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Preface

Scott Scullion

Engaging with the work of colleagues who study the religions of other cultures is fascinating and often illuminating, and I am delighted as a student of ancient Greek religion to have been asked to provide the preface to a volume of studies on ritual and scriptural innovation in the Hebrew Bible and Jewish tradition.

Non omnia possumus omnes – “we can’t all do everything” – is the inescapable qualification of “everything is connected to everything else,” but certain proximities – geographical, chronological, conceptual – demand (and repay) special alertness. In recent decades, historians of Greek religion, the great scholar Walter Burkert above all, have drawn on work in Near Eastern religions to cast light on many aspects of Greek cult. I have myself taken a particular interest in the rich cultic materials of the Hebrew Bible as comparanda for Greek sacrificial practice, and have recently learnt a great deal from scholars of the Hebrew Bible in (or visiting) Oxford, including those organising and participating in the seminar series which led to the publication of the papers in this volume.

Sometimes comparative work becomes not merely illuminating but essential. My colleague Robert Parker and I recently published a study of a new inscription of second century B.C.E. Thessaly which describes at length aspects of the cult of an anonymous, clearly Near Eastern goddess and is full of what are, in terms of Greek religion, astonishing novelties.¹ Many of these – the predominance of birds as sacrificial offerings, the festival-names Nisanaia and Eloulaia, the ritual action of “cleansing the mouth” (if we have correctly guessed the meaning of a newly attested Greek verb) – point to definite or possible Semitic origins. We have done our best to trace and discuss these, while expressing the hope that specialists in the Semitic tradi-

1 R. Parker and S. Scullion, “The Mysteries of the Goddess of Marmarini,” *Kernos* 29 (2016): 209–266, with a complete English translation of the text; see also J.-M. Carbon, “The Festival of the Aloulaia, and the Association of Alouliaistai: Notes Concerning the New Inscription from Larisa/Marmarini,” *Kernos* 29 (2016): 185–208. First publication: J.-C. Decourt and A. Tziaphalias, “Un règlement religieux de la région de Larissa: cultes grecs et orientaux,” *Kernos* 28 (2015): 13–51; revised text: R. Bouchon and J.-C. Decourt, “Le règlement religieux de Marmarini (Thessalie): nouvelles lectures, nouvelles interprétations,” *Kernos* 30 (2017): 159–186.

tions will bring their expertise to bear on this fascinating text. Co-operation will produce more focused questions about the cult and, one hopes, answer some of them, but there is wide scope for closer co-operation and dialogue over the full range of our studies, which cannot fail to raise and may help us begin to answer even more fundamental questions.

In her introduction to this volume, Hindy Najman discusses the content and significance of the six papers and the questions about innovation in ritual and scripture that prompted them. Perhaps the best way I can preface the volume is by making a start, from a cross-cultural perspective, on its scholarly reception. The papers collectively prompt reflection on some under-studied aspects of Greek religion, and it may also be of interest to pose specific questions about one or two of the papers that occur to a scholar in a cognate field.

Nathan MacDonald's paper explores the relationships – contrasts, tensions, even confusions – between ritual in practice and ritual in scripture. His study of the loss in later Priestly and subsequent tradition of the original distinction between *tənûpâ* and *tərûmâ*, “wave-offering” and “heave-offering” – whether, as MacDonald argues, through inexperience of the ritual or simple verbal confusion – is a very striking illustration of his theme. Greek religion has nothing corresponding to the Bible, but a classicist thinks immediately of cultic terms occurring in early texts and inscriptions whose meaning is only explained by commentators or exegetes in texts of (sometimes far) later periods. In few cases will these later writers have experienced the relevant ritual and, even if they did, we cannot assume that it had survived unchanged. Were they inferring or guessing at the meaning of the ritual terms or drawing on older scholarly tradition? If the latter, did the tradition reach all the way back to ritual realities or only to earlier inference or guesswork? If they were guessing, to what extent were their guesses guided by post-classical religious notions and/or retrospective categorisations and schematisations of (what they knew of) early Greek religion? Such questions have to be faced, but, in a tradition involving a vast and multifarious range of polytheistic cults rather than a central and limited set of rituals, answers are hard won.

In his discussion of the blood ritual of Exodus 24, MacDonald raises the questions whether the ritual was ever practised and, if so, whether “textual speculation” may be the source of ritual rather than ritual being the source of the text. A comparable question in the study of Greek religion is whether the accounts of certain cults and rituals (or aspects of them) in such later sources as Pausanias' second-century B.C.E. guidebook to Greece may have their ultimate origin not in age-old cultic tradition, but in imaginative elaboration or invention of cult and ritual in such classical literature as Greek tragedy, whose cultural authority has affected or prompted post-classical cults. In

one clear example, Pausanias (1.28.6) takes for granted that the Athenian Semnai Theai, “Reverend Goddesses,” are the “Furies” of Hesiod under another name, but the derivation of the underworld goddesses of cult from the quite distinct Furies of myth was almost certainly an imaginative vision of the tragedian Aeschylus rather than a traditional element of Athenian cultic aetiology.

There is a good deal of thinking to be done about the kinds of questions MacDonald and all the contributors to this volume are addressing, and we ought to do some of that thinking in common, comparatively. “Unreal” ritual arising from scribal invention or “textual speculation” is a realm that scholars – certainly classical scholars – have been hesitant to enter or even to recognise, but MacDonald’s paper and the whole volume challenge, and point us beyond, the easy assumption that textual ritual is (as it were) always under the adult supervision of “real” ritual practice. This is a necessary and promising direction of future scholarship, and one looks forward to fruitful interchange across disciplinary boundaries.

Jacqueline Vayntrub discusses how alternative models of filial succession problematize transgenerational survival in the Bible. There are well-known Greek parallels for brothers struggling over a paternal inheritance, and for a mother favouring one son over another, as in the biblical story of Isaac, Rebecca, Esau and Jacob, and also for various motifs in the Ugaritic tale of Aqhat, but there is no close parallel for the matrilineal model of familial survival whose central role in the book of Ruth – where it is set in sharp contrast to the traditional, patrilinear model – is brought out clearly in Vayntrub’s incisive reading. Such strong countercurrents in ancient tradition require the sort of close attention Vayntrub gives them; too often we leave them on one side as marginal or exceptional, and so both exaggerate the force of mainstream tradition and fail to understand it properly by taking inadequate account of tensions, resistance, opposition.

Jonathan Stökl’s paper makes a strong case for aspects of Hebrew ritual being deliberately, even polemically differentiated from the ritual of other traditions, arguing specifically that elements of the priestly ordination ritual are set in marked contradistinction to the corresponding Mesopotamian rite. There is a great deal more work of this sort to be done, on polemical differentiation and also on respectful or emulous assimilation, on conscious or unconscious divergence of common traditions and convergence of neighbouring traditions, on cross-cultural adoption and adaptation of cult and ritual. Important but difficult questions will arise. A recently published inscription, for example, suggests that in Greek holocaust sacrifice as in Hebrew *‘olah* the animal was flayed and sectioned before being incinerated, but

was this the result of diffusion or rather independent adoption of the same procedure by peoples who needed to be sparing of firewood?²

Judith Newman studies how liturgical practice engages scripture over time, offering the telling examples of the prophetic prayers of Jehoshaphat in II Chronicles 20 and the fundamental role given to scriptural study in the entry ritual into the *Yahad* described in the Community Rule of Qumran. As noted above, the centrality of scripture in Hebrew tradition and its increasing importance in post-exilic Jewish tradition find no real parallel in Greek religion, but the broader question (raised from a different angle by MacDonald) of the relationship between ritual and word – prayer, hymn, myth, narrative – is relevant to every ancient culture, and the varying kinds of “authority” attributed to various verbal genres, and their relationship to ritual, are a key index of social structures and cultural constructs and so a rich, but still largely untapped source for comparative study.

Shlomo Zuckier discusses the shift in sense of the word *ratzon* from something “acceptable” or “desirable” to something “willed,” and connects this with a “rabbinic voluntaristic theology” designed to align human and divine will. The clear verbal shift demonstrated by Zuckier firmly grounds the important conceptual development he traces. Alas, the evidence classicists deal with is often too thin to allow us to identify verbal and conceptual developments of this kind very confidently, partly because apparent shifts in meaning may be no more than the misunderstanding or incorrect usage of a commentator or lexicographer of a much later period.

Craving indulgence as a keen but inexperienced reader, I offer a couple of thoughts here by way of active response to Zuckier’s important paper (and to the stimulus of the whole volume). In his discussion of examples of the formula “may it be the will from before you (= your will)” in rabbinic literature, Zuckier suggests that such prayers operate by “asking that the [divine] will be shifted or changed. Thus, rather than the divine will shaping a person’s will and actions, the human will seeks to shift the divine will and actions.” Here I wonder whether the people praying are not actually implying that the currently obtaining divine will is somehow “wrong” and asking that it be changed to the right one, but rather expressing hopeful expectation and seeking confirmation that the divine will is aligned with their own – “may there come confirmation that your will is aligned with what I want and consider just” rather than “may your will change to become aligned with

2 S. Scullion, “Sacrificial Norms, Greek and Semitic: Holocausts and Hides in a Sacred Law of Aixone,” in *La norme en matière religieuse en Grèce ancienne* (ed. P. Brulé; *Kernos* Supplement 21; Liège: Centre International d’Étude de la Religion Grecque Antique, 2009), 153–169.

mine.” Similarly, is the notional prayer of God “that My mercy conquer My anger, and My mercy override My tendencies” perhaps less “God’s prayer to Himself that He *change* His will” (my emphasis) than self-exhortation that his mercy *abide* despite constant promptings by humans to righteous anger? If there is anything in these suggestions, we might also consider whether the prayer “May it be Your will, O Lord our God, that Your Torah be our occupation” does not imply that God generally wills something different, but asks him to help us do what we know he wants us to do by willing that study of the Torah be *our* occupation (not only that of others), which seems to be the explicit aim of the prayer of R. Tanhum bar Isblostika that Zuckier subsequently quotes. Perhaps all of these prayers can be regarded as variant types of “alignment” – Zuckier’s illuminating central concept – without any implication that the divine will requires rectification?

Noting with all due caution that “the matter must . . . await further investigation,” Naphtali Meshel makes the tentative but exciting suggestion that the ritual logic of the Priestly systems of sacrifice and purification (Σ and Π) was (in his image) an anvil upon which hermeneutical principles of the *middôt* were later forged. As the contagion of impurity can pass from object A to object B and thence to object C, so rabbinical hermeneutics generally allows homologous chains of analogical inference, but in the case of sacrificial material, partly because it is itself full of explicit cross-references, a “limitation on transferability” confines analogical inference in Σ to a single transference, so that inference from A to B is legitimate but from B to C is not. As an example of ritual logic homologous with this distinctive hermeneutical principle of Σ Meshel turns to Haggai 2:11–12:

Ask the priests for a ruling: ¹²If one carries consecrated meat in the fold of one’s garment, and with the fold touches bread, or stew, or wine, or oil, or any kind of food, does it become holy? The priests answered, “No.” (NRSV)

This is a passage I happen to have puzzled over myself, and – craving the same indulgence of my inexpertise as in the case of Zuckier’s paper – I wonder how confident one can be that the sacrality of the consecrated meat is transferred to the garment itself. Is it possible that we have here a case not of “A \rightarrow B but NOT \rightarrow C,” but rather of “A NOT \rightarrow B and so NOT \rightarrow C.” It is commonly assumed that the text must imply the sanctification of the garment. Milgrom, who discusses the passage in his commentary on Leviticus 6–7,³ concludes that the meat in question must be “most sacred” (that is from a *hattat* or *asham* rather than *shelamim* sacrifice) and that “the meat has transferred its holiness to the garment but not to its bearer,” but he also

3 J. Milgrom, *Leviticus 1–16* (AB 3; New York: Doubleday, 1994), 449–450.

concludes from the passage that Haggai and the later sixth-century priesthood regarded foodstuffs as the only objects subject to “sancta contagion.” It is a good indication of the trickiness of the passage – and reassures me that I am not wrong to find it puzzling – that Milgrom thus attributes to Haggai the simultaneous views that holiness has been transferred to the garment and that a garment cannot have holiness transferred to it.

Stew, *nazid*, is never a ritual offering but always home-cooking (Genesis 25:29–34; II Kings 4:38–41), and the most obvious reason “someone” should be carrying meat in the fold of a garment is that the meat comes from a *shelamim* sacrifice, the only type from which meat could be carried away and eaten outside the sanctuary. Leviticus 6:10–11 (= 6:17–18⁴) says explicitly of the “most sacred” *hattat*, *asham*, and *minchah* offerings that “anything that touches them shall become holy,” but this rule is not applied to the (merely) “sacred” *shelamim* offering in the extended treatment of it at Lev 7:11–36. Distinct places for cooking “most sacred” offerings in such a way as to avoid “communicat[ing] holiness to the people” and for cooking “the sacrifices of the people” are specified at Ezekiel 46:20–24. Evidently, then, the meat of the people – with obvious practical convenience, given that it could be carried round, handled, and stored before being eaten no later than the day following the sacrifice – conveyed no holiness-contagion: the only meat not said to transfer holiness by contact is that of *shelamim* sacrifice, and no provision is made for dealing ritually with any clean thing it touches, whether garment or anything else. Meat from a *shelamim* offering “that touches any unclean thing shall not be eaten; it shall be burned up” (Lev. 7:19), but it seems safe to assume that under normal circumstances a garment in which such meat was carried, or any vessel in which it might be stored, would be ritually clean.⁵

Why, however, if the priests could have replied “no” to the simpler questions whether the meat’s holiness (A) would be transferred to the garment or (directly) to the food (B), did Haggai formulate a question about transfer from A to B to C?

The passage continues with a second question:

¹³ Then Haggai said, “If one who is unclean by contact with a dead body touches any of these, does it become unclean?” The priests answered, “Yes, it becomes unclean.” (NRSV)

In terms of “ritual logic,” this well illustrates Meshel’s suggested homology in the Π realm, but the verbal formulation, which is rather $B^{(\leftarrow A)} \rightarrow C$ than

4 Cf. Milgrom (note 3 above), 395–6.

5 Cf. D.L. Petersen, *Haggai and Zechariah 1–8* (Old Testament Library; London: SCM Press, 1985), 78 n. 17, who raises the question whether the garment became holy and says, “one might presume that the garment was at least neutral, i.e. clean.”

$A \rightarrow B \rightarrow C$, focuses on the single transference from unclean person to foods. This suggests that for Haggai the final outcome, the non-holy or impure state of the food – and food is the end-element (C) and common referent of the two questions – is more important than the contrast between double and single transference. This would cohere with the general context in Haggai: while the temple has been left in ruins, God has blighted the products of the people's toil and their offerings have been unclean, and, as in the two questions, it is agricultural products that are primarily in view, that is food. No countervailing force makes the food holy, and the contagiousness of uncleanness has made it all unclean, but with the temple under reconstruction God will now bless the people and, we are surely to understand, they will now be able to make clean offerings.

If we consider the form of Haggai's first question in this general context, the simplest explanation would be that it may well reflect ordinary routines of life. If *shelamim* meat carried home in a garment would normally – out of respect, and as a precaution against contact with anything unclean – be kept apart in a separate vessel rather than placed in direct contact with bread or other foodstuffs, then other food is far more likely to come into contact with the garment than the meat. It seems to me eminently plausible that some such practical consideration underlies the three stages in Haggai's question.

These initial thoughts on Meshel's paper, inexperienced as they are, are a result of the irresistible impetus to reflection and response it gives. If nothing else, they represent questions that an interested classicist would like to have confident answers to, but there is a strong intuitive appeal to the notion that homologies between ritual and hermeneutic are more than coincidence, and there are clear examples in Σ material of transference confined to $A \rightarrow B$ (even if no transfer to C is explicitly ruled out). I hope Meshel extends his exploration of these matters soon. If further investigation sustains his thesis, he will have established a fundamentally important principle.

I hope that these few comments and suggestions give some sense of the richness of the papers within, the promising lines of inquiry they open up, and the provocative arguments they present. I have made a start here on the engaged response they merit and stimulate, and look forward to the interdisciplinary discussion of ritual and scriptural innovation they should inspire.

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Editorial Introduction

**Nathan MacDonald, Hindy Najman, Jonathan Stökl,
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Ritual and Innovation in Biblical and Ancient Jewish Discourse

This journal issue is the product of a series of conversations that led up to a seminar that Nathan MacDonald and Hindy Najman ran in Oxford in the context of the Old Testament/Hebrew Bible Seminar in the Hilary Term (i.e. winter) 2018. The idea for the volume came out of Nathan MacDonald's current research on innovation and ritual, along with Hindy Najman's work on the vitality of scripture as an ever changing and dynamic process of reworking and re-articulating textual and performed tradition. The Oxford research seminar of Hilary Term 2018 and the publication of this issue are an opportunity to reconsider the interpretation, innovation, reapplication, and creation of rituals. Across the seminar we considered a range of texts and approaches to ritual, as well as in a variety of cultures and linguistic registers.

The six essays are intended to consider textualized ritual and re-assess innovative practice and interpretation. What binds the essays in this volume is the acknowledgement of the place of innovation with respect to rituals, despite the assumption that rituals are unchanged and unchanging. Each of the six essays consider the complex and intricate manner in which textual evidence about ritual is ever changing in the Hebrew Bible and within biblical traditions and interpretation more generally.

Our issue opens with an account of how textualization both distances us from actual ritual practice and in the process creates rituals. The very supplementary nature of interpretation can be said to overcome what is lost in the textual transmission of ritual. In particular, MacDonald examines the significant philological confusion between *tenufa* and *teruma* as sacrificial rituals in the priestly tradition. MacDonald calls for an honest reassessment of what we do not know, asking that we reconsider what has been lost in the process of textualization and how this must chasten our historical reconstructions of the Second Temple cult. Ultimately, there was either a forgetting or a confusion about the rituals in the textual tradition, which

can help us understand the ongoing interpretation in the hands of the later tradents and interpreters.

Shlomo Zuckier also focuses on transformation of ritual through philological reinterpretation. He traces a radical shift in the meaning of *ratzon* from the biblical period to the rabbinic period. This shift moves the language of *ratzon* from the acceptance of an offering or a gesture of prayer or gift to an economy where *ratzon* signifies the divine will and interaction between worshippers and God. The shift is about linguistic transformation, but also a deep conceptual and theological transformation about how to interact with, receive, and please the deity. The rabbinic transformation is innovative, responsive to a new non-temple religious context, and fundamentally about the emergence of the subject vis-à-vis God. Prayers and understanding of the subject are transformed with respect to communicating with and accommodating notions of deity.

Judith Newman presents a bold and bright way of asking what role the text plays in the shaping of ritual. She focuses on two examples, one biblical and one from the Dead Sea Scrolls. Her essay sets the stage for a whole host of questions that are raised across this thematic issue. Namely, how and when do rituals change? How is that change manifested in and through the processes of textual transmission and the metamorphosis of language over time and under new historical contexts and cultural traditions? Newman's two examples are 2 Chronicles 20 and the Community Rule. In the first example, she demonstrates how there is a significant shift for the Levites who prophesy and teach Torah, including their expected performance of ritual. The role of the Levites in 2 Chronicles 20 is significant for understanding the ritualization of text. Not only do they teach the Torah, but they do so in the context of what Newman calls liturgical prophecy. The Levites assume new roles, and are authorized to perform duties well beyond their defined roles as the textualization of prayer transforms the community itself. Her second example is from the Community Rule, in which she demonstrates a later use of an interpreted priestly blessing as a form of a new blessing which is transformed, but now in a textualized ritual. The scriptures are kept dynamic and vital through their innovation in which it is textualized and performed.

Many of the essays up to this point have emphasized how textualization and interpretation have transformed ritual. Naphtali Meshel argues that the inner logic of interpretation is reciprocally shaped by texts about ritual. Thus, according to Meshel, the textual traditions are interwoven across time as they work out a logic of reading that is at once transformative of ritual and hermeneutics. They are controlled and enabled by each through the process of composition and performance. From the earliest Priestly traditions down

to the later rabbinic interpretive traditions and beyond, textualized ritual is innovative and responsive.

Jonathan Stökl's essay raises the problems that textualization presents for the reconstruction of ritual by observing the absence of a purification ritual for priests returning to the Temple for their annual period of service, and also the absence of shaving in the priestly ordination rituals. In doing so, Stökl adds a new and important dimension to our conversation: the polemical dimension of ritual innovation. Rituals within the Hebrew Bible should not only be contextualized within their context and culture, but they should also be located within a larger multicultural context. Many of the rituals, for example with respect to priestly ordination, contain aspects that can be understood precisely to be formulated over and against Mesopotamian traditions, even as other ritual practices assimilate Mesopotamian traditions. So the emphasis and persistence of particular rituals can be understood best when we can chart a deliberate and even, at times, explicit rejection of contemporaneous culture. Innovation within ritual for Stökl is historically contingent and the rituals as they are formulated are already and always responsive to otherness, even at time reactionary to the world around them.

Jaqueline Vayntrub considers the rituals of death and succession. She shows how patterns of innovation, even transgressive innovation, secure succession and transgenerational survival. Throughout her essay, she illustrates examples of challenges to "father to son" transmission as the model for many of these texts. Time and again, she argues, there is a transgressive pattern which is also innovative. So, for example, we see Qohelet's challenge to the father-son transmission over and against Proverbs. She considers the book of Ruth with respect to gender subversion where transmission and succession are secured by women, not men. There are many such examples of transgressing expectations. These ultimately overturn expectations, societal norms and rituals of succession. Her point is that succession is ever transgressive and refuses to play by rules of expectation, accommodation, and assumption of normativity with respect to past practices.

The essays in this issue participate in and exemplify the innovative nature of ritual through textualization, reaction to contemporary culture, and succession. Ritual is constantly changing, which is why it is vibrant and vital. We hope that our small contribution can generate more reflection on the interpretative, performative, and textualized ways in which ritual is reinvented and activated over time in the history of development of Jewish traditions of ritual, prayer and textualized performance.

Nathan MacDonald

Scribalism and Ritual Innovation

The ritual texts of the Pentateuch do not always reflect actual cultic procedures of the Second Temple. Two examples are examined where this is probably the case: first, the confusion of *tənûpâ* and *tərûmâ* and, second, the blood manipulation of Exodus 24. A careful examination of these two examples can lead to a better appreciation of the historical cult of Israel and the effects of textualization of rituals.

Keywords: Priestly literature, sacrifice, ritual practice, blood manipulation, textualization

In Wellhausen's judgement, it was with the prophet Ezekiel that "the sacred praxis [...] became a matter of theory and writing," rather than a matter of the correct performance of rituals that had been handed down through the generations. With the Jerusalem temple in ruins, the path of transmission came under threat. In the face of the potential loss of priestly lore, "it is easy to understand [...] how an exiled priest should have begun to paint the picture of it as he carried it in his memory, and to publish it as a programme for the future restoration of the theocracy."¹ This pithy account of how ritual came to be first written down amongst the ancient Judahites glosses over a number of complexities. On most assessments, Ezekiel's programme of the restored theocracy did not correspond to the cultic practice of pre-destruction Judah. Was this the result of Ezekiel's faulty memory, the programmatic and prophetic nature of the envisaged future cult, the transformation of sacred praxis into theory, or a combination of all three?

When biblical scholars began to appropriate contemporary anthropological research, including ritual theory, for understanding the text of the Hebrew Bible, the complexities of sacred praxis becoming a matter of theory and writing were overlooked. It was largely assumed that biblical writers

1 J. Wellhausen, *Prolegomena to the History of Israel with a Reprint of the Article Israel from the "Encyclopaedia Britannica"* (trans. J. Sutherland Black and A. Menzies; Edinburgh: Adam & Charles Black, 1885), 60.

sought to describe what was practiced.² The failure of some texts in the Hebrew Bible to adequately represent the ritual practices they were describing was appreciated, but this only made the case for an important part of the interpretive task being to articulate what might have been assumed or overlooked by the biblical writer. The commentator improved on the deficiencies of the text so that the modern reader could understand precisely how the ritual had been performed. It was also recognized that ritual texts could be aspirational rather than reflective of actual practice. Levine, for example, demonstrated that prescriptive texts were not always helpful evidence for actual practice, but this was as part of an argument that descriptive texts were a surer guide.³ Haran, on the other hand, saw the cultic texts as partially utopian.⁴ In all these cases, confidence in the ability of scholarship to reconstruct the Israelite cultus was not significantly diminished; the textualization of rituals was merely an obstacle to be overcome.

Some recent biblical scholarship, however, has begun to recognize that the textualization of the cult was both innovative and transformative. Texts are not rituals, and rituals are not texts.⁵ The consequences of this lack of identity are significant. As the ritual theorist Catherine Bell put it,

the relationship of texts and rites evokes wonderful complexities for us [...] What is the significance or functional effect of writing ritual down, both vis-à-vis ritual and as a written text? How does writing a text or depicting ritual in a text act upon the social relations involved in textual and ritual activities? Ultimately, how are the media of communication *creating* a situation rather than simply reflecting it; how are they restructuring social interactions rather than merely expressing them?⁶

Textualization results in new relationships with other ritual texts through processes of homogenization and systematization. In some cases, it results

2 For examples, see J. Milgrom, *Leviticus 1–16: A New Translation with Introduction and Commentary* (AB 3; New York: Doubleday, 1991); F. H. Gorman, *The Ideology of Ritual: Space, Time and Status in the Priestly Theology* (JSOTSup 91; Sheffield: JSOT Press, 1990); R. E. Gane, *Cult and Character: Purification Offerings, Day of Atonement, and Theodicy* (Winona Lake: Eisenbrauns, 2005).

3 B. A. Levine and W. W. Hallo, "Offerings to the Temple Gate at Ur," *HUCA* 38 (1967): 17–58, here 17–18; B. A. Levine, "The Descriptive Tabernacle Texts of the Pentateuch," *JAOS* 85 (1965): 307–318.

4 M. Haran, *Temples and Temple-Service in Ancient Israel* (Winona Lake: Eisenbrauns, 1985).

5 D. P. Wright, "Ritual Theory, Ritual Texts, and the Priestly-Holiness Writings of the Pentateuch," in *Social Theory and the Study of Israelite Religion: Essays in Retrospect and Prospect* (ed. S. M. Olyan; SBL Resources for Biblical Study 71; Atlanta: Society of Biblical Literature, 2012), 195–216; J. W. Watts, *Ritual and Rhetoric in Leviticus: From Sacrifice to Scripture* (Cambridge: Cambridge University Press, 2007), 27–32.

6 C. Bell, "Ritualization of Texts and Textualization of Ritual in the Codification of Taoist Liturgy," *HR* 27 (1988): 366–392, here 368–369.

in rituals being endowed with “meaning.”⁷ In other cases, it may even result in significant alteration to rituals, or even the invention of rituals where the textual logic demands it.⁸

Whilst there has been a growing recognition that literary renderings of ritual often reflect discursive and theoretical analysis, the radical consequences to which this might lead are not always embraced with ease and there can be an unwillingness to abandon the idea that at some level an actual ritual lies behind the biblical text. Rüdiger Schmitt, for example, in a recent essay identifies Leviticus 14 as an “intellectual ritual,” an instance of scribal reflection. Nevertheless, he protests that he has by no means given up the idea that the ritual was practiced: “To be clear right from the beginning: I have no doubt that the sacrificial and ritual texts in Leviticus reflect actual cultic procedures of the Second Temple.”⁹ In this essay I wish to examine two examples where there are some grounds for thinking that ritual texts do not reflect actual cultic procedures of the Second Temple. My two cases are, first, the confusion of *tənûpâ* and *tərûmâ* and, second, the blood ritual of Exodus 24. A careful examination of them will, however, lead to a better appreciation of the historical cult of Israel and the effects of textualization of ritual practice.

