Introduction: The Generation of Bodily Material
What are the relationships between bodies of material and the bodies into which they enter, in which they gestate, and from which they emerge? How do bodies produce, house, expel material and how is this material to be classified? What are the processes by which material comes into, within, and from the body to be explained? These questions are abstractions, in a sense, about the most basic and concrete of processes: the ways in which matter comes into being. Rephrasing in more overdetermined language we might ask: How to understand the processes, by which bodies ingest, gestate, generate, excrete, and expel various kinds of substances? This paper treats these questions as sorted through in rabbinic texts.

The ways in which we think about how material bodies come into being, and the ways in which we distinguish and explain the emergence, entry, and coming into being of bodies inside of, into, and out of other bodies. Related to such distinctions and explanations, are categories, and then determinations about the destinies of distinctive, newly-generated, or emergent bodies. This article shows how these distinctions about generated bodies and related determinations about their destinies are worked out in both Palestinian rabbinic writings and Greco-Roman philosophical texts of late antiquity. Drawing on feminist anthropology and science studies, as well as feminist new materialisms, means that attention is drawn to the ways that bodies once emergent are placed, interpolated, ingested, consumed, disposed, dismembered, or delivered for life/death.¹

In attending to this combination of determination and destiny, this paper considers not only the curious content of late ancient rabbinic and philosophical conceptions of generation but also attends to the material conditions in which these conceptions were formulated. How was it that the rabbis and philosophers in the Roman empire came to claim and claim creation of such knowledges about generation for themselves? What social-political-material conditions enabled and were upheld by such claims to know bodies of generation? Finally, in full attention to the insights of posthumanist thought, animal studies, and feminist new materialisms: can we account for the ways in which ancient thinkers (rabbis among them) were entangled with and shaped by their “objects” of knowledge?²

Generation/Reproduction
There are all sorts of names for and narratives about the processes by which materials come to found within and to emerge from bodies. One way in which Euro-Americans have

² On non-human entities, such as bacteria, and their enfolding within the human, see, e.g., Myra Hird, “Animal Transsex,” Australian Feminist Studies 21, no. 49 (2006) 35-50, and Jane Bennett, Vibrant Matter (Durham: Duke University Press, 2010) 12, 23, 48, 112, 120. Braidotti considers the possibilities in the techno-scientific present, which “writes hybridity into our social and symbolic sphere and as such it challenges all notions of purity”; Transpositions (Polity, 2006) 99.
sought to narrow and name them (at least since the mid-eighteenth and early nineteenth
centuries) is through the concept of “reproduction.” Reproduction is often narrated as a
particularly human process involving entities we call men and women engaging in certain kinds
of activity we call sexual, which are then seen as resulting in pregnancy, culminating in birth and
delivery of offspring. This story replicates and enacts a particular kind of cultural work, even in
its “scientific” guises. As feminist science studies scholars have shown for newer reproductive
technologies, and as anthropologists and historians of science/medicine demonstrate for the
shifting narratives and practices around “generation” and “reproduction,” simplistic linear or
causal accounts of reproduction in terms of specific bodies (gendered, “specied,” or otherwise),
acts, events, and materials are all too easily problematized. On a more fundamental level,
materialist and feminist science studies scholars such as Donna Haraway and Karen Barad show
that there is no a priori nature to which culture or science refers (or represents), and they do this
without resorting to either the recursivity of the linguistic turn or to a determinist kind of
materialism. That is their work demonstrates the “entanglement” of natureculture (Haraway) or
“intra-action” of “phenomena” (Barad).

Motivated by such insights I will treat a set of third to fifth century Palestinian rabbinic
sources about the “birds and the bees.” These sources ask the kinds of broad questions raised
above, but their answers do and do not comport with contemporary ideas about reproduction in

3 Susanne Lettow, "Generation, Genealogy, and Time;” Bock von Wülflingen, Bettina Brandt, Christina Lettow,
the Early Twenty-First Century«, History and Philosophy of the Life Sciences 37/1, S. 1-16; D. M. Tress,
”Metaphysical Science of Aristotle’s Generation of Animals,“ in Feminism and Ancient Philosophy, ed. Julie K. Ward
(New York: Routledge, 1996) 33 (and see 32). On the emergence of the concept of “reproduction” in the mid-19th
century (and its association with mechanized replication) instead of “generation,” see Nick Hopwood et al.,
4 Emily Martin, “The egg and the sperm: how science has constructed a romance based on stereotypical male-
5 Meskes
6 Reproduction emerged in the mid-nineteenth century as a term of art distinct, replacing the term, generation.
With its associations with mechanized replication, production and manufacture of artifacts, reproduction in some
ways narrows the broader concerns of generation. The term “generation” conveys the ancient meanings of
creating, bearing, and begetting implied in Greek, Latin, (gennao and generare ) and Hebrew (y.l.d.). Generation
focuses on procreation and begetting of living things as a process which occurs in a larger natural nexus.” See
384.
7 The rabbis formed a small Jewish scholastic movement in late antiquity. By the middle ages they came to be
regarded as the creators of what had by then become dominant forms of Jewishness. Living in Roman Palestine
and in Persian ruled Mesopotamia, from approximately the first to the sixth-seventh centuries, they left
voluminous writings such as the Mishnah a collection of traditions, stories, and descriptions ordering life present
and past (ranging from what we might call law, ritual, etiquette, ideology, rabbinic social life itself, domestic
relations and more) and the two Talmuds (which are ostensibly commentaries on the Mishnah). We’ll be focusing
chiefly on sources from the Tosefta– a third century companion to the Mishnah and the Palestinian Talmud, edited
in the late fourth to early fifth centuries in Roman Palestine.
all their variety. In these writings, the rabbis consider what we call reproduction alongside other seemingly similar events. I have argued that much like Aristotle, the Tannaim set human reproduction side by side with that of other species, making gynecology a part of a broader zoology. In this paper, I focus on how the rabbis considered cross-species gestation in ways that complicate linear accounts of reproduction. I point to the role that ingestion plays in rabbinic considerations of cross-species gestation: the incorporation of one entity by another is a feature of both processes. This allows us to get to the precious yet precarious place occupied by the human in this knowledge project. On the one hand, the human is implicated in cross-species gestation, being subject to its unpredictable vicissitudes. On the other hand, the human seeks to maintain species distinctions by virtue of its ingestion of other kinds. In this latter respect, the human role in engendering and maintaining bodies of knowledge is a crucial site of analysis in and of itself. Here the work of feminist science studies of the new materialist variety is especially useful in tracking the complex ways that knower/known and culture/nature are entangled.

