Jesus and First Century Jewish Purity Laws

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Rules about what is pure and impure, especially laws concerning clean and unclean foods, contribute to the definition and the differentiation of one religious denomination from another. This facet of religious tradition had particular gravity during the first century of the Common Era, during which rules pertaining to the classification of clean and unclean foods were, for a Jew, a matter of covenant loyalty and national identity. Jesus, as described throughout the New Testament Gospels, was a Jew who faithfully embraced these distinctively Jewish rites. Therefore, I argue that the historical Jesus was an observant and devout Jew, and that his words stated in the Gospels that contradict this, concerning the arbitrary nature of hand washing and food purity laws, are not authentic. Rather, they are polemics of the early Christian church that redefine food rules as a means of differentiating Christians from Jews for the purpose of embracing the Gentiles.

It is imperative that the Jewish purity laws and observances that were prevalent in Jesus’ time be examined here, in order to establish what first century Jews considered to be pure and impure. Purity usually symbolizes holiness, whereas impurity separates one from God. Therefore, purity is often seen as a prerequisite to approach God.¹ Ideas of purity and impurity, as handed down from ancient Israel, had two focuses. Firstly, purity observances were cultic matters pertaining to priests and the temple, in which cosmic and social lines were defined. Secondly, purity and impurity served as important metaphors for regulating moral and religious conduct pertaining to sexual relations, idol worship and disreputable behaviour.² Furthermore,


² Ibid., p. 16.
proximity to the temple was an important variable in the observance of purity. There were specific and socially important interpretations of purity that differentiated the Sadducees and Pharisees, who were in direct relationship with the Temple cult, from the Jews (including Jesus) who lived at great distance from the temple where purity was commonly used metaphorically.³ For temple priests, purity was a cultic practice. For example, if a Jerusalem priest had sexual contact with a menstruating woman they would be required to undergo a rite of purification before entering the temple. Ordinary Jews on Passover pilgrimages to Jerusalem would also have been required to undergo a rite of purification before entering the temple. Only Jews living away from the temple would use purity and impurity metaphorically for moral and immoral behaviour, such as fornication and idolatry.⁴

It is also important to note that purity observances were not prohibitions, but rather they were meant to regulate action, such as entering the Jewish temple in a state of impurity.⁵ Moreover, purity infractions, such as eating or touching certain animals, did not imply that the impure person was a sinner, nor did it limit ordinary associations, except for a short period which required a purification bath in the immersion pool and waiting for sunset. For the same reason, the contact of a pure person with an impure one was not considered a sin, but was to be avoided so as to limit the possibility that someone impure may eventually come into contact with something connected to the temple. While some purity transgressions, such as eating certain fats or blood, did constitute sin and therefore required atonement, in most cases touching or eating something forbidden did not represent sin and was rectified by washing and waiting for sunset.⁶

³ Ibid., p. 17.
⁴ Ibid., p. 20.
⁶ Ibid., p. 183.
The Synoptic Gospel narratives describe Jesus not as a law-breaking Jew, but as an observant Jew who conformed to the accepted religious practices of his tradition, including food taboos. Jesus' pious law-abiding observation of the Passover ritual is illustrated in Mark with instructions to his disciples for the preparation of the paschal ritual: "On the first day of Unleavened Bread, when the Passover lamb is sacrificed, his disciples said to him, 'Where do you want us to go and make the preparations for you to eat the Passover?' So he sent two of his disciples, saying to them, ‘Go into the city, and a man carrying a jar of water will meet you; follow him, and wherever he enters, say to the owner of the house, 'the teacher asks, where is my guest room where I may eat the Passover with my disciples?' He will show you a large room upstairs, furnished and ready. Make preparations for us there.' So the disciples set out and went to the city, and found everything as he had told them; and they prepared the Passover meal.”

Observance of special days like the Passover festival exemplifies Jesus’ devotion to Judaism.

Jesus is also shown to adhere to the Torah law of the Old Testament. In one instance, Mark 1:44, Jesus instructs a leper he has healed to show himself to a priest, and when pronounced clean, this man was to perform sacrificial rites. Particularly, the rights that were prescribed by Moses in Leviticus 14:1-7. Another example lies in a descriptive Gospel passage that refers to a garment Jesus wore with a hem fitted with tassels – a tzitzis. This is in conformity with the Mosaic instruction outlined in the Old Testament book of Numbers.

