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# NOTIONS OF GENTILE IMPURITY IN ANCIENT JUDAISM

by

JONATHAN KLAWANS

This study investigates the history and nature of Gentile impurity in ancient Judaism.<sup>1</sup> It is deceptively simple to assume that Gentiles,<sup>2</sup> who did

1. The best historical review of Jewish purity law remains Jacob Neusner, *The Idea of Purity in Ancient Judaism* (Leiden: E. J. Brill, 1973). There are two important but dated monographs devoted to Gentile impurity: Adolf Büchler's "The Levitical Impurity of the Gentile in Palestine Before the Year 70," *Jewish Quarterly Review*, n.s. 17 (1926–27): 1–79, and Gedalyahu Alon's "Levitical Uncleanness of Gentiles," in *Jews, Judaism and the Classical World: Studies in Jewish History in the Time of the Second Temple and Talmud*, trans. Israel Abrahams (Jerusalem: Magnes Press, 1977), pp. 146–189 (Hebrew original: *Tarbiz* 8 [1937]: 137–161; for convenience, citations throughout this paper will be from the English version). Büchler reviewed a large number of Jewish sources, rabbinic and earlier, and came to the conclusion that Gentiles became legally impure only when edicts to that effect were issued shortly before the first Jewish war against Rome. The first of these edicts extended menstrual impurity to Gentile women, thus making Gentile men defiled through their wives. The rabbis subsequently declared Gentile men impure in their own right, as "a precautionary measure against Roman sodomy" (p. 3). Alon's article systematically attempts to refute Büchler's claim that Gentile impurity emerged in the first century. Alon defended the antiquity of the notion by associating the impurity of Gentiles with the impurity of the idols they worshiped. Alon was confident that Gentile impurity was "one of the earliest halakhot" (p. 168). The approaches of Alon and Büchler are assessed in Gary G. Porton, *Goyim: Gentiles and Israelites in Mishnah-Tosefta* (Atlanta: Scholars Press, 1988), esp. pp. 276–280. See also G. R. Beasley-Murray, *Baptism in the New Testament* (London: Macmillan, 1962), pp. 21–22, n. 2. Also relevant is Sidney B. Hoenig, "Oil and Pagan Defilement," *Jewish Quarterly Review*, n.s. 61 (1970–71): 63–75. Falashan Jews consider non-Falashans to be defiling, but their purity rules are often distinct, and thus do not necessarily reflect ancient Jewish practice. See A. Z. Aescoly, *Sefer ha-Falashim* (Jerusalem: R. Mass, 1943), p. 43.

2. For convenience, this term will be used here throughout to mean both non-Jews and non-Israelites.

not observe purity laws, would have been considered ritually impure (אָמט) as a matter of course. Indeed, a number of scholars maintain this position.<sup>3</sup> In fact, however, the situation is a bit more complex. Ancient Jewish sources reflect two conflicting tensions. On the one hand, both biblical and rabbinic law (considered Gentiles to be exempt from the laws of ritual purity.<sup>4</sup> On the other hand, Gentiles ate impure foods, came into regular contact with impure substances, and—what is worse—committed idolatry and defiling sexual acts.<sup>5</sup> Ultimately, some rabbinic sources do state that Gentiles are, in fact, ritually impure (e.g., T. Zabim 2:1).<sup>6</sup> The goal of this paper is to analyze, distinguish, and trace the history of these tensions and developments in ancient Judaism.<sup>7</sup>

3. For example, see Emil Schürer, *Geschichte des jüdischen Volkes im Zeitalter Jesu Christi*, 3 vols., 4th ed. (Leipzig: J. C. Hinrichs, 1901–09), vol. 2, pp. 89–92, and vol. 3, pp. 182–183; Hermann L. Strack and Paul Billerbeck, *Kommentar zum Neuen Testament aus Talmud und Midrasch*, 5 vols. (Munich: C. H. Beck, 1924–28), vol. 2, pp. 102–105, and vol. 4, p. 375; Rudolf Meyer, “καθαρός,” in *Theologisches Wörterbuch zum Neuen Testament*, ed. Gerhard Kittel, 10 vols. (English trans.: Grand Rapids: Eerdmans, 1964–76, vol. 3, pp. 418–423); Emil Schürer, *The History of the Jewish People in the Age of Jesus Christ*, rev. and ed. Geza Vermes et al., 4 vols. (Edinburgh: T. & T. Clark, 1973–87), see esp. vol. 2, pp. 83–84; Jerome H. Neyrey, “The Idea of Purity in Mark’s Gospel,” *Semeia* 35 (1986): 91–128, esp. pp. 100 and 108; and most recently, James D. G. Dunn, “The Incident at Antioch (Gal. 2:11–18),” reprinted with an additional note in *Jesus, Paul and the Law: Studies in Mark and Galatians* (Louisville: Westminster/John Knox Press, 1990), pp. 129–182, esp. pp. 142 and 167–168.

4. See below, “Ritual and Moral Impurity” and “The Mishnah: Traces of Gentile Impurity.”

5. At least this was the perception. The truth of such claims is not of concern here; see below, “Impurity and Profaneness” and “Gentiles as Morally Impure.”

6. It is possible—but by no means necessary—that the emergence of Jewish proselyte immersion is connected to the conception of Gentiles as ritually impure. See Solomon Zeitlin, “The Halaka in the Gospels,” *Hebrew Union College Annual* 1 (1924): 357–373, and idem, “The Institution of Baptism for Proselytes,” *Journal of Biblical Literature* 52 (1933): 203–211. On the general nature of Jewish proselyte immersion, see especially H. H. Rowley, “Jewish Proselyte Baptism and the Baptism of John,” *Hebrew Union College Annual* 15 (1940): 313–334. On the lack of early evidence for the rite, see Shaye J. D. Cohen, “Conversion to Judaism in Historical Perspective: From Biblical Israel to Postbiblical Judaism,” *Conservative Judaism* 36, no. 4 (1983): 31–45, esp. pp. 37–39. While Zeitlin’s suggestion is in some ways compelling, it is not necessary to view Jewish proselyte immersion solely as a purification ritual. The presence of the rite, therefore, is not clear evidence of a notion of Gentile impurity. It would appear, however, that the notion of Gentile ritual impurity necessitates Jewish proselyte immersion. Thus the lack of early evidence for this rite supports the claim being made here, that Gentile ritual impurity was not an ancient halakhah.

7. It is by no means to be assumed that purity-conscious religions consider outsiders to be defiling. While Shiite Muslims consider outsiders defiling, Sunni Muslims do not; see

The issue of Gentile impurity has obvious significance for the proper understanding of both the development of Jewish law and the nature of Jewish-Gentile interaction. Indeed, this topic has been freshly debated by James D. G. Dunn and E. P. Sanders, their primary concern being Jewish-Gentile interaction and the controversy at Antioch between Peter (Cephas) and Paul (Gal. 2:11–18).<sup>8</sup> Citing Schürer, the monograph by Alon, and a few primary sources, Dunn claims that the ritual impurity of Gentiles is to be assumed, and that Jewish-Gentile interaction was therefore limited.<sup>9</sup> Sanders counters Dunn, arguing that the ritual purity system for the most part did not apply to Gentiles, and that Jewish-Gentile interaction was therefore not limited by such legislation. Sanders does, however, maintain that Gentiles were impure, with the only ramification of their impurity being their exclusion from the Temple.<sup>10</sup> Sanders's critique of Dunn is convincing; it is clear that Jews did in fact interact with their non-Jewish neighbors, and did not consider themselves defiled after such contact. Sanders errs, however, in confusing the issues of exclusion from the Temple and ritual impurity.

As Jacob Milgrom has shown, misunderstandings of purity in ancient Judaism can often result from misinterpreting the biblical evidence.<sup>11</sup> That appears to be the case here as well, and therefore this study will begin with a few observations concerning biblical purity laws. After that, prerabbinic and

Bernard Lewis, *The Jews of Islam* (Princeton: Princeton University Press, 1984), pp. 33–34, and Ignaz Goldziher, *Introduction to Islamic Theology and Law*, trans. Andras and Ruth Hamori (Princeton: Princeton University Press, 1981), pp. 213–216. On the Zoroastrian conception of outsiders as impure, see Jamsheed K. Choksy, *Purity and Pollution in Zoroastrianism: Triumph Over Evil* (Austin: University of Texas Press, 1989), pp. 8, 41, 79–90. On the Hindus' acceptance of foreigners into the upper castes, see Louis Dumont, *Homo Hierarchicus: the Caste System and Its Implications*, rev. ed., trans. Mark Sainsbury et al. (Chicago: University of Chicago Press, 1980), pp. 193–194 and 202–208.

8. See Dunn, "Incident at Antioch." Sanders first responded in "Purity, Food and Offerings in the Greek-Speaking Diaspora," *Jewish Law from Jesus to the Mishnah: Five Studies* (London: SCM Press, 1990), pp. 255–308, esp. p. 284. Sanders recently expanded his response in "Jewish Association with Gentiles and Galatians 2:11–14," in *The Conversation Continues: Studies in Paul and John in Honor of J. Louis Martin*, ed. Robert T. Fortna and Beverly R. Gaventa (Nashville: Abingdon Press, 1990), pp. 177–188. See also Sanders, *Judaism: Practice and Belief, 63 BCE–66 CE* (London: SCM Press, 1992), pp. 72–76.

9. "Incident at Antioch," p. 142.

10. "Jewish Association with Gentiles," p. 176.