1. The Confusion of *Tənûpâ* and *Tərûmâ*

In the Priestly literature, sacrifices may experience a number of different manipulations. Two of these manipulations are identified as *tənûpâ* and *tərûmâ*,¹⁰ which have traditionally been rendered in English as, respectively, the “wave offering” and the “heave offering.” These designations are indebted to rabbinic texts which sought to unscramble the confusing portrayal in the Priestly texts of the Pentateuch. The critical step in resolving the confusion was Jacob Milgrom’s philological observation that whilst

7 Watts, *Ritual and Rhetoric*, 27–32.

8 N. MacDonald, “The Hermeneutics and Genesis of the Red Cow Ritual,” *HTR* 105 (2012): 351–371; C. Frevel, “Practicing Rituals in a Textual World: Ritual and Innovation in the Book of Numbers,” in *Ritual Innovation in the Hebrew Bible and Early Judaism* (ed. N. MacDonald; BZAW 468; Berlin: de Gruyter, 2016), 129–150.

9 R. Schmitt, “Leviticus 14.33–57 as Intellectual Ritual,” in *Text, Time, and Temple: Literary, Historical and Ritual Studies in Leviticus* (ed. F. Landy, L.M. Trevaskis, and B.D. Bibb; Hebrew Bible Monographs 64; Sheffield: Sheffield Phoenix, 2015), 196–203.

10 Throughout this section, I use the transliterations *tənûpâ* and *tərûmâ* for the manipulation of the sacrifices, and the Hebrew תנופה and תרומה for the discussion of the Hebrew lexemes.

the *tanûpâ* was done לפני יהוה, “before YHWH,” the *tarûmâ* is ליהוה, “for YHWH.”¹¹

On the basis of his observation, Milgrom argued that the *tanûpâ* is to be understood as a ritual act that was performed in the sanctuary. It was characteristically performed upon objects that could be sacrificed within the Israelite cult: sacrificial animals, oil and bread. Offerings subject to *tanûpâ* include the suet and right thigh of the consecration ram together with its bread offerings (Exod 29:23; Lev 8:26–27), the brisket of the consecration ram (Exod 29:26; Lev 8:29), the brisket of the well-being offering (Lev 7:30; 9:21; 10:14–15; Num 6:20; 18:18), the lamb of the skin-diseased individual’s reparation offering together with its oil (Lev 14:12, 21, 24), the sheaf of the first-fruits (Lev 23:11, 15), the bread and lambs of the feast of weeks (Lev 23:17, 20), and the meal offering of the woman suspected of adultery (Num 5:25).¹² In the ritual of *tanûpâ*, the offering or part of it is presented to YHWH by moving the offering in the direction of the deity, and we might translate תנופה as “a presentation.”¹³ The *tarûmâ*, on the other hand, is not a ritual act done in the temple. Rather it is the setting aside of a donation “for YHWH,” and the donation need not be brought into the sanctuary. The idea of donation is suggested by the verbs used in conjunction with the תרומה and by the fact that the *tarûmâ* can apply to a broader range of objects than may be subject to *tanûpâ*. This includes not only sacrificial offerings, such as the right thigh of the consecration ram (Exod 29:27), the right thigh of the well-being offering (Lev 7:32, 34) and the bread of the thank-offering (Lev 7:14), but also monetary gifts, such as the census silver (Exod 30:13–15), the tithe of the tithe (Num 18:24–29) and the spoils from war (Num 31:29, 41, 52).

11 J. Milgrom, “*Hattênûpâ*,” in *Studies in Cultic Theology and Terminology* (SJLA 36; Leiden: Brill, 1983), 139–158; J. Milgrom, “The Alleged Wave-Offering in Israel and in the Ancient Near East,” *IEJ* 22 (1972): 33–38; J. Milgrom, “The *Šôq Hattêrûmâ*: A Chapter in Cultic History,” in *Studies in Cultic Theology and Terminology* (SJLA 36; Leiden: Brill, 1983), 159–170.

12 For the moment I shall leave aside the problematic reappropriation of the term for the Levites’ dedication to temple service in Numbers 8.

13 Levine translates תנופה as “presentation offering” (B. A. Levine, *Numbers: A New Translation with Introduction and Commentary* [2 vols.; AB 4; New York: Doubleday, 1993], 276). Milgrom rejects the traditional translation “wave offering”, understood as a motion back and forth, and proposed “elevation offering.” Whilst this has become the accepted translation of תנופה in much anglophone scholarship, Milgrom’s account fails to explain why the rabbis – but not the Targumists – misunderstood the meaning of the root נוף and overlooks occurrences of נוף, such as Isa 10.15bα (with המשור “the saw”), where “elevate” makes no sense, but “move back and forth” would. Milgrom rightly draws attention to Egyptian texts and reliefs where offerings are presented to the deity. The biblical ritual of *tanûpâ* similarly seems to have involved some motion in the direction of YHWH’s presence, perhaps both forwards and upwards.

An important characteristic of the *tərûmâ* is that it is a portion that has been set apart from (מן) the whole, often for the benefit of the priest.¹⁴

A clear distinction between *tənûpâ* and *tərûmâ* is maintained in the additional instructions to the Israelites concerning the well-being offering in Leviticus 7. Unlike the burnt offering, which was wholly consumed on the altar, only the fat of the well-being offering was burnt. The meat was consumed by the offerer with the exception of two joints. As part of the sacrificial ritual, the brisket was presented before YHWH as a *tənûpâ*. Its suet was burnt on the altar and the brisket was given to the priests (vv. 30–31). The remaining meat did not undergo the ritual of *tənûpâ* and was consumed by the offerer. From this meat, the right thigh was given to the officiating priest as a *tərûmâ* (v. 32). Thus, the brisket underwent the ritual of *tənûpâ*, but was not *tərûmâ*. Conversely, the right thigh was *tərûmâ*, but not *tənûpâ*.

It is evident, however, that in some places the careful distinction drawn between *tənûpâ* and *tərûmâ* in Leviticus 7 has been lost. The clearest examples can be found in the instructions for the construction of the Tabernacle in Exodus 25–31 and its execution in Exodus 35–39. At the opening of his instructions about the Tabernacle's construction, God invites the Israelites to donate valuable items:

Tell the Israelites to take a donation (תרומה) for me. You are to accept my donation (תרומה) from every man whose heart is willing. This is the donation (תרומה) that you will accept from them: gold, silver, bronze ... (Exod 25:2–3).

In the account of the execution, God's invitation is met with overwhelming generosity. Both men and women give so generously that a halt has to be called on their donations (Exod 36:6). The execution account cannot decide what to label these gifts. In some places it identifies them as *tərûmâ* (35:5, 24; 36:3, 6), but in other places as *tənûpâ* (35:22; 38:24, 29). The consequences of the confusion are most apparent in 35:22 where the syntactic patterns of *tərûmâ* are employed with reference to *tənûpâ*. Thus, the benefactors of the Tabernacle are identified as “every person that presented a presentation of gold to Yhwh (הניף תנופת זהב ליהוה),” rather than “before Yhwh (לפני יהוה).” In the following verses, the silver and bronze are offered as a *tərûmâ* (v. 24), but in Exodus 38 the same bronze is also the “bronze of the *tənûpâ*” (v. 29). It would appear that the terms תרומה and תנופה are viewed simply as stylistic variants of one another. Given that the Hebrew text already confuses the two terms, it is perhaps no surprise that the Septuagint's renderings throughout the Pentateuch collapse *tənûpâ* into *tərûmâ*.

14 J. Milgrom, “*Šôq Hattêrûmâ*”; T. Seidl, “*ṭrûmâ* – die ‘Priesterhebe’? Ein angeblicher Kulterminus – syntaktisch und semantisch untersucht,” *BN* 79 (1995): 30–36.

תנופה is translated with a variety of different terms, including ἀφόρισμα and ἀφαίρεμα, which communicate the idea of something being taken away or set aside. Both Greek terms would be more suitable as translations of תרומה, and are commonly employed as such.¹⁵

The loss of any distinction between *tənûpâ* and *tərûmâ* has consequences for how the biblical text portrays the performance of the well-being offering. This makes its first appearance in what is likely a redactional addition to the priestly consecration ritual in Exod 29:27–28.¹⁶ According to Exodus 29, three animals were to be offered during the consecration of Aaron and his sons: a bull as a purification offering, a ram as a burnt offering, and a further ram as the consecration offering. The last of these, the consecration offering, is modelled on the well-being offering, but with some minor adjustments. One of the differences concerns the treatment of the brisket and the right thigh.¹⁷ In the well-being offering, as we have seen, the Israelite bringing the sacrifice presents the brisket as a *tənûpâ*. The brisket belongs to the entire priesthood, whilst the right thigh is given to the officiating priest as a *tərûmâ* (Lev 7:30–32). In the consecration offering the right thigh is placed in Aaron's hands together with the suet and some of the bread offerings and presented as a *tənûpâ*. The entirety is then immolated on the altar (Exod 29:22–25). The brisket is presented by Moses as a *tənûpâ* and is kept by him as his prebend (Exod 29:26). It is at this point that the redactional addition which concerns us is to be found. In order to prevent any reader deducing from the consecration offering that the priestly perquisites from the well-being offering could be reduced to just the brisket, the instructions that follow insist that both the right thigh and the brisket are priestly dues (Exod 29:27–28). The shared vocabulary indicates that the inspiration for this intervention is clearly the instructions about the well-being offering in

15 Similarly, some modern interpreters have despaired of distinguishing the two and regard them as synonymous (e.g. U. Cassuto, *A Commentary on the Book of Exodus* [Jerusalem: Magnes Press, 1987], 457–458; E. W. Davies, *Numbers* [NCB; London: Marshall Pickering, 1995], 65).

16 These verses have no parallel in the fulfilment account of Leviticus 8, and thus there are some grounds for believing that they are a redactional addition inspired by Lev 7:28–34 (C. Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus* [FAT II/25; Tübingen: Mohr Siebeck, 2007], 130–132). These verses have a further unusual feature. Nowhere else is a sacrifice the object of the verb קדש. Elsewhere in the Priestly literature, the objects are priests and their vestments, the Tabernacle and its furniture.

17 This fact is emphasized by the text. When, from the perspective of a reader familiar with the well-being offering, the right thigh appears prematurely, the text clarifies “it is a ram of consecration” (Exod 29:22).

Lev 7:28–34,¹⁸ but the redactor clearly does not distinguish *tənûpâ* and *tərûmâ* as Leviticus 7 does. Both brisket and thigh are to be presented (הוֹנִיף) and set aside (הוֹרֵם). In v. 28 both joints are identified as תְּרוּמָה, which appears to have become an inclusive term for both תְּנוּפָה and תְּרוּמָה.

If Exod 29:27–28 is to be followed, the right thigh is also to undergo the ritual of *tənûpâ*, though this was not envisaged in the original instructions of Leviticus 7, and the descriptions of the well-being offering that follow in Leviticus 9–10 do indeed envisage the right thigh being presented as a *tənûpâ*. In Leviticus 9, a ritual of incorporation occurs on the eighth day of the priest's consecration. An ox and a ram are offered as well-being offerings for the people. The fat is burned and the briskets and right thigh undergo *tənûpâ* (Lev 9:21). Milgrom rightly observes that the Hebrew text is problematic. “Briskets” (הַחֲזוֹת) is plural as befits the act that an ox and a ram have been offered, but the “right thigh” (שׁוֹק הַיְּמִין) is singular. A plausible explanation is that the “right thigh” was added to bring the description of the ritual of incorporation in line with the revised treatment of the right thigh. Milgrom observes the problem, but thinks that by identifying וְאֵת שׁוֹק הַיְּמִין as a gloss “the problems disappear.”¹⁹ This is only partially true. Whilst it is possible to argue that v. 21 did not originally contradict the clear distinction made between *tənûpâ* and *tərûmâ* in Leviticus 7, it is also apparent that this distinction was not upheld by a glossator in the Second Temple period. In Lev 10:14–15, the original distinction is preserved in the names of the joints – the brisket is “the brisket of presentation” (חִזְיַת הַתְּנוּפָה) and the thigh “the thigh set apart” (שׁוֹק הַתְּרוּמָה) – but both are to undergo *tənûpâ*. The loss of ritual differentiation would also appear to have consequences for the consumption of the meat. Whilst originally the officiating priest kept the right thigh as a prebend, in Lev 10:14–15 both brisket and thigh are assigned to the priesthood in general. They may be eaten by the priests and any of their relations, provided that this is done in a clean place.

How might we make sense of this apparent confusion of *tənûpâ* and *tərûmâ* in the later redactional layers of Exodus and Leviticus, and the translation of the Pentateuch into Greek? Milgrom contemplates this problem on a couple of occasions and proposes two different solutions. In a discussion of the Septuagintal renderings, Milgrom is perplexed that *tənûpâ* and *tərûmâ* could have been confused:

One wonders how such confusion could have existed among the Alexandrian sages. Did they not see with their own eyes when they pilgrimaged to Jerusalem for the festivals

¹⁸ Nihan, *Priestly Torah*, 130–132.

¹⁹ Milgrom, “*Šôq Hattərûmâ*,” 164.

how the rituals of *tēnûpâ* and *tērûmâ* were performed? Or should we conclude that the rabbis' interpretation was the result of the midrashic method and lacked any basis in the reality of the Second Temple?²⁰

Milgrom is unwilling to admit either that elite Alexandrian Jews might have been ignorant of what occurred in the Jerusalem Temple or that the Temple worship might not have mirrored what is prescribed in the Pentateuch. He suggests, instead, that the two manipulations might have become indistinguishable to observers:

There is a more reasonable answer: since the *tēnûpâ* and *tērûmâ* were already combined in one ritual in the Hellenistic period, the onlookers could not tell them apart. Furthermore, in several ceremonials they saw no movement at all, since the ritual was only symbolic. For example. The priest who put his hands under the offerer's hands certainly did not move this huge pile, or it would topple. Thus the layman who brought his gifts for *tēnûpâ* and *tērûmâ* sometimes saw no movement at all, and in those ceremonials where motion took place (e.g. the *ômer*, cf. *Lev. R.* 28:5) he saw movement in every direction without being able to distinguish between *tēnûpâ* and *tērûmâ*. Observers would discern the common factor in all the rituals, i.e., that when the priests put his hands under the offering he thereby dedicated it to the Lord. Therefore the LXX used several synonyms meaning dedication.²¹

The difficulty with this argument is that it requires Milgrom to reinstate the traditional understanding of *tēnûpâ* and *tērûmâ* as two rituals involving movement in a horizontal and vertical direction respectively. But it is precisely this understanding that he has been concerned to reject! As he has been at pains to show, the *tērûmâ* is not a ritual, and the dedication of the *tērûmâ* did not entail movement of the offering in a vertical direction. In addition, the offerings to which *tēnûpâ* and *tērûmâ* are to be applied are not at all identical, and so it is difficult to see how they could have been combined into one ritual unless the practice in the Second Temple departed markedly from the Pentateuchal prescriptions.

In another essay published in the same year, Milgrom ventures another solution. In light of the confusion of the terms in Exodus 29 and Exodus 35–39, Milgrom writes,

Indeed, in accordance with what has been said about the indeterminacy of cultic terminology, it is possible to think, at first, that the *tērûmâ* and *tēnûpâ*, judging by the examples above, are not univocal but are interchangeable. This is not so. The solution is simple and clear once we are convinced that the *tērûmâ* is not a ritual, and that its true sense is a dedication to God. *Tērûmâ*, then, is a necessary step preceding *tēnûpâ*. An offering requiring *tēnûpâ* must undergo a previous stage of *tērûmâ*, that is to say, its separation from the profane to the sacred. This process can be formulated as a rule: *Every*

²⁰ Milgrom, "*Hattēnûpâ*," 140 n. 8.

²¹ *Ibid.*

tēnûpâ requires *tērûmâ*. If so, *tērûmâ* and *tēnûpâ* are not identical, but are completely different from each other. And throughout all the citations, without exception, they retain their respective meanings and cannot be interchanged.²²

Yet, this argument is difficult to square with Milgrom's observation that the *tārûmâ* is taken from (יָרַם) the whole. Where *tārûmâ* is applied to monetary gifts, it would appear that the *tārûmâ* is set apart for sacral, rather than ordinary, use. This would accord well with the kind of argument that Milgrom makes. However, the application of *tārûmâ* to sacrifices does not. In Lev 7:14, the *tôdâ* consists of various breads and cakes, from which only one is set aside as the *tārûmâ* for the priest. On Milgrom's logic, however, the entire *tôdâ* is *tārûmâ*. Similarly, with the well-being offering, why is it that the right thigh is identified as *tārûmâ* (7:32–34) if the entirety of the well-being offering is *tārûmâ*?

Neither of Milgrom's suggested solutions work. There is a natural solution, though not one that Milgrom would have wished to admit. In later levels of P, the distinction between *tēnûpâ* and *tārûmâ* is not maintained, and the two are simply confused by later scribes and the translators of the Greek Pentateuch. But how can this confusion have occurred? As Milgrom rightly observes, the manipulations are not such that anyone who had observed the temple rituals could possibly have confused them. Rather, the confusion seems to result from the shared *tāqûlâ* form, which results in words that sound and look fairly similar. In other words, the confusion arose not in the temple court, but in the scriptorium. There are two reasons why this might have occurred: The first possibility is that the later redactors of P and the translators of the Greek Pentateuch had not observed the sacrificial rituals and their knowledge was mostly derived from the text. The second possibility is that what was practised in the Second Temple did not correspond to the instructions concerning *tēnûpâ* and *tārûmâ*. The arrangements set out by the Priestly authors in Leviticus 1–7 may never have been realized in the temple's rituals. In both scenarios there is a gap between ritual text and ritual practice, between the Pentateuch and the Second Temple.

2. The Blood Ritual of Exodus 24

The second ritual I wish to examine is the ritual that ratifies the covenant in Exodus 24. After the giving of the Ten Commandments and the Book of the Covenant, the elders of Israel are commanded to approach יְהוָה

22 Idem, "Šôq Hattērûmâ," 162–163. Emphasis original.

together with Moses and his sons (vv. 1–2). An altar is set up at the foot of the mountain and oxen sacrificed. Moses collects the blood in basins and tosses half of it against the altar, and half of it over the people (vv. 3–8).²³ At the conclusion of the ritual, the elders ascend the mountain where they beheld God and feasted in his presence (vv. 9–11). It has long been recognized that Exodus 24 combines two distinct episodes. The revelation atop of the mountain involves Moses, the priesthood and the elders, whilst the ritual at the foot of the mountain has a different cast consisting of Moses, the young men, and the people. The blood ritual in vv. 3–8 clearly detaches the divine instructions to Moses in vv. 1–2 from their fulfilment in vv. 9–11, and should be identified as the secondary element.

Within critical scholarship, the blood ritual was long regarded as a very ancient element. In his influential volume, *Origins and History of the Oldest Sinaitic Traditions*, Walter Beyerlin offered two proofs of its antiquity. First, the two-fold tossing is without parallel in the Old Testament. Secondly, the sacrifices are offered by young men rather than by priests.²⁴ The first argument assumes that uniqueness was a sign of antiquity, and has often been deployed in the study of Israelite ritual. The dangers of this kind of argument are not only its obvious subjectivity, but also its implicit assumptions about the steady rationalization of religious practice and belief. In the particular case of Exodus 24, Beyerlin's claim about the uniqueness of the twofold manipulation of sacrificial blood is only true if we insist that the single verb זרק be applied in a ritual on two different objects. As we shall see, the ordination ritual envisages blood being manipulated and applied to Aaron and his sons and to the altar, albeit using two different verbs. The second argument is rather weightier and was first advanced by Carl Steuernagel. In the Second Temple the act of sacrificing was restricted to the priests, but this does not seem to have been the case in earlier periods. In particular, Steuernagel pointed to Judges 17–18, the story of the Levite from Bethlehem, and 1 Samuel 2, the story of Samuel and his sons, as evidence that “young men” (נערים) functioned as cultic officials in the dying days of the pre-monarchic period.²⁵ In the middle of the twentieth century this apparent clue to the dating of the ritual was combined with theories about covenant renewal ceremonies in the amphicytony to argue that the blood

23 For the translation of זרק see W. K. Gilders, *Blood Ritual in the Hebrew Bible: Meaning and Power* (Baltimore: Johns Hopkins University Press, 2004), 25–27.

24 W. Beyerlin, *Origins and History of the Oldest Sinaitic Traditions* (Oxford: Blackwell, 1965), 38.

25 C. Steuernagel, “Der jehovitische Bericht über den Bundesschluss am Sinai,” *TSK* 72 (1899): 319–350.

sprinkling ritual was part of a ritual complex that was celebrated at either Shechem or Gilgal.²⁶

For a number of reasons, however, many contemporary scholars argue that Exod 24:3–8, or at very least parts of it, is a post-deuteronomistic text. First, as Lothar Perlitt demonstrated Exod 24:3–8 must be considered together with Exod 19:3–8. In both passages Moses comes to the people and declares to the people what God has spoken. The people respond unanimously with an identical commitment that is found only in those two passages in the Hebrew Bible: “all that YHWH has spoken we will do” (וְיֹאמְרוּ יְהוָה נַעֲשֶׂה וְנִשְׁמָע; 19:8; 24:7). In addition, both passages concern the covenant. Together they form a covenantal framework around the Sinai pericope in Exodus 19–24. Indeed, without these passages the Sinai pericope makes no mention of a covenant between God and his people.²⁷ Secondly, thanks to the work of Perlitt, Ernest Nicholson, and many others, the older critical view that covenant is a late concept has been firmly reasserted. In some models, covenant theology first emerges only in the context of Assyrian hegemony.²⁸ Thirdly, as Perlitt demonstrated the language is often redolent of Deuteronomy with references to “all the words,” God speaking, and the people’s agreement to do them.²⁹

Perlitt argued that there was an ancient rite in vv. 4aβ–6, 8, which had been subsequently reworked by the same Deuteronomistic author who had contributed 19:3–8, but if, as Perlitt had shown, Exod 19:3–8 could combine Deuteronomistic and Priestly ideas, it is equally apparent that this could be true of Exodus 24:3–8. Additional features point to the same conclusion. First, Nicholson demonstrated that the manipulation of the blood was best explained not by appeal to the idea of creating a blood bond between covenant partners – an idea without parallel in the Hebrew Bible – but to blood’s role as a means of sanctification.³⁰ In particular, blood is used to consecrate the priests in Leviticus 8, where it is sprinkled against the altar and sprinkled on Aaron and his sons. This important parallel for the sanctifying role of blood and many others are to be found in the broad Priestly tradition.

26 For covenant ceremonies at Shechem and Gilgal, see inter alia, E. Nielsen, *Shechem: A Traditio-Historical Investigation* (Copenhagen: G. E. C. Gad, 1959); E. Otto, *Das Mäzotfest in Gilgal* (BWANT 107; Stuttgart: Kohlhammer, 1975).

27 L. Perlitt, *Bundestheologie im Alten Testament* (WMANT 36; Neukirchen-Vluyn: Neukirchener, 1969), 156–238.

28 See esp. the work of E. Otto, *Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien* (BZAW 284; Berlin: de Gruyter, 1999).

29 Perlitt, *Bundestheologie*, 181–190.

30 E. W. Nicholson, *God and His People: Covenant and Theology in the Old Testament* (Oxford: Clarendon Press, 1986), 164–178.

Secondly, the mention of *זבחים שלמים* in v. 5 points, at the very least, to later reworking. The compound expression *זבחי שלמים* is a favourite of P and appears in relatively late texts that show P's influence.³¹ Thirdly, as Nicholson showed, the principal evidence for the ritual's antiquity was the presence of the "young men," but the problem was not insuperable, for *נערים* could be a technical term designating subordinate cultic officials, rather than young men with no cultic status.³²

What is the significance of the blood ritual? Three distinct interpretations have been proposed. First, the blood is a symbol of an imprecatory oath. Imprecation is a fairly effective explanation of the divided animals in Jeremiah 34, and there are many other examples from the ancient Near East. In such cases, however, the oath of imprecation is explicit, and this is not the case in Exod 24:3–8.

Secondly, the blood establishes a bond of covenant. In favour of this view we can note the fact that the blood is identified as the "blood of the covenant" in v. 8. This expression is found only here and in Zech 9:11, which appears to be dependent on Exodus 24. William Gilders argues that the blood is sprinkled on the two parties and represents the bond between them.³³ If that were the case, the altar would represent God. The problem with this suggestion is that there is nowhere else in the Hebrew Bible where the altar represents God. In addition, as Nicholson observes, there is no parallel to blood being understood in this way elsewhere in the Hebrew Bible.³⁴

Thirdly, the sprinkling of the people with blood might be an act of sanctification. Gilders rejects this interpretation because Exodus 24 and Leviti-

31 The only possible exceptions are 1 Sam 10:8 and 11:15. In both cases, Rendtorff argues that *שלמים* was original (R. Rendtorff, *Studien zur Geschichte des Opfers im Alten Israel* [WMANT 24; Neukirchen-Vluyn: Neukirchener, 1967], 150–151). 1 Samuel 10:8 is usually thought to interrupt vv. 7, 9 and anticipates 13:8–15 (L. Schmidt, *Menschlicher Erfolg und Jahwes Initiative: Studien zu Tradition, Interpretation und Historie in Überlieferungen von Gideon, Saul und David* [WMANT 38; Neukirchen-Vluyn: Neukirchener, 1970], 102), whilst 1 Sam 11:15 is somewhat overfull (e.g. the repeated *שם*) and the verse as a whole has sometimes been judged as unnecessary. (For the most detailed discussion, see R. Müller, *Königtum und Gottesherrschaft: Untersuchungen zur alttestamentlichen Monarchiekritik* [FAT II/3; Tübingen: Mohr Siebeck, 2004], 149–158).

32 E. W. Nicholson, "The Covenant Ritual in Exodus 24:3–8," *VT* 32 (1982): 74–86, here 81. For further evidence of *נערים* as a technical term within the cult, see B. Peckham, "Notes on a Fifth-Century Phoenician Inscription from Kition, Cyprus (CIS 86)," *Orientalia* 37 (1968): 304–324. In some Ugaritic texts *n'r* seems to be a cultic profession, such as when it appears alongside *khn* and *qdš* (KTU 9.436). For further discussion of *נער* see J. MacDonald, "The Status and Role of the Na'ar in Israelite Society," *JNES* 35 (1976): 147–170.

33 Müller, *Königtum und Gottesherrschaft*, 149–158.

34 Nicholson, "Covenant Ritual," 82.

cus 8 “are not identical in form or purpose” and do not occur in the same source.³⁵ I do not find Gilders’ objections compelling. We may deal briefly with his observation that they do not occur in the same source, and cannot be used to interpret each other. Gilders’ source critical assessment has limited value because it is so blunt. He simply identifies Exodus 24 as non-P. But if Exod 24:3–8 is a late, post-Priestly composition, there is no reason to exclude the possibility that its scribal authors were aware of the ordination ritual in Leviticus 8 and consciously modelled the blood ritual on it. Nevertheless, Gilders is right to identify differences between Exodus 24 and Leviticus 8. Blood is applied to an altar and individuals in both accounts, but the ritual in Leviticus 8 includes anointing with oil and uses different terminology for the blood application. In Leviticus 8, the blood is dashed (זרק) against the altar, but placed (נתן) on the priest’s bodily extremities and sprinkled (*hiphil* נזה) on Aaron and his sons. In Exodus 24, the blood is dashed (זרק) on altar and people. It is possible that Exodus 24 has overlooked or ignored the fine technical distinctions of the Priestly instructions and, in doing so, emphasized the equivalence of the blood application to the altar and people.

