

NOBUYOSHI KIUCHI

A Study of
Ḥāṭā' and Ḥaṭṭā't
in Leviticus 4–5

*Forschungen
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Mohr Siebeck

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2



Nobuyoshi Kiuchi

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in Leviticus 4–5

Mohr Siebeck

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Foreword

This study has grown out of my struggle with the Leviticus text for a decade or so. It is about a topic familiar to all humanity, that is, sin. It, however, focuses on one important Hebrew root חָטָא , yet not all of its derivations are the object of inquiry, but only חָטָא and חַטָּאת . The term ‘sin’ has been used comprehensively, as referring to various other so-called sin-terms such as *peša*, *‘āwōn* etc. As the present study will bring home to the reader, this has so often obscured the particular aspects of each term.

Sin is something that everyone does not desire to face. All the more so if it is one’s own. Yet, in a true sense the Hebrew Bible appears to talk about human sin from Genesis 3 to its end, so that without a precise understanding of the nature of human sin, much of the Scripture seems to lose its significance for the reader. It is one of my convictions that I had after having worked on these particular terms חָטָא and חַטָּאת that these terms really constitute a cornerstone that has been neglected despite all its importance.

More personally, I have been surprised on two counts. One, though I started the study just with an intention of clarifying the meanings of the terms, it turned out that it was a study of humanity or more poignantly of myself. Two, it turned out that the present work became a sort of revision of my idea on the purification offering that I submitted nearly fifteen years ago, in *The Purification Offering in the Priestly Literature*, Sheffield 1987. As the reader will notice, I have altered my view on some of the points on the purification offering and the matter of sin and uncleanness.

Special thanks are due to the editors of *Forschungen zum Alten Testament* for accepting this work into its second series and to the publisher Mohr Siebeck for their labor to complete this production.

It is my sincere desire that through this small work the reader will see more what human nature is like, and how sin continues to distress the present world.

Fuchu, Tokyo
August, 2002

N. Kiuchi

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Abbreviations

I. Miscellaneous abbreviations

Hiph.	Hiphil
Hithpa.	Hithpael
LXX	Septuagint
MT	Massoretic Text
Niph.	Niphal
P	Priestly source
Pi.	Piel
*	Hebrew root

II. Bible translations

ESV	English Standard Version
JPSV	Jewish Publication Society Version
NASB	New American Standard Bible
NEB	New English Bible
NIV	New International Version
NRSV	New Revised Standard Version
REB	Revised English Bible
RSV	Revised Standard Version

III. Publications

AB	Anchor Bible
ABD	<i>Anchor Bible Dictionary</i>
BBB	Bonner Biblische Beiträge
BDB	F. Brown, S.R. Driver and C.A. Briggs, <i>A Hebrew and English Lexicon of the Old Testament</i>
BKAT	Biblischer Kommentar Altes Testament
DCH	D.J.A. Clines (ed.), <i>The Dictionary of Classical Hebrew</i>

DDD	K. van der Toorn, B. Becking and P.W. van der Horst (eds.), <i>Dictionary of Deities and Demons in the Bible</i>
FAT	Forschungen zum Alten Testament
G–K	E. Kautzsch and A.E. Cowley, <i>Gesenius' Hebrew Grammar</i>
HAL	W. Baumgartner, <i>Hebräisches und aramäisches Lexikon zum Alten Testament</i>
HALOT	L. Koehler and W. Baumgartner, <i>The Hebrew and Aramaic Lexicon of the Old Testament</i> tr. by M.E.J. Richardson
IBHS	B.K. Waltke and M. O'Connor, <i>An Introduction to Biblical Hebrew Syntax</i>
ICC	International Critical Commentary
JBTh	Jahrbuch für Biblische Theologie
Joüon-Muraoka	P. Joüon and T. Muraoka, <i>A Grammar of Biblical Hebrew</i>
JPS	Jewish Publication Society
JSOTS	Journal for the Study of the Old Testament: Supplement Series
NDBT	T.D. Alexander and B.S. Rosner (eds.), <i>The New Dictionary of Biblical Theology</i>
NICOT	New International Commentary on the Old Testament
NIDOTTE	W.A. VanGemeren (ed.), <i>The New International Dictionary of the Old Testament Theology and Exegesis</i>
OBO	Orbis Biblicus et Orientalis
OTL	Old Testament Library
RB	<i>Revue Biblique</i>
SJLA	Studies in Judaism in Late Antiquity
THAT	E. Jenni and C. Westermann (eds.), <i>Theologisches Handwörterbuch zum Alten Testament</i>
TWAT	G.J. Botterweck and H. Ringgren (eds.), <i>Theologisches Wörterbuch zum Alten Testament</i>
VT	<i>Vetus Testamentum</i>
WBC	Word Biblical Commentary
ZAH	<i>Zeitschrift für Althebräistik</i>
ZAW	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>