11. *Leviticus 1–16: A New Translation with Introduction and Commentary*, Anchor Bible, vol. 3 (New York: Doubleday, 1992), pp. 1004–1009.

then rabbinic sources will be considered. What will emerge from the analysis is the fact that purity language is used to refer to two distinct phenomena: ritual impurity and moral impurity. It will also be seen that the exclusion of Gentiles from the Temple is not to be seen as a purity law per se. It will be seen that ritual impurity did not generally apply to Gentiles at all until the tannaitic period, and even during that period, the notion did not take hold on a widespread basis. Though Gentiles were considered to be morally impure from a much earlier date, this conception did not cause Jews to consider contacts with Gentiles to be ritually defiling. Thus, it is an error to assume that Jews in ancient times generally considered Gentiles to be ritually defiling, and it is even more of an error to assume that such a conception would have been an impediment to Jewish-Gentile interaction.

### *The Biblical Legacy*

It is not necessary here to present yet another summary of biblical purity law.<sup>12</sup> It is, however, necessary to emphasize two distinctions that will help clarify the status of Gentiles vis-à-vis Jewish purity law. The first distinction to be made is that between ritual and moral impurity.<sup>13</sup> The second distinction to be made is that between impurity and profaneness.<sup>14</sup>

12. On the particulars of biblical purity law, see Tikva Frymer-Kensky, "Pollution, Purification, and Purgation in Biblical Israel," in *The Word of the Lord Shall Go Forth: Essays in Honor of David Noel Freedman in Celebration of His Sixtieth Birthday*, ed. Carol L. Meyers and M. O'Connor (Winona Lake: Eisenbrauns, 1983) or, alternatively, Sanders, "Did the Pharisees Eat Ordinary Food in Purity?" *Jewish Law from Jesus to the Mishnah*, pp. 131–254. See also Milgrom, *Leviticus 1–16*; and *The JPS Torah Commentary: Numbers* (Philadelphia: Jewish Publication Society, 1990), and Baruch A. Levine, *The JPS Torah Commentary: Leviticus* (Philadelphia: Jewish Publication Society, 1989), esp. pp. 243–248.

13. On the need for such a distinction in purity law, see the related study of rabbinic purity by Jacob Neusner and Bruce D. Chilton, "Uncleanness in Formative Judaism: A Moral or an Ontological Category?" in *The Religious Study of Judaism: Description, Analysis, Interpretation*, vol. 4, *Ideas of History, Ethics, Ontology and Religion in Formative Judaism* (Lanham, Md.: University Press of America, 1981), pp. 81–106. Milgrom, *Leviticus 1–16*, alludes to a similar distinction (pp. 37–38, 44–45), as does Frymer-Kensky, "Pollution," p. 404.

14. On the need for this distinction, see Milgrom, *Leviticus 1–16*, pp. 37, 615–617, and Frymer-Kensky, "Pollution," pp. 404–406.

## Ritual and Moral Impurity

“Ritual impurity” refers here to the highly contagious but generally impermanent defilements also commonly known as “levitical.”<sup>15</sup> Ritual impurity results from primary or secondary contact with any one of a number of natural processes and substances, as described in Leviticus 11–15 and Numbers 19. The causes of ritual impurity generally share the characteristics of being natural and more or less unavoidable.<sup>16</sup> While the duration of impurity varies, as do the requisite cleansing processes, ritual impurity is impermanent and, for the most part, removable.<sup>17</sup> It is not a sin to contract these impurities,<sup>18</sup> though there are two ways that ritual impurity can lead to sin. Refusal to purify oneself would constitute a transgression, as would coming into contact with the sacred while in a state of impurity.<sup>19</sup>

The Bible, however, is concerned with another form of impurity, referred to here as “moral.”<sup>20</sup> Moral impurity results from committing certain acts so heinous as to be considered defiling. In the Holiness Code, sexual and cultic sins result in moral impurity.<sup>21</sup> In Ezekiel, murder too defiles (33:25–26).<sup>22</sup>

15. The term “ontological” (used by Neusner and Chilton) would also be fitting here in that it connotes a natural state, as opposed to a moral one.

16. Frymer-Kensky, “Pollution,” p. 403; Sanders, “Did the Pharisees Eat Ordinary Food in Purity?” pp. 140–143.

17. Scale disease and house funguses are generally impermanent, but they are not removable; they must heal on their own. The other ritual impurities dissipate after fixed periods of time.

18. See Neusner and Chilton, “Uncleanness in Formative Judaism,” pp. 86–90; Frymer-Kensky, “Pollution,” p. 403.

19. See, for example, Lev. 7:20–21, 15:31, 22:3–7, and Num. 19:20.

20. This term is used by Neusner and Chilton, “Uncleanness in Formative Judaism”; Levine referred to this type of impurity as “figurative,” *Leviticus*, p. 134. Milgrom, in *Leviticus 1–16*, speaks of the “metaphorical” use of purity language in moral contexts (p. 37), as does Neusner in *Idea of Purity in Ancient Judaism*, pp. 24–25. Frymer-Kensky contrasts ritual impurity with “danger-beliefs,” see “Pollution,” p. 404. See also Büchler, “The Defiling Force of Sin in the Bible,” in *Studies in Sin and Atonement in the Rabbinic Literature of the First Century* (London: Oxford University Press, 1928), pp. 212–269. Büchler distinguishes between “levitical” and “spiritual (or religious)” impurities (p. 214).

21. On sexual sins, see Lev. 18:24–5. For the defiling force of idolatry, see, for example, Lev. 20:1–3, Deut. 7:25, 12:31. Generally, see Levine, *Leviticus*, pp. 243–248. The prophets also frequently refer to such acts as defiling. See, for example, Jer. 2:23 (idolatry); Ezek. 8:10 (idolatry and diet), 20:30–31 (idolatry); Hos. 5:3, 6:10 (general unfaithfulness); and also Ps. 106:35–40 (idolatry and murder); cf. Amos 2:7 (sexual immorality as a profanation of God’s name).

22. Levine, *Leviticus*, p. 243; cf. Ps. 106:35–40.

Unlike contracting ritual impurity, the commission of these defiling acts is prohibited, and violations are punishable. In fact, according to Leviticus chapters 18 and 20, the Israelite (or resident alien) who commits idolatrous or sexual sins is to suffer death. On the other hand, there is no contact-contagion associated with moral impurity; one need not bathe subsequent to primary or secondary contact with an idol, an idolater, or an individual who has committed a sexual sin.<sup>23</sup> Thus there is no purification rite akin to those associated with ritual impurity. Moral purity, rather, is achieved simply by punishing the sinners, or by refraining from committing morally impure acts in the first place. Still, despite the lack of contact-contagion, moral impurity can be conveyed: these acts defile the land of Israel (Lev. 18:25, Ezek. 36:17),<sup>24</sup> and the sanctuary of God (Lev. 20:3, Ezek. 5:11).<sup>25</sup> For this reason, the community must dedicate one day a year for the purification of sin (Lev. 16:1–34).

How do these two types of purity affect Gentiles? First of all, Gentiles are not affected by the ritual purity system. They are exempt from almost all of the biblical purity laws,<sup>26</sup> and nowhere is the Gentile identified as a source or possible conveyor of ritual impurity. Centuries later, the rabbis were quite clear on this point: Gentiles are not susceptible to ritual impurity.<sup>27</sup> Though the Bible contains no explicit statement to this effect, the bulk of the evidence leads to the same conclusion.

And what is the status of Gentiles with regard to moral impurity? According to the Pentateuch, Gentiles were wont to commit acts that were morally defiling. They engaged in defiling sexual behavior (18:27), they ate impure foods (Lev. 20:22–26), and they also, obviously, practiced idolatry (Deut. 12:1–4). And lest Israelites learn to follow pagan ways, intermarriage—at

23. Cf. Frymer-Kensky, "Pollution," p. 403.

24. Cf. Büchler, *Studies in Sin and Atonement*, pp. 212–217.

25. Women who, willingly or unwillingly, have been partner to a sexual offense, or have been in relations with a foreigner, suffer a permanent debasement, which is often expressed in the language of impurity. See, for example, Gen. 34:5, Num. 5:13, and Ezek. 23:17.

26. The resident alien is considered to be susceptible to impurity from corpses (Num. 19:10) and from eating animal carcasses (Lev. 17:15–16). On the disparate views of P and H vis-à-vis the resident alien, see Milgrom, *Leviticus 1–16*, pp. 48–49, and *Numbers*, pp. 398–402. See also Christiana van Houten, *The Alien in Israelite Law* (Sheffield: JSOT Press, 1991). On P, H, and purity, see Moshe Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon Press, 1972), pp. 225–232. Interestingly, the Temple Scroll does not mention non-Israelites in the (extant) parallel to Num. 19 (11 QT XLIX–L).

27. See below, "The Mishnah: Traces of Gentile Impurity."

least with their neighbors—was prohibited (Exod. 34:15–16, Deut. 7:1–4; cf. Ps. 106:35–36).<sup>28</sup> This line of thinking is most prominent in the books of Ezra and Nehemiah, both of which explicitly connect the prohibition of intermarriage with the defiling behavior of local Gentiles.<sup>29</sup> Yet other voices in the Bible are less decided on this issue. In the Holiness Code, the citizen (אזרח) and the resident alien alike are to adhere to the sexual prohibitions (Lev. 18:26), and indeed, to all of the prohibitive commandments.<sup>30</sup> Moreover, some prophetic texts envision the ultimate peaceful gathering of Gentiles and Jews in Jerusalem.<sup>31</sup> This openness is also evident in Jonah and Ruth, both of which depict righteous and repentant Gentiles. Clearly these texts do not consider Gentiles to be inherently morally impure. At any rate, what is most important to note here is that even the texts that explicitly connect the prohibition of intermarriage with impure Gentile behavior go no further than that. Indeed, no biblical text considers Gentiles to be ritually impure.