The second important difference is, of course, the role of the young men in offering the sacrifices. In Leviticus 9, it is Moses who offers the sacrifices. As we have already seen, the appearance of the “young men” (נערים) has long been something of an interpretive crux. I want to cautiously suggest that in two respects their appearance here may, perhaps, reflect a scribal author seeking to fit the passage into its context. First, the “young men” may have been chosen as a counterpart to the “elders.” My only caution with this suggestion is that נער and זקן are not a frequently attested pair.³⁶ Secondly, the appearance of the “young men” might reflect a literary awareness that the priesthood will not be ordained for another twenty-four chapters.

In my view, the most compelling understanding of the blood ritual is that the blood sanctifies the people. As Nicholson puts it, “those over whom the blood of Yahweh’s sacrifices is cast now belong peculiarly to him, and are thereby also solemnly commissioned to his service, just as the consecration of priests was a commissioning to the office of priests.”³⁷ The ritual forms a fitting companion to the opening of the Sinai pericope, which promised that Israel would be “a kingdom of priests” (ממלכת כהנים; 19:6).³⁸ At the

³⁵ Gilders, *Blood Ritual*, 39.

³⁶ In the Hebrew Bible, they are only found in Ps 37:25 and Prov 22:6.

³⁷ Nicholson, *God and His People*, 172.

³⁸ For the interpretation of this famous crux, see W. Oswald, *Israel am Gottesberg: Eine Untersuchung zur Literaturgeschichte der vorderen Sinaiperikope Ex 19–24 und deren*

conclusion of the giving of the law at Sinai, the promise is realized ritually through the entire people undergoing a ceremony similar to the priestly ordination.

Nicholson's ascription of Exod 24:3–8 to a proto-Deuteronomic hand meant that he saw the ritual giving rise to the claim that Israel will be a "kingdom of priests": "Exod. xix 6a, belonging to a passage (vv. 3b–8) which is best understood as an anticipatory summary and interpretation of the Sinai pericope as a whole, may be understood as an interpretation of the ritual in xxiv 3 ff."³⁹ Whether or not the proto-Deuteronomic ritual originally had a meaning, the composer of Exod 19:3–8 has provided one. If, however, as I have argued, Exod 24:3–8 was composed by the same hand as Exod 19:3–8, a different possibility emerges: that meaning gave rise to a ritual. In other words, the blood ritual in Exodus 24 is nothing more than a literary creation which was composed so as to realize the promise that Israel would be a "kingdom of priests." Speculations that the nation as a whole were to have a priestly vocation appear to have arisen in the early Second Temple period (Isa 61:6), and the framing of the Sinai pericope can be insightfully viewed as part of that. The promise in Exod 19:3–8 and the ritual in Exod 24:3–8 are scribal speculations about the significance of Israel's encounter with YHWH at Sinai. The ordination of the Aaronide priesthood in Leviticus 8 is preceded by a claim that the entire people of Israel have been ordained as priests. There was no blood ritual for the entire people that preceded the scribal speculation, but the ritual was not without a precursor. The ordination of the Aaronide priests was the model for the blood ritual in Exodus 24.

An interesting question to ask is whether this ritual was ever practiced? The impediments to actual practice of the ritual have long been observed. How were the entire people to be dashed with sacrificial blood? But were attempts ever made to realize it? There is no evidence, so far as I am aware, of the ritual being practiced in the Second Temple period. Nevertheless, the existence of a ritual that is a scribal invention raises the intriguing possibility of textual speculation giving rise to ritual, rather than the text reflecting ritual practice.

historischem Hintergrund (OBO 159; Freiburg: Universitätsverlag, 1998), 31–33, and the literature cited there.

39 Nicholson, "Covenant Ritual," 86.

Conclusion

Our two case studies have shown that the relationship between the texts describing rituals and any rituals that occurred in ancient Israel or Second Temple Judaism is far from straightforward. It is not simply that the transcribing of rituals inevitably refracts and simplifies the complexities of actual practice, but that the textual accounts of ritual practices are distorted, if viewed as representations of practice. The scribal authors of the Pentateuch describe rituals that may never have been practiced, or rituals they had not seen, or rituals that existed only as imaginations of the past. None of this is to say that we cannot learn anything about ancient cultic practices, but only that our knowledge of what was actually practiced will be far more modest and must be held more tentatively.

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“Acceptable” to “Will”: The Rabbinic Transformation of *Ratzon* in Sacrifice and Prayer

This paper considers the root ר.צ.ה and particularly the formula ה.י.ה ר.צ.ו, arguing that ר.צ.ו within a ritual context comes to mean not “acceptability” or “desirability” but “will” in rabbinic literature. This semantic shift points to a rabbinic voluntaristic theology, where ritual obligations and prayer aim at achieving interaction between the human and divine will. In so doing, these rituals comprise a will economy of sorts, bringing together the supplicant and God, as part of a broader rabbinic vision of interactive sacrifice and ritual.

Keywords: sacrifice, divine will, prayer, gift cycle, theology

At times ritual change may come about through a radical shift, such as prohibiting certain forms of practice or opening a new worship site. Other times, however, innovation may attend ritual much more subtly, not through the scripting of new practices but by placing traditional practices in a new light, yielding a *de facto* novel system. This essay considers such a case, where a subtle semantic shift in the stem ר.צ.ה gives rise to a new conceptualization of ritual overall. In such cases, it is necessary to consider closely both linguistic and conceptual matters, as newfound theologies may emerge from shifts in semantics.

One of the more important ritual terms in the context of sacrifice, as well as the related area of prayer, is ר.צ.ו (from the root ר.צ.ה), which refers to the acceptability of offerings, priests, and persons in the Bible’s ritual context, but which largely refers to “the will” in rabbinic literature, with the emergence of this new voluntaristic theology.

A longer version of this paper considers the various forms, contexts, and paradigms in which the root ר.צ.ה appears in biblical, Second Temple, and rabbinic literature, presenting its gradual development.¹ This paper briefly

1 This paper comprises a section of a chapter of my dissertation-in-progress, “Flesh and Blood: The Reception of Biblical Sacrifice in Selected Talmudic Sources in Comparative Context”; the chapter is tentatively entitled “Goodwill Hunting: The Semantic

summarizes that shift, and then takes a snapshot look at the diachronic track of the phrase "ה.י.ה רצון" as its deployment shifts both from biblical to rabbinic literature and from sacrifice to prayer. Building upon that evidence, this paper then considers the novel rabbinic theory of ritual and the human-divine relationship that emerges from these linguistic shifts.

I. Diachronic Shift in רצון

Within the book of Leviticus and its sacrificial context, the root ר.צ.ה, in *qal* and *niphal* verb paradigms, as well as the nominal form רצון, has a clear and consistent range of meaning – "to accept," "to be acceptable," and "acceptable [offering]." For example, leftover flesh eaten on the third day is "not acceptable" (Lev 7:18; לֹא יִרְצֶה), while animals that fit the proper criteria for a given sacrifice are said to be "acceptable" (Lev 22:19; לִרְצוֹן).

The term enjoys a broader usage within the Bible outside the context of sacrifice. First is the set of cases where רצון should be translated as "desire." To cite Jacob Milgrom:

The verb *rāṣā* and its nominal derivative *rāṣōn* bear two meanings in BH: "be accepted"/"acceptance" and "desire"/"desire." The latter meaning, probably stemming from Aramaic *rē'ā*, is found only in the postexilic books of the Bible: Esther, Daniel, Ezra, Nehemiah, Chronicles, in some late Psalms, and exclusively in postbiblical literature.²

Furthermore, in several biblical cases a religious practitioner is asked to follow God's רצון,³ and the term is generally translated as either "desire" or "will." To the extent that it exists, however, the biblical divine will is always static: The רצון refers to a previously laid out set of divine desiderata, at times placed in synonymous parallel to "Torah."⁴ On the occasions where

Field of ר.צ.ה in Biblical and Rabbinic Sacrificial Terminology." A version of this paper was presented at the Regional Seminar in Ancient Judaism hosted by Princeton University on April 30, 2018; I thank Prof. Martha Himmelfarb for her response to the paper and the other conference participants for their feedback on the paper.

2 J. Milgrom, *Leviticus 1–16: A New Translation and Commentary* (AB 3; New York: Doubleday, 1991), 149–150. See also A. Hurvitz, *Bein Lashon le-Lashon: le-toldot lashon haMiqra biymey bayit sheni* [Between Language and Language: Towards a History of Biblical Hebrew in the Days of the Second Temple] (Jerusalem: Bialik Institute, 1972), 273–274.

3 See Pss 40:9; 103:21; 143:10; Ezra 10:11.

4 See, e.g., Ps 40:9, and n. 24, 43, and 44 below.

God is the subject of the verb רצה, it almost exclusively takes the meaning “to accept” and not “to desire/will.”⁵

However, in rabbinic literature, the usage of רצה is very different. Appearances of the verb in new paradigms proliferate at various stages of the offering, referring to actions carried out both by God and by the offerer. The verb רצה, with God as its subject, now takes as direct object not only people or sacrificial items but even propositions,⁶ where the verb should be translated “to be willing to X” rather than “to accept X.” Furthermore, the nominal form רצון can be understood to mean the “divine will” in a dynamic sense, not just as a synonym for Torah but as a reflection of the actions that God wishes to carry out in the world in real time. In fact, this expansion of the root רצה to mean “to be willing” extends to non-divine subjects as well.⁷

It has been demonstrated, then, that the term רצון expands in meaning, from denoting the acceptability of something (such as an offering) in Leviticus to denoting desire in Late Biblical Hebrew, to finally indicating one’s will in Rabbinic Hebrew.⁸

II. רצון (ל)ה.י.ה: A Diachronic Analysis

Biblical Cases of רצון (ל)ה.י.ה

The shift in meaning of רצון can be examined through the prism of the imperfect *qal* form רצה (ל)ה.י.ה, “to be (for) *ratzon*,” which appears in biblical, rabbinic, and liturgical materials.

5 God is the subject of the verb רצה at 2 Sam 24:23; Isa 42:1; Jer 14:10,12; Ezek 20:40, 41; 43:27; Hos 8:13; Amos 5:21; Mic 6:7; Hag 1:8, 10; Pss 40:14; 44:4; 51:18; 77:8; 85:2; 119:108; 147:10, 11; 149:4; Prov 3:12; 16:7; Job 33:26; Qoh 9:7; and 1 Chr 28:4; 29:17. In all but one case the object of the verb is a person or object, which means the verb should be translated “to accept.” The one exception to this trend is Ps 40:14, יהוה רצה להצילי, “Desire, O Lord, to save me.” As we will see below, this passage foreshadows some of the rabbinic treatments, although it is not representative of the biblical materials, nor is it cited in classical rabbinic literature.

6 For examples of רצה meaning “to be willing (to carry out a proposition),” see Sifra Emor 7(6):2 (for people), Sifra Mekhilta de-Milu’im 3, 4, and 5, and Sifra Metzora 3(3):14=t. Par 1:1 (for God).

7 It is important to distinguish between the English verbs “to will” and “to desire,” despite the fact that they are at times used synonymously. “To will” is both more related to action and to a decision made by the subject, while “to desire” is more removed from action and from voluntaristic participation by the subject.

8 The dissertation chapter on רצה noted above (n. 1) traces the semantic shift of this verb at much greater length.

The first case of רצון ה' appears in a sacrificial context (Lev 22:21), discussing the requirements for an animal's sacrificial validity:

ואיש כי יקריב זבח שלמים ליהוה לפלא נדר או לנדבה בבקר או בצאן תמים יהיה לרצון כל מום לא יהיה בו

And whenever any person presents, from the herd or the flock, a well-being offering to the Lord for an expressed vow or as a freewill offering, it must be perfect in order to be acceptable (רצון יהיה); it shall not have any blemish.⁹

The animal must be pure to be acceptable, i. e., it must have no blemish. Significantly, the phrase יהיה לרצון does not stand alone, but is part of the clause תמים יהיה לרצון, translated by Milgrom as "(it must be) perfect in order to be acceptable."¹⁰ The imperfect verb יהיה lays out the rule, and the meaning of the term רצון ranges somewhere between "acceptable" and "valid." This forensic requirement of unblemishedness appears at a distance from any mention of the Lord, whose name appears only in the first half of the verse and is absent from this clause. This verse is representative of the general biblical account of valid sacrifices noted above, which consistently uses the term רצון with the technical meaning of "acceptability."

The phrase רצון ה' (ל) also appears in the book of Psalms, at the conclusion of a prayer requesting cleansing from sins, with a very different connotation (Pss 19:15):

יהיו לרצון אמרי פי והגיון לבי לפניך יהוה צורי וגואלי

Let the words of my mouth be acceptable (יהיו לרצון), the thoughts of my heart [acceptable] before you, Lord, my rock and my redeemer (19:15).

Here the verb יהיו presumably serves as something of an optative, expressing the supplicant's hopes. Furthermore, the expectation is that the prayer (the "words of my mouth and thoughts of my heart") be לפניך יהוה [...], "acceptable before You, Lord," much more directly addressed to its target. One might translate the word רצון as "acceptable," but its meaning here likely shades closer to "pleasing," as this request is hopeful and personal rather than forensic and technical. It is notable that the sacrificial term לרצון is utilized in this prayer formula, a phenomenon representative of several other places within the Bible where sacrificial language, both רצון and other terms, are applied to prayer.¹¹

⁹ Biblical translations are adapted from JPS. Other translations are mine.

¹⁰ Milgrom, *Leviticus*, translation to Lev. 22:21, p. 1931.

¹¹ See, e. g., Ps 141:2. See also A. Glaim, "I Will Not Accept Them': Sacrifice and Reciprocity in the Prophetic Literature," in *Sacrifice, Cult, and Atonement in Early Judaism and Christianity: Constituents and Critique* (ed. H. L. Wiley and C. A. Eberhart; Atlanta: SBL Press, 2017), 125–150.

But the comparison also exposes an important difference; whereas an offering's acceptability rides on technical requirements – namely that it be unblemished, at least eight days old, etc. – the acceptability of a prayer depends on the desirability of that prayer to the Divine, and that desirability depends in turn on the supplicant and her relationship to God.¹² This shift from לרצון as “acceptable” to לרצון as “desirable” is consistent with the development in the meaning of ר.צ.ה noted by Milgrom above.¹³ However, an even greater move is in store for this term when it enters rabbinic literature and is innovatively deployed within prayer contexts.

The Syntax of Biblical and Rabbinic Hebrew for יהי רצון (ל)

Several Tannaitic sources use the phrase יהי רצון as a formula introducing a prayer.¹⁴ As will become clear, this formulation is influenced by Ps 19:15, albeit with important syntactic variations.

Both Talmuds (y. Ber. 4:4; b. Ber. 4b) cite a tradition in the name of Rabbi that Ps 19:15 should be recited immediately following the recitation of the thrice daily Amidah prayer,¹⁵ a practice that is followed by the liturgy as well (including contemporary liturgy).¹⁶ This juxtaposition clearly associates Ps 19:15, which requests that God see one's words as pleasing, with prayer as practiced at the time. Furthermore, the Talmud derives certain laws about prayer from the verse.¹⁷ It is clear that the verse was widely viewed as relevant to prayer, and it may be profitably compared to the similar prayer formula, as below.

Tannaitic literature presents several cases of prayers beginning with a יהי רצון formula, in two common variations: some are formulated as ש יהי רצון

¹² See, e.g., Ps 51:19.

¹³ See n. 2 for this point.

¹⁴ Tannaitic sources include m. Ber. 9:3 (2×); m. 'Abot 5:20; m. Tamid 7:3 (in some manuscripts); t. Ber. 3:7; t. Ber. 6:2; m. Ber. 6:7 (2×); t. Ber. 6:16 (3×); t. Ber. 6:17 (2×); Sirei Num. 89=SifZut Num. 11:9; Sifrei Num 143.

¹⁵ See the shorter of the two formulations (b. Ber. 4b): שפתי תפתח ולבסוף: הוא אומר יהי רצון אמרי פי “At the outset (of the Amidah prayer) he says ‘O Lord, open my lips [and let my mouth tell your praises]’ (Ps 51:17) and at its end he says ‘Let the words of my mouth be acceptable, [the thoughts of my heart before you, Lord, my rock and my redeemer]’ (Ps 19:15).”

¹⁶ See, e.g., Seder Rav Amram Gaon, *Keriat Shema*; see further any contemporary traditional Jewish prayer book.

¹⁷ y. Ber 1:1 teaches that one is to juxtapose the theme of redemption (such as the last of the post-Shema blessings) with the Amidah, invoking Ps 19:15.

("may it be *ratzon* that ..."),¹⁸ and others as יהי רצון מלפניך ש ("may it be *ratzon* before you that ...").¹⁹ It would seem that the fuller formulation including the word מלפניך ("before you") is the earlier one, as it closely paraphrases Ps 19:15 and seems more coherent. As the stock phrase gained popularity and became formulaic, the term מלפניך fell out at times, yielding the shorter version.

A textual comparison reveals the close connection between Ps 19:15 and this common rabbinic prayer formula. While the latter clearly draws upon Ps 19:15, there are important syntactic differences between the two formulae, as well as a change in the types of material included within these requests, alterations that point to important semantic shifts in the meaning of the term רצון. Setting the verse opposite a representative case of prayer (cited from t. Ber 6:17) yields the following:

Ps 19:15	יהי לרצון... לפניך	May [the words of my mouth] be [deemed] as <i>ratzon</i> before you
Rabbinic formula (t. Ber. 6:17)	יהי רצון מלפניך ש...	May it be <i>ratzon</i> from before you that [You bring me in peacefully]

Two important syntactic shifts occur between the sources with the move from the biblical verse to the rabbinic prayer, as the dative *lamed* prior to *ratzon* is removed, while an ablative *mem* prior to לפניך has been inserted. Additionally, the content of the statement (framed in brackets above) shifts, from "the words of my mouth," referencing the prayer *itself*, to "that you bring me in peacefully," i.e. the *proposition* relayed by the prayer. All three of these changes work in tandem with one another, transforming how the phrase יהי.ה.ה. (ל)רצון is used.

The sentence shifts from the biblical expression of a hope that X (the prayer) which has been proffered before God be *deemed as* (ל) pleasing (רצון) to God, to the expression of a hope that (ש) X (the proposed divine action, a *proposition*) become the will (רצון) stemming *from before* (מלפני) God. Concomitantly, the meaning of רצון shifts from "pleasing" to "will" for this very reason – the רצון now stems from God, as He²⁰ internalizes the proposition of the prayer; it has become God's will. This is a very different usage of רצון than the biblical case, where God deems a prayer (or offering)

18 Sifrei Num Pinhas 143; m. Ber. 9:3 (2×); m. Tamid 7:3 (probably a late gloss); t. Ber. 6:7 (2×).

19 Sifrei Num Beha'alotekha 89=Sifrei Num Zuta 11:9, m. ³Abot 5:20; t. Ber. 3:7; 6:2, 16 (3×), 17 (2×).

20 Following classical Hebrew, this paper uses masculine singular pronouns (capitalized) to refer to God. This is done in order to ensure ease of reading where alternatives would yield complex or awkward constructions.

as pleasing, or even acceptable (לרצון). In this new version of the formula, what is requested is no longer simply the hope that God account one's prayer as pleasing, but rather the hope that God embrace the desired outcome as His own *will*.

Rabbinic Literature: Standard Cases of יהי רצון מלפניך

This shift from asking that an offered prayer be accepted to requesting that a hoped-for proposition be internalized as divine will is brought into sharper relief upon considering a few representative examples of the יהי רצון formula within rabbinic literature (t. Ber. 3:7; t. Ber. 6:17; y. Ber. 9:4; b. B. Meṣ. 42a; and b. Ber. 56a):

(t. Ber. 3:7)

יהי רצון מלפניך ה' אלהינו שתתן לכל אחד ואחד צרכיו ולכל גויה וגויה די מחסורה ברוך שומע תפלה

May it be the will from before You [i. e., may it be your will],²¹ O Lord our God, that you give each and every one their needs and each and every body what it lacks; blessed are You, who hears prayer.

(t. Ber. 6:17)

יהי רצון מלפניך ה' אלהי שתכניסני לשלום ותוציאני לשלום

May it be your will, O Lord my God, that you bring me in peacefully and take me out peacefully.

(y. Ber. 9:4)

יהי רצון מלפניך ה' אלהי שתצילני משריפת האש ומהיזק החמין ומן המפולת ואל יארע דבר בנפשי. ואם יארע תהא מיתתי כפרה על כל עונותי ותצילני מזו ומכיוצא בו לעתיד לבוא

May it be your will, O Lord my God, that you save me from the burning fire and from the damage of hot waters and from falling buildings. And nothing [bad] should happen to my life; and if something does happen let my death be an atonement for all of my sins; and save me from this and from similar things in the future.

(b. B. Meṣ. 42a)

תנו רבנן ההולך למוד את גורנו אומר יהי רצון מלפניך ה' אלהינו שתשלח ברכה במעשה ידינו

The rabbis learned: One who goes to measure his granary says: "May it be Your will, O Lord our God, that you send blessing in our handiwork."

²¹ The translations below could also be literally translated as "may it be the will from before you," but the text includes a more idiomatic translation.

(b. Ber. 56a)

יהא רעוא דלמסר ההוא גברא לידי דמלכותא דלא מרחמו עליה²²

[Rava said:] May it be the will [of God]²³ that this man [a charlatan, life-threatening dream interpreter] be handed over to the government, which will have no mercy on him.

These prayers each point to patently human needs, both personal and communal – to be saved from a difficult or dangerous situation, to have one's basic livelihood be provided for, that one's produce levels be blessed, that malefactors be punished. In requesting that God assist them, what is proposed is not only that the requested proposition be fulfilled, but that it become God's will – יהי רעון (מלפניך), "may it be the will from before You" – such that what is requested is no less than the alignment of the divine will with that of the supplicant.

In a sense, this both builds upon and redirects the concept of the divine will as it appears in other contexts. If the "will of God"²⁴ is deployed else-

22 The manuscripts of this text have some degree of divergence, but all agree on the meaning presented in the translation.

23 The Babylonian Talmud has 18 cases of יהא רעוא, the Aramaic cognate equivalent of יהי מלפניך. All of these cases feature the shortened version noted above that leaves out מלפניך ("from before you"), but all seem to imply that the request is that God's will become X. It is possible to trace the emergence of this phrase, possibly a calque from the Hebrew prayer formula, by comparing various Targumim. While Targum Onqelos only features the phrase יהי רעוא at Deut 33:34, in a non-prayer context with the meaning "may he be desirable," Targum Pseudo-Jonathan has יהי רעוא in several places (Gen 24:60; 47:7; 48:16; Deut 29:19) where it serves as a prayer or hope. Possibly the most striking example in Targumim appears in Targum Jonathan to Jer 28:6, where בן יעשה יהוה, "so may the Lord do," is replaced by בן יהי רעוא מן קדם יי, "so may be the will of the Lord," in a shift that parallels the move from Ps 19:15 to the prayer formula as laid out above.

24 For examples, see Sifra Kedoshim 4(11):6 and its formulation עושה רעון אביו שבשמים, "carries out the will of His father in heaven."

Many other cases exist where acting in consonance with God's will uses the term רעון for "will"; for some representative examples, see Sifra Shemini, Mekhilta de-Milluim, 27, m. 'Abot 5:20, t. Naz. 4:7, y. Ned. 1:1, and b. Ketub. 66b.

Additionally, as Tzvi Novick notes (T. Novick, *What is Good and What God Demands: Normative Structures in Tannaitic Literature* [Leiden: Brill, 2010], 80), yet earlier cases of רעון corresponding to God's law appear among Dead Sea Scroll texts:

The characterization of the law as God's will, so that, for example, רעונו "his (God's) desire" and מצותיו "his commandments" occur in parallel in 1QSb i, 1 and 4Q291 1, 4, as do רעונו and חקיו "his ordinances" in 4461 1, 8, and so that God can be taken as commanding (עוה) according to his desire (רעון) 1QS v, 9; ix, 14–15, 23–24.

See also the DJD commentary to 1QS ix, 23–24, which notes that "this is the earliest recorded instance of the phrase לעשת רעון בראי, which is attested later in rabbinic literature [...]. In Biblical Hebrew 'the will of God' is never expressed as רעון plus a noun (although 'doing his/your will' occurs five times as רעון plus suffix)."

where as a divine request (or demand) made of people to follow the laws of the Torah, the *יהי רצון* prayer works through that same avenue of the divine will, but instead it asks of God that He change or shift the divine will.²⁵ Thus, rather than the divine will shaping a person's will and actions, the human will seeks to shift the divine will and actions. Significantly, the prayer is not that God *do* X, but that God *will* X; the proposed change aims fundamentally at God's will rather than at reality.²⁶

III. Uncommon Willingness

If You Will It ...

The emergence of the new meaning of *רצון* as “will” and the resulting novel form *יהי רצון* gives rise to certain intriguing prayers appearing in the Talmud. This section considers cases where a supplicant's request that God will X is surprisingly redundant or otherwise unnecessary. These cases will provide added insight into the conception of *רצון*-as-“will” and the significance of this ritual system.

Redundant Requests

One set of cases includes prayers where the supplicant asks that God will things that God presumably has already willed. One such redundant request appears in b. Soṭah 39a, as a mini-prayer preceding the priestly blessing:

יהי רצון מלפניך ה' אלהינו שתהא ברכה זו שצויתנו לברך את עמך ישראל לא יהא בה מכשול ועון

May it be your will, O Lord our God, that there be no barrier or sin in this blessing with which you commanded us to bless your nation Israel.

This is an unusual request. Presumably it is already God's will that the blessing He commanded to be said (Num 6:22–26) should be successfully said. Significantly, God here is *not* asked to bless Israel in response to the priestly blessing, as He offers in Num 6:27 (“and you shall place my name over the

25 In a sense, the fact that the divine will is presented as malleable may provide added support for the concept that the divine law can change. See, in this connection, C. Hayes, *What's Divine about Divine Law?: Early Perspectives* (Princeton: Princeton University Press, 2015), *passim*. It is also worth noting that this process extends the biblical idea that “God will do the will of those who fear Him and heed their cries” (Ps 145:19), in the direction that God can now be said to *will* those human wishes, if the prayer is accepted.

26 The m. Ta'an. 3:8 story of Honi the Circle-Drawer offers a good narrative example of prayer as shifting the will (*רצון*) of God, as well.

Israelites, and I shall bless them"), which would have been non-redundant ("the priests have blessed Israel; please, God, bless Israel as well"). Instead God is asked to make it His *will* that the priestly blessing find success. In other words, the request is precisely that it be God's will that the prayer *God already requested* from the priests not face any challenges.²⁷ It might be argued that the prayer serves to apply God's generally expressed will to this specific scenario. Even so, the resulting prayer requests that God make His will be that which he had previously willed, which is redundant. [This would not be the case if the request were that God *remove* any impediment to the prayer, but asking that God *will* that there be no impediment is presumably redundant.]

