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בס"ד

Parashat Aharei Mot Part III Leviticus 17

1. A Central Sanctuary

Leviticus began with the rules and regulations for sacrifices (Lev. 1–7) and the installation of priests (8–9), thus establishing a functioning sanctuary (the Tabernacle), which represented G-d's presence within the nation. It then moved to the laws of maintaining bodily purity (11–15), a corollary to G-d's presence being in the nation. The Yom Kippur rites for the cleansing of sanctuary and nation, including cleansing from sins (16), concluded that section. With our chapter, Leviticus begins a final large section (17–26), one that comprises the rest of the book except for the last chapter. This section is the primary objective of the entire Leviticus program, designed to move the nation toward its sublime goals, a more moral and holy standard of living and a deeper commitment to the covenant. This segment of legislation is today widely known as the "Holiness Code."

Our chapter begins with a revolutionary and far-reaching statute. Henceforth, sacrifices may only be offered at the entrance to the Tent of Meeting, לְפָנֵי ה' (before Hashem's dwelling-place). There very possibly is another aspect to this statute, which we will discuss in due course.

Since the new restrictions on the sacrificial program would counter widely cherished notions and deeply ingrained practices, it was provided great support. Accordingly, Hashem instructs Moses to speak to Aaron and his sons and all the Israelites – a rare preface – and to introduce the law with: "This is the word Hashem has commanded, saying..." (Lev. 17:2). The law is stated expansively, with a lengthy protasis: "A man, any man from the house of Israel who slaughters an ox or a sheep or a goat in the camp or who slaughters outside the camp, and to the entrance of the Tent of Meeting did not bring it to present it as

a sacrifice to Hashem, before Hashem's Tabernacle..." (vv. 3-4a).

This made it absolutely clear. The apodosis also spells out the severe penalty: "It shall be reckoned bloodguilt for that man, he has spilled blood,* and that man shall be cut off (וְנִקְרָתָה) from the midst of his people" (v. 4b).**

Karet ("cut off") has been variously understood as one or another of either premature death, childless death, termination of lineage, preclusion from "being gathered unto his ancestors" after death or excision from the hereafter.

The next three verses specify that an immediate purpose of this law was to address Israel's lingering attachment to paganism, "in order that they shall no longer engage in sacrificing to the goat-demons that they are accustomed to stray after" (v. 7). Despite Hashem's remarkable intervention in Israel's history, idolatrous fetishes had not yet been eradicated. The new law was another step to reinforce the monotheistic revolution.

Insistence on one sanctuary in the nation for all sacrificial service discouraged polytheistic cults and enhanced the potential for the nation's continuity and unity around the covenant with G-d. Leaders would congregate at that one central site and receive inspiration from the presence of the ark of the covenant and the tablets that reside there, the nation's holiest items that symbolize and keep vivid the experience of revelation. Responsible parties could more adequately coordinate instruction to the nation when united at a single spiritual center. All this would help ensure that Israel's worship of Hashem remains undiluted and that the covenantal values and laws remain supreme.

Surely many felt the discontinuance of sacrificial service outside the sanctuary, and the probability that most people would rarely have an opportunity to be at the central site after settlement in the promised land to be a religious constraint. But the new law was consistent with the view that, ultimately, worship of G-d does not depend on sacrifices. Indeed, when not properly construed, they were viewed as a religious diversion at best, as the prophets continuously taught. Only under the central sanctuary's aegis, supervised and interpreted by the religious leadership, does the symbolism and discipline of the sacrificial program have value.

The requirement for "centralization" was also elaborated in Deuteronomy 12. In that context, Moses was speaking on the threshold of Israel's entering the promised land. He proclaimed that in the early stages of settlement of the land (when the people would not be based in a unified encampment as had already become the case), the law of centralization would tentatively be inapplicable. The law was contingent upon the nation arriving *אֶל הַמְּגִרָה וְאֶל הַיְּשֻׁבָה* ("to repose and inheritable possession" [Deut. 12:9]). It has traditionally been understood that the latter status had not been continuously achieved until the time of David's kingdom. Until then, the law of centralization was in suspension and "high places," cultic centers where sacrificial worship was carried on, were officially allowed.

