LEHRHAUS
Over Shabbat
Behar-Behukotai

Vol. 7, Issue 30 • 21 Iyar 5783 / May 12, 2023

TRAJECTORIES OF TRADITION: KING DAVID ON SKIN LESIONS AND TENT IMPURITIES

AJ Berkovitz serves as an Assistant Professor at HUC-JIR in New York.

Rabbi Akiva once suggested the almost heretical idea that the heavens contain two thrones upon which God sits, one for righteousness and the other for judgment.[1] He was chided to stop spinning lore and to start studying the topics of skin lesions (*nega'im*) and tent impurities (*ohalot*), abstruse sections of the rabbinic laws of purity and impurity where Rabbi Akiva's creativity could do no serious harm. Yet some ancient rabbis found the laws of skin lesions and tent impurities theologically profitable. According to *Midrash Tehillim*, an early medieval anthology of rabbinic Psalm commentary, King David asked God to let those who read and recite Psalms "receive reward as if [they studied the topics of] skin lesions and tent impurities."[2] Sounds simple enough. Yet rabbis of the modern period of Jewish history would come to debate the exact meaning of these words—and, in doing so, lay bare the mechanics that push tradition to grow and change.

Our story begins with Rabbi Isaiah Horowitz (ca. 1555-1630), better known as "Shelah"—an acronym based on Horowitz's encyclopedic compilation of ritual, ethics, and mysticism called the *Shnei Luhot Ha-Brit* (Two Tablets of the Covenant). Shelah was a German rabbi and mystic whose work the founders of early Hasidism admired and mastered. They did so (for among many other reasons) because Horowitz championed popular piety as a valid and validating expression of religious life—a stream of thought that Hasidism would eventually transform into a torrent. In a comment on *Yoma*, Shelah brings David's demand back into the active consciousness of Jewish discourse. The line is rarely quoted before his time, and it proliferates after. And it serves a particular purpose. It raises the religious status of reciting chapters and verses from the Psalms by equating pious psalmody with (and, in some sense, claiming that it combines the best of) other enduring and indisputable Jewish values:

[1] *Sanhedrin* 38b (paralleled in *Hagigah* 14a).

[2] *Midrash Tehillim* 1:5.

prayer and Torah study. In the words of Shelah, David assures that "one who chants Psalms—it is as if he prayed, and it is also as if he studied Torah."[3]

Yet some rabbis demurred. Among them was Reb Hayyim of Volozhin (1749-1821), an ardent advocate for Torah study as Judaism's apex value. In his magnum opus, *Nefesh Ha-Hayyim*, Reb Hayyim reshapes the idea of *Torah Lishmah* (engaging with the Torah for its own sake) into the pursuit of talmudic intellectualism that still reigns supreme in many Jewish circles.[4] Yet prior to his time, as Reb Hayyim admits, "Most of the world until now explained its meaning as attachment [to the divine (*devekut*)]." And they cited David's dictum as proof. Reb Hayyim, in turn, rebuts. He acknowledges that those who recite Psalms every day attach themselves to God. But he also argues that "anyone who studies the laws of Talmud in depth and with toil, it is a thing greater and more loved before God than saying Psalms." Attachment, the aim of Psalm piety, does not equal the deep study of Torah—the true essence of *Torah Lishmah*. To buttress this idea, Reb Hayyim acknowledges David's words, but only to countermand them: "Who knows if God agreed to this [i.e., to David's request], since we do not find in their words, of blessed memory, what answer God answered him for his request." In the eyes of Reb Hayyim, the psalmist failed in his petition to equate Psalm piety with Torah study.

Reb Hayyim's logic did not sit well with some of his readers. Rabbi Mordecai Rothstein—the late-nineteenth-century author of *Sha'arei Parnassah Tovah* (The Gates of Good Fortune), a hasidic Psalm commentary—critiques Reb Hayyim for shortchanging David.[5] God obviously answers when His pious psalmist prays. Read the Bible! Rothstein also raises the ante. Like his predecessors, he reads between the lines. He suggests that David "hid as a hint that [reciting] Psalms is considered like [studying] the *entirety* of the six orders of the Mishnah." How so? The laws of skin lesions follow the laws of tent impurities in the canonical sequence of the Mishnah. Since David lists skin lesions first and tent impurities second, he is said to suggest that one receives reward as if one's study began with skin lesions and concluded with tent impurities—the entire Mishnah. (Alas, some of the best manuscripts of *Midrash Tehillim* list tent impurities before lesions.[6])