The (Other) Lord's Prayer

Another prayer discussed in the Talmud represents an even more egregious case of redundant request. This example builds upon the shifting meaning of רצון from "acceptable (offering)" to "pleasing (offering)" to "(divine) will" noted above. The Bavli asserts that God not only receives prayers, but offers them as well, drawing upon the ambiguous subject-object genitive case attending Isa 56:7's term תפילתי, i.e. "My [=the Lord's] Prayer." The prayer is explicated and presented as follows (b. Ber. 7a):

אמר רבי יוחנן משום רבי יוסי מנין שהקדוש ברוך הוא מתפלל שנאמר והביאותים אל הר קדשי ושמחתים בבית תפילתי תפלתם לא נאמר אלא תפילתי מכאן שהקדוש ברוך הוא מתפלל מאי מצלי אמר רב זוטרא בר טוביה אמר רב יהי רצון מלפני שיכבשו רחמי²⁸ את כעסי ויגולו רחמי על מדותי ואתנהג עם בני במדת רחמים ואכנס להם לפנים משורת הדין

Rabbi Yohanan said in the name of Rabbi Yose: How do we know that the Holy One, blessed be He, prays? As it says: "And I shall bring them to My holy mountain and I shall gladden them in the house of My prayer"²⁹ (Is 56:7) – it says not "their prayer" but "My

27 It is not immediately clear what it would mean for a prayer to face a barrier or a sin. The commentary *Torat ha-Kena'ot* to Sotah 39a (1899 Warsaw edition, p. 79) plausibly suggests that this would include both errors in verbalizing the words of the blessing (a "stumbling block") and sins preventing the successful application of the blessing (a "sin"), but the precise resolution of this question is not particularly relevant for the broader argument here. In any event, it is clear that the prayer is advocating for the divine willing of a successful, unproblematic blessing.

28 Of the many manuscript versions, the Geniza 11 document has רחמי in place of רחמי; however, this seems to be a scribal error. All versions have the consistent language of God praying to Godself that His merciful tendencies overcome His judgmental ones.

29 The meaning of בית תפילתי is ambiguous in another way. The possessive ("My" = "the Lord's") may attend either the word "house" (בית) or the word "prayer" (תפילה). Most simply, it translates as "[the Lord's] house of prayer," meaning the House of the Lord (i.e. Temple), in which people pray. The rabbis midrashically interpret the possessive as

prayer.” We see from here that the Holy One, blessed be He, prays. What does He pray? Rav Zutra bar Toviah said that Rav said [God’s prayer is as follows]: “May it be the will before Me [i.e., may it be My will] that My mercy conquer My anger, and My mercy override My tendencies, and that I should treat My sons with the trait of mercy, and that I should enter within the line of the law regarding them.”³⁰

It is worth pausing here to consider whether such a prayer – that God offers *to Godself* – is logically and semantically coherent. It should be clear from this text that רצון cannot be translated as “acceptable,” nor even as “desirable.” What would it mean for an individual to pray (or hope) to himself that he accept something? It is already up to him as to whether he will accept it or not, and if God does not desire it already, offering a self-directed prayer to inspire His desire would be unusual, to say the least.³¹ The only reasonable translation of רצון here is “will,” as volition is something that, by its very nature, is most subject to change, as one “works up the will” to do X. God’s self-directed prayer that He will His attribute of mercy above other tendencies mirrors the internal process of any individual attempting to change their own mind.³² Such a linguistic use is only possible following a shift in the meaning of רצון from a forensic status to an internal, dynamic mental state.

Bilateral, Redundant Prayer

The following prayer is noteworthy not only for its arguably redundant nature, but also for its bilateral structure. The text of b. Ber. 16b reads:

יהי רצון מלפניך ה' אלהינו שתהא תורתך אומנותנו ואל ידוה לבנו ואל יחשבו עינינו

relating to “prayer” and then take “God’s prayer” as the prayer offered by God rather than the prayer offered to God.

- 30 Generally speaking, “entering within the line of the law” means that one forgoes a right that they hold. See T. Novick, “Naming Normativity: The Early History of the Terms Šurat ha-din and Lifnim miš-šurat ha-din,” *Journal of Semitic Studies* 55:2 (2010), 391–406. In this case, God prays that it be His will that He forgo His rightful anger against Israel.
- 31 For a general parallel to divine self-directed ritual, see K. Kim, “When Even the Gods Do Not Know: El’s Dream Divination in KTU 1.6 iii,” in *Perchance to Dream: Dream Divination in Biblical and Other Ancient Near Eastern and Early Jewish Sources* (ed. E. J. Hamori and J. Stökl; ANEM 21; Atlanta: Society of Biblical Literature), 43–59, which discusses a case wherein El is the recipient of divinatory dreams from El. My thanks to Jonathan Stökl for noting this relevant passage.
- 32 This analysis follows the meaning of the words presented in this Talmudic passage. Presumably those for whom philosophical or theological concerns preclude a divine internal will battle can reconstruct this as non-literal or allegorical, but they would still need to explain the internal logic at work in this description, allegorical or not.

May it be Your will, O Lord our God, that Your Torah be our occupation, and our heart not be saddened nor our eyes darkened.

This statement's first request – that "your Torah be our occupation" – may already be on record as God's expressed will.³³ While the first request aims at a religious goal, the second requests a personal need. How should this bilateral prayer be understood?

Presumably the first half of this prayer – and similarly all redundant prayers – functions not as a genuine request, but as a way of aligning the will of the supplicant with God's will, much in the way that one asking a person holding a stop sign "do you want me to stop?" would function. The fact that such is expressed by the supplicant points to – and creates – a meeting of the wills, a sharing of goals between the supplicant and God.

Furthermore, this two-part prayer in its entirety serves as an example of a bilateral request: the supplicant asserts, with her very prayer, an alignment of human values with divine ones ("may [...] your Torah be our occupation") and the corresponding request is that God align His will with human desires ("may [...] our heart not be saddened nor our eyes darkened"), effectively aimed at a reciprocal alignment of the human and divine wills.

A Meeting of the Wills

As has been shown, the concept of the rabbinic רצון-will functions as a bilateral pipeline, with prayer consisting of asking God to make His will correspond to the supplicant's request, while often incorporating the expectation that Israel follow the Torah, God's will. Additional sources bring together these two sides of the coin, as in the case of one rabbi's prayer in y. Ber. 4:2, which includes a fascinating and complex formulation:

ר' תנחום בר איסבלוסטיקא מצלי ויהי רצון מלפניך ה' אלהי ואלהי אבותי שתשבור ותשבית עולו של יצר הרע מלבינו שכך בראתנו לעשות רצונך ואנו חייבים לעשות רצונך את חפץ ואנו חפצים ומי מעכב שאור שבעיסה גלוי וידוע לפניך שאין בנו כח לעמוד בו אלא יר"מ ה' אלהי ואלהי אבותי שתשביתו מעלינו ותכניעוהו ונגעשה רצונך כרצוננו

R. Tanhum bar Isblostika³⁴ would pray [as follows]: May it be your will, O Lord my God and the God of my fathers, that you break and eradicate the yoke of the evil inclination from our hearts, because so You created us – to do Your will. And we are obligated to do Your will. You wish [this to be the case] and we wish [this to be the case]. But who

³³ This reading presumes that the term אומנות does not refer to a literal profession, in the sense that the person would have no other work but Torah, as this phenomenon was largely nonexistent in the rabbinic period. Presumably it refers to making God's Torah the focus of one's life in some way. See, however, b. Shab. 11a.

³⁴ This is presumably a corruption of the word "scholastic."

prevents it? The leaven in the dough [i. e., the evil inclination within].³⁵ It is revealed and known before You that we do not have the strength to withstand it. But may it be Your will, O Lord my God and the God of my fathers, that You stop it [the yoke of the evil inclination] from upon us and defeat it, and we will make Your will as our will.

This source presents a fascinating account of the human-divine-evil inclination triangle, projecting a particular view of human nature.³⁶ It establishes a battle or struggle over a person's³⁷ conduct: the person's wishes are aligned with God's will, and the only impediment is the evil inclination. Since the evil inclination is stronger than human willpower, the supplicant requests divine assistance in his endeavor to make his will match that of God.³⁸ R. Tanhum's prayer thus features both a proximate and an ultimate will; a proximate will (implied by the request) that God will the halting of the evil inclination, leading to the ultimate goal of making God's will his own. In other words, the supplicant asks God to make His proximate will correspond to that of the supplicant, in order that the supplicant's ultimate will might match God's. This prayer, then, expresses a two-stage process, aimed at a double alignment of the human and divine wills. It thus produces a sort of will cycle,³⁹ where a supplicant, through prayer, makes a request of the divine will, which, if successful, would express his own willingness to follow the divine will.

This account of prayer emphasizing this meeting of wills between the supplicant and God, striving for a reciprocal relationship where each follows the other's will, is brought into sharp relief by an ethical instruction (an ethical

35 This very plausible explanation is offered by Rashi to the parallel version of this text in b. Ber. 17a.

36 See the translation and discussion of this source in I. Rosen-Zvi, *Demonic Desires: "Yetzer Hara" and the Problem of Evil in Late Antiquity* (Philadelphia: University of Pennsylvania Press, 2011), 73–74.

37 It is not clear whether the passage refers to Jews in particular or humanity at large, although this does not affect the larger point here.

38 Interestingly, this phenomenon of making one's will be as God's has parallels in Ancient Near Eastern literature. See Y. Muffs, "Intent, Volition, and the Roots of Rabbinic Prayer," in his *The Personhood of God: Biblical Theology, Human Faith and the Divine Image* (Woodstock: Jewish Lights Publishing, 2005), who relates to Nabonidus' prayers (p. 127):

Thus, in one place, he prays almost pathetically: "O Lord, what pleases you, let me do!" How paradoxical for the ruler of an empire to pray neither for power nor for wealth but rather for divine aid in coming to identify his desires with divine will."

Despite the chapter's title, it does not connect this phenomenon to its parallels in rabbinic prayer.

39 See the analysis of gift cycles and will cycles in this essay's concluding remarks. It is also possible to construe this as an infinite loop, where people ask God to make His will conform to theirs, while their will requests that their will conform to His, applying a sort of centripetal force that results in a unification of the wills of both parties.

will?) expressed by Rabban Gamaliel that is instructive for the logic of rabbinic prayer (m. ³Abot 2:2,4):

רבן גמליאל בנו של רבי יהודה הנשיא אומר [...] עשה רצונך כדי שיעשה רצונך כרצונו
בטל רצונך מפני רצונו כדי שיבטל רצון אחרים מפני רצונך⁴⁰

Rabban Gamaliel the son of Rabbi Judah the Prince says [...] 'Make His will into your will, in order that He make your will into His will; nullify your will before His will, in order that He make the will of others be nullified before your will.

This source both expresses the concept of the "meeting of the wills," finding a common ground between people and God, and also the bilateral conception of the supplicant following God's will in order that God follow the supplicant's will. At times, as seen both in this source and in y. Ber 4:2 above, this meeting of the wills serves to overcome the will of third parties, whether human or demonic.

IV. Analysis

Shift in meaning of ר.צ.ה

Exploring the diachronic shifts attending the stem ר.צ.ה, particularly along the formulations utilizing רצון (ל) ה.י.ה, has revealed a shift between three stages of the semantics of ר.צ.ה within the context of sacrifice and prayer:

1. ר.צ.ה as denoting an objective, forensic status – the acceptability of an animal for an offering, or other determinants of the validity of a sacrifice.
2. ר.צ.ה as denoting the subjective desirability of a sacrifice, or prayer, as pleasing to God. To the extent that this means "desire" or "will," it is an unchanging, fixed will rather than a dynamic will.
3. ר.צ.ה as denoting God's (or another being's) internal, dynamic will.⁴¹

This study focused on the meeting of the wills between two parties within a prayer context, although rabbinic literature includes other examples of this רצון-will in ritual contexts, such as the willingness to bring an offering and the goodwill created by a successful sacrificial process.⁴²

40 The Kaufmann manuscript does not have the word כְּדִי in either of its appearances; this does not substantially change the meaning of this *Mishnah*.

41 I use "internal" here to reflect the sense of מִלְפָּנֶיךָ, that the will emerges "from before God." To my knowledge, this novel rabbinic formulation has not been brought into conversation with the question of affect and emotion in relation to philology and theology in the ancient world. For a helpful survey of that question, see David Lambert, "Refreshing Philology: James, Barr, Supersessionism, and the State of Biblical Words," *Biblical Interpretation* 24 (2016): 332–356.

42 See, e.g., t. Sheqalim 1:6 and m. 'Arakhin 5:6.

The first two stages are both clearly present within biblical sacrifice and prayer, with the first present throughout Leviticus and the second occurring in several passages in Psalms and elsewhere. The third stage is largely a new development in Rabbinic Hebrew, although it does draw upon certain biblical cases where רצון can mean “will,” including the divine will.⁴³

The shift, however, extends beyond the reoriented semantic field. From a certain perspective, this shift in רצון tracks a paradigm shift in the nature of worship overall, as a new mode of relationship between the worshiper and the Divine emerges.

Use of רצון in prayer

The use of רצון in rabbinic prayer offers a perspective that may be instructive for the term’s appearances in the context of sacrifice, as well. As noted above, there are two important and surprising features of the term as it is used within prayer:

- A. Often requests that God will X are not genuine requests, in the sense that the supplicant knows that God already wills X. The goal is rather that the supplicant, by the very process of requesting, commit to God’s will, leading to a meeting of the wills, a sharing of goals between the parties.
- B. The requests are often of a bilateral nature, at times including a pair of requests, one self-serving and the second other-serving, which are sometimes linked with one another (“Do X for me and I’ll do Y for you”).

The concept of doing God’s will (עשה רצון ה') in the sense of following the Torah is an important sibling phenomenon to the יהי רצון prayers. The Torah itself is an assertion of God’s request that Israel, His covenantal partner, carry out His will. In a sense it constitutes a sweeping request made by God of Israel that they mold their lives, and their wills, to the divine will.⁴⁴ Prayer is an opportunity to invert the relationship and request that God carry out what the supplicant desires. These two phenomena are related: those who heed God’s word are more likely to have God heed theirs.

⁴³ The passage that most foreshadows the rabbinic treatment is Psalm 40, which includes both verse 9, “I wish to do your will, O Lord” (לעשות רצונך אלהי חפצתי), and verse 14, “Desire, O Lord, to save me” (רצה יהוה להצילני), which may imply a reciprocal move on the part of the supplicant and God to each accept the other’s will as their own in an interactive mode. Somewhat surprisingly, these verses are not cited in rabbinic literature, such that it is difficult to see this verse as utilized by the rabbis, although it does presage the direction of this rabbinic development.

⁴⁴ This seems to be the point of Ps 40:9, as noted in n. 4 above.

These points serve to demonstrate that prayer is not simply the recitation of a set of wishes (or demands), but is part of a sustained, bilateral relationship between the the subjects of God's Torah and God, where each follows the other's will, as the wills merge and bring together the the Jewish People and God.

Shifting concepts of sacrifice and cult

This newfound perspective on the human-divine ritual relationship can best be viewed in light of sacrifice. The structure of the cultic role of sacrifice has been much discussed within the study of religion since its inception. A crude theoretical position views sacrifice as constituting a simple trade – "man gives God meat; God gives man rain." However, more sophisticated theories of sacrifice posit a more complex process. It has been argued that societies with a central cultic role for sacrifice operate on a sort of gift economy – composed of cycles wherein people present offerings to God, and God (hopefully) responds in kind. This system, it is argued, reflects less a quid pro quo or a simplistic *do ut des* system than it constitutes a mode of relationship between the parties – if applied to the biblical case, God and Israel. The means of the gift, sacrifices for God and rain for humanity, will be inflected in their timing, size, and quality to serve as a sort of language inscribing the reciprocal yet asymmetrical relationship between the two parties.⁴⁵ Daniel Ullucci's work on sacrifice presents clearly this more complex view of sacrifice as gift cycle:

Sacrifice depends on the logic of reciprocity, "the principle of different and deferred return." [...]

In economic exchange, (1) commodities have a discrete value (a price) that is set, and agreed upon, by both parties [...] (2) The relationship produced is finite; it ends at the conclusion of the exchange [...] In economic exchange (3) supreme self-interest is assumed [...]

In contrast, reciprocity functions oppositely to all these characteristics. In relationships of reciprocity, (1) commodities have no definite value. Thus there can never be exact equivalences between items exchanged [...] As a direct result of this, (2) reciprocal relationships are long-term relationships. The giving and receiving is never really over, because the balance is never achieved or sought. Reciprocity creates lasting relationships between the people involved in the exchange; the actual goods exchanged are secondary, and even at times meaningless [...] Because the relationship is paramount, (3) supreme self-interest is not tolerated [...]

⁴⁵ See M. Godelier, *The Enigma of the Gift* (trans. N. Scott; Cambridge: Polity, 1999), *passim*. On asymmetrical relationships, see M. Halbertal, *On Sacrifice* (Princeton: Princeton University Press, 2012), esp. 7–22.

As Ullucci argues, the system of reciprocity is not a *do ut des* system but a structure of different and deferred return, with the gifts purposely not equal in nature, which allows the parties to experience each gift as a gift rather than an exchange, while simultaneously incorporating the participants into this reciprocal system. Ullucci writes:

Reciprocity creates power relationships because there are always individuals capable of giving more. Reciprocal exchange does not need to be equal. If one party gives much and the other returns little, this does not endanger the relationship. Rather, the power relationship between the two parties is indexed and reaffirmed through the act of reciprocal exchange. In fact, inequality and establishment of power relationships is the norm in reciprocal relationships, whereas it is uncommon in economic exchange. By indexing power relationships, reciprocity indexes hierarchies (groups and positions within groups).⁴⁶

Such an account of “the reciprocal logic of sacrifice,” if applied to the Hebrew Bible highlights the relational aspect of that ritual.

It is possible to consider the changing role of the root ה.צ.ר in the various stages of sacrifice and prayer presented in this article. Under the system portrayed in Leviticus, ה.צ.ר plays only a minor role – it signifies the objective, forensic fact that a particular offering is acceptable, qualifying it as a gift within this human-divine gift economy.

At a certain point, however, the role of ה.צ.ר in sacrifice undergoes a shift, becoming important less for its role in qualifying the validity of gifts between people and the Divine and more for its communicative role, for conferring feelings of desire. At this point God becomes a subject of the verb ה.צ.ר and a possessor of רצון, as in such a sacrificial and prayer system, God is ה.צ.ר the prayers and offerings of His people, and sometimes even His nation itself (e.g. Ezek 43:17), in a manner such that the term is best translated as “desire” rather than “acceptance.” The term now indicates a need to impress God through the offering and the attendant relationship between the parties, in an interactive rather than a forensic, technical way. Still, however, the interaction is initiated primarily on the human side, as God’s רצון remains largely static and fixed. Such an approach will tend to see prayer more than sacrifice as paradigmatic of the human-divine relationship, in a sense, as it represents the qualities of the parties themselves more directly. This is why the term ה.צ.ר is so often invoked regarding prayer in these texts, such as in Pss 19:15; 40:14; 119:108, and why the qualities of the religious practitioner are emphasized, such as in Ps 51:19. The term ה.צ.ר now serves a clear role in regulating the relationship between the parties, and

46 D.C. Ullucci, *The Christian Rejection of Sacrifice* (Oxford: Oxford University Press, 2012), 24–26.

thus their subjective feelings, especially those of the more powerful party. Still, however, the object of the verb *ה.צ.ר* is generally the offered object (whether a sacrifice or a prayer), as the stem relates to the interaction between the parties rather than to the parties' *wills* themselves.

At a final stage,⁴⁷ represented by rabbinic literature, the term *ה.צ.ר* shifts away from the give and take of relational action and becomes both internalized and reified into a "will," reflecting the desires, even the stated positions, of the parties themselves. The sacrificial and prayer systems still ride on the interaction between the parties, but that relationship is now represented by the interaction between these wills, with the root *ה.צ.ר* and particularly the nominal form *רצון* serving as the locus of communication. There are cases where people ask that God's will become X, or that God make His will follow theirs; or that they make their will follow His. In return, God asks that the people follow His divine will, the Torah. This will-based system, like the system based on animal sacrifice, functions with the principle of different and deferred return, as fealty and support to one side by the other is instantiated in various contexts – prayer, sacrifice, following the law, and others – all regulated through assertions that one party's will is to carry out the will of the other. This reciprocal system yields a relationship, and inscribes a hierarchy, between God and Israel. The system's goal is a bilateral meeting of the wills, drawing Israel (both individually and collectively) closer to God and God closer to Israel. Within this third stage of *ה.צ.ר*, the physical aspects of sacrifice have been removed from the relational equation (although they are certainly present in the mechanics of the physical sacrificial system as the rabbis understood it). The sacrificial system is no longer a gift economy, as the physical aspects of the gift are marginalized; instead it has become a "will economy," where what is being traded is statements of fealty from one party to the other, formulated as reciprocal commitment to internalize the other's wills and goals.

These findings diverge from the perspective presented by Mira Balberg in her recent monograph, *Blood for Thought*, which situates rabbinic literature as less interested in the relationship between God and the offerer than the Bible, as the rabbis take "their main cues from the biblical Priestly Code."⁴⁸ While the rabbis certainly do draw from the book of Leviticus much more than from other biblical texts on sacrifice, that primarily per-

⁴⁷ As noted above, there is a biblical precursor for this phenomenon, at Psalms 40. Rabbinic literature also maintains the earlier meanings of the term, as well. However, this developmental model seems the best way to capture the evidence overall.

⁴⁸ M. Balberg, *Blood for Thought: The Reinvention of Sacrifice in Early Rabbinic Literature* (Oakland: University of California Press, 2017), 27–107, here 29.

tains to the procedure of bringing a sacrifice. However, as regards their conceptualization of sacrifice, the rabbis also reinterpret the meaning of core sacrificial terms such as *ה.צ.ר* (as well as others not presented in this essay), with the result that the relation between God and offerer – and their respective wills – is more central for the rabbinic texts as compared to the biblical materials, rather than less so.

Rabbinic discourse on prayer and sacrifice, then, is the locus where the meeting of the wills is analyzed and fleshed out. As the Sifrei to Numbers says, reinterpreting the central biblical theme of the pleasing smell of a sacrifice: “a pleasing smell” (Num. 28:8) – it is pleasing before me that I spoke and my will was carried out.”⁴⁹ Offerings are important, and pleasing, not because of their physical smell, but because the one offering them follows God’s will, the command that they be brought. Prayer, a verbal appeal to the divine will, similarly serves to feed not a gift cycle focused on any physical offering, but the “will cycle” of rabbinic ritual, as the root *ה.צ.ר*-will takes a central place in this theological system.

Ritual innovation has thus occurred, while issuing from the most banal of semantic shifts: not through an earthquake, certainly not through the fire or its pleasing smoke, but through the still, small, semantic voice.

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⁴⁹ Sifrei Numbers Pinhas 143: *אשה ריח ניחוח לה', נחת רוח לפני שאמרתי ונעשה רצוני*, translated in text. See also parallel interpretations at Sifrei Numbers 107 (2×), 118.

Judith H. Newman

Ritualizing the Text in Early Judaism: Two Examples of Innovation

This essay draws on Catherine Bell's concept of the ritualization of text in order to assess two cases of ritual innovation in light of the increasing textualization of Israelite religion in early Judaism. The first case is the use of ritual and scripturalized prayer by King Jehoshaphat and a Levite in waging war (2 Chronicles 20). The second case drawn from the Dead Sea Scrolls is the entry ritual in the Community Rule which elevates community priests as those who bless using an interpreted form of the priestly blessing of Numbers 6.

Keywords: ritualization of text, 2 Chronicles 20, 1QS 1:16–2:18, ritual innovation, traditioning process

A common perception of rituals is that they are necessarily fixed and unchanging. Through words and actions, rituals are thought to express divinely-ordained or cosmically-determined, timeless realities. The study of ritual has typically focused on synchronic aspects in emphasizing presumed meaning or structure rather than diachronic dimensions. Yet, rituals evolve over time and new rituals emerge to meet changing social circumstances. The Hebrew Bible, whose literature spans over a thousand years, and early Jewish literature more broadly, which engages earlier scripture, provide a window into such diachronic shifts.¹

My essay focuses on one subcategory of ritual – liturgical practices – and an innovation that can be traced over time: the way in which such practices engage scripture. I would like to suggest that Jewish liturgical practices increasingly reflect the textualization of Jewish life in the post-exilic period

1 Little scholarly attention has been brought to this issue. A notable exception is the volume edited by N. MacDonald stemming from papers presented at a 2013 ISBL session, *Ritual Innovation in the Hebrew Bible and Early Judaism* (BZAW 468; Berlin: Walter de Gruyter, 2016). My essay is a revision of a paper presented in the Oxford Hebrew Bible Seminar in 2018 on the same theme. I am grateful to Prof. Hindy Najman for the invitation and to the responses of those gathered for the Seminar.

and the continuing engagement with liturgical practices enables the growth of scriptures. In speaking of scripture, I am not concerned here with what John J. Collins or James J. Watts refers to as the “iconic status” of the Torah in the Bible or beyond, in which the Torah has a symbolic significance beyond its particular contents.² Nor am I concerned here solely with the synchronic literary or anthropological analysis of rituals in texts pioneered by Mary Douglas and refined by a number of scholars since. My primary question is: How is the textualization of religion in early Judaism reflected as an innovative feature in the liturgical imagination and practice of the post-exilic period?

I will illustrate this trajectory by providing two examples of innovation relating in particular to prayer and liturgical practices. The first is a ritual innovation in the conduct of war drawn from an account of King Jehoshaphat’s liturgy for going into battle in 2 Chronicles 20. The second example is a covenant initiation ceremony from the Dead Sea Scrolls which dates to the Hellenistic-Roman period. I will draw on the Community Rule from Qumran to discuss the covenant renewal ritual for entry into the community. A chief ritual innovation in both is the interpretive engagement with text, what might be called a textual traditioning process. As we shall also see, each innovation deploys interpretation in order to assert a particular role for ritual specialists.

Methodological considerations

The Textualization of Religion

Understanding the way in which texts and rituals interact in antiquity requires sensitivity not only to the social contexts in which rites were performed or their implied social contexts, but also the ritual specialists who performed them. The work of Catherine Bell has helped us to see these interrelationships in a new light. She has called attention to the social and performative aspects of the texts in constituting a social reality. Here are some of the questions she poses (in her words):

2 See J. J. Collins, *The Invention of Judaism: Torah and Jewish Identity from Deuteronomy to Paul* (Oakland: University of California Press, 2017); and J. J. Watts, “From Ark of the Covenant to Torah Scroll: Ritualizing Israel’s Iconic Texts,” in *Ritual Innovation in the Hebrew Bible and Early Judaism* (BZAW 468; Berlin: Walter de Gruyter, 2016), 21–34; see also the volume edited by Watts, *Iconic Books and Texts* (London: Equinox, 2013).

What is the significance or functional effect of writing ritual down, both vis-à-vis ritual, and as a written text? How does writing a text or depicting ritual in a text act upon the social relations involved in textual and ritual activities? Ultimately, how are the media of communication *creating* a situation rather than reflecting it; how are they restricting social interactions rather than merely expressing them?³

Bell understands “ritualization” as a strategic way of acting that serves to differentiate certain actions from others and to constitute social relations.⁴ Bell uses a processual term to argue that ritual is constituted by practices that define and shape social interaction.⁵ She pushes us to think about the actors in ritual in relation to the larger social context in which ritual texts arise. Thinking in terms of Bell’s ritualization, that is, ritual as a social process, can thus help us better appreciate the complex and subtle relationship between text and rite in its larger social world, *over time*.

