CHAPTER 12

After the previous chapter’s discussion of how food entering our bodies can make us ritually impure, the Torah now discusses how that which comes out of our bodies can do the same.

Perhaps no concept in the Torah is less accessible to the modern reader than the notion of tum-ah, generally translated “uncleanness” (although it has no connection to one’s physical sanitary condition) or “ritual impurity.” One contracts tum-ah through contact with a dead body, by being afflicted with tzara-at (“leprosy,” although not the disease known by that name today), or by contact with a bodily emission that touches on the generation of life, such as menstrual blood, semen, or a flow from the reproductive organs. A woman who has just given birth is likewise considered ritually impure. Tum-ah bars one from approaching God’s sanctuary; tzara-at isolates one from human contact.

Tum-ah has unmistakable negative connotations. It is defined by what one may not do, and the Torah tells us how to be relieved of it. It need not, however, imply wrongdoing on the part of the affected person. (Admittedly, as some commentators have noted, the Torah itself provides a basis for that interpretation, when it calls for a purification offering to be part of its prescribed process of reintegration.)

Tum-ah seems to be the result of coming in contact with an awesomely potent force that disqualifies one from approaching the sanctuary.

Proof that tum-ah is not a totally negative condition can be found not only in its association with such religiously affirmed activities as childbirth and caring for the dead but also from the rabbinic rule that scrolls of the biblical books convey tum-ah to those who touch them. (This finds its extension in the efforts we make today to avoid touching the Torah scroll with our bare hands, using a pointer when we read from it and a mantle when taking it from the Ark and returning it.)

It has been suggested that these categories of ritual impurity were a response to the anxiety triggered by death, serious illness, and the “leaking” of life-generating fluids from the body. It has been noted further that natural flows require less purification than unnatural flows, which might indicate the presence of disease.

Although tum-ah bars a woman from the sanctuary, we need not see that condition as negative and certainly not as punishment. There is no reason to believe that God ordained menstruation or childbirth as punishment. We might postulate that there are two types of holiness in life, two ways of encountering the divine. There is a natural holiness found in the miracles of pregnancy, birth, and recovery from illness. And there is a stipulated holiness—the arbitrary designation of certain times, places, and activities as sacred. One meets God in the experiences of birth and death, sickness and health. But they are not everyday occurrences. The person who yearns for contact with God on a regular basis must rely on sanctuaries, worship services, and prescribed rituals, all of which are holy only because we have chosen to designate them as holy. Israelite society may have seen the two types of holiness as being mutually exclusive, so that it would not be appropriate for the woman or man who had encountered the vital holiness of childbirth, menstruation, or contact with a dead body to seek the designated holiness of the sanctuary. A woman who had just given birth might feel the presence of God so strongly in that experience that she would feel no need to go to the sanctuary to find God (although we might be more comfortable with that decision being left to the new mother rather than being written into law).

We can see the notion of tum-ah, then, as growing out of a sense of reverence for the miraculous nature of birth, the awesome power of death, and the mysteries of illness and recuperation. That this reverence would later be contaminated by superstitious fears related to menstrual blood and contact with the dead need not detract from our efforts to understand and appreciate these chapters of biblical law.
2. When a woman at childbirth bears a male

Literally, “When a woman is inseminated and bears a male.”

She shall be impure as at the time of her menstrual infirmity. Not only the duration but the actual nature of the impurity resembles that of a menstruating woman (see 15:19–24).

Circumcision is first mandated in the context of the covenant between God and Abraham (Gen. 17:10–14).

Blood purification. Discharges of blood that occur after the initial period of impurity are unlike menstrual blood and are not regarded as impure until her period of purification is completed.

Although the new mother was no longer impure because of discharges, she was still barred from entry into the sanctuary and from contact with consecrated objects. She had to wait until a specific period of time had elapsed before she could be declared pure.

5. The time periods are doubled for a female, but the provisions are the same.

HALAKHAI L'MAAASEH

12.2. As at the time of her menstrual infirmity. Traditionally, the woman waits for seven days after bleeding ceases and immerses in a mikveh (ritual bath) before resuming relations. Immersion in a mikveh is not required after caesarean delivery.

