

Thomas Hieke

Menstruation and Impurity

Regular Abstention from the Cult According to Leviticus 15:19–24 and Some Examples for the Reception of the Biblical Text in Early Judaism

Abstract: The biblical instructions in Leviticus 15:19–24 about women’s regular shedding of the uterine lining and their religious activity mostly refer to male conceptualizations of the female body in Antiquity: The male concepts consider women during their menses as unable to participate in the cult. The woman’s status during this period is called “impure.” The paper presents the overall structure of Leviticus 15, a short note about the origin of the text, and an exegesis of Leviticus 15:19–24: What exactly do the biblical prescriptions regulate and what was the impact for everyday life? Finally some examples demonstrate the reception of this biblical passage in Early Judaism.

Keywords: Menstruation, Impurity, Purity, Leviticus 15, Early Judaism

Thomas Hieke: Johannes Gutenberg-Universität, Mainz, Germany

Introduction

If a menstruant woman passes between two men, if it is at the beginning of her menses she will slay one of them and if it is at the end of her menses she will cause strife between them.¹

For the authors and tradents of the Babylonian Talmud—the quotation stems from the tractate *Pesachim* 111a—the menstruant woman is still a problem. From the Bible onward one finds various regulations about women, their bodily conditions as the regular shedding of the uterine lining, and their religious activity (or religiously motivated restrictions from certain actions).² The focus of the

¹ The Babylonian Talmud, Tractate *Pesachim* 111a. English Translation of all quotations from the Talmud: The Soncino Talmud, Brooklyn, NY.

² For a general treatment of the menstruation see, e.g., BUCKLEY, *Blood Magic*.

following paper lies on the biblical instructions in Leviticus 15:19–24 and their reception in Early Judaism.³ These prescriptions mostly refer to male imaginations and conceptualizations of the female body in Antiquity: The texts were written by men about women and their expected behavior regarding menstruation; women, on the other hand, obviously accepted these regulations, acted according to them and passed them on to the next generation. The male concepts consider women during their menses as unable to participate in the cult. The woman's status during this period is called "impure," and she conveys this status to objects beneath her and to people who touch her or the objects. What exactly do the biblical instructions regulate and what was the impact for everyday life? How was this topic received and treated in later texts? After some remarks about the topic and the overall structure of Leviticus 15 as a whole and a short note about the origin of the text, the paper will present an exegesis of Leviticus 15:19–24⁴ and some examples for the reception of this biblical passage in Early Judaism.

Leviticus 15

Purity and Impurity

The issue of menstruation is part of the major section in the book of Leviticus that deals with ritual purity and impurity (Leviticus 11-15). In general, the term "purity/pure" (*tāhōr*)⁵ in the book of Leviticus refers to the regular status of the (male or female) individual in which the human being is able to participate in the cult (e.g., to eat from the meat of the sacrifice of well-being, *zebah š'lāmîm*). Due to some "abnormal" behavior of the human body a temporary abstention from the cult was an appropriate consequence. But as we learn from the texts,

[r]itual impurity ... is not judged morally but considered as incompatible with the holiness of God. Thus, the 'stained' person is no sinner but only momentarily removed from the or-

³ For the topic of menstruation in the non-priestly literature see, e.g., PHILIP, *Menstruation*, 19–42.

⁴ For a German version of the issues presented here, see my commentary: HIEKE, *Leviticus 1–15*, 522–556.

⁵ The terms pure/purity and impure/impurity are widely used as translation for the technical Hebrew terms *tāhōr* and *tāmē'*, although it is recognized that the linguistic equivalence of the Hebrew and the English terms is far from satisfactory (see BE'ER, *Blood Discharge*, 152).

der of life intended by God, in which the ability to participate in the cult was an important part.⁶

The interim status of “impurity/being impure” (*tāmē*) can be overcome by washing (body, clothes, equipment) and the passing of a certain amount of time.

The Topic of Leviticus 15

Leviticus 15 judges the grade of impurity caused by discharge from the genitals. “This is the most intense concentration of verses dealing with reproductive organs in the Bible.”⁷ Both sexes, men and women, are concerned, but treated differently according to their physical conditions. The chapter distinguishes between anomalous (i.e., pathological) and non-anomalous (regular) flow.