The challenging nature of a single sanctuary is reflected in Israel's very imperfect record on this matter during First Temple times.

2. The Continuation

Hashem provides Moses the rationale for this law. It does not appear to have necessarily been part of the statement that Moses was to transmit to the people, but rather said as an aside to him:

In order that the Israelites shall bring the sacrifices which they have been sacrificing out in the fields...to Hashem, to the priest, at the entrance of the Tent of Meeting and offer them as sacrifices of well-being to Hashem; that the priest may dash the blood against the altar of Hashem...so that they would no longer offer their sacrifices to the goat-demons after whom they stray. (Lev. 17:5-7a)

Although the reason was one of relevance to that particular time when that particular temptation obtained, it is followed with: "A statute for all time this shall be for them throughout their generations" (v. 7b).*** We will discuss the problematic implication of this statement shortly.

Hashem's following statement (vv. 8-9) repeats the prohibition of sacrificing outside the Tabernacle, encompassing the same details with slightly varied words, while adding its applicability to the non-Israelite sojourner. Perhaps in recognition of the monumental law being established, and the difficulty many would undoubtedly have in internalizing it, Moses was instructed to restate it.

In Deuteronomy, Moses articulates a law regarding future times when the nation is settled in the promised land and many people would live at a distance from the sanctuary. Depending on how it is interpreted, one aspect or another of our Leviticus passage appears inconsistent with that Deuteronomy passage. There it states:

When Hashem your G-d enlarges your borders, as He has promised you, and you say, "I want to eat meat," for you have the desire to eat meat, with your full desire you may eat meat. When the place where Hashem your G-d has chosen to establish His name is far from you, you may slaughter from the cattle or sheep that Hashem has given you, in accordance with what I have instructed you [regarding the method of slaughter], and you may eat in your settlements with all your desire." (Deut. 12:20-21)

The Talmud records a dispute between Tannaitic sages concerning the interpretation of these Leviticus and Deuteronomy passages (*b. Hul.* 16b-17a).

According to Rabbi Ishmael, the Leviticus passage includes a blanket prohibition of non-sacrificial ritual slaughter (*sheh \square itat h \square ulin*) of all animals belonging to those species that were acceptable for sacrifices – cattle, sheep and goats. There was thus no way one could eat from cattle, sheep or goats that were not brought as a sacrifice. One who desired to eat meat of these species had no choice but to bring a sacrifice to the Tabernacle and eat from the portions the donor receives. The Deuteronomy verses (12:20-21) teach

that, at some point subsequent to entering the land of Israel (at a time when “high places” will be prohibited), the law will permit nonsacral slaughter and consumption of these animals. The change will be in deference to the people who live at a distance from the sanctuary – it would be impractical for them to travel to the sanctuary to bring a sacrifice when they have a desire to eat meat.

Rabbi Aqiba held that our Leviticus passage only addressed sacral slaughter and does not speak about non-sacral animals. Thus, partaking of meat from cattle, sheep and goats was always permissible. Perhaps he understood the word *ישחט* (slaughter) in our context as itself denoting *qodesh* (sacral). Alternatively, he may have taken *להקריב קרבן לה'* (“to offer a sacrifice to Hashem”) of verse 4 as modifying *אשר ישחט* (“who slaughters”) of verse 3. According to him the prohibition of our section refers to *שחיטת בהמה קדשים בחוץ* – slaughtering that which was designated for a sacrifice anywhere outside the Tabernacle. Further, according to him, ritual slaughter (*shehita*) was then only required for sacral animals; at that point in national history (before the Deuteronomic legislation) nonsacral animals – of the kosher species, of course – could be put to death in whichever manner one chose and the meat could then be eaten.

(According to the Rambam’s interpretation of Rabbi Aqiba [*MT, Laws of Shehita* 4:17], at that point *shehita* for nonsacral purposes was prohibited – one who desired nonsacral meat had to specifically kill the animal in a way other than *shehita*. Perhaps he interpreted Rabbi Aqiba as considering *shehita* – the standard method of slaughtering, slitting the throat – as so closely identified with sacrificing at that time that it was banned for nonsacral purposes. Most commentators disagree with the Rambam on this detail.)