I will trace these ideas about bodily material, generation, distinctions of kinds, and ingestion in the Tannaitic tractates of Tosefta and Niddah. I will then analyze a source in Yerushalmi Niddah that explicitly brings these questions together in a particularly poignant case of ingestion/reproduction concerning a hybrid human/nonhuman.

Gestation/Ingestion/Generation (or, Fetus/Food/Flesh)

Tosefta Bekhorot contains a sizeable unit (t. Bekhorot 1: 5-12) that thinks through different cases of materials that come to be nested within or emitted by various bodies. It begins by invoking cases of deliveries to an ox, a sheep, and a goat. Like the Mishnah that it parallels, it stipulates that the birthing animal and the one birthed must be the same kind for the offspring to be obligated for the bekhor donation. It adds moreover that an impure kind of animal (מין בהמה טמאה) that is born to a pure animal is permitted for eating. Moreover, if it bears minimal resemblance to its parent, it is also obligated for the firstborn donation. Conversely, a pure animal delivered by an impure species is forbidden for eating. The Tosefta then goes on to cite a principle of generation:

For that which emerges from the impure is impure and that which emerges from the pure is pure.

tBekhorot 1:6 (par. mBekhorot 1:2)

This then triggers the following traditions, the first of which is paralleled in mBekhorot 1:2:

(7) An impure fish that swallowed a pure fish, it [the latter] is permissible for eating. And a pure fish that swallowed an impure fish, it [the latter] is forbidden for eating because it is not its offspring (גידוליו; par. mBekh 1:2).

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8 by paralleling m. Bekhorot 1:2 which discusses cases of what seem to be a cow delivers something like a kind of donkey, a donkey delivers something like a kind of horse.

9 It qualifies, however, that if (at least) some of its features (miketsat simanin) resemble its father (domeh le-aviv) per MS. Vienna; the editio princeps has le-imo. Admittedly even in MS Vienna, the letters א and י run together in such a way, that it is just possible that we are looking at a מ in which the left stem was not truncated.
(8) Why did they say that bee honey is permitted [when bees are impure creatures]? Because they do not emit it (מקנישה, or produce it), rather they draw (מכנסות) it in. The honey of wasps (ריר) is forbidden as it is a secretion. 10

(9) Rabbi Simon says: what does [Scripture] come to teach you by having camel (Lev 11:4) camel (Deut 14:7) twice? To include the camel that is born of a cow as if it were born of a camel. And if its head and majority resemble its mother's, it is permitted for eating. And the sages say: that which emerges from the impure is impure, and that which emerges from the pure is pure, for an impure animal is not born of the pure, neither is a pure animal born of the impure. […]

Bookended by the generative principle (“that which emerges from ….”) is a meditation about various entities that are found within or that emerge from other bodies. What characterizes all these cases is the lack of duplication or mimetic resemblance between primary body and emitted or nested material. These are all cases in which one entity appears to house or emit an anomalous kind. 11 Another element that features in these cases is ingestion: the means by which one entity subsumes, draws in, or swallows another.

The Tosefta describes the fish of one kind being “swallowed” by the fish of another kind. The Tosefta’s scenario is already explanatory in that it allows that that even though the impure fish (forbidden for consumption) ostensibly hails from the within the pure fish, the former may not be eaten because it is not the latter’s products (גודליו). Similarly, bees (impure kind) do not “emit” (or “produce”) honey, but are understood to “ingest” it (or “draw it in”). This is in contrast to wasp honey which is accounted for as a secretion (ריר; or, more narrowly, saliva). In this case the language is not of gestation, but it is clear that the material participates in and is derived from the body that emits it. These four cases of ingestion, emission, and excretion contrast with the camel which is said to be born from a cow (הנולד מן הפרה).

In all these cases, determining whether the nested or expelled substance is derived from the ostensibly originating body is key to classification. Tagging animals as pure/impure places them in a classificatory grid that names kinds (or anachronistically “species”). This taxonomy of animal life is drawn from Leviticus 11 in which all creatures are either pure kinds that can be consumed if properly slaughtered, or impure kinds that transmit impurity to humans upon ingestion and that are therefore forbidden. The ultimate classification of these nested or ingested entities rests on its ingestion by yet another body: that of the (Israelite/Jewish) human. While Mary Douglas has argued for the ways in which dietary rules are world-making, Marilyn Strathern describes in another cultural context how “(the act of) eating is a fundamental
classificatory or logical operator.”12 Thus, the parallel source in mBekhorot 1:2 considers the
donkey kind born to a cow and the horse kind born to a donkey and while disqualifying these
offspring for the bekhor asks, “and what about eating? (וּמה בָּאֵכְלָהוּ),” before citing a brief
version of the generation principle.

The Tosefta’s case of the cow delivering a camel is particularly troubling because the
cow is a quintessentially pure and permitted animal, and the camel is not just a strikingly
different kind, it is also an impure animal. Whereas in the case of the fish and the bees, the
Tosefta explains that these were not like their ostensible “parents” because they were ingested
rather than gestated, in the case of the camel-cow, it uses language of birth and delivery. But
there is a dispute:

(9) Rabbi Simon says: what does [Scripture] come to teach you by having camel (Lev 11:4)
camel (Deut 14:7) twice? To include the camel that is born of a cow as if it were born of
(כנולד מן) a camel. And if its head and majority resemble its mother's, it is permitted for
eating.