The key for understanding this chapter may be seen in a deep feeling of insecurity: The sexual powers themselves give reason for timidity and awe due to the closeness of love, desire, procreation, pregnancy and childbirth to the divine realm of creation— and this feeling increases in the case of anomalous flow in the context of these phenomena of human life. The concept has nothing to do with a disapproval of sexuality, but is rather an admonition to caution when dealing with the sexual powers.⁸ The purity regulations are not intended to be used as basis for oppressing men and women but rather for reducing (from a modern viewpoint: irrational) anxieties and therefore introducing order and stability. The sphere of human procreation (including sexuality and related discharges) and the realm of cult as a sphere of encounter with the deity are clearly separated. The simple and clear directives for dealing with phenomena of disorder overcome insecurity; they meet the human need for purity in the sense of order and stability.⁹

Structure

Leviticus 15 is a two-partite chapter relating to the two sexes—where both sexes meet, i.e., the case of sexual intercourse, a pivotal sentence occurs in the middle

⁶ HOSS, Baths, 104.

⁷ MEACHAM, History, 24–25.

⁸ See GERSTENBERGER, Leviticus, 181–182.

⁹ See GERSTENBERGER, Leviticus, 190–191.

(V 18). Surrounding this center one finds a palindromic ring structure (ABC – C'B'A').¹⁰

1-2b	introduction to a <i>YHWH</i> speech to Moses	A
2c-17	discharges regarding men	
2c-15	anomalous flow (illness)	B
2c-3	description of the phenomenon	
4-12	transmission of impurity by contact	
13-15	procedures for purification in the case of healing	
16-17	non-anomalous flow: emission of semen	C
18	sexual intercourse	X
19-30	discharges regarding women	
19-24	non-anomalous flow: menstruation	C'
19a-c	description of the phenomenon	
19d-23	transmission of impurity by contact	
24	sexual intercourse with a menstruant	
25-30	anomalous flow (illness)	B'
25	description of the phenomenon	
26-27	transmission of impurity by contact	
28-30	measures for purification in the case of healing	
31	general stipulation, motivation	
32-33	Summary with <i>torah</i> formula	A'

This well-proportioned structure has the innovative effect of an equal treatment of men and women: The women's menstruation appears as a regular (non-anomalous) phenomenon in analogy to the man's emission of semen (C – C'); both discharges are *not* regarded as pathological (or anomalous), and they are set in opposition to the pathological flows of both sexes. Deborah Ellens puts it this way: "structural symmetry constitutes gender symmetry."¹¹ She therefore opts for a different structure and regards V 18 not to be a separate central unit ("X") but rather a pendant to V 24, thus subsuming "X" (sexual intercourse) under "C." However, even without this alternative view of the structure and with V 18 as central part it becomes obvious that men and women in this chapter are considered to be equal at least regarding anomalous and non-anomalous flow from their genitals.

¹⁰ See MILGROM, *Leviticus*, 904–905; STAUBLI, *Leviticus*, 123; WHITEKITTLE, *Leviticus* 15.18, 36; O'GRADY, *Semantics*, 4; MEACHAM, *History*, 24; PHILIP, *Menstruation*, 45–47.

¹¹ ELLENS, *Menstrual Impurity*, 35. COHEN, *Menstruants*, 276, puts it this way: "there is no evidence that the intent or immediate effect of these laws was to discriminate against women."

The Origin of Leviticus 15

The well-proportioned structure and the significant parallel treatment of men and women may point to a literary unity and a composition (Lev 15:2c–30,32–33) by a single hand. The Priestly Writer (P) received the piece from tradition and added the introduction (V 1–2b) and the mentioning of the entrance of the Tent of Meeting in V 14 and V 29.¹² V 31 differs from the other verses stylistically and regarding its content and pragmatics by using the second person style of direct address, pointing to the sanctuary and providing a theological explanation or motivation. This verse probably comes from the redaction of the final form of the book and is shaped in the style of the Holiness Code (H; Lev 17–26).¹³

A Translation of Leviticus 15:19–24

The following working translation of Leviticus 15:19–24 considers the JPS Tanakh Translation as well as Jacob MILGROM's translation in his commentary:¹⁴

19 When a woman has a discharge, her discharge being blood from her body, she shall remain in her monthly period seven days; whoever touches her shall be impure until evening. 20 Anything that she lies on during her monthly period shall be impure; and anything that she sits on shall be impure. 21 Anyone who touches her bedding shall wash his clothes, bathe in water, and remain impure until evening; 22 and anyone who touches any object on which she has sat shall wash his clothes, bathe in water, and remain impure until evening. 23 If it [the object] is on the bedding or on the seat on which she is sitting when he touches it [the object], he shall be impure until evening. 24 And if a man lies with her, her monthly period is communicated to him; he shall be impure seven days, and any bedding on which he lies shall become impure.

