



# Why Is/Was Intermarriage Forbidden? Back to the Text

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## Intermarriage — Spring Lecture Series 2018

### I. Introduction and Key Questions

### II. Biblical Sources

#### שמות ל"ד:א-ט"ז

<sup>11</sup>שְׁמַרְלֶךָ אֶת אֲשֶׁר אֲנִי מֵצִוְךָ הַיּוֹם הַנֶּה גֵרֶשׁ מִפְּנֵיךְ אֶת-הָאֱמֹרִי וְהַכְנַעֲנִי וְהַחִתִּי וְהַפְּרִזִּי וְהַיְבוֹסִי: <sup>12</sup>הֲשָׁמַר לְךָ פֶּן-תִּכְרֹת בְּרִית לְיוֹשֵׁב הָאָרֶץ אֲשֶׁר אֵתָּה בָּא עֲלֶיךָ פֶּן-יִהְיֶה לְמוֹקֵשׁ בְּקִרְבְּךָ: <sup>13</sup>כִּי אֶת-מִזְבְּחֵיהֶם תִּתְּצֶנּוּ וְאֶת-מִצְבֹּתֵיהֶם תִּשְׁבֹּרֶנּוּ וְאֶת-אֲשֵׁרֵיהֶם תִּכְרֹתֶנּוּ: <sup>14</sup>כִּי לֹא תִשְׁתַּחֲוֶה לְאֵל אֲחֵר כִּי ה' קָנָא שְׁמוֹ אֵל קָנָא הוּא: <sup>15</sup>פֶּן-תִּכְרֹת בְּרִית לְיוֹשֵׁב הָאָרֶץ וְזָנּוּ אֲחֵרֵי אֱלֹהֵיהֶם וְזָבְחוּ לֵאלֹהֵיהֶם וְקָרָא לְךָ וְאָכַלְתָּ מִזִּבְחָם: <sup>16</sup>וְלִקְחָתָּ מִבְּנֹתֵיהֶם לְבָנֶיךָ וְזָנּוּ בְּנֹתֵיהֶם אֲחֵרֵי אֱלֹהֵיהֶם וְהִזְנוּ אֶת-בְּנֵיךָ אֲחֵרֵי אֱלֹהֵיהֶם:

#### Exodus 34:11-16

<sup>11</sup> Mark well what I command you this day. I will drive out before you the Amorites, the Canaanites, the Hittites, the Perizzites, the Hivites, and the Jebusites. <sup>12</sup> Beware of making a covenant with the inhabitants of the land against which you are advancing, lest they be a snare in your midst. <sup>13</sup> No, you must tear down their altars, smash their pillars, and cut down their sacred posts; <sup>14</sup> for you must not worship any other god, because the LORD, whose name is Impassioned, is an impassioned God. <sup>15</sup> You must not make a covenant with the inhabitants of the land, for they will lust after their gods and sacrifice to their gods and invite you, and you will eat of their sacrifices. <sup>16</sup> And when you take wives from among their daughters for your sons, their daughters will lust after their gods and will cause your sons to lust after their gods.

#### דברים ז':א-ד'

<sup>1</sup>כִּי יֵבִיאֲךָ ה' אֱלֹהֶיךָ אֶל-הָאָרֶץ אֲשֶׁר-אֵתָּה בָּא-שָׁמָּה לְרִשְׁתָּהּ וְנָשַׁל גּוֹיִם-רַבִּים מִפְּנֵיךְ הַחִתִּי וְהַגֵּרְגָּשִׁי וְהָאֱמֹרִי וְהַכְנַעֲנִי וְהַפְּרִזִּי וְהַיְבוֹסִי שְׂבָעָה גּוֹיִם רַבִּים וְעַצְמוֹתֵיהֶם מִמֶּנּוּ: <sup>2</sup>וְיִזְכָּרְתָּ ה' אֱלֹהֶיךָ לְפָנֶיךָ וְהִכִּיתָם הַחֲרָם תַּחֲרִים אֹתָם לֹא-תִכְרֹת לָהֶם בְּרִית וְלֹא תִחַנֶּם: <sup>3</sup>וְלֹא תִתְחַתֵּן בָּם בֵּיתְךָ לֹא-תִתֵּן לְבָנְךָ וּבֵיתְךָ לֹא-תִקַּח לְבָנְךָ: <sup>4</sup>כִּי-יִסִּיר אֶת-בְּנֶיךָ מֵאֲחֵרֵי וְעַבְדוּ אֱלֹהִים אֲחֵרִים וְסָרָה אֶפְרָה בְּכֶם וְהִשְׁמִידְךָ מִקֶּרֶב:



## Deuteronomy 7:1-4

<sup>1</sup>When the LORD your God brings you to the land that you are about to enter and possess, and He dislodges many nations before you—the Hittites, Girgashites, Amorites, Canaanites, Perizzites, Hivites, and Jebusites, seven nations much larger than you—<sup>2</sup>and the LORD your God delivers them to you and you defeat them, you must doom them to destruction: grant them no terms and give them no quarter. <sup>3</sup>You shall not intermarry with them: do not give your daughters to their sons or take their daughters for your sons. <sup>4</sup>For they will turn your children away from Me to worship other gods, and the LORD's anger will blaze forth against you and He will promptly wipe you out.

### מלכים א י"א:א-י"ג

<sup>1</sup>והמלך שלמה אהב נשים נכריות רבות ואת בת־פרעה מואביות עמניות אדמיות צדניות חתיות:  
<sup>2</sup>מן־הגוים אשר אמר־ה' אל־בני ישראל לא־תבאו בהם והם לא־יבאו בכם אכן יטו את־לבבכם אחרי אלהיהם בהם  
דבק שלמה לאהבה: <sup>3</sup>ויהיו־לו נשים שרות שבע מאות ופלגשים שלש מאות ויטו נשיו את־לבו: <sup>4</sup>ויהי לעת זקנת  
שלמה נשיו הטו את־לבבו אחרי אלקים אחרים ולא־היה לבבו שלם עם־ה' אלקיו כלבב דניד אביו:

## I Kings 11:1-13

<sup>1</sup>King Solomon loved many foreign women in addition to Pharaoh's daughter—Moabite, Ammonite, Edomite, Phoenician, and Hittite women, <sup>2</sup>from the nations of which the LORD had said to the Israelites, "None of you shall join them and none of them shall join you, lest they turn your heart away to follow their gods." Such Solomon clung to and loved. <sup>3</sup>He had seven hundred royal wives and three hundred concubines; and his wives turned his heart away. <sup>4</sup>In his old age, his wives turned away Solomon's heart after other gods, and he was not as wholeheartedly devoted to the LORD his God as his father David had been.

### מלאכי ב:י"א-י"ב

<sup>11</sup>בגדה יהודה ותועבה נעשתה בישראל ובירושלם כי | חלל יהודה קדש ה' אשר אהב ובעל בת־אל נכר: <sup>12</sup>יכרת ה'  
לאיש אשר יעשנה ער וענה מאהלי יעקב ומגיש מנחה לה' צבאות:

## Malakhi 2:11-12

<sup>11</sup>Judah has broken faith; abhorrent things have been done in Israel and in Jerusalem. For Judah has profaned what is holy to the LORD—what He desires—and espoused daughters of alien gods. <sup>12</sup>May the LORD leave to him who does this no descendants dwelling in the tents of Jacob and presenting offerings to the LORD of Hosts.

### עזרא ט"א:יג

<sup>1</sup>וככלות אלה נגשו אלי השרים לאמר לא־נבדלנו העם ישראל והכהנים והלויים מעמי הארצות כְּתוּעַבְתִּיהֶם לִכְנַעֲנִי  
החתי הפרזי היבוסִי העמני המאבי המצרי והאמרי: <sup>2</sup>כִּי־נִשְׁאוּ מִבְּנֹתֵיהֶם לָהֶם וּלְבָנֵיהֶם וְהִתְעַרְבוּ זָרַע הַקֹּדֶשׁ בְּעַמִּי  
הָאֲרָצוֹת וַיֵּד הַשָּׂרִים וְהַסֹּגְגִים הִיתָה בְּמַעַל הַזֶּה רַאשׁוֹנָה: <sup>3</sup>וְכִשְׁמַעִי אֶת־הַדָּבָר הַזֶּה קָרַעְתִּי אֶת־בִּגְדִי וַיַּעֲלֵי וַאֲמַרְטָה  
מִשְׁעַר רֹאשִׁי וַזְּקָנִי וְאִשְׁבָּה מִשׁוּמָם: <sup>6</sup>...וְאָמַרְהָ אֶלְקִי בְּשֵׁתִי וְנִלְמַתִּי לְהָרִים אֶלְקִי פָנֵי אֱלֹהֵי כִי עֹנֵתִינוּ רַבּוֹ לְמַעַלָּה  
רֹאשׁ וְאִשְׁמַתְנוּ גְדֻלָּה עַד לִשְׁמַיִם: <sup>10</sup>...וַעֲתָה מֵה־נֹּאמַר אֶלְקִינוּ אַחֲרֵי־זֹאת כִּי עָזַבְנוּ מִצְוֹתֶיךָ: <sup>11</sup>אֲשֶׁר צִוִּית בִּיד עֲבָדֶיךָ  
הַנְּבִיאִים לֵאמֹר הָאֲרֶץ אֲשֶׁר אַתֶּם בָּאִים לְרִשְׁתָּהּ אֲרֶץ נָדָה הִיא בְּנֹדֶת עַמִּי הָאֲרָצוֹת בְּתוּעַבְתִּיהֶם אֲשֶׁר מִלְּאוֹהָ מִפֶּה  
אֶל־פֶּה בְּטִמְאָתָם: <sup>12</sup>וַעֲתָה בְּנֹתֵיכֶם אֶל־תִּתְּנוּ לְבָנֵיהֶם וּבְנֹתֵיהֶם אֶל־תִּשְׁאוּ לְבָנֵיכֶם וְלֹא־תִדְרָשׁוּ שְׁלָמָם וְטוֹבָתָם  
עַד־עוֹלָם לְמַעַן תִּחְזְקוּ וְאִכְלֶתֶם אֶת־טוֹב הָאֲרֶץ וְהוֹרִשְׁתֶּם לְבָנֵיכֶם עַד־עוֹלָם: <sup>13</sup>וְאַחֲרֵי כֵל־הַבָּא עָלֵינוּ בְּמַעֲשֵׂינוּ הָרָעִים