12.3. On the eighth day. See Gen. 17:12. The covenant of circumcision (b'rit milah) takes place on the eighth day of the child’s life. This includes Shabbat and holy days (S.A. YD 266:2), unless the child was born through caesarian section. The b'rit milah is postponed only out of consideration for the health of the child.
On the completion of her period of purification, for either son or daughter, she shall bring to the priest, at the entrance of the Tent of Meeting, a lamb in its first year for a burnt offering, and a pigeon or a turtledove for a purification offering. He shall offer it before the Lord and make expiation on her behalf; she shall then be pure from her flow of blood. Such are the rituals concerning her who bears a child, male or female. If, however, her means do not suffice for a sheep, she shall take two turtledoves or two pigeons, one for a burnt offering and the other for a purification offering. The priest shall make expiation on her behalf, and she shall be pure.

The Lord spoke to Moses and Aaron, saying:

6. On the completion of her period of purification. After the termination of the second period, rites are performed to readmit her into the sanctuary and into the religious life of the community.

Purification offering. Hebrew: hatta; needed here solely to remove impurity. All impurity, however contracted, could lead to sinfulness if not attended to, and failure to deal properly with impurity aroused God’s anger. The purification offering restored to the person the right of access to the sanctuary; and the burnt offering (olah) that followed immediately symbolized this renewed acceptability.

8. If, however, her means do not suffice. The right to bring a less-expensive sacrifice is standard for a number of purifications and religious obligations. Without it, poor Israelites would have been deprived of expiation when they incurred impurity through no fault of their own.

The Purification of Skin Diseases (13:1–14:57)

Chapters 13 and 14 prescribe the role of the Israelite priesthood in diagnosing and purifying persons afflicted with a skin disease known as tzara-at. This disease also contaminated fabrics and leather as well as plastered or mud-covered building stones. The identification of biblical tzara-at with leprosy is unlikely, if by “leprosy” is meant Hansen’s disease; the symptoms presented in this chapter do not conform to the nature or the course of that disease. The term “tzara-at” probably designated a complex of various ailments. The priest combined medical and ritual procedures in safeguarding the purity of the sanctuary and of the Israelite community. Precisely why skin diseases were singled out in the priestly codes is not certain. Tzara-at was prevalent in Egypt before the exodus, as is mentioned in the Bible (Deut. 28:27).

6. The new mother’s burnt offering is seen by some as a form of an offering of gratitude (toda) for having survived the experience of childbirth or on behalf of the newborn for having been released into life from the confinement of the womb (Lev. R. 14:4). Why a purification offering? Hoffman sees it as the sacrifice of one compelled by circumstance to stay away from the sanctuary, who now brings a dove to symbolize her return to her spiritual home like a dove to its nest. The Talmud speculates that some women, because of the pain of childbirth, may have vowed to abstain from further sexual relations to avoid such pain. The offering is part of the process that releases her from that rash vow (BT Nid. 31b).
When a person has on the skin of his body a swelling, a rash, or a discoloration, and it develops into a scaly affection on the skin of his body, it shall be reported to Aaron the priest lent in ancient Israel and was presumed to be contagious.

THE SYMPTOMS (13:1-8)
The priest’s initial problem was to determine whether the sufferer had acute tzara-at or some less serious ailment with which it might be confused, but which would heal.

2. It shall be reported to Aaron the priest. The afflicted person must be brought before the priest.

CHAPTER 13

At least three things are worthy of note regarding the role of the kohen in treating leprous afflictions. First, in biblical Israel, the kohen was both the religious and the medical authority. The biblical mind saw the connection between the physical and the spiritual dimensions of illness and recovery (perhaps more clearly than we see it today). When the kohen visited the afflicted person in isolation and examined the person’s sores, the experience of being cared for by the most prestigious person in the community must have helped generate healing powers in the sick person.

Second, the role of the kohen was not simply to diagnose the ailment (and certainly not to treat it) but to reintegrate the person into the community as soon as possible. Religion sought to include, not to isolate, the afflicted person. If the laws of leprosy were fashioned for reasons of health and contagion, Hirsch notes, they would be stringent in borderline cases. Instead, doubtful cases are deemed ritually pure.

Finally, we note that the kohen performs the ritual only after the tzara-at has disappeared, to avoid the appearance of performing a magical cure.

2. Despite a posture of sympathy for afflicted persons and a commitment to ameliorate their condition, the Sages often could not resist the temptation to ask, “What moral or spiritual failing may have caused this illness?” They see the Torah’s discussion of illness in the abstract as an opportunity to make a moral point, although they caution us that it is insensitive to tell an ailing person, “You are suffering because of your sins.” Anticipating what we recently have come to know about the unity joining the physical and the emotional dimensions of illness, they could understand illness as the result of moral as well as physical causes. Their outlook has been summarized as seeing tzara-at “not as a bodily disease but as the physical manifestation of a spiritual malaise.” The leper is isolated from human society not because of the contagious skin disease but as a punishment for antisocial behavior.