In the minority view of Rabbi Simon presumed modern logics about heterosexual reproduction, a
gendered division of generative labor, and homo-speciality do not work in this scenario. This
seems to be an instance of xenogenesis.13 Counted as a camel, the creature is an impure species,
and therefore forbidden for consumption. However, Rabbi Simon concedes that in a case of
hybridity, in other words when the head of the camel-like creature and the majority of its body
bear bovine features, the offspring is permissible. We infer that in such a scenario, the hybrid
creature is understood to be a cow. This view of Rabbi Simon may seem surprising but it actually
coheres with the majority view about a similar albeit more relaxed requirement with a human
parturient.14

The majority refutes Rabbi Simon’s view in a thoroughgoing fashion with its reiterated
general principle about generation:

(9) And the sages say: that which emerges from (ותאצוה מן) the impure is impure, and that
which emerges from (רותיאת ומ) the pure is pure, for an impure animal is not born of (יולדת
מן) the pure, neither is a pure animal born of (יולדת ומ) the impure. And not a large one from
a small one (מדקא), nor a small one from a large one (מכסה), and not a human (אדם) from
any of them (מכולן), nor any of them from a human (מאדם).

The rule emphasizes emergence and origin (היוצא מן, יולדת מן, מדקה, מגסה, מכולן, מאדם), and
also birth (יולדת) in ways that reiterate the considerations of the previous cases (HCI, מتسبب, מנשה, מקסמה).
This makes the camel born of a cow, a cow. The principle is that a creature is always
classed as the same kind as the one from which it emerges, even if all appearances are to the
contrary.

12 Strathern, citing the work of Aparecida Vilaça on Amazonia (2000: 88, 103–104),
13 It is likely that Rabbi Simon is not referring to a case of interspecies breeding as that goes to the distinctive class
of kilayim.
14 In m. Niddah 2:3 the sages do not consider an animal-like kind delivered by a human to be a valad unless it
minimally resembles a human (מצורת האדם). See my analysis in, “Reproduction of Species.”
As I have argued elsewhere, the Tosefta does not contemplate that this delivery is the result of interspecies mating. This is clear for several reasons: firstly, the rabbis have a distinct category for creatures that are considered genuine interspecies offspring: kil’ayim. They name and discuss these separately, usually as the offspring of breeding between much more closely related kinds (such donkeys and horses, or sheep and goats).

Secondly, this version of the rule of generation, not only reiterates, it negates. Like the earlier version in t. Bekhorot 1:5 it states that kind generates like kind (a version of Aristotle’s *anthropos anthropon gennai*), but it adds that opposite cannot occur. Thirdly, it extends the negation to a variety of different types of kinds, including larger and smaller cattle, and even the human. Finally, right after the rule of generation, the Tosefta follows with a list of the widely divergent gestational times and modes of a variety of animal kinds, pure, impure, large, small, domesticated, land and sea:

(10) A pure small domesticated animal gives birth at five months; a large pure domesticated animal at nine months, an impure large domesticated animal at twelve months; a dog at 50 days; a cat at 52 days; a pig at 60 days; a fox and creeping creatures at six months; the wolf, lion, bear, panther, leopard, elephant, baboon and monkey at three years; the snake at seven years.

(11) Dolphins give birth (מולידין) and grow (מגדלין) [offspring] like the human (האדם); impure fish spawn; pure fish lay eggs.

This disquisition illuminates the concern about events in which entities are found to be within or are emitted by unlike creatures (one fish kind inside another kind; honey emitted by bees or wasps; camels delivered by cows; large cattle by small cattle; not to mention whatever human/animal scenario is imagined by its inclusion in the list of phenomena described in the generation rule) by clarifying what is within the realm of genuine reproductive possibility. This does not negate that the fact that interspecies deliveries or unexpected material emission or nesting appears to occur. But, outside of narrow parameters (called kilayim), such events are not seen as the result of interspecies mating. They are either analyzed as anomalous xenogenetic events. Or they are simply not reproductive material or generated by the primary body (as in the fish, bee, and wasp scenarios). The continuation of the Tosefta (t. Bekhorot 1:11) demonstrates the variety of gestational modes. Dolphins are said to generate like humans, while fish are divided into what Aristotle would consider viviparous and oviparous generators (where the rabbis discern that even eggs that are ostensibly outside of the fish’s body are nonetheless

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15 “Reproduction of Species.”

16 see e.g. t. Bekhorot 1:13 (13) A cow which delivered a kind of lamb, they do not redeem therewith a firstborn of a donkey. For everywhere “lamb” is stated includes sheep, goat, large and small, males and females, unblemished and blemished [mBekh 1:4].... Rabbi Eleazar says, “the kilayim of a ewe and a goat, they may use it to redeem [the donkey bekhor]. That of a koy, they may not redeem with it [mBekh 1:5].

reproductive material). The complexity involved in distinguishing between reproductive and other bodily materials is reinforced in the halakhah that follows, which maintains that one must consult with an expert (ה_hop שלהדקה) to know which parts of the fish (innards and fetus) can be eaten (t. Bekhorot 1:12).

If cross-species reproductive phenomena are anomalous occurrences rather than products of interspecies sex, we are left with an explanatory vacuum for how these events come to be. Contrast this with Aristotle, who also admits that cross-species deliveries occur while negating the possibility of successful cross-species breeding: his supplied explanation for species nonconformity is the failure of male seed to master female matter. His examples mostly focus on humans delivering nonconforming offspring, but also include cross-species deliveries among nonhumans. The explanatory vacuum left by the rabbis sustains a disruptive unpredictability for the expected mimetic outcomes. In this regard Emma Bianchi’s work is instructive: Bianchi has sought to complicate the common interpretation of Aristotle’s explanation for unpredictable reproductive outcomes as related to weakened male seed. Instead she shows how Aristotle’s account also attends to the potentials of female matter’s aleatory nature, in which it is dynamic and unpredictable rather than waiting passively and inertly for male seed to act upon it. We find a similar sense of unruliness and unpredictability in the ways material appears to be generated by bodies in rabbinic reproductive thought.

### Human Xenogenesis in Bekhorot and Niddah

“… and not a human (אדם) from any of them (מכולן), nor any of them from a human (מאדם).”

