THE HISTORICAL JESUS AND PURITY

John P. Meier

The University of Notre Dame

At the end of Volume Three of A Marginal Jew, I noted that I had purposely kept the four most intractable problems about the historical Jesus until the end, namely, Volume Four. Unfortunately, like Caiaphas (John 11:51), I was prophesying unaware of the full truth of what I was saying, especially in regard to the historical Jesus and the Jewish Law. The question of Jewish purity laws around the turn of the era has alone taken two years out of my life. The resulting chapter, some 230 pages, would not exactly lend itself to light summer reading for the CBA task force on the historical Jesus.

What to do? Granted the nature of a “task force,” which presupposes a good amount of communal work, discussion, and debate, I have decided to adopt an unusual format for this paper. Instead of laying out and defending all my opinions in detail, I will (metaphorically speaking) nail the equivalent of 95 Theses onto the door of the monastic church of St. John’s Abbey and then ask for reactions from the task force—preferably not burning at the stake.

Like the format of the medieval thesis, which Martin Luther was reflecting in his 95 Theses, these theses propose and briefly explain positions I champion, without laying out all the reasoning behind each thesis. Of their nature, then, these theses are meant to invite discussion
and debate, both in order to tease out their rationale and also, hopefully, to offer corrections to my views when they are askew. Since exactly 95 Theses would only resurrect the practical problem of length, permit me to boil down my positions on Jesus and purity laws to a mere 15 theses.iii

1. **Thesis One.** One of the reasons for the difficulty of treating purity rules is the ferment in Jewish scholarship in the wake of the massive work of Jacob Milgrom in his three-volume commentary on *Leviticus*, to say nothing of his allied books and articles. Jewish experts like Jonathan Klawans, Hannah Harrington, Hyam Maccoby, Charolotte Fonrobert, and Christine Hayes argue about the purity laws among themselves as well as criticize previous research, both Jewish and Christian. It is no wonder that anthropologists like Mary Douglas have changed their positions on Jewish purity rules in light of all this recent work by Jewish scholars. It is imperative that any quester for the historical Jesus at least listen in on the Jewish conversation.

2. **Thesis Two.** Without canonizing any one recent Jewish scholar, I think a combination of the work of Klawans and Hayes provides a serviceable pedagogical tool or heuristic structure for understanding Old Testament purity laws. Accordingly, I would distinguish four types of impurity in the Old Testament:

   (a) **Ritual impurity**, usually a temporary and often unavoidable condition, is by no means sinful or evil in itself. It results from the normal cycle of human life: birth, sexual activity, disease, and death. These powerful, liminal events need to be cordoned off from, separated from, the realm of the divine and holy, from the God who is himself the total antithesis of the
birth-death cycle. In order to pass from the state of ritual impurity to the state of purity that allowed access to the temple, certain ritual actions were required, notably various ablutions.

(b) **Moral impurity**, in the legal sense found in the Pentateuch, shares the same Hebrew vocabulary of “clean” (ḥôr) and “unclean” (m) as does ritual impurity. Moral impurity refers to certain heinous sins like murder, idolatry, and incest. Such a sin is a tôbâ, an “abomination.” Unlike ritual impurity, moral impurity is eminently avoidable; and, unlike ritual impurity, it is not communicated to another by touch, nor can it be removed by ordinary ritual actions like ablutions. Since moral impurity defiles the land of Israel and/or the temple, and since, if not dealt with, it could ultimately cause the people of Israel to be expelled from their land, the perpetrator must be “cut off” from the people. (One should note as an aside that, especially in the prophets and psalms, purity or impurity is extended by way of metaphor to include any sort of moral or immoral action or attitude. Immoral actions that are “impure” in this metaphorical sense do not have the legal effects and do not demand the precise legal remedies of ritual and moral impurity in the strict sense.)

(c) A third category that floats between ritual and moral impurity is the list of animals prohibited for use as food. The total prohibition of eating, e.g., pork, refers to a voluntary and perfectly avoidable act. To eat pork is tôbâ, thus pushing this kind of impurity in the direction of moral impurity. Yet it is never claimed that eating such food defiles the land or the sanctuary, and no precise punishment like being cut off is prescribed. Indeed, no remedy for the act is mentioned. The food laws thus constitute a legal corpus unto themselves within the purity laws.