Introduction

The question of what “sin” means is related to the very foundations of world religions. Particularly in Judaism and Christianity expiation for sins and redemption of the sinful constitute the starting point for one’s salvation. It is not too much to say that the whole lifestyle of a believer rests on what kind of understanding he adopts on the idea of “sin.”

Reading Leviticus, the present writer has long felt that the common English term sin is somewhat inexact for the Hebrew *ḥāṭāʾ* and its related terms.¹ Below is a small contribution, if it is one, towards a reappraisal of the Hebrew terms *ḥāṭāʾ* and *ḥaṭṭāʾt*. In reviewing the occurrences of those terms, various aspects of “sin” have emerged, chief among them is a new understanding of the lexical meaning of the terms.

We shall start from Lev 4–5 as the section appears to be most delicate in the usage of *ḥāṭāʾ*, *ḥaṭṭāʾt*, and other related sin-terminologies. Indeed, terms relating to so-called sin appear to be meticulously differentiated in Leviticus 4–5. For instance, they raise a natural question why the root ḥṭ is used for some parts, and the root ṣḥm is used for other. This question no doubt has the bearing on the difference between the purification offering (or sin offering) and the reparation offering (or guilt offering).² This short study aims at defining the meaning of *ḥāṭāʾ* in its relation to *šgg (šgh) and *māʿal*, thereby shedding a new light to the nature of the purification offering and reparation offering.

It is clear that the section on the purification offering ends in 5:13, and that

¹ For German ‘Sünde’ see R. Knierim, *Hauptbegriffe*, 56, 66–67. Knierim proposes ‘sich verfehlen’ for *ḥāṭāʾ*, and ‘Verfehlung’ for *ḥaṭṭāʾt*; J. Milgrom, *Leviticus 1–16*, 229. Passages adduced for the meaning ‘miss, forfeit’ will be discussed in chapter 2.

² We will use the term ‘purification offering’ for *ḥaṭṭāʾt* and ‘reparation offering’ for *ʿāšām* in the following discussion. The qualification of the former appellation is, in a sense, the main theme of this study. For a discussion over the appellation see Rendtorff, *Leviticus*, 220–21. The central question is how the same term *ḥaṭṭāʾt* can refer to “sin” and a purificatory offering, or how the two distinct ideas, sin and uncleanness, are integrated in the mind of the ancients. For a recent discussion on the relationship between ritual impurity and moral impurity, see J. Klawans, *Impurity*, 21–42; J. Sklar, *Atonement*, 134–49; A. Schenker, *Anlässe* 45 no. 2.

the section on the reparation offering starts from 5:14.³ The remarkable fact is that the root ʔsm appears more frequently in the later section of 4:1–5:26, though ḥāṭā appears for all the cases. Thus, the verbal form ʔāšēm appears in 4:13, 22, 27; 5:2, 3, 4², 5 for the purification offering and in 5:17, 23 for the reparation offering. The verb ʔāšam appears in 5:19 twice. The noun form ʔāšām appears for the first time in 5:6 and then occurs with increasing frequency afterwards, i.e., in 5:7, 15², 16, 18, 19, 25. On the other hand, while the noun ḥaṭṭāʔ and the verb *ḥṭ occurs frequently in ch. 4, they gradually disappear and shift to the root ʔsm . In the section on the reparation offering, the root ḥṭ occurs only in the verbal form and not in the noun form.

