

Mishnah: Seder Nashim

Mishnah: Seder Nashim
Parallel Hebrew – English Edition



Timothy A. Lee Publishing

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Introduction

This is a facing parallel edition for mishnah: Seder Nashim. The purpose of this book is to encourage students and scholars to read and the Mishnah. The book displays the Hebrew Mishnah alongside a facing English translation for comparison.

Introduction

The Mishnah is the earliest comprehensive compilation of rabbinic law. These were formulated around the year 200 but derived from earlier teaching. Its title means study by repetition in the sense of learning and teaching (m.Ab. 3.7) and oral instruction (t.Ber 2.12 L. 8).¹ In rabbinic Hebrew, mishnah (מִשְׁנָה) is the noun form of the verb שָׁנָה, ‘to repeat’, or ‘to learn’ (for example, Abot 2.4; 3.3). It comprised interpretations of scripture (midrash), legal rulings (halakhot), and haggadot (non-halakhic material).² Later on, a new idea drew from the biblical use of מִשְׁנָה in Deut 17:18 (‘a copy’ of the Torah) and saw the Mishnah as a ‘second’ or parallel Torah. The opening line of tractate Avot, provides an explicit apologetic framework for the authority of oral Torah as found in the Mishnah. Avot 1.1 presents a chain of transmission in which ‘Moses received the Torah at Sinai and handed it on to Joshua, Joshua to the elders, the elders to the prophets, and the prophets to the men of the Great Assembly.’ This formulation serves to legitimise the existence of an authoritative oral corpus by rooting it in Sinai itself. By asserting that oral teaching was transmitted continuously alongside the written Torah, the rabbis justify the very category of Mishnah.³

¹ See H. L. Strack and Günter Stemberger, *Introduction to the Talmud and Midrash*, trans. Markus Bockmuehl (Minneapolis: Fortress Press, 1996). p 109.

² See Strack p 109, though note there is very little haggadah.

³ Neusner, *Rabbinic Literature: An Essential Guide* (Nashville: Abingdon Press, 2005) p 8.

Structure and Contents

Like the Talmuds, the Mishnah is divided into six orders (*sedarim*), each containing multiple tractates (*masechtot*), which are further subdivided into chapters and paragraphs (*mishnayot*). The six orders are:

1. Zera'im (Seeds) – agricultural laws, blessings, and prayer
2. Mo'ed (Festival Days) – festivals and Sabbath regulations
3. Nashim (Women) – marriage, divorce, and family law
4. Neziqin (Damages) – civil and criminal law, property, and ethics
5. Qodashim (Holy Things) – sacrificial rites, Temple procedures, and dietary laws
6. Tohorot (Purities) – purity and impurity regulations

This structure is not merely topical but conceptual. It reflects a rabbinic worldview in which daily life, ritual practice, social relations, and sacred space are all governed by divine law. Even after the destruction of the Temple, the Mishnah devotes an entire order to sacrificial worship, preserving the legal memory of a cult no longer practiced. This preservation is not antiquarian; it expresses the conviction that the Torah's commandments remain eternally valid, even when their fulfillment is temporarily suspended.

1. Zera'im (Seeds) – agricultural law, blessings, prayer

Berakhot	Blessings, Shema, prayer, liturgical rules.
Pe'ah	Leaving the corner of the field for the poor; agricultural charity.
Demai	Produce of doubtful tithing status.
Kilayim	Forbidden mixtures: seeds, animals, garments.
Shevi'it	Sabbatical year laws.
Terumot	Priestly offerings.
Ma'aserot	First tithes.
Ma'aser Sheni	Second tithe and its redemption.
Hallah	Doughoffering.
Orlah	Forbidden fruit of first three years.
Bikkurim	Firstfruits offerings.

2. Mo'ed (Festival) – Sabbath and festival law

Shabbat	Sabbath prohibitions and permitted actions.
Eruvin	Legal fictions enabling movement/carrying on Shabbat.
Pesahim	Passover laws and the paschal sacrifice.
Shekalim	Halfshekel Temple tax.
Yoma	Yom Kippur rituals, especially the High Priest's service.
Sukkah	Festival of Sukkot: booths, lulav, rituals.
Beitzah	Festivalday work rules.
Rosh Hashanah	New Year, calendar, shofar.
Ta'anit	Communal fasts for drought and crisis.
Megillah	Purim, public Torah reading.
Mo'ed Katan	Intermediate festival days (Hol haMoed).
Hagigah	Pilgrimage offerings.

3. Nashim (Women) – marriage, divorce, vows

Yevamot	Levirate marriage and related kinship laws.
Ketubbot	Marriage contracts and financial obligations.
Nedarim	Vows and their annulment.
Nazir	Nazirite vows.
Sotah	Suspected adultery ritual; related laws.
Gittin	Divorce documents and procedures.
Qiddushin	Betrothal and acquisition in marriage.

4. Neziqin (Damages) – civil/criminal law, courts, ethics

Bava Kamma	Damages, torts, liability.
Bava Metzia	Property, loans, lost objects, labour law.
Bava Batra	Real estate, inheritance, partnerships.
Sanhedrin	Courts, judicial procedure, capital law.
Makkot	Flogging, false witnesses, cities of refuge.
Shevuot	Oaths and penalties.
Eduyot	Testimonies of early sages; legal precedents.
Avodah Zarah	Relations with idolaters; prohibited benefit.
Avot	Ethical maxims of the sages.
Horayot	Erroneous rulings by courts; sinofferings.

5. Qodashim (Holy Things) – sacrificial law, Temple procedures

Zevahim	Animal sacrifices.
Menahot	Grain offerings.
Hullin	Nonsacred slaughter; dietary laws.
Bekhorot	Firstborn animals and humans.
Arakhin	Vows of valuation.
Temurah	Substitution of sacrificial animals.
Keritot	Offences punishable by karet; required offerings.
Me'ilah	Misuse of sacred property.
Tamid	Daily Temple service.
Middot	Measurements and layout of the Temple.
Qinnim	Birdofferings and their combinations.

6. Tohorot (Purities) – ritual purity and impurity

Kelim	Degrees of impurity; vessels.
Oholot	Impurity from corpses; tentlaw.
Negaim	Skin diseases (šara'at).
Parah	Red heifer ritual.
Tohorot	Minor impurities.
Miqva'ot	Ritual baths.
Niddah	Menstrual impurity.
Makhshirin	Liquids enabling impurity.
Zavim	Genital discharges.
Tevul Yom	One who immersed but awaits sunset.
Yadayim	Handimpurity; scribal decrees.
Uktzin	Stalks and attachments transmitting impurity.

Historical Setting

The Mishnah arises from a period of profound upheaval. The destruction of the Second Temple in 70 CE, followed by the Bar Kokhba revolt (132–135 CE), removed the central institutions that had been the focus of Jewish religious life. The priesthood, sacrificial worship, and the Jerusalemcentred legal system were no longer viable. In their void, came the rabbinic movement – a loose network of sages (*tannaim*) and their disciples – which sought to preserve, interpret, and adapt inherited traditions under different circumstances. These traditions were understood to include not only the written Torah (Bible) but also a body of orally transmitted laws, customs, and exegetical principles.

For generations, these teachings circulated orally in the academies of Yavneh, Usha, and Sepphoris. They were attributed to named sages – Hillel, Shammai, Rabban Gamaliel, Rabbi Akiva, Rabbi Meir, and many others – whose debates and rulings formed the backbone of rabbinic legal discourse. Yet oral transmission alone proved increasingly fragile. The dispersion of scholars, the decline of central authority, and the sheer volume of material created the risk of fragmentation. The Mishnah emerges as a response to this crisis: an attempt to stabilise the tradition without abandoning its fundamentally oral character.

The Language of the Mishnah: Mishnaic Hebrew

The language of the Mishnah – Mishnaic Hebrew – is the natural historical development of Biblical Hebrew into the Roman period.⁴ It is not an artificial pseudo-Hebrew but the next diachronic stage of Hebrew, already anticipated in the linguistic profile of late biblical books such as Chronicles, Qoheleth, Esther, and Daniel. Features that appear sporadically in Late Biblical Hebrew – the decline of the *wayyiqtol* (wawconsecutive), increased use of analytic constructions, participial periphrasis, and noticeable Aramaic influence – become the norm in Mishnaic Hebrew. The language reflects the spoken environment of Roman-period Palestine: morphology is simplified, syntax is more flexible, and Aramaic contact leaves clear traces. The result is a vernacular Hebrew dialect in active use, which the Mishnah preserves in a relatively stable literary form without transforming it into a technical legal register.

Literary Style and Modes of Reasoning

The Mishnah's literary style is terse, it presents laws in a compressed, almost aphoristic form, often without explicit scriptural grounding or narrative context. This concision reflects its origins in oral pedagogy: the Mishnah was designed to be memorised, recited, and debated.

The Mishnah's reasoning is primarily casuistic. Rather than offering abstract principles, it presents concrete cases: 'If one deposits produce with his neighbour...', 'If a woman vows...', 'If an ox gores...'. These cases function as paradigms from which broader rules may be inferred. The text rarely explains its logic; instead, it juxtaposes rulings, leaving the reader (or student) to discern the underlying principles. This feature is precisely what invited the later development of the Gemara, where amoraic sages unpack, question, and systematize the mishnaic material.

