

PARASHAT TAZRIA

Childbirth - Tum'a and Circumcision on the Eighth Day (12:1-8)

By Rav Elchanan Samet

I. Childbirth - Tum'a - the First Parasha of Tum'a

In chapter 11, at the end of Parashat Shemini, we began the laws of impurity and purification of Sefer Vayikra. These continue throughout the Parashot of Tazria and Metzora, up until the end of chapter 15. But the cause of the impurity in chapter 11 is different from that of the following chapters (12-15) - the former deals with impurity arising from a person's contact with a carcass of an impure animal, such that the impurity is contracted from an outside source, while starting from chapter 12 the Torah addresses those forms of impurity whose source is internal and the ways in which he may purify himself:

1. Impurity of the "yoledet" (woman following childbirth) (chapter 12)
2. Impurity of the metzora (person afflicted with tzara'at) (chapters 13-14)
3. Impurity of the "zav" and a man who has had a seminal emission, as well as that of a menstrual woman and a "zava" (chapter 15).

This order of subjects makes us wonder which system of classification the Torah uses to list these types of impurities. Why is the impurity of the woman

following childbirth mentioned first? R. David Hoffman addresses this question in his commentary on Sefer Vayikra, in his brief introduction to these chapters:

"The following chapters deal with all those instances in which the impurity issues from within the person's body. The most serious of all types of impurity is that of tzara'at (which is the only instance where the impure individual is sent out of all three camps of Israel), and it would seem that the list of types of impurity should have commenced with this one."

But in fact it is not at all clear that the order of impurities proceeds from the most serious to the least serious, because in chapter 15, which deals with four types of impurity, the order does not follow this principle. If we nevertheless accept R. Hoffman's basic assumption, we may answer his question by noting that there is one aspect of the tum'at yoledet that is more serious than that of the metzora, the "zav" and the "zava." How long must a woman who has given birth wait, from the moment when the reason for her impurity has ceased, until she is permitted to enter the Mikdash and offer her sacrifice? This woman's impurity lasts seven days if she has borne a son, and fourteen days if she has borne a daughter. During this time she is considered like a "nidda" (menstrual woman) – (12:3 and 12:5). But thereafter even though she "continues in the blood of her purification" – i.e., the blood that she sees thereafter is considered ritually pure and she is permitted to her husband – she is nevertheless prevented from entering the Mikdash or from eating from sacrifices for a period of 33 days following a son or 66 days following a daughter. At the end of this period she offers her sacrifice, and only thereafter is she permitted to enter the Mikdash and to eat of the sacrifices.

The waiting period for a metzora who is cured of his tzara'at and of the zav and zava whose issues have ceased is only seven days, and on the eighth day they bring a sacrifice that permits them thereafter to eat of the "kodshim."

Thus from the perspective of the dimension of time, there is a stringency in the instance of the yoledet that does not apply to the other types of impurity, and it is possible that this is the reason for its mention before any of the other types.

R. Hoffman suggests a different answer:

"Because a person causes impurity in his mother the moment he emerges into the world, and therefore the Torah sees fit to start the list with the type of impurity that a person causes immediately with his birth."

A different solution may be offered. Most of the impurities discussed thereafter are those that arise from a pathological state. This is true of the metzora, the zav and the zava. Even menstruation, which "at the time of her menstruation" is a normal phenomenon, is termed in several places "sickness" (12:2, 20:18 etc.). The reason for the impurity of the yoledet, on the other hand, is an extremely happy occasion. If yoledet were to be listed among the impurities of the metzora and the zav, or after these, it might somehow imply that birth, too, is an unhealthy and abnormal state. The Torah would not wish to create such an impression, and so the Parasha of the yoledet is given before we hear of other types of impurity that arise from some pathological condition of the human body.

>From the fact that the Parasha of the yoledet appears first we learn that a person's life cycle is a constant oscillation between impurity and purity; an inevitable pendulum. Without entering into a discussion of the reasons for impurity in general and that of the yoledet in particular, we may conclude that the identity of impurity with "evil" is simplistic and completely inaccurate.

II. Time of Circumcision

Our Parasha begins with the laws pertaining to a woman who has given birth to a son:

(12:2) "A woman who has conceived and gives birth to a male shall be impure for seven days; like in the days of her menstrual sickness shall she be impure.

(3) And on the eighth day the flesh of his foreskin shall be circumcised....

(4) And she shall continue in the blood of her purification for thirty-three days; she shall touch no sanctified thing, nor shall she come to the Mikdash until the days of her purification are complete."

These verses serve as the source for the halakha (Shabbat 135a) regarding the proper time for circumcision:

Rav Assi said: Anyone whose mother is impure following the birth shall be circumcised on the eighth day. Anyone whose mother is not impure following the birth, and a non-Jewish woman who gave birth – is not circumcised on the eighth day. As it is written, "A woman who conceives and gives birth to a male, she shall be impure... and on the eighth day the flesh of his foreskin shall be circumcised."

Abaye said to him: The early generations prove this theory incorrect (Rashi: this refers to the generations from Avraham until the giving of the Torah, for the commandment of circumcision (on the eighth day) had been given (to Avraham) but these generations did not yet practice the laws of impurity). Their mothers were not impure following the birth, but they were nevertheless circumcised on the eighth day!

