

Parshas Tazria-Metzora 5772

METZORA-PURIFICATION IN THE 21ST CENTURY

The truth of the matter is, that of all the myriad *mitzvos* outlined in the Torah, only a relatively small portion are actually in effect today. This situation is due, in large part, to the absence of the conditions necessary for the fulfillment of these *mitzvos*. For example, Temple-related laws and rituals are basically inoperative as long as we lack the Beis Hamikdash.

Thus we find many sections of the Torah detailing practices and procedures which we don't get to view in real time. While we observe today many people putting on *tefillin* or shaking a *lulav*, we have never been able to witness the wondrous and elaborate Yom Kippur service complete with the High Priest's public confessions and the dispatching of the goat to the wilderness.

HAVE YOU EVER SEEN...

This week's *parshah* deals extensively with the purification process of the *metzora* (individual afflicted with the skin condition known as *tzara'as*) (*Vayikra 14:1-32*). This is a somewhat elaborate and colorful ritual, as outlined in the Mishnah (*Negaim 14:1-2*):

כיצד מטהרין את המצורע, היה מביא פילי של חרש חדשה ונותן לתוכה רביעית מים חיים, ומביא שתי צפרים דרוך. שחט את אחת מהן על פלי חרש ועל מים חיים... נטל עץ ארז ואזוב ושני תולעת... והקוץ להם ראשי אגפים וראש הזנב של שניה. טבל והזה שבע פעמים לאחר ידו של מצורע, ויש אומרים, על מצחו... בא לו לשלח את הצפור החיה... אל מחוץ לעיר אל פני השדה.

“What is the procedure for purifying a *metzora*? A new, earthenware vessel was brought, and a (measurement of volume known as a) *revi'is* of spring water was placed

therein. Two sparrows (cf. *Tiferes Yisrael*) were brought, and the officiator would slaughter one of them over the spring water of the vessel... He would proceed to take a rod of cedar-wood, a sprig of hyssop, and some crimson-dyed material... and held them against the wing-tips and tail-tip of the second (surviving) bird. This package having been dipped in the water — was then used to sprinkle the *metzora* on the back of his hand. According to others, his forehead was sprinkled... The officiator would then proceed to send away the living bird... to the outskirts of the city, out over the meadow...” (The procedure continues with the shaving off of the *metzora*'s hair.)

This ceremony, we venture to guess, is a spectacle not beheld by most people today. And so, it seems to be yet another example of a body of law suspended in Diaspora conditions.

Or is it?

DEPENDENT AND INDEPENDENT MITZVOS

The erudite and venerated R' Zalman of Volozhin — brother of R' Chaim (founder of the Volozhin Yeshivah) and a prime disciple of the Vilna Gaon — makes a singular deduction from the words of the Rambam on this point. It is instructive to compare the Rambam's statements regarding other Temple-dependent laws. For example, concerning the *machtzis hashekel* (the annual half-*shekel* levied during Temple times), the Rambam writes (*Hilchos Shekalim 1:8*): “The Shekel imperative applies only ‘in the presence of the Temple (i.e., while the Beis Hamikdash stands)’”. The Rambam proceeds to elaborate that during Temple times, this mitzvah was incumbent both on those dwelling in the Land of Yisrael, and those outside the Land. After the destruction, the mitvah

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to arrange Torah study on behalf of her neshamah.

is no longer applicable — not even within the Land itself.

Yet, contrast this with the Rambam's rendering of our subject (*Hilchos Tum'as Tzara'as 11:6*): טְהַרְתָּ מְצוֹרַע זֶה נוֹהֵגֵת בְּאֶרֶץ, בְּפָנֵי הַבַּיִת וְשֵׁלָא בְּפָנֵי הַבַּיִת וּבְחֻצָּה לָאֶרֶץ, בְּפָנֵי הַבַּיִת וְשֵׁלָא בְּפָנֵי הַבַּיִת — “This *metzora*-purification procedure applies both in the Land and outside the Land, and both ‘in the Temple’s presence’ and in its absence”. Apparently, the Rambam considers this mitzvah to be neither Land-dependent or Temple-dependent. This observation yields the surprising conclusion that — in the Rambam's view — the mitzvah of *metzora*-purification is really in effect in current times.

So, then, why don't we behold this rich ceremony with its avian and botanical ingredients being performed in today's day and age?

TECHNICAL DIFFICULTIES — A PRIESTLY PROBLEM

R' Zalman explains that while the mitzvah inherently applies even in modern times, there is a technicality which prevents its actual implementation. It must be noted that — as mentioned repeatedly in these *parshiyos* — basically all phases and aspects connected with the treatment of the *metzora* are presided over by the *kohein* (“And he shall be brought to the *kohein*”; “and the *kohein* shall look at him”; “and the *kohein* shall purify him”; etc.). The *metzora* only gains official “*metzora*” status (and incurs the defilement associated with this title) when examined by the *kohein* and rendered a *metzora* through his declaration. Likewise, it is through the *kohein* that the *metzora* is purified.

And therein lies the technicality: the status of *kohanim* in our times is a matter of some uncertainty. True, we have *kohanim*, and they are rightly called up for the first section of the Torah reading. But, as a matter of precision, it is not altogether clear that the status is completely reliable. The Rambam asserts that only a *kohein* about whom two witnesses can verify that he descends directly from one who performed Temple service on the altar can claim to have ironclad priestly status (*Hilchos Issurei Bi'ah 20:2*).

What this means in practice, explains R' Zalman, is that for today's *kohanim* — who, by and large, do not possess such

testimonials — their status can not be considered “Biblically unassailable”. We do regard them as *kohanim* with regard to Rabbinic enactments, such as *k'rias haTorah* (Torah reading), but it is another matter when it comes to Biblical commandments. Thus, the process of *metzora*-purification — while inherently still in effect — can not be performed under current conditions. As it is of Biblical nature, it would require the officiation of a *kohein* whose status complies with those standards listed by the Rambam (*Toldos Adam, ch. 6*).

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