But David's request did more than act as a lock or key by which to close or open the gate between pious psalmody and Torah study, between lay spirituality and intellectual elitism. It also acted as a

[3] Shelah, *Aseret Ha-Dibrot, Yoma, Ner Mitzvah* 1:53. The initial context is the long-standing custom of reciting the entire Book of Psalms on the night of Yom Kippur. If one cannot complete the Psalms, Shelah recommends reciting the first four chapters, since they "ensure that one does not have a seminal emission … since they have 306 letters, and then [adding] four Psalms equals the number קרי (310)." In some sense, Shelah views each person as their own *Kohen Gadol*.

[4] *Nefesh Ha-Hayyim*, gate 4, chapter 2.

[5] Mordecai Rothstein, *Sefer Tehillim: Sha'arei Parnassah Tovah*, 261a.

[6] https://schechter.ac.il/wp-content/uploads/2022/08/0108.pdf.

portal through which ideas from one intellectual domain moved into the other. For once tradition creates analogies, they often breed life of their own.

The relationship that David establishes between the Mishnah, the epitome of the Oral Torah, and the Psalms, a written biblical text, allowed features associated with the one to shape the other. A prohibition attributed to Isaac Luria (1534-1572), the great mystic of Safed, banned his followers from reading biblical passages during the nighttime. When Moses stood atop Mt. Sinai, God supposedly told him to write the Bible during the day and instructed him in Oral Torah at night. But what ought the mystic do about midnight vigils and other nighttime pious activities that included sections from the Psalms? Rabbi Abraham David Wahrman (1770-1840), in his halakhic compendium *Eshel Avraham*, cites David's words to loosen the bonds of restriction and allow the sounds of psalmody to permeate the night.[7] He suggests that Psalms is *in essence* Oral Law since David equated psalmody with skin lesions and tent impurities.

But this very analogy also caused the knot to be retied elsewhere. After all, leniency and stringency are two sides of the same halakhic coin. Rabbinic law restricts the study of Torah to the saddest parts of Jewish literature on the Ninth of Av, the day during which Jews fast and memorialize the destruction of both Jerusalem Temples, among a host of other tragedies. An exception to this prohibition exists for anything regularly recited during the day. A cantor may rehearse the liturgical reading. And the congregation may say the *Shema*, as well as the mishnaic chapters on Temple sacrifices, that precedes the morning service. But may pious Jews recite Psalms, which often accompanied the mandatory prayers? Rabbi Yehudah ben Yisrael of Asozd (1794-1886, Hungary) argues no. In his collection of responsa, *Yehudah Ya'aleh*, he writes: "Those who recite Psalms every day—it is considered for them as if they are studying lesions and tent impurities, which is certainly not called something that is part of the regular order of the day, and thus it is prohibited even on the Ninth of Av."[8]

Readers of David's petition also imported into the act of piously reciting Psalms concerns that pertain to skin lesions and tent impurities. For a question lingered in the minds of many careful readers: Why did David compare the singing of Psalms to these two specific topics in Jewish law? In his book *Rosh David* (pub. 1776), Hayyim Yosef David Azulai (1724-1806) [Hida], a prolific author and mystic, suggests that the interpretive key lies with slanderous speech, the theological etiology of skin lesions. David cautions one to cling to God by reciting Psalms and be distanced from slander, and thus skin lesions.[9] Azulai develops his idea in his *Seat of David* (pub. 1794). He argues that slander caused the current exile and that studying Mishnah repairs the sin of slander. The talmudic rabbis,

[7] *Laws of Shema and Ma'ariv*, 238.

[8] *Yehudah Ya'aleh,* vol. 1, *Yoreh Deah*, 268.