וּבְאַשְׁמֶתְנוּ הַגְדֵּלָה כִּי אַתָּה אֱלֹהֵינוּ חֲשַׁכְתָּ לְמִטָּה מֵעוֹנֵנוּ וְנִתְּתָה לָנוּ פְּלִיטָה קְזָאת: <sup>14</sup>הַנָּשׁוּבִי לְהִפָּר מִצֹּלְיָךְ וְלִהְתַּחַתֵּן בְּעַמִּי הַתַּעֲבֹת הָאֵלֶּה הָלֹא תִאָּנַף-בָּנוּ עַד-כֻּלָּה לְאִין שְׂאֵרִית וּפְלִיטָה: ...<sup>10:2</sup> וַיַּעַן שְׂכָנָהּ בֶן-יִחִיאֵל מִבְּנֵי עוֹלָם [עִילָם] וַיֹּאמֶר לְעִזָּא אֲנִינֵנוּ מֵעַלְנוּ בְּאֵלֵינוּ וְנִשָּׁב נָשִׁים נְכָרִיּוֹת מֵעַמִּי הָאָרֶץ וְעַתָּה יִשְׁמְקֶנָה לִישְׂרָאֵל עַל-זִמָּתָה: <sup>3</sup>וְעַתָּה נְכַרְתָּ-בְּרִית לְאֵלֵינוּ לְהוֹצִיא כָל-נָשִׁים וְהַנּוֹלָד מֵהֶם בְּעֶצֶת ה' וְהַחֲרָדִים בְּמִצְוַת אֱלֹהֵינוּ וְכַתּוּרָה יַעֲשֶׂה:

### Ezra 9:1-10:3

<sup>1</sup>When this was over, the officers approached me, saying, “The people of Israel and the priests and Levites have not separated themselves from the peoples of the land whose abhorrent practices are like those of the Canaanites, the Hittites, the Perizzites, the Jebusites, the Ammonites, the Moabites, the Egyptians, and the Amorites. <sup>2</sup>They have taken their daughters as wives for themselves and for their sons, so that the holy seed has become intermingled with the peoples of the land; and it is the officers and prefects who have taken the lead in this trespass.” <sup>3</sup>When I heard this, I rent my garment and robe, I tore hair out of my head and beard, and I sat desolate...<sup>6</sup> and I said, “O my God, I am too ashamed and mortified to lift my face to You, O my God, for our iniquities are overwhelming and our guilt has grown high as heaven...<sup>10</sup> “Now, what can we say in the face of this, O our God, for we have forsaken Your commandments, <sup>11</sup> which You gave us through Your servants the prophets when You said, ‘The land that you are about to possess is a land unclean through the uncleanness of the peoples of the land, through their abhorrent practices with which they, in their impurity, have filled it from one end to the other. <sup>12</sup> Now then, do not give your daughters in marriage to their sons or let their daughters marry your sons; do nothing for their well-being or advantage, then you will be strong and enjoy the bounty of the land and bequeath it to your children forever.’ <sup>13</sup> After all that has happened to us because of our evil deeds and our deep guilt—though You, our God, have been forbearing, [punishing us] less than our iniquity [deserves] in that You have granted us such a remnant as this—<sup>14</sup>shall we once again violate Your commandments by intermarrying with these peoples who follow such abhorrent practices? Will You not rage against us till we are destroyed without remnant or survivor?...<sup>10:2</sup> Then Shekhaniah son of Jehiel of the family of Elam spoke up and said to Ezra, “We have trespassed against our God by bringing into our homes foreign women from the peoples of the land; but there is still hope for Israel despite this. <sup>3</sup>Now then, let us make a covenant with our God to expel all these women and those who have been born to them, in accordance with the bidding of the Lord and of all who are concerned over the commandment of our God, and let the Teaching be obeyed.

