

HANANEL SHAPIRA

The Discourse of Rites

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179*

Mohr Siebeck

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The Discourse of Rites

Shaping and Reshaping the (Counter-)Priestly
Rituals Conducted Outside the Tabernacle

Mohr Siebeck

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In memoriam

I dedicate this book to my mother,

רחל שפירא ז"ל,

whose influence and love remain with me.

“He will swallow up death forever; then the Lord God will wipe
away the tears from all faces.” (Isa 25:8)

Preface

This book is a revised and expanded version of my doctoral dissertation, originally submitted to the Bible Department at the Hebrew University of Jerusalem. Its preparation was supported by several grants: the Joseph C. Shenker Endowed Scholarship from the Jack, Joseph, and Morton Mandel Institute of Jewish Studies at the Hebrew University; the President's Stipend in the Faculty of Humanities at the Hebrew University; and the Rotenstreich Stipend of the Planning and Budgeting Committee of the Israeli Council for Higher Education. It is a pleasant duty to express my gratitude to all the foundations that believed in this project and awarded me these generous forms of support. The adaptation of the dissertation into an English-language monograph received additional support from the Hebrew University's Mandel Institute of Jewish Studies, from the Perry Foundation for Biblical Research, and the World Union of Jewish Studies.

The research presented in this book could not have been written without the close, critical, and sustaining guidance of my advisor, Prof. Naphtali S. Meshel, both during the preparation of my dissertation and in the years that followed. I can hardly begin to express my gratitude for his generous assistance across every domain, whether scholarly, personal, professional, or financial. His incisive and precise comments, together with his unwavering support for my ideas (from my very first, rather vague suggestion to write about "those weird rituals not performed inside the Tabernacle"), made this study possible and readable. Needless to say, all remaining errors in the pages that follow are mine alone.

I also wish to thank Israel Knohl and Jeffrey Stackert, the members of the doctoral advisory committee appointed by the Hebrew University, whose comments and suggestions guided me in the early stages of the project, challenged me to articulate my arguments with clarity, and assured me that I did indeed have a substantive contribution to offer to the study of the Priestly corpus in the Pentateuch.

During my studies and research, I had the privilege of participating in the research group "Thinking Rite: A New and Ancient Science of Sacrifice," directed by Naphtali Meshel and funded by the Israel Science Foundation (grant no. 1706/18). The insights that emerged from the discussions of the Jerusalem branch of this group were of immense benefit to me and contributed significantly to this project, with special emphasis on the analysis of

Leviticus 14 (presented in Chapter 2). I am deeply grateful to the members of the group (in alphabetical order): Hillel Mali, Jesse Mirotznik, Ariel Seri-Levi, Mordechai Vaintrob, and Ayelet Wenger.

The Bible Department at the Hebrew University provided me with the opportunity to learn from extraordinary teachers and to work alongside excellent colleagues. I would like especially to acknowledge my teachers, Shimon Gesundheit and Baruch J. Schwartz, from whose instruction I have greatly benefited and whose influence is felt on every page of my writing. In addition, my colleagues Yair Segev and Itai Kagan were a constant source of personal and scholarly support. My sincere thanks to them both.

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The translation of this book into English was carried out with the assistance of ChatGPT for Chapters 1, 2, 5, and 6. The ideas and arguments in the original language, however, are entirely the product of my own research. Chapters 3 and 4 were translated by my father-in-law, Reuven Cohen, who, together with my mother-in-law, also offered invaluable assistance in many additional ways. The entire manuscript was then skillfully refined and polished by Thom Rofé and Claus-Jürgen Thornton.

I am profoundly grateful to my father, Israel Shapiro, for his unwavering support, and I hope to fulfill the first half of Prov 10:1: “A wise child makes a glad father.”

My beloved children, Re‘em, Yagel, Assif, and the fresh new born Kama have been an unending source of joy throughout the last years. In them, the above-cited portion of the verse surely finds its fullest expression.

Behind every man who manages to complete a doctoral dissertation and bring it to publication stands, of course, an even more successful woman. Talya, thank you for your trust, devotion, patience, and support. “He who finds a (LXX: good) wife finds a good thing, and obtains favor from the Lord” (Prov 18:22).

Jerusalem, May 2026 (Siwan 5776)