The human is directly invoked in t. Bekhorot 1:9 as one case among the various registers and kinds that are subject to the possibility of cross-species deliveries. This possibility of cross-species deliveries, or xenogenesis, is also treated in Niddah, a tractate that focuses on human gynecology and embryology. Amid a series of scenarios, in the third and fourth chapters of the Mishnah and Tosefta, in which a human delivers various materials, some of which look like nonhuman kinds, a woman is said to deliver “something like a kind of animal, wild animal, or bird” (m. Niddah 3:2, t. Niddah 4:2). While the minority opinion of Rabbi Meir declares such a delivery to be a valad, the majority view of the sages requires “something of human form” for

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18 Aristotle and Pliny describe dolphins as viviparous and as suckling their young (see e.g. Aristotle, GA, 732b15-36 and Pliny, Natural History 10, 7-9).

19 The unit closes with t. Bekhorot 1:12: The innards of fish and their fetus are eaten only [with consultation] from an expert (ה_hop שלדקה). Birds are eaten according to tradition (בਸמרתיה). A hunter is considered trustworthy (נאמן צייד) when he states, “this bird is pure.”

20 Aristotle, Generation, 738b28; 746a30. On the similarity of argumentation between the GA and tBekhorot, see Neis, “Reproduction of Species.”


22 We do find the closest variant of an Aristotelian account in the Mekhilta, though there the only players are male and God (female material is perhaps implied but not thematized as such explicitly). And one could argue that the term “human form” in m. Niddah 3:2 and t. Niddah 4:2, x, is indebted to Aristotelian notions of eidos.
such an entity to so qualify. Thus the majority in Niddah 3:2 contradicts Bekhorot’s principle of
generation: application of the latter unequivocally admits nonhuman like creatures delivered by
humans as human offspring. The majority view’s requirement in Niddah recalls Rabbi Simon’s
requirement of “its head and majority” for the species-variant animal to be classified according
to the animal kind that delivered it, even as it posits a far lower threshold.

There is thus a kind of fundamental indeterminacy that the human occupies in
reproductive knowledge. On the one hand, we might view the rabbis as elevating humans as
knowing subjects who objectify their “data” (the generative and material outcomes of women
and animals). This view is perhaps manifest in the way that the classification of ambiguous
uterine contents is maintained via the logics of killing and consumption by humans in Bekhorot.
(The question of whether human-animal deliveries might *also* be governed by dietary rules and
ingestion must await contemplation by the Amoraim.) On the other hand, the Tannaim, like
Aristotle and Pliny, understood humans to also be subject to reproductive uncertainty and to
species nonconformity. Moreover, even if it is perhaps too obvious to be stated: rabbis as
humans sought to understand and shape the various reproductive and other materials generated
by the human body. That is, humans were understood to be material subjects and effects of
generative processes. In this respect, human/rabbinic knowers did not stand outside of the
knowledges they sought to command: they were materially embedded in these same processes.
This brings us to considerations of the material constraints and conditions that shaped not only
knowledge-making but knowledge-makers.

Rabbis, Reproductive Knowledges, and Gynecology/Zoology

I have argued that rabbinic zoological and medical knowledges were conceptually and
linguistically intertwined, particularly in the realm of reproduction.\(^{23}\) We see this intertwining
quite vividly in the rabbinic consideration of cross-species reproduction or xenogenesis, and in
the particular contemplation of cross-human/nonhuman generation.\(^{24}\) How do we further press
on the knowledge/power dynamics by which the rabbis become knowers of the “objects” of their
investigation (in this case, women and animals)? In these Tannaitic sources, women are the
prime target of investigation when it comes to generative material and are moreover compared or

\(^{23}\) The rabbis entangle the human and the nonhuman through gustatory possibility: both humans and nonhumans
may deliver species nonconforming entities. The conjoining of human embryology and gynecology and zoology is
not unusual. Aristotle, for instance, moves across human and animal reproductive systems in his GA. Galen
examined a variety of animals in order to understand human reproduction, gynecology, and embryology. Cross-
species possibility and the sorting of the body into what it generates and what is waste or external material was
part and parcel of the knowledge-formation of philosophy and medicine. Scholars have explored the relationship
of both Aristotle and Galen to Greek and Roman imperial knowledge creation. We might also add the encyclopedic
and ethnographic writing by those such as Pliny, which move from gynecology to zoology, and interweave the two
enumerating wondrous or monstrous kinds, including singular or ethnic examples of hybrid or cross-species
offspring. We find some of this zooethnography in rabbinic sources, particularly in post-Tannaitic texts. This is the
case both in terms of the exotics of far-flung creatures and also in terms of tagging certain non-Jewish people as
bestial (e.g. b. Berakhot 25b contemplates and ultimately negates the possibility that gentile genitalia is not *ervah*
citing Ezekiel 23:20 in which gentile genitalia and seminal emissions are animalized.)

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accounted for along a spectrum of other species in these reproductive contexts. My questions are multi-fold: I wish to understand the positionality of the Tannaim as shapers of knowledge, the shaping of female and animal reproductive knowledge by their rabbinic knowers, and the way the rabbis come into being as knowers and known entities themselves.

Gendered Divisions of Labor

Let us begin with the proposition that the rabbis, by ordering knowledge about the emissions, secretions, and uterine contents of women and animals, are objectifying said entities. Rabbis become knowers by understanding the various excretia and nested entities within female animals and women. Animal materials, even that which is species variant, become known by their purity status which is functionally equivalent to their capacity to be converted into human food (sometimes through killing). Women’s material is similarly distinguished in terms of im/purity, though along a spectrum of menstruation, fleshy waste, and fetal material. The cases that are neither fetal nor menstrual are like waste (like urine or honey: coming from inside the body but not of it). Their very lack of signification speaks volumes.