### נחמיה י' א, ל"א

<sup>1</sup>וּבְכָל-זֹאת אֲנִינֵנוּ כְּרִיתִים אֲמִנָּה וְכַתְּבִים וְעַל הַחֲתוּם שָׂרִינוּ לִינֵנוּ כַּהֲנִינוּ: ...<sup>31</sup>וְאֲשֶׁר לֹא-נִתֵּן בְּנֹתֵינוּ לְעַמִּי הָאָרֶץ וְאֶת-בְּנֹתֵיהֶם לֹא נִקַּח לְבָנֵינוּ:

### Nehemiah 10:1, 31

<sup>1</sup>“In view of all this, we make this pledge and put it in writing; and on the sealed copy [are subscribed] our officials, our Levites, and our priests...<sup>31</sup>“Namely: We will not give our daughters in marriage to the peoples of the land, or take their daughters for our sons.



### נחמיה י"ג:א-ג

<sup>1</sup>בַּיּוֹם הַהוּא נִקְרָא בְּסֵפֶר מֹשֶׁה בְּאָזְנֵי הָעָם וְנִמְצָא כְּתוּב בּוֹ אֲשֶׁר לֹא יֵבֹא עִמָּנִי וּמֹאבִי בְּקֹהֶל הָאֱלֹקִים עַד־עוֹלָם:<sup>2</sup> לֹא קָדְמוּ אֶת־בְּנֵי יִשְׂרָאֵל בִּלְחָם וּבַמִּים וַיִּשְׁכְּרוּ עָלָיו אֶת־בִּלְעָם לְקַלְלֹו וַיַּהֲפֹךְ אֱלֹהֵינוּ הַקֵּלֶלָה לְבִרְכָּהּ:<sup>3</sup> וַיְהִי כִשְׁמֹעָם אֶת־הַתּוֹרָה וַיִּבְדִּילוּ כָל־עָרֹב מִיִּשְׂרָאֵל:

### Nehemiah 13:1-3

<sup>1</sup>At that time they read to the people from the Book of Moses, and it was found written that no Ammonite or Moabite might ever enter the congregation of God, <sup>2</sup>since they did not meet Israel with bread and water, and hired Balaam against them to curse them; but our God turned the curse into a blessing. <sup>3</sup>When they heard the Teaching, they separated all the alien admixture from Israel.

### נחמיה י"ג:כ"ג-ל'

<sup>23</sup>גַּם אֲנִי בִּימֵי הַהֵם רָאִיתִי אֶת־הַיְּהוּדִים הַשֹּׂבִיבִי נָשִׁים אַשְׁדּוּדִיּוֹת [אַשְׁדּוּדִיּוֹת] עַמּוֹנִיּוֹת [עַמּוֹנִיּוֹת] מוֹאבִּיּוֹת:<sup>24</sup> וּבְנֵיהֶם חָצִי מִדְּבַר אַשְׁדּוּדִיּוֹת וְאִיגָם מִכִּירִים לְדַבֵּר יְהוּדִית וְכָל־שׁוֹן עִם וְעִם:<sup>25</sup> וְאֶרִיב עִמָּם וְאֶקְלָלֵם וְאָכָה מֵהֶם אֲנָשִׁים וְאֶמְרָטֵם וְאֶשְׁבִּיעֵם בָּאֱלֹקִים אֲם־תִּתְּנוּ בְּנֵיכֶם לְבָנֵיהֶם וְאֲם־תִּשְׁאֲלוּ מִבְּנֵיהֶם לְבָנֵיכֶם וְלָכֶם:<sup>26</sup> הֲלוֹא עַל־אֵלֶּה חֻטֵּא־שָׁלַמָּה מֶלֶךְ יִשְׂרָאֵל וּבְגֹזִים הָרַבִּים לֹא־הָיָה מֶלֶךְ כְּמֹהוּ וְאֶהוּב לֹאֲלֹקִיו הָיָה וַיִּתְּנֵהוּ אֱלֹקִים מֶלֶךְ עַל־כָּל־יִשְׂרָאֵל גַּם־אוֹתוֹ הִחֲטִיאוּ הַנָּשִׁים הַנִּזְכָּרוֹת:<sup>27</sup> וְלָכֶם הַנִּשְׁמָע לַעֲשׂוֹת אֶת־כָּל־הַרָעָה הַגְּדוֹלָה הַזֹּאת לְמַעַל בָּאֱלֹהֵינוּ לְהַשִּׁיב נָשִׁים נִזְכָּרוֹת:<sup>28</sup> וּמִבְּנֵי יוֹדָע בֶּן־אֱלִישִׁיב הַכֹּהֵן הַגָּדוֹל חָתָן לְסַנְבַּלֵּט הַחֹרֶגִי וְאֶבְרִיחֵהוּ מַעֲלִי:<sup>29</sup> זָכְרָה לָהֶם אֱלֹהֵי עַל גְּאֻלִּי הַכֹּהֵן וּבְרִית הַכֹּהֵן וְהַלְוִיִּם:<sup>30</sup> וְטִהַרְתִּים מִכָּל־גֵּזֶר וְאֶעֱמִידָה מִשְׁמֶרֶת לַכֹּהֲנִים וְלַלְוִיִּם אִישׁ בְּמִלְאָכְתּוֹ:

### Nehemiah 13:23-30

<sup>23</sup>Also at that time, I saw that Jews had married Ashdodite, Ammonite, and Moabite women; <sup>24</sup>a good number of their children spoke the language of Ashdod and the language of those various peoples, and did not know how to speak Judean. <sup>25</sup>I censured them, cursed them, flogged them, tore out their hair, and adjured them by God, saying, "You shall not give your daughters in marriage to their sons, or take any of their daughters for your sons or yourselves. <sup>26</sup>It was just in such things that King Solomon of Israel sinned! Among the many nations there was not a king like him, and so well loved was he by his God that God made him king of all Israel, yet foreign wives caused even him to sin. <sup>27</sup>How, then, can we acquiesce in your doing this great wrong, breaking faith with our God by marrying foreign women?" <sup>28</sup>One of the sons of Joiada son of the high priest Eliashib was a son-in-law of Sanballat the Horonite; I drove him away from me. <sup>29</sup>Remember to their discredit, O my God, how they polluted the priesthood, the covenant of the priests and Levites. <sup>30</sup>I purged them of every foreign element, and arranged for the priests and the Levites to work each at his task by shifts.

## III. Second Temple Sources

### Jubilees 30

...And if there is any man who wishes in Israel to give his daughter or his sister to any man who is of the seed of the Gentiles he shall surely die, and they shall stone him with stones; for he hath wrought shame in Israel; and they shall burn the woman with fire, because she has dishonoured the name of the house of her father, and she shall be rooted out of Israel...And to this law there is no limit of days,



and no remission, nor any atonement: but the man who has defiled his daughter shall be rooted out in the midst of all Israel, because he has given of his seed to Molokh, and wrought impiously so as to defile it. And do thou, Moses, command the children of Israel and exhort them not to give their daughters to the Gentiles, and not to take for their sons any of the daughters of the Gentiles, for this is abominable before the Lord. For this reason, I have written for thee in the words of the Law all the deeds of the Shekhemites, which they wrought against Dinah, and how the sons of Jacob spake, saying: 'We will not give our daughter to a man who is uncircumcised; for that were a reproach unto us.' And it is a reproach to Israel, to those who live, and to those that take the daughters of the Gentiles; for this is unclean and abominable to Israel. And Israel will not be free from this uncleanness if it has a wife of the daughters of the Gentiles, or has given any of its daughters to a man who is of any of the Gentiles. For there will be plague upon plague, and curse upon curse, and every judgment and plague and curse will come: if he do this thing, or hide his eyes from those who commit uncleanness, or those who defile the sanctuary of the Lord, or those who profane His holy name, (then) will the whole nation together be judged for all the uncleanness and profanation of this man. And there will be no respect of persons [and no consideration of persons] and no receiving at his hands of fruits and offerings and burnt-offerings and fat, nor the fragrance of sweet savour, so as to accept it: and so fare every man or woman in Israel who defiles the sanctuary. For this reason I have commanded thee, saying: 'Testify this testimony to Israel: see how the Shekhemites fared and their sons: how they were delivered into the hands of two sons of Jacob, and they slew them under tortures, and it was (reckoned) unto them for righteousness, and it is written down to them for righteousness. And the seed of Levi was chosen for the priesthood, and to be Levites, that they might minister before the Lord, as we, continually, and that Levi and his sons may be blessed for ever; for he was zealous to execute righteousness and judgment and vengeance on all those who arose against Israel.