### Impurity and Profaneness

Separate from, but related to, the concept of purity is the concept of profaneness. While “impure” (טמא) is the ontological opposite of “pure” (טהר), “profane” (חול) is the ontological opposite of “sacred” (קדוש). These dichotomies are clearly set forth in Leviticus 10:10, which states, “for you must distinguish between the sacred and the profane, and between the unclean and the clean.”<sup>32</sup> A “profanation” (חלול) is a violation of the sacred that is not

28. Generally, see Shaye J. D. Cohen, “Solomon and the Daughter of Pharaoh: Intermarriage, Conversion, and the Impurity of Women,” *Journal of the Ancient Near East Society* 16–17 (1984–85): 23–38, esp. pp. 23–26. On the disregard for this commandment, see Roland de Vaux, *Ancient Israel* (New York: McGraw-Hill, 1961), p. 31. For an assessment of the various biblical traditions and their implications, see Shaye J. D. Cohen, “From the Bible to the Talmud: The Prohibition of Intermarriage,” *Hebrew Annual Review* 7 (1983): 23–39.

29. See Ezra 9:1–10:44; Neh. 9:1–3, 10:29–31, 13:1–3, 13:23–30; cf. 1 Esdr. 8:68–9:36. It is true that only local women are of immediate concern here, but then again, local women are the only ones likely to have been available to the Israelites for marriage at that time. It is a short step from Ezra 9:10–12 to a general prohibition of intermarriage.

30. Milgrom, *Leviticus 1–16*, p. 1055 and *Numbers*, pp. 398–402. Milgrom makes a distinction between “prohibitive” commandments, which are violated by sins of commission and apply to both Israelites and resident aliens, and “performative” commandments, which are violated by sins of omission and apply only to Israelites.

31. See, for example, Isa. 2:1–4 and Mic. 4:1–5.

32. Cf. Ezek. 22:26 and 44:23. See Milgrom, *Leviticus 1–16*, pp. 615–617.

connected to purity laws per se.<sup>33</sup> A number of violations directly related to the sanctuary are seen as profanations, such as the use of tools in the construction of the altar (Exod. 20:22), the eating of the well-being sacrifice (זבח שלמים) on the third day (Lev. 19:8), and more importantly for our concerns, the entry into the sanctuary of a priest with a physical irregularity (Lev. 21:18). Priests in this category are not, however, seen as impure; they may eat sacred food, while the defiled priests may not (21:22, 22:4–7). Thus we see that someone who is not ritually impure can still threaten the purity of the sanctuary, by being profane.

Though not inherently impure, Gentiles are inherently profane.<sup>34</sup> It is for this reason that Gentiles were ultimately excluded from the sanctuary.<sup>35</sup> Joel declares, “And Jerusalem shall be holy; Nevermore shall strangers (זרים) pass through it” (4:i7). This perspective is seen most clearly in Ezekiel, who consistently refers to the entry of Gentiles into the sanctuary as a profanation.<sup>36</sup> Ezekiel states, “Too long, O House of Israel, have you committed all your abominations, admitting aliens (בני נכר), uncircumcised of spirit and uncircumcised of flesh, to be in My Sanctuary and *profane* My very Temple” (44:6–7, emphasis added). As this verse implies, the presence of Gentiles in the sanctuary is a profanation, and not a defilement.<sup>37</sup> The exclusion of Gentiles should not be seen as a purity law because it applies to all Gentiles at all times. Impurity, as we have seen, is generally a temporary state, and can be conveyed in and out of the Temple. The exclusion of Gentiles

33. Thus a violation of the Sabbath is seen as a profanation (Exod. 31:14). The use of חלל to denote a ritual impurity does appear, but this use is exceptional. See Lev. 21:12, 22:9; and Milgrom, *Leviticus 1–16*, p. 37.

34. It is true that the legal codes of the Pentateuch never explicitly refer to Gentiles as profane. Nonetheless, since “profane” is the ontological opposite of “sacred,” the status of non-Israelites as profane is implied when Israel is called sacred. See Lev. 10:10 and, for example, 19:1–2.

35. Although there is no explicit early evidence for the exclusion of Gentiles from the Temple, a number of postexilic sources are replete with this ideal. In addition to the sources cited below, see Isa. 52:1 and 2 Chron. 8:11. But on the latter verse, see Cohen, “Solomon and the Daughter of Pharaoh,” pp. 34–37; Cohen suggests that Solomon’s motive in 2 Chron. 8:11 was not to exclude foreigners, but to prevent his having marital relations in the vicinity of the sanctuary.

36. See 7:21, 36:20–21, and the following quotation.

37. Cf. Hoenig, “Oil and Pagan Defilement,” p. 70.

is to be compared to the exclusion of priests with a physical deformity: they are excluded because they are profane, even though they are not impure.<sup>38</sup>

### *The Greco-Roman Period*

In the Jewish literature of the Greco-Roman period we see three phenomena relating to Gentile impurity. First we see purity terminology used with reference to certain behaviors of Gentiles, and to underscore warnings against Jewish participation in such behaviors. As we will see, these texts—at the most—assume Gentiles to be morally impure. Second, we see a continued exclusion of Gentiles from the holy precincts, which in one questionable instance includes the entire city of Jerusalem. This phenomenon results from the conception of Gentiles as having a lower, and more profane, status—not ritual impurity. Finally, in two first-century sources (Josephus and the New Testament) we see evidence that some Jews *may* have considered Gentiles to be ritually impure.<sup>39</sup>

### Gentiles as Morally Impure

In Jubilees,<sup>40</sup> the author incorporates the following admonition into Abraham's blessing of Jacob (22:16):

38. The bulk of the evidence suggests that the exclusion of Gentiles from the Temple gained popularity in the Persian period. Sanders, in his *Judaism*, recalls Num. 15:14–16 and Josephus, *Antiquities* 12.145–146, and concludes that the exclusion of Gentiles from the Temple was achieved by “the late third or early second century B.C.E.” (p. 72). Yet Sanders errs in believing that the exclusion from the Temple is a reflection of Gentile impurity (“Jewish Association with Gentiles,” p. 176); this view is also held by Scot McKnight, *A Light Among the Gentiles: Jewish Missionary Activity in the Second Temple Period* (Minneapolis: Fortress Press, 1991), p. 23. In favor of the position taken here are Elias J. Bickerman, “The Warning Inscriptions of Herod's Temple,” *Jewish Quarterly Review* 37 (1946–47): 387–405; Hoenig, “Oil and Pagan Defilement,” p. 70, and Porton, *Goyim*, pp. 259–268.

39. Generally, on Jewish purity law in this period, see Neusner, *Idea of Purity in Ancient Judaism*, pp. 32–71.

40. Scholarly consensus dates Jubilees to the second century B.C.E. Since it will be demonstrated that Jubilees does not consider Gentiles to be ritually impure, it will not be necessary for our purposes to consider the sectarian nature of this work. See Schürer and Vermes, *History of the Jewish People*, vol. 3, pp. 312–313.

Separate from the nations, and do not eat with them. Do not act as they do, and do not become their companion, for their actions are something that is impure, and all their ways are defiled and something abominable and detestable.<sup>41</sup>

Due to its use of purity language and its demand for separation from the Gentiles, this passage has been used to defend the antiquity of the ritual impurity of Gentiles.<sup>42</sup> Yet the concern here is not that Gentile persons are ritually defiling,<sup>43</sup> but that Gentile behavior is morally abominable, because they practice idolatry (22:17–22).<sup>44</sup> For this reason, Abraham urges his descendants to remain separate from them—even to refrain from eating with them.<sup>45</sup> Yet Jubilees here says nothing about Gentiles themselves being a source of ritual impurity.

A subsequent passage, Jubilees 30, reiterates the prohibition of intermarriage, and for the first time explicitly extends the prohibition to all Gentiles (30:7).<sup>46</sup>

If there is a man in Israel who wishes to give his daughter or his sister to any foreigner, he is to die. He is to be stoned because he has done something sinful and shameful within Israel. The woman is to be burned because she has defiled the reputation of her father's house; she is to be uprooted from Israel.<sup>47</sup>

41. Translation here and below from James C. VanderKam, *The Book of Jubilees*, 2 vols. (Louvain: Peeters, 1989); here vol. 2, p. 131. Also see O. S. Wintermute, "Jubilees: A New Translation and Introduction," in *The Old Testament Pseudepigrapha*, ed. James Charlesworth, vol. 2 (Garden City, N.Y.: Doubleday, 1983), pp. 35–142.

42. For example, Dunn, "Incident at Antioch," p. 142; and Neyrey, "Idea of Purity in Mark's Gospel," p. 100.

43. Jubilees allows for the ownership of Gentile slaves (15:12–13, 24), a practice which would not be condoned if Gentile persons were considered an inherent source of ritual defilement. Presumably, the behavior of slaves can be controlled.

44. See also 1:9, 12:2, 20:7, 21:15, and 22:22, which all consider idolatry to be defiling.

45. The concern about eating with Gentiles (22:16) is echoed in other texts of the period as well; cf. Dan. 1:8; Jud. 12:1–2; Tob. 1:10–12; *Joseph and Asenath* 7:1, 8:5; Add. Est. 14:17; and 3 Macc. 3:4. The concern about "inter-eating" results generally from concern about impure foods, but idolatry is also noted as a concern (*Joseph and Asenath* 8:5; Add. Est. 14:17; and *Aristeas* 139, 142, 145). It is difficult, if not impossible, to see this concern as a reflection of Gentile ritual impurity. If that were the concern, all such contact would be problematic, not just eating together. See Hoening, "Oil and Pagan Defilement," esp. pp. 70–71; Sanders, "Purity, Food and Offerings in the Greek-Speaking Diaspora," *Jewish Law from Jesus to the Mishnah*, pp. 255–308; cf. idem, *Judaism*, pp. 214–217.