Understanding this dynamic in relation to the Hebrew Bible is complicated by several factors. First, we do not typically have detailed information about the social contexts in which the earliest scriptures were read and the ways in which they may have shaped earlier audiences. We are thus left with the narrative world of the texts in which rituals appear combined with some general conceptions about historical context. A second complicating factor is that the scriptures were still coming into being in the Persian and Hellenistic–Roman periods. The Dead Sea Scrolls make clear that texts, including works later appearing in the Pentateuch, were still fluid and subject to revision and rewriting, from small scribal revisions to larger narrative discursions. Alongside of that, as I hope to illuminate in part, is the generative potential of interpretative tradition for shaping both scriptures and the communities that engage them. The act of interpretation – reengagement with the textual repertoire – is part of the process by which it gains an authoritative status in and through its reworking.⁶ Thus, the illustrations of innovative “ritualization” that I include have an interpretive dimension not addressed by Bell in her analysis. We are seeing a process of textualizing ritual that is simultaneous with the formation of scriptures.

3 C. Bell, “Ritualization of Text and Textualization of Ritual in the Codification of Taoist Literature,” *HR* 27 (1988): 366–392, here 368–369.

4 Bell, “Ritualization of Text.” She also discussed the concept in her influential monograph *Ritual Theory, Ritual Practice* (Oxford: Oxford University Press, 1992).

5 Bell, *Ritual Theory*, 74.

6 G. J. Brooke has made this point convincingly in a number of his essays, including “The Formation and Renewal of Scriptural Tradition,” *Biblical Traditions in Transmission: Essays in Honour of Michael A. Knibb* (ed. C. Hempel and J. M. Lieu; JSJSup 11; Leiden: Brill, 2006), 39–59.

In short, I argue that worship practices, the growth of texts, and their transformation into scriptures, are intertwined. I here mean to lay bare some of the social aspects of the process I earlier referred to as “scripturalization.”⁷ A ritual innovation writ large during the centuries after the exile was the inclusion of scriptural tradition as part of worship practices. Indeed, this dialectical entwinement is crucial for understanding the matrix in which text becomes scripture, that is, texts that come to be accepted as revelatory and formative for shaping the identity of individuals and communities.⁸

Redefining the Liturgical in Early Judaism

The evolution of liturgical life from ancient Israel to early Judaism is another diachronic matter that needs to be considered in thinking about ritual innovation. The larger shift from a religion primarily focused on cult or temple sacrifice to a culture whose practice in the Greco-Roman period increasingly came to include prayer and study has been observed. But the implications of understanding this transition in worship for the formation of Jewish scriptures has not been considered in any depth.

Accelerating with the destruction of the Jerusalem temple and the exile, people had found ways to provide divine service outside of the temple, whether as individuals or in communal gatherings. Thus, I argue that “liturgical” during the post-exilic period should be broadened to include a constellation of practices, including prayers. Early Jewish liturgy, as Stefan Reif has pointed out, should be understood more comprehensively than the formal service of the gods in the temple. Rather, beyond the Jerusalem temple and its sacrificial system, it includes the “whole gamut of worship in and around the study of sacred texts, the acts of eating and fasting, and or course, benedictions, prayers and amulets [...] Liturgy was expressed in many ways within Jewish society as a whole.”⁹ The earliest *tefillin* and *mezuzot* discovered at Qumran which contain not yet standardized scriptural passages offer another example of liturgical practice at the intersection of embodied practice and scriptural reworking, entangled in text.¹⁰ Thus, in

7 J. H. Newman, *Praying by the Book: The Scripturalization of Prayer in Second Temple Judaism* (SBLEJL 14; Atlanta: Scholars Press, 1999).

8 The argument is made at greater length in my book *Before the Bible: The Liturgical Body and the Formation of Scriptures in Early Judaism* (New York: Oxford University Press, 2018).

9 S. C. Reif, “Prayer in Early Judaism,” *Prayer from Tobit to Qumran* (ed. R. Egger-Wenzel and J. Corley; ISDCL 1; Berlin: de Gruyter, 2004), 439–464, here 442.

10 Y. B. Cohn, *Tangled Up in Text: Tefillin in the Ancient World* (BJS 131; Providence: Brown Judaic Studies, 2008).

approaching the ritualization of text, we have to be mindful of what David Brakke, in speaking of the New Testament and early Christianity at a later date, has called “scriptural practices.”¹¹

So we ask the question, What role does the text / scripture play in rituals as it gains authoritative status over time? With the broadening of the concept of liturgy to encompass a range of “scriptural practices,” including study and interpretation, we outline a few features of ritualization before turning to two illustrative examples.

Ritualization of Text

Identifying a ritual innovation is in the first instance a comparative exercise in response to the question: What is new in comparison with earlier such rites? In each example of innovative rituals in relation to the ritualization of text, we will keep our eye trained on the following three features:

1. The first is the interpretive reengagement with earlier scriptural texts whether on a large or small scale. In some cases, specific wording is drawn from earlier texts and redeployed. There is also the imprint of larger patterns – like the role of the king in relation to temple and prayer that Solomon models in 1 Kings 8 which is reprised in subsequent literature. Other such exemplarity lies with a new Moses who serves as chief intercessor (Ezra), and is invoked implicitly in new texts and practices.¹²

2. A second feature is the depiction of exemplary ritual specialists and the particular practices they are said to enact. Because there are diverse communities both in the land and diaspora with different views of authoritative leadership, we also see distinct differences in relation to the roles of priests, kings, Levites, scribes, and prophets, often projected back to an earlier date in order to legitimate contemporaneous practices.

3. A third is finally the ritualization of text: What evidence is there for the role played by such ritual in shaping the world outside the narrative itself, in relation to the larger world in which it plays a part and its possible audiences or enactors?

11 D. Brakke, “Scriptural Practices in Early Christianity: Towards a New History of the New Testament Canon,” *Invention, Rewriting, Usurpation: Discursive Fights over Religious Traditions in Antiquity* (ed. J. Ulrich, A.-C. Jacobsen, and D. Brakke; Early Christianity in the Context of Antiquity 11; Berlin: Peter Lang, 2012), 263–280.

12 The new Moses paradigm was discussed by H. Najman in her seminal work *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism* (JSJSup 77; Leiden: Brill, 2003).

a. Waging War with Prayer in 2 Chronicles 20

Our first example from Chronicles reflects a ritual innovation in the conduct of war. 2 Chronicles 20 is an account from the reign of King Jehoshaphat of Judah in which the Israelites are going to battle against Moab and Ammon. A unique addition in comparison with the Deuteronomistic account of Jehoshaphat in 1 Kings, there is a profusion of liturgical expressions and activity in 2 Chronicles 20. As Steven McKenzie has characterized this episode, Jehoshaphat “wages war with prayer.”¹³

To recapitulate the sequence of events: the king, alarmed at an imminent invasion from the south, turns to “seek the Lord” (v. 3) and then proclaims a national fast (v. 3). The people of Judah as well gather to seek help from God (v. 4). While gathered in the Temple, Jehoshaphat offers a prayer (vv. 6–12). Then the Levite, Jehaziel, seized by the spirit, pronounces a divine oracle (vv. 15–17) exhorting the population not to fear, but to wait for God to win the battle for them, at which point the king and people prostrate themselves (v. 18), while a collection of Levites stand up to “praise the Lord” (v. 19). Jehoshaphat then exhorts the people to believe the prophets (v. 20) and the Levites begin to sing a doxology as the divine warrior completes a victory over the enemy. This chapter reveals a range of interpretive engagements at play. In this essay, I want to focus on two that illustrate the innovative role of ritual leaders and specialists: the king who prays with the troops before battle, and a Levite who offers a divine oracle, the mediatorial combination of which seems to secure a victory for Israel.

Textual Interpretation

The first text we will examine is Jehoshaphat’s prayer in the Temple. The prayer itself is an innovative addition. To provide some context for this prayer within Chronicles, there are five prayers unique to Chronicles not paralleled in the Deuteronomistic History and all of them make use of earlier scripture.¹⁴ One is the brief prayer offered by Asa (2 Chr 14:11), a

13 S. L. McKenzie, “The Trouble with King Jehoshaphat” in *Reflection and Refraction: Studies in Biblical Historiography in Honor of A. Graeme Auld* (VTSup 113; Leiden: Brill, 2006), 299–314.

14 S. E. Balentine, “‘You Can’t Pray a Lie’: Truth and Fiction in the Prayers of Chronicles,” *The Chronicler as Historian* (ed. M. P. Graham, K. G. Hoglund, and S. L. McKenzie; JSOTSup 238; Sheffield: Sheffield University Press, 1997), 246–267, here 256. The first of the five prayers is the unusual petition of Jabez embedded in the middle of nine chapters of genealogies. In addition, the Chronicler has created prayers for David (1 Chr 29:10–19) and Hezekiah (2 Chr 30:18–19). The two prayers occur in cultic settings of temple dedication and Passover respectively. As Balentine has suggested, they likely

king who is also considered positively. The second is Jehoshaphat's. Asa and Jehoshaphat are two of only four post-Solomonic kings who are said to seek God (*darash*), a favorite term used by the Chronicler to express a single-minded devotion combined with right action.

⁵ Jehoshaphat stood in the assembly of Judah and Jerusalem, in the house of the LORD, before the new court, ⁶ and said:

"O LORD, God of our ancestors, are you not God in heaven? Do you not rule over all the kingdoms of the nations? In your hand are power and might, so that no one is able to withstand you.

⁷ Did you not, O our God, drive out the inhabitants of this land before your people Israel, and give it forever to the descendants of your friend Abraham?

⁸ They have lived in it, and in it have built you a sanctuary for your name, saying, ⁹ "If disaster comes upon us, the sword, judgment, or pestilence, or famine, we will stand before this house, and before you, for your name is in this house, and cry to you in our distress, and you will hear and save."

¹⁰ See now, the people of Ammon, Moab, and Mount Seir, whom you would not let Israel invade when they came from the land of Egypt, and whom they avoided and did not destroy – ¹¹ they reward us by coming to drive us out of your possession that you have given us to inherit. ¹² O our God, will you not execute judgment upon them? For we are powerless against this great multitude that is coming against us. We do not know what to do, but our eyes are on you." (2 Chr 20:5–12 NRSV)

The prayer begins and ends with a series of questions that themselves echo phrases from scripture (Isa 41:8 in 20:7; various Deuteronomic expressions in 20:7), and ends with a petition to God for help in executing judgement on the enemy. There is a hierarchy of intertextual echoes in the prayer. A controlling intertext appears in 2 Chr 20:9 alongside this more subtle and allusive range of echoes.¹⁵ Most significant in terms of the situation facing Jehoshaphat and the people, the king invokes a divine promise: "If disaster comes upon us, the sword, judgment, or pestilence, or famine, we will stand before this house, and before you, for your name is in this house, and cry to you in our distress, and you will hear and save."

Here is a recognizable, explicit, intertextual element that serves as a point of reference to orient the narrative and its unfolding. While many have seen a reference to Solomon's prayer at the dedication of the Temple, it is important to clarify that it is explicitly the Chronicler's own account of the temple dedication that is assumed. 1 Kings 8 does not contain a divine response to

reflect liturgical traditions of the Chronicler's own day (Balentine, "You Can't Pray a Lie," 264). The remaining two creations of the Chronicler are prayers in the time of war.

¹⁵ On the concept of a controlling intertext which dominates the retrieval of scriptural tradition, see G. J. Brooke, "Controlling Intertexts and Hierarchies of Echo in Two Thematic Eschatological Commentaries from Qumran," *Reading the Dead Sea Scrolls: Essays in Method* (Atlanta: Society of Biblical Literature, 2013), 85–97.

Solomon's request that God should answer prayer and save in these various circumstances. 2 Chronicles 7:12–22, however, contains an expanded account of the divine response that explicitly confirms that God would listen to their prayer. Victory in the battle is thus secure. 1 Kings 8 is paradigmatic for later texts.¹⁶ Not only is the temple location understood as a fulcrum for efficacious penitent prayer as in 1 Kings 8, but in the interpretative expansion of the tradition in 2 Chronicles, they can rest assured they will be restored.

After King Jehoshaphat offers his petition, the Levite Jahaziel is overcome by divine spirit, and delivers what has been called a “salvation oracle.” And it is considered potent speech:

¹⁴ Then the spirit of the LORD came upon Jahaziel son of Zechariah, son of Benaiah, son of Jeiel, son of Mattaniah, a Levite of the sons of Asaph, in the middle of the assembly.

¹⁵ He said, “Listen, all Judah and inhabitants of Jerusalem, and King Jehoshaphat: Thus says the LORD to you: ‘Do not fear or be dismayed at this great multitude; for the battle is not yours but God’s.’

¹⁶ Tomorrow go down against them; they will come up by the ascent of Ziz; you will find them at the end of the valley, before the wilderness of Jeruel.

¹⁷ **This battle is not for you to fight;** take your position, stand still, and **see the victory of the LORD** on your behalf, O Judah and Jerusalem.’ **Do not fear** or be dismayed; tomorrow go out against them, and the LORD will be with you.” (2 Chr 20:14–17 NRSV)

This is the only text in Chronicles where a Levite actually speaks. The importance of this particular Levite, Jahaziel, is signaled by his genealogy (2 Chr 20:14). Genealogies and lineage are very important to the Chronicler in mapping authority, and the genealogy of this Levite is traced four generations to Mattaniah at the time of King David.¹⁷ Jahaziel is one of the Asaphites and his activity is prophet-like.¹⁸

The language moreover echoes numerous other texts. Jahaziel is not said to consult a text; this is not exegesis. The speech echoes not only the wording of the Levitical priest described in Deuteronomy 20, but a polyphony of other voices. The phrases, in any case, can certainly be found in the Torah and the Prophets. “Do not fear or be dismayed at this great multitude; for the battle is not yours but God’s.” Among the more prominent echoes are David’s words before the battle with Goliath (1 Sam 17:47) and to Moses’ words to the people at the Red Sea (Exod 14:14), as well as the words of Moses in the frame of Deuteronomy (Deut 1:30; 3:22). What is significant is that all these

¹⁶ Newman, *Praying by the Book*, 193–196.

¹⁷ R. D. Klein, *2 Chronicles* (Hermeneia; Minneapolis, MN: Fortress, 2012), 289.

¹⁸ On this topic, see J. Jeremias, *Kultprophetie und Gerichtsverkündigung in der späten Königszeit Israels* (WMANT 35; Neukirchen-Vluyn: Neukirchener Verlag, 1970); and H. P. Nasuti, *Tradition History and the Psalms of Asaph* (SBLDS 88; Atlanta: Society of Biblical Literature, 1988).

earlier human words are in effect now understood as divine speech. They are framed as part of a divine oracle after the incipit: “thus says the Lord.” Cultural text has become prophetic word transformed within a liturgical rite for war.

While we might consider other aspects of the textualization of ritual in 2 Chronicles, my two examples provide sufficient evidence to discuss the larger point about leadership and mediation. We turn now to issues relating to the ritualization of text.

Leadership and Ritualization of Text

Assessing the ritualization of the text in relation to a social reality requires consideration of the rhetorical shaping of Chronicles. The books of Chronicles are well known for their recasting of Israel’s history with particular post-exilic interests in mind. Preeminent among them is its broad liturgical interest in bolstering the central status of the Jerusalem temple and its sacrificial system and other kinds of worship. Positive royal leadership serves that end in Chronicles. Compared to the Deuteronomistic History, David is famously white-washed of his misdeeds. He is no longer extolled as guerilla warrior, but he is idealized in the role of temple founder, not only in planning the building, but the organization of its personnel and cultic worship which includes the prophetic role of the Asaphite singers. The emphasis lies on the unified polity of Judah and the people are of central concern, so accordingly David and Solomon during the united monarchy are the focus of a large part of the book (1 Chronicles 11–2 Chronicles 9).

The roles of both King Jehoshaphat and the Levites then, can be seen in connection with the rhetorical interests of the Chronicler as a whole. Aside from David and Solomon, the account of Jehoshaphat’s reign is second in length only to Hezekiah. And length matters. The extra traditions double the amount of treatment given to him in 1 Kings.¹⁹ Unique to the Chronicler are the accounts of Jehoshaphat’s legal reforms in 2 Chronicles 17 and 19, as well as the war against Ammon and Moab in 2 Chr 20:1–30 that we have just considered.²⁰

Jehoshaphat is connected positively with “text” as sponsor of instruction. The Torah is one “text” that is mentioned explicitly, as the “scroll of the torah

19 S. Japhet, *I and II Chronicles: A Commentary* (Louisville: Westminster John Knox, 1993), 743.

20 In Kings, the focus lies on Jehoshaphat’s partnership with King Ahab in the war against Aram. Parallels to 1 Kings 22:41–51 and 22:1–35 lie in 2 Chr 20:31–21:1 and chapter 18, which are greatly expanded by 2 Chronicles 17, 19, and 20:1–30.

of the Lord” (2 Chr 17:9). The king commissions a team of eight Levites, two priests, and four “officials” to teach this work throughout Judah. This is of course in one sense an anachronism. But like the mention of the Persian coin “daric” elsewhere in Chronicles, this is a sign of the book of Chronicles’ post-exilic composition.

Jehoshaphat launches a judicial reform (2 Chr 17:7–9; 19:4–11), but he also commissions Levites, priests, and officials who are sent out among the cities of Judah to teach the people the “book of the law of the Lord” (2 Chr 20:7–9). Whereas elsewhere in scripture, the teaching of law is understood to be the prerogative of priests alone, here, the responsibility is more broadly based in institutional leadership, similar to what we see in Ezra-Nehemiah. We can consider this in some sense as “anticipating” mention of the discovery of the book of the law during the time of King Josiah. In both instances the reference to the Torah does serve a symbolic function, rather than as an explicit source of intertextual engagement. This promulgation of the law stands in contrast to Josiah’s reform in which the only ones who interact with the law are the king and his officials, including Huldah the prophet.

The role of the Levites in this chapter is significant for understanding the ritualization of text. Not only do they teach the Torah, but they prophesy. David Peterson argued cogently that the main point of 2 Chronicles 20 is to bolster the prophetic role of the Levites.²¹ Not only does this occur through an oracle pronounced by Jehaziel in traditional fashion, but the Levitical prophetic word also occurs as a liturgical word. In the last phase of the preparation for battle, the king exhorts the people to “Believe in God and believe in his prophets.” He then commissions Levites to begin their song as they launch into battle. It occurs as a doxology: “Give thanks to the Lord, for his steadfast love endures forever.” The striking aspect about the doxology’s use in Chronicles is that the words of praise occur even before the battle begins. The divine rout is described as beginning at the same time as the Levites begin their song (2 Chr 20:22). Here the victory is in effect proclaimed by the Levites even before the battle is fought. While in one sense this is like the inevitable fall of Jericho, the significant difference is that in Joshua the defeat occurs by means of the “divine warrior” alone without human weaponry or mediation involved. The Levites’ song in Chronicles and its acknowledgement of God’s eternal covenant-faithfulness can thus be understood as a liturgical prophecy.

21 D.L. Petersen, *Late Israelite Prophecy: Studies in Deutero-Prophetic Literature and in Chronicles* (Missoula, MT: Scholars, 1977), 68–77.

To sum up our discussion of Chronicles: there is a trajectory of Jewish texts that describe holy war, war waged with divine supervenience to defend land and Temple. These accounts range from the Canaanite Holy Warrior traditions first discussed by Frank Cross, to the more mundane holy war accounts in Deuteronomy 20 and enacted narratively in the battles of Jericho and Ai in Joshua 7–8. But while this account of waging war draws on earlier traditions, the Chronicler's is distinct. The Chronicler's account highlights the role of a faithful and pious Davidic king who promulgates the teaching of Torah throughout the land and follows its dictates. Here the innovative rules of divine warfare necessarily include royal prayer and the voice of a prophetic Levite. The rhetorical aims of 2 Chronicles 20 are to highlight the prophetic role of the Levites more broadly, as well in their ability *through liturgical voice* to presage the divine warrior's victory over Israel's enemies.²² We have little specific information about the nature of the communities who received and used Chronicles in the Persian and Hellenistic periods to be able to contextualize the new practice. The Qumran materials, however, provide more information about the social setting and the legitimization of ritual specialists.

b. An Innovative Covenant Entry Rite: Entering the Realm of Priestly Blessing in 1QS

To turn now to a second example of ritual innovation involving the textualization of ritual, we take up the Dead Sea Scrolls. The entry ritual into the Qumran Yaḥad is described in the beginning of the Community Rule (*Serekh ha-Yaḥad*), 1QS 1:16–2:18. In contrast to Chronicles, there is a wealth of information that allows us to contextualize the Qumran Yaḥad and its activities. The Yaḥad was, to use Catherine Bell's term, a "ritually-dense" movement. A brief description will help set the stage for a discussion of the innovative covenant ritual.

The Textual Community of the Yaḥad

The Community Rule reveals the centrality of scriptural study to the life of the movement.²³ Borrowing from Brian Stock's conception of a "textual

²² This account of divine involvement in Israel's war will also continue in later texts that show a similar "liturgical innovation" if different in details. Others in this category would include Judith, 1–3 Maccabees, but also the War Scroll, and the New Testament book of Revelation as well.

²³ The insights of an early study of S. D. Fraade have only been reinforced in this regard, "Interpretive Authority in the Study Community at Qumran," *JJS* 44 (1993): 46–69.

community,” Charlotte Hempel has drawn a portrait of life in the Yaḥad as one in which the cultural value of texts and their study had great currency.²⁴ Unlike a modern-day book club, however, private copies of manuscripts were not owned by all members. Indeed, the formation of a textual community in antiquity did not require literacy on the part of all who participated. Teaching and learning could nonetheless occur in a largely oral environment, with text specialists positioned in a privileged station. In Hempel’s words: “It seems inevitable that the top-tier scribal and intellectual elite did not start out in the back row.”²⁵ Years of training would be required to attain a thorough knowledge of both the cultural repertoire and scribal skills of reading and writing. It is likely that only a small percentage of members were fully literate. She highlights the hierarchical character of the movement as a textual community, in which authority was invested in an elite leadership and daily life was governed by control of both speech and actions.

The Yaḥad was centered around texts in a way that shaped the self in relation to the tight cohesion of the movement. The Yaḥad’s formation was both communal and internally ranked. The ideal of the perfected community involved separation from others with a two-year process of gradual inculcation into the life of the community before attaining full membership:

When such men as these come to be, as a community (*bayyahad*) in Israel, according to these rules, they shall separate from the dwelling of wicked men to go to the wilderness, to prepare there his way, as it is written, “In the wilderness prepare the way of the LORD, make straight in the desert a path for our God” (Isa 40:3). This means the interpretation of the Torah, which he commanded by the hand of Moses according to all that is revealed from time to time, and according to what the prophets have revealed by his holy spirit. (1QS 8:12b–16a)

The passage highlights the centrality of the study of scripture, revealing both the importance of written text through its explicit quotation of Isa 40:3 and the distinctive understanding of interpretation from the Yaḥad’s perspective.²⁶ The interpretation of Isa 40:3 understands the preparation for the divine theophany in the wilderness to require the study of the Torah of Moses.

Another passage illuminates the daily activity in the movement:

24 C. Hempel, “Reflections on Literacy, Textuality, and Community in the Qumran Dead Sea Scrolls,” in *Is There A Text in This Cave? Studies in the Textuality of the Dead Sea Scrolls in Honour of George J. Brooke* (ed. A. Feldman, M. Cioată, and C. Hempel; STDJ 119; Leiden, Brill, 2017), 69–82; B. Stock, *The Implications of Literacy: Written Language and Models of Interpretation in the Eleventh and Twelfth Centuries* (Princeton: Princeton University Press, 1983).

25 Hempel, “Reflections on Literacy,” 81.

26 We can only here note the complex textual history of 1QS 8:15b–9:11 which is absent from 4Q259 (4QS^c) entirely and contains multiple scribal corrections suggesting its

In any place where the ten gather there shall not be lacking one to interpret the Torah, day and night, continually, each one taking his turn. The Many (*rabbim*) will be on watch together (*bayyahad*) for the first third of every night of the year, to read from the scroll (*liqro' bassefer*), to explain the regulation (*lidrosh bammishpat*), and to bless together (*uvarekh bayyahad*). (1QS 6:6–8)

The importance of daily study of the Torah and communal prayer is clearly evident from this passage. Three activities represented in the last clause are of most importance for our discussion: “to read in the scroll, to explain the regulation, and to bless together.”²⁷ While much attention has been paid to the first two activities mentioned, reading from the scroll and interpreting law, little attention has been paid to the third activity of blessing. Having highlighted the Yahad as a study and praying community, we can now appreciate the ritual innovation more fully.

Ritual Innovation

Let us first review the elements of this communal liturgical rite in 1QS.²⁸ Three groups of people are included: the priests, the Levites, and the “ones crossing over into the covenant.” There are three parts to the rite: entrance of new initiates; blessings and curses; the crossing over into the covenant. The description of the ritual begins when those entering cross over before God to do the divine command (1:16–17); the priests and Levites bless God for deliverance (1:18–19) at which point the initiates affirm with a double Amen. The priests recount God’s righteousness (1:21–22), the Levites recount Israel’s sins during the dominion of Belial (1:22–24); the initiates confess after them (1:24–2:1). Then the Priests bless the men of the divine lot (2:1–4). The

importance to the community over time. 4Q259 also lacks the final hymn of the maskil that we will discuss below.

- 27 In translating the verb *darash* as “explain,” I understand the verb to have undergone a semantic shift during the Second Temple period; see Brooke’s discussion, “Reading, Searching, Blessing,” in *The Temple in Text and Tradition: A Festschrift in Honour of Robert Hayward* (ed. R. T. McLay; London: Bloomsbury, 2015), 140–156, here 147–150.
- 28 The scholarly discussion about this passage has focused predominately on two issues: whether or not this was an actual script for an annual entry ritual, and a taxonomy of this ritual. Using Catherine Bell’s six ritual categories, R. Arnold classifies this as a “rite of passage.” *The Social Role of Liturgy in the Religion of the Qumran Community* (STDJ 60; Leiden: Brill, 2006), 61–68. Arnold reconstructs an entry rite that includes not only the description in 1QS 1:16–2:25, but also uses other parts of the Serekh, not to mention a “rebuke and dismissal” practice described in the Damascus Document. On the difficulties with conflating the rhetoric of the text with the actual practice and enactment of an entry ritual, see C. Newsom, review of *The Social Role of Liturgy in the Religion of the Qumran Community*, by R. Arnold, *RBL* 5 January (2008): https://www.bookreviews.org/pdf/5884_6231.pdf.

Levites curse the men of Belial's lot (2:4–9) which is affirmed by the initiates with a double Amen (2:10). Another curse is pronounced by both the priests and Levites against those who enter insincerely (2:11–17). This is affirmed by the initiates with a double Amen (2:18). The final part of the ritual is the full entrance into the community. The Priests cross over first (2:19–20), then the Levites (2:20), and finally the people cross over (2:21–25).

What is innovative about this ritual? We saw how a range of paradigmatic texts were transformed in the recounting of Jehoshaphat's "war-prayer" in particular 1 Kings 8, Exodus 15, Deuteronomy 20, and Joshua 24. A similar modelling occurs in this account. The covenant renewal ceremony with its blessing and curses is largely modeled on the event of the crossing of the Jordan and the covenant making ceremony at the end of Deuteronomy 27–28. As Steven Fraade has observed:

Only at Qumran, so far as we know, did this provide the basis for an *annually* re-enacted ceremony of blessings and curses, forming the dramatic centerpiece of a covenant-renewal ritual during which new members entered the community and existing members were confirmed in their status (*ma'amad*). Just as it was performed upon crossing the Jordan (*be'ovrim 'et hayyarden*; Deut 27:12), so it was to be performed upon crossing over into the covenant (*be'ovrim bavrit*; 1QS 1:18).²⁹

So one chief innovation in this ritual was to make the covenant a recurring annual event, not a one-time affair marking the entry into the land. Another innovation pertains to the leadership depicted. Deuteronomy considers all Levites to be priests; the Yaḥad, like the book of Chronicles, differentiates them with a hierarchical differential in obligations. In the Community Rule, however, the Levites have no special prophetic status in the way they are depicted in 2 Chronicles 20.

