

FOREWORD

Purity and impurity— ṬHR and ṬM^{\prime} —are not hygienic categories and do not refer to observable cleanliness or dirtiness. The words refer to a status in respect to contact with a source of impurity and the completion of acts of purification from that impurity. If you touch a reptile, you may not be dirty, but you are unclean. If you undergo a ritual immersion, you may not be free of dirt, but you are clean. A corpse can make you unclean, though it may not make you dirty. A rite of purification involving the sprinkling of water mixed with the ashes of a red heifer probably will not remove a great deal of dirt, but it will remove the impurity.

An inductive inquiry into the uses of the words unclean and clean in biblical literature will show that they occur chiefly with reference to the cultic acts. If you are impure, you cannot enter the Temple or participate in certain cultic acts. If you are pure, you may do so. But limiting purity to cultic actions is itself an *interpretation* of the matter—a priestly viewpoint. So we are left with definitions which do not greatly transcend the thing to be defined. The words ṬM^{\prime} and ṬHR are here translated with various English equivalents: clean and cleanliness, unclean and uncleanness, pure and impure, polluted, defiled, contaminated. All go back to the same Hebrew words and refer to the same status or situation.

The one translation here avoided is “*ritual* purity” and “*ritual* impurity,” for attaching the adjective “ritual” raises two problems. It first requires the definition of “ritual” and implies a distinction between “ritual” and something-other-than-ritual—“substantive,” “real,” or “moral,” for example. So that distinction in our culture will carry in its wake the assertion that “ritual” stands against “real” or “substantive,” “meaningful” or “actual,” as though for the ancient Israelite “ritual impurity” were somehow not real or substantive or actual, as if it bore no material meaning. But if impurity has concrete and important effects in practical, everyday affairs, and if a concrete act (“ritual”) of purification has to be undertaken to remove those effects, then it hardly constitutes something not real, substantive, or actual.

Second, for the present-day ear, “ritual” provokes as its antonym “moral.” From the prophetic polemic, carried on in Western civilization in countless ways, people are used to posit a tension between

“empty,” “formalistic” or even “childish” rituals, on the one side, and “ethics” or “the heart” or “inwardness”, on the other. The antonymic relationship between ritual and morality obscures the absence of such distinctions in biblical Israel and within Talmudic Judaism as well. Biblical Hebrew only infrequently employed a substantive concept for ritual, i.e. ‘*abodah*, but most often spoke of the acts, or praxis, involved, and expressed such acts in verbal or participial forms of the root ‘*abodah* (‘BD). This is pointed out to me by Professor Baruch A. Levine, who adds that these specific actions constituted the ingredients of rituals. He refers to Isaiah 1:11-15 for a catalogue of ritual forms. Strikingly, this passage ends with the counsel to “wash yourselves, make yourselves clean.” It would be accurate to speak of cultic purity and impurity, but even that adjective will obscure the range and role of purity within non-cultic life and the religious imagination. And it would beg the question, what ideas were associated with purity and impurity at various stages in ancient Judaism?

Here I propose to set forth the interpretations associated with the states of uncleanness and cleanness in the successive forms of ancient Judaism known to us from the surviving literature.

The first evidence, that of the Hebrew Scriptures, *Tanakh*, is treated as a unity, though it is anything but that in origin. But in the history of post-biblical Judaism with which I am concerned, the *Tanakh* was perceived as a whole and single document, whose history was part of the history it purported to narrate.

Second come the ideas about purity and impurity in the extant post-biblical literature produced before the destruction of the Second Temple in 70 A. D. These evidences are of various sorts, derive from varying circles, and are differentiated from one another.

Third are the interpretations of purity and impurity in Talmudic and cognate literature, that is, those characteristic of earlier rabbinic Judaism.