Hananel Shapira

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Abbreviations

AB	Anchor Yale Bible
ABD	<i>The Anchor Bible Dictionary</i> . Edited by David Noel Freedman. 6 vols. New York: Doubleday, 1992
AeL	<i>Ägypten und Levante</i>
AfOB	Archiv für Orientforschung: Beiheft
AIL	Ancient Israel and Its Literature
AJR	<i>Ancient Jewish Review</i>
AOAT	Alter Orient und Altes Testament: Veröffentlichungen zur Kultur und Geschichte des Alten Orients und des Alten Testaments
ASBR	Amsterdam Studies in the Bible and Religion
AYBRL	Anchor Yale Bible Reference Library
BBB	Bonner biblische Beiträge
BDB	Brown, Francis, S.R. Driver, and Charles A. Briggs. <i>A Hebrew and English Lexicon of the Old Testament</i> . Oxford: Clarendon, 1968
BHS	<i>Biblia Hebraica Stuttgartensia</i>
BibInt	<i>Biblical Interpretation</i>
BKAT	Biblischer Kommentar Altes Testament
BN	<i>Biblische Notizen</i>
BRLAJ	Brill Reference Library of Ancient Judaism
BZABR	Beihefte zur Zeitschrift für Altorientalische und Biblische Rechtsgeschichte
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
CAD	<i>The Assyrian Dictionary of the Oriental Institute of the University of Chicago</i> . 21 vols. Chicago: The Oriental Institute of the University of Chicago, 1956–2000
CBQ	<i>The Catholic Biblical Quarterly</i>
CHANE	Culture and History of the Ancient Near East
DJD	Discoveries in the Judaean Desert
DNI	Dictionary of Nature Imagery
DSSE	Dead Sea Scrolls Editions
FAT	Forschungen zum Alten Testament
FAT.2	Forschungen zum Alten Testament 2. Reihe
FRLANT	Forschungen zur Religion und Literatur des Alten und Neuen Testaments
H	Holiness School
HALOT	<i>The Hebrew and Aramaic Lexicon of the Old Testament</i> . Ludwig Koehler, Walter Baumgartner, and Johann J. Stamm. Translated and edited under the supervision of Mervyn E.J. Richardson. 4 vols. Leiden: Brill, 1994–1999

HAT	Handbuch zum Alten Testament
HBM	Hebrew Bible Monographs
HBS	Herders biblische Studien
<i>HeBAI</i>	<i>Hebrew Bible and Ancient Israel</i>
HKAT	Handkommentar zum Alten Testament
<i>HS</i>	<i>Hebrew Studies</i>
HThKAT	Herders theologischer Kommentar zum Alten Testament
<i>HTR</i>	<i>The Harvard Theological Review</i>
<i>HUCA</i>	<i>Hebrew Union College Annual</i>
<i>IEJ</i>	<i>Israel Exploration Journal</i>
ISBL	Indiana Studies in Biblical Literature
<i>JAJ</i>	<i>Journal of Ancient Judaism</i>
<i>JAOS</i>	<i>Journal of the American Oriental Society</i>
<i>JBL</i>	<i>Journal of Biblical Literature</i>
JBS	Jerusalem Biblical Studies
<i>JHebS</i>	<i>Journal of Hebrew Scriptures</i>
Joüon	Joüon, Paul. <i>A Grammar of Biblical Hebrew</i> . Translated and revised by Tamitsu Muraoka. 2 vols. Rome: Pontifical Biblical Institute, 1991
<i>JQR</i>	<i>Jewish Quarterly Review</i>
<i>JR</i>	<i>Journal of Religion</i>
<i>JSJ</i>	<i>Journal for the Study of Judaism</i>
<i>JSNT</i>	<i>Journal for the Study of the New Testament</i>
JSOTSup	Journal for the Study of the Old Testament Supplement Series
<i>JSS</i>	<i>Journal of Semitic Studies</i>
KHAT	Kurzgefasstes exegetisches Handbuch zum Alten Testament
KHC	Kurzer Hand-Commentar zum Alten Testament
KJV	King James Version
LHBOTS	The Library of Hebrew Bible/Old Testament Studies
LSJ	Liddell, Henry George, Robert Scott, Henry Stuart Jones. <i>A Greek-English Lexicon</i> . 9th ed. with revised supplement. Oxford: Clarendon, 1996
NRSV	New Revised Standard Version
<i>NTS</i>	<i>New Testament Studies</i>
NZB	Zürcher Bibel (Neuübersetzung 2007)
OBO	Orbis Biblicus et Orientalis
OIP	Oriental Institute Publications
OTL	Old Testament Library
P	Priestly source
<i>PAAJR</i>	<i>Proceedings of the American Academy of Jewish Research</i>
<i>RB</i>	<i>Revue Biblique</i>
RBS	Resources for Biblical Study
SBLDS	Society of Biblical Literature Dissertation Series
SBLSCS	Society of Biblical Literature: Septuagint and Cognate Studies
<i>ScrHier</i>	<i>Scripta Hierosolymitana</i>
SJLA	Studies in Judaism in Late Antiquity
SSN	Studia Semitica Neerlandica
STDJ	Studies on the Texts of the Desert of Judah
<i>Textus</i>	<i>Textus: Annual of the Hebrew University</i>

<i>TRu</i>	<i>Theologische Rundschau</i>
<i>VT</i>	<i>Vetus Testamentum</i>
WAWSup	Writings from the Ancient World Supplement Series
WBC	Word Biblical Commentary
WMANT	Wissenschaftliche Monographien zum Alten und Neuen Testament
<i>ZAW</i>	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>
ZBK.AT	Zürcher Bibelkommentare: Altes Testament
<i>ZNW</i>	<i>Zeitschrift für die neutestamentliche Wissenschaft</i>
ZTK	<i>Zeitschrift für Theologie und Kirche</i>