¹² See NIHAN, Priestly Torah, 282.

¹³ See NIHAN, Priestly Torah, 282–283; PHILIP, Menstruation, 47.

¹⁴ The JPS TANAKH, a new translation (into contemporary English) of The Holy Scriptures according to the traditional Hebrew text (Masoretic). The Jewish Publication Society, 1985; MILGROM, Leviticus, 903.

An Exegesis of Leviticus 15:19–24

The Key Word *niddā*—“Monthly Period”

The Hebrew term *niddā* is the key word of Lev 15:19–24. In the context of Leviticus 12, *niddā* refers to the temporary abstention from the cult by a woman after childbirth. Leviticus 12 treats this situation in analogy to menstruation and thus connects it to Leviticus 15. Regarding the limited time span and the regularity of the phenomenon, the term “(monthly) period” might be an adequate translation of *niddā*, since the term “period” refers to the *temporary* abstention from the cult and avoids negative connotations of the term “impurity,” which the text does not insinuate.¹⁵ The basic meaning of *niddā* probably is “separation, secretion,” and this may refer to the secretion of the menstrual blood as well as to the separation of the menstruant from the cult for seven days.¹⁶ As V 24 indicates, the cultic status of the woman in her period (i.e., her abstention from the cult) is communicated to the man who has intercourse with her; in that case he is subject to the same regulations as the menstruant herself.

The use of *niddā* in different contexts, however, creates a terminological problem: Other biblical passages, especially prophetic literature, use the taboo topic “menstruant” (no participation in the cult, no sexual intercourse) as a metaphor for “things which may not be touched under any circumstances,” i.e., worshipping foreign gods (e.g., Ezek 7:19–20; 36:17; 2 Chr 29:5; Ezra 9:11). As the foreign gods and their images are in the same context called “detestable abominations,” a fatal inference happens to the term *niddā*: A normal phenomenon in the life of a woman becomes terminologically connected with pejorative terms like abomination.¹⁷ Hence, the prophets and theologians who wanted to illustrate the taboo of foreign gods and their images with the sexual taboo of the menstruant created misogynic connections of terms and concepts. Having the disastrous history of misogynic interpretation of the bible in mind, modern exegesis has to alert readers to these problems.

¹⁵ See ERBELE-KÜSTER, *Körper und Geschlecht*, 121–135; ERBELE-KÜSTER, *Kult(un)fähigkeit*, 27.

¹⁶ See, e.g., GREENBERG, *Etymology*, 74–75.

¹⁷ See, e.g., MEACHAM, *History*, 27; ERBELE-KÜSTER, *Kult(un)fähigkeit*, 28. For the etymological connection between the basic meanings of “separation” and “distance oneself” (from disgust or abhorrence) see GREENBERG, *Etymology*, 75–76, who derives *niddā* from the root *ndd* and concludes: “Heb. *niddā* appears to contain both ideas: distancing and separation due to abhorrence.” See also FONROBERT, *Menstrual Purity*, 18: “Meaning depends upon context.”

Temporary Abstention from the Cult; Washing

The period for the regular abstention of women from the cult is limited to a fixed amount of seven days in order to respect the privacy of the woman. There is no inspection by priests (as it is the case with scale diseases in chapter 13);¹⁸ the counting and the fixation of beginning and ending belongs entirely to the responsibility of the woman, albeit the rabbinic literature discusses this issue elaborately (see, e.g., *b.Niddah* 69a). The woman may use this seven day period as retreat and shelter¹⁹ (see, e.g., Rahel in Gen 31:35). Although it is not mentioned, one must assume that washing body and clothes²⁰ was obligatory. This conclusion can be drawn from the fact that if already the one-day impurity of the male body requires washing (see Lev 15:16–17), then the seven-day impurity period of the female body even more (a conclusion from light to heavy, *qal wa-homer*).²¹ The omission of the mentioning of the obligatory ablutions may be due to a “shorthand technique,” as Deborah Ellens calls it.²²

18 See, e.g., COOK, *Body Language*, 55: “At no time does the biblical material refer explicitly to the priest conducting an examination in the way that he does in the case of the leper; however, neither does the biblical material refer to self-examination.” The frequently mentioned self-examination of the woman in *m.Niddah* is a new (in relation to the biblical material) idea. “In summary, in the context of the Mishnah, the mature woman is capable of self-examination and is responsible for her own determinations of status in the ritual cosmos in relation to menstruation” (p. 56).

