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978-0-521-09365-1 - Ritual and Morality: The Ritual Purity System and its Place in Judaism

Hyam Maccoby

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This book describes in detail the ritual purity system of the Hebrew Bible, and its development into the system of the rabbis. Certain human conditions require purification before contact is made with holy foods or areas. Recent scholarly theories (Milgrom, Neusner, Douglas) are discussed, and new theories are proposed for the origin of the Red Cow and the Scapegoat rites. It is argued that the impurities concerned all derive from the human cycle of generation, birth and death, from which the Sanctuary is to be guarded; not because it needs protection from demonic powers (as in other ancient purity systems), but because of the reverence due to the divine presence. While the priestly code of holiness displays traces of earlier conceptions, its ritual has lost urgent salvific force, and has become a protocol for the Temple and a dedicatory code for a priestly people; the sources distinguish it from universal morality.

HYAM MACCOBY is an Emeritus Fellow of Leo Baeck College London, where he taught until 1997. In 1998 he was appointed Visiting Professor at the Centre for Jewish Studies, University of Leeds. His many publications include *Early Rabbinic Writings* (1998), *Judaism in the First Century* (1989), *Paul and Hellenism* (1991), *Judas Iscariot and the Myth of Jewish Evil* (1992, winner of the Wingate Prize), and *A Pariah People* (1996). In addition, Dr Maccoby has published articles in *New Testament Studies*, the *Journal for the Study of Judaism*, the *Journal of Jewish Studies*, the *Journal for the Study of the New Testament*, and the *Journal of Theological Studies*.

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Preface

In this book, I have given an account of the ritual purity system of the Hebrew Bible, and how it developed into the ritual purity system of the rabbis. I explore the motivations behind these systems, and the place they occupy in the total religious system and theology of Israelite religion and Judaism.

I am not concerned here (except peripherally) with dietary laws. These lay down what foods are permitted or forbidden to Israelites. They are often called 'purity laws', because the Bible does use in connection with them the language of 'pure' (*tahor*) and 'impure' (*tame'*). An Israelite who breaks these laws by eating a forbidden animal is guilty of a sin, for which a punishment is prescribed, and for which repentance is required. If the transgression is unwitting, there is no punishment, but there must be repentance for the negligence and a sin-offering brought to the Temple.

The laws of ritual purity, however, do not concern forbidden acts. They concern human conditions or states which occur despite human volition. Sometimes they are the consequence of actions which in themselves are meritorious. To be in a state of ritual impurity is never a sin; but the sufferer of ritual impurity has to be careful not to contact sacred areas or objects until he has rid himself of his impurity by the prescribed method of purification.

For example, an Israelite attends a family funeral. This in itself is a meritorious act, showing family feeling and respect for the dead. But proximity to a corpse causes a seven-day ritual impurity, which must be removed if the Israelite has occasion to enter the Temple, to offer, say, a thank-offering for the birth of a

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child, or to offer the Paschal lamb. Or a husband and wife have sexual intercourse. But this act, though meritorious, since it fulfils the commandment to be fruitful and multiply, and ‘makes the loved companions greatly to rejoice’, causes one-day ritual impurity to both husband and wife, which they must remove before their next visit to the Temple. Other impurities are incurred by natural processes: menstruation and childbirth; others by misfortunes: leprosy and abnormal genital discharges. Not one of these conditions is sinful. Many mistakes (especially in New Testament exegesis, see chapter 13) would be avoided if this were better understood.

What the dietary laws and the ritual purity laws have in common is that they form part of the priestly code laid down in the Torah for the Israelites as a priest-nation. It is significant that none of these laws is included in the Ten Commandments, or in any of the lists which were made from time to time (notably the rabbinic Seven Noachide Laws) to express basic human morality. Neither the dietary laws (*kashrut*) nor the purity laws were regarded as obligatory for non-Israelites. Nations or peoples castigated in the Bible for immorality (the generation of the Flood, the people of Sodom, the Canaanites) were never accused of breaches of purity, but only of basic morality.

There has been much scholarly interest in recent years in Israelite and rabbinic ritual systems, and this has done much to counter traditional polemical criticism of Jewish and Catholic ‘ritualism’. Moreover, modern trends of structuralism and relativism have blunted the distinction between ritual and ethics to such an extent that a charge of ‘ritualism’ has come to seem meaningless.