Chapter 1

Introduction

Around 1930, art professor Elías García Martínez of the School of Arts in Zaragoza, Spain, created a neat fresco for a local church titled *Ecce Homo*. After roughly 80 years of gradual deterioration, an 81-year-old town resident, Cecilia Giménez, decided to restore the masterpiece. However, lacking the necessary skills, she ended up ruining the painting, which later earned the nickname *Ecce Mono* (“Behold the Monkey!”). Her overly enthusiastic attempt to rescue the fresco from moisture damage ultimately led to its permanent corruption. And yet, current reflections on the event invest much effort in reframing her actions and the new image they produced as a spontaneous, “untamed” expression of a commoner’s quest for the divine.¹

In a way, the research presented here suggests that similar forces underlie both the shaping and reshaping of the ritual system included in the Priestly portion in the Pentateuch. Far from being vulgar, the rituals examined in this study are reframed – at least in the earliest Priestly layer – as sophisticated delineations of the boundary between standardizing authority and the untamed individual, in a manner reminiscent of how Ms. Giménez’s artwork has been reinterpreted. In later layers, however, the motivations driving ritual innovation, as I will argue, more closely resemble those of Ms. Giménez herself. The reshaping of the rituals under discussion is driven by a restorative impulse: an effort to preserve an imagined ideal that has been disrupted by reality. Yet, as in the *Ecce Homo* episode, this fervent attempt at restoration results in an unintended outcome – a comprehensive reform that ultimately undermines the very conservatism that prompted it. The remainder of this introduction will further clarify the scope and framework of the discussion.

¹ See, for instance, Nathalie Dietschy, Claire Clivaz, and Dominique Vinck, “Ein digitales Kulturobjekt: Der Fall der ‘Restaurierung’ des *Ecce homo* von Borja,” *Nach Feierabend: Zürcher Jahrbuch für Wissensgeschichte* 9 (2013): 145–62; Jan-Albert Van den Berg, “Tweeting God: Picturing the Sacred in Everyday Life,” *Stellenbosch Theological Journal Supplements* 5 (2019): 507–24.

1.1 The Problem, Proposed Solutions, and Their Rejection

The priestly literature in the Pentateuch, especially in its legal sections, focuses on providing detailed orders for the worship of the God of Israel and on the Aaronide priestly dynasty, which is assigned the responsibility for carrying out these orders.² Even the narrative sections preceding the establishment of the Tabernacle lead to the constitution of the Israelite cult.³ While researchers disagree about whether this literature emphasizes centralized worship at a single chosen location or permits sacrifices at any local sanctuary or several of them (provided they adhere to the specific rituals mandated by the Priestly legislation),⁴ there is a consensus that the idea of a sacred

² See Weinfeld's accurate summary: "Indeed, the bulk of the laws found in the Priestly source centers on the divine tabernacle and all that relates to its construction and the ministrations performed therein. It is the pervading presence of God in the midst of Israel (viz. the sanctuary) which gives meaning to the Israelite scene. Remove the divine immanence and the entire Priestly Code collapses" (Moshe Weinfeld, "Theological Currents in Pentateuchal Literature," *PAAJR* 37 [1969]: 117–39, here 124). See also Baruch J. Schwartz, "The Torah: Its Five Books and Four Sources," in vol. 1 of *Literature of the Hebrew Bible: Introductions and Studies*, ed. Zipora Talshir, Between Bible and Mishnah (Jerusalem: Yad Ben-Zvi Press, 2011), 161–225, here 196–97 (Hebrew).

³ David M. Carr, *Reading the Fractures of Genesis: Historical and Literary Approaches* (Louisville: Westminster John Knox, 1996), 130–32. Regarding the relationship between the Priestly creation narrative and the account of the Tabernacle's construction, see Martin Buber, *Darko Shel Mikra: Studies in Biblical Styles* (Jerusalem: Bialik Institute, 1964), 54–56 (Hebrew). For a more extensive discussion, including parallels from the ancient Near East and additional connections between the Tabernacle texts and the Priestly literature in Genesis, see Christophe Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus*, FAT.2 25 (Tübingen: Mohr Siebeck, 2007), 54–65, 380–81. On the absence of sacrifices before the Tabernacle as a foundational element in Priestly literature, see John Day, "Why Does God 'Establish' rather than 'Cut' Covenants in the Priestly Source?," in *Covenant as Context: Essays in Honour of E.W. Nicholson*, ed. A.D.H. Mayes and R.B. Salters (Oxford: Oxford University Press, 2003), 91–109, here 92–97; William K. Gilders, "Sacrifice before Sinai and the Priestly Narratives," in *The Strata of the Priestly Writings: Contemporary Debate and Future Directions*, ed. Sarah Schectman and Joel S. Baden (Zurich: TVZ, 2009), 57–72, here 67–70.