It is also remarkable that the noun ḥaṭṭāʔ never appears for the reparation offering. This implies that the reparation offering does not deal with ḥaṭṭāʔ (commonly translated ‘sin’). Thus, if what the reparation offering deals with was conceived as “sin,” whatever the understanding of the English term, the subtle nuance of ḥaṭṭāʔ tends to be neglected.

Ordinarily the term ḥāṭā has been translated ‘sin,’ ‘commit a sin,’ or ‘sich verfehlen,’ but the English equivalents have become too vague to explain the above linguistic phenomenon. Moreover, the use of the term ‘sin’ seems to have been used mostly in reference to a ‘violation of the commandment,’ that is, conduct of a person. It is dubious if this conduct-oriented understanding of “sin” does justice to the Biblical data on the use of ḥāṭā . Some exegetes have indeed felt that the common translations such as ‘sin’ or ‘pécher’ do not correspond to the Hebrew ḥāṭā . Thus, R. Péter-Contesse comments on Lev 4:2 as follows,

Le champ sémantique du verbe חָטָא ne correspond pas exactement à celui de «pécher» en français. Il ne s’agit pas avant tout d’une notion morale, liée à la connaissance subjective d’une loi. C’est d’abord une notion relationnelle. Comme le suggère l’étymologie, il y a à la base l’idée de «manquer/ne pas atteindre le but» (voir p.ex. Es 65.20; Jb 5;24). De là découle le sens de «ne pas être dans une relation juste et normale avec quelqu’un ou quelque chose», et en fin de compte avec Dieu.⁴

³ The term ʔāšām in 5:6, 7 seems to mean ‘reparation’; it is not the name of the ʔāšām offering, just as ḥaṭṭāʔ means both “sin” and the offering that deals with it (see 4:3, 14, 23, 28-29). Cp. Schenker, *Anlässe*, 49–50; *Verfehlungen*, 249-54 and a response by Milgrom, *Leviticus 23–27*, 2446–49.

⁴ R. Péter-Contesse, *Lévitique 1–16*, 75. That ḥāṭā in Lev 4–5 has more than a moral sense is also noted in R. Péter-Contesse & J. Ellington, *Handbook*, 46. They comment, “the prime meaning of the Hebrew word used for “sin” here is not a moral one, as if breaking

It seems that this understanding by Péter-Contesse represents the view of the large majority of exegetes of *ḥāṭāʾ* in such a context. Yet the definition is still vague and it is not clear how the sense differs from another sin-term such as *pešaʿ* which appears to be concerned with mainly the breaking of personal relationship.

Thus, re-examination of the term is required in several senses. In order to grasp the exact sense of the verb *ḥāṭāʾ*, it is necessary to probe into the relationship between the verb on the one hand, and the root šgg (šgh) and *māʿal* on the other. We begin the examination by first determining the sense of *šgg. As these terms appear in the rest of the Hebrew Bible as well, reference will be made to those occurrences to give an overall picture of the term in question.

The course of the discussion I take in the following is as follows. First I will examine the meaning of *ḥāṭāʾ* by scrutinizing its related terms such as *šāḡāḡ*, *yādaʿ* and *neʿlam mimmennû*. In so doing I will propose a meaning of *ḥāṭāʾ*, simultaneously making sure that this meaning fits in well with all the legal cases in Leviticus and Numbers.

