sup>21</sup> of] their<sup>22</sup> eyes are similar to those of human beings. Now then, if an abortion was in the likeness of a serpent would the woman who aborted it<sup>11</sup> be unclean on account of the birth since its eyeball is round like that of a human eye? And should you suggest that the law is so indeed [it could be retorted]: Why then was not the serpent mentioned?<sup>23</sup> — If the serpent had been mentioned<sup>23</sup> it might have been presumed that only in the case of the serpent do the Rabbis disagree with R. Meir, since the expression of 'forming' was not written about it but that in the case of a beast or a wild animal they do not differ from him since the expression of 'forming' had been written about it.<sup>24</sup> But was it not stated in regard to blemishes,<sup>25</sup> 'One whose eyeball is like that of a man'?<sup>26</sup> — This is no difficulty, the one<sup>27</sup> refers to the black of the eye<sup>28</sup> while the other refers to the slit.<sup>29</sup>

R. Jannai stated, This is the reason of R. Meir: Because their<sup>30</sup> eyes are fixed in the front of their heads<sup>31</sup> like those of men. But what about<sup>32</sup> a bird whose eyes are not fixed in the front of its head and R. Meir nevertheless ruled that it is a cause of uncleanness? —

Abaye replied: This<sup>33</sup> applies only to the kadia<sup>34</sup> and the kipufa.<sup>35</sup> It<sup>33</sup> does not then apply to other birds! An objection was raised: R. Hanina b. Gamaliel<sup>36</sup> stated, I approve of the view of R. Meir in regard to beasts and wild animals and that of the Sages

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in regard to birds. Now what did he mean by 'birds'? If it be suggested: *kadia*<sup>34</sup> and *kipufa*<sup>35</sup> [the difficulty would arise]: Wherein do beasts and wild animals differ [from other creatures]? [Obviously in that] that their eyes are fixed in front of their heads like those of men. Now are not those of the *kadia*<sup>34</sup> and the *kipufa*<sup>35</sup> fixed in the same position?<sup>37</sup> Consequently<sup>38</sup> he must have meant other birds. Thus it may be implied, may it not, that R. Meir differs from the Rabbis in regard to the other birds?<sup>39</sup> —

Some part is missing<sup>40</sup> and this is the correct reading: R. Hanina b. Gamaliel<sup>36</sup> stated, I approve of the view of R. Meir in regard to beasts and wild animals, this applying also to the *Kadia* and the *Kipufa*; and that of the Sages in regard to other birds; for even R. Meir disagreed with them only in regard to the *Kadia* and the *Kipufa*, but in the case of other birds he agrees with them. And so it was also taught: R. Eliezer son of R. Zadok stated: An abortion that had the shape of a beast or a wild animal is, according to the view of R. Meir, regarded as a valid birth, but according to the view of the Sages it is no valid birth; and in the case of birds an examination should take place. Now according to whose view should an examination take place? Obviously<sup>41</sup> according to that of R. Meir who ruled that the law<sup>42</sup> applied<sup>43</sup> to the *Kadia* and the *Kipufa* and not to the other birds! R. Aha son of R. Ika retorted: No; the examination should take place according to the Rabbis who ruled that *Kadia* and *Kipufa* are regarded as valid births<sup>43</sup> but not other birds. But wherein does the *Kadia* or the *Kipufa* in this respect differ from beasts and wild animals?<sup>44</sup> — In that they have jaws like those of men.<sup>45</sup>

R. Jeremiah enquired of R. Zera: According to R. Meir who ruled: 'A beast that was in a woman's body is a valid birth', what is the law where its father<sup>46</sup> received for it a token of betrothal?<sup>47</sup> — In what respect could this<sup>48</sup> ever matter? — In respect of causing its

sister to be forbidden.<sup>49</sup> This then presumes<sup>50</sup> that it is viable! But did not Rab Judah citing Rab state: R. Meir gave his ruling<sup>51</sup> only because in the case of its own species<sup>52</sup> it is viable?<sup>53</sup> Said R. Aha b. Jacob: 'To such an extent did R. Jeremiah try<sup>54</sup> to make R. Zera laugh; but the latter did not laugh'.<sup>55</sup>