Touching/Knowing Bodily Material

The entailments for designations of women’s uterine contents relate to questions of disposal, childbirth impurity, sacrifice, and inheritance rather than ingestion (at least in the Tannaitic sources). But even if ingestion is not contemplated in the case of human products, there is no shortage of material engagement with women’s bodily contents. The lavish lists of what women pass include “something like a kind of domesticated animal, wild animal, or bird,” “something like a kind of barley,” or “something like a kind of red flies,” or “something like a kind of fish and locusts, forbidden creatures and creeping creatures.” The uterine contents in chapter 3 of m. Niddah and chapter 4 of t. Niddah range from textured fetal sacs to flattened fetuses, and from placentae to body parts that are blunted or incised. And these entities follow various vivid descriptions in the previous chapter of bloody fluids that are considered as possible menstruation.

Materiality is established not just through ekphrasis (which of course in antiquity is not the Cartesian disembodied gaze but a haptic one in its own right) but also through explicity scrutiny, inspection, and tactile manipulation. Thus, in the case of the first three sets of products, the presence of blood (m. Niddah 3:1 and 3:2b) indicates that the material is menstrual, while a solubility test in m. Niddah 3:2a shows the same. The parallel tradition in t. Niddah 4:1 mandates tearing the piece of tissue to check for blood. In t. Niddah 4:2, Rabban Shimon ben Gamliel advocates applying spit and crushing products of the second set (like a kind of peel, etc.) with

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25 E.g. mHullin 4:2-7, m. Bekhorot 3:1.
26 I invoke “positionality” in its sociological usage, “in which people are defined not in terms of fixed identities, but by their location within shifting networks of relationships, which can be analyzed and changed.” (Frances Maher, Mary Kay Thompson Tetreault, The Feminist Classroom: Dynamics of Gender, Race, and Privilege (2001), 164).
27 Surprising for a fleshy entity to be emitted by a human and not to signify in the circuit of im/purity – see M. Balberg on corpse limbs and body parts which need some minimal mass and shape to be related symbolically to a human person in order to “count” as corpse impurity: the power to contaminate not “negative.”
one’s fingernail to see if it dissolves. In these cases, lack of blood or lack of solubility implies no impurity consequences.

The Tosefta recounts case reports that demonstrably mark forms of male expertise. Thus, two cases of women who produce a set of material like red peels and things like red hairs (t. Niddah 4:1), are cross-referred by a named rabbi to “the sages,” who in turn consult with “the doctors.” Given the context, and the language of comings and goings, it is reasonable to assume that account imagines the Rabbi Tsadok, the sages, and the doctors have seen these products. The consulted physicians diagnose the materials as “an internal wound” and as “a growth in her internal organs” respectively. These are in some ways the analogs of the honey and ingested fish cases in Bekhorot in that these fleshy entities are parsed as non-generative (they are not menstrual or fetal) and possibly not even uterine. Either the result of damage (a wound) or conceptualized as a “growth,” the ensuing emissions are “foreign bodies” extraneous to reproductive processes.

These case-reports not only explain non-menstrual excreta, but they also explicitly cross-validate rabbinic and medical expertise. They justify and supply a medical explanation for the rabbinic determinations of entities that look like certain kinds or shapes as non-fetal and non-menstrual. In the Tosefta, implicit and explicit looking and handling, is supplemented with medical expertise to produce knowledge about women’s uterine products. We can analogize to the unstated rabbinic discerners of animal products, as well as to the hunter and the expert in t. Bekhorot 1:11 who are entrusted with discerning fishes’ innards or fowl’s impurity status/species. We may rightfully characterize the rabbis as male knowers (along with doctors), who in elide the very women whose bodily contents they claim as knowledge, in part by focusing mostly on those contents. The iterated “she who expels” (המפלת) in Niddah serves as a kind of grammatical frame and as a uterine container for what become the objects of rabbinic scrutiny and the products of rabbinic labor. Something akin to this phenomenon is described by Donna Haraway in these terms:

See also t. Niddah 4:12 for the tearing of a textured fetal sac to look for either flesh or blood, as well as t. Niddah 4:11 which describes different types of liquid and light that enable scrutiny.

“R. Eleazar ben R. Tsadok stated: A case of the following two incidents was brought up by my father from Tiv’in to Yavneh. A case of a woman who was emitting something like a kind of red peels, and they came and asked R. Tsadok, and R. Tsadok went and asked the sages. And the sages sent and called for the physicians, who told them: she has a wound internally which is why she is emitting things like red peels. And case of a woman who was emitting something like a kind of red hairs, and they came and asked my father, and R. Tsadok went and asked the sages, and the sages sent and called for the physicians, who told them: she has a growth in her internal organs [or, intestines] and this is why she is emitting something like red hairs.” See also t. Niddah 4:6, “There was a case of a woman from Sidon who gave birth to a likeness of a raven (דמויות עורב) three times, and the case came before the sages and they said: anything that does not have something of human form (שאין בו מצורת אדם) is not a valad.”

Gwynn Kessler has observed resonances between ancient rabbinic and Greco-Roman sources and modern biomedical technologies, which “foreground fetuses simultaneously backgrounding women” (Kessler, Conceiving Israel, 21.). Compare to Barbara Duden’s argument about the recession of the maternal body in favor of the fetus via fetal imaging technologies; Barbara Duden, Disembodying Women: Perspectives on Pregnancy and the Unborn (Cambridge, Mass.: Harvard University Press, 1993).
That, of course, is why women have had so much trouble counting as individuals in modern Western discourses. Their personal, bounded individuality is compromised by their bodies' troubling talent for making other bodies, whose individuality can take precedence over their own, even while the little bodies are fully contained and invisible without major optical technologics (Petchesky, 1987). Women can, in a sense, be cut in half and retain their maternal function - witness their bodies maintained after death to sustain the life of another individual.31

At the same time, something quite different to this dynamic in the famous tradition in m. Ohalot 7:6 in which a human valad may be removed limb by limb in a difficult labor – as long as its majority has not emerged. A strikingly similar ruling in m. Hullin 4:2 expounds on what may be done in the case of animal enduring difficult labor if the valad is a potential bekhor. The Mishnah then continues to enumerate the purity entailments of fetal death internal to an animal (במה) and to a woman (אשה) (m. Hullin 4:3). While a shepherd and midwife become impure if they insert their hands within, the woman, we are told is impure until the fetus emerges. The disambiguation or collapse of women from or into their uterine contents (if materialized as fetal) is a bit more complicated than Haraway suggests, even if it may be fair to say that the parturient is elided in favor of the contents when they are emitted.