⁴ For a detailed research survey on this issue, see Julia Rhyder, *Centralizing the Cult: The Holiness Legislation in Leviticus 17–26*, FAT 134 (Tübingen: Mohr Siebeck, 2019), 90–101. Rhyder's responses to those who argue that worship in Priestly literature is decentralized are, in my view, highly persuasive (*ibid.*, 113–66). To her arguments, one may add Jürgens's claim that Priestly literature presumes a one-time, eternal consecration of the cultic site. It provides only instructions for its reactivation (Leviticus 16; though see Chapter 4 of this study) but no guidelines for future generations on how to establish a cultic site from scratch (Benedikt Jürgens, *Heiligkeit und Versöhnung: Levitikus 16 in seinem literarischen Kontext*, HBS 28 [Freiburg im Breisgau: Herder, 2001], 301–302). This singular event also implies the location's singularity. In any case, the assertion that some form of

precinct,⁵ with its consecrated vessels and the dedicated family serving within it,⁶ are all essential for the Priestly ritual system.

To establish centralized control over the religious aspects of community life, it is crucial to mandate members *everywhere* to conduct rituals defined by a single legislative authority.⁷ This level of control, permeating the daily lives of community members, also facilitates the expectation of loyalty to a specific religious center.⁸ Therefore, it can be asserted that cultic centralization not only does not exclude rituals performed outside the designated worship compound, but actively encourages them. A precise definition of how these rituals should be conducted prevents them from becoming ‘dispersed’ and strengthens the religious authority of the regulating body.

However, certain rituals mentioned in the priestly legislation appear to deviate from this standard program. They involve animals, and thus resemble sacrifices. Nonetheless, these animals are not offered as sacrifices, since they are not presented to God in the Tabernacle.⁹ The rituals involving these animals also occur outside the Israelite camp, in whose center the Israelite God dwells (Exod 25:8; Lev 29:45–46). For example, the healed leper, after being cleansed of his leprosy, is purified by two birds *מחורץ למחנה* (Lev 14:3) – a

sacred precinct is necessary remains valid even for those who reject the idea of centralization in the Pentateuchal Priestly literature.

⁵ Yehezkel Kaufmann, *The Religion of Israel: From its Beginnings to the Babylonian Exile*, trans. Moshe Greenberg (London: George Allen & Unwin, 1961), 180–84.

⁶ Watts places significant emphasis on Aaron’s lineage, demonstrating how it stands at the center of Priestly literature in the Pentateuch – at the expense of the “place” (James W. Watts, *Ritual and Rhetoric in Leviticus: From Sacrifice to Scripture* [Cambridge: Cambridge University Press, 2007], 109–10, 142–43).

⁷ On circumcision (Genesis 17) and the Sabbath (Genesis 2; Exodus 16) as unifying practices for the community addressed by Priestly literature, see Carr, *Reading the Fractures of Genesis*, 137–38. For Passover (Exodus 12), see below. For the definition of the term ‘ritual,’ see further below.

⁸ Rhyder, *Centralizing the Cult*, 328–30, 337–39, 364–71. On a similar use of purity and impurity laws in early Priestly literature (though for a *personal* rather than *spatial* centralization), see Rhyder’s discussion on pp. 143–47; see also Julia Rhyder, “The Jewish Pig Prohibition from Leviticus to the Maccabees,” *JBL* 142 (2023): 221–41.

⁹ Several elements of these rituals have been rightly interpreted as stemming from the need to clearly distinguish them from sacrifices. For example, this has been suggested regarding the slaughter of one of the birds brought by the healed leper (Lev 14:5; see Jacob Milgrom, *Leviticus 1–16: A New Translation with Introduction and Commentary*, AB 3 [New York: Doubleday, 1991], 836: “That the bird was killed by slaughtering and not by pinching off its head [1:15] is firm proof that it was not treated as a sacrifice”). A similar argument has been made concerning the gender of the red cow (Nicole J. Ruane, *Sacrifice and Gender in Biblical Law* [Cambridge: Cambridge University Press, 2013], 134: “A cow is an inverted bull for an *inverted sacrifice*” [italics mine]; see also Ruane’s detailed analysis explaining the use of the term ‘inverted sacrifice’ on pp. 111–16, with a summary table on p. 116).

description that is also used for the place where the red heifer is taken to create the ashes for purifying those defiled by contact with the dead (Num 19:3). Similarly, one of the goats chosen for the ritual of purifying the Tabernacle from impurities and sins is sent במדבר (Lev 16:21). The legislator¹⁰ explicitly states that the latter animal is given over to a being that is not the God of Israel (Lev 16:8: || נתן אהרן על שני השעירים גורלות: גורל אחד ליהוה || (וגורל אחד לעזאזל)), thus preventing any understanding of this ritual as a sacrifice.

