



Adult at Twenty

The fifth *perek* discusses the *halachot* that begin to apply at different stages of development of a girl or boy. The final *Mishnah* (5:8) discusses a boy or girl that has not matured; they have not grown *sheti se'arot* (pubic hairs) despite reaching an advanced age. That age is the subject of debate whether it is eighteen or twenty. In any case, once the individual reaches that age, the *Mishnah* teaches that if they provide proof of age and present physical indications that they are an *ailonit* or *saris* (female or male unable to reproduce), then they are treated as adults. The *Gemara* (47b) explains that if they do not develop these indications, then they would only be considered adults at the age of thirty-five.

The *Gemara* (*Yevamot* 80a) presents a debate regarding the case in our *Mishnah*. Once they are confirmed as an *ailonit* or *saris*, from what age are they considered adults? *Rav* understands that they are retroactively considered adults from the age of twelve or thirteen. *Shmuel* however argues that it is from that point forward, from the age of twenty, that they are considered adults. A practical difference between these two opinions is if, e.g., he inadvertently ate *chelev* (forbidden fats) between the age of thirteen and twenty. According to *Rav*, once it is determined that he is a *saris*, then it would mean that he was an adult at the time he ate the *chelev* and be required to bring a *korban*. According to *Shmuel* however, he would be considered a minor at that time and exempt from all punishments. How do we understand this debate?

The *Grach* (*Ishut* 2:9, s.v. *ve'hinei*) explains that they have different understandings of the role that age and the *simanim* (indications) play in establishing this person as an adult. He explains that according to *Rav* the individual becomes a *gadol* on their own. Age and *simanim* are not like *shtei se'arot* that establish the individual as a *gadol*. Instead, they simply reveal the fact that this individual is unable to produce *shtei se'arot*. Consequently, since it is clear he was also unable at the age of thirteen, *Rav* understands that we treat him as an adult retroactively from that age.

Shmuel however understands that the *simanim* are equivalent to the *shtei se'arot*. The *simanim* are required to establish this individual as a *gadol*. Consequently, it is only once the *simanim* have been produced (with age) that the individual is considered a *gadol*, and only from that point forward.

The *Grach* however continues that it is also possible that both *Rav* and *Shmuel* agree that the *simanim* are necessary to render the individual a *gadol*. Furthermore, once they appear, and she is twenty, then it can imply that she was fit to be a *gadol* from the age of twelve. Nevertheless, they debate whether her status as a *gadol* can be applied retroactively.

The *Grach* continues that the *Gemara* challenges *Rav's* position. *R' Meir* understands that the fine that he applies in the case of *ones* (rape) and *pitui* (seduction) only applies to a *na'ara* – a girl during the six months after she is no longer a *ketana* (minor). *R' Meir* maintains that the fine would not apply to a *ailonit*. The *Gemara* however asks that according to *Rav*, since she would retroactively be considered a *ne'ara* from that age of twelve, the *knas* should apply.

The *Grach* continues that the same question could be posed to *Shmuel*. According to *Shmuel* she could be defined as a *naarah* from the six months after she turned twenty. Why then does the *Gemara* only pose the question according to the opinion of *Rav*?

The answer is found in the second explanation above. The reason why *Shmuel* maintains that she is a *gadol* from this point onwards, is because he argues that the status cannot be applied retroactively. Nevertheless, he agrees that we now understand that she could have been considered a *gadol* from that early age. That being the case, the period of *na'artut* has already passed and she would immediately be considered a *bogeret*.

Revision Questions

נידה ה' ג' – ג' י'

- What law applies to an eleven year old girl? (ה': ג')
- What is the comparable age for a boy? (ה': ג')
- Regarding the previous law what is different when the girl turns twelve? (ה': ג')
- Can that law apply to a girl younger than that age that is extremely clever? (ה': ג')
- For what laws did the *Chachamim* apply the following parable: פְּנֵה, בְּחַל, וְנֶאֱמַר? (ה': ג')
- What are the *simanim* for a *bogeret*? (Include all opinions.) (ה': ח')
- At what age would one become an *aylonit*? (ה': ט')
- At what age would one become a *saris*? (ה': ט')
- What law listed applies to both? (ה': ט')
- What is the law regarding one where only one of the upper and lower *simanim* have appeared? What case is debated? What case is considered impossible? (ה': א')
- What hole in a *kli cheres* is larger: *machnis* or *motzi*? (ה': ב')
- Can part of the body have a bone without a nail? A nail without a bone? (Why is this important?) (ה': ב')
- Which of the following two *tumot* can cause *tumah* to more *keilim*: *tumat met* or *tumat midras*? (ה': ג')
- Explain what the *Mishnah* means when it states that there are people that are fit for judging monetary cases that are not fit for judging capital cases. (ה': ד')
- Which of the following two laws apply to more food: *tumat ochlin* or *chiyuv ma'asrot*? (ה': ה')
- Which of the following two laws apply to more food: *peah* or *chiyuv ma'asrot*? (ה': ו')
- Which of the following two laws apply to more animals: *matanot* or *reishit ha'gez*? (ה': ו')
- Which of the following two laws apply to more produce: *biur* or *shvi'it*? (ה': ח')
- What else must a fish have if it has scales? (ה': ט')
- Do all animals that have horns have split hooves? Do animals that have split hooves all have horns? (ה': ט')
- Does everything that requires a preceding *bracha* require one after? What things that require an after *bracha* require a preceding *bracha*? (ה': י')

Melbourne, Australia

Sunday -Thursday

10 minutes before *Mincha*
Mizrachi Shul
Melbourne, Australia

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10 minutes before *Mincha*
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Shiur in English

Sunday -Thursday

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
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Nidah 5:6-7	Nidah 5:8-9	Nidah 6:1-2	Nidah 6:3-4	Nidah 6:5-6	Nidah 6:7-8	Nidah 6:9-10