At the same time, the viscosity of the uterine material means that a simple account of rabbis qua subject-knowers and women and their products as known-objects. Who is touching these uterine materials? Such questions have to do with the overlaps and gaps between bodies and bodily emissions, between bodies that produce bodies and those that produce knowledge, and between bodies and texts. Invariably, gender (and also species) both structures and is structured by these relationships. Yes, the scrutiny of uterine entities is prominently rabbinic: their very emergence into rabbinic textuality make it so. Yet, just as Galen’s disparagement of, and Soranus’s masculinized criteria for, midwives may belie their dependence on female knowledge, so too may we wonder about the rabbinic knowledge draws from women’s own. Both m. Niddah 3:2 and t. Niddah 4:2 have a female (grammatical) subject submerge or crush what she has expelled. This may in fact appropriate women’s (or midwives’) practices already in play. In other instances of manipulation (t. Niddah 4:1, 11, 12), the grammatical subjects are male (singular and plural), but it is hard to know what to make of this (women might still be contemplated as more proximate to these materials than men, as in the case of doctors and midwives).

**Matter at the Intersection of Discourse and Materiality**

As feminist science studies scholars have shown us, a binary subject/object; active/passive; powerful/powerless and implicitly hierarchical frame is insufficient for analyzing knowledge-making. Knowledge-making itself cannot be completely disentangled from its objects: Karen Barard working with Foucault and Butler while attending to biomaterial constraint as much as political-materialist ones enjoins the recognition of how matter and bodies become legible through material-discursive means. As we will discuss below Barad specifically lingers on the biopolitical, material, raced, and gendered ways in which sonograms...

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31 Haraway Simians Cyborgs and Women
as scientific observational apparatus that summon materialized fetuses into being (along with technicians, scientists, doctors and so on). While dyadic, hierarchical models of power/knowledge do get at important dimensions of the conditions of possible knowledge, they fail to fully capture the dynamic, dispersed, and entangled ways in which knower/known, men/women, empire/province, humans/animals, culture/nature impinge upon and mutually constitute each other.

Turning such insights to the rabbis means analyzing their positionality in terms of the complexities of their lives under Roman imperial rule in Palestine and as members of a small scholastic sub-elite who understood themselves to be bearers of a burgeoning and wide-ranging body of expertise. This expertise in its substance and range claimed a totalizing ordering of a collective of people known as Israelites (Judeans? Jews?) as a distinctive entity among others in Palestine and beyond. The complex political entailments of living under an imperial regime while emerging as a specific if small sub-community self-charged with amassing and preserving scholastic traditions has meant that rabbinic knowledge-making has often been framed through grids of influence vs. resistance (or appropriation), and authority vs. marginality. The work of Judith Butler, Susan Hekman and Sirma Bilge, however, helps us get beyond such binary models of agency/passivity, and past dualisms such as subordination/resistance or acting/acted upon, to those in which subjects are both constituting and constituted. Furthermore, the work of new materialists expands agency beyond human/nonhuman dualisms. Such frameworks become even more invaluable in dealing with the multiple and intersecting vectors of imperialism, gender, ethnicity, speciesism and more. This means tracking the staggered, relational, mutual, overlapping dynamics through which Romans, rabbis, women, animals and other material (or immaterial) entities are constituted/constituting.

Scholars such as Susan Mattern, Tim Whitmarsh, Jason Konig, and Trevor Murphy have shown how crucial was the Roman imperial context to the knowledge-making projects of Galen and Pliny. Rebecca Fleming has woven in considerations of gender into such analyses. It is hard to think of a more fundamental desideratum for the imperium than the mastery of reproduction and generation (how material bodies come to be). Mary Beagon, Maja Kominko, and Robert Garland have further demonstrated how reproductive variation (or disability) were discursively linked to non-Romanness, “barbarians,” or the mythical, geographically distant

33 Susan Mattern, *The Prince of Medicine: Galen in the Roman Empire* (New York: Oxford University Press, 2013); Trevor Murphy, *Pliny the Elder’s Natural History*; Jason Konig and Tim Whitmarsh, *Ordering Knowledge in the Roman Empire*.
“monstrous races.” Besides the scholarship on the gendering of knowledge in antiquity (perhaps belated compared to the incredibly robust scholarship in modern history and science), we can turn to the large body of scholarship that looks at the racialized, gendered, heteronormative, classed, ableist, speciecist and imperial or colonial makings of reproductive knowledge specifically.36

The proliferation of people and animals, and of the knowledge about the distinctions and overlaps between them, was not only vital to many aspects of imperial governance, administration, and ideology. Perhaps we can speak of a rabbinic biology engaging the ritual filters of niddah and bekhorot, and of im/purity, as attempts to account/control for the generation of bodily matter. Rabbinic ritual and other framings of such generative knowledge, make their biopolitics no less poignant.39 Seth Schwartz’s calls to heed to the material consequences of two

37 The position of our rabbinic knowers may be not be directly bound up with the deployment of colonial knowledge-making projects, in which mapping the reproductive potentials and limits of citizens and subjects is crucial to the exercise of imperial control. Instead, like other Jews, the rabbis were positioned both as “objects” of and competing knowers within imperial medical, ethnographic, zoological, and agricultural knowledge-projects. We might thus usefully read the tractates of Peah and Sheviit as agricultural surveys, rabbinic ritual and agricultural compendia comparable to Roman farming manuals by Livy, Columella, and Pliny. See the insightful work of Gil Klein who reads xxx together with Roman land survey manuals.
39 We recognize the kinds of questions about bodies and their generative workings in of medico-philosophical texts like from Aristotle’s Generation or Pseudo-Aristotle, Problems. In rabbinic sources such questions were woven with what we might (anachronistically) parse as distinctive and separate “halakhic” concerns: that is questions about how bodies relate to one other, how bodily material is understood to come to be, were congruent with those related to their species determinations – understood rabbinically in post-levitical terms of minim that were im/pure; or with status determinations (e.g. if entity x is a human valad this may have implications for family determinations including inheritance, or ritual obligations like the redemption of the firstborn). Contrary to Markham Geller, Giuseppe Veltiri, Samuel Kottek, Norman Solomon, Stephen Newmyer, A.O. Shemesh, and Michael Denman, I do not see these as “halakhic” framings that render the knowledge making “purely incidental” (Geller, “Akadian”) rather than substantive. Instead, we need to understand these as the confluence of various ways of making sense of the natural world – not instantiate a religion/secular or nature/culture binary that categorizes knowledge and implicitly hierarchizes some as real science and others as superstition, according to modernist inclinations.