The clear distinction between these rituals and sacrifices, however, does not help us understand their place in the Priestly literature. On the contrary, it raises the question: what is it that prevents the legislator from classifying them as regular sacrifices offered in the Tabernacle? Scholars have highlighted various connections between the biblical purification offering and rituals known to us from texts that have survived from the ancient Near East – rituals that are not sacrifices and do not necessarily take place in a sacred precinct.¹¹ Why could the birds of the leper, the scapegoat, and the red heifer

¹⁰ Below, I will alternate between singular and plural forms. The Priestly work, even if written by the pen of a single brilliant author, reflects a literary enterprise and a worldview shared by an entire circle. As such, it received the necessary funding that enabled its composition and preservation (and was later adapted and revised in accordance with shifts in this worldview, as I will demonstrate in detail in this study). Thus, in my view, the key distinction is between *author(s)* and *tradent(s)*, rather than between singular and plural.

¹¹ For example, Geller expanded on the similarities between the purification offering (*ḥaṭṭāt*) and the Mesopotamian *šurpu* ritual (Mark J. Geller, “The *Šurpu* Incantations and Lev. V.1–5,” *JSS* 25 [1980]: 181–92; on the performance of the *šurpu* in an isolated periphery, see Isabel Cranz, *Atonement and Purification: Priestly and Assyro-Babylonian Perspectives on Sin and its Consequences*, FAT.2 92 [Tübingen: Mohr Siebeck, 2017], 75–80 [and further discussion up to p. 86]). Feder pointed to similarities between the *ḥaṭṭāt* and the Hittite *uzi* (= sacrificial offering) and *zurki* (= a blood ritual associated with sacrifice but not itself a sacrifice; see Yitzhaq Feder, *Blood Expiation in Hittite and Biblical Ritual: Origins, Context, and Meaning*, WAWSup 2 [Atlanta: SBL Press, 2011], 116–20). On the locations where these took place – sometimes in the Temple and sometimes in other places where the deity was present – see Feder, *ibid.*, 9–18.

Since the Priestly literature holds that God chose to dwell in the Tabernacle, all rituals – including blood rituals – should logically be performed there. One might suggest that because the purpose of the specific rituals under discussion is the *disposal* of impurity, they must, by definition, be conducted away from the sanctuary. However, the purification offering itself is also a ritual of impurity removal (David P. Wright, *The Disposal of Impurity: Elimination Rites in the Bible and in Hittite and Mesopotamian Literature*, SBLDS 101 [Atlanta: Scholars Press, 1987], 129–35, 147–59), and certain impure individuals are required to bring it for their purification (Lev 12:6; 15:14–15, 29–30). Yet the purification offering is brought to the Tabernacle, and its associated ritual takes place within the sacred precinct.

Feder (*Blood Expiation*, 125–31) notes a Hittite purification ritual that parallels Leviticus 14, but his analysis shows that part of the Hittite ritual corresponds to the external

not have been transformed into regular purification offerings in the same manner?¹²

One Pentateuchal priestly text goes so far as to explicitly forbid the slaughter of animals – whether within or outside the camp – unless for the purpose of offering them to the Lord (Lev 17:1–7).¹³ Even if we consider this text to be of a later origin, it surely shares the spirit of earlier writers as well. This prompts questions about these writers’ decision to permit, in certain mentioned cases, unconventional uses of animals. Other rituals conducted outside the Tabernacle are inherently unsuitable for execution within it.¹⁴ Therefore, no further regulation is even possible, other than to dictate the exact means of their execution to the community. The rituals involving animals outside the Tabernacle, on the other hand, are subject to a higher level of regulation. It could have been entirely reasonable to insist on their execution within the Tabernacle. If so, why did no one insist on such a requirement?

phase of Lev 14:1–7, while another part aligns with the internal ritual later in the chapter. Why, then, was the biblical parallel not adapted so that the entire process would take place inside the Tabernacle? Similar questions arise regarding the claim that these rituals must occur outside the sacred precinct because they are *rites of passage*, necessarily conducted at the threshold of reentry into the sacred realm – or, in the case of the goat, sent away to the desert (scapegoat – Leviticus 16) to mark complete separation from it (for an extended discussion of this proposal, see Section 2.1.2 below).

¹² Milgrom (*Leviticus 1–16*, 833) highlighted the “different degrees” of integration within the Priestly system and proposed an explanation for these varying levels. However, it seems that even the rituals that were “successfully” incorporated into the system resemble it primarily in name (e.g., sharing the designation *ḥattāt*) and hardly in any other respect.

¹³ Baruch J. Schwartz, *The Holiness Legislation: Studies in the Priestly Code* (Jerusalem: Magnes, 1999), 66–70 (Hebrew); Jacob Milgrom, *Leviticus 17–22: A New Translation with Introduction and Commentary*, AB 3A (New York: Doubleday, 2000), 1452; Rhyder, *Centralizing the Cult*, 203–205. The main issue arises with the red heifer, which is slaughtered (Num 19:3). By contrast, Leviticus 17 does not prohibit the slaughter of birds (cf. Lev 14:5), and the scapegoat is never said to be slaughtered at all (Lev 16:21). However, notably, the scapegoat does not require priestly accompaniment into the wilderness (as discussed in detail in Section 4.4 of this study). If so, there is no *regulatory enforcement* of the law in Leviticus 17 concerning the goat of Leviticus 16.

