



Tum'a – Ritual Impurity by David Silverberg

Parashat Tazria introduces us to two distinct categories of tum'a, or ritual impurity. The first type, which earns relatively brief mention in the Torah, occupying a mere eight verses at the beginning of the parasha, surfaces immediately after childbirth. The Torah ordains a period of tum'a upon a woman after delivering a child, during which time she may not eat sacrificial foods or enter the Temple grounds (see 12:4). Thereafter, the Torah proceeds to a much lengthier exposition on the subject of tum'at tzara'at, the ritual impurity generated by a discoloration on one's body, garments, or house. This second topic, tzara'at, occupies the remainder of Parashat Tazria and a considerable portion of Parashat Metzora.

In the latter half of Parashat Metzora (chapter 15), the Torah proceeds to a much different category of tum'a, known in halakhic jargon as "tum'a ha-yotzet min ha-guf" – impurity resulting from bodily discharge, specifically menstruation and various types of seminal emissions.

In truth, the subject of tum'a is not introduced for the first time here in Parashat Tazria. The discussion in this parasha should perhaps be seen as a continuation of the final section of Parashat Shemini (chapter 11), which, amidst its presentation of the Torah's dietary laws, addresses as well the various types of tum'a generated through contact with animal carcasses. Thus, Parashat Tazria appears at the heart of what we might term the "tum'a unit" of Sefer Vayikra, which runs from the final section of Parashat Shemini – chapter 11 – through the end of Parashat Metzora (chapter 15). Another, particularly important, category of tum'a, that which is transmitted through contact with a human corpse, is not addressed in this unit, and its laws appear in the Book of Bamidbar (chapter 19). It is unclear, at first glance, why the Torah chose to omit this category from the unit here in the Book of Vayikra, an issue requiring independent treatment in a different context.

In summary, then, we encounter in the Torah five categories of ritual impurity:

- 1) Tum'a generated by the remains of animals;
- 2) Tum'a brought on by childbirth;
- 3) Tum'a caused by the manifestation of tzara'at;
- 4) Tum'a generated by bodily discharge;
- 5) Tum'a resulting from contact with a human corpse.

This essay will first study Maimonides' understanding of the concept of tum'a in a general sense, its underlying reason and meaning, based on his comments in the third section of his *Guide to the Perplexed* (chapter 47). We will then proceed to examine his approach to the two specific manifestations of tum'a addressed in Parashat Tazria.

The Jewish and Pagan Concepts of Impurity

Maimonides begins his analysis of the Torah's concept of tum'a by formulating a far more fundamental precept regarding Jewish practice:

I maintain that the Law which was revealed to Moshe, our Teacher, and which is called by his name, aims at facilitating the service and lessening the burden, and if a person complains that certain precepts cause him pain and great trouble, he cannot have thought of the habits and doctrines that were general in those days.



Among the essential distinctions between the Torah and pagan doctrines, Maimonides asserts, involves the difficulty of the demands imposed upon the religionist according to each system. The Torah, in Maimonides' view, aimed at "lessening the burden" of religious worship, at least as compared to the pagan practices prevalent in ancient times. He brings as one example the pagan "molekh" ritual, which required men to burn their own sons in the service of their deity, whereas the Torah demands at most animal sacrifices, and at times, even a simple meal offering.

Though at first this point appears irrelevant to the subject at hand, it provides the background necessary to appreciate a critical component of Maimonides' outlook on the concept of tum'a, as he discusses later in this chapter. Among the prominent – though often overlooked – features of the Torah's system of ritual purity is that, in Maimonides' words, "we are not impeded through these laws in our ordinary occupations by the distinction the Law makes between that which is unclean and that which is clean." He explains, "For this distinction applies only in reference to the Sanctuary and the holy objects connected with it; it does not apply to other cases." The occasion of ritual impurity has little effect on daily life outside the Temple. With the exception of the prohibition against marital relations with a menstrual woman, Halakha does not impose any restrictions on normal living in the wake of ritual impurity. In fact, as Maimonides emphasizes, the Torah does not even require one to avoid contracting tum'a or to immediately work towards divesting himself of this status once he has become ritually impure. The status of tum'a relates almost exclusively to Temple-related guidelines, proscribing one from partaking of sacrificial food and entering certain areas in the domain of the Temple. (The exceptional situation of tzara'at, which mandates banishment from all walled cities in the Land of Israel, will be addressed later.) All other activities may be performed even in a state of tum'a, and food that became tamei is not forbidden for consumption. Maimonides contrasts this lenient attitude towards ritual impurity with pagan doctrines, which required a woman's seclusion during her menstrual cycle and rendered impure anyone who came in contact with cut hair or nails, or blood. This distinction might reflect a more fundamental gap between the Torah's overall perspective on tum'a and that of pagan nations. In Jewish law and thought, a person who experiences a phenomenon rendering him tum'a is not deemed unclean or blemished in any way. Burying the dead – particularly when no one else is available to tend to the body – ranks among the highest acts of kindness according to Jewish law, and overrides many other Torah precepts – despite the fact that it de facto generates tum'a. And certainly childbirth, which, as mentioned, renders the mother ritually impure, is seen as a central Jewish ideal, rather than an experience that must optimally be avoided. Tum'a, then, has nothing at all to do with virtue; its manifestation must not be mistaken as a value assessment of the person affected.