19 See, e.g., GERSTENBERGER, *Leviticus*, 189–190.

20 See MILGROM, *Leviticus*, 934–935; LEVINE, *Leviticus*, 97; KAZEN, *Discrepancies*, 355.

21 Ablutions are omitted from the three major impurity cases for women (the parturient, the menstruant, the one discharging chronically), because they were taken for granted. When the performance of ablutions is necessary for the narrative, the writer mentions them (as with Bathsheba in 2 Sam 11:2–4). See MILGROM, *Leviticus*, 935. For a different opinion see, e.g., PHILIP, *Menstruation*, 50–51.

22 See ELLENS, *Leviticus* 15, 141: “In Leviticus 15 the technique works in at least two ways. First, the author allows one section of text to rely upon another section for the completion of its prescriptions. Second, the author allows one phrase to signify more than it denotes at face value. The absence of ablutions in vv. 9–30 is a function of both forms of this technique.”—RUANE, *Bathing*, 74–80, tries to demonstrate a gender difference in the text by assuming that the *women* (the menstruant and the *zābā*) do not bathe because it is not explicitly mentioned: “The bathing is an additional cultic action that marks the *zāb* off from the *zābā* as more cultically complex and consequently reveals his higher status” (p. 77). However, as Ruane herself admits (p. 74), the chapter shows a significant symmetry in text and gender description (see above), and this leads to the conclusion that the ablutions required for the male part of the chapter also apply for the female part and hence need not be repeated.—COOK, *Body Language*, 42–53, demonstrates that “the ritual systems of Bible and Mishnah are profound statements of belief and the foundation of positive self-identity for the human being in general and the Israel-

Conveying Impurity by Physical Contact

The impurity of a woman is passed on through physical contact (in the same way as in the case of a man who suffers from flow, see Lev 15:7). Having acquired a woman's impurity, a man can himself contaminate others in the same way.

Usually the parts of the female body where one touches a woman (face, arms, hands) are not contaminated with menstrual blood, while the bed, seat, blanket etc. on which the woman sits potentially carry traces of menstrual blood. Thus different procedures for purification are required: The one who touches her clothed body only has to wait until evening; the person who has acquired a lesser impurity than the one who touched something she sits on, because this one has to wash his clothes and body in water *and* wait until evening (see Lev 15:19–20). This also means that the priestly lawgiver reduces the source of impurity to the manifest or potential occurrence of blood and thereby seems to reject the tabooing of the menstruant and the erroneous idea that the woman is the victim of a demon or the like. The text itself does not imply any need to isolate the woman from everyday life:²³ she does her tasks; only her cohabitants have to avoid contact with everything she has contaminated.

The text specifies which things get contaminated by impurity: all objects she sits or lies on, including the saddle (mentioned in the section about men in Lev 15:9 and hence included here without explicit mentioning; see, e.g., Gen 31:34–35). These objects need to be cleaned at the time she purifies herself, "otherwise, they would recontaminate her."²⁴ Other objects that the menstruant touches do not become impure. This enables a rather normal life during her "period."

The Hebrew text of Lev 15:23 adds a kind of tertiary impurity: If a menstruant woman sits on a bed and an object lies on that bed, the touching of the object renders one impure until evening. This tertiary impurity only occurs when

ite/Jew in particular, *regardless of gender*. More remarkably, ritual in the Bible and Mishnah is directed toward reconstructing the religious and social environment in the aftermath of catastrophe, and women are incorporated as equal partners in that endeavor" (p. 42–43; emphasis added). See also p. 53: "Proper contextualization of the study of blood makes it clear that women's blood is not valued differently from male blood—nor from animal blood, for that matter; rather, those who shed blood outside the context of sacrificial worship become *tameh*."

²³ Although later interpretations developed different ideas and isolated menstruant women from the community, see below.