To a considerable degree I have taken as my primary task the arranging of a repertoire of pertinent sources, without claiming greatly to contribute to the understanding of any particular one of them. While this work in some, though not entire, measure is that of collection and arrangement, not novel interpretation of all that is collected, I hope that what is arranged may add up to more than the sum of the parts. For when we see laid out before us the range of ideas historically associated with purity for nearly a millenium, we are able to perceive both continuities and development, enduring viewpoints and novel

interpretations and applications, which are not apparent in a piecemeal examination of ideas about purity and impurity in a single stage of their unfolding. We are able, moreover, to perceive that the ideas associated with purity and impurity at particular stages in the history of Judaism or by specific groups within Jewry, are suggestive, far beyond their specificities, of the larger conceptions held in such ages or by such groups. For instance that the Pharisees required an act of purification of the hands before eating suggests that Pharisaism saw the act of eating as a cultic rite and further implies that Pharisaism compared the table to the altar, the home to the Temple, and the private person to the priest.

But my real interest and area of competence (if any) are solely in Talmudic Judaism. My primary agendum is the examination of the ideas and laws of the rabbis. Past efforts at the study of Talmudic religion, in particular theology, have characteristically committed one of three errors which are avoided here. Either Talmudic ideas are examined entirely by themselves, not in historical context or by their strata, and without reference to the ideas put forth in other forms of Judaism of the same or an earlier age. Or all the ideas associated with any group in Judaism and found in any sort of literature have been combined with those found within the Talmud as though these all together added to a single and undifferentiated religious system—"Judaism." Let me cite illustrations of these first two erroneous approaches before alluding to the third.

George Foot Moore's *Judaism* (Cambridge, 1927) tends to treat the Tannaitic sources without much attention to other, earlier Jewish sources, thus in a social and cultural vacuum. On the other hand, G. Allon, for instance in "The Limits of Purity" (*Mehqarim* I [Tel Aviv, 1957], pp. 148-176), is apt to employ evidence deriving from a wide range of sources, over a long period of time, even from several different geographical settings, to describe a given law and its application and interpretation. He conceives of a single "law"—the *halakbab*—attested by any Jewish source as much as by any other, without regard to the party it may represent. For instance, the Sibylline Oracles and the story of Judith and Holofernes, which long antedate rabbinic Judaism, are equally able to testify to the requirement of washing hands before prayer which, in rabbinic Judaism, is first found much later on in Amoraic sources. Philo "proves" that *the law* required purity under normal circumstances.

The third source of error in former accounts of Talmudic Judaism

has been the assumption that all things attributed to all authorities were actually said by those authorities and therefore supply evidence as to what was believed and actually done at this time. This conception characterizes even the most sophisticated accounts of Talmudic theology. For example, Ephraim E. Urbach, *Ḥazal* ([English title: *The Sages. Their Concepts and Beliefs*] Jerusalem, 1969), will routinely cite as evidence for the opinions of Hillel or 'Aqiba sayings attributed to them in documents redacted long after their times. He may then demonstrate how 'Aqiba's saying "reflects" or "develops" the "earlier" opinion of Hillel. But the assumption that the Talmudic sayings were actually said by those to whom they are attributed is fraught with difficulties. No responsible account of Talmudic ideas may ignore those difficulties or take for granted that what has not yet been demonstrated is in fact the case.

I here seek to confront these three problems and so to suggest and, for this small specimen, to vindicate a better way of studying the history of Talmudic thought.

First, I approach Talmudic thought on a given problem in the context of ancient Judaism as a whole. This makes possible the examination of Talmudic ideas as part of a much longer development of Judaic thought.

Second, at the same time I treat Talmudic sayings separate from those deriving from sources representative of other groups and earlier forms of ancient Judaism. We therefore are able to see in what ways Talmudic sayings continue earlier themes and in what ways they present entirely new ideas and even distinctly different modes of thought.