He answered him: The Torah was given and the halakha was changed.

What is the basis for Rav Assi's conclusion? At first we might think that Rav Assi deduced this from the fact that pasuk 3, concerning circumcision, seems redundant. We already know the law of circumcision from Parashat Lekh-Lekha, where it was given to Avraham. But this is not so. This question is

posed by the Gemara in Massekhet Sanhedrin 59b, and it concludes that the pasuk in our Parasha is nevertheless necessary:

"Why was circumcision, which was already taught previously (Bereishit 17:9) – "You shall keep My covenant," repeated at Sinai – "And on the eighth day... shall be circumcised?" This was in order to permit circumcision on Shabbat, for it says here "on the eighth day" – even if it is Shabbat."

It is difficult to conclude that Rav Assi deduced his law from the juxtaposition of the pasuk concerning circumcision and the law concerning the impurity of the yoledet, for if this was the case then his conclusion should have gone a step further: that only someone whose mother became impure by the birth is obligated to be circumcised at all, while someone whose mother did not become ritually impure by the birth does not require circumcision. Of course such a conclusion is unacceptable.

III.

Let us attempt to understand what underlies Rav Assi's words. The seeming redundancy of the pasuk commanding circumcision does not disturb him, but its position does; after all, there is no thematic connection between the impurity of a woman following childbirth and the commandment concerning c! Why, then, does the Torah insert this pasuk in the middle of the laws pertaining to the yoledet, interrupting the connection between the law of her impurity for seven days and the law of her period of purification that follows?

The obvious connection between the pesukim is the "order of family events" - following the seven days of impurity of the yoledet, the eighth day arrives and it is time for the circumcision of her son. But this is not a satisfactory answer. Surely the Torah does not mean by the order of this Parasha to provide a "practical timetable" for the new mother!

It is also worth noting that the obligation of circumcision is not placed on the mother at all, but rather on the father. This the Talmud Yerushalmi, Massekhet Kiddushin chapter 1, law 7 (5a) learns from our very pasuk.

We can therefore summarize our question as follows: the Parasha of the yoledet (chapter 12) has a well-defined subject – the laws of the impurity and purification of the woman following childbirth, as part of the laws concerning other types of impurity and purification that are discussed later on in the Parashot of Tazria and Metzora. Why is mention made of the obligation of circumcision, representing a departure from the subject of the Parasha?

IV.

Rav Assi's answer to this question is that the connection between the impurity of the yoledet and the law of circumcision on the eighth day is not a technical connection that arises incidentally from the chronological order of events, but rather a substantial connection between those events that is based on cause and effect.

Logically, the circumcision should take place as close as possible to the birth – on the first day. But this is inappropriate, since the mother of the infant is impure for seven days following the birth. Therefore, only at the conclusion of her impurity – "on the eighth day" – only then "shall the flesh of his foreskin be circumcised." Thus the law that the impurity of the woman who has borne a son lasts seven days is what determines the date of the circumcision of her son, and therefore the Torah stipulates right here the time of circumcision – on the eighth day – as an integral part of the laws pertaining to the impurity and purification of the yoledet.

This connection between the date of the circumcision on the eighth day and the impurity of the yoledet for seven days is explained in Massekhet Nidda (31b):

The students of R. Shimon ben Yohai asked him, Why did the Torah command that circumcision should take place on the eighth day? (He answered,) So that it should not happen that everyone is happy while the father and mother are grieved (Rashi: for they are still forbidden to have sexual relations).

Rav Assi, who might have been familiar with this source, simply deduced his halakhic conclusion from this explanation by R. Shimon bar Yohai to our pasuk: if that is indeed the reason for the "eighth day" as the time for circumcision, and it is for this reason that the Torah inserts this pasuk in the midst of the Parasha concerning the impurity of the yoledet and her purification, then the conclusion must be that "anyone whose mother is impure following the birth is circumcised on the eighth day, while anyone whose mother is not impure following the birth is not circumcised on the eighth day."

V.

The problem that disturbed Rav Assi (and Rav Shimon bar Yohai) could in fact have been solved the opposite way, such that Rav Assi's innovation would have dissolved, since circumcision, ever since the command to Abraham, is performed on the eighth day, making tum'a dependent on circumcision rather than circumcision dependent on tum'a. THEREFORE it was established that a woman who bears a son is impure for only seven days, and not for fourteen days like one who bears a daughter. This is indeed the interpretation of R. Hoffman:

"The reason that the birth of a daughter involves double the number (of days of impurity) might be because the Torah lessened her days of impurity to seven following the birth of a son in order that the yoledet may be purified on the eighth day, which is the day of the circumcision."

Moreover, perhaps the action of circumcision has some effect on the purification, shortening the period required for complete purification (i.e., permissibility to enter the Mikdash) by half.

This idea is the opposite of what R. Shimon bar Yohai taught, but it also answers the previous question posed by his students on the same occasion:

"Why does the Torah say (that a yoledet is impure) seven days for a male and fourteen days for a female?"

R. Shimon bar Yohai obviously could not answer them in accordance with the idea suggested by R. Hoffman, because his basic assumption was the exact opposite.

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