The innovation in the Deuteronomy 12 passage according to Rabbi Aqiba was that upon entering the land the slaughter of nonsacral animals for food could only be done through *shehita*: “If the place is distant for you...you may slaughter from your cattle and flocks...in accordance with what I have commanded you, and eat in your gates as you desire” [Deut. 12:21]. “In accordance with what I have commanded you” refers to ritual slaughter, *וַיְצַוְךָ יְיָ אֱלֹהֶיךָ לֵאמֹר*.

In *Mishneh Torah (Laws of Shehita)* the Rambam decided in accordance with Rabbi Aqiba but in the *Guide for the Perplexed* (3:46) he reversed himself, following Rabbi Ishmael. Although the commentators have been divided, in peshat it appears that Rabbi Ishmael’s view has been preferred.

3. A Question and Possible Solutions

According to Rabbi Aqiba, since our chapter only spoke of sacral slaughter, “A law for all time this shall be for them throughout their generations” (Lev. 17:7b) means that Israelites will forever be prohibited to offer sacrifices outside the central sanctuary. But it is difficult to see how Rabbi Ishmael understood this verse. According to him, this verse seems to make permanent what he considers the essential prohibition of our passage, the nonsacral slaughter of animals that are of those species acceptable for sacrifices: cattle, sheep and goats. How can this be reconciled with Deuteronomy’s explicit permanent allowance of nonsacral meat from such animals subsequent to the nation’s entering the land when the central sanctuary became distant for many?

Some commentators have understood “A law for all time this shall be” to be restricted, referring only to verses 5-6 that expressed the purpose of the ban on nonsacral slaughter. That is, nonsacral slaughter was prohibited in order that there should no longer be any slaughtering “out in the fields,” to prevent people from sacrificing to the goat-demons, so that Israel would bring all their sacrifices to the central sanctuary to Hashem. Although stated as part of the goal to eliminate idolatrous service, this statement does contain the basic formulation of the prohibition to sacrifice outside the sanctuary. It is to this latter detail only that the concluding words, “A law for all time this shall be” should be understood to be alluding. Many have considered this interpretation strained, although a close reading appears to demonstrate that it is tenable.

The full reconciliation of these Leviticus and Deuteronomy passages has been considered sufficiently difficult (assuming Rabbi Ishmael’s view) that *Midrash Rabbah* cited this case as an example of G-d reversing Himself:

The rabbis state: Many things the Holy One blessed be He prohibited and subsequently reversed Himself and permitted in another place (קָזַר וְהִתִּיר). You should know, HQBH prohibited Israel to slaughter and eat until one brought it [the animal] to the entrance of the Tent of Meeting. From where [is this derived]?, from what is stated...(Lev. 17) and here He reversed Himself and permitted it, as it states [in Deuteronomy 12:15, 20-21]. (*Parashat Re'eh* 6)

Some have interpreted this as viewing the Leviticus statement, banning nonsacral meat, as an ideal, while Deuteronomy was a concession.

Ibn Ezra, basically following Rabbi Ishmael, understood “A law for all time this shall be” according to its more natural sense: a reference to the formal statement in verses 3-4, forever banning nonsacral slaughter of cattle, sheep and goats. His resolution of the inconsistency with the Deuteronomy permissibility for nonsacral slaughter is that the prohibition retains its applicability for those who are close to the Tabernacle (later, the Temple). If the latter desired to partake of meat, they would have to bring their animal to the sanctuary for a sacrifice such as was the case in the desert-camp context within which the law was presented. He strongly rejected those who considered the prohibition to apply to the exile.

In *Destination Torah* (pp. 174-176), Isaac Sassoon suggests a possible solution to a related problem that perhaps may be applied to our question. He addresses the tension between our Leviticus passage that prohibits nonsacral meat of cattle, sheep and goats and the Leviticus 11 legislation that enumerates the kosher species of animals, which clearly implies the permissibility of eating nonsacral meat of cattle, sheep and goats. The interdictions regarding the partaking of blood and fat (Lev. 3:17; 7:23-27) also imply permission to eat nonsacral meat of cattle, sheep and goats.