Textual Interpretation

For want of space, I will single out only one example of the way this liturgical rite innovates through interpretive textual engagement. Scholars have long observed the adaptation of the Priestly Blessing of Numbers 6:24–26 in both the blessings of the priests and the curses of the Levites. Michael Fishbane long ago noted the way in which this blessing is reworked within the Bible. Yet Fishbane's perspective differs from ours in two ways. He limited his sphere of concern to the Masoretic Text. As I have mentioned, in our more historical approach to Jewish antiquity of the first century, we must under-

29 S. D. Fraade, "Rhetoric and Hermeneutics in Miqsat Ma'ase Ha-Torah (4QMMT): The Case of the Blessings and Curses," *DSD* 10 (2003): 150–161, here 155. I have transliterated the Hebrew from his article.

stand the Bible as still in formation. Moreover, Fishbane referred to this process as “inner-biblical exegesis,” which assumes a textual, and written, basis for the reworking of tradition.³⁰

Since Fishbane wrote his influential work, much greater attention has been paid to the role of orality in transmission of traditions. As I have noted, Hempel assumes a high degree of oral interpretative activity. Likewise, George Brooke has recently called attention to the threefold daily activity of the Yahad, with a third of each night spent together “to read in the scroll, to explain the regulation, and to bless together.”³¹

Brooke wonders what the content of such blessings might be and considers the initial blessing pronounced by the priests during the entry ceremony into the Yahad in 1QS 2:2–4 as one possible example. The blessing is an expansion of the Priestly blessing in Num 6:24–26. Each clause of the Aaronic blessing is expanded with a phrase from scripture. He identifies in the first clause wording from Deut 26:11, the only place in the Hebrew Bible where *bkwl twb* occurs. In 1QS 2:3, a phrase from Ps 121:7 “from all evil” similarly balances the first clause. The second pair of stichoi includes a phrase similar to Prov 16:22, “and eternal knowledge,” from Jer 31:31–34. He suggests that they may be combined because of their common concern for the “heart.”

The third part of the blessing is reduced to a single clause which echoes the refrains of Psalms 105, 106, 136. Brooke identifies two purposes in the activity of blessing:

The first function of those prayers of blessing was to interpret and reinterpret earlier scriptural materials to extend the repertoire of prayer [...] the second intertwined function of blessing was to endorse the kinds of right interpretation that had been the subject of the earlier searching study of both the Law and the Prophets and some other authoritative texts.³²

This reworking, which is of import in the formation of the community’s distinctive identity, thus lards the prayer with scripture. The resulting blessing is thus a scripturalized prayer that endorses a particular community perspective through its own interpretation of the Torah.

30 M. Fishbane, *Biblical Interpretation in Ancient Israel* (New York: Oxford University Press, 1985), especially 329–334. Bilhah Nitzan has also discussed the way in which many of the blessings found at Qumran are reworkings of the Aaronic blessing; *Qumran Prayer and Religious Poetry* (trans. J. Chipman; STDJ 12; Leiden: Brill, 1994), 145–171.

31 G. J. Brooke, “Reading, Searching, Blessing,” in *The Temple in Text and Tradition: A Festschrift in Honour of Robert Hayward* (ed. R. Timothy McLay; London: Bloomsbury, 2015), 140–156, here 153.

32 Brooke, “Reading, Searching, Blessing,” 153.

Leadership and Ritualization of Text

We have thus considered the textualization of the ritual, but not yet the ritualization of the text. There is not space here to treat this issue fully, except to say that the hierarchical character of the community described in the Cave 1 version of the Serekh is enshrined in other aspects of the community, particularly its hierarchical character. We have seen that the priests clearly have a higher status than the Levites in terms of blessing the new members entering the covenant or reaffirming their covenant vows. Yet over and above the priests stands another official of the community, the Maskil. This leadership figure is an official who appears himself to be a priest, but a chief priest responsible for spiritual evaluation (1QS 3:13–4:26) and communal liturgical instruction (1QS 9:12–11:22). At least five central compositions of the Yaḥad are connected to him through superscription, including the Community Rule. I have discussed at greater length elsewhere the implications of the Maskil's role for understanding the ritualization of text through performance.³³ Suffice it to say that in the ritually dense textual community of the Yaḥad movement, ritualized texts and the textualization of ritual went fist in glove.

In conclusion, I want to return briefly to Catherine Bell's concept of ritualization of text. In an article, she argued that the ritualization of text occurred through its performance. In particular, she treated the codification of Taoist liturgy and the way in which it enshrined particular actors in their roles. The key was thus *performance*: the three-dimensional social contexts in which these texts were given life and enacted. In the two cases I have discussed, we do not know precisely how the texts themselves were used, though with the Qumran Yaḥad, we can make more well-informed and complete judgements. But in the Jewish context, another aspect to such performance can be understood to be the study and interpretation of texts. Thus we can think of engaged reading, the study and interpretive use of earlier texts, as another kind of performance, that of retrieving and extending the scriptures, of renewing them as part of the traditionary process. This dimension of textual revitalization contributes both to ensuring the authoritative status of texts-as-performed, and to creating a new emphasis on the text-as-interpreted. The Chronicler and its Levites; the Community Rule and its priests; and the Maskil perform such important functions of

33 J. H. Newman, "The Thanksgiving Hymns of 1QH^a and the Construction of the Ideal Sage through Liturgical Performance," in *Sibyls, Scriptures, and Scrolls: John Collins at Seventy* (ed. J. Baden, H. Najman, and E. Tigchelaar; JSJSup 175; Leiden: Brill, 2016), 963–980.

keeping the scriptures alive through their performative innovation of rituals. This shift is discernible to some degree in the Hebrew Bible as it would later appear in the Masoretic Text, but examination of texts from the Persian and Hellenistic-Roman periods, that is, before the final shaping of the canons of Judaism and Christianity, puts such ritual innovations related to prayer and text in sharper relief.

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Hermeneutics and the Logic of Ritual*

The analysis of the Priestly systems of ritual sacrifice (Σ) and purity (Π) played a distinct role in the development of hermeneutics in ancient Israelite and early Jewish literature. A difference between formal properties of the ritual systems of Σ and Π is shown to be homologous to a difference between the hermeneutics applied to texts on Σ and Π , respectively. The possibility is raised that this homology is the product of a causal relationship between the logic of ritual and the logic of hermeneutics – namely, that the distinctive logic underlying the ritual systems themselves played a role in shaping the hermeneutical tools used for the interpretation of the ritual texts.

Keywords: Ritual, hermeneutics, sacrifice, purity, logic, formalization,

1. Introduction and Definitions

This paper makes two claims and offers one tentative suggestion. First, it claims that the analysis of the Priestly systems of ritual sacrifice (Σ) and purity (Π) played a distinct role in the development of hermeneutics in ancient Israelite and early Jewish literature.¹ Second, it points to a formal homology, within Σ and Π , between the logic of the rituals themselves and the logic of the hermeneutics applied to the ritual texts.² Finally, it asks whether the formal homology is the product of a causal relationship – i. e., whether the distinctive logic underlying the ritual systems themselves played a role in

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1 For a detailed outline of Σ , and for the distinction between the textual systems and the ritual systems see N. S. Meshel, *The “Grammar” of Sacrifice* (Oxford: Oxford University Press, 2014), esp. 24–27.

2 The term “logic” is used here to denote the “interrelation of sequence of facts or events when seen as inevitable or predictable” (Merriam-Webster, definition 1.c.; <https://www.merriam-webster.com/> accessed 25/6/2018), and not necessarily the “systematic use of symbolic and mathematical techniques to determine the forms of valid deductive argument” (OED, definition 1.2; <http://www.oed.com/> accessed 25/6/2018).

shaping the hermeneutical tools used for the interpretation of the ritual texts. An affirmative answer is tentatively suggested.

Σ and Π denote the textual, partially idealized representations of the ancient Israelite systems of ritual sacrifice and ritual purity, respectively, in the Bible, in Second Temple period literature (including Jewish Hellenistic, Pseudepigraphic and Qumranic literature), and in rabbinic literature. The interconnected systems of sacrifice and purity together constitute the most elaborate, complex, and intricate intellectual construct found in the surviving corpus of ancient Israelite and early Jewish writings. Quantitatively, they comprise roughly half of the Pentateuch and half of the Mishna, and innumerable other texts.³ Qualitatively, this “science of ritual” is unparalleled by any other branch of knowledge in ancient Jewish thought, such as philosophy, mathematics, linguistics, astronomy, or extispicy – to mention but a few branches of knowledge highly developed elsewhere in antiquity.

2. Ritual Paradigmatic for General Hermeneutics

In antiquity, several branches of knowledge were catalyzed by an interest in sacrificial ritual, and evolved within the world of sacrifice. In India, geometry evolved as a branch of knowledge subservient to the construction of sacrificial altars;⁴ and linguistics as a science subservient to the recitation of mantras in sacrificial ritual contexts.⁵ Scholars of *pūrva-mīmāṃsā*, the classical Sanskrit science of sacrifice, have demonstrated that in India the *pramāṇas* (literally “measures”) – formal hermeneutic rules for textual deduction in logic, poetics, and philosophy – reached their most elaborate formulation in the analysis of sacrificial ritual.⁶ In Mesopotamia, too, there

3 Consider the centrality of Π and Σ in the earliest surviving lengthy legal compilations outside the Pentateuch, including Ezekiel’s Temple Vision (40–48), the Aramaic Levi Document, the Temple Scroll, and Damascus Document’s legal section, alongside dozens of shorter works from Qumran.

4 See A. Seidenberg, “The Ritual Origins of Geometry,” *Archive of the History of the Exact Sciences* 1 (1962): 488–527; F. Staal, “Greek and Vedic Geometry,” *Journal of Indian Philosophy* 27 (1999): 105–127.

5 On the interconnections between linguistics and sacrifice in India, see L. Renou, “Les Connexions entre le rituel et la grammaire en Sanskrit,” *Journal Asiatique* 233 (1942): 105–165; G. Cardona, “On Attitudes towards Language in Ancient India,” *Sino-Platonic Papers* 15 (1990): 1–19; A. Michaels and A. Mishra (ed.), *Grammars and Morphologies of Ritual Practices in Asia* (Ritual Dynamics and the Science of Ritual 1; Wiesbaden: Harrassowitz, 2010).

6 F.X. Clooney, S.J., *Thinking Ritually: Rediscovering the Pūrva Mīmāṃsā of Jaimini* (Publications of the De Nobili Research Library 17; Vienna: Institut für Indologie der

may have been a link, though less straightforward, between sacrificial ritual and hermeneutics. Eckart Frahm has shown that commentaries on omens played an important role in the evolution of hermeneutics (though commentaries were written on non-divinatory texts as well). Within the divinatory tradition, a corpus of texts with particularly detailed commentaries at a relatively early stage relates to hepatoscopy, which takes place in the domain of animal sacrifice. The analysis of sacrificial victims' viscera thus played an indirect role in shaping the conceptual world of hermeneutics.⁷

In early Jewish thought, a number of branches of knowledge were fueled by an interest in ritual, particularly sacrificial ritual, such as the adoption and development of astronomical works in the context of ritual calendars in Second Temple Judaism,⁸ and the use of combinatorics in the context of series of pairs of bird-offerings in tractate *qinnim*.⁹ With regard to hermeneutics, the process in early Jewish literature parallels the processes in India and in Mesopotamia only in part.

The evidence does not suggest that the formal tools for textual deduction discernible in these sources originated in Σ and Π, or that the roots of the science of hermeneutics are to be found in the domain of Priestly ritual. Throughout the history of scholarship it has been suggested that formal rules for textual deduction such as the *middôt* (literally, "measures")¹⁰ in rabbinic literature were partly borrowed from Hellenistic and Mesopotamian

Universität Wien, 1990); L. McCrea, "The Hierarchical Organization of Mimāṃsā Interpretive Theory," *Journal of Indian Philosophy* 28 (2000): 429–459; E. Freschi, *Duty, Language and Exegesis in Prābhākara Mimāṃsā* (Jerusalem Studies in Religion and Culture 17; Leiden: Brill, 2012); D. Klein, "Rabbi Ishmael, Meet Jaimini: The Thirteen Middot of Interpretation in Light of Comparative Law," *Hakirah* 16 (2013): 1–21.

7 E. Frahm, *Babylonian and Assyrian Text Commentaries: Origins of Interpretation* (Guides to the Mesopotamian Textual Record 5; Münster: Ugarit-Verlag, 2011), 23, cf. 20. I thank Jonathan Stökl and Uri Gabbay for clarifying this point. For the conjecture that sacrifices, primarily wellbeing offerings, were used for extispicy in ancient Israel, see F. H. Cryer, *Divination in Ancient Israel and its Near Eastern Environment: A Socio-Historical Investigation* (JSOTSup 142; Leiden: Brill, 1994), 295–305.

8 See J. Ben-Dov and S. Sanders (ed.), *Ancient Jewish Sciences and the History of Knowledge* (New York: New York University Press, 2014). In particular, see p. 115 on the practical role of astronomical investigation for priestly Temple duties (as reflected in the many liturgical calendars and Mishmarot texts from Qumran) and pp. 87–88 on Priestly ritual and science more broadly.

9 M. Koppel, *Seder Kinnim: A Mathematical Commentary on Tractate Kinnim* (Jerusalem: Aluma Publishing, 1998) [Hebrew]. The roots of legal thinking are, of course, multiple. See the concluding notes in K. Schmit, "How Law Evolved out of Economics: Sequential Logic and Stereometric Interpretation in Ancient Near Eastern and Biblical Law Collections," *ZABR* 23 (2017): 115–121, esp. 121.

10 For a brief introduction to the *middôt*, see H. L. Strack and G. Stemberger, *Introduction to the Talmud and Midrash* (trans. M. Bockmuehl; Minneapolis: Fortress, 1996), 15–30.

contexts through conduits that are unrelated to ritual.¹¹ In fact, studies dedicated to the identification of explicit and implicit hermeneutic principles underlying Second Temple Jewish literature, including Qumranic and Jewish Hellenistic literature, as well as the earliest rabbinic literature, do *not* imply that formal hermeneutical principles were used preponderantly in the context of ritual sacrifice and purity.¹² Rather, the evidence suggests that Σ and

- 11 The Greek vs. Mesopotamian approaches, conveniently framed as the “S(aul) Lieberman vs. S(tephen) Lieberman” theories, are of course not mutually exclusive. Neither theory rules out indigenous developments. See W.S. Towner, “Hermeneutical Systems of Hillel and the Tannaim: A Fresh Look,” *HUCA* 53 (1982): 101–136; more generally, see H.L. Feldman, “How Much Hellenism in Jewish Palestine,” *HUCA* 57 (1986): 83–113. For excellent summaries of the literature on Hellenistic and Mesopotamian influences, respectively, see Y. Paz, “From Scribes to Scholars: Rabbinic Biblical Exegesis in Light of the Homeric Commentaries” (PhD diss., The Hebrew University of Jerusalem, 2014), 8–20. For a basic bibliography of works prior to 2006, see B.L. Visotzky, “Midrash, Christian Exegesis and Hellenistic Hermeneutics,” in *Current Trends in the Study of Midrash* (ed. C. Bakhos; JSJSup 106; Leiden: Brill, 2006), 111–131; and U. Gabbay, *The Exegetical Terminology of Akkadian Commentaries* (CHANE 82; Leiden: Brill, 2016), 289–304, as well as the bibliographies cited in these works.
- 12 The literature on the relations between rabbinic midrash and earlier hermeneutic systems (including Qumranic and Jewish Hellenistic systems) is vast and rapidly growing. See, for example, D.I. Brewer, *Techniques and Assumptions in Jewish Exegesis before 70CE* (TSAJ 30; Tübingen: Mohr Siebeck, 1992); M. Kister, “A Common Heritage: Biblical Interpretation at Qumran and its Implications,” in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls* (ed. M.E. Stone and E.G. Chazon; Leiden: Brill, 1998), 101–111; S.D. Fraade, “Looking for Legal Midrash at Qumran,” *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls* (ed. M.E. Stone and E.G. Chazon; Leiden: Brill, 1998), 59–79; S.D. Fraade, “Comparative Midrash’ Revisited: The Case of the Dead Sea Scrolls and Rabbinic Midrash,” in *Agendas for the Study of Midrash in the Twenty-first Century* (ed. M.L. Raphael; Williamsburg: The College of William and Mary, 1999) 4–17; S.D. Fraade, “Rewritten Bible and Rabbinic Midrash as Commentary,” in *Current Trends in the Study of Midrash* (ed. C. Bakhos; JSJSup 106; Leiden: Brill, 2006): 59–78; S.D. Fraade, *Legal Fictions: Studies of Law and Narrative in the Discursive Worlds of Ancient Jewish Sectarians and Sages* (JSJSup 147; Leiden: Brill, 2011), 145–168, 399–426; P. Mandel, “Midrash Exegesis and Its Precedents in the Dead Sea Scrolls,” *DSD* 8 (2001) 149–168; P. Mandel, “The Origins of Midrash in the Second Temple Period,” in *Current Trends in the Study of Midrash* (ed. C. Bakhos; JSJSup 106; Leiden: Brill, 2006), 9–34 (on the origin of midrash in general with particular reference to mantic techniques); M.J. Bernstein, and S.A. Koyfman, “The Interpretation of Biblical Law in the Dead Sea Scrolls: Forms and Methods,” in *Biblical Interpretation at Qumran* (ed. M. Henze; Grand Rapids: Eerdmans, 2005), 61–87; C. Milikowsky, “Rabbinic Interpretation of the Bible in the Light of Ancient Hermeneutical Practice: The Question of the Literal Meaning,” in “*The Words of a Wise Man’s Mouth Are Gracious*” (Qoh 10,12): *Festschrift for Günter Stemberger on the Occasion of his 65th Birthday* (ed. M. Perani; Studia Judaica 32; Berlin: De Gruyter, 2005), especially the overview on pages 9–13. For a summary of literature, see Y. Paz, “From Scribes to Scholars,” 3–8. Precise assessment of the weight of ritual materials in pre-rabbinic and early rabbinic hermeneutics vis-à-vis later rabbinic

Π played a central role in the systematization of hermeneutic tools at a later stage, following their original adoption and development. In other words, while formal rules of textual deduction may have originated elsewhere, they were honed, refined, developed and tested within the discourse on Σ and Π.

The argument in this section is presented along logical rather than chronological lines – progressing from the later and more explicit rabbinic data to the earlier biblical data that require elucidation. As we shall see, some of the Pentateuchal priestly texts themselves reflect an invitation, as it were, to apply a unique set of hermeneutic tools. Certain rabbinic texts were attuned to the peculiarities of these priestly texts, and made explicit what is implicit in them. The argument therefore focuses on P and on rabbinic literature, referring to Second Temple literature only occasionally in the footnotes.

2. a. Evidence from Rabbinic Literature

The post hoc link between Levitical law and formal hermeneutics is most clearly evident in the medieval transmission history of the *בריתא ד"ג מידות* (also known as *Baraita D'Rabbi Ishmael*), both in terms of its placement as an introduction to the *Sifra*, the halakhic midrash on Leviticus, and in terms of the examples it furnishes – most of which are derived from Σ and Π;¹³ and in the late rabbinic depictions of the “creation” of the *middôt* by God himself in the context of Π (Miriam’s “leprosy”)¹⁴ and by Hillel the

hermeneutics will need to be carried out on the basis of careful statistical analysis. Such an analysis will need to take into account all forms of formal hermeneutics, including but not limited to the named *middôt*, and beginning with W. Bacher, *Die exegetische Terminologie der jüdischen Traditionsliteratur* (Leipzig: Hinrichs, 1905). At present, I can offer only a safe estimate: less than half of the examples (probably much less) of implicit use of formal hermeneutic tools cited in the Second Temple period works mentioned above are related to Π and Σ, despite the fact that most of the examples derive from the Damascus Document and the Temple Scroll, which contain many sacrificial and purity laws.

13 For a critical edition with commentaries, see A. Shoshana, *The Text of the Baraita de-R. Ishmael According to Vatican Manuscript Assemani 66 with References to Rabbinic literature, Variant Readings and Philological Notes* (Jerusalem: Ofef Institute, 2014) [Hebrew]. In the *Baraita's scholion*, nine of the thirteen examples derive from Π and Σ. The *Baraita* itself circulated at least since gaonic times as an introduction to *Sifra*, the halakhic midrash on Leviticus, and was incorporated around the same time into the liturgy as an appendix to the daily recitation of the fifth chapter of *Zebahim*, arguably the tannaitic sacrificial text *par excellence* (L. Finkelstein, *Sifra: A Commentary on the Book of Leviticus, Vol. 1: Introduction* [New York: JTS, 1989] [Hebrew], 2, 12, 186–187).

14 The Biblical *prōtos ergatēs* of a *fortiori* argumentation, God, is portrayed as introducing not only a *fortiori* argumentation, but also the principle that limits over-application of such argumentation, in the context of Miriam’s leprosy and subsequent quarantine (Num 12:14). This principle dictates that “it is sufficient for that which is deduced a

Elder in the context of Σ (the paschal sacrifice).¹⁵ However, this link need not be considered an invention *ex nihilo*, since as Louis Finkelstein notes, even without the Baraita D'Rabbi Ishmael which was only appended to the *Sifra* in a post hoc fashion, the *Sifra* itself – the early (Akiban) rabbinic halachic midrash on Leviticus – opens with a programmatic exposition of three main “measures,” בנין אב (“the construction of an archetype”), גזירה שווה (“equal ordinance”),¹⁶ and ק(ו)ל וחומר (*a fortiori* argumentation).¹⁷

The most elaborate talmudic discussion of the operation of the *middôt* is found in the Babylonian Talmud, in a sacrificial context, in tractate *Zebahim* 49b–51a. This lengthy pericope, discussed briefly below, inquires whether information transferred from one Pentateuchal passage to another by means of one of four hermeneutic “measures” (היקש, גזירה שווה, קל וחומר, בנין אב) can subsequently transfer onwards from the second passage to a third Pentateuchal passage by reemploying one of the same four “measures.” Within this elaborate demonstration of *middôt*-in-tandem, there are

fortiori to be as [severe as] that from which it is deduced (לדין מן הדין להיות כנדון).” On its derivation from the case of Miriam, see *Sifre Bemidbar* 106.

- 15 According to a prominent rabbinic tradition, the historical *prōtos ergatēs* of the *middôt* (Hillel, 1st century BCE), introduced *a fortiori* argumentation, and in various versions of the narrative also other “measures” – בנין אב, גזירה שווה, היקש (“analogy”) – in the context of Σ , regarding the paschal sacrifice (*b. Pesah.* 66a and parallels); see Frankel’s insightful close reading of this narrative (J. Frankel, *The Aggadic Narrative: Harmony of Form and Content* (Tel Aviv: Hakibbutz Hameuchad, 2001) [Hebrew], 23–32). On the opinion that the thirteen “measures” are Sinaitic in origin, see Finkelstein, *Sifra* 1.172–186.
- 16 The translation follows Strack and Stemberger, *Talmud and Midrash*, 18, though “equal decision” would better capture the etymology of גזירה (> *caedere*, to cut || “גזר”). See their discussion on pp. 18–19: “It is an argument from analogy. Strictly speaking, it is only to be used if two given Torah statements make use of identical (and possibly unique) expressions.” See Visotzky, “Midrash, Christian Exegesis and Hellenistic Hermeneutics,” 122–124. Lieberman associated this term with the Greek technical term, οὐκ ὅμοιος ἀτὰρ ἴσος, but see Y. Paz, “From Scribes to Scholars,” 12, 14 n. 70. On the nature of גזירה שווה and its relation to היקש, see briefly Finkelstein, *Sifra* 1.121–122, 164–5 and Brewer, “Techniques and Assumptions,” 5–7, 17–18, both harking back to S. Lieberman, “Rabbinic Interpretation of Scripture,” in *Hellenism in Jewish Palestine* (New York: Jewish Theological Seminary, 1962), 47–82.
- 17 Finkelstein considers these opening passages an introduction of sorts to the *Sifra*, indicating that even prior to the joining of the Baraita D’Rabbi Ishmael to the *Sifra*, a need was felt to begin the *Sifra* with an exposition of a number of the main “measures” (Finkelstein, *Sifra* 1.187; see also 2.11–13 with n. 3 on p. 11 *infra*). Elsewhere, he notes that the main purpose of this opening passage of דיבורא דגדבה is to accustom students to the use of בנין אב (*Sifra* 1.22–23).

sixteen (4²) potential pairs. Each and every one of the sixteen scriptural examples adduced is derived from Σ or Π , and often from both.¹⁸

In the discussion that follows, the various “measures” will be designated by means of initials: “H” denotes הִיקָשׁ and “G” – גִּזְרָה שׁוּוּה.

2. a. 1. Transferral of the Rule of Absolute Reversion

Let us consider one example from the pericope in *b. Zebah*. 49b–50a. Leviticus discusses three types of *šāra’at*, a condition commonly (if inaccurately)¹⁹ termed “leprosy”: bodily (“somatic”) leprosy, head- (“cephalic”) leprosy, and clothing-leprosy (“himatic leprosy,” from ἡμᾶτιον). In somatic leprosy, a spot of a certain color and constitution, on the arm for instance, renders the person impure; but if the spot spreads and covers the skin of the entire body, the person is (somewhat paradoxically) rendered pure. Thus, a person covered with a leprous affection from head to toe – as opposed to a person with only part of his body covered with leprosy – becomes entirely pure. Only if some (but not all) of the leper’s skin reverts to its normal state will the person become impure again. Let us call this paradoxical rule RAR (“Rule of Absolute Reversion”).

Now let us examine how the pericope in *b. Zebah*. 49b deduces that RAR applies to each of the three classes of leprosy enumerated above:

A. RAR applies to somatic leprosy since Scripture says so explicitly (Lev 13:12–13).

B. RAR applies to cephalic leprosy due to the application of H (הִיקָשׁ), which in this context denotes the transference of legal content between two adjacent words. Since RAR applies to legs (inasmuch as they form part of the body), and since the pair of words “head” and “legs” are adjacent in v. 12, the legal contents transfer, as if by osmosis, to the section on cephalic leprosy (Lev 13:29–37).

C. RAR applies to himatic leprosy due to the application of G (גִּזְרָה שׁוּוּה). Since the words “back of the head” and “forehead” (גִּבְחַת and קִרְחַת) appear both in the context of cephalic leprosy (13:42–43) and in the context of himatic leprosy (13:55),²⁰ they create a conduit, so to speak, by means of

18 The sole exception is the pair בהִיקָשׁ שִׁלְמָד מִהוּ שׁוּוּה in 50a, only part of which is derived from Σ/Π . The later ones, which derive from logic, all ultimately rely on Π/Σ , as in the example cited at the end of Subsection 2.a.1., below.

19 J. Milgrom, *Leviticus 1–16: A New Translation and Commentary* (AB 3; New York: Doubleday, 1991), 816–820.

20 The appearance of terms relating to “forehead” and “back of the head” in the context of leprosy affecting clothing (and not heads) is awkward, and may be the result of a copy-

which legal contents can flow from the passage on heads to the passage on clothes.