[9] Commentary on *Parashat Hukat.*

through David, link Psalms with the Mishnah so that the Psalter, David's magnum opus, may atone for slander and effect redemption.[10]

Other creative interpretations suggest that David dwelled on skin lesions and tent impurities because of his own biography. Azulai, in his *Rosh David,* cites Isaac Luria, who claims that the study of the mishnaic order of Purity—to which lesions and tent impurities belongs—corrects for sins of sexual impropriety. Azulai draws on this idea and proposes that David singles out portions from the order of *Taharot* (purity) to secure penance for seducing Bathsheba, a married woman.[11] A similar approach appears in the writing of Rabbi Zadok of Lublin (1823-1900). In his view, the impurities associated with lesions and that connected with a corpse (a primary concern for tent impurity) correspond to the vices of jealousy and honor. David equated the singing of Psalms with the study of topics that counteract these specific negative traits since David often grappled with them when he faced his enemies and won his wars.[12]

So, what did the David of *Midrash Tehillim* really mean to convey? The historically correct answer is also, in my opinion, the least interesting. Some rabbis wanted to accord those who recite Psalms a similar status to those who study difficult sections of rabbinic literature. But the question itself also somewhat misses the point. What David's words really provide is a microcosm of the way that tradition works—how a single, seemingly simple line of text can stimulate conversation, stir controversy, be turned over and over, and be analogized and explained in 49 ways. For ultimately, the life of tradition does not merely rest in single moments of exalted interpretation, but rather in its ability to retain its staying power while engendering further creativity and fostering change.

Editors Note: This article was originally published in May 2018

Leviticus, Leonard Cohen, and the Paradox of Rest

Sarah Rindner, who currently resides in Israel, is a writer and educator.

The final two Torah portions of *Vayikra*/Leviticus, *Behar* and *Behukkotai*, conclude a book largely oriented around rituals relating to the *Mishkan* or Tabernacle of the desert, the template for the future Holy Temple in Jerusalem. Many of *Vayikra's* laws concern purity and impurity as they pertain to sacrificial worship in the *Mishkan*. Yet, the book's final chapters extend this concern outside the precincts of the *Mishkan*, to encompass the sanctity of time and of place more broadly. The beginning of *Parshat Behar* discusses the sanctity of time in regard to the seventh day of each week, the Sabbath, the day of rest. Then, using similar language, the text introduces *Shemitah*, the

[10] Sermon 26 for *Shabbat Kallah*.

[11] Commentary on *Parashat Hukat*.

[12] *Pri Tzadik*, Commentary on *Parashat Pekudei*, 6.

requirement to allow the land of Israel to rest every seventh year. In fact, the language of "rest" punctuates the entire ending of *Vayikra*. Immediately when the Israelites enter the Land of Israel, God ordains that the land itself will observe a "sabbath of the Lord" (this referring to *Shemitah*).

The commandment to rest, both individually and nationally, does not appear for the first time in *Vayikra*. Both the commandments of Sabbath and of *Shemitah* appear earlier in *Shemot*. A comparison of the respective presentations of these commandments in each book sheds light on the paradox at the heart of what it means for the Jewish nation to rest as a society founded upon God's order.

In *Vayikra*, the commandments of the Sabbath and *Shemitah* are also extended to a third and more comprehensive dimension: the *Yovel* or Jubilee year. Every 50 years, after seven Shemitah cycles of seven years each, the people of Israel are required to sound a Jubilee year. At this time, as in a *Shemitah* year, working the land is prohibited. In addition, sold real property reverts to its original owner, outstanding monetary debts are erased, and slaves are set free. The quote inscribed on the Liberty Bell in Philadelphia, "And thou shalt proclaim liberty in the Land for all its inhabitants," derives from the *Yovel* as described here in *Vayikra*. This invocation of the Jubilee year might lead one to assume the underpinnings of the *mitzvah* are, at heart, economic or social. In truth, the relevant context in *Vayikra* is almost purely theological. As God declares (25:23): "But the land must not be sold beyond reclaim, for the land is Mine; you are but strangers resident with Me."

In his haunting final album, *You Want It Darker*, the late musician Leonard Cohen seemed to intuit this loftier dimension of the Jubilee year in the song "Treaty." In the song he laments a love story that went wrong, likely due to the fault of the singer:

> I wish there was a treaty we could sign
> I do not care who takes this bloody hill
> I'm angry and I'm tired all the time
> I wish there was a treaty
> I wish there was a treaty
> Between your love and mine

In a relationship where love went unchecked and then went awry, Cohen imagines what it would have been like to have proper boundaries, some kind of "treaty" where each party could understand his or her role. The song contrasts his regret over the past with a mildly ironic invocation of *Yovel*, the Jubilee:

They're dancing in the streets, it's Jubilee
We sold ourselves for love but now we're free
I'm sorry for the ghost I made you be
Only one of us was real and that was me

Even though both parties are now freed from their dysfunctional relationship, freedom doesn't have quite the taste he might have thought it would. For Cohen, the promise of the Jubilee, of a fresh start, is empty when contrasted with a life in which the wrong choices were made and a person was hurt beyond reparation. True rest is imagined less as a break from the past but a crowning achievement of a life well lived. And this ideal conception of Jubilee escapes the singer, even if he is technically free.

