



Parashat Tzav 5768  
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Amidst the laws of sacrifices presented in Parashat Tzav, the Torah addresses two situations where sacrificial meat became invalid for consumption and must therefore be burned. The first instance is that of *notar*, sacrificial meat that remains after the deadline for its consumption: "What remains of the meat of the offering on the third day shall be burned by fire" (7:17). Later, the Torah describes a situation where sacrificial meat contracted *tum'a*, ritual impurity: "Meat [of sacrifices] that comes in contact with anything impure shall not be eaten; it shall be burned by fire" (7:19).

Maimonides, in his listing of the 613 Biblical commands (*mitzvot aseï* 90-91), allocates two separate entries for these obligations: the burning of leftover sacrificial meat, and the burning of meat that had become *tamei* (ritually impure). Rav Yerucham Perlow, in his commentary to Saadia Gaon's listing of the commandments, observed that both Saadia Gaon and the *Behag* combine these obligations into a single Biblical command – and for good reason. After all, both cases involve sacrificial meat that became unsuitable for consumption, and in both instances the Torah demands that the meat be destroyed by fire. Why would Maimonides separate the two cases into two distinct affirmative commands? Why did he choose not to simply list a single *mitzva* to destroy *pesulei ha-mukdashin* – sacrificial meat that became invalidated?

Rabbi Yitzchak Simcha Horowitz, in his commentary to *Sefer Ha-mitzvot* entitled *Yad Ha-levi* (published in Jerusalem, 1926), explains this classification on the basis of the Talmud's discussion in Masekhet Pesachim (82b). The Gemara there in effect poses the question we raised, only in reference to the Torah's presentation of these laws. Namely, the Gemara asks why the Torah had to specify the requirement to burn meat that became *tamei*. Once the Torah established such a rule concerning *notar*, we would have intuitively extended it to include other situations of disqualified meat, such as meat that contracted ritual impurity. The Gemara's answer relates to the fundamental distinction between the status of *tum'a* and other situations of disqualified sacrificial meat. Unlike other disqualifications, the status of *tum'a* applies even outside the framework of sacrificial offerings. Even ordinary food, eaten outside the Temple, can become *tamei*, a status that yields certain halakhic ramifications. (Though unlike in the case of sacrifices, ordinary food that became *tamei* is permissible for consumption.) The Gemara thus explains that the Torah's rule concerning *notar* – a status that applies only to sacrificial meat – cannot be intuitively extended to meat that became *tamei*. The rule of *notar* can be applied only to similar situations, where meat was invalidated due to a Temple-specific status. *Tum'a*, however, applies universally, and one might have thus concluded that such a status does not mandate burning the sacrificial meat. For this reason, the Torah felt compelled to make specific mention of the requirement to destroy meat that contracted *tum'a*.

The Gemara's response is perhaps what prompted Maimonides to classify these obligations under different categories. While both impure sacrificial meat and *notar* require burning, they still constitute two fundamentally distinct halakhic principles. One dictates that when the prescribed sacrificial procedure is not properly followed – *pesulei ha-mukdashin* – the meat becomes invalid and must be burned. The second pertains to the universal status of *tum'a*, and demands that even in such a case, despite the fact that the sacrificial guidelines themselves have been met, the meat is destroyed.

This distinction between the two types of disqualified sacrificial meat brings to mind a similar distinction relevant to flaws in religious observance generally. *Benei Torah*, people devoted to conducting their lives in strict accordance with the Torah, resemble *kodashim* (sacrificial meat) in that they are bound by a unique set of rules and guidelines. Violation of any Torah law must be looked upon as *pesulei ha-mukdashin*, the failure to comply with the special procedures that apply to life in the *Mikdash*, in the service of God. Additionally, however, we must ensure to avoid *tum'a* – flaws in character and conduct that are unsuitable even outside the Temple, with regard to all people. As we saw above, it is not always intuitive that *tum'a* has the same grave consequences for *kodashim* as it does for ordinary foods; dedication to the higher calling of Torah observance may at times lead people to overlook the basic moral obligations that apply to all mankind. Indeed, the *Musar* movement was founded, in large part, to combat the unfortunate phenomenon of otherwise devoutly religious Jews who suffer from basic character flaws. Torah commitment requires avoiding both the unique "disqualifications" of *kodashim* – negligence with regard to the special laws assigned to us – as well as the universal status of *tum'a* – ethical and moral failings.