

PARASHAT HASHAVUA

PARASHAT TAZRIA

The Sequence of the Tzara'at Laws

By Rav Elchanan Samet

A. THE SEQUENCE OF LAWS IN PARASHIYOT TAZRIA-METZORA

Parashiyot Tazria-Metzora constitute a single literary unit addressing one topic: the laws of tum'a and tahara (ritual impurity and purity). Although these laws have already begun to come under discussion in chapter 11, at the end of Parashat Shemini, there the Torah discusses the laws concerning the status of the carcasses of various creatures which transmit tum'a through contact. In these parashiyot, however (chapters 12-15), the Torah discusses tum'a that originates from a living human being. Under various circumstances in a person's life, he (and only he, as opposed to all other creatures) can contract different forms of tum'a, each requiring its own process of tahara, purification.

These parashiyot deal with three main categories tum'a, presenting specific laws applicable to each. The division of chapters corresponds to this division between the three categories of tum'a:

1. Chapter 12 (8 verses): the tum'a of a childbearing woman, and her tahara process.
2. Chapters 13-14 (116 verses): the tum'a of the metzora (leper) and his tahara process.
3. Chapter 15 (33 verses): sex-related tum'a - the tum'a resulting from bodily emissions (seminal and menstrual).

According to what sequence were these sections of tum'a in Parashiyot Tazria-Metzora arranged? Rav David Zvi Hoffmann works under the assumption that it would have been appropriate to arrange the laws in accordance with the severity of the various forms of tum'a. This assumption led him to ask:

"The most stringent of these forms of tum'a [discussed in these parashiyot] is the tum'a of tzara'at [which requires the individual who had contracted the tum'a to leave all three camps]. Therefore, the series of tum'ot should have begun with this tum'a!" (p. 249)

In my shiur on this parasha in 5760, I suggested two answers to this question:

1. The verses do not emphasize the particular stringency of tzara'at of which Rav Hoffmann speaks. We find in the text a reference of only several words to this stringent quality: "He shall dwell in solitude; his residence shall be outside the camp" (13:40). The point that earns particular emphasis in the text throughout the discussion of the various forms of tum'a is the length of the purification period required. In this respect, the tum'a of a childbearing woman is more stringent than that of the metzora or those who experience an emission. After the termination of her impure days (which last seven days for a son, and fourteen for a daughter), the childbearing woman must wait thirty-three days (for a son) or sixty-six days (for a daughter). Only after this period may she bring her purification offering, which allows her entry into the Mikdash. The others, by contrast, wait only seven days and bring their offering on the eighth.
2. Most of the forms of tum'a addressed here result from physical illness, whereas the tum'a of a childbearing woman is generated by a very joyous event - the birth of a child. By first presenting the laws of the childbearing woman even before we have heard of the other forms of tum'a, which generally evolve from a malfunction of the human body, the Torah intends to avoid the mistaken impression that

childbirth, like the other causes of tum'a, is to be seen as an unwanted situation.

B. THE STRUCTURE OF THE TZARA'AT SECTION (CHAPTERS 13-14)

Now let us turn our attention to the structure of the section dealing with tzara'at (13:1-14:57), which, as we would expect, constitutes an independent unit within the broader complex of the tum'a and tahara discussion. Our parashiyot devote the bulk of their attention to this form of tum'a, and this section is almost three times the length of those dealing with the other forms of tum'a. The sequence of presentation within this section is as follows:

13:1-44: The different forms of tzara'at based on the infection's appearance and location on the body; the process of determining the status of the infection.

13:45-46: The laws of the metzora's conduct during his period of tum'a.

13:47-59: The laws of tzara'at on a garment.

14:1-9: The process of purification to allow the metzora reentry into the camp after having been cured.

14:10-20: The metzora's sacrifices brought on the eighth day of his purification process.

14:21-32: The sacrifices bought by a poor metzora who cannot afford the standard offerings.

14:33-53: The laws of tzara'at on a house.

14:54-57: Conclusion of all tzara'at laws.

The obvious question that arises from even a preliminary survey of this structure is why the Torah places the section of tzara'at on a house (14:33-53) at the end of this unit, rather than together with its discussion of the tzara'at of clothing (13:47-59), where it seemingly should appear.

A closer look at the structure of the tzara'at section may help us answer this question. Like many other halakhic sections revolving around a single topic, the tzara'at section divides into two roughly equal halves - a division which, in our context, corresponds to the division of chapters. The first half - chapter 13 - deals primarily with the laws of the IMPURITY of tzara'at, and covers fifty-nine verses. The bulk of the second half, chapter 14, is devoted to the laws of the PURIFICATION process from tum'a tzara'at. This second half begins with a new "dibbur" from God: "The Lord spoke to Moshe, saying: This shall be the procedure for the metzora on the day of his purification..." (14:1-2), and it spans fifty-seven verses.