The Mishnah as a Social and Cultural Document

Beyond its legal content, the Mishnah offers a window into the social world of early rabbinic Judaism. It reflects concerns about agriculture, commerce, family life, ritual purity, and communal governance. It

⁴ M.H. Segal was correct in this identification one hundred years ago. See, Segal *A Grammar of Mishnaic Hebrew* 1927.

presupposes a society in which rabbis, householders, priests, and artisans interact within a shared halakhic framework. At the same time, the Mishnah constructs an idealised vision of Jewish life – one in which rabbinic norms are central, even if they were not universally practiced.

The Mishnah also encodes the values of the rabbinic elite: the importance of study, the authority of tradition, and the centrality of legal reasoning. Its discussions of ethics (especially in *Avot*), its concern for fair dealing, and its emphasis on intentionality reveal a moral vision that extends beyond strict legalism.

Transmission and Reception

The Mishnah became the foundational text for rabbinic study. In the academies of Palestine and Babylonia, amoraic sages produced extensive commentaries – the Jerusalem Talmud and the Babylonian Talmud – which transformed the Mishnah into the core of a vast interpretive tradition. Medieval commentators such as Rashi and Maimonides further shaped its reception, while later halakhic codes (e.g., the *Shulḥan Arukh*) distilled its rulings into normative law.

The Mishnah and the New Testament

The Mishnah's influence extends beyond Judaism. It is a crucial source for historians of late antiquity, scholars of legal theory, and students of ancient Hebrew. Its conceptualisation of law as a living, discursive tradition has parallels in Roman jurisprudence and early Christian canon law, though its methods and assumptions remain distinctively rabbinic.

The Mishnah is invaluable for interpretation of the New Testament, because it preserves the earliest extensive body of Jewish legal concepts, social norms, and institutional assumptions from roughly the same cultural world in which early Christianity emerged. Although the Mishnah postdates the New Testament by more than a century in its redacted form, much of its material reflects earlier tannaitic traditions that illuminate the legal categories, purity concerns, marriage practices, economic arrangements, and dispute-patterns presupposed in the Gospels and Paul. It provides the only systematic evidence for how Pharisaic-rabbinic halakhah conceptualised issues such as Sabbath observance, vows, oaths, tithing, purity, and judicial procedure – all topics that appear in the New Testament T but without explanation. The Mishnah therefore supplies the vocabulary, legal logic, and

social structures that make New Testament texts intelligible within a first-century Jewish context.

Sources

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Contact

If a reader finds an issue in this book, or wishes to suggest an improvement, please email: reader-suggestions@timothyalee.com.

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1
 חֲמֵשׁ עָשָׂרָה נָשִׁים פּוֹטְרוֹת צְרוּתֵיהֶן וְצָרוֹת צְרוּתֵיהֶן מִן
 הַחֲלִיצָה וּמִן הַיְבוּם עַד סוֹף הָעוֹלָם. וְאֵלוֹ הֵן, בְּתוֹ, וּבֵת
 בְּנֹו, בֵּת אִשְׁתּוֹ, וּבֵת בְּנֵה, וּבֵת בְּתוּהָ, חֲמוֹתוֹ וְאִם
 חֲמוֹתוֹ, וְאִם חֲמִיו, אַחֹתוֹ מֵאִמוֹ, וְאַחֹת אִמוֹ, וְאַחֹת אִשְׁתּוֹ,
 וְאַשְׁתְּ אָחִיו מֵאִמוֹ, וְאַשְׁתְּ אָחִיו שְׂלֵא הִיָּה בְּעוֹלָמוֹ, וְכֻלָּתוֹ,
 הָרִי אֵלוֹ פּוֹטְרוֹת צְרוּתֵיהֶן וְצָרוֹת צְרוּתֵיהֶן מִן הַחֲלִיצָה וּמִן
 הַיְבוּם עַד סוֹף הָעוֹלָם. וְכֻלָּן אִם מֵתוּ, אוֹ מֵאֲנוּ, אוֹ נִתְגַּרְשׁוּ,
 אוֹ שְׁנַמְצָאוּ אֵילוּנִיּוֹת, צְרוּתֵיהֶן מִתְּרוֹת. וְאִי אַתָּה יְכוּל
 לֹדֵם בְּחֲמוֹתוֹ וּבְאִם חֲמוֹתוֹ וּבְאִם חֲמִיו שְׁנַמְצָאוּ אֵילוּנִיּוֹת
 אוֹ שְׁמֵאֲנוּ: ² כִּי־צַד פּוֹטְרוֹת צְרוּתֵיהֶן. הִיָּתָה בְּתוֹ אוֹ אַחַת
 מִכָּל הָעֲרִיּוֹת הָאֵלוֹ נְשׂוּאָה לְאָחִיו, וְלוֹ אִשָּׁה אַחֶרֶת, וְמֵת, כָּשֵׁם
 שָׁבְתוֹ פְּטוּרָה, כִּף צָרְתָהּ פְּטוּרָה. הִלְכָה צָרַת בְּתוֹ וְנִשְׂאָת
 לְאָחִיו הַשְּׁנִי, וְלוֹ אִשָּׁה אַחֶרֶת, וְמֵת, כָּשֵׁם שֶׁצָּרַת בְּתוֹ פְּטוּרָה,
 כִּף צָרַת צָרְתָהּ פְּטוּרָה, אֶפְלוּ הֵן מֵאָה. כִּי־צַד אִם מֵתוּ צְרוּתֵיהֶן
 מִתְּרוֹת, הִיָּתָה בְּתוֹ אוֹ אַחַת מִכָּל הָעֲרִיּוֹת הָאֵלוֹ נְשׂוּאָה לְאָחִיו,
 וְלוֹ אִשָּׁה אַחֶרֶת, מֵתָה בְּתוֹ אוֹ נִתְגַּרְשָׁה, וְאַחֵר כִּף מֵת אָחִיו,
 צָרְתָהּ מִתְּרַת. וְכָל הַיְכוּלָה לְמֵאֵן וְלֹא מֵאֲנָה, צָרְתָהּ חוֹלְצָת
 וְלֹא מִתִּיבָמֵת: ³ שֵׁשׁ עֲרִיּוֹת חֲמוֹרוֹת מֵאֵלוֹ, מִפְּנֵי שְׁנִשְׂוֹאוֹת
 לְאַחֵרִים, צְרוּתֵיהֶן מִתְּרוֹת. אִמוֹ, וְאַשְׁתְּ אָבִיו, וְאַחֹת אָבִיו,
 אַחֹתוֹ מֵאָבִיו, וְאַשְׁתְּ אָחִי אָבִיו, וְאַשְׁתְּ אָחִיו מֵאָבִיו: ⁴ בֵּית
 שְׂמָאִי מִתִּירֵין הַצָּרוֹת לְאַחִים, וּבֵית הַלֵּל אוֹסְרִים. חֲלָצוּ, בֵּית
 שְׂמָאִי פּוֹסְלִין מִן הַכְּהֻנָּה, וּבֵית הַלֵּל מִכְּשִׁירִים. נִתְיָבְמוּ, בֵּית
 שְׂמָאִי מִכְּשִׁירִים, וּבֵית הַלֵּל פּוֹסְלִין. אַף עַל פִּי שְׂאֵלוֹ אוֹסְרִין
 וְאֵלוֹ מִתִּירִין, אֵלוֹ פּוֹסְלִין וְאֵלוֹ מִכְּשִׁירִין, לֹא נִמְנָעוּ בֵּית
 שְׂמָאִי מִלְשֹׂא נָשִׁים מִבֵּית הַלֵּל, וְלֹא בֵּית הַלֵּל מִבֵּית שְׂמָאִי.
 כָּל הַטְּהָרוֹת וְהַטְּמָאוֹת שֶׁהִיוּ אֵלוֹ מִטְּהָרִין וְאֵלוֹ מִטְּמָאִין, לֹא
 נִמְנָעוּ עוֹשִׂין טְהָרוֹת אֵלוֹ עַל גְּבֵי אֵלוֹ:

Mishnah Yevamot

1 Fifteen [categories of] women exempt their rival wives and the rival wives of their rival wives and so on ad infinitum from halitzah and from yibbum. And these are they: his daughter, and the daughter of his daughter, and the daughter of his son, and the daughter of his wife, and the daughter of her son and the daughter of her daughter; (7) His mother-in-law and his mother-in-law's mother, and his father-in-law's mother; (10) His maternal sister and his mother's sister and his wife's sister (13) And his maternal brother's wife; and the wife of his brother who died before he was born, (15) And his daughter-in-law. All these exempt their rival wives and the rival wives of their rival wives, and so on, ad infinitum, from halitzah and from yibbum. If any of them died, or made a declaration of refusal, or were divorced, or were found incapable of procreation, their rivals are permitted. And you cannot say of a man's mother-in-law, or the mother of his mother-in-law and of the mother of his father-in-law that they were found incapable of procreation or that they made a declaration of refusal. ² How do they exempt their rival wives? If his daughter or any other of these forbidden relatives was married to his brother who also had another wife, and he died, then just as his daughter is exempt so is her rival exempt. If his daughter's rival went and married a second brother of his, who also had another wife, and he died, then just as the rival of his daughter is exempt so is his daughter's rival's rival exempt, even if there were a hundred [brothers]. How is it that if they had died, their rivals are permitted? If a man's daughter or any other of these forbidden relatives was married to his brother who also had another wife, and his daughter died or was divorced, and afterwards his brother died, her rival is permitted. The rival of any one who can make a declaration of refusal but did not make a declaration of refusal, must perform halitzah and may not have yibbum. ³ There are six relatives that are more restricted than these, in that they may be married only to strangers, marriage with their rivals is permitted: his mother and his father's wife, his father's sister, his paternal sister, his father's brother's wife and his paternal brother's wife. ⁴ Beth Shammai permits the rival wives to the surviving brothers, and Beth Hillel prohibits them. If they perform the halitzah, Beth Shammai disqualifies them from marrying a priest, and Beth Hillel makes the eligible. If they performed yibbum, Beth Shammai makes them eligible [to marry a priest], and Beth Hillel disqualifies them. Though these forbid and these permit, and these disqualify and these make eligible, Beth Shammai did not refrain from marrying women from [the families of] Beth Hillel, nor did Beth Hillel [refrain from marrying women] from [the families of] Beth Shammai. [With regard to] purity and impurity, which these declare pure

