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ד"ס

Parashat Tazri'a Part I Concerning the Laws of Impurity

1. Overview and Scope

Following the laws attached to the dietary code in Leviticus 11, which concern ritual defilement caused by contact with carcasses of animals and other creatures, the Torah continues with most of the other situations and conditions that cause ritual defilement. Chapter 12 deals with the woman who gave birth followed in chapters 13 and 14 by the various cases of *sara'at* (dermatological diseases in humans, fungi affecting fabric and leather garments as well as molds in house walls). Chapter 15 addresses male genital flows and in females, uterine bleeding. The laws of annual purification for sanctuary and people, part of the Yom Kippur rites, are in chapter 16.

Contact with a human corpse also defiles, indeed, defiles most seriously, but it is not included within our cluster of cases in Leviticus, despite the general impression that it appears to belong with them. The laws concerning defilement associated with a human corpse are given in Numbers 19; in our *Parashat H□uqqat Part I* study we will discuss those regulations and address the question of why they were not included in Leviticus.

This study will first focus on the traditional interpretation of the scope of application of the above impurities, including contact with a human corpse; we will then discuss several approaches regarding the purpose and meaning of these laws. Explanations of the laws concerning a woman who had just given birth will be presented in our next study on this *parasha* while the cases of *sara'at* will be addressed in our study on *Parashat Mesor'a*.

The standard talmudic view concerning the extent of applicability of these laws of ritual defilement were summarized by Maimonides as follows:

All that is written in the Torah concerning laws of ritual impurity and purity refers only to the sanctuary, its hallowed items, priestly gifts and tithes; all that it cautioned people who were in a state of impurity about was entering the sanctuary and the eating of hallowed items, priestly gifts and tithes. As concerns *h□ullin* (common items), there is no prohibition whatsoever and it is permitted to eat *h□ullin* foodstuffs that are ritually impure. The Torah stated, “[Sacrificial] flesh that came into contact with any impure item is not to be eaten” (Lev. 7:19), from which we deduce that [impure] *h□ullin* is permitted to be eaten, for the Torah here only spoke about sanctified flesh...In addition, it is permitted for a man to touch impure items and become defiled, for Scripture only forbade priests and Nazirites from becoming defiled by a corpse (the most severe of the ritual impurities) which indicates that all the rest of the people are permitted. And even priests and Nazirites are permitted to defile themselves in all the other categories of impurities besides that of a corpse. All Israelites must purify themselves for each festival in order that they may enter the sanctuary and eat from the hallowed food. The verse (regarding animals that possess only one of the two signs of “kosher” animals and are forbidden to eat) “and their carcasses you shall not touch, they are impure to you” (Lev. 11:8), refers only to festival time. (*MT, Tumat Okhlin* 16:8-10).

In addition, the sages explained the word “carcass” (*nebhela*) to refer only to flesh, excluding bones, tendons, horns and nails (*Sifra* on Lev. 11:8; see also on 7:17). The hide, when separated from the animal, is also excluded.

The sages’ construal of these laws – as far as non-priests are concerned – as only relevant to entering the sanctuary and partaking of sancta, is not explicit in the

Torah. It is in keeping with the spirit of a law code directed to people who are assumed to be living an active national life, an interpretation much more practical and functional than a strictly literal rendering would have been. This is also the case with what the Torah states in Numbers 19 regarding one who became defiled by contact with a corpse (Num. 19:13, 20). On the surface, the law appears to always require the defiled individual to immediately begin the seven-day process of purification to avoid the guilt of *karet* (being cut off). At times various sects have interpreted these laws in a much more literal and restrictive manner. They also disputed the view that turned out to be the consensus of the sages – not quite explicitly stated in the biblical text – that no nonhuman creature defiles upon contact while it is alive. Thus, the Dead Sea sect found it necessary to settle away from the national body of Israel and live somewhat of a monastic life.

2. Maimonides on the Torah's Purpose

Priestly examination and quarantine associated with *sara'at* may provide a degree of public health protection, and the same may be said for the limited measures of separation as concerns genital flows and uterine bleeding, but these appear to be legislative by-products. At the conclusion of the discussion of bodily impurities the Torah states: "You shall separate the Israelites from their impurity that they not die through their impurity by defiling My Tabernacle which is among them" (Lev. 15:31).

