

## PARASHAT SHEMINI

### The Sin of Nadav and Avihu and the Animals Prohibited for Consumption By Rav Amnon Bazak

#### A. The Problem

In the aftermath of the tragic death of Nadav and Avihu, the Torah suddenly interrupts the narrative with a command highlighting an additional function of the *kohanim*:

And to distinguish between the holy and the profane, and between the impure and the pure; and to instruct *Bnei Yisrael* concerning all of the statutes which God spoke to them at the hand of Moshe. (10:10-11)

These verses set forth the framework for the chapters that follow in chiasmatic order. First, the Torah discusses the differences between the impure and the pure, in terms of the types of animals that may be eaten and those that may not (chapter 11), and the various types of impurity and purity (*Parashot Acharei Mot, Tazri'a, and Metzora*); thereafter, it addresses the differences between the holy and the profane (*Parashot Kedoshim and Emor*).

What do these categories and the differentiation between them have to do with the sin of Nadav and Avihu? Why are the *kohanim* given the new job of differentiating between the holy and profane and between the impure and the pure specifically here, in the midst of the events of the "eighth day"?

In order to answer this question, let us examine the animals forbidden as food as listed in chapter 11. We will find two groups of prohibitions in this chapter, and we will discuss the connection between them and the story of the death of Nadav and Avihu.

#### B. "Impure" vs. "Abomination"

As noted, chapter 11 introduces the discussion concerning the differentiation between the impure (*tamei*) and the pure (*tahor*). The first part of the chapter is devoted to distinguishing between those animals that may be eaten and those that may not, and it consists of four clearly defined units:[\[1\]](#)

1. Verses 2-8: "These are the beasts which you shall eat of all the animals that are upon the earth..."
2. Verses 9-12: "These you shall eat of all that is in the water..."
3. Verses 13-19: "And these you shall regard as an abomination among the birds; you shall not eat of them..."
4. Verses 20-23: "These you may eat of every creeping thing that flies..."

There is an important difference between the first of these four units and the three that follow. The first unit refers to that which is forbidden as "impure" (*tamei*):

(4) But this you shall not eat of those that chew the cud and of those that are cloven-footed: the camel, because it chews the cud but does not part the hoof – it is impure for you. (5) And the coney, because it chews the cud, but does not part the hoof – it is impure for you. (6) And the hare, because it chews the cud, but does not part the hoof – it is impure for you. (7) And the pig, because it parts the hoof and is cloven-footed, but does not chew the cud; it is impure for you. (8) You shall not eat of their flesh, and you shall not touch their carcass; they are impure for you.

In contrast, in the following three units there is no mention of "impurity." Instead, the Torah uses the word "*sheketz*" (abomination):

(10) And anything that does not have fins and scales in the seas and in the rivers, of all that swarms in the water, and of all living things that are in the water – they are an abomination to you. (11) And they shall be abominable to you: you shall not eat of their flesh, and you shall regard their carcass as abominable. (12) Anything that does not have fins and scales in the water is an abomination to you. (13) And these are to be regarded as abominable among the birds, they shall not be eaten, they are an abomination: the eagle, and the bearded vulture, and the black vulture... (20) All swarming things that fly, going about on four legs, shall be an abomination to you.

This discrepancy in the terminology is not coincidental. We find further that the animals and beasts that are forbidden as food, and which are defined as such because they are "impure" transmit impurity even after their death:

(24) And for these you shall become impure: anyone who touches the carcass of them shall be impure until the evening. (25) And whoever takes up part of their carcass shall wash his clothes and be impure until the evening. (26) Any beast which parts the hoof but is not cloven-footed, and does not chew the cud, shall be impure for you; anyone who touches them shall be impure. (27) And anything that goes upon its paws, among all the beasts that go on all four, are impure for you; anyone who touches the carcass of them shall be impure until the evening. (28) And whoever takes up their carcass shall wash his clothes and be impure until the evening; they are impure for you.

In contrast, those among the water creatures, the birds, and the creeping things that fly which are defined as being forbidden because they are an "abomination" do not convey impurity once they are dead.

What is the meaning of this difference?

### C. "I Wish To" or "I Have No Wish To"?

The question of why the Torah forbids the consumption of these particular types of animals is one that has long engaged sages and scholars. On the one hand, there is *Chaza!*'s well-known teaching:

A person should not say, "I have no wish to wear *sha'atnez*; I have no wish to eat the flesh of a pig"... Rather, "I wish to – but what can I do; my Father in heaven has decreed this upon me" (*Sifra, Kedoshim, parasha 10*).

This suggests that there is no rational reason for the prohibitions; they should be regarded as an expression of Divine decree, and the careful observance of them as an expression of acceptance of the yoke of Heaven. On the other hand, the *Rishonim* nevertheless suggest rational reasons for these prohibitions, and over the generations these concepts have developed in different directions.