Yet neither the Hebrew Bible nor the rabbinic literature supports the abandonment of the distinction between ritual and morality. The proliferation of ritual rules in Judaism, especially in the area of ritual purity, tends to obscure the fact that ritual in Judaism is ultimately subordinate to morality, or, more accurately, exists as the self-identifying code of a dedicated group whose main purpose is ethical.

Ritual in early Israelite religion took the place of magical

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apotropaic practices intended to counter demonic influences. Demons were abolished from the religious scheme, and all power given to the One God. Practices originally intended to propitiate or exorcise demons became devices for strengthening the morale and *esprit de corps* of a people dedicated to a revolutionary vision of a society based on love of neighbour. A question for the twenty-first century is whether the erosion of ritual leads to a more focussed morality or to the return of the demons.

But the ritual purity system cannot be completely explained as a monotheistic transformation of magical practices intended originally to combat demonic forces. Nor can all the various kinds of ritual impurity be explained as representing death, as Jacob Milgrom (and also Emanuel Feldman) have argued. There are certain aspects of both ritual impurity and its remedies that adumbrate an alternative mode of religious expression, in which both Eros and Thanatos are inextricably entwined. Monotheistic religion banished death and birth from the Godhead; yet it retained in some of its most dramatic rituals (those of the Red Cow, the Scapegoat, and the purification of the 'leper') vestiges of an ancient earth religion of generation, death and resurrection.

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In writing this book, my chief scholarly debt has been to Jacob Milgrom, whose monumental work on Leviticus (the second volume of which is still awaited) must be the basis of all future work on the subject. While I have disagreed with him on some important topics (notably his theory of pollution of the sanctuary from afar), I have done so always with the greatest respect for his meticulous learning and lively theorising.

I wish to express also my appreciation of the work of Mary Douglas, who has brought both anthropological and literary insights to bear on Leviticus. As an anthropologist she has been able to display the developed culture and humanity of the priestly code; and she has also seen deeply into its sophisticated literary structure. I have valued greatly our exchange of ideas, and her personal kindness to me.

I am most grateful to Louis Jacobs for reading and commenting on articles which formed the basis of my chapter on ritual purity in the New Testament, and for his encouragement and support of my work. I thank Stefan Reif for his help and encouragement.

My chief support and unfailing source of keen constructive criticism of both style and subject-matter has been my wife and co-worker, Cynthia, whose contribution to my work is beyond assessment.

Chapter 2, 'The Corpse in the Tent' is substantially the same as an article of the same title published in the *Journal for the Study of Judaism*, 28, 2 (1997), while chapter 12, 'Corpse and Leper', was published in the *Journal of Jewish Studies*, Autumn 1998.

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4Q 394–399	See MMT
11QT	The Temple Scroll
Ant.	The Antiquities of the Jews
AV	Authorized Version
b.	Babylonian Talmud
BDB	F. Brown, S. R. Driver & C. A. Briggs, <i>A Hebrew and English Lexicon of the Old Testament</i> (Oxford, 1906)
B. Qam.	Baba Qamma
Chron.	Chronicles
Deut.	Deuteronomy
EJ	Encyclopedia Judaica
ET	Entziqlopedia Talmudit
Exod.	Exodus
Gen.	Genesis
Heb.	Hebrews
Jos. War	Josephus, <i>The Jewish War</i>
Lam.	Lamentations
Lev.	Leviticus
Lev. R.	Leviticus Rabbah
LSC	F. Sokolowski, <i>Lois sacrées des cités grecques</i> (Paris 1969)
Manu	Code of Manu
Men.	Menahot
M.	Ṣishnah
MMT	Miqtzat Ma'asei Torah
MT	Mishneh Torah
NEB	New English Bible

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List of abbreviations

Neg.	Neg'aim
Nid.	Niddah
NT	New Testament
Num.	Numbers
Pes.	Pesahim
R.	Rabbah
Sam.	Samuel
Sanh.	Sanhedrin
Shabb.	Shabbat
TM	Tum'at Met
Toh.	Toharot
t.	Tosefta
Vend.	Vendidad
y.	Palestinian Talmud (Yerushalmi)
Zab.	Zabim
Zech.	Zechariah