Regarding the general purpose of these laws, Maimonides stated:

The object of the sanctuary was to create in the hearts of those who enter it certain feelings of awe and reverence, in accordance with the command, "You shall revere My sanctuary" (Lev. 19:30). But when we continually see an object, however sublime it may be, our regard for that object will be lessened, and the impression we have received of it will be weakened. Our sages, considering this reality, said that we should not enter the temple whenever we liked, and pointed to the words: "Make thy foot rare in the house of thy friend" (Prov. 25:17). For this reason the impure were not allowed to enter the sanctuary, although there are so many kinds of impurities that [at a given time]

only a few people are ritually clean. For even if a person does not touch a beast that died of its own accord (Lev. 11:27), he can scarcely avoid touching one of the eight kinds of creeping animals (Lev. 11:29, seq.), the dead bodies of which we find at all times in houses, in food and drink, and upon which we frequently tread wherever we walk; and, if he avoids touching these, he may touch a woman in her separation (Lev. 15:18), or a male or female that has a running issue (Lev. 15:1, seq. and v. 25, seq.), or a *mesora* (Lev. 13:46) or their bed (Lev. 15:5),...and even when he has cleansed himself from any kind of these impurities, he cannot enter the sanctuary till after sunset;...he is again, during the night, subject to becoming unclean either by cohabiting with his wife or by some other source of impurity, and may rise in the morning in the same condition as the day before. All this serves to keep people away from the sanctuary...Our sages, as is well known, said, "Even a clean person may not enter the sanctuary for the purpose of performing divine service unless he previously takes a bath." By such acts the reverence [for the sanctuary] will continue and the right impression will be produced, which leads man, as is intended, to humility.

(*Guide for the Perplexed* 3:47, Friedlander translation slightly modified)

He adds that by limiting the scope of purity and impurity laws to the sphere of sanctuary and sancta, the Torah greatly curtailed it from the much broader application given it by the preceding and contemporaneous cultures of the neighboring nations. As far as the meaning of the details, in his view there was no purpose in attempting an interpretation of them, since they merely served as compulsory components in accomplishing the objectives of the system.

Previously, in his legal code, he wrote:

Although it is permitted to eat impure foods and drink impure drinks, the pious men of old would eat *hullin* (nonsacral food) in ritual purity and carefully avoided all impurity throughout their lives. They were called *Perushim* (separated). Such practice is one of great holiness and the manner of piety, so that the individual will be

disengaged and keep away from other people, not to touch them or eat or drink with them. For separation leads to a body purified from wrongdoing, and bodily purity leads to a spirit sanctified from evil dispositions, and a sanctified spirit leads to imitation of the [actions of] the divine presence, as it states (Lev. 11:44 with 22:32): “Sanctify yourselves and be holy, for holy am I, Hashem, who sanctifies you.” (*MT, Tumat Okhlin* 16:12)

Some see the *Guide* statement as supplemental to the one in *Mishneh Torah*, for after the law is established, regardless of its original purpose, great benefit may be derived from identifying with its spirit. Others are of the opinion that these are inconsistent positions, the *Guide* statement essentially a revision of his earlier formulation.

3. Symbolic Meaning

Throughout the centuries many Torah commentators have viewed the regulations of ritual purity and impurity, as well as the details of virtually all categories of ritual law, as possessing symbolic meaning. Modern research, by uncovering the practices and thinking of ancient Near Eastern societies preceding the advent of the Torah, has made the case for such exposition persuasive, if not compelling. We will now present several explanations of the symbolic meaning of the concept of ritual impurity that appear to be in general harmony with basic conceptions of the ancient world. (The impurity of the parturient will be discussed in the coming study.)

Corpses and carcasses exemplify the loss of life and contact with them means the individual had contact with death. *Sara'at*, an abnormal, uncontrollable spread of a visible infection or disease on one's skin, widely thought in ancient times to be contracted without a physical cause, was feared to inexorably lead to death. The impurity associated with genital discharges and uterine bleeding is of two types. The serious type was when the condition continued beyond the natural extent of emissions. The continual emissions, thought to be occurring without a physical cause, were viewed as a steady leakage of the life force within. The lighter impurity was associated with natural semen emission and standard menstruation,

conditions that are common and usual and accordingly required far simpler purification rites. The inclusion of the lighter impurities may have been due to their possessing a degree of similarity to the abnormal cases of semen discharge and uterine bleeding. (The practice of a standard menstruating woman to count seven “clean” days subsequent to conclusion of her period – ensuring she is not experiencing a serious impurity – was introduced in rabbinic times as a stringency.)