Another aspect of Jesus’ faithfulness to Judaism, as depicted in the Gospels, is his association with synagogues. He is described as a respected healer, exorcist (Vermes 1993:13), and as a teacher of great authority: "They went to Capernaum; and when the Sabbath came, he

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7 Mk. 14: 12-16
9 Mt. 9:20; Lk. 8:44; Mk. 6:56; Mt. 14:36.
10 Num. 15:38-40.
[Jesus] entered the synagogue and taught. They were astounded at this teaching, for he taught them as one having authority, and not as the scribes...And he went throughout Galilee, proclaiming the message in their synagogues and casting out demons.”\textsuperscript{12} As this passage illustrates, Jesus frequented the synagogues and captivated those with whom he came into contact. These Gospel stories do not portray Jesus as a Jew who has come to Jerusalem to reform the law, nor offer a metaphorical interpretation of the law, but rather as a Jesus who is in essence a steadfast supporter and advocate of Temple worship.\textsuperscript{13}

With respect to hand washing in the Jewish tradition, Jesus also did not contradict the law. A close examination of the passages in Mark and Matthew reveal that Jesus was not accused of breaking this law: "Now when the Pharisees and some of the scribes who had come from Jerusalem gathered around him, they noticed that some of his disciples were eating with defiled hands, that is, without washing them. (For the Pharisees, and all the Jews, do not eat unless they thoroughly wash their hands, thus observing the tradition of the elders; and they do not eat anything from the market unless they wash it; and there are also many other traditions that they observe, the washing of cups, pots, and bronze kettles) So the Pharisees and the scribes asked him, 'Why do your disciples not live according to the tradition of the elders, but eat with defiled hands?'"\textsuperscript{14} It was Jesus' disciples, not Jesus Himself, who were being accused of refraining from washing their hands before eating.

Hand washing is a matter that appears in the Gospels and suggests that some Jews washed their hands before eating. There is not a great deal of information on the Jewish custom of hand washing in Jesus' time, and although it appears in the Mishnah, the first major written account of the Jewish oral traditions, it is not a biblical requirement. Prior to 70 CE, ordinary Jews did not

\textsuperscript{12} Mk. 1:21-22, 39.
\textsuperscript{13} Vermes, Geza. \textit{The Religion of Jesus the Jew} (London: SCM Press Ltd., 1993), p. 16
\textsuperscript{14} Mk. 7:1-5.
accept the practice. However, this custom probably arose in Jesus' time among certain Jewish
groups and is one of the few purity practices to have survived since the destruction of the
temple.\textsuperscript{15} Furthermore, biblical purity laws were not of particular concern for the Pharisees since
it was the responsibility of the Temple priests to define and teach to the people which areas were
clean or unclean. Moreover, there is no contradictory evidence to suggest that the priests had
relinquished their responsibilities therein to the Pharisees or to the scribes who taught them to the
Pharisees.\textsuperscript{16} Temple priests were, however, required to wash their hands and feet after urinating,
but there is no mention of washing their hands before eating, and there is no evidence to suggest
that if one did not follow these rules they were guilty of sin.\textsuperscript{17} It is also a highly unlikely scenario
that the Pharisees, on the Sabbath, made a special excursion from Jerusalem to the cornfields of
Galilee to scrutinize Jesus and examine his disciples' hands for cleanness, as depicted in the
Gospel of Mark.\textsuperscript{18} It is difficult to prove whether Jesus ever debated such issues with the
Pharisees. These stories are best interpreted as a record of some kind of conflict between Jesus
and Pharisees on points of the law. What is important to note is that no transgression of the law
was attributed to Jesus; it was His disciples who were in question.

A passage in Luke contains a situation that detracts from the usual depiction of Jesus, as it
suggests that Jesus is guilty of eating with unclean hands: "A Pharisee invited him [Jesus] to dine
with him; so he went in and took his place at the table. The Pharisee was amazed to see that he
did not first wash before dinner. Then the Lord said to him, ‘Now you Pharisees clean the
outside of the cup and the dish, but inside you are full of greed and wickedness. You fools! Did
not the one who made the outside make the inside also? So give for alms those things that are

\textsuperscript{16} Ibid., p. 184.
\textsuperscript{17} Ibid., p. 185.
\textsuperscript{18} Ibid., p. 265.
within; and see, everything will be clean for you.”¹⁹ A metaphorical interpretation of Jewish purity, as already discussed, was common among Jews who didn’t have daily access to the temple, and was adopted by all Jews after the Temple's destruction in 70 CE.²⁰ Both scenarios are incongruent with Jesus' time and His proximity to the Temple cult, and contradict the Jesus who is described throughout the Gospels as a law-abiding Jew. Therefore, it is more likely that this highly allegorical passage has been adapted from Gospel of Mark by the author of Luke to support the image of a Jesus rejected by Israel, whose message is to be delivered to the nation of Gentiles.