(d) A new type of impurity, **genealogical impurity**, appears in the Book of Ezra after the exile. Genealogical impurity results from intermarriage between Gentiles and any Israelite.
Previously, the prohibition of intermarriage held only for priests. This innovation became a major point of contention among Jews around the turn of the era.

Granted the bewildering complexity of the various purity laws, it is unlikely that any one theory from the social sciences concerning the origin and function of these laws can explain the whole range of these practices.

3. **Thesis Three.** The purity laws were not fixed immutably in stone in the Pentateuch. They continued to develop and became hotly contested topics in Judaism around the turn of the era. Some zealous groups, notably Qumran and the Essenes, sought to extend and intensify purity rules, as can be seen, for example, in the *Rule of the Community*, the *Damascus Document*, the *Temple Scroll*, and the many fragmentary purity rules found in Cave Four at Qumran. The Pharisees likewise developed special purity regulations for their movement, though not to the same degree as the Essenes. Apparently other Jews, especially in the Diaspora, tended to limit purity observances to what was strictly enjoined by the Torah and to accommodate them to the lives of ordinary people living in a sea of Gentiles.

4. **Thesis Four.** It is within this ongoing debate that the views of the historical Jesus on purity must be located. However, when we focus on the Four Gospels, we are struck almost immediately by a surprising fact. If we restrict ourselves to sayings that most likely go back to the historical Jesus, what stands out is his silence on most purity laws. Genealogical impurity is not discussed. As for moral impurity, Jesus, like the Old Testament prophets and psalms, uses the language of pure and impure metaphorically for good and evil actions and attitudes in
general. But when it comes to moral impurity in the strict sense of murder, idolatry, and sexual sins like incest, Jesus never treats the problem of the specific impurity that arises from these “abominations.” We are left, then, with the two categories of ritual impurity and the food laws. Even here, there is only one passage of notable length on these two topics, namely, Mark 7:1-23 and its Matthean parallel. Beyond that, we have only a few scattered sayings touching on disparate purity issues.

5. Thesis Five. It is no wonder that Mark 7:1-23 has generated a welter of lengthy articles and monographs. Almost all commentators would admit that we have here a number of blocks of tradition on different subjects that a redactor has welded together. The pericope divides into two major parts. The first half, a dispute story, is held together by the theme of criticizing the tradition of the elders; it stretches from v 1 to v 13. The first unit of Part One, vv 1-5, recounts the question of the Pharisees and scribes about Jesus’ disciples eating bread with defiled, i.e., unwashed hands contrary to the tradition of the elders. The second unit, vv 6-13, narrates Jesus’ two replies.

In the first subunit of this reply, vv 6-8, Jesus answers by quoting Isa 29:13, accusing his opponents of neglecting the commandment of God while holding to the tradition of men. In the second subunit, vv 9-13, Jesus replies by quoting Exod 20:12 and 21:17 and by setting the obligation of honoring one’s parents over against the legal subterfuge of Qorban. In the center of the pericope lies the pivot of vv 14-15, in which Jesus teaches the crowd the key aphorism that nothing outside a person can defile that person by entering within; only what comes out of a person defiles that person.
Then, in the second half of the pericope, vv 17-23, Jesus explains in private to his disciples his aphorism on defilement. In the first unit, vv 17-18a, the inquiring disciples are rebuked for their lack of understanding. In the second unit, vv 18b-19, the first half of the aphorism is explained: nothing from outside can defile a person because it simply passes through the stomach into the latrine. The narrator adds at this point that, in saying this, Jesus made all foods clean. In the third subunit, vv 20-23, the second half of the aphorism is explained: things from within a person do defile the person. This point is illustrated with a list of vices. Under the general rubric of “evil thoughts,” the list catalogues six evil actions in the plural and then six evil actions or attitudes in the singular. The entire pericope ends in v 23 with the generalizing conclusion: “All these evil things come forth from within and defile a person.” Thus, Mark 7:1-23 is a bundle of disparate subjects wrapped up in one large pericope.