²⁴ MILGROM, *Leviticus*, 937.

the woman is present, as the participle *yōšebet* (“she is sitting”) indicates.²⁵ The Septuagint reduces this complexity by speaking about the menstruant herself, not about an object; thus the issue of Lev 15:19d (touching the menstruant) is repeated.

Sexual Intercourse with a Menstruant

The temporary impurity of a menstruant during the time span of seven days is conveyed to a man who has sexual intercourse with her (Lev 15:24).²⁶ Regardless on which day of her impure status the intercourse happens, the man is impure for seven days. One has to distinguish two different cases: (1) The couple notices the beginning of the menstruation during the sexual act. Thus both trespass unintentionally against God’s commandment in Lev 18:19 and 20:18; they have to offer a sin offering according to Lev 4:27–35 (see also m.*Nidda* 2:2). (2) The man and the woman both know about the woman’s menstruation, but they nevertheless have sex. This is an intentional transgressing of God’s law (Lev 20:18); both will be “cut off from their people” (*karet*, see Lev 7:20). To avoid sexual intercourse with a menstruant is one of the characteristics of a just man (Ezek 18:7); having sex during the period of the woman is regarded as an infamous action like the veneration of foreign gods and intercourse with the wife of one’s father (Ezek 22:10). However, the priestly lawgiver does not deal with punishment here but only with ritual law. From the cultic point of view it is irrelevant whether the trespassing against Lev 18:19; 20:18 occurred intentionally or unintentionally. As a matter of fact, if menstrual blood comes upon a man, it renders him impure for seven days. The impurity is transmitted to his bedding; washing is required.

Possible Reasons for Impurity Caused by Menstruation

The flow of blood alone does not suffice as reason for the regular temporary abstention of a menstruant from the cult. Bleeding wounds that are even more dangerous are not regarded as a reason for impurity.²⁷ The chapter exclusively deals with flow from one’s genitals: “Nur im Kontext der Reproduktion ist Blut

²⁵ See MILGROM, *Leviticus*, 939.

²⁶ See, e.g., O’GRADY, *Semantics*, 9–13

²⁷ See WHITEKETTLE, *Levitical Thought*, 377.

verunreinigend bzw. ... wird es in Zusammenhang mit Kultunfähigkeit gebracht."²⁸

In addition to the flow of blood as an indication for the closeness of the sphere of death the following opposition matters: The peril for the genital tract or a reduced functionality of the genitals stand in conflict to the living and life-giving sphere of God.²⁹ At first glance this appears to be plausible for the pathological flows from the genitals of men and women; an encounter with the living deity in the cult is not recommended. At second sight, however, every flow of semen and blood from the genitals symbolizes that reproduction does not occur, that new life is not generated. A menstruant woman cannot conceive; dissemination of life does not occur—in the priestly system this is a symbol standing in opposition to the living deity in the sanctuary. Hence, a temporary abstention from the cult is established. After the fixed period of seven days and a ritual cleansing as a symbol for reintegration, the woman regains the ordinary status of purity. After the menopause, the indicator for cultic impurity does no longer apply. Within the priestly system neither the flow of blood nor barrenness *per se* are problems. However, the menstrual blood flowing from the life-giving organs of the woman indicates “non-life” (no conception).³⁰ The phenomenon is a symbolic opposition to “life” that is associated with the sanctuary. Hence, every sort of contact has to be avoided.³¹

²⁸ ERBELE-KÜSTER, *Körper und Geschlecht*, 159.

²⁹ See WHITEKETTLE, *Levitical Thought*, 380.—The reasoning by FELD, *Menstruation*, that impurity comes from crossing the boundaries between inside and outside, normal and abnormal, seems to be less convincing.

³⁰ See, e.g., EILBERG-SCHWARTZ, *Savage*, 183–184.

³¹ According to b.*Niddah* 31a, the human being has three parts: “His father supplies the semen of the white substance out of which are formed the child’s bones, sinews, nails, the brain in his head and the white in his eye; his mother supplies the semen of the red substance out of which is formed his skin, flesh, hair, blood and the black of his eye; and the Holy One, blessed be He, gives him the spirit and the breath, beauty of features, eyesight, the power of hearing and the ability to speak and to walk, understanding and discernment.” Hence, one may speak of (red) female semen with which the (white) male semen is mixed (see GROHMANN, *Female Semen*, 48; MORGENSTERN, *Nachwort*, 192). The loss of this “female semen” in the process of menstruation indicates the closeness of the sphere of death. Consequently, the text stipulates a period of impurity and abstention from the cult (in analogy to the ejaculation of male semen in Lev 15:16–18). As menstruation lasts longer than a male ejaculation, a period of seven days is fixed for women, while men have to refrain from participation in the cult for only one day (“unclean until evening”).