2

כִּיצַד אֵשֶׁת אָחִיו שְׁלֵא הָיָה בְּעוֹלָמוֹ. שְׁנֵי אָחִים, וּמֵת אֶחָד
 מֵהֶם, וְנוֹלַד לָהֶן אֶח, וְאַחַר כֵּן יָבֵם הַשְּׁנִי אֶת אֵשֶׁת אָחִיו,
 וּמֵת, הָרֵאשׁוֹנָה יוֹצֵאת מִשׁוּם אֵשֶׁת אָחִיו שְׁלֵא הָיָה בְּעוֹלָמוֹ,
 וְהַשְּׁנִיָּה מִשׁוּם צָרְתָּהּ. עָשָׂה בָּהּ מֵאֵמֶר וּמֵת, הַשְּׁנִיָּה חוֹלְצַת
 וְלֹא מִתִּיבָמֶת: ² שְׁנֵי אָחִים וּמֵת אֶחָד מֵהֶן, וַיָּבֵם הַשְּׁנִי אֶת
 אֵשֶׁת אָחִיו, וְאַחַר כֵּן נוֹלַד לָהֶן אֶח, וּמֵת, הָרֵאשׁוֹנָה יוֹצֵאת
 מִשׁוּם אֵשֶׁת אָחִיו שְׁלֵא הָיָה בְּעוֹלָמוֹ, וְהַשְּׁנִיָּה מִשׁוּם צָרְתָּהּ.
 עָשָׂה בָּהּ מֵאֵמֶר, וּמֵת, הַשְּׁנִיָּה חוֹלְצַת וְלֹא מִתִּיבָמֶת. רַבִּי
 שְׁמַעוֹן אוֹמֵר, מִיָּבֵם לְאִיזוֹ מֵהֶן שְׁיִרְצָה, אוֹ חוֹלֵץ לְאִיזוֹ מֵהֶן
 שְׁיִרְצָה: ³ כָּלֵל אָמְרוּ בִּיבָמָה. כָּל שֶׁהִיא אֲסוּר עָרוּנָה, לֹא
 חוֹלְצַת וְלֹא מִתִּיבָמֶת. אֲסוּרָה אֲסוּר מְצוּהָ, וְאֲסוּר קִדְשָׁה,
 חוֹלְצַת וְלֹא מִתִּיבָמֶת. אַחֻוּתָהּ שֶׁהִיא יְבָמָתָהּ, חוֹלְצַת אוֹ
 מִתִּיבָמֶת: ⁴ אֲסוּר מְצוּהָ, שְׁנִיּוֹת מְדַבְּרֵי סוּפְרִים. אֲסוּר
 קִדְשָׁה, אֲלֻמָּנָה לְכַהֵן גְּדוֹל, גְּרוּשָׁה וְחֻלוּצָה לְכַהֵן הַדְּיוּט,
 מִמְּזוֹרֵת וּנְתִינָה לְיִשְׂרָאֵל, וּבֵת יִשְׂרָאֵל לְנִתִּין וּמְמֹזֵר: ⁵ מִי
 שָׁיֵשׁ לוֹ אֶח מִכָּל מְקוֹם, זוֹקֵק אֶת אֵשֶׁת אָחִיו לְיָבוּם, וְאָחִיו
 לְכָל דְּבָר, חוּץ מִמִּי שָׁיֵשׁ לוֹ מִן הַשְּׁפָחָה וּמִן הַנְּכָרִית. מִי
 שָׁיֵשׁ לוֹ בֶּן מִכָּל מְקוֹם, פּוֹטֵר אֵשֶׁת אָבִיו מִן הַיָּבוּם, וְחַיִּב עַל
 מִכְתּוֹ וְעַל קָלְלָתוֹ, וּבָנוּ הוּא לְכָל דְּבָר, חוּץ מִמִּי שָׁיֵשׁ לוֹ מִן
 הַשְּׁפָחָה וּמִן הַנְּכָרִית: ⁶ מִי שֶׁקִּדַּשׁ אַחַת מִשְׁתֵּי אַחֻוֹת וְאִינוֹ
 יוֹדֵעַ אִיזוֹ מֵהֶן קִדַּשׁ, נוֹתֵן גֵּט לְזוֹ וְגֵט לְזוֹ. מֵת, וְלוֹ אֶח אֶחָד,
 חוֹלֵץ לְשִׁתְּיָהּ. הָיָה לוֹ שְׁנַיִם, אֶחָד חוֹלֵץ וְאֶחָד מִיָּבֵם. קִדְּמוּ
 וְכִנְסוּ, אֵין מוֹצִיאִין מִיָּדָם: ⁷ שְׁנַיִם שֶׁקִּדְּשׁוּ שְׁתֵּי אַחֻוֹת, זֶה
 אִינוֹ יוֹדֵעַ אִיזוֹ קִדַּשׁ, וְזֶה אִינוֹ יוֹדֵעַ אִיזוֹ קִדַּשׁ, זֶה נוֹתֵן שְׁנֵי
 גִטִּין, וְזֶה נוֹתֵן שְׁנֵי גִטִּין. מֵתוֹ, לְזֶה אֶח, וְלְזֶה אֶח, זֶה חוֹלֵץ
 לְשִׁתְּיָהּ, וְזֶה חוֹלֵץ לְשִׁתְּיָהּ. לְזֶה אֶחָד וְלְזֶה שְׁנַיִם, הַיְחִיד
 חוֹלֵץ לְשִׁתְּיָהּ, וְהַשְּׁנַיִם, אֶחָד חוֹלֵץ וְאֶחָד מִיָּבֵם, קִדְּמוּ וְכִנְסוּ,
 אֵין מוֹצִיאִין מִיָּדָם. לְזֶה שְׁנַיִם וְלְזֶה שְׁנַיִם, אָחִיו שֶׁל זֶה חוֹלֵץ
 לְאַחַת, וְאָחִיו שֶׁל זֶה חוֹלֵץ לְאַחַת, אָחִיו שֶׁל זֶה מִיָּבֵם חֻלוּצָתוֹ

and the others declare impure, neither of them refrained from using the utensils of the others for the preparation of food that was ritually clean.

2 What is the case of “the wife of his brother who died before he was born”? If there were two brothers, and one of them died, and then a third brother was born, and then the second brother had yibbum with his dead brother’s wife and then died himself, the first woman is exempt as the wife of his brother who died before he was born, and the second wife [is exempt] because she is her rival wife. If he had ma’amar with her and died, the second wife, must perform halitzah but may not have yibbum. ² If there were two brothers and one of them died, and the second had yibbum with his dead brother’s wife, and after a [third] brother was born the second died, the first wife is exempt on account of her being the wife of his brother who died before he was born, while the second is exempt as her rival. If he had ma’amar with her, the second wife must perform the halitzah but she may not have yibbum. Rabbi Shimon says: he may have yibbum with either of them or perform halitzah for either of them. ³ A general rule has been said about the yavamah: Wherever she is prohibited as a forbidden relation, she may neither perform halitzah nor have yibbum. If her prohibition is due to a commandment or a prohibition due to holiness, she must perform halitzah but she may not have yibbum. If her sister is also her sister-in-law, she may perform halitzah or have yibbum. ⁴ A “prohibition due to a commandment” [refers to] the secondary incest prohibitions forbidden by the scribes. “A prohibition due to holiness” [refers to the following forbidden relationships]: a widow to a high priest; a divorced woman, or one that had performed halitzah to a regular priest; a mamzereth or a netinah to an Israelite; and an Israelite woman to a natin or a mamzer. ⁵ If one has any kind of brother, [that brother] requires his brother’s wife to have yibbum, and he is his brother in every respect, except for a brother born from a female slave or a non-Jewish woman. If one has any kind of son, [that son] exempts his father’s wife from yibbum, and he is liable for striking or cursing [his father], and he is his son in every respect, except for the son of a female slave or a non-Jewish woman. ⁶ If a man betrothed one of two sisters and does not know which of them he has betrothed, he must give a get (a bill of divorce) to this one and a get to this one. If he died, and he had a brother, the brother must perform halitzah for both of them. If he had two brothers, one is to perform halitzah and the other may have yibbum. If they both preempted and married them they do not take [the women] away from them. ⁷ If two men betrothed two sisters and one does not know whom he betrothed and the other does not know whom he betrothed, this one gives two bills of divorce and the other gives two bills of divorce. If they died and this one has a brother and this one has a brother, this brother performs halitzah for both widows and this brother performs halitzah