6. Thesis Six. One reason why we do not feel completely overwhelmed by a chaotic mass of heterogeneous material when we read 7:1-23 is that Mark, or perhaps a pre-Marcan redactor, has done a remarkable job stitching together the separate units and subunits into a literary, if not a theological, whole. Quite obvious to any Marcan scholar is a typical Marcan pattern that acts as an overarching grid: (a) Jesus delivers some public teaching, (b) then he withdraws into privacy, where he first rebukes the disciples for their lack of understanding and then explains his teaching to them alone. Helping to tie these two major parts together are a number of verbal links, such as koinos (“defiled”) and anthrpos (“human being”). Verbal links within units include phrases like “the Pharisees,” “tradition,” “annul,” “abandon,” “commandments,” “honor,” “eat,” “come in and come out,” “defile,” and “understanding,” as well as the lack thereof.
Alongside these verbal links are signs of redactional activity, be it of Mark or of a pre-Marcan author. These include intrusive parenthetical explanations and asides, generalizing or universalizing statements sprinkled with “all” or “many,” the tendency to string together a series of verbs of saying, and finally Mark’s habit of saying things “in two’s” (Marcan duality).

Quite clearly, then, Mark 7:1-23 is, as it stands, a complicated Christian composition that has probably gone through a number of stages of tradition and redaction. For simplicity’s sake, in what follows I will speak of “Mark” or “the redactor,” fully realizing that there may be more than one level of redaction. But since our concern is what, if anything, goes back to the historical Jesus, distinguishing the various stages of redaction is not of primary importance. Once an element of the pericope is judged redactional, by definition it does not come from the historical Jesus, which is our only concern here.

7. **Thesis Seven.** Granted the heterogeneous nature of the different units that have been stitched together, it is best to sift each unit in turn to test whether it contains an authentic saying of Jesus. Ordinarily, one would simply proceed in the order in which the units have been laid out by Mark. However, the first unit, vv 1-5, presents us with a special case, compared to other dispute stories. In vv 1-5, Jesus neither speaks nor acts. The unit is entirely taken up with the actions and words of the Pharisees and scribes, who react to actions of some of the disciples. Inserted into vv 3 + 4 is a lengthy parenthesis describing the supposed purity practices of “all the Jews”—an obviously polemical salvo from the Christian narrator.

Jesus begins to speak only in the second unit (vv 6-13); but from there on in, the rest of vv 6-23 is taken up almost entirely with the direct discourse of Jesus and Jesus alone. Since our
quest is for the historical Jesus and not the historical Mark or his predecessors, I think it best to begin with the second unit in v 6, move through all the subsequent units, and return at the end of the process to vv 1-5. At that point, we will be in a better position to evaluate this first unit.

8. Thesis 8. As we have seen, the second unit of the pericope (vv 6-13) is made up of two replies by Jesus. The first reply to the Pharisees' question is made up almost entirely of a four-line quotation from Isa 29:13 (= Mark 7:6b-7), followed by a brief application of the quotation to the tradition of the Pharisees. Some critics would a priori brand any Old Testament citation in the mouth of Jesus as a Christian creation. However, considering that Jesus was, if nothing else, a Jewish teacher who engaged in public disputes with various Jewish groups, I find the idea that he never cited the Jewish Scriptures in his arguments highly unlikely.

And yet, we are dealing here with a special case of Scripture citation. The form of Isa 29:13 used in Mark 7:6-7 is not from the Masoretic Text (MT); indeed, it is not found in any other textual tradition of Isaiah in Hebrew or Aramaic that is known to us. The wording Jesus employs is found only in the Septuagint (LXX). Now, in itself, this proves nothing. The historical Jesus could have cited Isaiah in Hebrew or Aramaic, and Mark would have naturally used the LXX of Isaiah when he formulated the story in Greek. The problem, though, is that, in this specific case, the LXX version alone contains changes in the wording and line of thought that are essential to Jesus' argument against the Pharisees.

For example, in the MT, Isaiah is criticizing the people of Israel in general for engaging in the religious routine of temple liturgy, set up by kings and priests ("a commandment of men learned by rote"). The prescribed prayers are duly recited with their mouths, but their hearts are
far from God. While there are divergences from the MT in the Isaiah texts of Qumran and in the later Aramaic Targum of Isaiah, the grammatical structure and theological message are basically the same. By contrast, there is a notable shift in structure and meaning in the LXX. For instance, what is merely an initial statement of cause in the MT, “Because this people honors me with their lips...” becomes the main clause (as is the case in the LXX) and indeed the whole point at issue in Mark.