A look back to the Book of *Shemot* reveals a rather different framing. When the *Shemitah* year is presented in Exodus 23:11, it is described in the context of laws regarding civil society — the importance of honest testimony in a court and proper treatment of one's fellow men: "Six years you shall show your land and gather in its yield, but in the seventh you shall let it rest and lie fallow. Let the needy among your people eat of it, and what they leave let the wild beasts eat." Even the Sabbath, here prescribed immediately after *Shemitah*, is presented in a social context: "Six days you shall do your work, but on the seventh day you shall cease from labor, in order that your ox and your ass may rest, and that your bondman and the stranger may be refreshed."
In contrast to *Vayikra's*, and even Leonard Cohen's spiritual framing of the various Sabbath institutions, their presentation in *Shemot* assumes that "rest" has primarily a social utility. Letting one's land lie fallow in the seventh year is an opportunity to share one's largesse with the neediest among us. The Sabbath itself is an opportunity for hard working human beings, and even beasts, to rest and be refreshed.

What then is the nature of the *Shemitah* year, and the nature of Sabbath as well? Do these institutions operate within the fabric of society, or are they meant to take us beyond it? Is the Sabbath a welcome break from the real work of living our lives, or is it the ends toward which our lives are directed? It seems likely that the answer must be: a little bit of both. After the ominous warnings at the end of Leviticus, where the Land will make up its Sabbath years absent of the Jews who inhabit it, a portrait of life without "Sabbath rest" follows:

> As for those of you who survive, I will cast a faintness into their hearts in the land of their enemies. The sound of a driven leaf shall put them to flight. Fleeing as though from the sword, they shall fall though none pursues. With no one pursuing, they shall stumble over one another as before the sword (26:36).

A landscape without Sabbath involves constant weariness and constant pursuit, without any sort of constructive end in sight. What's missing here is not only physical rest, it's also a kind of soul-rest. This is the kind of rest that Cohen longs for in his song "Treaty" and fails to find. The Israelites in this scenario are not pursued by actual enemies, rather they are vexed by their own emptiness and distance from God and one another. The absence of Sabbath is not only the lack of a break from the vicissitudes of life, it is the lack of purpose and end toward which one's life might be directed.

The juxtaposition of the *Shemot* and *Vayikra* accounts of the Sabbath and *Shemitah* illustrates the manner in which these institutions can function on separate planes, both earthly and transcendent, at the very same time. It also demonstrates that, contrary to two-dimensional economic or political interpretations of the Torah, social policy is not the ultimate concern of our tradition. *Vayikra* revisits the social and economic commandments of *Shemot* and adds a new dimension connecting back to the *kedushah*, holiness, of God's original Sabbath.

The layering of holiness atop socioeconomic reality at the end of Leviticus specifically points toward an even higher endpoint where the pursuit of human advancement and the pursuit of holiness work hand in hand with one another. This state of holistic oneness with God, we could call it *taharah*, is achieved through the optimal structuring of social and economic reality, as well as a consciousness of how that reality fits into a wider context of holiness and a living relationship with God.

It's interesting to consider that the Jubilee is only presented in *Vayikra*. As the American founders intuited, there's a profound social/political message contained within the call to freedom of the Jubilee year, both in regard to human servitude and even the need for the land itself to return to its ancestral owners. Surface level political readings of Biblical concepts like the Jubilee often seek to locate statist or collectivist values in the Biblical text in order to justify modern political policies of a secular state.

Yet, in the *Tanak*h, these expressions of liberty are inextricable from a larger theological framework in which God's dominion over the world is emphasized and human beings are reminded of their temporary and transitory status. It is no coincidence that the most acute expression of human freedom articulated in the Bible, Jubilee, is found in precisely the context where human beings are most reminded of their obligations and responsibility toward God. Without these obligations, concepts like freedom, rest, and the Jubilee, cannot find their full realization:

The fields are crying out, it's Jubilee
We sold ourselves for love but now we're free
I'm sorry for the ghost I made you be
Only one of us was real and that was me