### **Josephus, Antiquities VIII**

But although Solomon was become the most glorious of kings, and the best beloved by God, and had exceeded in wisdom and riches those that had been rulers of the Hebrews before him, yet did not he persevere in this happy state till he died...He grew mad in his love of women, and laid no restraint on himself in his lusts; nor was he satisfied with the women of his country alone, but he married many wives out of foreign nations; Sidonians, and Tyrians, and Ammonites, and Edomites; and he transgressed the laws of Moses, which forbade Jews to marry any but those that were of their own people. He also began to worship their gods, which he did in order to the gratification of his wives, and out of his affection for them. This very thing our legislator suspected, and so admonished us beforehand, that we should not marry women of other countries, lest we should be entangled with foreign customs, and apostatize from our own; lest we should leave off to honor our own God, and should worship their gods.

### **Philo, Special Laws III, 5**

Moses commands, do not either form a connection of marriage with one of another nation, and do not be seduced into complying with customs inconsistent with your own, and do not stray from the right way and forget the path which leads to piety, turning into a road which is no road. And, perhaps, you will yourself resist, if you have been from your earliest youth trained in the best possible instruction,



which your parents have instilled into you, continually filling your mind with the sacred laws. And the anxiety and fear which parents feel for their sons and daughters is not slight; for, perchance, they may be allured by mischievous customs instead of genuine good ones, and so they may be in danger of learning to forget the honour belonging to the one God, which is the beginning and end of extreme unhappiness.

### I Corinthians 7

<sup>12</sup> To the rest I say this (I, not the Lord): If any brother has a wife who is not a believer and she is willing to live with him, he must not divorce her. <sup>13</sup> And if a woman has a husband who is not a believer and he is willing to live with her, she must not divorce him. <sup>14</sup> For the unbelieving husband has been sanctified through his wife, and the unbelieving wife has been sanctified through her believing husband. Otherwise your children would be unclean, but as it is, they are holy.

## IV. Classical Rabbinic Sources

### A. When does a ban on Jewish-Gentile intimacy come into effect?

#### משנה שבת א:ד

ואלו מן ההלכות שאמרו בעליית חנניה בן חזקיה בן גוריון כשעלו לבקרו נמנו ורבו ב"ש על ב"ה וי"ח דברים גזרו בו ביום:

#### Mishnah Shabbat 1:4

And these are some of the regulations enacted in the attic of Hananiah ben Hizkiyah ben Guryon when [the rabbis] went up to visit him. They called the roll and found that [members of] Beit Shammai outnumbered those of Beit Hillel, and they decreed eighteen regulations on that day.

#### תלמוד ירושלמי (וילנא) שבת פרק א הלכה ד

תני שמונה עשרה דבר גזרו ובשמונה עשרה רבו. ואילו הן שגזרו על פיתן של עכו"ם ועל גבינתן ועל שמנן ועל בנותיהן. ועל שכבת זרען ועל מימי רגליהן ועל הלכות בעל קרי. ועל הלכות ארץ העמים...תני רשב"י בו ביום גזרו על פיתן ועל גבינתן ועל יין ועל חומצן ועל צירן ועל מוריסן על כבושיהן ועל שלוקיהן ועל מלוחיהן ועל החילקה ועל השחיקה ועל הטיסני ועל לשונן ועל עדותן ועל מתנותיהן על בניהן ועל בנותיהן ועל בכוריהן.

#### Talmud Yerushalmi Shabbat 1:3

It was taught: They made eighteen decrees, they outnumbered them on eighteen, and they divided on eighteen. And these were the decrees: on Gentile bread, and on their cheese, and their oil, and their daughters...R. Shimon b. Yohai taught: On that day [when Beit Shammai outnumbered Beit Hillel] they banned their bread, their cheese, their wine, their vinegar, their secretions, their brine, their marinades, their cooked foods, their salted foods...their language, their testimony, their gifts, their sons, their daughters...



## תלמוד ירושלמי (וילנא) שבת פרק א

בנותיהן א"ר לעזר בשבעה מקומות כתיב לא תתחתן בהם. א"ר אבין לוסר שבעה עממין תנא ר' יהושע אונייא לוסר את ביציהן. תנא ר' ישמעאל ואת בת היענה זו ביצת הנעמית.