These two halves of the tzara'at section deal mainly with the laws of tum'a and tahara relevant to a person stricken with bodily tzara'at. At the end of each half, however, there appears a section, an appendix of sorts, to that half, which addresses the manifestation of tzara'at on an inanimate object - garments or houses, respectively. Thus, the first half (chapter 13) describes the different forms of bodily tzara'at (verses 1-44) and the laws relevant to the metzora (verses 45-46), and then concludes with the laws of tzara'at on a garment (verses 57-59).

Correspondingly, the second half (chapter 14) outlines the procedure for a metzora's purification from bodily tzara'at (verses 1-32), and then proceeds to the guidelines concerning a house stricken with tzara'at (verses 33-53).

But the description of this structure (which, as stated, is typical of halakhic sections in the Chumash) does not provide a complete solution to our question. For we must still ask, why did the Torah choose to present the section of garment tzara'at as an appendix to the first half, and the laws of house tzara'at as an appendix to the second half, and not vice versa? Moreover, why does the Torah separate these two appendices, which have a clear connection to one another, in the first place? Why does it not present them together, either at the conclusion of the first half, or at the conclusion of the second half?

A comparison between these two appendices reveals a discernible difference between the laws outlined in each. The section dealing with the tzara'at of clothing does not contain any process of purification for a garment afflicted with tzara'at. A

garment declared definitively stricken with tzara'at is burned; if the signs of tzara'at disappear after the garment's cleansing, "it shall be cleansed again and is then pure" (verse 58). A tzara'at-stricken house, by contrast, requires a process of purification very similar to that undergone by a metzora after having been cured from his bodily tzara'at (compare verses 48-53 with 2-8). These two processes consist of the same basic components: two birds, a branch of cedar wood, hyssop and crimson.

This difference between the two appendices accounts for their respective locations. Garment tzara'at belongs to the laws of tum'a addressed in chapter 13, while it has no connection to chapter 14, which deals with the process of purification from tzara'at. Tzara'at o, by contrast, could not have appeared at the end of chapter 13, because its laws include the process of the house's purification. This procedure cannot be presented before the procedure for the purification of the metzora himself, which opens the second half, because, presumably, the laws of the house's purification evolve from the laws of the person's purification, and not vice versa.

We should note in this context that the appendix to the second half actually constitutes, to a large extent, an independent unit, detached from the preceding section through a new "dibbur": "The Lord spoke to Moshe and Aharon, saying: When you enter the land of Canaan that I give you as a possession, and I inflict an eruptive plague upon a house in the land you possess..." (14:33-34). The appendix to the first half, however, does not contain a new "dibbur," but is rather joined to the first half without any interruption (see 13:47). Why, then, does the appendix to the second half begin with a new "dibbur"?

The reason for this special introduction is obvious. These halakhot relevant to the tzara'at of houses do not apply at the time when they are conveyed, when Benei Yisrael encamp at the foot of Mount Sinai. This section of laws applies only in the future; it informs Benei Yisrael of what they could expect after their entry into and settlement of the land. Clearly, then, the discussion of the tzara'at of homes had to appear at the very end of the entire tzara'at section.

C. WHAT IS TZARA'AT?

What is the reason behind tum'at tzara'at? Before we discuss this question, we must first address a more basic question: what is tzara'at? The Rambam, towards the end of Hilkhot Tum'at Tzara'at (16:10), notes the fundamental problem in the inclusion of different phenomena under the shared title of "tzara'at":

"Tzara'at' is a shared name that includes many matters that do not resemble one another. For the whitening of human skin is called tzara'at, the loss of some hair of the head or beard is called tzara'at, and the discoloration of garments or houses is called tzara'at..."

It appears from this passage that the Rambam saw even bodily tzara'at not as a single phenomenon, but as a shared name for different phenomena.

For several generations, researchers have tried to identify the bodily tzara'at described in chapter 13 with various diseases familiar to us nowadays, but no scholar has succeeded in pointing to a disorder that parallels in all its features the tzara'at described by the Torah. It appears from the Torah's description that tzara'at was a skin disorder (though even on this point we find a lack of unanimity among the scholars). Since no skin disorder known to us nowadays corresponds precisely with the Torah's description, it seems reasonable to assume that the illness of which the Torah speaks has since disappeared from the world.

The claim of a change in nature to explain inconsistencies and contradictions between the natural world familiar to us and the descriptions of the natural world in ancient sources - in the Torah and in our oral tradition - ought to be employed as rarely as possible. Nevertheless, with regard to illness in the ancient world and our times, this is not the case. Various illnesses have changed forms over the course of many generations, and others have entirely or almost entirely disappeared. On the other hand, new diseases have appeared which the ancients never knew. It should not surprise us, therefore, if the tzara'at described by the Torah no longer exists.

If this is the case, then we cannot pose any definitive theory as to the nature of this illness, given the fact that the Torah deals not with the essence of tzara'at, but rather with its diagnosis. It is therefore difficult to speculate as to why the Torah singled out tzara'at from among all other disorders as a source of a stringent form of tum'a that falls upon the patient, to the point where he must leave all three camps and sit alone like a mourner outside the camp. Nevertheless, we cannot exempt ourselves from attempting to explain what we can, based on what we know of tzara'at from the Tanakh itself and even from other sources.