46. See Cohen, "From the Bible to the Talmud," p. 26.

47. VanderKam, *Book of Jubilees*, vol. 2, p. 193

The text goes on, emphasizing the importance of avoiding various sexual defilements. Jubilees' use of purity language in these and similar passages reflects not the ritual purity laws of Leviticus 11–15, but the prohibitions applied to all Israel in Leviticus 18.<sup>48</sup> Intermarriage is prohibited not because Gentile persons are ritually impure, but because Gentiles commit idolatry and sexual sins.<sup>49</sup> Indeed, Joseph—who is praised for his refusal to fornicate with Potiphar's wife—is apparently left unaffected by the physical contact that occurred when she embraced him (39:9). Ritual purity is the concern of only one passage in Jubilees (3:8–14), which echoes some of the childbirth purity laws of Leviticus 12:2–5.<sup>50</sup> Moral impurity, however, is Jubilees' constant concern.<sup>51</sup> As noted above, contact with what is ritually impure conveys a temporary and removable form of uncleanness. In Jubilees, however, Jewish association with Gentiles is understood to result in Jewish participation in the abominable practices of their neighbors. Jubilees' strong polemic against Jewish-Gentile interaction, which seeks to preserve Israel's moral purity, does not testify to the ritual impurity of Gentiles.

As in Jubilees, in *Joseph and Asenath*, Joseph refuses to lie with an idolatrous woman.<sup>52</sup> In fact, Joseph even refuses to kiss Asenath, because “It is not fitting for a man who worships God . . . to kiss a strange woman who will bless with her mouth dead and dumb idols and eat from their table bread of strangulation” (8:5).<sup>53</sup> Yet Joseph is willing to touch Asenath, for he puts off her advance by placing his hand on her chest (8:5). While kissing such a woman is considered an abomination (8:7), Asenath is not referred to as

48. Cf. 16:5, 20:3–7, and 23:14–17. On the interpretation of Lev. 18, see Cohen, “From the Bible to the Talmud,” p. 26.

49. The connection between the prohibition of intermarriage and the concern with idolatry is commonplace in Jewish literature of the Greco-Roman period. The following passages, among others, all explicitly connect the prohibition with the concern that intermarriage leads to idolatry: Josephus, *Antiquities* 8:190–196; Philo, *Special Laws* 3:29; Pseudo-Philo, *Biblical Antiquities* 21:1, 30:1, 43:5; and Test. Levi 9:10. Generally, see Cohen, “From the Bible to the Talmud,” esp. pp. 26–27; and McKnight, *Light Among the Gentiles*, pp. 23–24.

50. Surprisingly, there is no great concern in Jubilees about ritual purity per se. The extensive narrative of Abraham's death, for instance, does not include any mention of corpse impurity or any reminders of the need to be concerned with that taboo.

51. Cf. the passages listed in nn. 45 and 49 above.

52. This work most likely originated in Egypt, between ca. 100 B.C.E. and 117 C.E. See Schürer and Vermes, *History of the Jewish People*, vol. 3, pp. 548–549.

53. Translation by C. Burchard in Charlesworth, *Old Testament Pseudepigrapha*, vol. 2, pp. 177–248.

ritually impure in any way. Asenath's kiss—and more—becomes permissible for Joseph when Asenath has renounced idolatry (19:5, 10).<sup>54</sup> And yet, Asenath has performed no conversion rituals and no formal rites of purification, though she does wash her hands and face in 14:15.<sup>55</sup> Joseph's problem is this: he will not kiss a woman whose lips may have uttered idolatrous phrases or consumed unclean food (8:5). Such an act would be a direct association with idolatry. Yet, in this text, it seems that anyone who renounces idolatry is no longer a source of impurity. The source of this moral impurity—if it can even be called that, since this text does not use such language—is not Gentiles, but idolatry.<sup>56</sup>

The following passage from the *Letter of Aristeas* has been similarly misinterpreted as evidence for the notion of Gentile impurity:<sup>57</sup>

When therefore our lawgiver, equipped by God for insight into all things, had surveyed each particular, he fenced us about with impregnable palisades and with walls of iron, to the end that we should mingle (ἐπιμισγώμεθα) in no way with any of the other nations, remaining pure (ἄγνοι) in body and in spirit, emancipated from vain opinions, revering the one and mighty God above the whole of creation. . . . And therefore, so that we should be polluted by none nor be infected with perversions by associating with worthless persons, he has hedged us about on all sides with prescribed purifications in matters of food and drink and touch and hearing and sight (139, 142).<sup>58</sup>

Again, the use of purity language in this passage has caused it to be misinterpreted. *Aristeas* is concerned here not with the ritual impurity of Gentiles, but with their morally impure behavior. This passage is lifted from

54. It is not perfectly clear that Asenath has converted; she may only have renounced idolatry, which is not tantamount to conversion to Judaism. See Shaye J. D. Cohen, "Crossing the Boundary and Becoming a Jew," *Harvard Theological Review* 82, no. 1 (1989): 13–33, esp. p. 21.

55. This would not, however, be sufficient for the removal of ritual impurity.

56. It also seems that it is possible for Jews and Gentiles to eat together (21:8); see n. 46 above and the discussion of *Aristeas* below.

57. See Dunn, "Incident at Antioch," p. 142.

58. Translation from Moses Hadas, *Aristeas to Philocrates* (New York: Harper & Brothers, 1951), p. 157. This letter is generally believed to date from the second century B.C.E. (Schürer and Vermes, *History of the Jewish People*, vol. 3, pp. 679–684). Also see R. J. H. Shutt, "Letter of Aristeas: A New Translation and Introduction," in Charlesworth, *Old Testament Pseudepigrapha*, vol. 2, pp. 7–34.

a larger apologetic that is concerned primarily with the food laws and their capacity to separate Jews from Gentiles (149–151; cf. 128, 138, 169). The dietary practices of the Gentiles are associated with their idolatry (138) and sexual indiscretion (152), while the dietary restrictions of the Jews serve to keep them safe from such practices (139, 142, 149). This perspective, however, does not embrace a notion of an inherent, ritual Gentile impurity. The Jewish translators eat in the king's palace on seven consecutive nights, after he has made proper preparations (181–186).<sup>59</sup> In *Aristeas*, Jews and Gentiles can associate, and provided the proper preparations have been made, they can even eat together. The ritual impurity of Gentiles is not to be found in *Aristeas*, or, for that matter, in the other Jewish literature of this period.<sup>60</sup>

### Exclusion of Gentiles from the Temple

A number of sources from the Greco-Roman period testify that it was unlawful for Gentiles to enter the Temple.<sup>61</sup> These references—and the actual inscriptions that have been excavated<sup>62</sup>—are clearly relevant to the issue at hand, but they do not testify that Gentiles were considered ritually impure. In

59. These preparations, though not clearly explained, are alluded to again in 203, 221, 236, 248, 262, and 275. See also 274, where the king is depicted as “mingling” (συνών) with his Jewish guests.

60. Alon originally suggested that Judith's rituals of purification (12:7) were a response to the contact with Gentiles that occurred while she was in Holofernes' camp (“Levitical Uncleaness of Gentiles,” p. 154). Yehoshua Grintz also entertains the idea in his (Hebrew) *The Book of Judith: A Reconstruction of the Original Hebrew Text with Introduction, Commentary, Appendices and Indices* (Jerusalem: Bialik Institute, 1986), pp. 158–159. Alon later suggested that Judith bathed before her prayers because it was her custom to do so, whether in the company of Israelites or Gentiles; cf. “The Bounds of the Laws of Levitical Cleaness,” *Jews, Judaism and the Classical World*, pp. 190–234, esp. p. 202 (Hebrew original: *Tarbiz* 9 [1937]: 1–10, p. 8). Alon's retraction was wise: there is not enough material in the text to conclude that Judith considered her Gentile associates to be ritually impure. Indeed, the ease with which Achior enters the city and even becomes a Jew—all without any ritual of purification—argues against the notion that this text assumes Gentiles to be ritually impure.

61. *Jewish War* 5:193; *Antiquities* 12:145, 15:417; cf. Philo, *Embassy to Gaius* 212. See also *Jewish War* 1:152, 1:354; *Antiquities* 3:318–319, 11:101, 14:482. The Mishnah's position on this issue (e.g., M. Kelim 1:8) will be considered below in “The Mishnah: Traces of Gentile Impurity.” See McKnight, *Light Among the Gentiles*, pp. 22–23.

62. P. Jean-Baptiste Frey, *Corpus Inscriptionum Iudaicarum*, 2 vols. (Vatican City: Pontifical Institute of Christian Archaeology, 1936, 1952), vol. 2, # 1400. The text is also reproduced in Ralph Marcus and Allen Wikgren, eds., *Josephus*, vol. 8 (Cambridge, Mass.: Harvard University Press [Loeb Classical Library], 1969), pp. 202–203. For a discussion, see Bickerman, “Warning

Elias Bickerman's words, "The pagan visitor of the Temple however was shut out not because his hands or heart were unclean but because he was an alien."<sup>63</sup> Most of our sources—including, unfortunately, the inscriptions—provide no explanation for this exclusion. *Antiquities* 12:145 implies that the exclusion of Gentiles was a purity law, for Gentiles are excluded from the Temple just as the flesh of unclean beasts is excluded from Jerusalem.<sup>64</sup> Yet *Jewish War* 5:193 is more to the point: the concern is with the sanctity of the Temple, which must be protected from impurity as well as a host of other things. Hence women, whether ritually impure or not, are excluded from entry beyond the court reserved for them.<sup>65</sup> Women and Gentiles, as well as impaired priests, are excluded not because they are impure, but because they are of a lower, and more profane, status. If Gentiles were considered ritually impure, we would expect them to defile in and out of the Temple, because there is no category of ritual impurity that results only in an exclusion from the Temple.<sup>66</sup> In addition, we would expect there to be some purification ritual they could perform, in order to rid themselves of ritual impurity. Gentiles were excluded from the Temple not because they were impure, but because they were profane.<sup>67</sup>

Inscriptions of Herod's Temple," and Virgil Roy Lee Fry, "The Warning Inscriptions from the Herodian Temple" (Ph.D. diss., Southern Baptist Theological Seminary, 1974).