### Talmud Yerushalmi Shabbat 1:4

"Their daughters." Said R. Elazar: In seven places it is written "Do not marry them!" Said R. Abin: That [only] forbids the seven nations [who were indigenous to the land of Israel].

R. Yehoshua Onaya taught: It comes to forbid their eggs. A teaching in the name of R. Yishmael: "The daughter of the ostrich": this refers to ostrich eggs.

## משנה סנהדרין ט:ו

הגונב את הקסוה והמקלל בקוסם והבועל ארמית קנאין פוגעין בו

### Mishnah Sanhedrin 9:6

...One who has intercourse with an Aramean woman is killed by zealots.

## תלמוד בבלי סנהדרין פא:פב.

והבועל ארמית: בעא מיניה רב כהנא מרב לא פגעו בו קנאין מהו אינשייה רב לגמריה אקריהו לרב כהנא בחלמיה (מלאכי ב, יא) בגדה יהודה ותועבה נעשתה בישראל ובירושלים כי חלל יהודה קדש ה' אשר אהב ובעל בת אל נכר אתא א"ל הכי אקריין אדכריה רב לגמריה בגדה יהודה זו עבודת כוכבים... ובעל בת אל נכר זה הבא על הכותית וכתוב בתריה (מלאכי ב, יב) יכרת ה' לאיש אשר יעשנה ער ועונה (מאלהי) יעקב ומגיש מנחה לה' צבאות אם ת"ח הוא לא יהיה לו ער בחכמים ועונה בתלמידים אם כהן הוא לא יהיה לו בן מגיש מנחה לה' צבאות א"ר חייא בר אבויא כל הבא על הכותית כאילו מתחתן בעבודת כוכבים דכתיב ובעל בת אל נכר וכי בת יש לו לאל נכר אלא זה הבא על הכותית... כי אתא רב דימי אמר בית דינו של חשמונאי גזרו הבא על הכותית חייב עליה...

### Talmud Bavli Sanhedrin 81b-82a

The Mishnah teaches that one who engages in intercourse with an Aramean woman is among those liable to be killed by zealots. Rav Kahana asked of Rav: If zealots did not strike him, what is the *halakhah*? Rav forgot that which he learned through tradition concerning this matter. They read this verse to Rav Kahana in his dream: "Judah has dealt treacherously and an abomination is committed in Israel and in Jerusalem, as Judah has profaned the sacred of the Lord, which he loves, and has engaged in intercourse with the daughter of a strange god" (Malakhi 2:11). Rav Kahana came and said to Rav: This is what they read to me in my dream. Rav then remembered that which he learned through tradition and said: "Judah has dealt treacherously," this is a reference to the sin of idol worship... "And has engaged in intercourse with the daughter of a strange god," this is a reference to one who engages in intercourse with a gentile woman. And it is written thereafter with regard to those enumerated in the verse: "May the Lord excise the man who does this, who calls and who answers from the tents of Jacob, and he who sacrifices a meal-offering to the Lord of hosts" (Malakhi 2:12). The Gemara interprets the verse: If he is a Torah scholar, he will have neither one among his descendants who calls and initiates discourse among the Sages, nor one who answers among the students. If he is a



priest, he will not have among his descendants a son who sacrifices a meal-offering to the Lord of hosts.

Rabbi Hiyya bar Avuya says: With regard to anyone who engages in intercourse with a gentile woman it is as though he married the object of idol worship itself, as it is written: “And has engaged in intercourse with the daughter of a strange god.” Does a strange god have a daughter? Rather, this is a reference to one who engages in intercourse with a gentile woman...

When Rav Dimi came from Eretz Yisrael to Babylonia, he said: The court of the Hasmoneans issued a decree that one who engages in intercourse with a gentile woman is liable...