Yet one of the Sages insists, “When a person is in pain, what does the divine Presence say? ‘It is My own hand that aches, it is My own arm that aches’” (M Sanh. 6:5).

Playing on the linguistic similarity of the Hebrew for “leper” (m’tzora) and the Hebrew for “one who gossips” (motzi shem ra), the Sages considered leprosy to be a punishment for the sins of slander and malicious gossip (Lev. R. 16:1). They teach that gossip is like leprosy because it is highly contagious. One infected person can spread a malicious rumor to many others. They designate seven types of antisocial behavior that God punishes with tzara-at: “haughty eyes, a lying tongue, hands that shed innocent blood in secret, a mind that hatches evil, feet quick to do wrong, a witness who testifies falsely, and one who incites brothers to quarrel” (citing Prov. 6:16-19). These types of behavior share the attribute of being hard to punish in a court of law. God exacts punishment in a variety of appropriate ways: “As your rumors separated husband from wife and brother from brother, you will now be separated from all human contact.”

The Midrash adduces proof texts to show that people guilty of those misdeeds were punished with leprosy. Thus Miriam is stricken after speaking ill of her brother Moses (Num. 12:10). Even Moses is afflicted for speaking ill of the Israelites; when he is summoned by God at the Burning Bush to bring the Israelites news of their impending liberation, he hesitates, saying, “They will not believe me” (Exod. 4:1). As a result, his hand becomes leprous (4:6).

Today we recognize that it is medically inaccurate and psychologically cruel to tell someone that he or she is afflicted with illness as a punishment for behavior not organically related to the illness, or that failure to heal is
or to one of his sons, the priests. The priest shall examine the affection on the skin of his body: if hair in the affected patch has turned white and the affection appears to be deeper than the skin of his body, it is a leprous affection; when the priest sees it, he shall pronounce him impure. 

4But if it is a white discoloration on the skin of his body which does not appear to be deeper than the skin and the hair in it has not turned white, the priest shall isolate the affected person for seven days. On the seventh day the priest shall examine him, and if the affection has remained unchanged in color and the disease has not spread on the skin, the priest shall isolate him for another seven days. On the seventh day the priest shall examine him again: if the affection has faded and has not spread on the skin, the priest shall pronounce him pure. It is a rash; he shall wash his clothes, and he shall be pure. But if the rash should spread on the skin after he has presented himself to the priest and been pronounced pure, he shall present himself again to the priest. And if the priest sees that the rash has spread on the skin, the priest shall pronounce him impure; it is leprosy.

9When a person has a scaly affection, it shall

4. the priest shall isolate the affected person
More precisely, "he shall confine, lock up" (v'hisgir) the affected person. A special dwelling was used for this purpose.

6. be shall wash his clothes
Laundering one's garments was a procedure frequently included in purification rites.

8. it is leprosy That is, it is acute tzara-at.

CHRONIC AILMENTS (vv. 9–17)
If a person with a chronic ailment is brought to the priest, a different set of diagnostic criteria is applied. Exposed ("raw") flesh in an infected area indicates that the old ailment never healed prop-

to be blamed on a lack of will. It should be noted that the Torah itself presents tzara-at as an affliction to be cured, not as a punishment to be explained. We might ask: What actions or conditions cause an individual to be isolated from the community today? And what can religious institutions do to restore that person to the community?

Salanter taught that the laws of leprosy and gossip follow immediately after the dietary laws to teach us to be as scrupulous about what comes out of our mouths as we are about what goes into them. He saw the essential sin of gossip as focusing on the faults of others rather than looking to improve ourselves. Society says to the slanderer, "If you are so good at recognizing faults, go live by yourself and discover your own faults and shortcomings."