63. "Warning Inscriptions of Herod's Temple," p. 390; cf. *Against Apion* 2:209–210, 2:257–261. According to Bickerman, the exclusion of aliens was a common practice among the peoples of the ancient world (pp. 389–390).

64. Cf. J. M. Baumgarten, "Exclusions from the Temple: Proselytes and Agrippa I," *Journal of Jewish Studies* 33 (1982): 215–225, esp. pp. 215–216.

65. *Jewish War* 5:198–204, *Antiquities* 15:319; cf. M. Kelim 1:8–9, cited below in "The Mishnah: Traces of Gentile Impurity."

66. Thus we must reject Sanders's suggestion that the exclusion of Gentiles was the only practical ramification of Gentile impurity ("Jewish Association," p. 176).

67. Both the Temple Scroll and 4Q Florilegium suggest that proselytes were to be excluded from the Temple (11QT XL:6; 4Q Flor I:4). See Joseph M. Baumgarten, "The Exclusion of 'Netinim' and Proselytes in 4Q Florilegium," *Revue de Qumran* 8, no. 1 (1972): 87–95, and "Exclusions from the Temple," pp. 215–225. At Qumran, proselytes (again, like women) are excluded from the Temple but are not otherwise considered to be impure. The exclusion of proselytes results from their inherent profaneness: so inherent is this profaneness that it endures even after conversion. See Lawrence H. Schiffman, "Exclusion from the Sanctuary and the City of the Sanctuary in the Temple Scroll," *Hebrew Annual Review* 9 (1985): 301–320, esp. pp. 303–305.

In *Jewish War* 1:229 and its parallel in *Antiquities* 14:285, it is related how Malichus persuaded Hyrcanus to bar Herod from entry into Jerusalem, lest his soldiers violate the purification that preceded the holiday.<sup>68</sup> Alon presents this text as unambiguous testimony that Gentiles were considered impure.<sup>69</sup> This approach to the passage is too simplistic. First of all, it must be kept in mind that Malichus had serious concern for his own life, and had reason to bar Herod from Jerusalem at all costs.<sup>70</sup> Both *Jewish War* and *Antiquities*, moreover, make it clear that Malichus' claim was merely an excuse for keeping Herod out.<sup>71</sup> When Herod did enter the city, presumably with his entourage, the only people who seem to have been upset about it were Malichus and Hyrcanus. No purity-conscious crowds raised great objections. But even if they had, this would be further evidence that Jews were concerned with excluding Gentiles from sacred precincts, and not with the ritual impurity of Gentiles.<sup>72</sup>

### Gentile Ritual Impurity in First-Century Palestine?

In *Jewish War* 2:150, Josephus notes that Essenes bathe when touched by a member of an inferior caste, "as after contact with an alien" (ἀπολούεσθαι καθάπερ ἄλλοφύλῳ συμφυρέντας). Alon believes that the simile compares the relationship between the varying groups of Essenes to the relationship between all Jews and Gentiles.<sup>73</sup> This interpretation, however, is forced. The

68. Presumably Sukkoth (cf. the rabbinic use of טה). See Ralph Marcus, ed., *Josephus*, vol. 7 (Cambridge, Mass.: Harvard University Press [Loeb Classical Library], 1976), p. 413 n.d. The Greek translated by Marcus as "to purify" is ἀγνεύω. The regular Septuagint parallel for ῥησ is καθαρίζειν.

69. "Levitical Uncleaness of Gentiles," p. 154.

70. Malichus had murdered Antipater, and Herod did subsequently kill him in revenge (*Antiquities* 14:292).

71. Note *Jewish War*'s πρόφασις ("pretense") and *Antiquities*' προβέβλητο δὲ αἰτίαν ("he gave as a pretext").

72. Josephus describes in detail the care taken to keep the priestly vestments pure (*Antiquities* 18:90–95), and Alon believes that the passage also testifies to the ritual impurity of Gentiles ("Levitical Uncleaness of Gentiles," p. 154). However, there is a text-critical problem here that Alon does not mention: the purification being discussed may apply only to the high priest (*Antiquities* 18:94; see L. H. Feldman, ed., *Josephus*, vol. 9 (Cambridge, Mass.: Harvard University Press [Loeb Classical Library], 1969), p. 67, n.b.). More importantly, the text itself gives no reason to assume that the vestments—or the priest—were made impure by contact with Gentiles.

73. "Levitical Uncleaness of Gentiles," pp. 153–154.

text has only Essenes in mind; it is not a running comparison between Essenes and other Jews. One can deduce from this text only that Essenes bathed after contact with Gentiles, in addition to bathing after contact with low-status Essenes. Assuming that Josephus' facts are right, this report would constitute the earliest evidence that some Jews—in this case Essenes—considered Gentiles to be ritually defiling. Josephus' Essenes also considered oil to be defiling, a conception that was not common to all Jewry (*Jewish War* 2:123).<sup>74</sup> Thus what may have been true of Josephus' Essenes was not necessarily characteristic of other Jews.<sup>75</sup>

Acts 10:28 is commonly cited as evidence for the notion of Gentile impurity.<sup>76</sup> The passage describes the conversion of the God-fearing centurion, Cornelius, whose home Peter visits. Peter addresses a crowd that has gathered there, saying: "You yourselves know how unlawful it is for a Jew to associate with or to visit any one of another nation; but God has shown me that I should not call any man common or unclean." Peter here all but says that Jews consider Gentiles to be defiling. And what is more, the prohibition of visiting the home of a non-Jew (προσέρχεσθαι ἀλλοφύλῳ) finds a parallel in M. Ohalot 18:7, which declares Gentile houses to be unclean.<sup>77</sup> Yet there are a number of problems with seeing this verse as evidence of Gentile ritual impurity. First, the term translated by RSV as "to associate" (κολλᾶσθαι) almost always implies a very close association. Throughout Luke-Acts, the term is used to mean "join," though on one occasion it means "cling."<sup>78</sup> In other New Testament literature, the term is often employed in a sexual context; following the Septuagint, Matthew 19:5 uses it in a translation of

74. Hoenig, "Oil and Pagan Defilement," pp. 63, 66.

75. Even though the relationship between Qumran and the Essenes is questioned, it is important to note that, *Jewish War* 2:150 notwithstanding, there is little evidence from the Qumran literature itself to support the claim that all Gentiles were considered to be ritually impure. Despite Qumran's purity consciousness, some of the sectarian legislation assumes economic relations with the Gentiles. For example, CD XII:6–11 prohibits selling certain animals and Jewish slaves to Gentiles, but not all economic activity.

76. Alon, "Levitical Uncleaness of Gentiles," p. 154; Neyrey, "Idea of Purity in Mark's Gospel," p. 100; Strack and Billerbeck, *Kommentar zum Neuen Testament*, vol. 1, p. 102. Acts is commonly dated to the end of the first century or the beginning of the second century C.E. See Hans Conzelmann, *Acts of the Apostles* (Philadelphia: Fortress Press, 1987), p. xxxiii.

77. At least until the houses are examined (18:8); see below, "The Mishnah: Traces of Gentile Impurity."

78. The word means "join" in Luke 15:15 and Acts 5:13, 8:29, 9:26, and 17:34, and "cling" in Luke 10:11. See also Rom. 12:9, where RSV translates the verb as "hold fast."

Genesis 2:24.<sup>79</sup> It is by no means clear, therefore, that this passage implies that simple contact with Gentiles is forbidden. It is more likely that close contact, such as visiting homes, is what this verse has in mind. Moreover, it is important that Peter does not here say that such contact with Gentiles is defiling; he says that it is forbidden.<sup>80</sup> Thus it appears that Acts 10:28 should be seen in the light of texts like Jubilees and *Aristeas* that see certain Jewish-Gentile interactions as prohibited lest they lead to idolatry. Acts 10:28 should not be seen as a parallel of M. Ohalot 18:7, which does not forbid visiting Gentile homes, but considers it defiling.<sup>81</sup>

And of course it must be emphasized that the author of Acts was himself a Gentile,<sup>82</sup> who was by no means sympathetic to Jews or Judaism.<sup>83</sup> Thus one can assume that Luke is exaggerating in Acts 10:28.<sup>84</sup> Indeed, Luke himself provides evidence of his exaggeration when describing the so-called "God-fearers."<sup>85</sup> The term appears a number of times in Acts,<sup>86</sup> and each of these passages testifies that Gentiles came to the synagogues or otherwise socialized closely with Jews. Acts 14:1 reports, in addition, that Paul preached

79. Gen. 2:24: "Hence a man leaves his father and clings to his wife." The word is used similarly in a number of other New Testament passages. See particularly 1 Cor. 6:16–17 and Eph. 5:31.

80. Cf. Schürer and Vermes, *History of the Jewish People*, vol. 2 pp. 83–84, which interprets Acts 10:28 in the light of M. Ohalot 18:7: "[Acts 10:28] does not mean that such an association was forbidden, but that each such association was a cause of defilement." This view, however, is forced: the Greek term used here (ἄθεμιτος) means "unlawful."

81. Another important New Testament verse to consider is John 18:28, which states that there were Jews who refused to enter the praetorium lest they be defiled and not be able to eat the Passover sacrifice. It should be noted that according to John 18, Matt. 27, and Mark 15, the praetorium is where Jesus was beaten. One can assume that any number of bloody activities took place there, and that there would have been a fear of contracting corpse impurity.

82. Helmut Koester, *Introduction to the New Testament*, vol. 2, *History and Literature of Early Christianity* (Philadelphia: Fortress, 1982), p. 310; Joseph A. Fitzmyer, *The Gospel According to Luke I–IX: A New Translation with Introduction and Commentary*, Anchor Bible, vol. 28 (New York: Doubleday, 1979), pp. 41–47.