In addition, Mark uses a shortened form of Isa 29:13 precisely to focus on the last clause of the verse, the clause that diverges most notably in its LXX form from the Hebrew. In the LXX, the ones criticized worship in vain because they teach commandments of men (i.e., mere human commandments). Hence what was in the Hebrew simply a denunciation of mechanical, routine liturgy in the Jerusalem temple now expands in the LXX into a denunciation of merely human teaching. By doing this, the LXX implicitly introduces the idea of a group of people who do the teaching within the whole of the people of Israel, while the whole people are the sole object of Isaiah’s rebuke in the Hebrew. Mark proceeds in v 7 to reformulate the LXX’s inventive translation. Instead of the LXX’s somewhat awkward “teaching commandments of men and teachings,” Mark teases out an explicit opposition that is useful for his polemic. Mark’s reworking of the LXX might be translated paraphrastically: “...teaching as [divine] teachings the commandments of [mere] men.” It is precisely this creative LXX translation, as reworked by Mark, that Jesus seizes upon as he applies the Isaiah text to the Pharisees in v 8: “Neglecting the commandment of God, you hold to the tradition of men.” Isaiah, says Jesus, uttered an exact prophecy of the Pharisees’ distortion of God’s commandment by human tradition.

The problem, then, is clear. Jesus’ line of argument works only if Jesus has as his
scriptural starting point the form of Isa 29:13 found only in the LXX and then reworked by Mark, a form not present in any Hebrew or Aramaic text. Our suspicions are only confirmed when we notice that a Christian polemic in Col 2:20-21 also reworks the LXX form of Isa 29:13 to pursue a similar line of argument. Apparently, the LXX form of Isa 29:13 circulated among early Christians as a proof text for rejecting purity rules, especially those concerned with touching or eating food. Interestingly, the next verse, Isa 29:14, is cited by Paul in 1 Cor 1:19 and is alluded to by Matthew in Matt 11:25. In sum, the most likely conclusion is that the second unit of Mark 7, vv 6-8, is a Christian creation.

9. Thesis 9. Our decision that Jesus’ first reply in vv 6-8 is a Christian composition has immediate consequences for the second reply in vv 9-13, the second subunit. In the present structure of 7:1-23, vv 9-13 function as the concrete example illustrating the general principle asserted in vv 6-8. The Pharisees are accused of using the institution of Qorban to supersede the basic obligation in the Decalogue of honoring one’s father and mother. In both vocabulary and content, the framing verses of Jesus’ second reply betray Mark’s redactional hand. Mark neatly slides from the vocabulary of “the commandments of men” to “the tradition of men,” and finally to “your tradition” to emphasize that the practice of Qorban is a concrete fulfillment of what Isaiah prophesied concerning the Pharisees’ teaching. It would appear, then, that, at least in the present form and setting of this subunit, vv 9-13 is a formulation of a Christian redactor. Verses 9-13 are bound by rhetorical hoops of steel to the argument from Isa 29:13 in the first subunit.

This does not mean, however, that the argument about Qorban, isolated from Mark’s
pericope, might not reflect some halakic teaching of the historical Jesus. The core saying in vv 10-12, unlike the LXX text of Isa 29:13, fits very well into the time and place of Jesus. Various Jewish groups around the turn of the era were engaged in lively debate over oaths and vows, including the problem of conflicting obligations arising from them. Indeed, the Damascus Document in 16:14-20 may condemn the subterfuge of vowing one’s food to sacred use in order to keep it from a neighbor in need. That the actual word qôrban circulated in Aramaic around the time of Jesus is now testified to by an Aramaic inscription on an ossuary dated from the end of the first century B.C.E. The Aramaic inscription actually echoes the terminology of Mark 7:11. The inscription speaks of what might be to another person’s profit or use, and then forbids such use because of a prior dedication to God. The institution and the word qôrban were apparently so prominent in first-century Judaism that twice in his works, Josephus explains the institution, each time using the word korban and then translating it, as Mark does, by “gift.” Philo likewise knows the institution and holds to the irrevocability of a vow even when it works to the detriment of members of one’s family. As late as 200 C.E., the Mishna preserves various contending views on Qorban and on the grounds that would justify the annulling of a vow that a man had made to the detriment of his father and mother. The trajectory of all these texts on Qorban or vows places Jesus’ pronouncement on Qorban squarely within the time period when the issue was debated among Palestinian Jews. Realistically, either the core teaching in Mark 7:10-12 goes back to the historical Jesus or the argument is a creation of Aramaic-speaking Christian Jews in Palestine during the first few decades of the Christian movement’s existence. While either explanation is possible, the absence of any concern or debate about the relatively obscure topic of Qorban anywhere else in early Christian literature inclines me to think that the
saying about Qorban comes from Jesus himself. The upshot is a confirmation of our portrait of
the halakic Jesus, who engaged in legal debate not only on major issues like divorce and the
sabbath, but even on minor questions like the abuse of Qorban. It also confirms our supposition
that Jesus at times cited the Scriptures in his arguments.