שֶׁל זֶה, וְאָחִיו שֶׁל זֶה מֵיבֵם חֲלוּצָתוֹ שֶׁל זֶה. קָדְמוּ שְׁנַיִם
וְחֻלְצוּ, לֹא יֵיבְמוּ הַשְּׁנַיִם, אֲלָא אֶחָד חוֹלֵץ וְאֶחָד מֵיבֵם. קָדְמוּ
וְכִנְסוּ, אֵין מוֹצִיאִין מִיָּדָם: ⁸ מִצְוָה בְּגִדוּל לֵיבֵם. וְאִם קָדַם
הַקָּטָן, זָכָה. הַנְּטָעַן עַל הַשִּׁפְחָה וְנִשְׁתַּחֲרָה, אוֹ עַל הַנְּכָרִית
וְנִתְגַּיְרָה, הָרִי זֶה לֹא יִכְנוּס. וְאִם פָּנָס אֵין מוֹצִיאִין מִיָּדוֹ.
הַנְּטָעַן עַל אִשֶׁת אִישׁ, וְהוֹצִיאָוּהָ מִתַּחַת יָדוֹ, אַף עַל פִּי שִׁפְכָס,
יּוֹצִיא: ⁹ הַמְּבִיא גֹט מִמְּדִינַת הַיָּם, וְאָמַר בְּפָנַי נִכְתָּב וּבְפָנַי
נִחַתָּם, לֹא יִשָּׂא אֶת אִשְׁתּוֹ. מֵת, הֶרְגָתוֹ, הֶרְגָנוּהוּ, לֹא יִשָּׂא אֶת
אִשְׁתּוֹ. רַבִּי יְהוּדָה אוֹמֵר, הֶרְגָתוֹ, לֹא תִנָּשֵׂא אִשְׁתּוֹ. הֶרְגָנוּהוּ,
תִּנָּשֵׂא אִשְׁתּוֹ: ¹⁰ הַחֲכָם שָׁאֵסַר אֶת הָאִשָּׁה בְּנֶדֶר עַל בַּעֲלָהּ,
הָרִי זֶה לֹא יִשָּׂאָנָה. מֵאֲנָה, אוֹ שִׁחֲלָצָה בְּפָנָיו, יִשָּׂאָנָה, מִפְּנֵי
שֶׁהוּא בֵּית דִּין. וְכֻלָּן שֶׁהֵיוּ לָהֶם נָשִׁים, וּמֵתוּ, מִתְּרוֹת לְנִשְׂאָה
לָהֶם. וְכֻלָּן שֶׁנִּשְׂאוּ לְאַחֵרִים וְנִתְגַּרְשׁוּ אוֹ שֶׁנִּתְאַלְּמוּ, מִתְּרוֹת
לְנִשְׂאָה לָהֶן. וְכֻלָּן מִתְּרוֹת לְבָנֵיהֶם אוֹ לְאֶחֱיָהֶן:

3 אַרְבָּעָה אַחִין, שְׁנַיִם מֵהֶן נִשְׂוֵאִים שְׁתֵּי אַחֲיוֹת, וּמֵתוּ הַנְּשׂוֹאִים
אֶת הָאֶחָיוֹת, הָרִי אֵלֵינוּ חוֹלְצוֹת וְלֹא מִתֵּיבְמוֹת. וְאִם קָדְמוּ
וְכִנְסוּ, יּוֹצִיאֵנוּ. רַבִּי אֶלְיעֶזֶר אוֹמֵר, בֵּית שְׁמַאי אוֹמְרִים יִקְיָמוּ,
וּבֵית הַלֵּל אוֹמְרִים יּוֹצִיאֵנוּ: ² הֵיטָה אַחַת מֵהֶן אֶסְוֶה עַל
הָאֶחָד אֶסְוֶה עֲרוּהָ, אֶסְוֶה בָּהּ וּמִתָּר בְּאַחֻתָּהּ, וְהַשְּׁנֵי אֶסְוֶר

for both widows. If one has one brother and the other has two brothers, one brother performs halitzah for both widows and [as regards] the two, one performs halitzah and the other may perform yibbum. If they both preempted and married they do not take [the women] away from them. If this one had two brothers and the other had two brothers, one brother of one performs halitzah for one widow and one brother of the other performs halitzah with the other widow, [and then the other] brother of the first may have yibbum with the halutzah of the second and [the other] brother of the second may have yibbum with the halutzah of the first. If both preempted and performed halitzah, the [other] two must not perform yibbum, rather one must perform halitzah and the other may then have yibbum. If they both preempted and married they do not take [the women] away from them.⁸ The commandment to perform yibbum is upon the oldest brother. If a younger brother preempted him [by performing yibbum], he has acquired [a wife]. If a man is suspected of [having relations] with a slave and then she was freed, or with a non-Jewish woman who then converted, he must not marry her. If, however, he did marry her they do not take her away from him. If a man is suspected of [having relations] with a married woman, and then [in consequence] she was taken away from her husband, even though he married her, he must divorce her.⁹ A man who brings a bill of divorce from a country beyond the sea and states, “it was written in my presence and it was signed in my presence”, must not marry the [divorcer’s] wife. [Similarly, if one states] “he died”, “I killed him”, or “We killed him”, he must not marry his wife. Rabbi Judah said: [If he says], “I killed him”, the woman may not marry [any one]; [If, he states], “We killed him”, the woman may marry.¹⁰ A sage who has pronounced a woman forbidden to her husband because of a vow must not marry her himself. If, however, a woman made a declaration of refusal or performed halitzah in his presence, he may marry her, since he [is part of a] court. If any of these had wives who [subsequently] died, [the other women] are permitted to marry them. If [the women] were married to others and were [subsequently] divorced, or widowed, they may be married to these. They are permitted to their sons or brothers.

3 Four brothers: two of whom were married to two sisters, if those who were married to the sisters died, behold these must perform halitzah but may not have yibbum. If they preemptively married them, they must divorce them. Rabbi Eliezer said: Beth Shammai holds that they may retain them, and Beth Hillel holds that they must divorce them.² If one of the sisters was forbidden to one [of the brothers] under the prohibition of incest, he is forbidden to marry her but may marry her sister, while the second brother is forbidden to marry either of them. [If one sister] was forbidden due to a commandment or due to holiness they both perform halitzah and may not be taken in yibbum.³ If one of the sisters was forbidden to

בשתייהן אסור מצוה ואסור קדשה, חולצת ולא מתיבמת: ³ היתה אחת מהן אסורה על זה אסור ערוה, והשניה אסורה על זה אסור ערוה, האסורה לזה מתרת לזה, והאסורה לזה מתרת לזה. וזו היא שאמרו, אחותה כשהיא יבמתה, או חולצת או מתיבמת: ⁴ שלשה אחין, שנים מהן נשואין שתי אחיות, או אשה ובתה, או אשה ובת בתה, או אשה ובת בנה, הרי אלו חולצות ולא מתיבמות. ורבי שמעון פוטר. היתה אחת מהן אסורה עליו אסור ערוה, אסור בה ומת באתה. אסור מצוה או אסור קדשה, חולצות ולא מתיבמות: ⁵ שלשה אחין, שנים מהם נשואים שתי אחיות, ואחד מפנה, מת אחד מבעלי אחיות, ועשה בה מפנה מאמר, ואחר כך מת אחיו השני, בית שמאי אומרים, אשתו עמו, והלה תצא משום אחות אשה. ובית הלל אומרים, מוציא את אשתו בגט ובחליצה, ואשת אחיו בחליצה. זו היא שאמרו, אוי לו על אשתו ואוי לו על אשת אחיו: ⁶ שלשה אחין, שנים מהן נשואים שתי אחיות, ואחד נשוי נכרית, מת אחד מבעלי אחיות, וכנס נשוי נכרית את אשתו, ומת, הראשונה יוצאה משום אחות אשה, ושניה משום צרתה. עשה בה מאמר, ומת, נכרית חולצת ולא מתיבמת. שלשה אחים, שנים מהם נשואים שתי אחיות, ואחד נשוי נכרית, מת הנשוי נכרית, וכנס אחד מבעלי אחיות את אשתו, ומת, הראשונה יוצאה משום אחות אשה, ושניה משום צרתה. עשה בה מאמר, ומת, נכרית חולצת ולא מתיבמת: ⁷ שלשה אחים, שנים מהן נשואים שתי אחיות, ואחד נשוי נכרית, מת אחד מבעלי אחיות, וכנס נשוי נכרית את אשתו, ומתה אשתו של שני, ואחר כך מת נשוי נכרית, הרי זו אסורה עליו עולמית, הואיל ונאסרה עליו שעשה אחת. שלשה אחים, שנים מהן נשואין שתי אחיות, ואחד נשוי נכרית, גרש אחד מבעלי אחיות את אשתו, ומת נשוי נכרית, וכנסה המגרש, ומת, זו היא שאמרו, וכלן שמתו או נתגרשו, צרותיהן מתרות: ⁸ וכלן שהיו בהן קדושין או גרושין בספק, הרי אלו צרות, חולצות ולא מתיבמות. כיצד ספק קדושין, ורק לה קדושין,