83. Jack T. Sanders, *The Jews in Luke-Acts* (Philadelphia: Fortress, 1987).

84. *Ibid.*, p. 257.

85. A. T. Kraabel questioned the existence of God-fearers in antiquity in "The Disappearance of the 'God-Fearers'," *Numen* 28 (1981): 113–116. Yet Louis Feldman provides a thorough review of the evidence, and all but proves the existence of God-fearers in antiquity in his "Proselytes and 'Sympathizers' in the Light of the New Inscriptions from Aphrodisias," *Revue des études juives* 148 (1989): 265–305.

86. See Acts 10:2, 22, 35; 13:16, 26, 43, 50; 16:14; 17:4, 17; 18:7 (Kraabel, "Disappearance of the 'God-fearers'," pp. 114–115).

in a synagogue at Iconium and spoke to a company of Jews and Greeks. There seems to have been a similar situation in Thessalonica, as reported in Acts 17:1–4. Despite 10:28, Acts as a whole sees no inherent barriers to Jewish-Gentile interaction, even in synagogues. Had Gentiles really been considered to be inherently impure (ritually or morally), Gentiles would not have been invited to the synagogues, and the class of God-fearers would not have existed.<sup>87</sup>

### *Gentile Ritual Impurity in Tannaitic Sources*

With the rise of rabbinic Judaism, the concept of Gentile impurity experienced a transformation.<sup>88</sup> In contrast to much of the earlier literature, the Mishnah and the Tosefta do not refer to the moral impurity of Gentiles. This follows from the fact that the tannaim used purity language almost exclusively with reference to ritual impurity.<sup>89</sup> On the other hand, idolatry has become a source of ritual impurity in its own right.<sup>90</sup> And although Gentiles are still considered exempt from the ritual purity system, a number of tannaitic sources assume Gentiles to be ritually impure.<sup>91</sup> The Mishnah preserves a few traces of this notion, while the Tosefta explicitly articulates a principle of Gentile impurity. The Talmudim, finally, preserve the tradition that Gentile impurity emerged through tannaitic decree—a claim whose historicity, oddly enough, has been too often rejected.

87. One other passage in Acts is pertinent to our topic, and that is the narrative in Acts 21 in which Paul is arrested on the charge of having introduced Gentiles into the Temple. The interpretations applied to the Josephus passages noted above apply here as well. Note how, in 21:28, Paul is accused of profaning (κοινῶν) the Temple, not defiling it. Acts 24:6 employs the similar term βεβηλόω (which in the Septuagint commonly translates ללל). Note also that Paul purifies himself before entering the Temple (Acts 21:23–26). In this regard see M. Yoma 3:3, which obligates all Jews—even those not impure—to immerse before entering the Temple court for service.

88. Generally, on rabbinic purity law, see Neusner, *A History of the Mishnaic Law of Purities*, 22 vols. (Leiden, E. J. Brill, 1974–77), esp. vol. 22.

89. This point is emphasized by Neusner and Chilton in “Uncleanliness in Formative Judaism,” pp. 81–85.

90. See, for example, M. Avodah Zarah 3:6. Generally, see Büchler, “The Defiling Force of Sin in Post-Biblical and Rabbinic Literature,” in *Studies in Sin and Atonement*, pp. 270–374.

91. The best review of Gentile impurity in tannaitic sources is Porton, *Goyim*, pp. 269–283. Porton, however, deals with the Mishnah and Tosefta as a unit, while for this topic, it is better to deal with them separately.

### The Mishnah: Traces of Gentile Impurity

It is important to note at the outset that the Mishnah, for the most part, considers Gentiles to be unaffected by the ritual purity system.<sup>92</sup> M. Negaim 3:1 states explicitly that Gentiles do not contract impurity from “leprous” impurities (נגעים).<sup>93</sup> The same is true of Gentile clothing and dwelling places (M. Negaim 11:1, 12:1), and M. Zabim 2:1 suggests that Gentiles are not susceptible to impurity from irregular genital flows.<sup>94</sup> Gentile corpses do not convey impurity by carriage (M. Niddah 10:4),<sup>95</sup> and Gentile semen is also not considered to be a source of impurity for Israelites (M. Mikvaoth 8:4). According to M. Niddah 7:3, the bloodstains of Gentiles do not convey impurity.<sup>96</sup>

A few mishnaic sources, however, appear to attribute menstrual impurity to Gentile women. In M. Niddah 4:3 (= M. Eduyot 5:1) the houses of Hillel and Shammai dispute over the status of a Gentile woman’s blood. The School of Shammai deems the blood to be pure, while the School of Hillel deems the blood to be impure, like her spittle and urine.<sup>97</sup> This perspective finds some confirmation in M. Toharot 5:8, which deems impure all the spittle of a town in which a Gentile, Samaritan, or mentally unfit woman dwells. This text also, by singling out Gentile women, suggests that Gentiles were held to be susceptible to menstrual impurity. Compare M. Makshirin 2:3, which rules on urine pots used by both Israelites and Gentiles: “if the greater part was from

92. Generally, see Alon, “Levitical Uncleanness of Gentiles,” pp. 154–156; Porton, *Goyim*, pp. 272–273.

93. Unless otherwise noted, all cited passages are unattributed. Translations of the Mishnah and of certain mishnaic terms here and below are taken from Herbert Danby, *The Mishnah: Translated from the Hebrew with Introduction and Brief Explanatory Notes* (Oxford: Oxford University Press, 1933). Note that Danby uses “uncleanness” in place of “impurity.”

94. “All are susceptible to uncleanness by reason of a flux, even proselytes,” but not Gentiles. Compare T. Zabim 2:1, quoted below in “The Tosefta: Gentile Impurity Established.”

95. Cf. B. Nazir 61b.

96. Gentile lands are presumed to be impure (M. Toharot 4:5), but this affects Israelites, not Gentiles.

97. Büchler emphasizes the importance of this text and suggests that the attribution of menstrual impurity to Gentile women was the earliest stage (ca. early 1st cent. C.E.) in the emergence of the notion of Gentile impurity (“Levitical Impurity of the Gentile,” pp. 9–15). Alon, on the other hand, accepts the Gemara’s resolution of this conflict, and suggests that the dispute in M. Niddah 4:3 actually concerns flux impurity (ibid., pp. 161–162, esp. n. 27). The plain sense of the Mishnah, which explicitly mentions the blood of a Gentile woman, precludes Alon’s interpretation.

the clean persons, the whole is clean; if the greater part was from the unclean persons, the whole is unclean.” Here the concern *may* be menstrual impurity; the concern could also be flux impurity. But this text does not unambiguously equate the Gentiles with the impure. Rather, it seems that Gentiles, like Jews, may be pure or impure, depending on the circumstances.<sup>98</sup> Possibly, all three of these passages assume that Gentiles convey menstrual impurity. Even so, the evidence is far from overwhelming.

There are also a few passages in the Mishnah that appear to attribute corpse impurity to Gentiles. In M. Ohaloth 18:7, the dwellings of Gentiles in the land of Israel are considered unclean, ostensibly because Gentiles were in the habit of throwing miscarriages down their drains.<sup>99</sup> Importantly, this ruling does not apply to all Gentile dwellings: certain residences are not susceptible to impurity at all (18:9–10), and the rest can be deemed pure upon examination (18:8). Moreover, there is no evidence that the impurity discussed here extends beyond the dwelling. Since the impurity of Gentile houses applies only to the house, and pertains only in certain circumstances, there is no evidence here of the ritual impurity of Gentiles *per se*.

M. Pesahim 8:8 (= M. Eduyot 5:2) records a debate between the houses of Hillel and Shammai:

The School of Shammai say: If a man became a proselyte on the day before Passover he may immerse himself and consume his Passover-offering in the evening. And the School of Hillel say: He that separates himself from his uncircumcision is as one that separates himself from a grave.

98. It is also possible, but less likely, that M. Makshirin 2:3 assumes that Gentiles are never impure. Thus the pots would be considered clean if the combined number of Gentiles and pure Israelites is higher than that of impure Israelites. There is another relevant ruling that is equally inconclusive with regard to our topic. M. Sheqalim 8:1 states: “Any spittle found in Jerusalem may be deemed free from uncleanness, excepting what is found in the Upper Market. So R. Meir.” Since this statement is attributed to Rabbi Meir, it can be assumed that the rest of the sages held a different opinion, and it is difficult—if not impossible—to tell here what that opinion would have been. In the Yerushalmi (8:1; 51a), R. Avin says in the name of Joshua b. Levi that the prohibition is due to the presence of Gentiles in Jerusalem, but other explanations are offered as well.

99. Cf. M. Ohalot 18:8 and M. Niddah 3:7; cf. Maimonides, *Commentary on the Mishnah* ad loc.; Chanokh Albeck, *Shishah Sidre Mishnah*, 6 vols. (Jerusalem: Bialik Institute, 1958), vol. 6, p. 186; Neusner, *Mishnaic Law of Purities*, vol. 4, pp. 340–341; Porton, *Goyim*, p. 274, n. 22.

This text is commonly presented as evidence of Gentile impurity.<sup>100</sup> Yet what it implies, I think, is that, according to the Hillelites, the conversion process (for males) results in a temporary defilement.<sup>101</sup> The text does not explain why this is so, but it likewise does not state that unconverted Gentiles defile in any way. And importantly, the text concerns only men, and thus relates nothing about the status of Gentile women.