Examples for the Reception of the Biblical Text in Early Judaism

The biblical instructions itself limit the restrictions for the menstruant considerably. She conveys her impurity only to objects beneath her (virtually or in reality contaminated with menstrual blood). Who touches her, her bedding or an object on the place she was sitting or lying, becomes impure “until evening.” But the text does not tell what happens if she touches someone or an object. In contrast, Lev 15:11 tells explicitly that if a man suffers from genital flow, he passes his impurity on to everyone he touches if he does not wash his hands. From this regulation one may conclude that a menstruant may touch somebody or an object without rendering him or it impure as long as she washed her hands. Under these circumstances a rather “normal” day-to-day life seems to be possible.³²

During the reception of the Torah instructions within Judaism the biblical passages were elaborated in more detail.³³ For the land of Israel stricter prescriptions were in use (see Num 5:2): Josephus renders the instructions of Leviticus 15 in such extent that women had to dwell separately during their menstrual period (*AJ* 3:261).³⁴ The Temple Scroll from the Qumran literature instructs the community to allot special separate places for people with a skin disease, with a flow from their genitals and for menstruant women (11Q19 [11QT^a] 48:14–17).³⁵

32 See, e.g., HIMMELFARB, *Sexual Relations*, 17–18; FONROBERT, *Menstrual Purity*, 17.—One also has to bear in mind that menstruation in antiquity was by far more seldom than today. The improved medical and food conditions enabled an earlier date of sexual maturity and a later menopause. In antiquity the fertile time of a woman was shorter (between the age of 14 and 35), and within these years many months belonged to the time of pregnancy, childbirth and nursing period—no menstruation occurred. Hence the temporary abstention from the cult due to menstruation took place comparatively seldom (see MILGROM, *Leviticus*, 953; BE’ER, *Blood Discharge*, 158–159).

33 For examples for the reception in early Christianity see, e.g., COHEN, *Menstruants*, 288–290.

34 Josephus also relates the observation that the bitumen of the Dead Sea is only set loose with the menstrual blood of women, and with urine, to which alone it yields (*BJ* 4:480; see also Pliny, *Historia Naturalis*, 7:13).—A separate “place of women” seems to be attested in ancient Egypt; however, due to the scarcity of the sources the evidence is too limited, so that it is not clear whether women went there always during their menstruation, and one also does not know what they did there. It is clear, though, that there was no formal menstrual taboo in Egypt (see WILFONG, *Menstrual Synchrony*, 432).

35 For further occurrences in Qumran and rabbinic literature see MILGROM, *Leviticus*, 949.

It is, however, questionable whether this utopian law was ever carried out in everyday life.³⁶

In Early Judaism the topic of purity and impurity becomes a matter of extensive discussion,³⁷ especially in the Mishna (see the fourth seder *Tohorot*, “purities”, with twelve tractates) and in the Talmud.³⁸ The Mishna tractate *m.Niddah* deals with questions about menstruation: how it is to identify, how ambiguous cases are to be decided, how to proceed at childbirth, how the impurities influence men and women, how blood stains are to be treated.³⁹ Since the proceedings of ritual ablutions are not regulated in detail in the Torah, the rabbinic literature adds the instructions in the tractate *m.Mikva'ot*.⁴⁰ The earliest archaeological evidence for ritual baths (stepped pools), *mikva'ot*, points to the end of the second century B.C. or the very early first century B.C.⁴¹ As the ritual of complete immersion is independent from the Temple in Jerusalem, it is practiced even after the destruction of the sanctuary in 70 A.D. On the contrary the impurity of men is closely related to the rituals at the Temple and hence loses its relevance with the loss of the central sanctuary.

Because the menstrual impurity of women influences marital life, this issue is treated intensively in the literature of Early Judaism.⁴²

³⁶ See COHEN, *Menstruants*, 278–279.

³⁷ See, e.g., COHEN, *Menstruants*, 276–287.

³⁸ See, e.g., WEGNER, *Chattel*, FONROBERT, *Menstrual Purity*; MORGENSTERN, *Nachwort*, 173–202.