### תלמוד בבלי עבודה זרה לו:

... אמר באלי אמר אבימי נותאה משמיה דרב פיתן ושמנן יינן ובנותיהן כולן משמונה עשר דבר הן... וגניבא משמיה דרב אמר כולן משום עבודת כוכבים גזרו בהן דכי אתא רב אחא בר אדא א"ר יצחק גזרו על... פיתן ושמנן משום יינן ועל יינן משום בנותיהן ועל בנותיהן משום דבר אחר ועל דבר אחר משום ד"א בנותיהן דאורייתא היא דכתיב (דברים ז, ג) לא תתחתן בם דאורייתא ז' אומות אבל שאר עובדי כוכבים לא ואתו אינהו וגזרו אפילו דשאר עובדי כוכבים ולר"ש בן יוחי דאמר (דברים ז, ד) כי יסיר את בנך מאחרי לרבות כל המסירות מאי איכא למימר אלא דאורייתא אישות דרך חתנות ואתו אינהו גזרו אפילו דרך זנות זנות נמי בבית דינא של שם גזרו דכתיב (בראשית לח, כד) ויאמר יהודה הוציאוה ותשרף אלא דאורייתא עובד כוכבים הבא על בת ישראל דמשכה בתריה אבל ישראל הבא על העובדת כוכבים לא ואתו אינהו גזרו אפי' ישראל הבא על העובדת כוכבים ישראל הבא על העובדת כוכבים הלכה למשה מסיני היא דאמר מר הבועל ארמית קנאין פוגעין בו א"ל דאורייתא בפרהסיא וכמעשה שהיה ואתו אינהו גזרו אפילו בצינעא בצינעא נמי בית דינא של חשמונאי גזרו [דכי אתא רב דימי אמר ב"ד של חשמונאי גזרו] ישראל הבא על העובדת כוכבים חייב משום נשג"א כי אתא רבין אמר משום נשג"א כי גזרו בית דינא של חשמונאי ביאה אבל ייחוד לא ואתו אינהו גזרו אפי' ייחוד

### Talmud Bavli Avodah Zarah 36b

- Said Bali said Avimi Nota'ah in the name of Rav: Their bread, their wine, their oil and their daughters are all part of the 18 things...

- And Geneivah in the name of Rav said: They were all banned on account of idolatry, for when R. Aha b. Ada came he reported in the name of R. Yitzhak: They banned...their bread and oil on account of their wine, and their wine on account of their daughters and their daughters on account of another thing and another thing because of another thing.

“Their daughters”—This is Biblical, for it is written, “Do not marry them” (Devarim 7:3)!

- The Biblical ordinance is restricted to the seven nations and does not include other Gentiles/idolaters; [the Houses of Hillel and Shammai] came and decreed against these also.

- But according to R. Shimon b. Yohai who held that the words, “For he will turn your son away from following me” (Devarim 7:4) come to include all women who would turn [their husbands aside], what is there to say?

- Rather, the Biblical ordinance is against intercourse through marriage, and [the Houses of Shammai and Hillel] banned even casual intercourse.

- But the decree against such casual intercourse had already been made by the Court of Shem, for it is written, “And Yehudah said, Bring her forth, and let her be burnt” (Bereishit 38:24)!





- Rather, the Biblical ordinance refers to a female Jew having intercourse with a male Gentile/idolater since she would be drawn after him, but not against a male Jew having intercourse with a female Gentile/idolater. [The Houses of Shammai and Hillel] banned even the latter.
- But [the prohibition against] a male Jew having intercourse with a female Gentile/idolater is a law of Moses from Sinai, for [the Mishnah says]: If [a male Jew] has intercourse with a heathen woman, zealots may attack him!
- The Biblical ordinance refers to a public act as was the case [in the story of Zimri]; [the Houses of Shammai and Hillel] banned even a private act.
- But the Court of the Hasmoneans had already banned a private act; for when R. Dimi came [from the land of Israel] he reported: The Court of the Hasmoneans decreed that a male Jew who had intercourse with a female Gentile/idolater is liable...
- The Court of the Hasmoneans banned intercourse but not being in private seclusion; [the Houses of Shammai and Hillel] banned even this.

**Talmud Bavli Avodah Zarah 36b's synthetic summary according to R. Shimon:**

TEXT	APPLICATION
לא תתחתן בהם "You shall not marry them"	Bans intermarriage with "all who lead astray"—seems to include all non-Jews
בית מדרשו של שם Ancient, pre-Torah ban	Bans Jewish women from casual intercourse with non-Jewish men
קנאין פוגעים בו Story of Zimri and Pinḥas	Bans Jewish men from casual intercourse with non-Jewish women in public
בית דין של חשמונאי Hasmonean Court	Bans Jewish men from casual intercourse with non-Jewish women, even in private
בית שמאי/בית הלל, שמונה עשר דבר Decrees of Beit Shammai and Beit Hillel	Bans being in private seclusion with Gentiles



**R. Abin (Yerushalmi) and Possible Majority View in Avodah Zarah 36b**

TEXT	APPLICATION
לא תתחתן בהם “You shall not marry them”	Bans intermarriage with the seven indigenous nations of Canaan
קנאין פוגעים בו Story of Zimri and Pinhas	Possibly authorizes vigilante action with respect to casual intercourse with non-Jews (in public?)
בית שמאי/בית הלל, שמונה עשר דבר Decrees of Beit Shammai and Beit Hillel	Bans intermarriage and all sexual contact with all Gentiles