Maimonides perhaps alludes to this crucial point in this chapter, when he distinguishes between the concepts of tum'a and sanctity. In emphasizing the limited practical effects of tum'a, he clarifies that the Torah's command that we be "sacred" (Vayikra 11:44; 19:2) does not require that we endeavor to avoid contact with tum'a. Rather, as Maimonides cites from the Sifra, these admonitions refer to general observance of the commandments. The formal, ritualistic concept of "tum'a" mustn't be confused with "kedusha" – holiness. Marital relations (when accompanied by seminal emission) indeed generates tum'a, but when performed in accordance with Torah law, it in no way detracts from one's "kedusha." Beyond dispelling a possible misinterpretation of the admonition to be



"holy," this distinction perhaps emphasizes the strictly formal, legalistic nature of the tum'a status, as opposed to the virtue and ideal of "kedusha." The pagans appear to have ascribed broader, spiritual significance to their concept of impurity, and therefore imposed oppressive measures to distance those deemed ritually defiled. In Torah law, however, tum'a does not reflect any spiritual deficiency or contamination; it means only that the individual is barred from the Temple.

To further clarify this point, Maimonides distinguishes between three homonymous meanings of the word "tamei" in the Bible. Besides its use in reference to the formal, halakhic status of ritual impurity, it also appears in the context of transgressions, particularly those of a severe nature – idolatry (Vayikra 20:3), adultery (Vayikra 18:24), and murder (Bamidbar 35:34). Thirdly, Scripture at times refers to dirt and filth with this term (e.g. Eikha 1:9). Thus, despite the negative connotation generally associated with the word "tum'a," the formal status of halakhic impurity must not be seen as an expression of internal, spiritual defilement.

The Reason for Tum'a

Why, then, did the Torah bar a ritually impure individual from the Temple grounds and deny him the right to partake in sacrificial foods? Maimonides answers this question clearly and succinctly several chapters earlier (35), in his overview of the general categories of commandments: "The general object of these laws is...to discourage people from [frequently] entering the Sanctuary; in order that their minds be impressed with the greatness of the Sanctuary, and approach it with respect and reverence." He elaborates further on this theme here, in chapter 47:

...I repeat that 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 reverence My sanctuary" (Vayikra 29:30). 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... For this reason the unclean were not allowed to enter the Sanctuary... All this serves to keep people away from the Sanctuary, and to prevent them from entering it whenever they liked. 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 takes previously a bath." By such acts the reverence [for the Sanctuary] will continue, the right impression will be produced which leads man, as intended, to humility.

The underlying significance of tum'a, then, relates not to the given experience which results in this status, but rather to the very notion of barred entry into the Temple. Free, unlimited access to the Mikdash would diminish one's sense of awe for the sacred site; it would become a mere attraction, open and accessible to all on a regular basis. The Almighty's representative earthly abode, which is intended – if only in part – to instill within man an acute awareness of God's presence and providence, must be a source of fear and reverence, as much as a source of pride and enthusiasm. This delicate balance between reverence and excitement necessitated limiting the people's access to the Temple, which the Torah accomplished through the institution of tum'a.



The appeal of this explanation is that it appears to obviate the need for further inquiry into the reasons why particular situations generate tum'a. Once we approach tum'a as a system intended to preserve the aura and mystique appropriate for the *Mikdash*, we have no need, it would seem, to identify the particular aspects of the specified phenomena that bring on ritual impurity.

Nevertheless, although Maimonides clearly points to this consideration as the primary intent behind the Torah's concept of tum'a, he acknowledges other factors, as well. He perhaps felt that the Torah would not randomly select occasional phenomena as causes for tum'a; presumably, we should expect to find some rational basis upon which this selection was made. In addition, it cannot be ignored that by and large, the manifestations of tum'a all involve objects or experiences deemed loathsome. Thus, Maimonides observes that the substances and conditions that generate tum'a – corpses, carcasses, bodily discharge, and tzara'at infections – are "sources of dirt and filth," and he therefore asserts that the laws of tum'a serve to "keep us at a distance from dirty and filthy objects." In addition to the primary reason behind these rules – to erect a barrier of sorts between the individual and the Temple – they serve a sanitary function, as well.