10. **Thesis 10.** As we come to the second half of the pericope, we should realize that, in
weighing the authenticity of the sayings in vv 15-23, everything hangs on the authenticity of v
15. For, if the two-part aphorism on what defiles in v 15 comes from the historical Jesus, then it
may well be that at least the core of the two-part explanation in vv 18b-23 comes from him as
well. If, however, v 15, the font from which the whole second half of the pericope springs, is not
authentic, it becomes extremely difficult to defend the authenticity of vv 18b-23. Hence, in what
follows, we must focus on v 15, a two-part aphorism that reads:

15a: There is nothing outside a human being that, by entering into him, can defile him,

15b: but those things that come out of a human being are the things that defile him.

11. **Thesis 11.** There are good arguments in favor of accepting Mark 7:15 as authentic: (a)
Verse 15 is a disturbing, subversive aphorism cast in two-part antithetical parallelism, a style
typical of Jesus’ sayings. (b) Discontinuity from the Judaism of Jesus’ day—so much of which
elevated and expanded purity rules—likewise argues for authenticity. (c) At the same time,
within 1st-century Judaism, Jesus’ aphorism is intelligible in the mouth of a Jewish prophet.
For Jesus’ declaration should not be understood as absolute or exclusive in the sense of “not X,
but Y,” but rather in a relative sense, namely, “Y is more important than X.” This Semitic
rhetorical style, known as dialectical negation, is famously exemplified in Hosea 6:6: “I desire mercy and not sacrifice.” Hosea is not anticipating 18th-century Enlightenment religion. He is rather setting priorities: mercy toward one’s neighbor is much more important than cultic sacrifice, though the latter is not totally rejected. Hence, in Mark 7:15, Jesus is not totally rejecting the food laws but is rather emphasizing the much greater importance of avoiding moral impurity. (d) This point is supported by a general pattern in Jesus’ antithetical statements, a pattern called end stress. The emphasis in two-part statements usually falls on the second half; therefore, the emphasis in v 15 is on moral defilement coming from within. (e) Some scholars support this “mild” interpretation of the saying by claiming that we have the original form of Jesus’ aphorism not in Mark 7:15 but rather in Matt 15:11, which has a softer tone: “Not what enters into the mouth defiles a human being, but what comes out of the mouth, that defiles a human being.” Notice the absence of Mark’s fierce, emphatic wording: “There is nothing...that can defile....” Moreover, some claim that this Matthean form enjoys multiple attestation since we find a supposedly independent form of the saying in the Coptic Gospel of Thomas (end of logion 14): “What goes into your mouth will not defile you, but what comes out of your mouth, that is what will defile you.” This Thomas form is indeed very close to that of Matt 15:11. And, as noted already, this milder form is perfectly intelligible in the mouth of a Jewish prophet, be he Hosea or Jesus.

12. Thesis 12. In my opinion, however, still weightier arguments favor the view that Mark 7:15 does not go back to Jesus but is a creation of the early church. The arguments become at this point quite complicated and technical. Permit me to give simply a brief outline of them: (a)
Many antithetical statements in the Bible do have the exclusive sense of “not X but Y.” For example, Deut 5:13 commands: “Six days you shall do all your work, but on the seventh day you shall not do any work.” The same absolute antithesis is found in sayings in Mark, e.g., 2:17 (“It is not the healthy who need a doctor but the sick) and 10:45 (“The Son of Man came not to be served but to serve...”). Hence, while Mark 7:15 might be interpreted as dialectical negation, that interpretation is by no means necessary. One must attend to the content of the individual saying.