one brother under the prohibition of incest and the other sister was forbidden to the other under the prohibition of incest, she who is forbidden to the one is permitted to the other and she who is forbidden to the other is permitted to the first. This is what they said: when her sister is her sister-in-law she may either perform halizah or be taken in yibbum. ⁴ Three brothers: two of whom were married to two sisters, or to a woman and her daughter, or to a woman and her daughter's daughter, or to a woman and her son's daughter, behold, these must perform halizah but may not be taken in yibbum. Rabbi Shimon exempts them. If one of them was forbidden to him by a prohibition of incest, he is forbidden to marry her but is permitted to marry her sister. If the prohibition is due to a commandment or to holiness, they must perform halizah but may not be taken in yibbum. ⁵ Three brothers, two of whom were married to two sisters and the third was unmarried: When one of the sisters' husbands died, the unmarried brother performed for her ma'amar, and then his second brother died: Beth Shammai says: his wife [remains] with him while the other is exempt because she is his wife's sister. Beth Hillel however says that he must divorce his wife with a get and by halizah, and his brother's wife by halizah. This is the case in regard to which they said: "woe to him because of his wife, and woe to him because of his brother's wife." ⁶ Three brothers: two of whom were married to two sisters and the third was married to a stranger: If one of the sisters' husbands died and the brother who was married to the stranger married his wife and then died himself, the first is exempt [from yibbum or halizah] because she is his wife's sister, and the second is exempt as her rival. If he had only had ma'amar with her and died, the stranger is to perform halizah but may not be taken in yibbum. Three brothers: two of whom were married to two sisters and the third was married to a stranger: If the brother who was married to the stranger died, and one of the sisters' husbands married his wife and then died himself, the first is exempt [from yibbum or halizah] because she is his wife's sister, and the second is exempt as her rival. If he had only had ma'amar with her and died, the stranger is to perform halizah but may not be taken in yibbum. ⁷ Three brothers: two of whom were married to two sisters and the third was married to a stranger: If one of the sisters' husband died and the brother who was married to the stranger married his wife, and then the wife of the second brother died, and afterwards the brother who was married to the stranger died, behold she is forbidden to him forever, since she was forbidden to him for one moment. Three brothers: two of whom were married to two sisters and the third was married to a stranger. If one of the sisters' husbands divorced his wife, and then the brother who was married to the stranger died, and he who had divorced his wife married her and then died,- this is a case concerning which they said: If any of them died or were divorced, their rivals are permitted. ⁸ [If in any of these cases] the betrothal or divorce was in doubt, behold, these rivals must perform halizah but may not be taken in yibbum. What is a case of doubtful betrothal? If when he threw

סֵפֶק קָרוֹב לוֹ סֵפֶק קָרוֹב לָהּ, זֶהוּ סֵפֶק קְדוּשֵׁינָן. סֵפֶק גְּרוּשֵׁינָן,
 כָּתוּב בְּכַתֵּב יָדוֹ וְאֵין עָלָיו עֵדִים, יֵשׁ עָלָיו עֵדִים וְאֵין בוֹ זָמַן,
 יֵשׁ בוֹ זָמַן וְאֵין בוֹ אֶלָּא עַד אֶחָד, זֶהוּ סֵפֶק גְּרוּשֵׁינָן: ⁹ שְׁלֹשָׁה
 אַחִין נִשְׁוֹאִין שְׁלֹשׁ נִכְרִיּוֹת, וּמֵת אֶחָד מֵהֶן, וְעָשָׂה בָּהֶן הַשְׁנִי
 מֵאֲמָר, וְנֵמֵת, הָרִי אֵלּוֹ חוֹלְצוֹת וְלֹא מִתִּיבְמוֹת, שְׁנֵאֲמָר (דְּבָרִים
 כה), וּמֵת אֶחָד מֵהֶם יִבְמָה יִבֵּא עָלֶיהָ, שְׁעָלֶיהָ זָקַת יָבָם אֶחָד,
 וְלֹא שְׁעָלֶיהָ זָקַת שְׁנֵי יָבָמִין. רַבִּי שְׁמַעוֹן אוֹמֵר, מִיָּבָם לְאִיזוֹ
 שִׁירְצָה, וְחוֹלֵץ לַשְּׁנֵיָהּ. שְׁנֵי אַחִין נִשְׁוֹאִין לְשֵׁתִי אַחִיּוֹת, וּמֵת
 אֶחָד מֵהֶן, וְאַחַר כֵּן מֵתָה אִשְׁתּוֹ שֶׁל שְׁנֵי, הָרִי זוֹ אֲסוּרָה עָלָיו
 עוֹלָמִית, הוּאִיל וְנִאָסְרָה עָלָיו שְׁעָה אֶחָת: ¹⁰ שְׁנַיִם שְׁקָדְשׁוֹ
 שְׁתֵּי נָשִׁים, וּבִשְׁעַת כְּנִיסָתָן לַחֲפָה הִחְלִיפוּ אֶת שֶׁל זֶה לְזֶה,
 וְאֵת שֶׁל זֶה לְזֶה, הָרִי אֵלּוֹ חֲיִיבִים מִשּׁוֹם אִשְׁתֵּי אִישׁ. הָיָו אַחִין,
 מִשּׁוֹם אִשְׁתֵּי אֶחָד. וְאִם הָיָו אַחִיּוֹת, מִשּׁוֹם אִשָּׁה אֶל אַחֻתָּהּ.
 וְאִם הָיָו נְדוּת, מִשּׁוֹם נְדָה. וּמִפְרִישֵׁינָן אוֹתָן שְׁלֹשָׁה חֲדָשִׁים,
 שְׁמָא מְעַבְרוֹת הֵן. וְאִם הָיָו קִטְנוֹת שְׁאִינָן רְאוּיֹת לִילֵד,
 מִחֲזִירִין אוֹתָן מִיָּד. וְאִם הָיָו כְּהֵנוֹת, נִפְסְלוּ מִן הַתְּרוּמָה:

4
 הַחוֹלֵץ לִיבְמָתוֹ, וְנִמְצְאָת מְעַבְרָת וְיָלְדָה, בְּזָמַן שֶׁהוֹלֵד שֶׁל
 קְיָמָא, הוּא מִתֵּר בְּקָרוּבוּתֶיהָ, וְהִיא מִתֵּרָת בְּקָרוּבֵיו, וְלֹא פִסְלָה
 מִן הַכֹּהֵנָה. אֵין הוֹלֵד שֶׁל קְיָמָא, הוּא אֲסוּר בְּקָרוּבוּתֶיהָ, וְהִיא
 אֲסוּרָה בְּקָרוּבֵיו, וּפִסְלָה מִן הַכֹּהֵנָה: ² הַכּוֹנֵס אֶת יָבְמָתוֹ,
 וְנִמְצְאָת מְעַבְרָת וְיָלְדָה, בְּזָמַן שֶׁהוֹלֵד שֶׁל קְיָמָא, יוֹצֵיא וְחֲיִיבִין
 בְּקָרְבָּן. וְאִם אֵין הוֹלֵד שֶׁל קְיָמָא, יָקִים. סֵפֶק בֶּן תִּשְׁעָה
 לְרֵאשׁוֹן, סֵפֶק בֶּן שְׁבַעַה לְאַחֲרוֹן, יוֹצֵיא וְהוֹלֵד פָּשַׁר, וְחֲיִיבִין
 בְּאֶשֶׁם תְּלוּי: ³ שׁוֹמֵרֵת יָבָם שְׁנִפְלוּ לָהּ נִכְסִים, מוֹדִים בֵּית
 שְׁמָאִי וּבֵית הַלֵּל שְׁמוּכָרֵת, וְנוֹתְנָת, וְקָיָם. מֵתָה, מֵה יַעֲשׂוּ
 בְּכַתְּבָתָהּ וּבְנִכְסֵיהֶם הַנִּכְנָסִים וְיוֹצֵאִין עִמָּה, בֵּית שְׁמָאִי אוֹמְרִים,

to her betrothal money it was uncertain whether it fell nearer to him or nearer to her – this is a case of doubtful betrothal. [What is a case of] doubtful divorce? If he wrote a get in his own handwriting and it bore no signatures of witnesses, or if it bore signatures of witnesses but was not dated, or if it was dated but had the signature of only one witness this is a case of doubtful divorce. ⁹ Three brothers were married to three women who were strangers [to one another] and one of them died and the second brother did *ma'amar* with her and then he died, behold, these must perform *halitzah* but may not be taken in *yibbum*; for it is said “And one of them died...her husband’s brother shall unite with her” (De 25:5) only she who is bound due to one *yavam* but not she who is bound to due to two *yavamim*. R. Shimon says: he may have *yibbum* with whichever of these he wishes and then perform *halitzah* for the other. If two brothers were married to two sisters, and one of the brothers died, and afterwards the wife of the second brother died, behold, she is forbidden to him forever, since she was forbidden to him for one moment. ¹⁰ If two men betrothed two women, and as they were entering into the bridal chamber, they exchanged the one for the other, behold, they are guilty of having relations with a married woman. If they were brothers they are guilty of having relations with a brother’s wife. If they were sisters, they are guilty of having relations with a wife’s sister. If they were menstruant [they are guilty] of having relations with a menstruant. They must be kept apart for three months, lest they are pregnant. If they were minors incapable of bearing children, they may be returned [to their rightful husband] at once. If the women were of priestly families they are disqualified from eating *terumah*.