Maimonides proceeds to add a third, somewhat surprising factor: "they pay regard to an established custom (for the Sabeans submitted to very troublesome restrictions when unclean)." The laws of tum'a pay homage, as it were, to the corresponding pagan practices involving ritual impurity. It is difficult to understand, at least at first glance, why Maimonides felt the Torah would find it necessary to "pay regard to an established custom" of the ancient pagans, but his brevity in this regard leaves us considerable room for speculation. One might associate this remark with Maimonides' controversial position regarding the sacrifices, to which we devoted an article several weeks ago, viewing them as a necessity borne out of the Israelites' prolonged exposure to the idolatrous culture of ancient Egypt. Maimonides argued that God could not expect Benei Yisrael to accept a religious system that did not incorporate a sacrificial order, because this mode of worship had become so prevalent among ancient faiths. In a somewhat similar vein, Maimonides perhaps felt that a system of ritual purity and impurity had become too widespread for Benei Yisrael to suddenly ignore. Once the Torah established the institution of a Temple designated for sacrificial worship, it had to also prescribe a system of purity laws setting limits on the accessibility of this holy site.

In conclusion, then, Maimonides understands the system of tum'a as intended primarily to preserve the people's sense of reverence towards the Mikdash, which would be eroded over the course of constant, unlimited accessibility to the site. Nevertheless, he adds two other factors, as well – the interest in distancing the people from sources of filth, and the need to incorporate a staple component of pagan ritual.

(Maimonides then adds a fourth reason, which in truth is more of a corollary to the third: "they [the laws of tum'a] lightened that burden for us; for we are not impeded through these laws in our ordinary occupations by the distinction the Law makes between that which is unclean and that which is clean." Meaning, though the laws of tum'a serve to "pay regard" to the corresponding pagan system, at the same time they provide a far less rigorous structure of ritual purity laws, which have a very minor effect on daily life.)

The Childbearing Woman



As mentioned in our introduction, the opening section of Parashat Tazria prescribes a period of tum'a after the delivery of a child. Maimonides provides no specific explanation for this manifestation of impurity, and in fact at one point appears to intentionally ignore it. Recall that he points to the aesthetic aversion associated with the phenomena that generate tum'a as a secondary reason for this result. He writes, "All these cases of uncleanness, viz., running issue of males or females, menstruations, leprosy [tzara'at], dead bodies of human beings, carcasses of beasts and creeping things, and issue of semen, are sources of dirt and filth." Maimonides here lists every category of ritual impurity with the exception of tum'at yoledet – the impurity resulting from childbirth. It stands to reason that he omitted childbirth for the obvious reason that this experience is not generally associated with "dirt and filth." But then the question arises, why does the Torah include childbirth among the experiences that cause tum'a?

Several different approaches have been taken to explain the onset of tum'a as a result of childbirth; we refer the reader to Rabbi Shimshon Refael Hirsch's commentary to the beginning of Parashat Tazria, and to articles by two contemporary Israeli scholars, Rabbi Yuval Shirlo (www.biu.ac.il/JH/Parasha/tazria/she.html) and Rabbi Elchanan Samet (www.etzion.org.il/vbm/archive/7-parsha/26tazmetz.rtf). Maimonides' silence, however, suggests that he viewed the answer as self-evident or perhaps a natural outgrowth of his perspective on the other forms of tum'a. It is likely that the vaginal bleeding that accompanies childbirth renders this experience functionally equivalent to menstruation with respect to ritual impurity. Although Torah law does not deem this blood ritually impure, and the status of tum'a obtains even in the unlikely case where a woman delivers without bleeding, nevertheless, the resemblance between childbirth and menstrual bleeding mandates the inclusion of the former among the phenomena that generate tum'a. Thus, this category of tum'a is perhaps nothing more than a function of its association with menstruation.

Tzara'at – A Physical or Metaphysical Condition?

The situation of tzara'at differs from all other forms of ritual impurity, in that it demands that the individual live in solitude until the affection heals. This extraordinary measure led some writers, including the Rambam (Maimonides), to the conclusion that the tzara'at laws were established for medical purposes. The patient's banishment from society serves to help prevent the spread of the illness, and in this vein some scholars attempt to explain the various procedures outlined in the Torah regarding tzara'at.