Then I will test the meaning in the rest of the Hebrew Bible. Based on the examination of all the occurrences of *ḥāṭāʾ* and *ḥaṭṭāʾ*, significant passages will be interpreted with our new proposal for the meaning of those terms vis-à-vis the conventional meaning ‘to sin’ or ‘to miss.’

When it is confirmed that those Hebrew terms really have these meanings, we will grapple again with the terms in Lev 4–5 in an attempt to explore the difference between the purification offering and the reparation offering.

Lastly, I will address myself to the significance and challenge of the conclusion to moderns in the light of all the arguments.

English translations following the Hebrew text are, unless otherwise indicated, mine.

In dealing with the Biblical text, account will be taken of the general literary genre in which the term in question occurs, but throughout the inquiry any arguments regarding source-critical matters will be left out, partly because the date of the text in question is not the object of our task, and partly because, as

a specific commandment of the Law. It conveys rather the idea of breaking a relationship.” Cp. R. Koch, *Sünde*, 44–48; P.A. Bird, *Genesis* 3, 23.

our inquiry will show, the basic sense of *ḥāṭā'* does not seem to have changed.

It came as a sort of surprise to find that a term so crucial in forming one's understanding of salvation has received so scant an attention throughout the ages. The last few decades have seen the appearance of significant commentaries on Leviticus, both from Jewish and Christian sides, and it is evident that such works have contributed to the understanding of the message of the book.⁵ Yet the impression cannot be denied that more meticulous inquiry into the other so-called sin-terminology should be done in the future.

⁵ For example, J.R. Porter, *Leviticus* (1976); G.J. Wenham, *Leviticus* (1979); R.K. Harrison, *Leviticus* (1980); B.A. Levine, *Leviticus* (1989); J.E. Hartley, *Leviticus* (1992); R. Péter-Contesse, *Lévitique 1–16* (1993); P. J. Budd, *Leviticus* (1996); F.H. Gorman, *Leviticus* (1997); R. Rendtorff, *Leviticus 1:1–7:38* (1985–1992); J. Milgrom, *Leviticus 1–16* (1991), 17–23 (2000), 24–27 (2001).

Here *yīšgû* is explicated by *w^ene^lam* --- *ʾšer lō tē^eāsenāh*. Unintentional erring from a certain Lord's commandment is described as *haḥaṭṭāʾ* *ʾšer ḥāṭ^eʾû* *ʿāleyhā* in v. 14. It may thus be possible to equate the meaning of *yīšgû* with that of *ḥāṭ^eʾû*, but the following example shows that there is some difference between *šāgāh* and *ḥāṭāʾ*.

אָשֶׁר נָשִׂיא יַחֲטֵא וְעָשָׂה אַחַת מִכָּל־מִצְוֹת יְהוָה אֲלֵהֶיוּ 4:22
אָשֶׁר לֹא־תַעֲשֶׂינָהּ בְּשִׁגְגָה וְאָשָׁם :

Here, *yeh^eṭāʾ* is explicated by *w^eāśāh* --- *biš^egāgāh*, which appears to suggest that *ḥāṭāʾ* means 'inadvertently failing to obey any of the Lord's prohibitive commandments,' and that it has inadvertence as a semantic element. But that the latter is not the case is indicated by the phrase *ḥāṭāʾ biš^egāgāh* in 4:2 and 5:15 where *ḥāṭāʾ* is distinct from the idea of *šgg.

It seems that the sense of *šāgāh* is exemplified most clearly in v. 13 where *yīšgû* is further explicated by

וְעָשָׂה אַחַת מִכָּל־מִצְוֹת יְהוָה אֲשֶׁר לֹא־תַעֲשֶׂינָהּ וְנֶעְלַם דְּבַר מַעֲיַיִ הַקָּהֶל

The word *dābār* lacks an article. Therefore it is not to say that *yīšgû* is hidden, but that the indefinite 'a thing' is hidden from the eyes of the assembly. This means that the clause *ne^elam* ff. is a circumstantial clause and explains the *yīšgû*. Here it could be observed that the agent of *šāgāh* knows his own act but is unconscious of the act of violating the Lord's prohibitive commandment. For the meaning of *ne^elam min*, see below.