³⁹ For an English translation see *The Mishnah*, translated from the Hebrew by Herbert DANBY, 745–757; see also COOK, *Body Language*, 54–57; DESTRO, *Witness*, 124–138.—The Mishnah does not treat menstruation in the *Division of Women*, but in the *Division of Purities*: “menstruation in itself has no bearing on the topic of women’s personal status but only on that of cultic purity. ... In that context the menstruant is simply a polluting object. At the same time the rules demonstrate a view of a woman as a person. In requiring her to examine herself regularly and to keep an accurate record of her cycle, the sages assume that she can and will follow complex procedures to determine precisely when her period begins and ends” (WEGNER, *Chattel*, 163). “The very circumstance that makes a woman a polluting object forces the system to rely on her personal senses of responsibility to protect men from sin” (*ibid.*, 165).

⁴⁰ On the Jewish ritual baths (*mikveh*, *mikva'ot*) see, e.g., BASKIN/GIBSON/KOTLAR, *Mikveh*, 225–230; WRIGHT, *Baths*, 190–214; on the tractate *Mikva'ot* in the Mishnah and the Tosefta see EHRMAN, *Mikva'ot*, 224.

⁴¹ See, e.g., HOSS, *Baths*, 103–119; MEACHAM, *History*, 29.

⁴² See, e.g., LEVINE, *Leviticus*, 223.—Some sorts of exclusion of women from the cult due to menstruation also occur in Ancient Egypt, in Mesopotamia and in Zoroastrianism (see MILGROM, *Leviticus*, 950–952). Even the Qur’an knows instruction to refrain from a menstruant woman (*Sura* 2:222; for the oral tradition see STAUBLI, *Leviticus*, 128).

The laws relating to the *niddah* comprise some of the most fundamental principles of the halakhic system. They also constitute one of the few remnants of biblical regulations pertaining to ritual impurities that survived in Jewish life following the destruction of the Second Temple.⁴³

The Babylonian Talmud mentions no isolation of the menstruant⁴⁴ and lists only some restrictions:

R. Isaac b. Hanania further stated in the name of R. Huna: All kinds of work which a wife performs for her husband a menstruant also may perform for her husband, with the exception of filling his cup, making ready his bed and washing his face, hands and feet (b.*Ketubbot* 61a).

There are traces in the Talmud that the menstruant and the menstrual blood⁴⁵ were associated with irrational male anxieties and ideas about magic powers (the following example was mentioned at the beginning):

If a menstruant woman passes between two [men], if it is at the beginning of her menses she will slay one of them [i.e., cause perjury to one of them] and if it is at the end of her menses she will cause strife between them. What is the remedy? Let them commence [a verse] with *el* and end with *el* (b.*Pesahim* 111a).⁴⁶

In b.*Shabbath* 110a the following measures are recommended for a woman in order to repel a snake:

⁴³ TA-SHMA/BASKIN, *Niddah*, 253.

⁴⁴ Neither does the Mishnah, see WEGNER, *Chattel*, 162: “No Mishnaic rule forbids menstruants to set foot in the public domain (whether street or synagogue);” see also FONROBERT, *Menstrual Purity*, 18.—Some kind of social isolation of the menstruant especially from her husband was needed, however, not for purity reasons but to prevent sexual intimacy or sexual arousal (see COHEN, *Menstruants*, 279–280).

⁴⁵ Menstrual blood itself is a substance that defiles heavily; thus Psalms of Solomon 8:12 reads: “They would trample the altar of the Lord because all kinds of uncleanness and with menstrual blood they defiled the sacrifices as if they were profane meat” (NETS). However, this verse probably does not insinuate the immediate application of menstrual blood on sacrifices, but criticizes with this drastic idea the participation of menstruant women in the cult of the sacrifice of well-being or other cultic activities of women during their menses (see, e.g., HIMMELFARB, *Sexual Relations*, 32).