¹⁴ Circumcision is an act that inflicts bodily harm (on the importance of keeping bodily injuries away from the Tabernacle, see Jeffrey Stackert and Jeremy Schipper, “Blemishes, Camouflage, and Sanctuary Service: The Priestly Deity and His Attendants,” *HeBAI* 4 [2013]: 458–78, here 468–70, 474–77), and impurities are generally meant to be kept away from the Tabernacle (cf. Lev 12:4: “She shall not touch any holy thing, or come into the sanctuary”). However, certain individuals who are impure are indeed required to bring a sacrifice upon completing their purification process. Regarding the Sabbath – this is a repetitive rite, and it would be difficult to require the entire community to spend an entire day each week (without performing any labor) within the contours of the sacred precinct.

Researchers have already tackled this question, proposing two primary answers. One school of thought, reflected in Martin Noth's commentaries to the Books of Leviticus and Numbers, suggests that in these cases, the Priestly literature is processing a pre-Priestly text upon which it relies for describing the ritual. In these early pre-Priestly texts, there was no requirement for cultic centralization. Consequently, rituals were prescribed with no limitations to a sacred precinct. The Priestly text, in its current form, is a product of negotiation, an outcome of a textual give-and-take with an earlier document.¹⁵ Aside from the various problems this proposal raises – each of which will be thoroughly examined in the appropriate section later in this work – the “pre-Priestly material” explanation does not resolve the fundamental problem. The main concern persists: texts describing rituals conducted outside a sacred compound were widespread throughout the ancient Near East, encompassing a variety of rituals. Nevertheless, the authors of the Pentateuchal Priestly literature invested significant effort in crafting their texts to discourage any performance of such “external” rituals. In their compositions, they emphasized the obligation of conducting rituals exclusively in the Tabernacle. Why, then, did they not apply the same approach to rituals such as the ritual of the birds on behalf of the healed leper, the scapegoat ritual, and the red heifer?

An alternative explanation is presented in the second exegetical school, exemplified by Jacob Milgrom's commentary. According to Milgrom, the external rituals were so popular among the masses that they could not be overlooked or significantly altered. Instead, the Priestly legislator chose to integrate these rituals into his literary creation, but emphasized the need for a priest to oversee their proper execution. While the tradition on which the text relies is indeed pre-Priestly, the text itself is undoubtedly Priestly, ensuring the priest's role in the ritual.¹⁶ The two elements in Milgrom's proposal – the popularity of the rituals and the oversight by a priest – give rise to questions:

a) Was the purification ritual for the healed leper genuinely so popular that it could not be relinquished?¹⁷ This is the longest law in the Bible – could the

¹⁵ Martin Noth, *Leviticus: A Commentary*, trans. J.E. Anderson, OTL (Philadelphia: Westminster, 1965), 107, 118–19, 124–25; Martin Noth, *Numbers: A Commentary*, trans. James D. Martin, OTL (Philadelphia: Westminster, 1968), 139–40.

¹⁶ Milgrom, *Leviticus 1–16*, 833–39, 1018–21; Jacob Milgrom, *Numbers: The Traditional Hebrew Text with the New JPS Translation*, The JPS Torah Commentary (Philadelphia: The Jewish Publication Society, 1990), 440–42. Cranx argued that almost all the ritual components in Leviticus 14 were intended to establish and consolidate priestly authority (Cranx, *Atonement and Purification*, 127–29, 137–41).

¹⁷ Feder equates the components of a Hittite ritual for a woman after childbirth with those of the purification ritual for a healed leper (see footnote 11 above). I guess there were more postpartum women than lepers, and most certainly more than *healed* lepers, yet under Priestly law, the parturient is still required only to offer a regular purification offering (Lev 12:6–8). A similar doubt was also raised against the idea of a widespread

public's demands not have been met with a shorter text? Could the burning of the red heifer, an especially rare event according to rabbinic literature (and rightfully so, based on the current text),¹⁸ have stirred such strong emotions as to dismiss any thought of abandoning this ritual in the name of cultic centralization? Moreover, texts are not rituals.¹⁹ In the laws of the ancient Near East in general, and in the laws of the Priestly literature in particular, it is challenging to determine to what extent the legal particulars reflect actual practices known to the authors and to what extent they are idealized descriptions.²⁰ If the text is merely an ideal, a fantasy, no degree of popularity would have hindered the legislator from incorporating these rituals in a manner that requires their performance in the Tabernacle.