In four verses, 4:2, 22, 27; 5:15, *ḥāṭāʾ* is followed by *biš^egāgāh*, which indicates that the sense of *ḥāṭāʾ* is distinct from that of the root idea of *šgg (*šgh). Thus, *ḥāṭāʾ* itself does not mean 'sin inadvertently,' though Lev 4 deals with inadvertent "sins." Inadvertence does not appear to constitute an intrinsic semantic element of *ḥāṭāʾ*. Rather, inadvertence is expressed by *šgg (*šgh) and that is just a circumstantial condition when someone *ḥāṭāʾ*. This suggests that there are cases of "sin" which are not inadvertent, and indeed there are, e.g., Lev 5:21–23. It is probable that the principal sense of the root šgg (šgh) is erring inadvertently; 'to err unintentionally, or inadvertently,' and *biš^egāgāh* 'inadvertently' or 'unintentionally.' Below we shall take a look at the relevant passages in an attempt to differentiate the two terms in Lev 4–5 more exactly.

Thus, *šāḡāḡ* is a general term meaning ‘to err’ from something, describing from an objective point of view an overall course of a person who goes astray. It is not restricted in the religious matters such as the Lord’s commandments as Isa 28:7 suggests. The person who goes astray is not conscious about his own total situation in relation to the right course, even though he is aware of what he is doing (I Sam 26:21; Job 6:24).

1.1.2 Lev 5:17–18

It seems that this understanding of the term suits the difficult prescription of Lev 5:17–18. It reads,

5:17 וְאִם־נִפְשׁ כִּי תִחַטָּא וְעָשְׂתָה אַחַת מִכָּל־מִצְוֹת יְהוָה
אֲשֶׁר לֹא תַעֲשֶׂינָהּ וְלֹא־יָדַע וְאִשָּׁם וְנָשָׂא עֹנוּוֹ :

5:18 וְהָבִיִּא אֵיל תְּמִים מִן־הַצֹּאֵן בְּעֶרְכָּךְ לְאִשָּׁם אֶל־הַכֹּהֵן
וְכִפֶּר עָלָיו הַכֹּהֵן עַל שְׁגִיתוֹ אֲשֶׁר־שָׁגָג וְהוּא לֹא־יָדַע וְנִסְלַח לוֹ :

These verses have posed an exegetical crux to scholars because of their similarity to the cases of the purification offering in chapter 4 (cp. 4:13, 22).² Here we restrict our discussion to the lexical meaning of *šgg, setting aside the discussion about the nature of the case itself, which will be made later.³

The crucial problem is in v.17b which is repeated in v. 18b after *šigḡātō* ^ʾ*šer šāḡāḡ*. In this connection it is necessary to consider the concept of *yādaʿ* in Lev 4–5 more systematically. In Lev 4 a certain “sin” is inadvertently committed, but since a person knows and admits it later, is it not evident that he can remember the act? This means that, though vague, the knowledge of his own

² Probably because of the difficulty the proposal has been made from ancient times that together with the case in vv. 14–16 this case in vv. 17–19 forms “a single case of accidental poaching upon sancta: the first part, real; the other, suspected.” Milgrom, *Š^EGĀGĀH*, 123. However, there is neither a textual problem, nor is there any need to assume so. We take the case in vv.17–19 as distinct from the case in vv. 14–16 as we argue throughout this study. Cf. Schenker, *Unterschied*, 115–18; *Interprétations*, 65–66.