(b) Likewise, end stress is not an invariable rule in the sayings of Jesus. In the case of Mark 7:15, insisting on end stress misses the slightly unbalanced nature of the logion. The first half of the verse makes a sweeping, emphatic statement about the impossibility of an event: “There is nothing outside a human being that...can defile him.” This emphasis is not paralleled in the second half, which is comparatively bland: “Those things that come out of a human being are the things that defile him.” With the emphasis clearly on the first half of the verse, its sweeping nature is more naturally understood as absolute rather than relative.

(c) The claim that Matt 15:11 plus G. Thomas 14 represent an independent and indeed original form of the logion ignores the telltale fingerprints of Matthean redaction that pervade Matthew’s reworking of Mark 7:1-23 in Matt 15:1-20. The same consistent Matthean style and theology that is found throughout Matthew’s redactional reworking of Mark 7 is found likewise in his reworking of 7:15. Matt 15:11 betrays the same softening tone as well as the same tendency to tighten and balance material that Matthew employs elsewhere in his redaction of Mark 7 and, indeed, in his redaction of Mark in general. Within Matt 15:11 itself, Matthew’s redactional hand is seen both in the introduction of the characteristically Matthean word “mouth”
(stoma) and in the abbreviation of the Marcan logion to create greater balance between the two halves of the saying. The presence of the Matthean “into your mouth” and “out of your mouth” in the two halves of the aphorism, the resumptive “that” in the second half of the saying, and the carefully balanced parallelism all reveal Matthew’s fingerprints on Matt 15:11. And the same fingerprints are found on Thomas 14—the academic dogma of Thomas’ independence of the Synoptics notwithstanding.

Thus, we conclude that Mark 7:15 is the earliest available form of the logion, a form that emphatically and absolutely declares that no food can defile a person.

13. **Thesis 13.** Granted this conclusion about the original form of the saying, Mark 7:15 most likely does not come from the historical Jesus. If authentic, this logion would mean that with one fell stroke, Jesus abolished a whole corpus of purity laws in the Torah, laws that affected not just some Jews now and then, as with divorce, not just all Jews every seventh day, as with the sabbath, but rather all Jews every day of their lives. For purity laws set up some of the clearest and best known boundaries between Jews and Gentiles, boundaries inculcated in the way Jews handled one of the most basic experiences of life, eating. When one realizes the shattering impact this logion would have on Jewish existence, the reasons for questioning its authenticity become clear:

(a) To begin with, unlike sayings on divorce and the sabbath, Mark 7:15 enjoys no multiple attestation. Apart from it, nothing in the whole of the New Testament states that Jesus, during his public ministry, revoked the food laws.

(b) Moreover, unlike Jesus’ prohibition of voluntary fasting, which had a visible impact
on what his disciples did, nowhere in the Gospels do Jesus and his disciples eat forbidden food.

(c) In fact, strange to say, unlike so many of Jesus’ pronouncements and actions, Mark 7:15 calls forth no response from Jesus’ opponents or the crowds of followers. In other words, the total lack of reverberation of this astounding revocation of key Mosaic commandments raises serious questions about its authenticity.

(d) This lack of reverberation in the Gospels is matched by a lack of reverberation of Mark 7:15 in the history of the first Christian generation. Both Paul and the Acts of the Apostles struggle with the question of whether Gentile converts should observe the food laws. For all the differences in their approaches, neither Paul nor Luke nor apparently anyone else in the first Christian generation thought to appeal to what Jesus said on the subject. To claim that Mark 7:15 is authentic, we have to suppose that, after being spoken by the historical Jesus, this logion went mysteriously underground, remained unknown to Paul and seemingly anyone else involved in the food controversy that wracked first-generation Christianity, only to resurface in Mark’s Gospel and then never to be heard from again in the New Testament. In particular, we have to suppose that when the famous food fight broke out at Antioch between Peter and Paul, neither Peter nor Barnabas nor anyone who had shared in the public ministry of Jesus remembered Jesus’ shocking revocation of the food laws, despite its obvious relevance to the present dispute.