Thus, the pericope demonstrates that in the case of the ordered pair (H, G), i.e., applying H first, then G, information transferred to context B through the operation $A \rightarrow B$ can further transfer to context C via the operation $B \rightarrow C$ (Illustration 1).

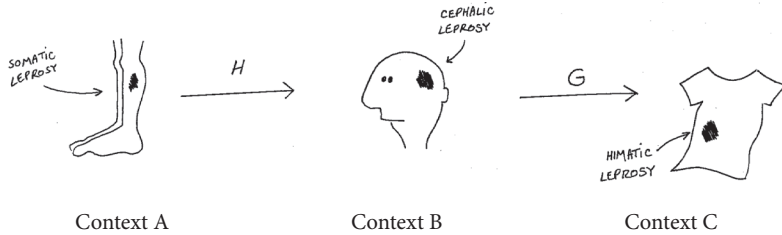


Illustration 1: The information “RAR is active” travels along the arrows from context A to B to C according to the hermeneutical techniques H and G, listed above each arrow

As noted above, since our pericope in *Zebaḥim* discusses four *middôt*, and since each *middāh* is paired with every one of the four (including itself), sixteen (4^2) possibilities present themselves. Our pericope tests each of these, and eventually the system acrobatically grabs itself by the tail, as in the following virtuoso line of reasoning:

Can that which is learnt by a *fortiori* argumentation teach in turn by a *fortiori* argumentation? [Yes, for this follows] a *fortiori*: if G, which cannot be learnt from H [...] can teach by a *fortiori* argumentation, as we have [just] said; then does it not follow logically [a *fortiori*!] that a *fortiori* argumentation, which can be learnt from H [...] can teach by a *fortiori* argumentation? [...] Surely this is an a *fortiori* argument the son of a son of an a *fortiori* argument!”²¹

2. b. Evidence from Biblical Literature

It is perhaps no coincidence that Σ and Π played an important role in the development of the halachic *middôt*. First, as the twelfth century Provençal scholar Rabbi Abraham ben David of Posquières claims in his introduction

ist’s error (L. Gottlieb, “Repetition due to Homoeoteuton,” *Textus* 21 [2002]: 36–41, contra Milgrom, *Leviticus*, 814).

²¹ Translation is based on I. Epstein, *The Babylonian Talmud: Translated into English with Notes, Glossary and Indices* (London: Soncino, 1961).

to the Baraita D'Rabbi Ishmael, Leviticus is simply replete with laws.²² Second, the laws of Σ and Π in the priestly literature constitute a more densely-knit verbal representation of a legal system than any other set of laws in the Pentateuch, explicitly calling for the juxtaposition and comparison of diverse legal scenarios and diverse, even distant textual passages – as we shall presently see.

Stated more specifically, the priestly literature in the Pentateuch invites, perhaps even requires, analogy and juxtaposition of discrete legal units in order to determine how much legal information, and what information, precisely, is to be transferred from one passage to another. This invitation is extended primarily through the creation of what we might call cross-references or internal hyperlinks, claiming “as in X, so in Y.”

The list of such hyperlinks in P would be so long as to dwarf any comparable list from other Biblical legal texts. The phenomenon is characteristic of P's laws in general, but is much more pronounced in Σ than in Π or elsewhere. Consider, for example, the fact that even the most basic technical terms in P, such as the pairs (1) קרבן vs. מנחה, (2) חטאת vs. אשם (3) and even כשב vs. כבש,²³ are based on P's own coinages or on P's re-coining of common Biblical Hebrew words into P's idiolect, which endows them with new, technical denotations. Thus, every time P uses one of these terms, it sends the reader on a hyperlink-chase to all its other occurrences in P, sometimes specifically to its first occurrence, where the term is most clearly defined.²⁴ Nothing comparable to this phenomenon is found in other parts of the Pentateuch. For this reason, only a handful of the most explicit hyperlinks in P are listed here (the arrow designates the direction of the transferal of information; the underlined verse is the “recipient” passage, which is also quoted; the explicit analogy appears in bold font):

a. Lev 3:3–4 → 4:3–10

If the anointed priest transgresses ... he shall remove all the suet of the bull of the purification offering ... **just as it is removed from the bull of the wellbeing offering**

אם הכהן המשיח יחטא... ואת כל חלב פר החטאת ירים ממנו... כאשר יורם משור זבח השלמים

b. 1:11 → 4:22–24

When a chieftain transgresses ... [the male goat] shall be slaughtered **at the spot where the wholeburnt offering is slaughtered**

²² Shoshana, *Baraita de-R. Ishmael*, 15.

²³ N. S. Meshel, “What Is a Zoeme? The Priestly Inventory of Sacrificial Animals,” in *Current Issues in Priestly and Related Literature: The Legacy of Jacob Milgrom and Beyond* (ed. R. E. Gane and A. Taggar-Cohen; RBS 82; Atlanta: SBL, 2015), 19–46, here 30–31 and n. 27.

²⁴ Meshel, *Grammar*, 125 n. 21.

אשר נשיא יחטא... ושחט אתו במקום אשר ישחט את העלה

c. 3:14–15 → 4:26

all its suet he shall turn into smoke on the altar, like the suet of the wellbeing offering

ואת כל חלבו יקטיר המזבחה כחלב זבח השלמים

Thus, P supplies hyperlinks pertaining to the precise location of slaughter (1:11 → 4:29; 1:11 → 6:18; 1:11 → 7:2), the precise organs to be removed as “suet” (3:9–10 → 4:35), and the remuneration of priests (2:10 → 5:13; 6:19 → 7:7). Many other hyperlinks pertain to general, recurrent events (Num 15:3–4), and also to specific, onetime occurrences (Exod 40:15).

While the majority of hyperlinks refer the reader back to information supplied earlier in the document (assuming that P is read sequentially), sometimes analogies are drawn to later verses, such as the two links in Lev 6:10 (“I have given it as their portion ... it is most holy like the purification offering and the reparation offering”) to Lev 6:19 (“the priests who offers it as a purification offering shall eat of it”) and to 7:7 (“it shall belong to the priest who makes expiation thereby”); or the phrases *כימי נדת דותה* and *כנדתה* (“as at the time of her menstrual infirmity”; “as during her menstruation”) in Lev 12:2, 5, referring to the laws of the menstruant in Lev 15:19–24.

These examples, though constituting only a fraction of P’s internal hyperlinks, offer a sense of P’s thick web of analogies, explicit and implicit. A control group derived from the other large Pentateuchal legal code, Deuteronomistic law, drives the point home clearly.

D’s explicit statements indicating that “as in X, so in Y” are few and far between.²⁵ Only one of D’s explicit hyperlinks is strictly legal-analogical – the likening of consumption of domestic cattle slaughtered “in your settlements” (*בשעריך*, literally “gates”) to the consumption of game (“deer and gazelle”). But even this analogy, which appears no fewer than three times in D (Deut 12:15, 12:22, 15:12), only serves to highlight the absence of P-like hyperlinks in D. If one were to double-click, so to speak, on the hyperlink as gazelle and deer are eaten, it would turn out to be a “dead link,” since no-

²⁵ The best-known candidate, Deut 22:26, only proves the contrary, since its thrust is exhortative rather than legal-analogical: “You shall do nothing to the young woman; the young woman has not committed an offense punishable by death, because this case is like that of someone who attacks and murders a neighbor.” The phrase *כאשר יקום* (26b), which likens rape to murder, is eventually interpreted in rabbinic literature (e.g., *b. Sanh.* 74a) as a strict legal equation on the basis of which legal analogies can be drawn. This is contrary to the plain sense of the verse, where the comparison serves, from a grammatical and logical point of view, only to justify the law in 26a, which exempts the victim from punishment.

where in Deuteronomic law does one find a passage that regulates the consumption of “gazelle and deer.” That they can be consumed in impurity outside the sanctuary is not asserted, but presented as common practice. In that sense, it is not a hyperlink within D at all, but a reference to sociological fact.²⁶

In sum: within Pentateuchal law, Σ is *the* analogizer *par excellence*,²⁷ creating a thick web of hyperlinks within a self-contained system – somewhat like a dictionary. This alone would warrant the assumption that Σ played an important role in the development of formal hermeneutics, in particular such *middôt* as קל וחומר, בנן אב, היקש, and גזירה שווה – whose very essence is the drawing of analogies from one case to the other. However, as we will presently see, this claim turns out to be somewhat paradoxical.

3. A Formal Homology between the Logic of Ritual and the Logic of Hermeneutics

3.a. Different Hermeneutic Logic Applying to Σ vis-à-vis Π

Let us consider the rabbinic statement, attributed to the School of R. Ishmael, בכל התורה כולה למידן למד מלמד חוץ מן הקדשים שאין דנין למד מלמד – “In the whole Torah we rule that whatever is learnt can teach, save in the case of sacrifices, where we do not rule that whatever is learnt can teach.”²⁸

26 In the Covenant Code, one finds legal analogies, but they can hardly be termed “hyperlinks” in the sense employed here, since they refer to information supplied in the immediately preceding context, not to a different passage (see Exod 21:7; 21:31). For additional analogies in D which do not imply the transfer of legal information from one passage to another, see Deut 12:21, 24:8 (cf. Exod 23:13).

27 See also M. Douglas, *Leviticus as Literature* (Oxford: Oxford University Press, 1999), 25, 39, who identifies “analogical thinking” (but in a different sense, p. 39) as characteristic of Leviticus and not of Deuteronomy, which is based on persuasion, challenge, and argument.

28 *b. Zebah.* 49b, Hebrew text cited according to the *textus receptus* (the manuscripts contain minor variation in the use of the definite article and in orthography); translation based on Epstein, *The Babylonian Talmud*. R. Yohanan’s statement is assumed by Ravina and others as well in BT, see *b. Zebah.* 45a, 60b; *b. Šebu.* 10a; Sifre beMidbar on Num 19:16. For parallels in PT and in Sifre BeMidbar, see M. Katz, *Jerusalem Talmud Tractate Qiddushin: Critical Edition and a Short Explanation* (Jerusalem: Yad Ben-Zvi and Schechter Institute, 2016), 24–25 (on γ Kid 59a). The controversy between the schools of R. Akiba and R. Ishmael on this matter, and a discussion of whether these constraints pertain to היקש or to all “measures,” would lead us far beyond the scope of this paper. See Katz, *Jerusalem Talmud Tractate Qiddushin*, 24–25; Y.N. Epstein, *Introduction to Tannaitic Literature: Mishna, Tosephta and Halakhic Midrashim* (Jerusalem: Magnes, 1957), 524–525.

In order to demonstrate how this principle applies, let us recall the exercise carried out above regarding the applicability of RAR in three different types of *šāra'at*. The Talmudic exercise demonstrates that the conduit connecting B and C is, so to speak, blind. Figuratively speaking, the “pipeline” (the arrow on the right, Illustration 1 above) is indifferent to the source of the particles that flow through it: It is of no consequence to the pipeline whether they originated in B or were imported into B from elsewhere. This situation, according to several rabbinic authorities, obtains “in the entire Torah.” There is, however, one realm in which the pipelines are *not* blind, but contain sieves, as it were, distinguishing autochthonous particles (that is, particles of information originating in receptacle B) from imported particles (that is, particles of information that did not originate in B, but were imported from A) – and *these* are barred from flowing into C. This realm is *qōdāšim* – or in our terms, Σ .

Thus, rabbinic tradition maintains, in the most explicit of terms, that at least with regard to this specific detail, the kind of hermeneutics applicable in Π (and elsewhere) does not apply in Σ . In other words, an attempt to employ such “transitivity,” operative in Π and elsewhere in rabbinic legal exegesis of the Bible, to Σ (e.g., determining the precise location where wholeburnt, purification, and reparation offerings are to be slaughtered) would fail, as in Illustration 2:

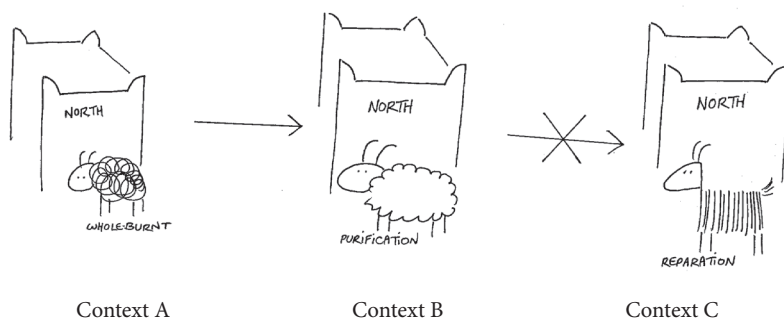


Illustration 2: The information “on the northern flank” travels along the arrows from context A to B but not from B to C; cf. Lev 1:11, 4:24, 7:2

Stated differently, in the application of the *middôt* in general, non- Σ contexts, information transferred via $A \rightarrow B$ may subsequently transfer onwards via $B \rightarrow C$. But this is not the case in Σ . In Σ , information can transfer

through the various *middôt* only once, not twice. Paradoxically, the “limitation on transferability” described in rabbinic sources is a *direct result* of the hyperlinked nature of the Σ texts themselves, to which we pointed above: Since P, particularly in the context of Σ , so often explicitly claims “as in A, so in B”, it obviates the need for – and essentially *blocks* – the application of rabbinic formal tools of analogy in these cases.²⁹ Thus, in Illustration 2, it is not the case that reparation offerings may be slaughtered on the southern flank of the altar; they, too, must be slaughtered on its northern flank. But one may not deduce this constraint using the widely applicable principle of *למד מלמד למד*, which is why one needs a verse to state explicitly that the reparation offering, if it is an ovine (which it always is) must be slaughtered at the same spot as an ovine wholeburnt offering. Of course, such a verse exists (Lev 7:2). As noted above, the thick web of hyperlinks, though characteristic of P’s laws in general, is much more pronounced in its sacrificial legislation than in its legislation on purity. It thus appears that here, a difference in *degree* between the two in P was picked up in rabbinic literature and transformed into a difference in *kind*: Σ and Π serve as two opposite models for the application of hermeneutics – in the former, “limitation on transferability” applies, but in the latter it does not. Given the centrality of Σ and Π in the process of honing and refining hermeneutical tools, it is not surprising that in our pericope in *Zebahim*, a difference between Σ and “the rest of the Torah” appears in the form of a difference between Σ and Π .

3.b. Different Ritual Logic in Σ and Π

Why is the transferability of information pertaining to Σ (from A to B to C, and potentially from C to D) limited compared to the transferability of information pertaining to other legal realms (including Π)?

The classical sources do not answer this question, but it is at least worth considering a structural analogy that pertains to the nature of the ritual systems themselves. Haggai 2:11–14 juxtaposes Σ and Π :

²⁹ This logic is explicit in the BT sources cited above, n. 28, and is the mirror image of the logical process found in P at Lev 3:3–4 → 4:10; 4:10 → 4:20. See for example *b. Zebah. 50a* supra (translation Epstein, *The Babylonian Talmud*): “That which is learnt through a hekkesh, can it teach through a binyan ab? – Said R. Jeremiah: Let ‘northward’ not be written in connection with a guilt-offering, and it could be inferred from a sin-offering by a binyan ab. For what purpose then is it written? Surely to intimate that that which is learnt through a hekkesh cannot in turn teach through a binyan ab.”

11 Thus says the LORD of hosts: Ask the priests for a ruling: 12 If one carries consecrated meat in the fold of one's garment, and with the fold touches bread, or stew, or wine, or oil, or any kind of food, does it become holy? The priests answered, "No." 13 Then Haggai said, "If one who is unclean by contact with a dead body touches any of these, does it become unclean?" The priests answered, "Yes, it becomes unclean." (NRSV)

In Haggai's legal parable, two cases, one involving something holy (Σ), another involving something impure (Π), demonstrate the supremely contagious quality of the latter.³⁰ The point is that in cases of contagious holiness (e.g., Lev 6:11b, 20–21 *et passim*)³¹ transferability is severely limited: holiness is only contagious enough, says Haggai, to transfer from the sacrificial meat (A) to a person's garment (B); but not further on from that garment (B) to another object (C), as in **Illustration 3**.

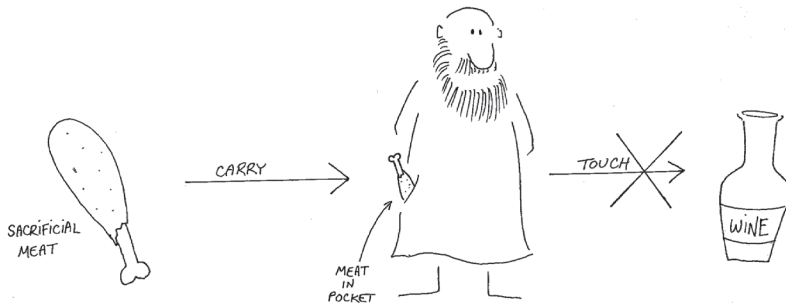


Illustration 3: The limited contagion of holiness

In cases of contagious impurity, by contrast, transferability is less severely constrained. Haggai says that impurity can transfer from a dead body (A) to a person (B), who can subsequently transfer it on to other objects (C), as in illustration 4.

30 D.L. Petersen, "Haggai," in *The New Oxford Annotated Bible: New Revised Standard Version with the Apocrypha* (rev. 4th ed.; ed. M.D. Coogan; Oxford: Oxford University Press, 2010), 1335–1336.

31 J. Milgrom, "Sancta Contagion and Altar/City Asylum," *Congress Volume: Vienna 1980* (VTSup 32; Leiden: Brill, 1981), 278–310; E. Regev, "Priestly Dynamic Holiness and Deuteronomic Static Holiness," *VT* 51 (2001): 243–261.

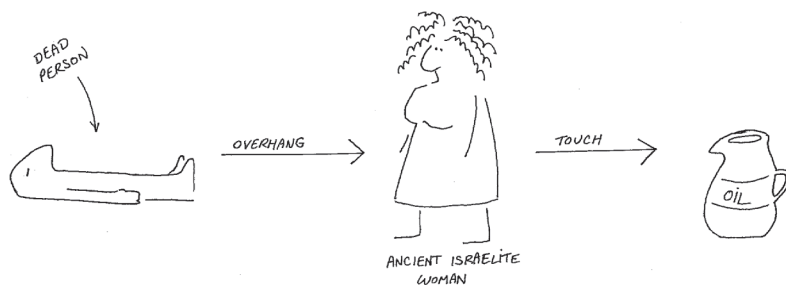


Illustration 4: The contagious power of impurity

From a purely formal point of view, the difference between Π and Σ (according to Haggai) – in the sense of the *internal logic of the ritual systems themselves* – is structurally similar to the difference between the logic of Π and Σ (according to rabbinic texts) – in the sense of the logic of the hermeneutical tools applying in either ritual system. This can be illustrated by juxtaposing Illustrations 1 and 2 with Illustrations 4 and 3, respectively.

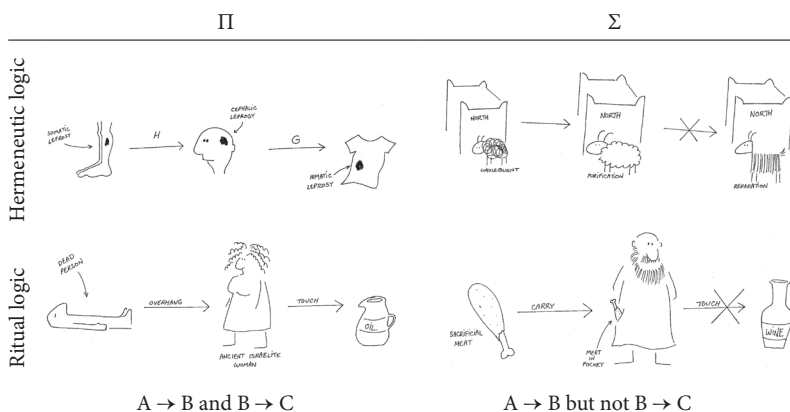


Illustration 5: The formal homology at a glance

This playful yet suggestive example may adumbrate the *kind* of evidence that needs to be weighed before we can determine whether the internal logic of the ritual systems themselves, Σ and Π , shaped the internal logic of the hermeneutics applicable to the texts promulgating those systems.

The formal homology, summarized in Illustration 5, may be purely coincidental. Even if intentional, it might be explained as nothing more than an isolated case of a rabbinic pericope modelling itself after one property of Σ and Π . To the best of my knowledge, even late rabbinic sources nowhere explicitly pick up on this homology. Nevertheless, the fact that the homology is not explicit in rabbinic sources does not preclude the possibility that it underlies the internal logic of the pericope in *Zebahim*. One must keep in mind that the verses in Haggai were well-known to the Talmudic discussants (*b. Pesah.* 17a), and in fact eventually became a *locus classicus* for controversies about the power of ritual contagion.³² There are, therefore, grounds to suspect that the homology is intentional.

Summary

We have demonstrated that Σ and Π served as testing grounds in the development of formal hermeneutics. We have also seen that in the process of experimentation and formalization, Π eventually came to serve as a foil for Σ , a domain against which the uniqueness of Σ was highlighted.

That Σ 's hermeneutics would differ from ordinary hermeneutics is perhaps unsurprising. Several biblical and postbiblical traditions suggest that the basic logic of the sacrificial ritual world defies everyday experience in terms of causality, space, and time.³³ And elsewhere, I have argued that in terms of the deep structure of the ritual system, the "grammar" of Σ – in Biblical as well as post-Biblical texts – is *sui generis*.³⁴ We have now seen that Σ is also unique in terms of the hermeneutics applied to it.

Finally, we have seen that at a particular juncture – with regard to ritual contagion – formal properties of the ritual system Π are homologous to for-

32 Consider the pride of place that this discussion receives in Maimonides (Y.D. Kafah, *Mishna im perush Mosheh ben Maymon: Ma'or ve-targum* [Jerusalem: Mosad ha-Rav Kuk, 1968], 6:34–36). Note that one of the interlocutors in *b. Pesah.* is Ravina, who is also said to accept the principle of *בכל התורה כולה למידן למד מלמד חוץ מן הקדשים* (assumed in *b. Zebah.* 50a) and to have elaborated upon it. In *y. Hag.* 18b || *y. Soṭah* 24a, the two motifs – the question of hermeneutic "transferability" (of *a fortiori* דגן לו דין, *מן הדין*), and the question of "transferability" of ritual impurity (הרי למדנו לראשון ולשני) *הרי למדנו לראשון ולשני* (מן הכתוב ולשלישי מן הדין ולרביעי מק"ו) are in fact thoroughly intertwined.

33 For the sake of illustration, see W.H. Propp, *Exodus 19–40* (AB 2; New York: Doubleday, 2006), 693–694; consider retroactive invalidation in the case of *piggul* (Lev 7:18, 19:7); the rabbinic tradition stating that the 24-hour unit divides differently in Σ (*b. Zebah.* 53a); and the traditions about the reaction rate of the sacrificial fire (*b. Yoma* 21b and *Zebah.* 59b).

34 Meshel, *Grammar*, 198–209.

mal properties of the hermeneutics applied in rabbinic literature to purity texts; and formal properties of the ritual system Σ are homologous to formal properties of the hermeneutics applied to sacrificial texts.

A radical formulation of the thesis proposed here would liken the relation between the logic of ritual and the logic of hermeneutics to the process of molding, wherein the hermeneutical tools take shape within logical molds of ritual texts. Thus, one might state that the contours of the hermeneutical tools are inevitably determined by the contours of the ritual molds within which they are fashioned. The implications of such a claim would be too bold: It would mean that the very warp and woof of our thought about textual interpretation is fundamentally ritual. However, as noted above, it is not the case that formal hermeneutical tools originated in the world of ritual. The picture that emerges from the available sources is more complex. The earliest Jewish sources do *not* suggest that formal hermeneutical principles – implicit as well as explicit – were originally related to priestly ritual. It is only in later attempts to systematize the *middôt* that Σ and Π prove such fruitful workshops. A more realistic formulation would therefore liken the process to forging – wherein the ritual texts functioned as an anvil upon which hermeneutical tools were forged by means of other preexisting hammers. In this image, the logical patterns underlying the ritual systems left some faint but unmistakable marks on the contours of the hermeneutical tools used to study them.³⁵

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³⁵ The process may, of course, become recursive, as the “measures” may be used to produce new anvils or reshape the old ones. In order to test the validity of this claim, a control group derived from a different textual and ritual tradition is needed. Such a control group is readily available in classical Sanskrit texts, where a different set of *middôt* (*pramāṇas*) are operative, as well as a different system of rituals.

Jonathan Stökl

Innovating Ordination

Abstract: In this article I study the ordination rituals for Priests and Levites contained in the Hebrew Bible acknowledging the different purposes which the rituals themselves present (sanctification for priests, purification for Levites). Noting the absence of a priestly purification ritual where procedures at the temple suggest that they some such ritual must have existed, it is suggested here, that the Levitical ordination ritual has its origin as a priestly purification ritual, but has now been reused in its current function to indicate the new lower status of the Levites when compared to the priests.

Keywords: ritual, ordination, purification, ancient Near East, Priests and Levites

It is one of the insights of the anthropological study of ritual that so-called *rites of passage* exist in a tension between recreating the current social order and radically reforming it.¹ Particularly at key moments in history such rites can transform social order. Liturgies for coronation in modern Britain, for example, are adjusted each time that a new monarch comes to occupy the throne.² If the tablets containing the ordination of the female high priest of Emar are any indication, it appears that the same was likely also true in the ancient Near East. Three copies of the text are extant, none identical to the other. It seems likely that these copies were written for different occasions

1 See A. van Gennep, *Les rites de passage: Étude systématique des rites de la porte et du seuil, de l'hospitalité, de l'adoption, de la grossesse et de l'accouchement, de la naissance, de l'enfance, de la puberté, de l'initiation, de l'ordination, du couronnement des fiançailles et du mariage, des funérailles, des saison, etc.* (Paris: É. Nourry, 1909); and V. W. Turner, *The Ritual Process: Structure and Anti-Structure* (The Lewis Henry Morgan Lectures, 1966; Presented to the University of Rochester, Rochester, New York; Chicago: Aldine, 1969).

2 They technically do not mark the change of status as the throne cannot be vacant, but as a ritual it still symbolises and formalises the legal and social change that has taken place previously. For an account of the evolution of the coronation ritual 1820–1977, see D. Cannadine, 1983. "The Context, Performance and Meaning of Ritual: The British Monarchy and the 'Invention of Tradition', c. 1820–1977," in *The Invention of Tradition* (ed. E. Hobsbawm and T. Ranger; Cambridge: Cambridge University Press, 1983), 101–165.

on which the ritual was performed.³ In other words, rituals are constantly adapted and changed, even though they also hark back to tradition and can often be understood within the broad parameters of preexisting ritual texts.

In this essay I will look at the various ordination rituals contained in the Hebrew Bible (i. e., Exodus 29, Leviticus 8 and Numbers 8) from the point of view of ritual innovation and evolution.⁴ In order to do that, I will briefly present the state of the methodological debate before discussing the texts themselves and then draw my conclusions from the textual observations. Because we only have one of each these texts, there is perforce a speculative aspect to the conclusions that I draw, and thus the conclusions are presented as offering a solution, though not conclusive proof. The Levites' ordination ritual carefully avoids the root קדש ("holy") and instead uses טהר ("pure"), thereby suggesting a different status for this ordination ritual as well as for the associated temple personnel. This, however, raises the issue of a purification ritual that priests underwent everytime they started their annual duty at the temple. I suggest that such a ritual is likely to have existed in historical ancient Israel and Judah, and that it likely included a shaving ritual, which would be in conflict with Ezekiel 44.