Maimonides felt otherwise. While acknowledging that tzara'at is "a contagious disease, and people almost naturally abhor it, and keep away from it," he does not view the medical concern as the root cause of this category of tum'a, describing this factor as "the good effect of this belief," meaning, a secondary or incidental benefit. He instead accepts the well-established theory explicated on numerous occasions in Talmudic sources, that tzara'at surfaces as a punishment for social misconduct:

All [views among the Sages] agree that leprosy [tzara'at] is a punishment for slander. The disease begins in the walls of the houses (Vayikra 14:33). If the sinner repents, the object is attained; if he remains in his disobedience, the disease affects his bed and house furniture; if he still continues to sin, the leprosy attacks his own garments, and then his body.



Tzara'at is indeed a physical condition, but the resultant tum'a ordained by the Torah is not directly geared towards this medical concern. It rather serves as a supernatural warning system, aimed at correcting an individual's social misconduct. This association between tzara'at and "lashon ha-ra" (negative speech about others) arises naturally from the account in the Book of Bamidbar (12) of Miriam, who was stricken with tzara'at for speaking critically of her brother, Moshe. What more, in the Book of the Devarim (24:8-9), the Torah juxtaposes the memory of Miriam's illness with the laws of tzara'at: "In cases of skin affection, be most careful to do exactly as the levitical priests instruct you. Take care to do as I have commanded them. Remember what the Lord your God did to Miriam on the journey after you left Egypt." These verses provide the Scriptural basis for the connection drawn by the Rabbis – and subsequently adopted by Maimonides – between tzara'at and wrongful speech.

Maimonides elaborates a bit further on the underlying purpose of tzara'at in his *Code*, in his conclusion to Hilkhot Tum'at Tzara'at. There he notes that the Torah employs the term "tzara'at" in reference to a variety of different conditions, which are not at all scientifically related. "Tzara'at" refers to a skin discoloration, certain types of hair loss, and the discoloration of garments, linens and walls. Scientifically speaking, the appearance of white spots on a wall has no connection whatsoever to a skin infection, and yet, the Torah incorporates them both under the category of "tzara'at." On this basis, Maimonides concludes that the tzara'at laws must be understood as supernatural warnings to the individual to improve, rather than a specific medical disorder.

Abarbanel, by contrast, while conceding that tzara'at serves as a divine warning or punishment, nevertheless advances a medical basis for linking the various categories of tzara'at. He contends that the chemical imbalances that cause bodily tzara'at affect the patient's surroundings, as well, and could, indeed, result in the discoloration of his clothing, bedding, furniture and walls. Maimonides, an expert physician and scientist, clearly denied such a possibility, and therefore viewed the connection drawn between the different manifestations of tzara'at as conclusive evidence of its metaphysical, rather than physical, nature.

Later writers have brought numerous other proofs to dispel the medical approach to the tzara'at laws. In particular, Rabbi Shimshon Refael Hirsch, in an appendix to his commentary to Parashat Tazria, exerts considerable effort in refuting this theory, and marshals numerous features of the tzara'at code that are incompatible with the medical approach. For example, the Torah establishes that tzara'at does not generate tum'a if it covers one's entire body (13:12-13). Medically speaking, it is hard to speak of a threatening illness that suddenly becomes benign the moment it spreads throughout the body. And in Parashat Metzora, when the Torah outlines the procedure regarding a wall discoloration, it instructs the kohen to order the house emptied of all its contents before he comes to examine the discoloration (14:36). As Rashi explains, since the kohen's declaration affirming the presence of tzara'at renders the house and all its contents impure, he first removes the contents so that they will not contract the tum'a of tzara'at, which would require their destruction. In other words, a chair situated in a house with a tzara'at discoloration will not contract the status of tum'a if it is removed just moments before the kohen arrives to formally proclaim the house to be affected with tzara'at. This provision clearly cannot accommodate a medical approach to the laws of tzara'at; if these laws stemmed from medical concerns, we would insist on the destruction of any item exposed to this "illness," regardless of its location at the time of the kohen's diagnosis.



Rabbi Hirsch draws our attention as well to a number of halakhot established in the Talmud regarding tzara'at, including the unique provision that kohanim do not examine suspected tzara'at infections during festivals (Mo'ed Katan 7b). The Talmud explains that the strict prohibitions that apply to a person determined to have tzara'at would interfere with one's festival celebration, and the kohen's examination is therefore delayed until after Yom Tov. Rabbi Hirsch notes that on the three pilgrimage festivals the entire Nation of Israel assembles within the walls of Jerusalem, and yet specifically on these occasions we suspend tzara'at examinations. If we deal with a debilitating and contagious illness, then on Yom Tov, more so than any other time of year, we would insist on providing immediate medical attention to anyone suspected of having contracted the disorder, so as to prevent it from spreading throughout the cramped city of Jerusalem.