The prohibition of slaughtering nonsacral animals of Leviticus 17:3 speaks of one who slaughters בַּמַּחֲנֶה or מִחוּץ לַמַּחֲנֶה (“in the camp” or “outside the camp”). The prohibition of “outside the camp” is widely understood today to refer to a perimeter area surrounding the camp. Otherwise, the law would have

been articulated in simpler terms to include everywhere! Accordingly, nonsacral slaughter beyond a certain distance from the sanctuary was never prohibited. The dispensation in Deuteronomy 12 may be understood not as innovating permissibility to eat nonsacral cattle and flock but to be a case of Moses making explicit that which was previously never openly asserted, albeit it had been implicit.

In expounding Deuteronomy’s permission for nonsacral slaughter פִּי יִרְחַק מִמָּקוֹם הַמִּקְדָּשׁ (“when the place is far from you” [Deut. 12:21]) the Talmud interpreted “far from you” as permitting nonsacral slaughter immediately outside the temple area (*b. Qidd. 57b*), not requiring the distance of “outside the camp.” However, Sassoon points out, it is conceivable there had been other views of this phrase just as there is a controversy (*m. Pesah. 9:2*) concerning דֶּרֶךְ רְחוֹקָה (“a long journey” [Num. 9:10]) in connection with *Pesah Sheni* (the dispensation allowing those who were at a distance from the sanctuary and were not able to return in time for the Passover sacrifice to bring it in the second month). From the Temple Scroll of the Qumran sectaries we learn that certain groups in Second Temple times did indeed ban all nonsacral slaughter in the vicinity of the temple, defined as being within a three-day journey from the temple, possibly basing themselves on our Leviticus 17 passage of “outside the camp,” transposed to the context of settled land.

Sassoon recognizes a difficulty. Someone intent on sacrificing to the goat-demons could go beyond the “outside the camp” area under the guise that he was engaging in permissible nonsacral slaughter. Perhaps, he conjectures, the service being legislated against was generally performed at the periphery of the inhabited area. In slight support he cites the problematic text of 2 Kings 23:8 in which some read *se’irim* (“goats”) in place of the Masoretic *she’arim* and thus find a goat-demon *bamah* located near a city gate. We may add that an individual would be viewed very suspiciously were he to travel the significant distance to get beyond the “outside the camp” area with his animal rather than present it as a *shelamim* sacrifice at the sanctuary and have most of the meat available for himself and his family and guests. This would surely be the case if “outside the camp” constituted a journey of even half a day.

Endnotes

* The statement that one who takes animal life in an unauthorized manner is considered guilty of shedding blood constitutes a most remarkable notion. It cannot be considered hyperbole, as the Torah emphasizes the point with repetition, דָּם יִקָּשֶׁב לְאִישׁ הַהוּא דָּם שָׁפָךְ (“it shall be reckoned bloodguilt for that man, he has spilled blood” [v. 4]). Several verses later the Torah elaborates on the tremendous symbolism inherent in the blood. This includes the prohibition to consume blood “because the life of the flesh is in the blood,” as well as the importance of performing blood service at the altar with the sacrificial blood, which has the potential “to atone for your lives” (v. 11). Applying the gravity of shedding blood to the unwarranted killing of an animal is consistent with the Torah’s view of the sanctity of all sentient life and the “concession” involved in permitting the consumption of animal flesh with the proviso not to consume the blood (Gen. 9:3-6). It should be noted that all this, including the prohibition to consume blood and the blood service on the altar are unique to Israel in the ancient Near East.

** This law obviously did not apply to the classes of birds acceptable for the altar – pigeons and doves. The Sifra explains the reason to be because sacrificial birds are put to death by *melika* (a type of pinching from the back of the neck) not *shehita*, the slitting of the throat. For nonsacral consumption *shehita* was also the standard for birds.

*** This passage has been cited as support for Maimonides’ theory regarding sacrifices, that Hashem commanded them because the Israelites required them at the time. (See our study *Maimonides on Sacrifices Part I.*) Here, it states that Hashem based His command of mandating that all sacrifices forevermore be at the central sanctuary so that the Israelites not sacrifice to the goat-demons that they were then attached to, a problem that might very well have been eradicated in short order. Future generations would then invoke a historical explanation, citing what might later be an unknown practice, for a law they were required to fulfill.

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