b) It appears that, at least in relation to one ritual, priestly surveillance is not particularly effective. The act of dispatching the scapegoat to the wilderness is assigned to an אִישׁ עֵתִי (Lev 16:21), whose familial lineage remains unknown. Precisely at the moment when the scapegoat is sent to a demonic entity – one whose demonic aspects are downplayed in the priestly composition²¹ – it is entrusted to an individual with uncertain theological perception. Arguably, if the proper execution of the ritual was the primary concern for the legislator, we would expect a priest to intervene at this very moment.

c) The priestly literature identifies several rituals conducted outside the Tabernacle that do not involve living beings – namely, the Sabbath, the festival of unleavened bread, and circumcision. In these instances, rather than mandating a priest to oversee the fulfillment of the commandments, the legislator employs a certain sanction under his control to ensure compliance: the punishment of כרת (Gen 17:14; Exod 12:15, 19; 31:14). Conversely, in rituals that include living beings and occur outside the Tabernacle, כרת is

magical rite to get rid of corpse impurity, see Christian Frevel, “Struggling with the Vitality of Corpses: Understanding the Rationale of the Ritual in Numbers 19,” in *Les vivants et leurs morts: Actes du colloque organisé par le Collège de France, Paris, les 14–15 avril 2010*, ed. Jean-Marie Durand, Thomas Römer, and Jürg Hutzli, OBO 257 (Fribourg: Academic Press; Göttingen: Vandenhoeck & Ruprecht, 2012), 199–226, here 220–21.

¹⁸ m. Parah 3:5.

¹⁹ See the paper with this title: James Watts, “Texts Are Not Rituals and Rituals Are Not Texts, With an Example from Leviticus 12,” in *Text and Ritual in the Pentateuch: A Systematic and Comparative Approach*, ed. Christophe Nihan and Julia Rhyder (Philadelphia: Eisenbrauns, 2021), 172–87.

²⁰ Baruch J. Schwartz, “Selected Chapters of the Holiness Code: A Literary Study of Leviticus 17–19” (PhD diss., The Hebrew University of Jerusalem, 1987), 11–13 (Hebrew); Liane M. Feldman, *The Story of Sacrifice: Ritual and Narrative in the Priestly Source*, FAT 141 (Tübingen: Mohr Siebeck, 2020), 13–15; Christophe Nihan, “The Texture of Rituals in the Book of Numbers,” in *Text and Ritual in the Pentateuch: A Systematic and Comparative Approach*, ed. Christophe Nihan and Julia Rhyder (Philadelphia: Eisenbrauns, 2021), 188–214, here 193–94.

²¹ Wright, *Disposal of Impurity*, 22–25 (see also his entire discussion up to p. 30).

only mentioned in the context of someone who neglects to use the ashes of the red heifer for purification (Num 19:13, 20). No such punishment relates to the performance of the ritual of burning the red heifer itself. Why did the legislator not employ the same sanction if his objective was to regulate these rituals?

d) In addition to the previously mentioned critical comments on Milgrom's proposal, I will provide a renewed examination of the rituals conducted outside the Tabernacle. Upon this reassessment, I will argue, it becomes evident that at the core of each ritual lies an early textual layer wherein the priest does not play an active role in the execution of the ritual. At most, he initiates the ritual process (as observed in Lev 14:4–5; 16:21) but does not fulfill a role in the actual ritual actions. The priest emerges as an active ritual agent in each of these texts only at a later stage in their development.

My aforementioned challenges to the dominant interpretations proposed above appear to reject the notion of considering specific rituals explored in this study (namely, rituals resembling sacrifices but performed outside the Tabernacle) as yet another example of extending priestly control beyond the sacred precincts, with the goal of reinforcing and institutionalizing authority. If this is the case, it seems worthwhile to undertake a renewed examination of the phenomenon of rituals conducted outside the Tabernacle in the Pentateuchal Priestly literature: how do they operate within the context of cultic centralization, and what objectives did the legislator aim to achieve through them?

1.2 The Texts

The texts to be examined in this study are classified as belonging to the Priestly literary strand in the Pentateuch. Various approaches exist in research regarding the formation of this literary sequence – whether as an independent document or as a layer upon (an)other text(s), the measure of its unity, and the material it contains.²² In this work, the primary focus will be on the question of the layers within this literary sequence, with an eye to identifying the earliest literary layer and understanding its core ideas. In this context, I cannot precisely delineate the boundaries of the ancient Priestly material (relatively speaking; as I clarify later, this study does not adhere to absolute chronology). However, in principle my view is that most of the narrative material identified as Priestly in the Book of Genesis is indeed ancient. Elements such as descriptions of the signs, the exodus from Egypt, and the

²² See a detailed survey in David M. Carr, “Changes in Pentateuchal Criticism,” in *Hebrew Bible/Old Testament: The History of Its Interpretation*, ed. Magne Sæbø (Göttingen: Vandenhoeck & Ruprecht, 1996–2015), III.2: 433–66, here 454–64.

ascent of Moses to Mount Sinai in the Book of Exodus are ancient Priestly components, and a certain version of the command to build the Tabernacle (especially in Exodus 25–29) is also considered ancient. Almost the entire opening section of the Book of Leviticus (1–16) predominantly belongs to the early layer, as well as various sections throughout the Book of Numbers. I will, however, discuss specific exceptions within this extensive framework later in the study. A specific discussion at the outset of the Third Chapter of the study will justify referencing one of the key texts in the work as part of the base layer of Priestly literature.