M. Kelim 1:8–9 sets forth who is excluded from which chambers of the Temple in Jerusalem. In this scheme, Gentiles are put in the same category as those who have contracted impurity from contact with a corpse—these all being excluded from the rampart (החיל).<sup>102</sup> Importantly, this ruling is inconsistent with the later tradition that holds Gentiles to be impure like those who suffer from flux (*zabim*), for *zabim*, menstruants, and parturians are barred from the Temple Mount altogether (M. Kelim 1:8). Keeping in mind all that has been said above, it is not necessary to view an exclusion from the Temple as tantamount to a declaration of impurity. Although many exclusions are based on ritual purity, some are based on status. The Court of Israelites is off limits to all women, as well as those (men) who have not completed their atonement (M. Kelim 1:8; cf. M. Middot 2:5). Of course, only the high priest is allowed in the Holy of Holies, but this is not the result of the impurity of the other priests. The high priest has a higher status than the other priests, and the priests, in turn, have a higher status than impaired priests or Israelite men. Similarly, Israelite men have a higher status than Israelite women, and even Israelite women have a higher status than Gentiles. None of these classes is considered to be inherently ritually impure.

M. Toharot 7:6 contains the Mishnah's only unambiguous ruling about Gentile impurity.<sup>103</sup> This passage deals with the status of a house that has been entered either by tax collectors or by thieves, among whom there may

100. Alon, "Levitical Uncleaness of Gentiles," pp. 150–151; Dunn, "Incident at Antioch," p. 142; cf. Strack and Billerbeck, *Kommentar zum Neuen Testament*, vol. 1, pp. 102–104.

101. The Gemara (Pesahim 92a) suggests that this is a preventive measure, lest the new convert, who could never have contracted impurity before his conversion, think that impurities contracted before Passover can be removed without waiting a week.

102. On the rampart see M. Middot 2:3.

103. Mention should be made of M. Terumot 8:11, which implies that a Gentile can defile a heave-offering. It is not indicated, however, how that defilement occurs—whether the Gentile's touch is sufficient, or whether the Gentile intends to bring the offering into contact with some impure substance. It is likely that the term "defile" here means something more insidious than simple contact, since the following paragraph (M. Terumot 8:12) uses the term "defile" in the sense of "rape."

have been a Gentile. The house entered by tax collectors is deemed to be impure whether or not a Gentile was among them. The assumptions here are that Jewish tax collectors would have been ignorant of or insensitive to the law (עמי הארץ), and that tax collectors touch everything in a house.<sup>104</sup> The Mishnah goes on to discuss a robbed house, all of which is deemed impure if a woman or a Gentile was among the thieves—regardless of what was or was not touched. It is difficult to interpret this Mishnah without the assumption that Gentiles are impure.<sup>105</sup>

While some mishnaic passages operate on an assumption of Gentile impurity, the evidence that has been reviewed here is not conclusive. More than one-sixth of the Mishnah is devoted to the laws of impurity, and only eight mishnaic statements are even worthy of consideration in this regard. Of these passages, only three testify to some form of Gentile impurity: M. Niddah 4:3 (where the Hillelites ascribe menstrual impurity to Gentile women), M. Ohalot 18:7 (which deem certain Gentile houses to be impure), and M. Toharot 7:6 (which deems Gentiles themselves to be impure). The paucity of sources is notable, but what is more significant is the fact that the notion of Gentile impurity does not figure prominently exactly where it should the most: Tractate Avodah Zarah.

Tractate Avodah Zarah is more concerned with Jewish-Gentile interaction than any other tractate in the Mishnah. It is also this tractate that is concerned with the defiling force of idolatry.<sup>106</sup> Yet the primary ontological categories relating to idolatry and Gentiles are not “pure” and “impure” but “permitted”

104. For the juxtaposition of sinners with tax collectors, cf. Matt. 9:9–13, Mark 2:13–17, and Luke 5:27–32.

105. The Tosefta (Toharot 8:6) assigns this ruling to R. Meir. For a ruling that permits admitting a Gentile woman into a Jewish home, see M. Avodah Zarah 2:1, discussed in this section.

106. Alon ultimately suggests that Gentile impurity results from the impurity of idols and idolatry (“Levitical Uncleaness of Gentiles,” p. 147). Alon’s reasoning is as follows: He notes that rabbinic sources differ with regard to the nature of Gentile impurity, some sources comparing Gentiles to a *zab*, others to a reptile, and others to a corpse (pp. 168–169). Alon sees a similar confusion with regard to idol impurity, and therefore assumes that there must be a linear connection between the two (pp. 171–172). Alon’s logic is faulty enough on its own, but the analysis of M. Avodah Zarah further weakens his thesis. If Gentiles were considered to be inherently impure from the earliest times, because of association with idolatry, as Alon suggests, then one would expect to find reflections of that injunction here in the tractate. Yet, as will be seen, there are few echoes of the impurity of idols here, and none of the impurity of Gentiles.

and “forbidden.”<sup>107</sup> Indeed, it is striking how little the issue of impurity figures in this tractate. Idol impurity emerges for the first time only halfway through the document, in 3:6. Moreover, idol impurity is hardly inherent: *M. Avodah Zarah* 3:8 states that “None may sit in its shadow, but if he has sat there he remains clean.”<sup>108</sup> The impurity of Gentiles, in this tractate, is even less of a concern. *M. Avodah Zarah* 5:5 addresses a situation where an Israelite and a Gentile are eating at the same table. Specific situations are problematic, but such contact is not deemed to be defiling or prohibited.<sup>109</sup> *Mishnayot* 4:9–12 suggest that there was a certain amount of Jewish-Gentile collaboration even with regard to wine production and that such contact is not considered to be problematic.<sup>110</sup> The extent of permissible Jewish-Gentile interaction is symbolized by the story of Rabban Gamaliel bathing in the baths of Aphrodite (3:4)—and the Mishnah recognizes that such baths were decorated with idolatrous images (1:7, 3:4, 4:3). *M. Avodah Zarah* 2:1 also permits Gentile women to serve as midwives and wet-nurses for Israelite children.<sup>111</sup> Thus it is permissible for Gentile women to enter Jewish houses.<sup>112</sup> Clearly, these passages testify that a great deal of contact was permissible, and not problematic with regard to purity. *M. Avodah Zarah* is either unfamiliar or unconcerned with Gentile impurity.

107. Only in *M. Avodah Zarah* 5:11 do the ontological categories become somewhat blurred. There, certain winepresses are deemed clean, in contrast to an earthenware press, which is deemed to be forbidden.

108. The Mishnah then states that an idol that encroaches on public space does not convey the impurity normally conveyed to an Israelite who passes under an idol. And in *M. Avodah Zarah* 3:3, Israelites are commanded to throw certain idols into the Dead Sea, without mention of impurity contracted either from touch or from carrying.

109. See also *M. Bekorot* 5:2, where the School of Hillel permit a Gentile to join with a priest in the consumption of a firstling. See also *M. Berakot* 7:1: the exclusion of a Gentile from a *מומץ* suggests that eating with a Gentile is permissible. Generally, see Sanders, “Jewish Association with Gentiles,” p. 175.

110. Generally, the Mishnah prohibits drinking Gentile wine (יין נכר) because of the possibility of its use in idolatrous libations. While the rabbis considered Gentile impurity to be a rabbinic law, they ascribed scriptural authority to the prohibition of Gentile wine. See *B. Avodah Zarah* 29b, *Deut.* 32:38; cf. *Dan.* 1:5–16.

111. Any nursing by a Gentile is to take place in the house of a Jew. At least for this purpose, it was considered permissible for Gentile women to enter a Jewish residence. Here there is no concern that the house will be deemed impure. Compare *M. Toharot* 7:6, discussed above.

112. Israelites are not permitted to serve in such capacities for Gentiles, lest by doing so they contribute to the proliferation of pagan worship.

## The Tosefta: Gentile Impurity Established

Many of the toseftan sources that relate to Gentile impurity echo their mishnaic parallels. Like the Mishnah, the Tosefta emphasizes that Gentiles are not affected by ritual impurity. Gentiles, Gentile clothing, and Gentile dwelling places do not contract “leprous” impurities (T. Negaim 2:14–15, 7:10, 7:15). Similarly, Gentile corpses do not convey impurity by carriage (T. Niddah 9:14),<sup>113</sup> and the red-heifer ritual is “not appropriate for them” (T. Parah 12:11).<sup>114</sup> As in the Mishnah, Gentile dwelling places are considered impure (T. Ahilot 18:7–12).<sup>115</sup>

Where the Tosefta diverges from the Mishnah, however, it is to emphasize the ritual impurity of Gentiles. The most important text in the Tosefta with regard to Gentile impurity is T. Zabim 2:1, which states that “Gentiles (גויים), the proselyte (גר), and the resident alien (תושב) do not convey flux-impurity. But even though they do not convey flux-impurity, they are considered impure, like sufferers from flux, in all their respects.” While no single principle underlies the Mishnah, for the Tosefta the following principle holds: Gentiles are not susceptible to Israelite impurities, but they defile nonetheless. T. Yom ha-Kippurim 4(3):20 relates a tradition about high priests excluded from Temple service due to contact with a Gentile’s spittle on the Day of Atonement.<sup>116</sup> Moreover, T. Avodah Zarah 3(4):11, T. Ahilot 9:2, and T. Toharot 8:9 assume that contact with a Gentile results in the contraction of *midras*-impurity.<sup>117</sup> No passage in the Mishnah was concerned with Gentile *midras*-impurity. Interestingly, in T. Niddah 5:5, R. Meir is quoted as saying that the School of Shammai considered Gentile blood to be impure (against M.

113. But here the ruling is attributed to R. Simeon, who also states that the impurity of Gentiles derives only from the scribes (שאינן טומאחו אלא מדברי סופרים). See below, “The Talmudim: Impurity by Decree.”

114. Porton, *Goyim*, p. 273.

115. And T. Toharot 5:2 parallels M. Makshirin 2:3; see discussion above.

116. Alon, “Levitical Uncleanness of Gentiles,” pp. 152–153, 165; Büchler, “Levitical Impurity of the Gentile,” pp. 8–9; cf. See Saul Lieberman, *Tosefta Ki-Fshutah: A Comprehensive Commentary on the Tosefta*, 10 vols. (New York: Jewish Theological Seminary, 1955–88), vol. 4, pp. 805–806.