4 A *yavam* performs *halitzah* for his *yevamah*, and she is subsequently found to be pregnant and she gives birth: If the child is viable, he is permitted to marry her relatives and she is permitted to marry his relatives, and he does not disqualify her from marrying a priest. If the child is not viable, he is forbidden to marry her relatives and she is forbidden to marry his relatives, and he disqualifies her from marrying a priest. ² A *yavam* marries his *yevamah* and she is subsequently found to be pregnant, and she gives birth: If the child is viable, he must divorce her and both are obligated to bring a sacrifice; If the child is not viable, he may retain her [as a wife]. If it is doubtful whether it is a nine-months child of the first [husband] or a seven-months child of the second [husband] he must divorce her, and the child is legitimate, and they must bring an *asham talui*. ³ If a *shomeret yavam* came into possession of money: Beth Shammai and Beth Hillel agree that she may sell it or give it away, and that her act is legally valid. If she dies, what shall be done with her *ketubah* and with property that comes in and goes out with her? Beth Shammai says: the heirs of her husband are to share it with the heirs of her father; Beth Hillel says: the property is to remain with those in whose possession it is, the *ketubah* is to

בתולה נשאת ליום הרביעי, ואלמנה ליום החמישי. שפעמים
 בשבת בתי דינין יושבין בעירות, ביום השני וביום החמישי,
 שאם היה לו טענת בתולים, היה משכים לבית דין:
 2 בתולה, כתבתה מאתים. ואלמנה, מנה. בתולה אלמנה,
 גרושה, וכלוצה, מן הארוסין, כתבתן מאתים, ויש להן טענת
 בתולים. הגיורת, והשבוייה, והשפחה שנפדו ושנתגירו,
 ושנשתחררו, פחותות מבנות שלש שנים ויום אחד, כתבתן
 מאתים, ויש להן טענת בתולים: 3 הגדול שפא על הקטנה,
 וקטן שפא על הגדולה, ומפת עץ, כתבתן מאתים, דברי רבי
 מאיר. וחקמים אומרים, מפת עץ, כתבתה מנה: 4 בתולה
 אלמנה, גרושה, וכלוצה, מן הנשואין, כתבתה מנה, ואין
 להן טענת בתולים. הגיורת, והשבוייה, והשפחה, שנפדו,
 ושנתגירו, ושנשתחררו, יתרות על בנות שלש שנים ויום
 אחד, כתבתן מנה, ואין להן טענת בתולין: 5 האוכל אצל
 חמיו ביהודה שלא בעדים, אינו יכול לטען טענת בתולים,
 מפני שמתיחד עמה. אחת אלמנת ישראל ואחת אלמנת כהן,
 כתבתן מנה. בית דין של כהנים היו גובין לבתולה ארבע
 מאות זוז, ולא מחו בידם חכמים: 6 הנושא את האשה ולא
 מצא לה בתולים, היא אומרת, משארספני נאנסתי, ונסתחפה
 שדך. והלה אומר, לא כי, אלא עד שלא ארסתיך, והיה
 מקחי מקח טעות. רבן גמליאל ורבי אליעזר אומרים, נאמנת.
 רבי יהושע אומר, לא מפיה אנו חייין, אלא הרי זו בחזקת
 בעולה עד שלא תתארס, והטעתו, עד שתביא ראיה לדבריה:
 7 היא אומרת מפת עץ אני, והוא אומר, לא כי, אלא דרוסת
 איש את, רבן גמליאל ורבי אליעזר אומרים, נאמנת. ורבי
 יהושע אומר, לא מפיה אנו חייין, אלא הרי זו בחזקת דרוסת
 איש, עד שתביא ראיה לדבריה: 8 ראוה מדברת עם אחד
 בשוק, אמרו לה מה טיבו של זה. איש פלוני וכזה הוא. רבן
 גמליאל ורבי אליעזר אומרים, נאמנת. ורבי יהושע אומר,
 לא מפיה אנו חייין, אלא הרי זו בחזקת בעולה לנתין ולממזר,

Mishnah Ketubot

1 A virgin is married on the fourth day [of the week] and a widow on the fifth day, for twice in the week the courts sit in the towns, on the second day [of the week] and on the fifth day, so that if he [the husband] had a claim as to the virginity [of the bride] he could go early [on the morning of the fifth day of the week] to the court. ² A virgin her kethubah is two hundred [zuz], and a widow a maneh (100. A virgin, who is a widow, [or] divorced, or a halutzah from betrothal her kethubah is two hundred [zuz], and there is upon her a claim of non-virginity. A female proselyte, a woman captive, and a woman slave, who have been redeemed, converted, or freed [when they were] less than three years and one day old their kethubah is two hundred [zuz] there is upon them a claim of non-virginity. ³ When an adult has had sexual intercourse with a young girl, or when a small boy has had intercourse with an adult woman, or a girl who was injured by a piece of wood [in all these cases] their kethubah is two hundred [zuz], the words of Rabbi Meir. But the Sages say: a girl who was injured by a piece of wood her kethubah is a maneh. ⁴ A virgin, who was a widow, a divorcee, or a halutzah from marriage her kethubah is a maneh, and there is no claim of non-virginity upon her. A female proselyte, a woman captive and a woman slave, who have been redeemed, converted, or freed [when they were] more than three years and one day old their kethubah is a maneh, and there is no claim of non-virginity upon her. ⁵ He who eats with his father-in-law in Judea without the presence of witnesses cannot raise a claim of non-virginity against his wife because he has been alone with her. It is the same whether [the woman is] an Israelite widow or a priestly widow her kethubah is a maneh. The court of the priests collected for a virgin four hundred zuz, and the sages did not protest. ⁶ If a man marries a woman and does not find her to be a virgin: She says, "After you betrothed me I was raped, and so your field has been washed away" And he says, "No, rather [it occurred] before I betrothed you and my acquisition was a mistaken acquisition" Rabban Gamaliel and Rabbi Eliezer say: she is believed. Rabbi Joshua says: We do not live by her mouth, rather she is in the presumption of having had intercourse before she was betrothed and having deceived him, until she brings proof for her statement. ⁷ She says, "I was struck by a piece of wood", And he says, "No, you, rather you have been trampled by a man" Rabban gamaliel and Rabbi Eliezer say: she is believed, And Rabbi Joshua says: We do not live by her mouth, rather she is in the presumption of having been trampled by a man, until she brings proof for her statement. ⁸ They saw her talking with someone in the marketplace, and they said to her, "What sort of a man is he?" [And she answered, "He is] the so-and-so and he is a priest" Rabban Gamaliel and Rabbi

עד שִׁתְּבִיא רְאִיָּה לְדַבְרֶיהָ: ⁹ הִיָּתָה מְעַבְרַת, וְאָמְרוּ לָהּ מַה טִּיבוֹ שֶׁל עֶבֶר זֶה. מֵאִישׁ פְּלוֹנִי וְכֵהֵן הוּא. רַבָּן גַּמְלִיאֵל וְרַבִּי אֱלִיעֶזֶר אוֹמְרִים, נֶאֱמַנְתָּ. רַבִּי יְהוֹשֻׁעַ אוֹמֵר, לֹא מִפִּיהָ אָנוּ חַיִּין, אֲלֹא הָרִי זֶה בְּחֻזְקַת מְעַבְרַת לְנִתִּין וּלְמַמְזֵר, עַד שִׁתְּבִיא רְאִיָּה לְדַבְרֶיהָ: ¹⁰ אָמַר רַבִּי יוֹסִי, מַעֲשֵׂה בְּתִינוּקַת שְׂיֻרְדָּה לְמִלַּאת מַיִם מִן הָעֵינַן, וְנֶאֱנָסָה. אָמַר רַבִּי יוֹחָנָן בֶּן נוּרִי, אִם רַב אֲנִשִּׁי הָעִיר מִשִּׂיאֵין לִכְהֻנָּה, הָרִי זֶה תִּנְשָׂא לִכְהֻנָּה:

2
הָאִשָּׁה שֶׁנִּתְּאָרְמְלָה אוֹ שֶׁנִּתְּגַרְשָׁה, הִיא אוֹמֵרַת בְּתוּלָה נִשְׂאֲתַנִּי, וְהוּא אוֹמֵר, לֹא כִי אֲלֹא אֲלִמְנָה נִשְׂאֲתִיךְ, אִם יֵשׁ עֵדִים שְׂיֻצְאָת בְּהֵנוּמָא וְרֵאשָׁה פְּרוּעַ, כְּתִבְתָּה מֵאֲתִים. רַבִּי יוֹחָנָן בֶּן בְּרוּקָא אוֹמֵר, אִף חֲלוּק קְלִיּוֹת רְאִיָּה: ² וּמוֹדָה רַבִּי יְהוֹשֻׁעַ בְּאוֹמֵר לְחֻבְרוֹ שְׂדָה זֶה שֶׁל אַבִּיךָ הִיָּתָה וּלְקַחְתִּיהָ הֵימְנוּ, שֶׁהוּא נֶאֱמָן, שֶׁהִפָּה שְׂאֶסֶר הוּא הִפָּה שֶׁהִתִּיר. וְאִם יֵשׁ עֵדִים שֶׁהִיא שֶׁל אָבִיו וְהוּא אוֹמֵר לְקַחְתִּיהָ הֵימְנוּ, אֵינּוּ נֶאֱמָן: ³ הָעֵדִים שְׂאֶמְרוּ כְּתִב יְדִינוּ הוּא זֶה, אֲבָל אֲנוּסִים הֵינּוּ, קְטָנִים הֵינּוּ, פְּסוּלֵי עֵדוֹת הֵינּוּ, הָרִי אֵלּוּ נֶאֱמָנִים. וְאִם יֵשׁ עֵדִים שֶׁהוּא כְּתִב יָדָם אוֹ שֶׁהָיָה כְּתִב יָדָם יוֹצֵא מִמְּקוֹם אַחַר, אֵינָן נֶאֱמָנִין: ⁴ זֶה אוֹמֵר זֶה כְּתִב יְדִי וְזֶה כְּתִב יְדוֹ שֶׁל חֻבְרִי, וְזֶה אוֹמֵר זֶה כְּתִב יְדִי וְזֶה כְּתִב יְדוֹ שֶׁל חֻבְרִי, הָרִי אֵלּוּ נֶאֱמָנִין. זֶה אוֹמֵר זֶה כְּתִב יְדִי וְזֶה אוֹמֵר זֶה כְּתִב יְדִי, צְרִיכִים לְצַרְף עִמָּהֶם אַחַר, וְדַבְרֵי רַבִּי. וְחֻכְמִים אוֹמְרִים, אֵינָן צְרִיכִין לְצַרְף עִמָּהֶם אַחַר, אֲלֹא נֶאֱמָן אָדָם לוֹמֵר זֶה כְּתִב יְדִי: ⁵ הָאִשָּׁה שְׂאֶמְרָה אֶשֶׁת אִישׁ הֵייתִי וְגֵרוּשָׁה אָנִי, נֶאֱמַנְתָּ, שֶׁהִפָּה שְׂאֶסֶר הוּא הִפָּה שֶׁהִתִּיר. וְאִם יֵשׁ עֵדִים שֶׁהִיָּתָה אֶשֶׁת אִישׁ וְהִיא אוֹמֵרַת גְּרוּשָׁה אָנִי, אֵינָה נֶאֱמַנְתָּ. אֶמְרָה נִשְׁבִּיתִי וּטְהוֹרָה אָנִי, נֶאֱמַנְתָּ, שֶׁהִפָּה שְׂאֶסֶר הוּא הִפָּה שֶׁהִתִּיר. וְאִם יֵשׁ עֵדִים שֶׁנִּשְׁבִּית וְהִיא אוֹמֵרַת טְהוֹרָה אָנִי, אֵינָה נֶאֱמַנְתָּ. וְאִם מִשְׁנֻשְׂאָת בְּאוֹ עֵדִים, הָרִי זֶה לֹא תִצָּא: ⁶ שְׁתֵּי נָשִׁים שֶׁנִּשְׁבְּוּ, זֹאת אוֹמֵרַת נִשְׁבִּיתִי וּטְהוֹרָה

Eliezer say: she is believed, And Rabbi Joshua says: we do not live by her mouth, rather she is in the presumption of having had relations with a natin or a mamzer, until she brings proof for her statement. ⁹ She was pregnant and they said to her, “What is the nature of this fetus?” [And she answered, “It is] from so-and-so and he is a priest.” Rabban Gamaliel and Rabbi Eliezer say: she is believed, And Rabbi Joshua says: we do not live by her mouth, rather she is in the presumption of having had relations with a natin or a mamzer, until she brings proof for her statement. ¹⁰ Rabbi Yose said: it happened that a young girl went down to draw water from a spring and she was raped. Rabbi Yohanan ben Nuri said: if most of the inhabitants of the town marry [their daughters] into the priesthood, this [girl] may [also] marry into the priesthood.

2 A woman became a widow or was divorced. She says, “I was a virgin when you married me” and he says, “Not so, rather you were a widow when I married you”, If there are witnesses that she went out with a hinuma, and with her head uncovered, her ketubah is two hundred [zuz.] Rabbi Yohanan ben Beroka says: the distribution of roasted ears of corn is also evidence. ² And Rabbi Joshua admits that, if one says to his fellow, “This field belonged to your father and I bought it from him”, he is believed, for the mouth that forbade is the mouth that permitted. But if there are witnesses that it belonged to his father and he says, “I bought it from him”, he is not believed. ³ If witnesses said, “This is our handwriting, but we were forced, [or] we were minors, [or] we were disqualified witnesses” they are believed. But if there are witnesses that it is their handwriting, or their handwriting comes out from another place, they are not believed. ⁴ [If] one witness says, “This is my handwriting and that is the handwriting of my fellow”, and the other [witness] says, “This is my handwriting and that is the handwriting of my fellow”, they are believed. [If] one says, “This is my handwriting” and the other says, “This is my handwriting” they must join to themselves another [person], the words of Rabbi [Judah Hanasi]. But the Sages say: they need not join to themselves another [person], rather a person is believed to say, “this is my handwriting. ⁵ If a woman says, “I was married and I am divorced”, she is believed, for the mouth that forbade is the mouth that permitted. But if there are witnesses that she was married, and she says, “I am divorced”, she is not believed. If she says, “I was taken captive but I have remained clean”, she is believed, for the mouth that forbade is the mouth that permitted. But if there are witnesses that she was taken captive and she says, “I have remained clean” she is not believed. But if the witnesses came after she had married, she shall not go out. ⁶ Two women were taken captive: one says, “I was taken captive and I am pure”, and the other one says, “I was taken captive and I am pure”– they are not believed. But when they testify regarding one another, they are believed. ⁷ And

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אֶלְמָנָה נְזוּנָת מִנְכָּסֵי יְתוּמִים, מַעֲשֵׂה יָדֶיהָ שְׁלֶהֶן, וְאִין
 חֵיבִין בְּקְבוּרָתָהּ. יוֹרְשֵׁיהָ, יוֹרְשֵׁי כְתֻבָּתָהּ, חֵיבִין בְּקְבוּרָתָהּ:
² אֶלְמָנָה, בֵּין מִן הָאָרוּסִין בֵּין מִן הַנְּשׂוּאִין, מוֹכֶרֶת שְׁלֵא בְּבֵית
 דִּין. רַבִּי שְׁמַעוֹן אוֹמֵר, מִן הַנְּשׂוּאִין, מוֹכֶרֶת שְׁלֵא בְּבֵית
 דִּין. מִן הָאָרוּסִין, לֹא תִמְכַּר אֶלָּא בְּבֵית דִּין, מִפְּנֵי שְׂאִין לָהּ
 מְזוּנוֹת, וְכָל שְׂאִין לָהּ מְזוּנוֹת, לֹא תִמְכַּר אֶלָּא בְּבֵית דִּין:
³ מְכָרָה כְּתֻבָּתָהּ אוֹ מְקַצָּתָהּ, מִשְׁכָּנָה כְּתֻבָּתָהּ אוֹ מְקַצָּתָהּ, נִתְּנָה
 כְּתֻבָּתָהּ לְאַחַר אוֹ מְקַצָּתָהּ, לֹא תִמְכַּר אֶת הַשָּׂאֵר אֶלָּא בְּבֵית
 דִּין. וְחֻכְמִים אוֹמְרִים, מוֹכֶרֶת הִיא אֶפְלוּ אַרְבָּעָה וְחֻמְשָׁה
 פְּעָמִים, וּמוֹכֶרֶת לְמְזוּנוֹת שְׁלֵא בְּבֵית דִּין, וְכוּתְבָת, לְמְזוּנוֹת
 מְכָרְתִּי. וְגֵרוּשָׁה לֹא תִמְכַּר אֶלָּא בְּבֵית דִּין: ⁴ אֶלְמָנָה שְׁהִיתָה
 כְּתֻבָּתָהּ מְאֵתִים וּמְכָרָה שְׁוֵה מְנָה בְּמֵאֵתִים אוֹ שְׁוֵה מְאֵתִים
 בְּמְנָה, נִתְקַבְּלָה כְּתֻבָּתָהּ. הִיתָה כְּתֻבָּתָהּ מְנָה וּמְכָרָה שְׁוֵה
 מְנָה וְדִינָר בְּמְנָה, מְכָרָה בְּטֵל. אֶפְלוּ הִיא אוֹמֶרֶת אַחְזִיר אֶת
 הַדִּינָר לְיוֹרְשֵׁין, מְכָרָה בְּטֵל. רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר,
 לְעוֹלָם מְכָרָה קָיָם עַד שְׁתֵּהָא שָׁם כְּדִי שְׁתִּשְׁרִיר בְּשֹׁדֵה בֵּית
 תְּשַׁעָה קַבִּים, וּבְגִנָה בֵּית חֲצִי קַב, וּכְדָבְרֵי רַבִּי עֲקִיבָא בֵּית
 רִבְעֵה. הִיתָה כְּתֻבָּתָהּ אַרְבַּע מְאוֹת זוּז, וּמְכָרָה לְזָה בְּמְנָה וְלְזָה
 בְּמְנָה וְלְאַחֲרוֹן יָפָה מְנָה וְדִינָר בְּמְנָה, שֶׁל אַחֲרוֹן בְּטֵל וְשֶׁל כָּלֵן
 מְכָרֵן קָיָם: ⁵ שׁוֹם הַדִּינָרִין שְׁפָחְתוּ שְׁתוֹת אוֹ הוֹסִיפוּ שְׁתוֹת,
 מְכָרֵן בְּטֵל. רַבֵּן שְׁמַעוֹן בֶּן גַּמְלִיאֵל אוֹמֵר, מְכָרֵן קָיָם. אִם
 כֵּן מָה כָּח בֵּית דִּין יָפָה. אֲבָל אִם עָשׂוּ אֲגָרֶת בְּקָרֶת, אֶפְלוּ
 מְכָרוּ שְׁוֵה מְנָה בְּמֵאֵתִים, אוֹ שְׁוֵה מְאֵתִים בְּמְנָה, מְכָרֵן קָיָם:
⁶ הַמְמָאֲנָת, הַשְּׁנִיָה, וְהָאִלוֹנִית, אֵין לָהֶם כְּתֻבָּה וְלֹא פְרוֹת,
 וְלֹא מְזוּנוֹת, וְלֹא בְלָאוֹת. וְאִם מִתְחַלָּה נִשְׂאָה לְשֵׁם אִילוֹנִית,