Some, such as Rashbam (on verse 3), have addressed the physical aspect:

According to the simple meaning of the text and the appropriate response to heretics [who question these laws], all of the animals and beasts and birds and fish and types of locusts and creeping things which God has forbidden to Israel are disgusting, and they damage and infect the body, and therefore they are referred to as "impure." And even expert doctors say so, and likewise in the Talmud (*Shabbat 86b; Avoda Zara 31b*): "The gentiles who ate creeping things and insects, sicken their bodies."

Others view the matter as pertaining to the spiritual realm, as in Ramban's well-known comment (on verse 13):

The reason for the prohibition concerning [these specific] birds is because of their cruel nature. This would apply to animals, because there are no animals of prey among those that chew the cud and are cloven-footed; the rest devour prey.

It seems that both ideas represent "the words of the living God," and each of approaches finds expression in a different type of forbidden foods. The units in which we find the root "*sh-k-tz*" (abomination) would seem to express a rational reason for these prohibitions. An "abomination" is something disgusting. The same meaning is conveyed by other appearances of this word in *Tanakh*, especially in connection with idolatry:

And you shall not bring a detestation into your house, lest you become accursed like it; you shall consider it abominable and regard it as a detestation, for it is a cursed thing. (*Devarim 7:26*)

And the mediums and the wizards and the images and the idols and all the abominations which were seen in the land of Yehuda and in Yerushalayim – Yoshiyahu removed them. (*Melakhim II 23:24*)

It seems, then, that the water creatures, birds and creeping things defined as "abominations" are foods that are meant to disgust a person.

Matters of impurity and purity, in contrast, generally belong to a different mindset: they belong to the realm of "What can I do; my Father in heaven has decreed this upon me." As the Rambam teaches (*Laws of Mikvaot 11:12*):

It is clear and known that the definitions of impure and pure are decrees of the Torah; they are not of the sort of matters that a person could arrive at alone. They belong to the category of "statutes" [laws that have no clear rational reason].

The definition of prohibited beasts and animals as "impure" therefore implies that the prohibition does not express a sense of disgust associated with them; rather, refraining from them is an expression of acceptance of the yoke of Heaven and God's laws, even when we do not understand them.

This helps explain the dual conclusion of the chapter. First, it mentions the prohibitions concerning abominable things:

You shall not make yourselves abominable with any creeping thing which creeps... for I am the Lord your God Who brings you up from the land of Egypt, to be your God... to distinguish between the impure and the pure, and between the beast that may be eaten and the beast that may not be eaten. (verses 45-47)

The emphasis is on the actual distinction between the impure and the pure – even though among animals there are none that are prohibited as "abominations."

#### **D. The Message of the Story of Nadav and Avihu**

Let us now return to our original question: What does the whole subject of the animals forbidden as food have to do with Nadav and Avihu?

It would seem that the connection between the two *parashot* lies specifically in the first of the four groups of forbidden foods – those whose prohibition expresses acceptance of the yoke of Heaven.

Let us explain. The sin of Nadav and Avihu is described in the text in a simple and straightforward manner:

The sons of Aharon – Nadav and Avihu – took each his censer and placed fire in it, and they put incense on it, and they offered a strange fire before God, which He had not commanded them. (10:1)

Nevertheless, the commentaries propose different ways of interpreting the sin (see, for example, the two explanations cited by Rashi, as well as Rashbam's commentary). The multiplicity of interpretations seems to stem from the question of why this act of the sons of Aharon was considered so grave that they were deserving of death.

If we compare the sin described in the *parasha* with the actions of Aharon and his sons as described previously, we find a sharp contrast. Concerning Aharon and his sons, we are told:

They brought that **which Moshe had commanded...** and the sons of Aharon brought the blood... before God, **as Moshe had commanded...** and a fire emerged from before God and it consumed upon the altar the burnt offering and the fat; and all the people saw, and they sang, and fell upon their faces. (9:5-22)

In describing the episode of Nadav and Avihu, the Torah tells us:

The sons of Aharon – Nadav and Avihu – took each his censer... and they brought before God a strange fire **which He had not commanded them**. And a fire emerged from before God and devoured them, and they died before God. (19:1-2)

In both descriptions, the sons of Aharon take something and offer it before God, and in both cases, a fire emerges from before God and consumes. But in the first instance, the fire consumes the sacrifices, leading to song, while in the second instance, the fire consumes those who are offering the sacrifice, leading to weeping amongst the entire house of Israel (verse 6). The reason for the huge difference in how these two instances of sacrifice play out is set forth explicitly. At first, everything is done "as commanded;"<sup>[2]</sup> but then Nadav and Avihu act as "He had not commanded them."

This is the root of the problem. Every religious experience, as important and inspiring as it may be, entails a danger. Is man's purpose solely to serve God, or is he supposed to satisfy his own need for a spiritual experience?

The way to distinguish between them concerns the question of "as Moshe had commanded them." So long as an experience or action is undertaken within the boundaries of what is commanded, a person sets limits on himself and his actions even in the midst of the spiritual experience and is aware that he subservient at all times to God's word. When he acts other than as he is commanded to, the question arises: Is this action or addition really necessary, or even appropriate, for serving God?