Mark's hand washing dispute is followed by another more important discourse concerning food purity. For the Jews, food regulations symbolized law and lawlessness, determining how a Jew would conceive of and participate in relations with other humans and with God. Food was an important symbol of God's power, in that good food signified God's blessing and ability to bestow life, whereas bad food or starvation implied God's judgment and punishment. Furthermore, acceptance of food observances meant acceptance of God's authority, while breaking the food laws or seeking forbidden food meant rejecting God's decree. Also, God's word was symbolized by food. Eating the right foods signified communing with God, whereas, impure foods symbolized separation from God.²¹

The authenticity of Mark 7:14-23, is, in part, independently attested by Thomas. I hypothesize that the passage, "what goes into your mouth will not defile you, but that which issues from your mouth—it is that which will defile you," is probably closest to the original

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¹⁹ Mk. 11:37-41.
aphorism attributed to Jesus, as it has all the earmarks of the oral tradition.\(^{22}\) On the other hand, the Synoptic versions show clear signs of editorial activity with the inclusion of the allegorical content. Mark's discourse on hand washing and his attempt to answer the issue with a second topic regarding food purity suggests that the evangelist did not understand the distinctions between the hand washing code and dietary law.\(^{23}\) As previously discussed, the Mishnah states that unwashed hands do not defile everyday food, nor did common Jews accept the practice of hand washing prior to 70 CE, as food prohibitions were a Temple cult practice and it was only after the temple's destruction that food observances were a basis for moralistic allegory.\(^{24}\) Jesus was an observant Jew who followed Torah law, and there is no evidence in the Gospels suggesting that Jesus or his disciples ate non-kosher food.\(^{25}\) Evidently, there is a contextual discrepancy within the passage.

Purity rules and observances function as a means of differentiating one sect from another and the interpretation of those purity laws carried implications throughout the tradition as a whole.\(^{26}\) In pre-Christian Judaism, eating kosher food with other Jews would have been routine,\(^{27}\) but after Paul evangelized among the Gentiles, debates over food observances, table fellowship and purity concerns resulted in schisms. Paul's letters indicate these schisms and his arguments to alleviate them. For instance, in Romans, Paul addresses quarreling Christians who are concerned about those who "eat anything", while others "eat only vegetables,” and chastises those who pass judgment, declaring, "I know and am persuaded in the Lord Jesus that nothing is unclean in

\(^{22}\) Acts. 14.
itself; but it is unclean for anyone who thinks it unclean.”²⁸ Paul introduces a subjective attitude towards cultural habits and creates room that accommodates food differences among Jews and Christians.²⁹ He further reiterates that, "the kingdom of God is not food and drink but righteousness and peace and joy in the Holy Spirit" and that "everything is indeed clean, but it is wrong for you to make others fall by what you eat.”³⁰ I argue that the Markan author neatly addresses this schism between the Pauline (Gentile Christians) and Jamesian (Jewish Christians) cliques with his editorial addition in Mark, "Thus he declared all foods clean,”³¹ as this is an interpretation that is distinctly Pauline rather than traditionally Jewish.³²

Another schism arising in the early Christian church concerning purity observances of table fellowship between the Jews and Gentiles can be found in several passages. In Galatians, Paul directly opposes Peter and Barnabas over table fellowship rules because they would no longer eat with Gentile Christians when a certain Jamesian faction declared it impure.³³ This is because Jewish law prohibits eating with Gentiles; it was considered polluting because Gentiles ate unclean food, especially food that may have even been offered to idols.³⁴ In Isaiah, Gentiles are cited as eating swine flesh and broth of abominable things.³⁵ Social contact with anything Gentile in nature—clothes, beds, bodies, or cooking vessels—was considered defiling and to be avoided (1981 Feeley-Harnik p. 44).³⁶ In Maccabees, the Maccabean martyrs are remembered

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³⁰ Rom. 14:17; Rom. 14:20.
³¹ Mk. 7:19.
³³ Gal. 2:11-14.
³⁴ Cor. 1:8.
³⁵ Isa. 65:4.
for their steadfast resolve to die before eating defiled food.\textsuperscript{37} Furthermore, the Old Testament highlights Jewish heroes, Daniel (1.8-16), Tobit (1.10-13) and Judith (10.5; 12.1-20), as refusing to "eat the food of Gentiles".\textsuperscript{38} James and the Jerusalem church won the argument, convincing Peter and Barnabas to part ways with Paul over the issue of eating with Gentiles because table fellowship was a strong marker of Jewish identity and covenant loyalty.\textsuperscript{39}