³ In the following discussion we assume that *ʾāšēm* means to ‘realize guilt’ rather than to ‘be guilty’ or ‘be held guilty.’ See Milgrom, *Cult*, 3–12; Kiuchi, *Purification*, 31–34; Rendtorff, *Leviticus*, 152–53; J. E. Hartley, *Leviticus*, 62. This rendering is also adopted by JPS and ESV.

act is in his consciousness before he realizes his guilt. Then what is the situation of a person in 5:17–19, where he is said, *lōʾ yādaʿ*? Since the person realizes his guilt, it is evident that he still remembers his act. This leads us to question the common assumption regarding the concept of *yādaʿ* in Lev 4–5 that if he does not know he cannot remember his act. On this assumption some exegetes have assumed that 5:17–19 deals with some *unknown* sin.⁴ But it must be asked in what sense the knowing is meant. There is a hint in Lev 5:1.

וְהוּא עֵד אִם רָאָה אִם יָדָע

Here the text should be translated ‘if he is a witness, either he has seen it, or he has learned about it.’⁵ In other words, *yādaʿ* here means an experiential knowledge as it is subordinated under *ʿēd* (‘witness’). When this meaning is applied to *hūʾ lōʾ yādaʿ* in Lev 5:17–19, it means that the person does not know about his own act as an experiential knowledge, and this leaves room for the possibility that he knows it in his subconsciousness. Therefore, there is no need to consider that since he does not know, the “sin” is unknown. As long as the person realizes his own guilt, the knowledge must be stored in his subconsciousness, so that it somehow can be remembered later. All the occurrences of *yādaʿ* in Lev 4–5 make sense on this assumption (see below).

The question is whether *w^elōʾ yādaʿ* in v. 17b refers to the ignorance of the Lord’s commandment or the ignorance of the act itself. It seems that the clause *w^elōʾ yādaʿ* refers to both: The person does not know what he did. In this sense the clause *w^elōʾ yādaʿ* is different from the phrase *biš^egāgāh* in 4:13, 22. Here in 5:17b the clause *w^elōʾ yādaʿ* refers even to his act itself. In other words, not only is he unconscious of the Lord’s commandment, but he is also unconscious about his own act.

How should the clauses *w^ehūʾ lōʾ yādaʿ* in v. 18b be understood syntactically? It is a circumstantial clause and adds an explanation to the concept of *šāgāg* that precedes it. This means that there is *š^egāgāh* of a kind in which a person knows his own act but does not know it constitutes a violation of a certain divine prohibitive commandment as in Lev 4, but there is also such a *š^egāgāh* as here in which a person does not know not only that he has violated a divine

⁴ Cf. Milgrom, Leviticus 1–16, 332–33, 361–63; Schenker, Anlässe, 45–66, esp. 53–55; P. Budd, 256–59 and n. 3 on p. 257.

⁵ On *ʾō* – *ʾō* cf. HAL 19.

commandment but he also does not know his own act. In terms of clarifying the concept of *šgg, it is germane to ask whether *šgg here indicates that a person does not know even his own act. The question is: Is what is meant by the circumstantial clause *w^eḥūʾ lōʾ yādaʿ* part of the concept of *šgg? In my view it is not. It is crucially important to see in 5:17–19 a further stage of the cases in Lev 4, that is, the person does not know even his own act: *šgg simply states his going astray. This understanding has implications for the concept of *šgg in Lev 4, for the cases there imply that the person knows his own act. However, in 4:14, 23, 28 the fact that the root *ydʿ* appears only at the end of the protases suggests that until then the person has not known the “sin.”

Thus, there are degrees in human consciousness. And in this connection it would be in order to address the meaning of *neʿlam min* in Lev 4:13 and 5:2, 3, 4. It means to ‘be hidden from,’ but more importantly it refers to a particular aspect of not knowing. Considering that the phrase is contrasted with *yādaʿ* in 5:3, 4, and that *yādaʿ* has the same meaning in Lev 4–5, to ‘know in the surface of one’s consciousness,’ the phrase means to ‘be hidden from one’s surface consciousness.’ Because a certain commandment of the Lord is not taken as important by a person, that commandment and his violation of it disappear from his surface consciousness.

