Purity, Body, and Self in Early Rabbinic Literature
By M. Balberg (2014)
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Reviewed by Jonathan Schofer

Mira Balberg opens her excellent study of purity in rabbinic literature by stating boldly the challenges in conveying the compelling importance of her topic for our present day. For many,

to write a book on the ways in which the rabbis of Roman Palestine in the second and third centuries C.E. reinterpreted, reshaped, and reconstructed the biblical concepts of purity and impurity is to be immersed in obsolescence. It is to engage with an arcane body of legal themes that are not only without consequence for our time, but were, so it is often believed, even without consequence for the rabbis' own time. (p. 1)

Balberg successfully challenges this picture by showing that she can 'trace and analyze the ways in which the early rabbis, in their remaking of the biblical laws of purity and impurity, negotiate and develop a unique notion of a bodily self' (p. 2). The book, then, 'seeks to introduce rabbinic legal discourse into the landscape of ancient and late ancient modes of reflection on, engagement with, and shaping of the self...' (p. 3). In other words, the difficult and apparently obscure legal writings on purity in rabbinic Judaism, which many dismiss as irrelevant, become for Balberg an effective set of materials for bridging our scholarly discussions of law and selfhood. Drawing upon treatments of the self in antiquity and late antiquity by both Pierre Hadot and Michel Foucault, Balberg writes that she aims to uncover 'the underlying assumptions about selfhood underneath the surface of the

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Mishnah, on the one hand, and the idealized self on its horizon, on the other' (p. 12).

Balberg emphasises that a key transformation between the impurity system of the Hebrew Bible and that of the Mishnah of 200 CE is the shift from impurity as 'a noticeable event' to 'an ongoing reality'. Balberg focuses for the Bible on Leviticus 11–15 and Numbers 29 because 'this is the only dimension of biblical impurity that the rabbis systematically develop' (p. 20). In these biblical sources:

Of course, some events that bring about impurity are an inseparable and even recurring part of life (birth, death, menstruation, seminal emission), whereas others are more rare and crisis-like (scale disease, abnormal genital discharges); but all these events are discernible and traceable to a particular point in time. (p. 27)

Balberg contrasts this point with the Mishnah, which presents impurity as 'the daily and ongoing concern of *everyone*, even of persons who are not currently impure or known to have had contact with a source of impurity', due to a legal account that presents purity as significantly increased in its transferability (p. 28, emphasis in the original).

Balberg's study centres on the Mishnah, 'the earliest comprehensive rabbinic legal codex known to us', and specifically one of the six 'orders' of the Mishnah – *Seder Tohorot* (the Order of Purities) – which is dedicated to discussing purity and impurity. The compilation of the Mishnah was around 200 CE, but Balberg is interested in the analytic significance of the point that 'the Mishnah consists of hundreds of legal and interpretative traditions, generated and transmitted by different named and unnamed rabbis over a time period that spans between a few dozen years and a few hundred years' (p. 3). She then addresses the relation between these traditions and the Second Temple period of Judaism (538 BCE–70 CE): 'It is especially in the literature of the Second Temple period ... that purity and impurity emerge as a central concern and as a source of ongoing preoccupation' (p. 3). She adds, 'In the literature of the turn of the first century C.E., the theme of purity recurs as one of the pivots of the consistent effort to distinguish "us" from "them", both within Judaism and between Jews and those who are not Jewish (p. 4). Balberg also draws extensively on the Tosefta, a source of 'alternative traditions, additional rulings, parallel texts, interpretative clauses, and so forth' that is roughly contemporary with the Mishnah, often seen as later, because she finds it is illuminating (p. 14).

Balberg's analyses convey the fundamental ways that purity and legal prescriptions concerning impurity and purity shape rabbinic accounts of

the body and of artifacts or objects. In Balberg's account, the rabbinic 'self' or 'subject' is unified with the body in these laws:

By suggesting that the parts of one's body that are consequential for impurity and purification are the parts of the body that one identifies with oneself, thereby largely excluding from the bodily map of impurity inaccessible, invisible, or unnoticeable parts, the rabbis are unifying the subject with the object that is the body. (p. 73)

Impurity generates a twofold relation towards one's body, for 'a state of impurity accentuates the disparity between one and one's body' and is also, at the same time, 'a manifestation of the identity between one and one's body' (p. 73). A person's relation to material objects, artifacts, is also multifaceted, because of the combination of physical dimensions of impurity, on one hand, and perception of those physical dimensions, on the other: 'the rabbis' fundamental view that once an object has been rendered susceptible to impurity, it is in a very real and constant risk of actually becoming impure and must be handled accordingly' (pp. 94–5). And, at the same time:

What the rabbinic emphasis on will, intention, and human thought does do, however, is recenter the world of purity and impurity around the human subject who perceived them and reacts to them, instead of around the physical sources of impurity. (p. 95)

The overall picture, then, encompasses will, intention, and thought, as related to a person's own body, and as perceiving artifacts in the world, within rabbinic subjectivity.