Third, I take into account the problem of the reliability of attributions. This is done by paying close attention to the notions clearly characteristic of a single given stratum of Talmudic literature, without supposing that all attributions to specific authorities contained within that stratum are sound. I think we may reliably claim Mishnah-Tosefta, coming in the early third century, will testify to the state of mind of the second century authorities. When we locate within that stratum of the literature a well-defined and pronouncedly integrated set of ideas, and when, as it happens, these ideas are consistently attributed to a single group of authorities in a single rabbinical circle of that time, then we are secure in supposing such ideas do represent the mind of a given generation of authorities. We then are justified, furthermore, in interpreting those ideas, when, as here, they are without precedent, as pertinent to the problems and issues of a specific period and place.

Then, too, we are able to show how an interpretation offered at one point will later on generate elaboration and further development and application, long after the time that this interpretation represented a response to a particular religious concern. The conservative tendency of later rabbinic thought thus finds illustration, but only when the stages in the development of that thought are clearly established and reliably delineated.

This is a very long way indeed from the prevalent notions, both that every saying attributed to someone was actually said by him, no matter the age of the document in which the attribution occurs, and that every deed attributed to a Talmudic authority was actually done by him, at the time and in the place in which he lived. But it also is a long way from the utter exclusion of all Talmudic evidences on the grounds of their "lateness" or of that of the redaction of the documents in which they occur. In both cases I think matters are considerably more complicated. I claim much less than is normally claimed in behalf of Talmudic sayings. But the questions I propose to answer are formulated differently, and the answers consistently take account of the point at which documents are generally believed to have reached their final stages of redaction. Indeed, that matter becomes central to my account of the last stages in the Talmudic interpretation of the idea of purity.

The only innovation herein attempted is the application to the study of Talmudic Judaism of approaches commonplace in other areas of learning.

Two closely-related disciplines, specifically, are not present in this work. These are comparative religions and history of religions. No effort is made to relate the ideas of purity in ancient Judaism to those of neighboring religions. Before the work had proceeded very far, I realized that the ideas before me were so much part of a larger system that without considerable knowledge of the system as a whole, the small segment of it represented by ideas of purity would easily lead to misinterpretation. If that was so for purity in ancient Judaism, then it probably would be so for purity in other religious systems. Simply pointing to similarities or differences between Judaic and Mazdean concepts or laws of purity, which do have interesting traits in common, or between purity laws in the Israelite shrine at Jerusalem and in contemporary shrines of the Greco-Roman cults, would produce an appearance of significant knowledge where none was present. Comparisons are not to be drawn without attention to their larger settings, which alone impart to them meaning and importance. Indeed, even

among the varieties of Judaism itself, we are engaged in a comparative task, for we have to deal with forms of Judaism spread over a long period of time, each of them subject to specialized inquiry. But this cannot be offered as a legitimate form of the comparative study of religion or use of the comparative method.

A fortiori, it follows that no effort is made to point to similarities between ideas and laws of purity in ancient Judaism and similar phenomena in entirely unrelated cultural settings. Everyone knows that the uncleanness of the corpse is taken for granted not only in Mazdaism and Mandaism, contemporaries to Talmudic Judaism, but in many communities, primitive and otherwise. Each community is apt to explain in terms of its own larger perception of the world the "fact" of the corpse's impurity. I readily concede the correctness of Angelo Brelich, who insists:

Nello studio di un particolare rito di purificazione appartenente a una particolare religione, lo storico delle religioni dovrà cercare di capire perché in quella particolare religione quel tipo di rito, conosciuto anche da altre religioni, ha assunto quelle determinate forme e non altre.¹

Accordingly, I do not offer this work as a study within the history of religions, for I cannot even begin to undertake the search Brelich correctly requires. I hope those who do so will not be ungrateful for the materials assembled here. But at the outset they are warned that neither the study of comparative religions nor that of the history of religions supplies the methodological framework for the present inquiry.

¹ Angelo Brelich, "Thargelia," *Proceedings of the XIth International Congress of the International Association for the History of Religions. II. Guilt or Pollution and Rites of Purification* (Leiden, 1968), p. 64.