⁴⁶ One has to note, however, that this passage seems to be an exception, since otherwise rabbinic literature knows nothing of that kind, see COHEN, *Menstruants*, 281. “In sum: the belief that a menstruant poses a danger to those around her appears in Jewish sources for the first time in the sixth or seventh century C.E.” (ibid.). COHEN points to the work *Beraita de Nidda* with its extreme restrictions and to Maimonides’ polemicizing against these strands of Jewish piety. FONROBERT, *Menstrual Purity*, 36, states on the passage from b.*Pesahim* 111a: “This text falls into the category of folk literary genre.”

she should take some of her hair and nails and throw them at it and say, 'I am menstruous'.⁴⁷

In Talmudic times an essential change in the entire laws for the *niddah* (the menstruant) relates to the addition of seven "clean" or "white" days; in the middle of the Amoraic period it was already accepted as axiomatic that seven "white" days were to be counted for any blood seen (b.*Niddah* 66a), i.e., after the last day on which the woman observed menstrual blood flowing from her genitals seven days without blood were counted. Fixing a minimum of five days for the menses themselves, the minimum period of abstention from marital intimacies is twelve days. On the evening of the seventh day without sign of blood the woman immerses herself in a mikveh and normal marital relations are resumed.⁴⁸

Conclusion

The structure of Leviticus 15 demonstrates that menstruation is not regarded as an illness. However, according to the priestly system, the female body's menstruations as well as the emission of semen from the male body are both connected with the sphere of death. In antiquity, one assumed that new human life is contained in the male semen which is sown into the "earth," i.e., the female body. Spilled semen, though, symbolizes loss of life. A woman symbolizes "life" as long as her body potentially can reproduce human life; a woman in her men-

⁴⁷ See also TA-SHMA/BASKIN, *Niddah*, 256.—Josephus, too, knows a story about the apotropaic use of menstrual blood in order to get an elusive and dangerous root with healing powers (probably *Mandragora officinalis*), see BJ 7:181.—Also Pliny the Elder in his *Historia naturalis* (7:13) mentions "marvelous effects" of the menstrual discharge: "On the approach of a woman in this state, must will become sour, seeds which are touched by her become sterile, grafts wither away, garden plants are parched up, and the fruit will fall from the tree beneath which she sits. Her very look, even, will dim the brightness of mirrors, blunt the edge of steel, and take away the polish from ivory. A swarm of bees, if looked upon by her, will die immediately; brass and iron will instantly become rusty, and emit an offensive odor; while dogs which may have tasted of the matter so discharged are seized with madness, and their bite is venomous and incurable" (Translation: John Bostock, London 1855). Pliny reports even more magical effects in 28:23, all of which are—from a modern perspective—without the slightest foundation.

⁴⁸ TA-SHMA/BASKIN, *Niddah*, 254–255; see also MEACHAM, *Elimination*, 255–256. For the further development within Judaism see MEACHAM, *History*, 31–37. She concludes: "Jewish menstrual laws have undergone enormous change from biblical to modern times." In fact, the distinction between the *zabd* and the menstruant disappeared, see COHEN, *Menstruants*, 277.

ses, however, definitely cannot conceive and hence symbolizes “non-life.” Her body in that particular status is perceived as an opposite to the sanctuary where the living and life-giving holy God dwells. Hence, the priestly legislation ordered her to abstain from the cult for seven days. The abstention from the cult is called “impurity,” and it is overcome by washing and the passing of a certain time span. Such kind of impurity is not a moral fault or guilt. In contrast, cultic impurity caused by moral sins and wickedness cannot be cleansed by ritual (ablution of the body).

As menstruation is an important part of the female life and influences marital life considerably, the reception of Lev 15:19–24 in Early Judaism receives much attention in the Halakhic literature.⁴⁹ Many details are added to the biblical text. Since the second century B.C. specific ritual basins (*mikva'ot*) came in use, and as custom demands even today many Jewish women are going to the *mikveh* prior to marriage, following *niddut* (i.e., after their menses), and following the birth of a child.⁵⁰

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⁴⁹ There is “some scant evidence about a reading of *niddah* as constituting women's Jewish identity. The Babylonian Talmud mentions: ‘One [unspecified] time the [Roman] government decreed that they [the Jews] should not observe the Shabbat, and that they should not circumcise their sons, and that they should have intercourse with *niddot* [their wives during their menstrual periods].’ (b.*Meilah* 17a) Leaving the problematic question of the historicity of this text aside for a minute, this text provides the rare mention of women in a list of items that the Talmud understands to be the essentials of Jewish culture” (FONROBERT, *Menstrual Purity*, 39).

⁵⁰ For different contemporary viewpoints about menstrual laws within Judaism see the contributions in WASSERFALL, *Women and Water*.

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