

CURRENT TALMUD PASSAGE

Posted April 28, 1999 by Rabbi Judy Abrams. Please refer to Maqom's home page for information about previous passages.

BH

The sages likened the relationship of student to teacher to that of a child to a parent (B. Baba Metsia 33a-b). It is an easy metaphorical extension of this idea, then, to consider that not engaging in such a relationship is like death itself; a failure to propagate the species. The species, in this case, is the sages' culture of learning and the relationships learning fosters. The discussion begins with a mishnah about who should, and who should not, incur the ritual impurity that comes from touching a corpse.

A high priest and a nazir should not make themselves unclean [because they buried] their relatives. But they should make themselves unclean [because they buried] a meit mitsvah [i.e., a corpse found abandoned on the ground with no one to bury it]. (M. Nazir 7:1)

This mishnah states that those who must take particular care not to become ritually impure, i.e., a high priest who could not officiate in the Temple and a nazir, shouldn't become impure even in order to bury a close relative. The biblical basis for the institution of the nazir is Numbers 6:1-21. These vows, taken for limited periods of time by men and women alike, entailed three duties above and beyond the normal observance of mitzvot: not cutting one's hair for the duration of the vow (this was Samson's undoing since he was a special type of nazirite for life), not drinking wine and liquor and avoiding contact with dead bodies and the ritual impurity associated with them. If a person transgressed these principles before the period of the vow was over, he or she had to go through a purification ritual and start the full period of observance over again. After the Temple was destroyed no one took nazirite vows.

For the sages, there could be no purer form of honor than the honor shown a meit mitsvah. A meit mitsvah, literally, a dead one [whose care is] commanded, is someone who has died and has no one to perform the last rites of purification and burial for him or her. This, then, becomes the community's responsibility: to give this person a proper burial. Helping to bury the dead is one of the highest forms of showing honor in Judaism, for it is one of the few acts of charity that we know cannot be repaid by the person upon whom it is bestowed, and thus can have no aspect of self-interest to it.

Honor accrues to the meit mitsvah not because of anything intrinsic in him or her, but because of the honor inherently due any human being. Because we know that not only can this individual not repay us but also that this person's relatives cannot show us the same kindness, burying a meit mitsvah is the purest form of mitzvah there can be. It is done out of true altruism and love of one's fellow creatures and the image of God residing in them. Therefore, even a high priest and a nazir must involve themselves in burying such a person. Their ban on ritual impurity is outweighed by the need to honor God's image in a corpse.

Rabbi Akiba, before he became attached to the sages, encountered such a corpse and, while trying to do the right thing, actually made things worse. A meit mitsvah should be buried where it is found, but Rabbi Akiba did not know that.

Said Rabbi Akiba: Before I began learning before the sages this was my state. One time, I was walking on the road and I found a meit mitsvah and I attended to him for four miles until I brought him to the graveyard and I buried him. Now when I came to Rabbi Eliezer and I came to Rabbi Yehoshua, I told them [about] this matter. They said to me: For every step you took it was accounted to you as if you had shed blood [for taking the neglected corpse away from the spot in which it should have been buried]. I said: If when I intended to acquire merit I made myself liable [to punishment and blame for not doing things right] when I did not intend to do the right thing, how much more so [would I bring blame and punishment on myself]. From that time I have not been diverted from serving the sages. He would say, "One who does not serve sages is [so] guilty [as] to [deserve the] death [penalty]." (Y. Nazir 7:1 56a-b)

Rabbi Akiba, before he was a student of the sages, came upon a meit mitsvah and dragged the corpse four miles to the nearest burial ground. He didn't know that the corpse should have been buried on the spot where it was found and that, by carrying it, he was considered as if he had committed a capital crime against this poor fellow.

This story about Rabbi Akiba is potently placed with this mishnah to emphasize that one who does not participate in the sages' culture is considered by the sages to be as forlorn as a meit mitsvah; a corpse alone in a field. It is only through studying with the sages that one can face even the most extreme challenges life has to offer and be able to come through them in life and wholeness. Like the nazir, the sages are above and beyond some parts of life.

Discussion Questions:

1. What other mitzvot can you think of that are as important as the concept of a meit mitsvah, that is mitzvot that are based on honoring God's image in every human being?
2. Why do you think the story about Rabbi Akiba was placed at this mishnah? Where else in Talmud might it have been placed? Why?