D. PREVENTATIVE MEDICINE?

Various commentators, both traditional and modern, assumed that tzara'at was a dangerous, contagious disease, and on this basis they explained the laws of tum'a and isolation associated with tzara'at as a means to protect society from infection. We will not elaborate on this position, but merely point out that many commentators adopted it.

The problem with this assumption (namely, that tzara'at is a dangerous, contagious disease) is that it has absolutely no support from the text, neither in our parashiyot nor elsewhere in Tanakh where we find mention of tzara'at. Nowhere do we read in Tanakh of a person dying from tzara'at or even of the possibility of such an occurrence.

Particularly enlightening is the story of Na'aman in Melakhim II (chapter 5). The story begins by describing him as "commander of the army of the king of Aram... a great warrior, a metzora." Despite his tzara'at, he functions as an active military commander, who fights and travels with his entourage over vast distances, and his master, the king of Aram, "leans on his arm" during religious ceremonies (ibid., verse 18). Still, his illness causes him distress and he tries to have it cured. It thus seems that Na'aman saw his tzara'at as a nuisance, or perhaps an aesthetic-social defect, but it did not disrupt his day-to-day functioning. Nor do we find any indication of a concern that his disease would spread; in fact, the king of Aram would lean on the arm of his commander the metzora, without any fear of the effects of this physical contact.

The cessation of Uziyahu's functioning as king of Judah as a result of his tzara'at, and his taking residence in isolated quarters from that point until his death (Melakhim II 15:5; Divrei Hayamim II 26:19-21), are due not to medical reasons, but rather to religious reasons - the mitzva forbidding a metzora from living in his home and town.

Similarly, the four metzoraim who resided outside the city of Shomron (Melakhim II 7:3-4) thereby fulfilled the Torah's command that the metzora shall leave the camp. In the Land of Israel, this requirement translates into the metzora's departure outside walled cities. They do, indeed, fear for their lives - not because of their illness, but rather because of the famine and the army of Aram. They, too, are described as perfectly functional (ibid., verses 8-10), and even make a point of hiding gold and silver for safekeeping for the future.

In opposing this approach viewing tum'at tzara'at as "preventative medicine," later commentators advanced different claims. Shadal (R. Shemuel David Luzzato), in his commentary to chapter 12, claims:

"Many thought that the shunning of the metzora is because of the illness which is transmitted through contact. It appears to me that if the Torah feared the spreading of the illness, there are other contagious illnesses for which the Torah prescribed no [precautionary] measures - and how did it not command anything concerning these plagues?"

In the appendix to his commentary to Parashat Tazria, Rav S.R. Hirsch discusses this question at length. Here is a selection from his discussion:

"No part of God's Torah can serve, as much as this chapter on negaim [tzara'at infections], to show the absolute folly of the erroneous idea of 'the tendency of the Laws of Moshe to be rules and regulations to be enforced for health and sanitary purposes'... Real leprosy, 'shechin,' in itself is not metamei [meaning, it

does not transmit tum'a] at all, and the 'evil' leprosy, the 'incurable Egyptian leprosy' (Devarim 28:27,35) does not bring any state of tum'a... The outbreak of tzaraat over the whole of the body, 'from his head until his feet' (verses 12-13), brings tahara - which the 'health theorists' take to be a sign that a violent acute attack which covers the whole body indicates a prompt immediate healing, and yet the 'shechin' of Egypt, the very worst type of case, 'from which you cannot be cured,' which has no cure, is described as being 'from the bottom of your foot until your skull.'

...It is impossible to think that this chapter deals with sanitary or prophylactic measures against disease, or that we have to regard our kohanim - regarding whom, in any case, no trace of any reference to remedial measures can be found in the whole chapter - as functioning in the health or medical care of the people."

In his work, "Toledot Ha-emuna Ha-Yisraelit" (1:548-551), Prof. Yechezkel Kaufmann distinguishes between the measures of purification prevalent in the pagan world and those commanded by the Torah:

"The acts of purification from tum'a in the Scriptural doctrine do not come to ward off harm or illness... They have no moment of battle against the evil emanating from the source of impurity, nor are they means of battling physical harm at all. And especially, these means of purification do not come to cure an illness. We see this clearly from the methods of purification related to illness: the purification of the childbearing woman, the metzora and the zav, as well as the infected house. In all these instances the purification comes after the cure of the illness ... The metzora undergoes purification only after the

infection is cured (14:3)... We purify the infected house, too, only after the infection is cured (14:48)... The kohen deals with the metzora even during his period of illness, but this treatment does not entail any medical activity... The distinction between the illness and the tum'a extends to such a point... [that] specifically tzara'at that spreads throughout all of one's skin... is pure (13:12-13)."

I will continue the discussion of this question in next week's shiur.

(Translated by David Silverberg)

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