



Sanhedrin 54b

The William Davidson Talmud (Koren - Steinsaltz)



- תנו רבנן זכור לא עשו בו קטן כגדול בהמה עשו בה קטנה כגדולה 19

§ **The Sages taught:** With regard to intercourse with a **male**, the Torah **does not deem a younger boy** to be like an older boy; but with regard to intercourse with an **animal**, the Torah **does deem a young animal** to be like an old animal.

- מאי לא עשו בו קטן כגדול אמר רב לא עשו ביאת פחות מבן תשע שנים כבן תשע שנים ושמואל אמר לא עשו ביאת פחות מבן שלש שנים כבן שלש שנים 20

The Gemara asks: **What** does it mean that the Torah **does not deem a younger boy** to be like an older boy? Rav says: It means that the Torah **does not deem the intercourse of one who is less than nine years old** to be like the intercourse of **one who is** at least **nine years old**, as for a male's act of intercourse to have the legal status of full-



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- מאי לא עשו בו קטן כגדול אמר רב לא עשו ביאת פחות מבן תשע שנים כבן תשע שנים ושמואל אמר לא עשו ביאת פחות מבן שלש שנים כבן שלש שנים 20

The Gemara asks: **What does it mean that the Torah does not deem a younger boy to be like an older boy? Rav says:** It means that the Torah **does not deem the intercourse of one who is less than nine years old to be like the intercourse of one who is at least nine years old**, as for a male's act of intercourse to have the legal status of full-fledged intercourse the minimum age is nine years. **And Shmuel says:** The Torah **does not deem the intercourse of a child who is less than three years old to be like that of one who is three years old.**

- במאי קמיפלגי רב סבר כל דאיתיה בשוכב איתיה בנשכב וכל דליתיה בשוכב ליתיה בנשכב 21



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- במאי קמיפלגי רב סבר כל דאיתיה בשוכב איתיה בנשכב וכל דליתיה בשוכב ליתיה בנשכב 21

The Gemara asks: **With regard to what principle do Rav and Shmuel disagree?** The Gemara answers: **Rav holds that any *halakha* that applies to one who engages in intercourse actively applies to one who engages in intercourse passively, and any *halakha* that does not apply to one who engages in intercourse actively does not apply to one who engages in intercourse passively.** Therefore, just as one who engages in intercourse actively is not liable if he is less than nine years old, as the intercourse of such a child does not have the halakhic status of intercourse, so too, if a child who is less than nine years old engages in homosexual intercourse passively, the one who engages in intercourse with him is not liable.



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ושמואל סבר משכבי אשה כתיב 22

**And Shmuel holds: It is written:** “And you shall not lie with a male as with a woman,” indicating that the *halakha* of a male who engages in intercourse passively is like that of a woman; just as the intercourse of a woman has the halakhic status of intercourse from when she is three years old, the same is true with regard to a male who engages in intercourse passively. Consequently, in Shmuel’s opinion, one who engages in intercourse with a male who is older than three is liable.

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תניא כוותיה דרב זכר בן תשע שנים ויום אחד 23

**It is taught in a *baraita* in accordance with the opinion of Rav:** One who engages in homosexual intercourse with a male aged nine years and one day,



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תניא כוותיה דרב זכר בן תשע שנים ויום אחד <sup>23</sup>

**It is taught in a *baraita* in accordance with the opinion of Rav:** One who engages in homosexual intercourse with a **male aged nine years and one day,**

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הבא על הבהמה בין כדרכה בין שלא כדרכה והאשה המביאה את הבהמה עליה בין כדרכה בין שלא כדרכה חייב <sup>1</sup>

**or one who engages in intercourse with an animal, whether in a typical manner or in an atypical manner, i.e., anal intercourse, and similarly a woman who engages in intercourse with an animal, whether in a typical manner or in an atypical manner, is liable.** This *baraita* sets the minimum age for the passive male at nine years and one