CHAPTER FOUR

“IN THE CASE OF WOMEN-ANY HAND WHICH MAKES MANY EXAMINATIONS IS TO BE PRAISED”: NIDDAH AS VIEWED BY THE RABBIS OF THE MISHNAH

Introduction

The topic of menstruation, menstrual blood and the menstruating woman has long fascinated anthropologists and social scientists. While for some scholars this theme falls into a symbolic category, others see it as a functional issue of culture; for some it is a cross-cultural phenomenon, for others it is specific to a society. Turner (1969) finds that anomalous or liminal powers have been ascribed to menstrual discharge. Douglas (1966) sees it as part of a pollution theory of society. This essay will focus on the menstruous woman (or niddah in Hebrew) as perceived by the Rabbis of the Mishnah (redacted in approximately the second century CE as a meticulously presented system governing both the cultic ritual and civil law of a utopian rabbinical society which mirrors the divine will in heaven through careful execution of human actions on earth). Since for both its legal point of departure and authority, Mishnah is dependent upon Torah, we will begin with an examination of the relevant passages.

Niddah in Scripture

In Leviticus the Bible states the laws of Niddah (menstruation), thus providing the conceptual framework for later discussion by the Rabbis. “When a woman has a discharge of blood which is her regular discharge from her body, she shall be in her impurity (niddatah) for seven days, and whoever touches her shall be unclean until the evening.”

1 Jacob Neusner throughout his discussions of Mishnah presents this argument. See for example Neusner 1989a.
In Leviticus 18:19, among the laws concerning the prohibitions of sexual relationships, the Torah continues to inform us of the laws of niddah. “You shall not approach a woman to uncover her nakedness while she is in her menstrual (niddah) uncleanness.” The chapter concludes (24–30) with a warning of what will happen to the children of Israel and to the individual who fails to adhere to the sexual prohibitions. “Do not defile yourself by any of these things, for by all these the nations I am casting out before you defiled themselves; and the land became defiled so that I punished its iniquity, and the land vomited out its inhabitants.”

---

3 The Torah continues “And everything upon which she lies during her impurity (niddatah) shall be unclean: everything, also upon which she sits shall be unclean. And whoever touches her bed shall wash his clothes and bathe himself in water, and be unclean until the evening. And whoever touches anything upon which she sits shall wash his clothes and bathe himself in water and be unclean until the evening. Whether it is the bed or anything upon which she sits, when he touches it he shall be unclean until the evening. And if any man lies with her, and her impurity (niddatah) is on him, he shall be unclean seven days; and every bed on which he lies shall be unclean. If a woman has a discharge of blood for many days, not at the time of her impurity (niddatah) or if she has a discharge beyond the time of her impurity (niddatah) all the days of the discharge she shall continue in uncleanness; as in the days of her impurity (niddatah), she shall be unclean. Every bed on which she lies, all the days of her discharge, shall be to her as the bed of her impurity (niddatah); and everything on which she sits shall be unclean, as in the uncleanness of her impurity (niddatah). And whoever touches these things shall be unclean and shall wash his clothes and bathe himself in water and be unclean until the evening. But if she is cleansed of her discharge she shall count for herself seven days and after that she shall be clean. And on the eighth day she shall take two turtledoves or two young pigeons and bring them to the priest to the door of the tent meeting. And the priest shall offer one for a sin offering and another for a burnt offering: and the priest shall make atonement for her before the Lord for her unclean discharge. Thus you shall keep the people of Israel separate from their uncleanness, lest they die in their uncleanness by defiling my tabernacle that is in their midst. This is the law for him who has a discharge and for him who has an emission of semen, becoming unclean thereby. Also for her who is sick with her impurity (niddatah), that is, for any one, male or female who has a discharge and for a man who lies with a woman who is unclean” (15:19–33).

4 The Torah continues “But you shall keep my statutes and my ordinances and do none of these abominations, either the native or the stranger who sojourns among you. For all these abominations the men of the land did, who were before you so that the land became defiled; lest the land vomit you out, when you defile it, as it vomited out the nation that was before you. For whoever shall do any of these abominations the persons that do them shall be cut off from among their people. So keep my charge never to practice any of these abominable customs which were practiced before you and never to defile yourselves by them: I am the Lord your God.”