One of Balberg's central points is to emphasise that 'the rabbis turned one's personal investment in an object or even in one's body parts into a condition for susceptibility to impurity' (p. 148). In other words, the susceptibility to impurity, for Balberg, reveals rabbinic legal and cultural concern for that object or body part. This focus on investment or concern is part of Balberg's analysis of rabbinic legal understandings of Gentiles, those who are not Jewish: 'According to the Mishnah, non-Jews who experience the bodily conditions that bring about ritual impurity (menstruation, scale disease, and so on) or have contact with various sources of impurity *do not become impure on account of them*' (p. 122, emphasis in the original). They do not become impure, because the rabbinic legal response to impurity is not concerned with those outside the possible or actual people who may observe this law.

The entire question of the relation between rabbinic law, the body, and selfhood is now open through Balberg's important formulations. Two

domains of inquiry, which had developed partially connected and largely not, are now brought together through textual analysis of some of the most difficult topics in rabbinic sources: law and the self.

For readers of *Body and Religion*, two points of criticism are worth raising in relation to Balberg's analysis, which emerge within the study of rabbinic texts and the features of the primary sources. A first and quite technical point concerns the interpretation of the Mishnah. Balberg is quite interested in the hundreds of legal and interpretative traditions that are found in the Mishnah, and tends to downplay the anonymous voice of the Mishnah attributed to Rabbi Yehudah the Nasi (or Patriarch) (p. 3). She states this fairly explicitly at the outset, and this analytic stance runs through the book. Such an approach to the Mishnah is not the only one, however, and a treatment of Mishnaic law focused more on the anonymous voice, and less on the diversity of preserved earlier traditions, may lead to differences on substantive points.

A second and interpretative point regards the topic of the impurity of a dead human body, or 'corpse impurity'. Balberg argues,

the Mishnah's treatment of corpse impurity presents a close engagement with the question of personhood, and that the rabbis consider the extent to which the corpse can be regarded as a person as the key to the discernment and determination of its power to convey impurity. ... [F]or the rabbis, a corpse can convey impurity only insofar as it *still* can be considered a person, and the less a corpse can be identified as a person, the less capable it is of conveying impurity. ... [T]he rabbis saw the corpse as a deteriorated shadow of a living person, although the rabbis focused on the deterioration of the physical body itself rather than on the soul's presumed abandonment of the body. ... [F]or the rabbis this growing dissimilarity is exactly what *diminishes* the corpse's impurity. Put differently, for the rabbis the impurity of the corpse depends not on its disparity from a body that we can identify with ourselves, but rather on its *similarity* to a body that we can identify with ourselves. (p. 98, emphases in the original)

Balberg continues to elaborate her analytic method:

I begin by examining the mishnaic classification and categorization of different corpse fragments, and show that in the rabbinic system corpse parts are considered impure only insofar as they can function as signs or symbols of the whole human being. ... I then continue to argue that the body that these fragments are thought to signify is distinctly a *living* body: corpse fragments are assessed according to the extent to which they can function in a body that is still alive, and the less commensurate with a living body that a corpse fragment is, the less impurity it can convey. (pp. 98–9, emphasis in the original)

This account addresses, in a sense, half of the picture. The Mishnah strongly differentiates the living human body from the corpse (*M. 'Olot* 1:6), a differentiation that runs throughout the entire discussion of corpse impurity. And, as Balberg emphasises, a corpse conveys its impurity to the extent that its decay has not progressed to the point that the corpse is no longer recognisably a human body. Corpse fragments, though, are definitively not parts of a living body, and they cannot function in a body that is still alive. This distinction between the living body, and the corpse that has anatomical continuity with the living body that is crucial, runs through rabbinic literature and its scriptural sources.

In sum, *Purity, Body, and Self in Early Rabbinic Literature* is recommended for readers of *Body and Religion* as a foundational work that integrates, through a study of a concrete body of legal sources, domains of inquiry that have been separated. The study of the Hebrew Bible and of Judaism has a rich scholarly literature on purity that has significant bearing on the study of the body, and Balberg gathers, cites, and critically evaluates these works. She also introduces readers outside of research into rabbinic texts and history, and outside of Jewish Studies, to a rich and compelling set of primary sources that such readers would be unlikely to encounter in other ways.