Thus, the impurities are seen as contraindicative to life. They each entail or symbolize the wasting away of life's vitality, the weakening of the individual and the inevitability of death. They counter the Torah's overarching principle of affirming life, health and productivity. As a result, they each necessitate a procedure of ritual purification.

Others add another factor based on the conception of the nation as an encampment around the sanctuary within which the divine presence is represented to dwell. The G-d-Israel covenant created a bond between all Israelites and the sanctuary; accordingly, each individual is expected to relate to the sanctuary in an ongoing manner while the sanctuary was as if sensitive to any Israelite who could not relate to it. This was to remain the paradigm even upon settlement throughout the land when the individual was not in close proximity to the central sanctuary. An individual who experiences any of the life-dissipating phenomena, by virtue of being prohibited to enter the sanctuary was considered unable to properly relate to it at that time. Such an individual is seen as countering an aspect of the values the sanctuary represents and thus defiles it to some extent.

In any event, in addition to the personal cleansing procedure incumbent on each individual for each episode of ritual defilement, such events necessitate a periodic purification of the sanctuary. This explains the instructions for the Yom Kippur ceremony (Lev. 16) coming immediately after the conclusion of the laws of bodily impurity.

The general approach of interpreting the purities and impurities as manifesting an overarching concern for life is consistent with the dietary code laws that began the section, that only animals and birds that are not carnivorous or predators are permitted for food.

Perhaps support may be adduced from the subsequent prohibition on the consumption of blood (Lev. 17:10-14), defined as containing or representing the essential principle of life, “for the life of the flesh is in the blood” (v. 11). It also is in harmony with the Torah’s grand statement toward the conclusion of the purity section that one is to observe G-d’s statutes and ordinances, “which a man shall do and live thereby” (18:5).

Other commentators have interpreted purity and impurity as based on standards of honor and dishonor deeply ingrained in the human psyche. They have understood the associated laws as designed to maintain the proper reverence and respect for G-d. Contact with carcasses or corpses, dissipating skin diseases, semen discharges and uterine bleeding, all highlight the earthy, coarse dimension of life; an individual undergoing such contact or experiences is generally sensed to be unfit to be present in a dignified setting and should not come into proximity with G-d’s presence until passage of an appropriate amount of time and a purification procedure. Although G-d is also the creator of the physical side of life, He would appreciate man abiding by standards of honor in relating to Him. Accordingly, it would simply be ignominious to bring those experiences into the sanctuary or have them make contact with sancta. This would even apply to contact from a distance since the defiled individual is thought of as always in relationship with the sanctuary.

Some conjecture (see Rabbi S. R. Hirsch) that the individual experiencing these symptoms is invariably left with a psychic or emotional aftereffect that has significance relevant to the spiritual sphere. That is, one’s consciousness of G-d and the ability to be fully oriented to His dictates are compromised when in the throes of the powerful natural physical forces under discussion. Distraction or difficulty to concentrate on the spiritual may linger. Even the sense that a degree of human free will may have been diminished may lessen one’s vigor in fulfillment of the laws. This constitutes a degree of loss of “purity.” In addition, entering the sanctuary or partaking of sancta in such a state would defile both sanctuary and sancta by “dulling” their vitality in the individual’s perception. Even when impure individuals did not enter the sanctuary, its impact may have been sensed as lessened due to its always being “in contact” with all

members of the nation who were expected to constantly look toward it for inspiration. Thus, a purification process is required to symbolically restore the individual’s spiritual focus.

Regardless of the explanation, ritual impurities are seen as impeding the sanctuary in accomplishing its objective of inspiring the Israelites to live a more holy life. They lessen the people’s sense of devotion to the sanctuary program and, inevitably, foster the commitment of transgressions. This situation led to an enrichment of the Yom Kippur program, an innovative concept of superseding importance. In addition to the day’s ceremonies accomplishing the cleansing of the sanctuary from ritual impurities it was also made to be the occasion of cleansing the people from the impurity derived from their transgressions in all spheres of life (Lev. 16:16, 21-22, 30, 34) and thus spiritually rejuvenating them.