This lack of a Wirkungsgeschichte in the first Christian generation is perhaps the most weighty argument against the authenticity of Mark 7:15. This decision against authenticity relieves us, happily, of the burden of examining in detail Mark 7:17-23. If the key statement in Mark 7:15 is a Christian creation, then it follows necessarily that so is the extended explanation and application of the logion in vv 17-23.
14. **Thesis Fourteen.** The reason for my initial (and strange) strategy of postponing 
consideration of Mark 7:1-5 to the end of our treatment should by now be clear. Our 
examination of the pericope has shown that, with the possible exception of the stray tradition 
about Qorban in vv 10-12, the whole of vv 6-23 is the product of Christian tradition and Marcan 
redaction. But, as they now stand in chap. 7 of Mark, vv 1-5 exist and have meaning only as an 
introduction to the dispute story that continues in vv 6-23—verses that do not come from the 
historical Jesus. And, apart from the connections Mark has redactionally created (or the 
connections created by imaginative modern exegetes), Mark 7:1-5 could hardly act as the direct 
introduction to the Qorban saying in vv 10-12. Thus, there is no historical Jesus tradition for 
which vv 1-5 can serve as the introduction. In other words, if vv 6-23 are inauthentic, by 
inescapable logic the verses that have as their only reason for being the function of serving as the 
entrance door into vv 6-23 are likewise inauthentic.

This decision is further supported by the fact that the dispute in vv 1-5 presupposes that 
at least the Pharisees and some scribes held that handwashing before ordinary meals was 
obligatory for Jewish lay people. No such prescription can be documented in any pre-70 
literature emanating from Palestinian Judaism. The first indisputable attestation of such an 
obligation is found in the Mishna tractate *Yadayim*; and, even there, the prescription is 
accompanied by countervailing opinions. Indeed, scattered opinions that handwashing before 
meals is not obligatory are found later on in the Tosepta, the Jerusalem Talmud, and even in 
Numbers Rabbah. In brief, both the composition-history of Mark 7:1-23 and the history of the 
development of Jewish purity rules indicate that almost all of the material in Mark 7:1-23 comes
15. **Thesis Fifteen.** Without the bright light and interpretive framework given us by Mark 7:1-23, the few scattered references to ritual purity in Jesus’ other sayings and actions do not tell us very much. Perhaps more significant still is the silence of both the Jewish Jesus and the Christian narrator when it comes to many purity issues that would be of grave concern to most Palestinian Jews of Jesus’ day. For example:

(a) **Corpse impurity** was the most virulent of all forms of ritual impurity. It was contracted by anyone who touched a corpse, was in the same room as a corpse, or walked through a burial field. Yet in the stories of Jesus raising the dead, the problem of corpse impurity simply isn’t on the evangelists’ radar screen. A woe against the scribes and Pharisees that mockingly compares them to tombs or graves that defile is found in both Matt 23:27-28 and Luke 11:44. But even if the saying, whose precise wording cannot be reconstructed, comes from Jesus, it tells us nothing specific about his own views on or observance of corpse impurity.

(b) A somewhat similar Q saying in Matt 23:25-26 || Luke 11:39-41 excoriates the Pharisees for cleaning the outside of the cup while inside the Pharisees themselves are full of greed and evil. By contrast, Jesus emphasizes the priority of inner cleanness over outer cleanness. Even if authentic, the saying tells us little about Jesus’ own view of purity laws. In a way similar to the saying about the tomb-like Pharisees, this logion uses the issue of ritual purity on a metaphorical level and in a satirical way to inculcate the importance of inner, moral purity.

(c) The case of the woman with the flow of blood in Mark 5:25-34 is, properly speaking, not a case of menstrual purity *(niddâ)*, but of a woman with an abnormal and irregular genital
discharge (zêbâ). Now the purity laws of the Pentateuch (Lev 15:25-30) do not explicitly state that a zêbâ communicates ritual impurity simply by touching someone—or, a fortiori, in the case of Jesus, someone’s clothing. Unless we suppose that ordinary Galilean peasants knew and observed the more rigorous rules of the Essenes or anticipated the hêlêkâ of the later rabbis, there is no reason to think that either the woman or Jesus thought that impurity was being communicated by her touching his garment.