Tzara'at's Pragmatic Function

Having established what the tzara'at laws are not intended to do (address the medical concern arising from tzara'at), let us now turn our attention to identifying their purpose. As we cited earlier from the *Guide*, Maimonides views tzara'at as a warning system that operates in incremental stages of severity, aimed at inspiring the stricken individual to correct his social behavior. Maimonides describes this process in his *Code*, as well, adding that if the individual does not repent even after losing his house and garments, "his skin changes [color] and he will be stricken with tzara'at; he will be separated and sequestered in solitude, until he no longer engages in the conversation of the wicked, which is frivolity and gossip." The individual's isolation and banishment from social life serves to educate him towards proper social conduct and appropriate speech. The process begins with the early warning signs, in the form of discoloration on his walls and garments, and, if necessary, it culminates with bodily affliction that bars him from society and forces him to live in solitude, where he will reassess his conduct and resign himself to more acceptable standards. Maimonides here describes a straightforward, pragmatic function served by the tzara'at laws: to admonish a sinner to repent and refine his social conduct.

Other Medieval philosophers who share Maimonides' perspective on tzara'at as a metaphysical, rather than medical, condition, nevertheless advance different approaches in explaining its primary purpose. Rabbi Yehuda Halevi, in his *Sefer Ha-kuzari* (2:62), views tzara'at as a metaphysical reality, rather than geared towards a specific purpose. As opposed to Maimonides, for whom tzara'at serves the practical function of discouraging gossip and social misconduct, Halevi claims that tzara'at results naturally from an individual's misconduct. He explains that during times when Benei Yisrael collectively earn the residence of the Shekhina (God's symbolic presence) among them, they are endowed with a certain "radiance" that affects their physical appearance, as well as that of their clothing and homes. Under such conditions, when a single individual becomes no longer deserving of this gift, he loses this radiance, and the effects are manifest on either his body, garments or home. Tzara'at is thus a natural consequence of the loss of this "divine spirit," rather than a pragmatic measure aimed at correcting misconduct.

A third position appears in the *Sefer Ha-chinukh* (169-170), who views tzara'at as intended to heighten people's awareness of divine providence, to accustom them to attribute physical disorders and other crises to the divine will. The process of tzara'at reminds an individual that events that occur on earth – even that which occurs in the privacy of his home, or on a concealed part of his body – result from divine providence. By forcing a person to



consult a kohen for direction and guidance in instances of discoloration, the Torah infuses him with a keen awareness of the Almighty's unlimited control and authority over everything that transpires on earth.

The appeal of the *Sefer Ha-chinukh's* approach is that it resolves the troubling question of why the particular transgression of lashon ha-ra mandates God's overt, supernatural intervention. Why does this violation in particular result in a miraculous display of divine retribution? According to the *Sefer Ha-chinukh*, perhaps, this question need not be asked. The institution of tzara'at is necessary simply to provide a clear expression of divine providence; God selected one category of violations for which He will punish through miraculous means, thereby conveying the message that all illnesses and other crises are under His unlimited control, as well.

Returning, then, to Maimonides, who adopts a pragmatic, utilitarian understanding of the purpose of the tzara'at laws, we might wonder why the Torah established this "warning system" only in the context of lashon ha-ra, in response to improper talk. It would appear that Maimonides' approach to tzara'at reflects the particular gravity he afforded to the sin of lashon ha-ra. Indeed, in his concluding remarks in *Hilkhot Tum'at Tzara'at*, he elaborates on the degenerative process that begins with frivolous, cynical talk about others. Ultimately, Maimonides observes, such conversation develops into a disregard for the words of the prophets, and, eventually, for the word of the Almighty Himself. A person who accustoms himself to scoff and jeer at others develops, over the course of time, a generally negativistic attitude, a tendency to look suspiciously and derisively upon even matters of sublime truth and paramount significance. For this reason, it appears, God established a system whereby an individual can be forewarned of his wrongdoing before it develops further into an instinctive tendency.

The laws of tzara'at, then, as understood by Maimonides, underscore the particularly grave dangers of excessive frivolity and cynicism, which often result from derogatory speech about other people. The very fact that he viewed the institution of tzara'at as geared towards preventing and, if necessary, eliminating negative speech about others from Jewish society, demonstrates the singular severity he ascribed to such conduct. Lashon ha-ra, more so than any other transgression, demanded God's direct intervention in order to prevent its evolvment into a general attitude of scorn and cynicism, which would threaten to undermine one's loyalty to the divine command.