Such distinctions also reinforce scholarship of influence or “pragmatic acceptance” (e.g. Giuseppe Veltro, “On the Influence of ‘Greek Wisdom:’ Theoretical and Empirical Sciences in Rabbinic Judaism,” Jewish Studies
failed Jewish revolts come to mind: specifically, the decimation of the Jewish population in Roman Palestine. The vitality of reproductive knowledge must have been particularly poignant to this minority community within a minority population; claiming its mastery is no casual move on the part of the Tannaim. This move, though, occurs amid multiple configurations: rabbis among those who also may have identified/been identified as the people of Israel (contested as that may have been); rabbis in rural and later urban contexts among farmers, laborers, merchants of various or even multiple ethnic affiliations and ritual engagements; rabbis as a rising sub-elite in competition with other Jewish claimants to ritual, judicial, and communal roles; rabbis as types of male-identified humans among other types of humans; rabbis as knowers of the human and nonhuman world among other knowers (including but not limited to the midwife, the ḥakam, the hunter, shepherds, and doctors).

Rabbis/Women/Animals: Food/Flesh for Embryonic Thought

Returning to the insights of feminist science studies, and recalibrating accounts of agency also means acknowledging the ways in which human and nonhuman reproductive bodies impinge upon their knowers in material (even if not in determinist) ways. It seems to me that the example of rabbis as ostensible knowers (even if bound up themselves in complex sociopolitical constraining/productive or constituted/constituting conditions) and producers of humans amid the messy and intertwined reproductive and bodily materials of women and animals offers a wonderful opportunity for this kind of analytical retuning. Karen Barad argues for the inseparability of scientific observational apparatus from the objects of knowledge practices and seeks to account for the co-constitution of material and discursive constraints whereby “matter comes to matter.” Her work, particular on the increasing use of fetal-imaging technologies attends to the layered links between the biomaterial (from the putative fetus, the apparatus, its operators, its readers) and political-social-gendered shapings thereof. Ultimately, she argues for their “entanglement,” for the ways in which their distinction and separation are in some ways arbitrary and contingent. As Myra Hird elucidates, “observer and observed are not inherently static in time or space (to make them so is to exact an agential cut): they are always already previously intra-acting physical systems.” Barad describes how “the transducer does not allow us to peer innocently at the fetus, nor does it simply offer constraints on what we can see; rather, it helps produce and is "part of" the body it images. That is, the marks on the computer screen (the sonogram images) refer to a phenomenon that is constituted in the intra-action of the apparatus

and the object (commonly referred to as the "fetus").” The limits and constraints of the ultrasonogram itself impinges and produces the “fetus” to be legible as such (with all the elisions of other potential bodies that then ensue, including say of the maternal body). Tannaitic and Roman observational apparatus were arguably far more coterminous with the bodies of those who observed (certainly less machinic) but were as susceptible to these sorts of constraints, some of which we discussed above in terms of biopolitical drivers and effects.40

Barad argues that “the surveillance of technicians, physicians, engineers, and scientists in their formation as particular kinds of subjects is implicated in the surveillance of the fetus and vice versa.”41 We might similarly point to how the sages, experts, hunters, shepherds, midwives are subjectified at the interface of embryological/zoo logical knowledge (whether mediated by the gaze, the palpating hand, the medium of water and oil, or the knife) that is the objectification of the valad or other bodily product. The “agential cut” that Myra Hird discusses occurs as much in the cuts slaughter camel-like calves as in those that determine which species ingests another (say humans as consumers of certain nonhumans). The ways that human/rabbinic knowers are “part” of the bodies that they know are vividly realized in the rabbinic admission of humans into the very heart of animal reproductive events and vice versa (even as they might deny genealogical crossovers in the same admission in t. Bekhorot 1:9 and parallels).42 Thus whether through ingestion or gestation, whether through knowing/being known, “[s]pecies, like the body, are internally oxymoronic, full of their own others, full of messmates, of companions. Every species is a multispecies crowd.”43

Both Barad and Haraway attend to the ways that “the world”/matter/fetus “kicks back.”44 We might view the unpredictable, inexplicable, aleatory character of bodily contents and materials, whether in reproductive and specied terms or otherwise, as ways in which female/animal/matter push back. Where the rabbis attempt to legislate human uniqueness in m. Niddah 3:2 and t. Niddah 4:2 it is somewhat minimal (“something of human form”) and even this requirement is ultimately almost meaningless (per t. Niddah 4:7) as it turns out that animals

40 Similarly Barad considers how “improvements in fetal imaging, particularly increased resolution, magnification, and real-time images encourage the patient and the practitioner to focus exclusively on the fetus whose moving image fills the entire screen. Such material rearrangements both facilitate and are in part conditioned by political discourses insisting on the autonomy and subjectivity of the fetus.(27) This has been accompanied by the objectification of the pregnant woman and the exclusion of her subjectivity. Material-discursive constraints and exclusions are inseparable - a fact that we cannot afford to ignore.”

41 Barad,

42 Barad, “Our descriptive characterizations do not refer to properties of abstract objects or observation-independent beings, but rather through their material instantiation in particular practices contribute to the production of agential reality... what is being described by our theories is not nature itself, but our participation within nature. Realism is reformulated in terms of the goal of providing accurate descriptions of agential reality - that reality within which we intra-act and have our being - rather than some imagined and idealized human-independent reality.”