Likewise they, in their joy – once they saw a new fire, they sought to add further love to the love that was already manifest. (*Torat Kohanim, Shemini, parasha 1*).

The addition of their unnecessary and superfluous act of "love" is what teaches us that on this historical day, the day when the Divine Presence came to rest in the *Mishkan*, Nadav and Avihu broke through the boundaries of Divine service and acted out of a quest for their own personal spiritual experience. Thus, their act was a sort of *avoda zara* – a foreign worship – and they were therefore deserving of death.

The *tikkun* (repair) for the sin comes through an emphasis on the need to adhere precisely to God's command, and it would seem that this is meaning of the unit on forbidden foods appearing here. The acceptance of the prohibitions in foods that expresses nothing but obeying God's command, with no rational reason, is part of the *tikkun* for the fundamental deficiency which was manifest in the episode of Aharon's sons.

#### **E. "Could it be Accepted in God's Sight?!"**

However, the Torah does not seek to simply set down mindless decrees. Along with the lesson of accepting God's command even where we do not understand it, the Torah presents a parallel system of forbidden foods that makes sense to a person's intellect. The Torah is based on truth and justice, on an understanding of man's nature and his ability to internalize its messages. The message of accepting the yoke of Heaven and fulfilling God's commands even if we do not understand them is important – but not the sole message. And indeed, most of the sections on forbidden foods do make sense.

Moreover, it seems that this concept is expressed even before we reach the forbidden foods – in the story of Nadav and Avihu itself. Following their tragic deaths, Moshe discovers that the sin offering which the *kohanim* were supposed to eat has been burned. The Torah describes his response:

He was angry with Elazar and Itamar, the remaining sons of Aharon, saying, "Why did you not eat the sin offering in the holy place... and God has given it to you, to obtain forgiveness for the congregation, to make atonement for them before God?! Behold, its blood was not brought into the holy place; you should have eaten it in the holy place, as I commanded!" (10: 16-18)

Aharon's response is:

"Behold, today they offered their sin offering and their burnt offering before God, and such events have happened to me; if today I had eaten the sin offering, could it have been accepted in the sight of God?!" (verse 19).

What is the meaning of this dispute?

It seems that Moshe's conclusion from the episode of the death of Aharon's sons is, as discussed above, the importance of observing the *mitzvot* "as God commanded". He therefore adopts a series of measures to ensure that everything will be done precisely in accordance with God's commandments. He warns Aharon and his sons to continue their service with no observance of mourning, lest further disaster befall them:

"Do not grow the hair of your head long, nor rend your clothes, lest you die and anger come upon all the people." (10:6)

He then emphasizes the importance of eating the parts of the sacrifices that are meant for the *kohanim*:

Moshe spoke to Aharon, and to Elazar and to Itamar, his remaining sons: "Take the meal offering that remains of the offerings of God made by fire, and eat it without leaven beside the altar... for it is your due, and your sons' due, from the sacrifices of God made by fire, for so I have been commanded. And the breast that is waved and contribution of the thigh you shall eat in a pure place... and it shall be yours, and your sons' with you, as your eternal due, as God has commanded" (10:12-15).

Hence, it is not difficult to understand Moshe's anger when he discovers that part of the service has not been carried out as commanded:

"Why did you not eat the sin offering... you should have eaten it in the holy place, as I commanded!"

Aharon defends himself by insisting that some situations are exceptional; some situations require that one deviate from the usual framework. Could there possibly be an act of eating to bring atonement on the day when Aharon has lost two of his sons? As Rashbam expresses it:

How can I eat the sin-offering, of the food sanctified for all future generations, on this day when our joy was spoiled and mixed? It would be like the disgrace of a bride who commits adultery while under the very wedding canopy!

Indeed, deviation from the usual requirements is usually a sin, and sometimes it is even punishable by death. But every case is judged on the basis of its own circumstances; an act that was performed with extraneous motives is not the same as an act that befits the situation as part of the quest for that which is good in God's sight.

Moshe's greatness is revealed in the fact that he is able to understand this. The demand to observe absolute adherence to regulations, with no consideration for changing circumstances, is also sometimes not the correct approach in serving God. "And Moshe heard it, and he approved" (10:20).

It is not at all easy to find the balance between the complete subservience to God's command that is required of man, even where the command does not appeal to his reason, and the understanding that circumstances sometimes do make a difference, and that this too is a true reflection of God's will. One of the ways to find the balance is to observe these laws of forbidden foods, which include prohibitions that make sense as well as prohibitions that we do not understand. In this sense, this unit in our *parasha* represents an archetype for many different areas of the Torah, guiding us in observance of the *mitzvot* and the service of God.

Translated by Kaeren Fish

---

[1] All references here are to *Vayikra*, chapter 11, unless otherwise specified.

[2] This expression appears five times in varied forms throughout the story of the "eighth day": see chapter 9, verses 5, 6, 7, 10, 21.