Further evidence that the Gospel writers had Pauline biases can be found in Acts. The Lukan author omits the prominent incident of Peter's break with Paul at Antioch over table fellowship observances. Moreover, Luke betrays a Pauline bias by depicting Jesus as the actual transgressor of Jewish purity observances.\textsuperscript{40} This bias, which absolves Gentile Christians of eating unclean foods, is further amplified by the Lukan author in Acts, wherein God instructs Peter, "to kill and eat," but Peter protests saying, 'I have never eaten anything that is profane or unclean’ but, God declares, ‘what God has made clean, you [Peter] must not call profane’’.\textsuperscript{41} If Jesus really did declare all foods clean, it follows that Peter should have remembered his words and abided by God’s instructions in this passage. The author of Luke is attempting to give Peter a Pauline face through this revelatory vision of God instructing him to abandon Jewish dietary laws (2005 Butz p. 149).\textsuperscript{42} Therefore, early Christian Gospel evangelists were concerned with how to differentiate “their” Jesus from the traditional and observant Jewish Jesus (1981 Feeley-Harnik p. 71). Food was an important mark of distinction. Thus, the passages of Mark 7:14-23; Matt. 15:17-20; and Luke 11:37-41 are polemics of the early Christian church used to establish a more Pauline Jesus over the Jamesian tradition by redefining Jewish purity observances through moralistic allegory.

thus creating a more encompassing sect that could embrace the Gentiles. This approach is most apparent in Mark 7:18-19, "nothing outside a person that by going in can defile, but things that come out are what defile...(Thus he declared all foods clean),” which clearly targets the Jewish food laws and attempts to eliminate the schism between Jewish and Gentile Christians by moralistic allegory.43

In summary, based on the evidence at hand, it seems clear that Jesus did not challenge or violate Jewish purity laws. Firstly, all Gospel descriptions of Jesus portray him as a covenant faithful Jew who followed the Law of Moses and taught in the synagogue and temple, so it is unlikely that Jesus broke these purity observances. The hand washing incident, as proof of His indiscretion, is trivial and moot because, 1), it was not a biblical requirement to wash one's hands before eating, nor was it a widely accepted practice; and 2) Jesus was not the culprit; it was his disciples who were in question. Furthermore, in Jesus' time biblical purity was a cultic matter and the responsibility of the temple priests, which makes it highly improbable that the Pharisees would have thought it important to journey from Jerusalem to Galilee to see if Jesus and his disciples washed their hands and utensils before eating. In regards to the violation of Jewish food laws, all evidence suggests Jesus and his disciples ate kosher food, as was the custom of the time.

Close examination also suggests that Jesus’ words that most incriminate Him as diverging from Jewish law, "there is nothing outside a person that by going in can defile, but things that come out are what defile," were not really his own. The evidence to support this hypothesis consists of, in part, Paul's letters. Like the first documented accounts of early Christianity, they contain little information about the earthly Jesus, but what Paul does document are several incidents of conflict over food purity and table fellowship with Gentiles. It is Paul who argues in Romans, in the name of Lord Jesus, "nothing is unclean in itself; but it is unclean for anyone

43 Mk. 7:18-19.
who thinks it unclean". Again, one might argue that Paul is citing Jesus' words from some oral tradition circulating at the time, but it is more reasonable to infer that Paul is using the name of Lord Jesus to reinforce the credibility of his teaching. If the historical Jesus declared all foods as clean, then the conflicts concerning food rules in early Christianity do not make any sense. Furthermore, if Jesus stated that all foods are clean, the author of Acts would not find it necessary to relay the story about Peter’s vision of God instructing him on what He has made clean. If Peter knew Jesus intimately, he would recall such a profound uttering by a covenant loyal Jew—that all foods are clean. The only conclusion that can be drawn is that Jesus did not say it.

The conflict between Paul and Peter in Antioch indicates a problematic rift in Jewish Christian and Gentile Christian religious behaviour. I therefore conclude that the passages found in Mark 7:1-23, Matt. 15:1-20, Luke 11:37-41 and Thomas 14 are inauthentic sayings of the historical Jesus and that these passages represent the editorial choices of the Gospel writers to redefine the boundaries of first century Jewish-Christian purity notions, in order to distinguish Christianity as a separate sect. Thus, reinterpreting food purity rules that were clearly a stumbling block for Jewish Christians, helped to open the doors to the swelling numbers of Gentiles converted by the Pauline Christians. Therefore, the sayings of Jesus with respect to food purity found in the New Testament Gospels are not contextually credible because the evidence records a Jesus whose teachings and actions were that of a covenant, loyal Jew.
Works Cited