With these comments on *yādaʿ* and *neʿlam min* in view, it could be posited that *šgg means to ‘go astray inadvertently.’ It presumes an initial ignorance of a certain act constituting a “sin,” but in view of Lev 5:17–19 where the person is not even conscious about his own act, it can be surmised that in Lev 4 the person vaguely knows his own going astray in his consciousness.

It would do, at this stage, to confirm that *w^e(ḥūʾ) lōʾ yādaʿ* is different from *šāgaḡ*, but that the both presume the knowledge of an act, but in different degrees; the person in 5:17–19 is not conscious about his act at all, whereas the person in Lev 4 is conscious about his act, but unconscious about his “sin.”

Now that the meaning of *šāgaḡ(šāgaḥ)* is established, it is in order to consider the semantic relationship between *šāgaḡ* and *ḥāṭāʾ*. As mentioned above, *ḥāṭāʾ* appears in all the cases of the purification offering and the reparation offering. It appears on the surface that those are synonymous, but it has also been suggested above there is some difference.

In chapter 4, vv. 13–14 and vv. 22–23 appear to indicate that *ḥāṭāʾ* is synonymous with *šāḡaḡ* (*šāḡāh*), because one can read in such a way that *ḥāṭāʾ*, as it stands at the beginning of the protases and is explicated by the following, refers to the state of a person going astray until realizing his guilt. Lexically, *ḥāṭāʾ* appears to be no different from *šāḡaḡ* in a context such as this, which discusses a violation of a certain commandment of the Lord. But, on the other hand, as pointed out above, it is discernible from the phrase *ḥāṭāʾ bišāḡāḡāh* (4:2, 27; 5:15) that the sense of *ḥāṭāʾ* is distinct from the idea of *šgg (šgh). In this connection, it would be helpful to consider Lev 5:1–4, in which *šgg(šgh) does not appear, to see what *šgg(šgh) is not.

1.1.3 Non-mention of *šgg (šgh) in Lev 5:1–4

šāḡaḡ does not appear in Lev 5:1–4, a section on the so-called graduated purification offering. Before answering why the term does not appear we need to comment on the meaning of each protasis. The text runs as follows;

5:1 וְנִפְשׁ בִּיְהוָה וְשָׁמְעָה קוֹל אֱלֹהִים וְהוּא עַד אִוֹרָא אוֹ יָדַע
אִם-לֹא יִגִּיד וְנִשָּׂא עוֹנוֹ :

It is clear that this case addresses a situation in which a person, knowing a truth or fact, does not testify, which is a deliberate act. A circumstance is given ‘while he hears the curse (*ʿālāh*).’ The curse is one that accompanies the covenantal oath, which assumes that the divinity is involved.⁶ The reason why the term *ʿāšēm* is not mentioned as in vv. 2, 3, 4 would be that the person, by not testifying, already realizes his guilt. So it is enough to state, ‘he bears his guilt.’

5:2, 3, 4 These verses have posed a crux to exegetes, but they also provide some clues to the meanings of *šgg, *yādaʿ* and *ḥāṭāʾ*.

5:2 אוֹ נִפְשׁ אֲשֶׁר תִּגַּע בְּכָל-דְּבַר טְמֵא אוֹ בְּנִבְלַת חַיָּה טְמֵאָה אוֹ בְּנִבְלַת
בְּהֵמָה טְמֵאָה אוֹ בְּנִבְלַת שְׂרִץ טְמֵא וְנִעַלְמָם מִמֶּנּוּ וְהוּא טְמֵא וְאָשָׁם :

⁶ Since this case addresses a deliberate negation of the curse, some exegetes judge that this verse is out of place. E.g., J.R. Porter, *Leviticus*, 41. See, however, Pétér-Contesse, *Lévitique*, 86. Indeed, this case appears more serious than the cases in chapter 4 or the following three cases in 5:2, 3, 4, but our sense of ‘seriousness’ ought to be challenged as we argue in the following.

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