3. when the priest sees it One commentator reads this as "when the priest sees him" (Meshekh Hokhmah). The priest is to examine the whole person, not only the diseased limb. He is to see what is whole and healthy about the person, not only what is afflicted.
be reported to the priest. 10 If the priest finds on
the skin a white swelling which has turned some
hair white, with a patch of undiscolored flesh
in the swelling, 11 it is chronic leprosy on the skin
of his body, and the priest shall pronounce him
impure; he need not isolate him, for he is im-
pure. 12 If the eruption spreads out over the skin
so that it covers all the skin of the affected person
from head to foot, wherever the priest can see
—if the priest sees that the eruption has
covered the whole body—he shall pronounce
the affected person pure; he is pure, for he has
turned all white. 14 But as soon as undiscolored
flesh appears in it, he shall be impure; 15 when
the priest sees the undiscolored flesh, he shall
pronounce him impure. The undiscolored flesh
is impure; it is leprosy. 16 But if the undiscolored
flesh again turns white, he shall come to the
priest, 17 and the priest shall examine him: if the
affection has turned white, the priest shall pro-
ounce the affected person pure; he is pure.

18 When an inflammation appears on the skin
of one’s body and it heals, 19 and a white swelling
white is new skin that has grown over the raw area.

14. As soon as undiscolored flesh appears in
it If exposed flesh reappears on it, the old in-
fection has not been covered by new skin and will
not heal properly, and the individual has chronic
tzara-at.

16. If the undiscolored flesh again turns
white If the exposed flesh recedes and resumes
its whiteness, then new (“white”) skin has grown
over the infected, exposed flesh.

TZARA-AT AS COMPLICATION (vv. 18–46)

This section deals with tzara-at that arises as a
complication, i.e., a secondary development, out
of other conditions. These symptoms are (a)
sh hīn, a term characterizing a number of con-
ditions similar to dermatitis; (b) a burn that became
infected; (c) diseases of the hair; (d) a skin con-
dition identified as vitiligo; and (e) ailments of the
scalp and forehead.

18. An inflammation appears on the skin... and it heals The primary condition, dermatitis,
had healed, but a secondary infection had devel-
oped in the same area.
or a white discoloration streaked with red develops where the inflammation was, he shall present himself to the priest. 20 If the priest finds that it appears lower than the rest of the skin and that the hair in it has turned white, the priest shall pronounce him impure; it is a leprous affection that has broken out in the inflammation. 21 But if the priest finds that there is no white hair in it and it is not lower than the rest of the skin, and it is faded, the priest shall isolate him for seven days. 22 If it should spread in the skin, the priest shall pronounce him impure; it is an affection. 23 But if the discoloration remains stationary, not having spread, it is the scar of the inflammation; the priest shall pronounce him pure.

24 When the skin of one’s body sustains a burn by fire, and the patch from the burn is a discoloration, either white streaked with red, or white, 25 the priest shall examine it. If some hair has turned white in the discoloration, which itself appears to go deeper than the skin, it is leprosy that has broken out in the burn. The priest shall pronounce him impure; it is a leprous affection. 26 But if the priest finds that there is no white hair in the discoloration, and that it is not lower than the rest of the skin, and it is faded, the priest shall isolate him for seven days.

27 On the seventh day the priest shall examine him: if it has spread in the skin, the priest shall pronounce him impure; it is a leprous affection. 28 But if the discoloration has remained stationary, not having spread on the skin, and it is faded, it is the swelling from the burn. The priest shall pronounce him pure, for it is the scar of the burn.

29 If a man or a woman has an affection on the head or in the beard, 30 the priest shall examine it.

20. The symptomatology here is essentially the same as that applicable to the diagnosis of an initial condition of tzara'-at, in verses 1–8.
24. The patch from the burn is a discoloration
amine the affection. If it appears to go deeper than the skin and there is thin yellow hair in it, the priest shall pronounce him impure; it is a scall, a scaly eruption in the hair or beard. But if the priest finds that the scall affection does not appear to go deeper than the skin, yet there is no black hair in it, the priest shall isolate the person with the scall affection for seven days.

On the seventh day the priest shall examine the affection. If the scall has not spread and no yellow hair has appeared in it, and the scall does not appear to go deeper than the skin, the person with the scall shall shave himself, but without shaving the scall; the priest shall isolate him for another seven days. On the seventh day the priest shall examine the scall. If the scall has not spread on the skin, and does not appear to go deeper than the skin, the priest shall pronounce him pure; he shall wash his clothes, and he shall be pure. If, however, the scall should spread on the skin after he has been pronounced pure, the priest shall examine him. If the scall has spread on the skin, the priest need not look for yellow hair: he is impure. But if the scall has remained unchanged in color, and black hair has grown in it, the scall is healed; he is pure. The priest shall pronounce him pure.