117. The last passage connects Gentiles to corpse impurity as well; cf. T. Avodah Zarah 4(5):11, which also operates on an assumption of Gentile impurity. *Midras*-impurity is conveyed to any object on which a *zab* leans, sits, or walks. The object so defiled then conveys impurity as well.

Niddah 4:3).<sup>118</sup> The Tosefta also prohibits certain Jewish-Gentile interactions that the Mishnah permits. In T. Shabbat 9(10):22, it is prohibited for Israelite children to be nursed by a Gentile or an unclean beast.<sup>119</sup> Finally, it is curious that T. Kelim 1:6–10 fails to mention the exclusion of Gentiles from the Temple. Could this be because M. Kelim did not pair the Gentile with the *zab*?<sup>120</sup> Compared to the Mishnah, the Tosefta is more interested in the ritual impurity of Gentiles, and more consistent in treating that defilement by analogy to an Israelite *zab*.

### The Talmudim: Impurity by Decree

In the rabbinic literature of the amoraic period, we find additional sources that make explicit the notion of Gentile ritual impurity. Many of these sources, moreover, claim that Gentile impurity was not an ancient notion, but the result of a tannaitic decree.<sup>121</sup> While the number of sources is small, it is large relative to the total number of tannaitic sources that testify to any degree of Gentile impurity. B. Shabbat 83b, B. Niddah 34a, and Sifra Zabim 1 each preserve a baraita which states that Gentiles defile like *zabim*.<sup>122</sup> The baraitot that appear in the Bavli concur on one further point: that this impurity is the result of a decree.<sup>123</sup> This claim is corroborated by the amoraic tradition that appears in B. Shabbat 17b, B. Avodah Zarah 36b, and Y. Shabbat 1:4, 3c.<sup>124</sup> These sources connect the impurity of Gentile women to the “eighteen edicts” supposedly declared on the eve of the first Jewish war against Rome.<sup>125</sup> Only

118. Lieberman, *Tosefeth Rishonim: A Commentary Based on Manuscripts of the Tosefta and Works of the Rishonim and Midrashim in Manuscripts and Rare Editions* (Jerusalem: Bamberger & Wahrmann, 1937–39), vol. 3, p. 269.

119. Yet T. Niddah 2:5 permits the activity. Compare T. Avodah Zarah 3:3, and see Lieberman, *Tosefta Ki-Fshutah*, vol. 3, pp. 149–150. The Palestinian Talmud (Avodah Zarah 2:1, 40c) permits the activity, but states that there is to be no fear about impurity (which can be taken to mean that one should expect there to be concern about impurity).

120. Recall that the Mishnah paired Gentiles with those who suffer from corpse impurity (permitting them up to the rampart), while *zabim* were excluded from the Temple Mount altogether. See the discussion of M. Kelim 1:8 above.

121. This notion is reflected also in T. Niddah 9:14, where R. Simeon connects Gentile impurity to the scribes.

122. Michael Higger, *Otzar ha-Baraitot*, 10 vols. (New York: Shulsinger Bros., 1944), vol. 8, p. 399, # 56.

123. “אבל גורו עליהן . . .”

124. Higger, *Otzar ha-Baraitot*, vol. 7, p. 181, # 489.

125. For a romantic reconstruction, see Solomon Zeitlin, *The Rise and Fall of the Judaeae State*, 3 vols. (Philadelphia: Jewish Publication Society, 1967) vol. 2, p. 239. Unlike B. Shabbat

one source in the Bavli explicitly mentions Gentile impurity without making reference to some sort of decree, and that is a problematic and unparalleled baraita that appears in B. Shabbat 83b.<sup>126</sup>

Based on the eighteen-edicts traditions, Solomon Zeitlin dates the origin of Gentile impurity to 65 C.E.<sup>127</sup> Zeitlin's reconstruction is quite fantastic—he provides many facts that the texts do not. Nonetheless, Zeitlin is correct in recognizing the importance of the rabbinic tradition that Gentile impurity resulted from a decree. This fact is found not only in the eighteen-edicts traditions, but in B. Shabbat 83b, and B. Niddah 34a as well. While it is true that a decree could reenact an old law,<sup>128</sup> we have seen there is little evidence that this law existed in the first century C.E., and none whatsoever that the notion existed before then. It would surely be a curious coincidence if Gentile ritual impurity were an ancient notion unnoted in the Hellenistic or the Roman period and then falsely considered novel by the amoraim. It seems best to conclude that the ritual impurity of Gentiles did in fact become a legal reality only as the result of a decree (or a series of decrees) issued sometime during the tannaitic period.<sup>129</sup> The concept of the decree also provides a vehicle for understanding the difference between the Mishnah and the later rabbinic sources. The Mishnah probably represents a time when the notion was still gaining ground. Thus there are a few traces of the new halakhah, while the declaration itself cannot be found. The Tosefta and the Talmudim reflect greater acceptance of the notion, for the declaration itself

and the other traditions noted above, the tradition in B. Avodah Zarah considers Gentile women to be like menstruants, not *zabim*.

126. Higger, *Otzar ha-Baraitot*, vol. 9, p. 280, #55. For a discussion of the possible antiquity of this source, see David Halivni, *Megorot U-Mesorot: Seder Moed Shabbat* (Jerusalem: Jewish Theological Seminary, 1982), pp. 236–268.

127. “Proselytes and Proselytism During the Second Commonwealth and the Early Tannaitic Period,” in *Harry Austryn Wolfson Jubilee Volume*, ed. Saul Lieberman et al., 2 vols. (Jerusalem: American Academy for Jewish Research, 1965), vol. 2, pp. 871–881; see esp. pp. 877–878. Zeitlin, by extension, associates the origin of Jewish proselyte immersion with the same decree. It is truly a curious coincidence that the requirements for conversion (immersion and sacrifice) are also required for the purification of a *zab* (pp. 877–878). See n. 6 above.

128. Alon, “Levitical Uncleaness of Gentiles,” pp. 156–158.

129. The decree(s) may or may not have explicitly placed Gentiles in the legal category of the *zab*. While most of the sources agree with this analogy, a few (B. Shabbat 83b and B. Avodah Zarah 36b) question the point. Since flux impurity is a severe form of impurity, it is possible to explain the “traces” of impurity found in the Mishnah as echoes of such a decree, for flux impurity affects blood, urine, and spittle.

and more of its ramifications found their way into these texts. It is what is first articulated in the Tosefta that eventually became predominant in Jewish law: Gentiles are not susceptible to ritual impurities, though they defile like *zabim* nonetheless.<sup>130</sup>

It is unfortunate that the tannaitic sources do not indicate why Gentiles came to be viewed as ritually impure. While the Bavli does preserve amoraic traditions suggesting motivations for the eighteen edicts, these traditions are late and somewhat contradictory.<sup>131</sup> Yet what these traditions boil down to seems reasonable enough and indeed obvious: the notion of Gentile impurity was motivated by a separatist tendency.<sup>132</sup> Yet, ironically, the notion of Gentile impurity became predominant only in the late tannaitic or early amoraic period, and by that time, the main impetus for the purity system, the Temple, was long destroyed. Therefore, it remains unclear what, if any, practical effect this separatist notion had on Jewish-Gentile interaction. Nonetheless, the fact remains that we see a single, but notable, separatist ideal gaining ground in the late tannaitic or early amoraic period.

### Conclusions

When discussing Gentile impurity, it is imperative to distinguish between ritual and moral impurity. In the Bible, the only ritual impurity explicitly applied to Gentiles is that of corpses. However, there is no indication in the Bible that Gentiles were considered defiled because of their disregard for this taboo. The priests and prophets ascribe moral impurity to idolatry, sexual sins, and the shedding of blood—acts which were believed to defile the land and the sanctuary of God. Gentiles were considered morally impure to the degree that they were deemed guilty of such sins. As a result, the biblical view toward Gentile moral impurity is varied.

Some Jewish literature of the Greco-Roman period strongly emphasizes the moral impurity of Gentiles. A few of these texts (*Aristeas* and *Jubilees*)

130. For citations in subsequent halakhic literature, see “Tum’ah be-Goy ve-Eved,” *Talmudic Encyclopedia*, vol. 19, p. 500.

131. Geneba says in the name of Rav that the edicts were declared because of idolatry (B. Avodah Zarah 36b), and Rav Nahman b. Isaac says that young Gentile boys were declared impure to prevent sexual contact between them and Jewish boys (B. Avodah Zarah 36b, B. Shabbat 17b).

132. Thus Zeitlin’s suggestion that nationalist motives lay behind the decrees is probably not far from the truth, but it remains just a suggestion. See “Halaka in the Gospels,” p. 361.

discourage Jewish-Gentile interaction because of the latter's moral impurity. But in much of this literature, it is possible for Jews and Gentiles to associate quite closely; physical contact occurs in many of these texts, and is not considered problematic. Only two late-first-century sources can be said to testify to a notion of Gentile impurity. But Acts may well be exaggerated, and Josephus' report on the Essenes tells us nothing about their non-Essene contemporaries. In the Greco-Roman period, and probably in the Persian period as well, Gentiles were excluded from the Temple. This exclusion, however, resulted from the Gentiles' profaneness, and not from inherent ritual impurity.

In the Mishnah and Tosefta, no mention is made of the moral impurity of Gentiles. At the same time, the Mishnah shows a few traces of the notion of Gentile ritual impurity. This notion finds its first explicit articulation in the Tosefta, while the Talmudim record traditions claiming that Gentile ritual impurity came about by decree. Thus the rabbinic and prerabbinic evidence converges: there are no traces of the notion before the first century C.E., and the rabbinic sources claim that the concept is new. Gentile ritual impurity indeed emerged in the first century, and only gradually took root until its authoritative formulation in the Tosefta and Talmudim.<sup>133</sup>

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