These are the texts that stand at the forefront of this study (in the order of their appearance in the Bible):

- 1) Lev 14:3–7
- 2) Lev 16:7–10, 20b–22
- 3) Num 19:3–22
- 4) Further texts from the Priestly narrative framework, which I will address in a dedicated chapter at the end, in order to strengthen my overall argument concerning the priestly role as portrayed in the legislative texts.

Each of these texts cannot be considered in isolation from its broader context. For example, the first two rituals enumerated above are also connected to a ritual performed inside the Tabernacle: in Leviticus 14, the Tabernacle ritual follows the one performed outside the camp (Lev 14:10–31). In contrast, in Leviticus 16, the ritual outside the Tabernacle is surrounded by two sections describing the ritual performed inside it (Lev 16:11–20a, 23–25), seemingly being a mere detail in a more extensive inner ritual process. Therefore, the analysis will delve into the textual environment closely related to the specific ritual performed outside the Tabernacle, to understand the precise relationships between the rituals conducted outside and inside it. Not surprisingly, the division into chapters in most of the discussed cases aligns with the thematic divisions within the chapters, so the research chapters will address complete chapters: Leviticus 14, Leviticus 16, and Numbers 19 (except, as noted above, the Fourth Chapter, which aggregates elements from multiple Pentateuchal chapters).

Given that these rituals are integral to a broader ritual system, throughout the research I will introduce an analysis of additional texts within the Priestly ritual system. In certain cases, I will substantiate my endorsement of established scholarly perspectives on the interpretation of the discussed ritual, contrasting them with alternative proposals. In other instances, I will introduce a fresh interpretation or conceptualization of a ritual action that has previously been perceived differently.

In addition to the (textual) ritual system that encompasses these rituals, they are also woven into a narrative framework. The connection between law and narrative has been extensively explored in research, with several models

proposed for understanding this relationship. Baruch J. Schwartz, for instance, posits that the narrative's purpose is to persuade readers of the law's importance and reinforce their commitment to it (the narrative is subservient to the law).²³ In contrast, Feldman recently suggested that the law serves to provide a conceptual framework for comprehending the narrative. Similar to how readers of *The Handmaid's Tale* seek clarity on the legal status of women in the depicted society, readers of the Priestly narrative also require an understanding of what is the thing אשר צוה יהוה in order to comprehend the events and reasoning advanced by the Priestly history (the law is subservient to the narrative).²⁴

In this study, a thorough examination of the relationship between the Priestly narrative and legislation is primarily required in Chapters 4–5. Within Chapter 4, I posit that a specific event in the narrative (depicted in Leviticus 10) influenced the formulation of the ritual in Leviticus 16. Although the link between these texts has been previously recognized in research (as it is quite explicitly stated in Lev 16:1), the typical interpretation aligns with Schwartz's assertion about the exhortative nature of the narrative. In contrast, I argue that the connection between the texts is profound, and the ritual elements in Leviticus 16 attain significance only when considered in the context of the narrative. In Chapter 5, I aim to demonstrate that the theoretical framework guiding my interpretation of the priests' distancing from external ritual is also evident in the Priestly narrative. In this sense, my arguments closely resemble Cover's proposal in his renowned work on the interplay between *nomos* and *narrative*: the sincerity of the law and the intentions of the legislator are fully comprehended only within the narrative framework that accompanies the legislation.²⁵

Another ritual that might seemingly fall within the scope of this study – given that it involves the slaughter of an animal outside the Tabernacle – is the Passover, as described in Exod 12:3–13. Scholars debate whether the commandment for future generations (Exod 12:24) likewise requires the

²³ B.J. Schwartz, "Selected Chapters," 7–10. See also Baruch J. Schwartz, "The Flood Story in the Pentateuch and History's Starting Point," in *Shai le-Sara Japhet: Studies in the Bible, Its Exegesis and Its Language*, ed. Moshe Bar-Asher et al. (Jerusalem: Bialik Institute, 2007), 139–54, here 147–48, 152–54 (Hebrew). In that paper, Schwartz concludes that the Priestly narrative in Genesis 6 calls for a scrupulous observance of God's commandments – since it is precisely those who diligently adhere to them who survive, as opposed to relying on the vague notion of "doing good."

²⁴ Feldman, *Story of Sacrifice*, 21–23.

²⁵ Robert M. Cover, "The Supreme Court Term 1982. Foreword: *Nomos* and Narrative," *Harvard Law Review* 97 (1983): 1–68, here 9–23. Cover explicitly addresses the biblical text in that regard.

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