43 Species, 165.

44 Barad,
already resemble humans. In the Tosefta at least, we start to see the failures of “agential cuts” or distinctions between humans and nonhumans come undone.

**Conclusion: Offspring for Food**

While the generative material in Bekhorot is living, that in Niddah is nonliving – it is aborted (המפלת) rather than delivered. The Palestinian Talmud contemplates the case in m. Niddah 3:2 of a kind of domesticated animal, wild animal, or bird that goes on to live:

For R. Yosa said in the name of R. Yohanan: If it is wholly human, but its face is animal, it is not offspring (valad). But if it is wholly animal and its face is human then it is offspring.

If it is wholly human, but its face is animal, and it is standing and reading the Torah - they say to him, “Come and get yourself slaughtered.” If it is wholly animal but its face is human, and it is standing and ploughing in a field, they say to it, “Come perform the release ceremony or enter into levirate marriage.”

The Talmud understands the human form requirement to refer minimally to the face. This fixation on the face as the site of (human) species determination is the topic of the two hypotheticals that then follow. Here what was dead on arrival in the earlier source of the Tosefta is now animated, making the gestational/ingestive stakes that much more vivid. Is this flesh of my flesh? If yes it is family and thus bound up within kin obligations of the levirate. The point of the institution of levirate marriage is to perpetuate the childless dead brother’s line. If this is not fruit of my loins, then it is food, and we may say, “come, get yourself slaughtered.”

The language here is of shekhita, the ritual slaughter required for the killing of all pure animals to render them permissible for consumption.

How we read this makes a big difference: We could read it neutrally as applying the principle of facial determination. But given the contours of each example, it is probably better to read it as expressing wonderment. In other words the two cases press hard on the idea that facial features alone determine species identity. The first example consists of a being who because of his animal-like face is supposedly not human. The challenge to this technical determination is heightened by supposing that he performs not only the ostensibly very human activity of standing and reading, but also a supremely Jewish activity: he reads the Torah. The point is that it seems preposterous to say to such a being: “come and get yourself slaughtered,” just because it is technically permitted. An apparently an animal student of Torah to submit to its own “slaughtering” and consumption.

On the other hand, we have a being with a human face who ‘acts like an animal’ and note the activity is the ‘useful’ animal work of ploughing in the field.

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45 There R. Hanina claims that given that animals eyes “resemble those of humans,” which means that they actually have “something of human form.” So the only real disputed delivery is the one that looks like a bird kind (Rabbi Meir would declare it a human/valad, the sages do not).

46 Niddah 3:3, 50c. I analyze the full passage in greater detail elsewhere. The cited portion is preceded with, “R. Haggai said: R. Hananiah, associates of rabbis objected to Rabbi Meir’s teaching (i.e. that a delivery of an animal likeness is a valad): “If a woman aborted a raven-likeness (דמויות עורב), and the raven flies to the top of a palm tree, does one say ‘Come perform the release ceremony or enter into levirate marriage!’”Rabbi Mana said to him: you could make this objection to the sages (who say minimal human form suffices to count as a valid delivery)”
The idea of saying to this being, “come and marry your dead brother’s widow,” is presented by the Talmud as also being manifestly questionable.

Here is a send-up of even a residual version of the rule that requires resemblance to a human. The cases and their technically correct outcomes vacillate between the absurd and the cruel. The Torah-studying “animal” and the field-ploughing “human” are summoned to each insert themselves into their im/proper destiny: knife and table, marriage canopy and bed. Far from settling things, the Talmud leaves us with an aporti: the species nonconforming are uneasily accommodated into either animal or human realms. The vestigial attempt to assert human distinctiveness – and thus to settle knowledge – is undermined by moving bodies whose actions/functions/value press show up the arbitrariness of rabbinic/human ways of knowing. (Confusingly the animal body joins the rabbis as a student of Torah). The closing gap between sex and food prohibitions, between gestation and ingestion, between cannibalism and kinship, between human/nonhuman is revealed for the overlap that it is.

In the quest to learn about different ways of determining the identity of materials nested within the body we have encountered varieties of fish, camels and cow, animals and humans, not to mention other fluids and materials emitted by humans and animals. The rabbis raise these prospects and frame them as potential instances of cross-species gestation. Ingestion is used as explanation (the impure fish swallowed the pure fish, the bees ingested the honey), as license (therefore you may consume the pure fish), and as litmus test (come let yourself be slaughtered). Gestation creates kind regardless of outcome, perpetuates kin (come perform levirate marriage) or prevents cannibalism (don’t slaughter and eat your son). Sometimes, neither food nor family, materials are simply excretions of other kinds (like menses, or waste). Designation of a body as human or nonhuman kin and kind carries with it very different ritual and legal entailments, not to mention material and affective ones. The rabbis thus claim human power over the knowledge of kinds and their lives.

Brushing up against this powerful knowledge, are explanatory vacuums in which generative outcomes are unpredictable and to whose whims the human/rabbi/knower itself may be subject. The rabbis’ acknowledgement of species variant bodies as kin and kind (even in their partial versions) weakens the project of mimetic replication underwritten by the reproductive mechanics of imago dei (or what Donna Haraway refers to as “the sacred image of the same.”) These apparently spontaneous phenomena thus resist linear (i.e. patri or matrilineral) explanation and causalities. Like all other animals, the human is capable of conceiving entities that bear likeness to other kinds. It is completely subject to multi-species variability and to the instability of the multiple kinds of liquids, bodies, and fleshly materials that bodies emit.

47 Juxtaposition of cross-species deliveries’ suitability for human consumption of the same is a working out of human mastery over animal bodies and lives. Dietary laws are classificatory (Douglas). Instead of I am what I eat, we have, you are what I eat. The kind of animal comes into focus as its living body enters the possibility of entering mine. This entry might be seen as ethnic (which is how most have read kashrut rules). But I see it as species demarcating rather than religio-ethnic. It’s not about commensality – who eats with whom but about classification and hierarchy – who eats whom. Human is eater, nonhuman is eaten. The only prob is in PT Niddah in which the human implication in all of this is unresolved (on my reading of text).