The Torah mandated that in the military camp (Deut. 23:13-15) a man impure from a nocturnal emission is to remain outside the camp for the day, not to reenter it until nightfall and after washing himself. Also, an area must be designated outside the camp where one would go to relieve himself. Each soldier was to include a spike with his equipment so that he could dig a hole to facilitate covering up his excrement, “because Hashem your G-d travels in the midst of your camp...and your camp should be holy” (v. 15). These requirements were not legislated for the national encampment despite the presence of the Tabernacle in its midst, with the representation of G-d’s presence abiding in it. Perhaps the reason is, as Ibn Ezra suggested, that in the military camp everyone is in close proximity to the ark. In addition, in the national dwelling quarters it would be impractical for women, children, elderly and the infirm to go outside the residential area to relieve themselves. In any event, this law has been cited as illustrating the concept (and supporting the interpretation) that it is reverence for G-d that requires an individual who experiences bodily discharges to maintain separation from where the divine presence is represented to be.

Others have argued in a different direction. Excrement is a major manifestation of the physical side of life and its presence is widely considered shameful in a dignified setting or before an honorable personage. Nevertheless, having had contact with it is not

included with the ritual impurities that preclude one from entering the sanctuary. This is seen as supporting the view that it is only those conditions that were considered to deplete life's vitality and signify death that defile. One who had engaged in the natural process of waste elimination is not precluded from entering the sanctuary because it is recognized as a sign of good health.

In summary we may say that ritual impurity was deemed an impediment toward the goal of achieving and maintaining holiness. Passage of an appropriate period of time, ablution in water, sometimes laundering of garments and the bringing of specified offerings, and in the case of corpse-contamination sprinkling with the ashes of the red heifer, have the symbolic power to help an individual return to purity. (We will discuss the latter in detail in our study on *Parashat Huqqat Part I*.)

Whatever the specific symbolism of ritual purity and impurity may be, it is important to recognize that with these regulations the Torah was purging from Israel alien ideologies deeply embedded in the cultures of the ancient Near East. The concepts associated with these rites were intertwined with belief in demons, demigods and supernatural forces, connected to idolatrous beliefs, all of which were swept away by the Torah's monotheistic revolution and replaced with appropriate symbolism.

4. Ablution

The biblical text generally indicates that washing in water is part of the purification process for whomever or whatever had been defiled, a common phrase being וְרָחַץ אֶת בְּשָׂרוֹ בַּמַּיִם ("he should wash his body in water" [14:9; 16:24, 26, 28]) or a slight variation thereof. The sages have defined such washing as immersion in a flowing or natural body of water or in a *mikveh*, a pool that, even if artificially constructed, may contain the required quantity of water and possess the necessary characteristics. In some instances, however, the Torah does not explicitly mention that the impure individual must undergo this particular cleansing ritual. Nevertheless, the talmudic tradition is clear that all

cases of ritual impurity of the Torah require ablution for purification.

The Ramban points out (Lev. 11:24, 32) that in those cases where washing in water is not mentioned in the Torah text it is indicated through intertextual exegesis and basic logic. For example, since the Torah prescribes that the garment being worn by an individual who carried even a portion of an impure animal's carcass must be washed (v. 25), surely the individual himself must do so, despite it not being stated. It uniformly is the case in ritual impurities that the requirement for the defiled individual to wash himself is more usually prescribed and more logically indicated than the requirement for his garments to be washed. Similarly, since vessels that have become impure require ablution in water in order to be purified (v. 32), surely it is the case that a person who became impure in the identical manner as those vessels requires it. Thus, the explicit mention of וְרָחַץ בַּמַּיִם ("he should wash in water") and כִּי אִם רָחַץ בְּשָׂרוֹ בַּמַּיִם ("unless he washed his body in water") in subsequent chapters (Lev. 17:15; 22:6) for cases from which they were omitted in our chapter should not to be seen as inconsistencies but rather as making explicit what was implicit in the earlier attestations of those cases, and the sources reconciled. It is appropriate to assume that logic governs the relationship between biblical laws unless specifically indicated otherwise.

But why was ablution not consistently mentioned? Some consider the answer to be connected to the fact that it was so widely practiced in the ancient world and that it so clearly symbolized the purification process that achieving purity could not be conceived of without it. Consequently, it was sometimes relegated to the "taken for granted" category. Of course, the question becomes why should it be left to assumption in some cases and not in others. This probably has to do with the specific agenda of each context. Regarding our Leviticus 11 cases, J. Milgrom assumes that ablutions are explicitly called for only in those cases in which it might have been thought to be unnecessary, such as concerning vessels (*AB*, Lev. p. 667).

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