30–31. This passage is describing the progressive stages of a complication whose treatment differs somewhat from acute tzara-at because of the background condition involved. Verse 30 stipulates that if both positive symptoms appear, acute tzara-at is indicated. Verse 31 states that if only one symptom occurs—the absence of black, normal hair (which is equivalent to the presence of yellow, infected hair)—quarantine is imposed, because a final determination cannot yet be made.

thin yellow hair The symptoms are generally similar to those of skin ailments, except that yellow, not white, hair is the discoloration to be watched for.

scall Hebrew: netek, which refers to the condition of hair follicles, not of skin, and describes the follicles as being “torn” from the scalp after “splitting.”

32. On the seventh day the priest shall examine the affection. Three conditions must exist for a declaration of purity to be issued at this stage: no yellow hair, no enlargement of the lesions, and no recessed lesions. To allow for clearer observation, the hair is shaved around the infected areas, leaving the areas themselves unshaven.

36. the scall has spread on the skin Any enlargement of the lesions after 14 days is sufficient to warrant a diagnosis of acute tzara-at. The priest need look no further for yellow hair.

37. the scall has remained unchanged If normal-colored hair grows back in the infected area and there has been no subsequent enlargement of the lesions, the netek infection has healed.
streaked with white discolorations, and the priest sees that the discolorations on the skin of the body are of a dull white, it is a etter broken out on the skin; he is pure.

40. If a man loses the hair of his head and becomes bald, he is pure. If he loses the hair on the front part of his head and becomes bald at the forehead, he is pure.

42. But if a white affection streaked with red appears on the bald part in the front or at the back of the head, it is a scaly eruption that is spreading over the bald part in the front or at the back of the head. The priest shall examine him: if the swollen affection on the bald part in the front or at the back of his head is white streaked with red, like the leprous of body skin in appearance, the man is leprous; he is impure. The priest shall pronounce him impure; he has the affection on his head.

44. As for the person with a leprous affection, his clothes shall be rent, his head shall be left bare, and he shall cover over his upper lip; and he shall call out, "Impure! Impure!" He shall be impure as long as the disease is on him. Being impure, he shall dwell apart; his dwelling shall be outside the camp.

38–39. These verses deal with an ailment known as bohot (brightness), identified by some medical authorities as vitiligo. It is a rash that is not acute.

40. If a man loses the hair of his head and becomes bald. This section (vv. 40–44) deals with cases in which a person was bald before the outbreak of the ailment in question.

43. If the inflamed infection is whitish on the bald pate or on the forehead, the person is suffering from acute tzara-at.

45. The person with a leprous affection. Namely, one who suffers from the acute condition stated in verse 8.

46. As long as the disease is on him. Thus, an individual suffering from acute tzara-at may be banished permanently.

45. He shall call out, "Impure! Impure!" According to the Talmud, one does this not only to warn others of the contagion but also to elicit compassion and prayers on one's behalf (BT MK 5a). It is the responsibility of an afflicted person to recognize the illness and ask for help; and it is the responsibility of the community to offer support and prayer rather than shun or ignore the afflicted.

One commentator reads, "the impure shall call out, 'Impure!' That is, people tend to project their own failings onto others. A corrupt person sees corruption all around (BT Kidd. 7a)."
47. Although most medieval and modern commentators see the eruption of tzara-at in clothing as a natural phenomenon, a form of rot or fungus, Maimonides and Ramban see it as supernatural, something that could take place only in the Land of Israel. Because of that land’s sensitivity to immorality, even the clothes one wears would bear witness to the moral decay of the person wearing them.

Although the laws of tum-ah seem very foreign to us, they flow directly from the Israelites’ sense that being able to come into God’s presence is an irreplaceable privilege. This led them to be profoundly concerned with anything that might estrange them from the divine presence.

TZARA-AT IN FABRICS AND LEATHER
(vv. 47–59)

This section deals with tzara-at-type infections that damage fabrics and worked leather. They may have been some kinds of fungoid or sporoid infections.
in the wool; and if it occurs again in the cloth—whether in warp or in woof—or in any article of skin, it is a wild growth; the affected article shall be consumed in fire. However, if the affection disappears from the cloth—warp or woof—or from any article of skin that has been washed, it shall be washed again, and it shall be pure.

Such is the procedure for eruptive affections of cloth, woolen or linen, in warp or in woof, or of any article of skin, for pronouncing it pure or impure.