(d) Akin to the purity rules for a zêbâ were the rules for a niddâ, a menstruating woman. Interest in this purity question apparently increased around the turn of the era until it received a whole tractate in the Mishna, Niddâh. In stark contrast to this development is the total silence of Jesus and the Gospels on this question. Let us remember that the itinerant Jesus had in his entourage not only a group of men, most of whom presumably experienced regular seminal emissions—along with ritual impurity—during sleep, but also a group of devoted women, many of whom would presumably be menstruating at various times of the month. When one considers the problem of mutual ritual contamination by men and women living in close quarters on the road, with no purifying pool available for total immersion, the complete silence of Jesus and the evangelists on these purity issues is striking. When we put this together with the silence about corpse impurity, we begin to get the impression that Jesus was simply not interested in the questions of ritual purity that consumed the interest of many pious Jews of his time.

(e) The same silence about purity is met in the story of Jesus touching the leper in Mark 1:40-45, but here we may have a situation similar to that of the zêbâ. The laws governing leprosy (actually, various skin diseases, not Hansen’s disease) in Leviticus 13–14 do not explicitly state that a person who touches a leper is rendered unclean. Even the halakic material
in the Dead Sea Scrolls does not clearly affirm that touching a leper makes a person unclean, and at least one fragmentary text may indicate the opposite. The first glimmer of the idea that a person touching a leper renders himself unclean appears in Josephus’ *Against Apion*, and even there it is not clear whether Josephus is engaging in polemical exaggeration. To be sure, Jesus commands the leper he cleanses to show himself to a priest, according to the Law. But this doesn’t tell us much about Jesus’ view of ritual purity. From a practical point of view, the ostracized leper could not return to and be integrated into ordinary social and religious life without “a clean bill of health,” as it were, from a priest.

In conclusion, then, we may at first be disappointed by the largely negative results of our investigation into Jesus and purity rules. In almost every pericope we have examined, not only is there no programmatic statement about ritual purity, there is simply an absence of or silence about the question. Granted the great debates about purity around the time of Jesus, one possible conclusion is that, for Jesus, ritual purity was not only not a burning issue, it was not an issue at all. In this, there is a major difference from his views, e.g., on divorce and the sabbath.

For the sake of broadening the scope of our discussion at the conclusion of this paper, let me pose the ultimate and radical question: What precisely was Jesus’ position on or approach to the Mosaic Law? Did Jesus oppose or annul the Mosaic Law as such? Certainly not. The Mosaic Law was the given, the sacred canopy under which all Jewish debates about it take place. And yet I would suggest that it is a basic mistake to try to find one coherent line of thought or systematic approach to the Law on the part of Jesus. The one and same Jesus totally forbids divorce, urges a commonsense approach to observing the sabbath, and seems unconcerned about
purity rules. This lack of a neat pattern flies in the face of a frequent agenda of Christian theologians, who are often driven by a desire to find some “principle” from which Jesus’ teachings on the Law can be derived or on which they are based (love is perennially the favorite candidate).

One hates to be against love, but here is one of the most common forms not only of Christianizing the historical, Jewish Jesus but also of turning his halakic teachings into a system of moral theology or Christian ethics. The historical Jesus was an itinerant eschatological prophet and wonder worker along the lines of Elijah. In other words, he was a religious charismatic. Such people implicitly or explicitly claim to know directly and intuitively God’s will in particular situations. Hence, at least in the bedrock traditions we can attribute to Jesus with fair certitude, Jesus usually does not reason to his teaching, derive it from some principle, or invoke some other great teacher as his authority. There is no “the word of the Lord came to me, saying...” or “Rabbi X said in the name of Rabbi Y.” As the final prophet sent from God to Israel, Jesus knows that he knows God’s will, and that’s the end of that—an attitude summed up perfectly in his characteristic, apodictic, and apparently unparalleled “Amen I say to you....” It’s so because I say it’s so. In sum, then, Jesus’ studied indifference to ritual impurity—and, indeed, all of Jesus’ specific teachings on halakic questions—stem not from some grand theory about or system of Law but rather from his self-understanding as the charismatic prophet of the end time. Hopefully our appreciation and appropriation of this basic insight will purify us of the original sin of Christianizing the historical Jesus.
END NOTES


cba jesus and purity