11 A widow is to be maintained out of the estate of [her husband's] orphans [and], her handiwork belongs to them but it is not their obligation to bury her. Her heirs, who inherit her ketubah, are obligated to bury her. ² A widow, whether [her husband died] after betrothal or after marriage may sell [her husband's estate] without [permission from] a court. Rabbi Shimon says: [If her husband died] after marriage she may sell without [permission from] a court, but if after betrothal, she may not sell except with [permission from] a court, since she is not entitled to maintenance, and anyone who is not entitled to maintenance may not sell except with [permission from] a court. ³ [A widow who] sold her ketubah or part of it; or pledged her ketubah or part of it; or gave it away to someone else or part of it, may not sell [her husband's property] in order to receive the remainder of her ketubah except with [the permission of] a court. But the Sages say: she may sell [the land pledged for her kethubah] even in four or five installments. And [meanwhile] she may sell [of her husband's estate to provide] for her maintenance without [the permission of] the court, and she writes, "I sold [the land to provide] for my maintenance". A divorced woman must not sell [her husband's property] except with [the permission of] the court. ⁴ If a widow whose ketubah was two hundred zuz sold [land] worth a maneh for two hundred zuz or [land] worth two hundred zuz for one maneh, she has received her ketubah. If her kethubah was one maneh, and she sold [land] worth a maneh and a denar for one maneh, her sale is void. Even if she says, "I will return the denar to the heirs", her sale is void. Rabban Shimon ben Gamaliel says: her sale is always valid unless there was so much land there as to allow her to leave a field of nine kab, and from a garden an area of half a kab, or, according to Rabbi Akiba, a quarter of a kab. If her ketubah was four hundred zuz and she sold [land] to [three] persons, to each for one maneh, and to a fourth [she sold] what was worth a maneh and a denar for one maneh, [the sale] to the last person is void but [the sale] to all the others are valid. ⁵ If an assessment of the judges was one sixth less, or one sixth more [than the actual value of the property] their sale is void. Rabban Shimon ben Gamaliel says: their sale is valid for, otherwise, of what advantage is the power of a court? But if they made a bill for inspection, their sale is valid even if they sold for two hundred zuz what was worth one maneh or for one maneh what was worth two hundred zuz. ⁶ [A minor] who refused her husband, a secondary incest prohibition, or an ayilonit is not entitled to a ketubah or to the usufruct [of her dowry] or to maintenance, or to the worn-out articles [of her dowry]. If from the outset he had married on the understanding that she is an ayilonit she is entitled to a ketubah. A widow who was married to a high priest, a divorced woman or a halutzah who was married to a regular priest, a mamzereth or a netinah who was married to an Israelite, or the daughter of an Israelite who was married to a Natin or a mamzer is entitled to a ketubah.

7

אלו נאמרין בכל לשון, פרשת סוטה, וודוי מעשר, קריאת שמע, ותפלה, וברכת המזון, ושבועת העדות, ושבועת הפקדון: ² ואלו נאמרין בלשון הקדש. מקרא בפורים, וחליצה, ברכות וקללות, ברכת פהנים, וברכת פהן גדול, ופרשת המלה, ופרשת עגלה ערופה, ומשוח מלחמה בשעה שמדבר אל העם: ³ מקרא בפורים פיצד, (דברים כו) וענית ואמרת לפני ה' אלהיך, ולהלן הוא אומר (שם כז) וענו הלויים ואמרו, מה עניה האמורה להלן בלשון הקדש, אף כאן בלשון הקדש: ⁴ חליצה פיצד, (שם כה) וענתה ואמרה, ולהלן הוא אומר וענו הלויים ואמרו, מה עניה האמורה להלן בלשון הקדש, אף כאן בלשון הקדש. רבי יהודה אומר, וענתה ואמרה ככה, עד שתאמר בלשון הזה: ⁵ ברכות וקללות פיצד. כיון שעברו ישראל את הירדן ובאו אל הר גרזים ואל הר עיבל שבשומרון שבצד שכם שבאצל אלוני מורה, שנאמר (שם יא) הלא המה בעבר הירדן וגו', ולהלן הוא אומר (בראשית יב) ויעברו אברהם בארץ עד מקום שכם עד אלון מורה, מה אלון מורה האמור להלן שכם, אף אלון מורה האמור כאן שכם. ששה שבטים עלו לראש הר גרזים וששה שבטים עלו לראש הר עיבל, והפהנים והלויים והארון עומדים למטה באמצע, הפהנים מקיפין את הארון, והלויים את הפהנים, וכל ישראל מכאן ומכאן, שנאמר (יהושע ח) וכל ישראל וזקניו ושטריו ושפטיו עומדים מזה ומזה לארון וגו'. הפכו פניהם כלפי הר גרזים ופתחו בברכה, ברוך האיש אשר לא יעשה פסל ומסכה, ואלו ואלו עונין אמן. הפכו פניהם כלפי הר עיבל ופתחו בקללה, (דברים כז) ארור האיש אשר יעשה פסל ומסכה, ואלו ואלו עונין אמן, עד שגומרין ברכות וקללות. ואחר כך הביאו את האבנים ובנו את המזבח וסדוהו בסיד, וכתבו עליו את כל דברי התורה בשבעים לשון, שנאמר (שם) באר היטב, ונטלו את האבנים ובאו

7 The following may be recited in any language: the section concerning the sotah, the confession made at the presentation of tithes, the shema, the prayer (the amidah), the grace after meals, the oath concerning testimony, the oath concerning a deposit. ² The following are recited in the holy tongue (Hebrew): The reading made at the offering of the firstfruits, The recitation at halitzah, The blessings and curses, The priestly blessing, The blessing of the high priest, The section of the king, The section of the calf whose neck is broken, And the priest anointed [to accompany the army] in battle when he speaks to the people. ³ How is it that the declaration made [at the bringing] of the first-fruits [must be in Hebrew]? [It is said], “And you shall answer and say before the Lord your God” (De 26:5), and elsewhere it is said, “And the Levites shall answer and say” (De 27:14); just as the “answer” made elsewhere must be in the holy tongue, so must the [declaration discussed here] be in the holy tongue. ⁴ How is it that the formula of halitzah [must be recited in Hebrew]? [It is said] “And she shall answer and say” (De 25:9), and elsewhere it says, “And the Levites shall answer and say” (De 27:14); just as the “answer” made elsewhere must be in the holy tongue, so must the [declaration discussed here] be in the holy tongue. Rabbi Judah says: “And she shall answer and say thus”, she must say it in this language. ⁵ How were the blessings and curses [pronounced]? When Israel crossed the Jordan and came to Mt. Gerizim and Mt. Ebal which are by Samaria, in the vicinity of Shechem which is near the terebinths of Moreh, as it is said, “Are they not the other side of the Jordan, [beyond the west road that is in the land of the Canaanites who dwell in the Arabah near Gilgal, by the terebinths of Moreh] (De 11:30), and elsewhere it says, “And Abram passed through the land unto the place of Shechem unto the terebinth of Moreh” (Ge 12:6) just as the terebinth of Moreh mentioned in this latter verse is Shechem, so the terebinth of Moreh mentioned in the former verse is Shechem. Six tribes went up Mt. Gerizim and six tribes went up Mt. Ebal, and the priests and Levites with the ark stood below in the middle, the priests surrounding the ark, the Levites [surrounding] the priests, and all Israel on this side and that side, as it is said, “And all Israel, with their elders, officials, and judges stood on both sides of the ark, facing the levitical priests” (Jos 8:33). They turned their faces towards Mt. Gerizim and opened with the blessing: Blessed be anyone who does not make a graven or molten image”. And these and these respond amen. They then turned their faces towards Mt. Ebal and opened with the curse: “Cursed be anyone who makes a graven or molten image” (De 27:15). And these and these respond amen. [So they continue] until they complete the blessings and curses. After that they brought the stones, built the altar and plastered it with plaster, and inscribed upon it all the words of the Torah in seventy languages, as it is said, “most distinctly (be'er hetev). Then they took the stones and went and spent the night in their place. ⁶ How was the priestly blessing [pronounced]? In the province (outside of the Temple) it was said as three blessings, but in the Temple as one blessing. In the