[Reverting to] the [previous] text, 'Rab Judah citing Rab stated: R. Meir gave his ruling only because in the case of its own species it is viable.' Said R. Jeremiah of Difti:

1. According to the Rabbis.
2. Since such a *Gezarah shawah*, as stated *supra*, could be refuted.
3. The statement cited *supra* by Rab Judah.
4. Who maintain that whether one, or none of the terms is available for deduction both deduction and refutation are admissible.
5. The analogy (*supra* 22b) with man. Sc. since, as was explained *supra*, the only reason why deduction is made from a *Gezarah shawah* both of whose terms are available for the purpose in preference to one of which one term only is available is the consideration that while the latter can be refuted when a logical refutation is offered the former cannot be refuted even in such a case, it follows that where no refutation can be offered it is immaterial whether the deduction is made from the one or the other. And since R. Meir (*supra* 22b) preferred the *Gezarah shawah* between man and beast (both of whose terms are available) to that of man and sea-monsters (whose one term only is available) he must have intended to avoid thereby a refutation that had suggested itself to him. Now what was that refutation?
6. Lit., 'because there is (an argument) to refute'.
7. From other creatures.
8. From a dead creeping thing, for instance.
9. Other creatures, however, while alive can never become unclean. It could, therefore, have been argued that man who is subject to the one restriction of uncleanness may also be a cause of uncleanness to his mother when he is born, but any other creature which is not subject to the former restriction is also exempt from the latter.
10. Like Rab Judah, *supra* 22b.
11. Lit., 'its mother'.
12. An expression of 'forming' like that used of man.
13. Amos IV, 13.

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14. To which the term 'mountain' cannot apply.
15. An expression of 'creating' like that used of man.
16. Cf. prev. n.
17. I.e., it is required for its own context.
18. Torah, in its restrictive connotation.
19. Kabbalah, lit., 'acceptance', 'tradition' as distinct from Torah. (Cf. prev. n.).
20. Cur. edd. in parenthesis 'he said'.
21. V. Rashi and *infra*.
22. Beasts.
23. In our Mishnah, among the shapes of creatures that cause the woman's uncleanness.
24. Hence the omission of the serpent.
25. Which disqualify a beast.
26. Bek. 40a. Now since such likeness is regarded as a blemish it is obvious that the normal eye of a beast is different from the human one. How then could R. Johanan maintain that a beast's eyes are like human eyes?
27. R. Johanan's statement.
28. The pupil, which has the same round shape in man and beasts.
29. In which the eye is fixed. This is not so round in the eye of a beast as in the human eye.
30. Beasts'.
31. Lit., 'go before them'. Those of fishes and serpents are fixed in the sides of their heads.
32. Lit., 'and behold'.
33. R. Meir's ruling just cited.
34. Or (as cur. edd.) 'Karia', a species of owls.
35. Also a species of owls.
36. Cf. Tosaf. *supra* 8b. s.v. [H]. Cur. edd. in parenthesis, 'Antigonus'.
37. Of course they are. Consequently they should have been subject to the same law as beasts and wild animals.
38. Since he made them subject to a different law.
39. If he had not differed, there would have been no point in R. Hanina's statement, 'I would approve ... that of the Sages'.
40. In R. Hanina's statement.
41. Lit., 'not?'
42. That the birth is regarded as valid.
43. Lit., 'yes'.
44. Who also have their eyes in the sides of their heads. If according to the Rabbis an abortion of the former causes uncleanness why should not also the latter?
45. Which beasts and wild animals have not.
46. Who is entitled to effect the betrothal of his daughter while she is a minor.
47. Which is a valid *Kinyan* (v. [Glos.](#)) in the case of a normal child.
48. Such an absurd betrothal.
49. To marry the man who betrothed it. It is forbidden to marry a wife's sister.
50. Since a wife's sister is forbidden to a man only during the lifetime of his wife.
51. That an abortion of a beast or wild animal is regarded as a valid birth.
52. Beast born from beast or wild animal from wild animal.
53. But not when a woman aborted such creatures. The question of wife's sisters, consequently, could never arise in such a case. What then was the point in R. Jeremiah's peculiar enquiry?
54. By his absurd enquiries.
55. It is forbidden to indulge in laughter in this world (cf. Ber. 31a).