1. From Ritual Text to Ritual Theory and Back Again

My perception of trends in biblical scholarship with regard to the use of ritual theory differ slightly from the way Nathan MacDonald characterises them in this volume.⁵ Rather than emphasising the distance between the performed ritual and ritual text, in my perception the distance between text and ritual is often either ignored completely or downplayed.⁶ Instead,

3 See D. E. Fleming, "Emar's *entu* Installation: Revising Ritual and Text Together," in *Texts and Contexts: The Circulation and Transmission of Cuneiform Texts in Social Space* (ed. P. Delnero and J. Lauinger; SANER 9; Berlin: de Gruyter, 2015), 29–47. For an edition and study of the text, see D. E. Fleming, *The Installation of Baal's High Priestess at Emar: A Window on Ancient Syrian Religion* (HSS 42; Atlanta: Scholars Press, 1992). Fleming also provided the more recent English translation in "Rituals from Emar," in *The Context of Scripture: Volume I: Canonical Compositions from the Biblical World* (ed. W. W. Hallo and K. L. Younger; Leiden: Brill, 1997), 427–443.

4 As will become clear, I do not, in fact, regard Numbers 8 as an ordination ritual per se, although it now fulfils such a social function in the textual world it inhabits. Instead, it appears to be related to a purification ritual and used in the context of Numbers 8 as a kind of "lesser" ordination ritual.

5 See also the essay by N. MacDonald in this volume.

6 G. A. Klingbeil, *A Comparative Study of the Ritual of Ordination as Found in Leviticus 8 and Emar 369* (Lewiston: Mellen, 1998) may serve as a case in point. But see also

insights from theoretical approaches to rituals as they have been developed largely by anthropologists are applied as if biblical and other ancient Near Eastern texts were not texts but direct depictions of rituals allowing researchers immediate access to the rituals themselves. This corresponds to a trend observable in studies that rely on sociological models and that apply these models to biblical texts as if the texts in question were a one-to-one representation of ancient historical reality.⁷ If contrary to my own perception, MacDonald is correct and the textual nature of biblical ritual texts is taken into account to a greater degree, then I welcome that.⁸

To the commonly adopted understanding of three kinds of ritual texts – descriptive texts, prescriptive texts, and utopian texts – I would add a fourth, textual rituals.⁹ The preserved ritual texts from the ancient Near East, which include biblical texts, cuneiform texts, and Egyptian texts, represent examples of all four of these categories, though the fourth is rare. The lines between these categories are at times blurred so they should only be used as an initial heuristic tool. The classification does not rely on its form or genre alone – a text can look as if it is descriptive and yet belong into either of the other two categories. Further observations – as well as a reader's reasoned assumptions – will form part of the way a text is understood, just as is the case with any other form of reading texts.

A descriptive ritual text is a text that is written in order to describe a ritual. This entails that it is the product of a subjective experience of either an observer of or a participant in a ritual. Even the most objective observers will not be able to see all parts of a ritual and thus no descriptive text is likely to be comprehensive. Descriptive ritual texts can be full of theological

M. Broida, *Forstalling Doom: "Apotropaic Intercession" in the Hebrew Bible and the Ancient Near East* (AOAT 417; Münster: Ugarit-Verlag, 2014), 15–18 who goes straight from the observation of the difference between text and ritual to Bell's concept of ritualising (C. M. Bell, *Ritual Theory, Ritual Practice* [Oxford: Oxford University Press, 1992]).

- 7 Naturally, many scholars use sociological models entirely responsibly and in helpful and innovative ways. I would like to point to K. Southwood, *Ethnicity and the Mixed Marriage Crisis in Ezra 9–10* (OTM; Oxford: Oxford University Press, 2012); and the essays in S. M. Olyan (ed.), *Social Theory and the Study of Israelite Religion: Essays in Retrospect and Prospect* (SBLRBS 71; Atlanta: Society of Biblical Literature, 2012) as excellent examples for the use of sociology in biblical studies.
- 8 Most of the studies in his excellent volume, N. MacDonald (ed.), *Ritual Innovation in the Hebrew Bible and Early Judaism* (BZAW 468; Berlin: de Gruyter, 2016) are helpful in this regard.
- 9 B. A. Levine, "The Descriptive Tabernacle Texts of the Pentateuch," *JAOS* 85 (1965): 307–318; M. Haran, *Temples and Temple-Service in Ancient Israel* (Winona Lake: Eisenbrauns, 1985).

reflection and political positioning, depending – again – on the describer's purpose in writing their description.

Prescriptive texts are written prior to carrying out a ritual, and they intend to give instruction on how to do so. This can be in the form of practical liturgical instruction, almost in list form, or it can be in the form of a prose text. Prescriptive texts are not trying to describe what a ritual was or is like, but instead are trying to shape the future form that a ritual might take. Prescriptive texts need to be in some form realisable, which distinguishes them from the third kind – utopian ritual texts.

Utopian ritual texts are also theological texts, since they express their theological view in the form of a ritual text, but they still envisage a reality in which they can be carried out. The line between prescriptive and utopian texts is blurry and the distinction often cannot be made on purely formal aspects. Indeed, what may seem utopian at some point in time can become prescriptive at a later date. It is also possible that a text moves from being a prescriptive text to a utopian text.

A purely textual ritual, in my understanding, is a ritual that only exists as the result of exegetic or systemic pressure. In such texts, there is little relation to any rituals carried out other than the ritual activity underlying their composition.

Exodus 29, Leviticus 8 and Numbers 8 are likely all part of the third category of utopian ritual with aspects of the fourth – textual ritual. They are likely related to actual ordination and purification rituals carried out, but this relationship is not straight forward and cannot easily be determined if at all. Their purpose goes beyond a mere descriptive or prescriptive nature. Their literary setting assumes considerable importance. In my conclusions I will also point towards possible historical ramifications, but these are necessarily more tentative. They follow from the literary, thematic, and ritual observations on aspects of these texts.

2. Renewing Social Identity Through Ritual

One of the most important insights of Arnold van Gennep is that *rites de passage* mark changes of status in individuals in their society.¹⁰ In so doing, at least in van Gennep's view, society's social order recreates itself. In many societies, priestly classes are an instructive example of this recreation and

10 Van Gennep, *rites de passage*, i–33.

reaffirmation of power structures. In a more contemporary parlance, rites of passage serve to perpetuate structural privilege.

Victor Turner emphasised the potentially revolutionary aspect of rites of passage as they put in place new individuals in positions of power, thereby creating the potential of change and renewal of society.¹¹ For example, this change is noticeable in the installation of John XXIII as Pope in 1958 – or, indeed, the inaugurations of Barack Obama and more recently Donald Trump as president of the United States of America.¹² But the changes ushered in can also be of a more modest and personal scale, since most rites of passage focus not on the change of society, but rather of the individuals undergoing the ritual itself.

Irrespective of whether the ordination rituals in the biblical text were ever carried out as described in the text, general observations with regard to the function of real life ordination rituals also apply to them.¹³ Ordination rituals enable those who undergo them to carry out priestly functions. The details of how this is achieved, however, differ historically from culture to culture and from textual ritual to textual ritual.

The few ancient Near Eastern texts from the first millennium B.C.E. which list preconditions to ordination agree in general terms with each other: a priest had to be of priestly descent, without any “defect”, pure, have “fear of god” and no criminal record.¹⁴ The biblical corpus is alone in regarding men of priestly descent as priests irrespective of whether they are

11 V. Turner, *The Ritual Process*, 125–130.

12 The examples are chosen to illustrate the potential for change that follows a rite of passage not to indicate approval by the author of this paper. Not all change is good change.

13 See also the discussion by C. Frevel, “Practicing Rituals in a Textual World: Ritual and Innovation in the Book of Numbers,” in *Ritual Innovation in the Hebrew Bible and Early Judaism*, (ed. N. MacDonald; BZAW 468; Berlin: de Gruyter, 2016), 129–150 on the problem of text and performance. A very different approach, which regards the “gap” between text and performance as less difficult to overcome can be found in G. A. Klingbeil, *Bridging the Gap: Rituals and Ritual Texts in the Bible* (BBRSup 1; Winona Lake: Eisenbrauns, 2007).

14 See C. Waerzeggers with a contribution by M. Jursa, “On the Initiation of Babylonian Priests,” *ZAR* 14 (2008): 1–37. Interestingly, the “Ordination of a Priest of Enlil” and the “Enmeduranki Text” imply a direct connection between the priestly body’s lack of imperfection and their purity. The biblical corpus does not do that, although many read it into the catalogue of מומים in Leviticus 21. Neither of the rituals from Emar, nor the fragmentary Old Babylonian text that has been identified as an ordination ritual, mention any such preconditions. On that text see G. Farber and W. Farber, “Von einem, der auszog, ein gudu₄ zu werden,” in *Literatur, Politik und Recht in Mesopotamien: Festschrift für Claus Wilcke* (ed. W. Sallaberger, K. Volk and A. Zgoll; Orientalia Biblica et Christiania 14; Wiesbaden: Harrassowitz, 2003), 99–114. I agree with Walter Sallaberger’s caution (personal communication) that the ritual edited by the Farbers may, in fact, not be an ordination ritual but a purification ritual instead.

ordained. Descent alone, however, did not suffice to allow them to carry out their priestly function. For that they needed also to have access to those parts of the temple where they carried out their priestly function. The purpose of the ordination ritual then was to sanctify (לקדש) the individual, so that they can enter the temple.

I agree with James Watts that one of the purposes of the narrative section in Leviticus (i. e., chapters 8–10) is to emphasise the importance and the dangers of fulfilling the priestly function in the temple.¹⁵ Only the right kind of people, with the right kind of qualifications, who do the right kind of thing, can safely fulfil the rituals which keep Israel alive. The accusations against the ‘wrong’ pre-exilic cult personnel, as they are found in Ezekiel 44:6–9, underline this:

⁶Say to the rebellious House of Israel: Thus says the Lord YHWH: For too long have you committed all your abominations, O House of Israel ⁷admitting foreigners [בְּנֵי-נֹכַר],¹⁶ uncircumcised of heart and flesh, so that they are in my sanctuary and profane my temple, when you offer up my food – the fat and the blood. You have broken my covenant with all your abominations. ⁸You have not kept my holy obligation, but instead have appointed [them] to keep my obligation in my sanctuary on your behalf. ⁹Thus said the Lord YHWH: No foreigner, uncircumcised in spirit and flesh, shall enter my sanctuary – no foreigner who is among the people of Israel.

The biblical ordination rituals therefore not aim to turn a non-priest into a priest, but rather to sanctify a priest so that he – to our knowledge, priests in the first millennium B.C.E. are almost exclusively male – was holy. Only then could he enter the inner parts of the sanctuary in order to carry out the holy charges, such as offering the deity his food.

Whether in the real world or the textual world, such access to the temple is what provides the newly ordained priest with the majority of his social status. It is unlikely that many priests would have worked full-time as priests in the real world in the ancient Near East.¹⁷ Most would have spent the majority of their time in whatever other profession they had where they lived. Admittedly, there is little positive evidence for a prebendal system in the Levant comparable to that operating in Mesopotamia. Nor has evidence of priestly “courses”/“division” (משמרות/מחלקות) survived prior to the com-

15 J. W. Watts, *Leviticus 1–10* (HCOT; Leuven: Peeters, 2013), 429–435.

16 Some biblical texts contain xenophobic sentiments. While this expression has an undeniable xenophobic aspect, that is not its main thrust here. The point is that YHWH accuses the “rebellious House of Israel” of straying far from that which ought to happen, namely that the priests are of one of the priestly houses. The expression is here used as a hyperbolic expression for the degree of the Israelite transgression.

17 Contra J. Milgrom, *Leviticus 1–16: A New Translation with Introduction and Commentary* (AB 3; New Haven: Yale University Press, 1991), 53–54, 289.

position of 1–2 Chronicles.¹⁸ But it seems likely that some such system did exist. The argument that such a system ought to have left evidence in the textual record is unconvincing as the underlying assumption that no aspect of priestly life was organised orally or on papyrus is itself likely to be inaccurate. To the contrary, both are eminently possible, even likely solutions for rosters by which either individual priests or – perhaps more likely – priestly families were scheduled to fulfil certain temple duties.¹⁹ M.Ta'an. 4:2 gives an idea of how this might be organised (although there is no guarantee that Ta'anit's description corresponds to historical reality either in the Graeco-Roman or Persian periods). This is not to say that some priestly duties, such as the high priesthood, did not demand a full-time presence in or near the temple, but most priestly duties were likely carried out by part-time priests.

The evidence for social life in Neo-Babylonian and Achaemenid period Mesopotamia suggests a relatively high social status for the priesthood without necessarily suggesting greater wealth or power than other social groups.²⁰ Thus, merchant and banking families, especially royal merchants, were often more well-to-do than priests, and particularly after the revolt against Xerxes early in the fifth century, local power relationships were changed. It is possible that the nature of our sources favours priestly families over those families who were focussed on other walks of life. But it is likely that even in the Hellenistic period, being a descendant of a priestly family conferred social capital to the individual. While this is not proof that the situation in Yehud would have been identical, it seems likely that priests had considerable social power. High priests and others high up in the priestly hierarchy likely enjoyed considerable political influence.²¹ Participating

18 H.G.M. Williamson, "The Origins of the Twenty-Four Priestly Courses: A Study of 1 Chronicles 23–27," in *Studies in the Historical Books of the Old Testament* (ed. J. A. Emerton; VTSup 30; Leiden: Brill, 1979), 251–268. On the priestly courses see also the unpublished Habilitation by U. Gleßner, "Die ideale Kultordnung: 24 Priesterordnungen in den Chronikbüchern, den kalendarischen Qumrantexten und in synagogalen Inschriften" (unpublished Habilitationsschrift, Universität Hamburg, 1995).

19 If nothing else then the sheer number of men of priestly descent who therefore had access to the Priesthood would have made it necessary to have some sort of system either of restricting the priesthood yet further, or having rosters.

20 See, e.g., C. Waerzeggers, *The Ezida Temple of Borsippa: Priesthood, Cult, Archives* (Achaemenid History 15; Leiden: NINO, 2010) throughout, and specifically on brewers, pages 169–170.

21 This is not the place to argue for the beginning of the political position of the Jewish high priest as leader of the people. See, e.g., D.W. Rooke, *Zadok's Heirs: The Role and Development of the High Priesthood in Ancient Israel* (OTM; Oxford: Oxford University Press, 2000); I. Kislev, "The Investiture of Joshua (Numbers 27:12–23) and the Dispute on the Form of the Leadership in Yehud," VT 59 (2009): 429–445; J.C. VanderKam,

through the ritual of ordination provided a priest with access to this social position, and the ritual marked the change that allowed a priest to access the temple.

3. Innovating Ordination

The precise relationship between the ancient historical reality of social position and ordination rituals on the one hand, and the textual record in the Hebrew Bible on the other, is of little concern to me here. Suffice it to say that irrespective of the proximity of the actual rituals to the surviving texts, the realities of ancient ritual set some confines to the imagination of the texts' authors.²² This does not mean, however, that precise inferences can be drawn from the texts' descriptions of rituals to the rituals as they were carried out. The *gar garstig weite Graben* cannot be bridged that easily.²³

In this section I will discuss the evolution of ordination rituals in the Hebrew Bible. This requires a close look at the texts themselves as well as their implied purposes. I will look at the texts first in canonical order, not because I think that that represents the order in which these texts were conceived, but rather because they exist and were transmitted in this order and it allows me to separate my argument for their order from the textual observations of each individual ordination ritual(s). In the following, then, I will look at Exodus 28–29, Leviticus 8 and Numbers 8.

3.1 Observations on the Text of Exodus 28–29 and Leviticus 8

Most modern studies of ordination rituals take Leviticus 8 as the textual basis of their comparison, and regard it as reliant on Exodus 29.²⁴ Exodus 28–29 form part of the wider instructions about the initial set up of the Israelite cultus in Exodus 25–40. While the instructions for the ordination ritual proper are only contained in Exodus 29, the previous chapter does contain

From Joshua to Caiaphas: High Priests after the Exile (Minneapolis: Augsburg Fortress, 2004).

²² See, e.g., Frevel, "Practicing Rituals".

²³ Contra Klingbeil, *Bridging the Gap*.

²⁴ See, e.g., Milgrom, *Leviticus 1–16*, 545–49 for a summary. B. A. Levine ("The Descriptive Tabernacle Texts of the Pentateuch," *JAOS* 85 [1965]: 307–318) argues for Leviticus 8's priority. C. Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus* (FAT II/25; Tübingen: Mohr Siebeck, 2007) has relatively recently challenged this consensus and understands both Exodus 28–29 and Leviticus 8 as integral parts of primary Priestly composition.

instructions on how to make the vestments for Aaron in order to “sanctify him so that he can serve me as a priest” (לְקַדְּשׁוֹ לְכַהֲנוּלִי, Exod 28:3). This expresses neatly that the function of the ordination ritual was not to turn Aaron and his sons into priests, but that its purpose was to sanctify them so that they might be able to serve as priests. The logical part that is not expressed in Exod 28:3 is that the purpose of the sanctification was that they might be able to enter the sanctuary which is where they could perform their priestly function. Indeed, Exod 28:43 makes this abundantly clear:

They shall be worn by Aaron and his sons when they enter the Tent of Meeting or when they draw near to the altar to serve in the sanctuary,²⁵ so that they do not incur punishment and die. It shall be an eternal law for him and for his descendants after him.

וְהָיוּ עַל-אַהֲרֹן וְעַל-בָּנָיו בַּבָּאָם אֶל-אֹהֶל מוֹעֵד אוּ בְגִשְׁתֶּם אֶל-הַמִּזְבֵּחַ לְשֵׁרֶת בְּקֹדֶשׁ וְלֹא-יִשָּׂאוּ עוֹן וּמָתוּ חֻקַּת עוֹלָם לוֹ וְלֹרְעוֹ אַחֲרָיו

The vestments are described in great detail, like other parts of the material implements for the sacrificial cult in Exodus 25–40. The narrative that relates the making of the garments can be found in Exodus 39 and the instructions for the consecration of the sanctuary are provided in Exodus 40. In their canonical order, these chapters are divided from Leviticus 8–10 by the description of the main sacrificial rites in Leviticus 1–7, but Leviticus 8 does have a very short note about the consecration of the tabernacle (vv. 10–11), which does not give this important step much space in the narrative.

The following is a summary of the ritual stipulations in Exodus 29 and Leviticus 8. Famously, the first few verses differ considerably from each other. Exod 29:1–3 describes in some detail the quality of the breads for the sacrifice, while Lev 8:2 simply gives a short summary. Conversely, Leviticus 8 demands that the entire community be assembled at the entrance of the tent of meeting, while the presence of the community is not required for Exodus 29. With Durkheimian eyes, it is hard not to view the presence of the community in Leviticus 8 as inaugurating the ritual community through ritual. Durkheim’s insight that those who perform a ritual together start forming a ritual community may itself be the product of the nineteenth century C.E., but the logic that the witnessing presence of the community itself confirms the new priests’ status is compelling nonetheless. Leviticus 8 requires the entire community to acknowledge the newly ordained priests and their new status.

Both texts then describe the washing of Aaron and his sons (Lev 8:6 // Exod 29:4), but the following investiture only applies to Aaron who is men-

²⁵ The expression לְשֵׁרֶת בְּקֹדֶשׁ is a technical expression for temple service restricted to P and Ezekiel 44 (Exod 28:43; 29:30; 35:19; 39:1; 39:41; Num 4:12; Ezek 44:27).

tioned explicitly in Exod 29:5–6 and only by pronoun in Lev 8:7–9. Since Exodus has already narrated the consecration of the tabernacle, it moves directly to Aaron's anointing, while Lev 8:10–11 includes a verse for the consecration of the tabernacle (Exod 29:7 // Lev 8:12). Moses' anointing is followed by the investiture of his sons (Exod 29:8–9a // Lev 8:13).

After that Exodus has the half verse: *ומלא את יד־אֶהֱרֹן ויד־בָנָיו* (Exod 29:9b) as if to imply that the actions hitherto have not been part of the enabling or ordination process itself – unless it is to be understood as a summative statement – unlikely given the verbal morphology.

The sacrificial sections (Exod 29:10–26 // Lev 8:14–30) are very similar indeed. There are some minor changes in the way that the ritual activity is described as well as one verse which occurs at a different place. Milgrom regards the difference between Exod 29:20 and Lev 8:23–24 as significant as Leviticus makes more of a difference between the blood manipulation for Aaron and for his sons than Exodus.²⁶

Exodus follows the sacrificial killing of the second ram (the “ram of the ordination”; *אֵיל מִלֵּאִים*, Exod 29:22 // Lev 8:29) with an instruction that some of the blood of the first ram and some leftover anointing oil ought to be sprinkled on Aaron, his clothes, and his sons' clothes in order to consecrate them (v. 21). Leviticus 8 also contains that verse, but transposes places it after the manipulation of the second ram's entrails and all the breads. The placement of this verse in Leviticus follows the logic that all sacrificial manipulation is finished first before the sprinkling on of the blood and oil mixture.²⁷ Already Noth observes that the sprinkling of oil and blood on both priests and altar serves to create a link between both, a link which emphasises their respective function in the sacrificial cult.²⁸

The next larger amount of text attested in Exodus but not Leviticus are to be found in Exod 29:27–30 and concern more manipulation of sacrificial goods as well as the future of the vestments Aaron wears for the ordination, and a comment which limits the high priesthood to his direct descendants (v. 30). It is noteworthy that Leviticus 8 does not contain this description. While it is true that within the narrative it is Aaron himself who is ordained and that it is largely descriptive and not prescriptive, Leviticus 8 does not

²⁶ Milgrom, *Leviticus* 1–16, 545.

²⁷ Milgrom's argument that Leviticus does not need to consecrate Aaron anymore because he is consecrated already after the initial anointing does not convince entirely as Lev 8:30 explicitly mentions that the sprinkling on of the blood and oil mixture served to “consecrate Aaron and his vestment, and also his sons and their vestments,” *וַיִּקְדֹּשׁ אֶת־אֶהֱרֹן אֶת־בְּגָדָיו וְאֶת־בְּנֵי וְאֶת־בְּגָדֵי בָנָיו אֹתָם*.

²⁸ M. Noth, *Das zweite Buch Mose: Exodus* (ATD 5; Göttingen: Vandenhoeck & Ruprecht, 1959), 190; see also Watts, *Leviticus* 1–10, 470–471, albeit commenting on Lev 8:23–24.

have any problems adding additional prescriptive text at the beginning of the ritual (e.g., vv. 1–3). This raises the question, to be discussed later, whether this note was added to Exodus 29 or taken out of Leviticus 8. Similarly, Exod 29:33 limits the consumption of offerings during the ordination of priests to priests. Other regulations regarding sacrificial meat as well as the length of the ritual itself – seven days – are largely shared (Exod 29:31–35 // Lev 8:31–33).

Exod 29:36–40 gives some details of the daily rituals during the seven day ordination, which verse 42 uses as a founding myth of the regular offering (תמיד), with verse 41 building a bridge between these two parts. Exodus 29:43–46 reads like a historical doxology that fits the description of an ordination ritual into the setting of the Exodus narrative. Leviticus 8 finishes as it began with the explicit claim that the commands of Exodus 29 were carried out as YHWH had commanded them.

The argument is sometimes made that ancient Near Eastern narratives often contain an announcement, and then relatively precise retellings of the announcement in narrative form.²⁹ One famous example can be found in *Ištar's Descent to the Underworld* in which she is told what she will have to do at each of the gates, and then we are told that she does precisely these things in the right order at the various gates of the Underworld. If there were no other noticeable oddities or doublets between these two pericopes, then that argument would hold. However, the observation that Leviticus does not seem to know much of Exodus 40 and the consecration of the tabernacle counters the argument that Exodus 24–40 and Leviticus 8(–10) are part of a coherent narrative.³⁰ Instead each set of chapters have their own, albeit overlapping, interest in the implication of starting a sacrificial cult with a new, and divinely authorised priesthood.

3.2 Numbers 7–8

Like Exodus 25–40 and Leviticus 8–10, Numbers 7–8 also tries to organise a sacrificial cult in a newly established sanctuary. In chapter 7 a Levite cult is set up, once the tent of meeting has been consecrated – seemingly oblivious of the final form of Exodus 40. Indeed, Numbers 7 contains a long list of sacrificial animals and votive offerings per tribe, with a summary at the end

²⁹ See also the fuller discussion of this point in Jacqueline Vayntrub's contribution to this volume.

³⁰ Many regard the core of Exodus 40 (consisting of vv. 16–17, 33b and 34) as the end of the Priestly Source, with Leviticus 8–10 (growing into the book of Leviticus) as a secondary redaction. But the vast majority of Exodus 40 is usually recognised as secondary.

that specifies that these are all part of the “dedication offering of the altar (חֲנֻכַּת הַמִּזְבֵּחַ) after its anointing” (Num 7:88).

Numbers 8:5–12 contains a short ordination or purification ritual; verses 13–19 a discussion of the succession; verses 20–22 a notice that “Moses, Aaron and the whole Israelite community” did as commanded; and verses 23–26 complete the chapter with the levitical retirement plan.

The purpose of the priestly ordination ritual was to consecrate priests so that they might be able to enter the temple, at least in principal, given the unspoken requirement to be pure (טָהוֹר). The purpose that Num 8:7 gives to the levitical ordination ritual – if that is what it is – is to “purify” (לְטַהֵר) the Levites. As is well known, purity and holiness are by no means identical, even if they are both required for access to the temple according to biblical texts. The Levites are to be sprinkled with water of purification (מִי חֲטָאִת), shave their entire bodies and wash their clothes – thus they will purify themselves. The JPS translation “thus they shall be cleansed” is infelicitous as it blunts the force of the hitpael of the verbal root טָהַר, which normally has reflexive force. While verses 5–7a speak about the Levites as the objects of verbs, in 7b–8a they become subjects. Like in Lev 8:3, the whole community is to witness the ritual in front of the tent of meeting (Num 8:9) and even take part through the laying on of hands on the Levites in verse 10.

The laying on of hands in Num 8:10 is reminiscent of the laying on of hands of the priests on the bull and the two rams (Exod 29:10, 15, 19 // Lev 8:14, 18, 22), and the Levites are subsequently dedicated to YHWH (לַיהוָה) so that they may perform the service (עֲבֹדָה) of YHWH.³¹ Like in the priestly ordination ritual, the Levites then put their hands onto the heads of the sacrificial animals, which are two bulls. The theological interpretation as to why the Levites are to carry out the service of the sanctuary seem to follow a slightly different theological framework than the previous verses. In Num 8:5–15 the root קָדַשׁ is carefully avoided. The aim of the ritual is not to consecrate but to purify the Levites. They do not have to access the sanctuary in the same way that priests do, or handle the sacrificial animals at the altar. Num 8:16–19 provides an explanation why it is not the first-born but the Levites who are marked by YHWH. The first-born are explicitly said to have been consecrated/made holy (לְהַקְדִּישׁ).³²

31 H. Seebass, *Numeri (1,1–10,10)* (BKAT 4/1; Neukirchen-Vluyn: Neukirchener Verlag, 2012), 207, 216 translates תְּנוּפָה as “Weihe” (“dedication”). See also the discussion by N. MacDonald in this volume.

32 Num 8:17 uses the root קָדַשׁ in the hiphil not in the piel which is more common to P, certainly in the context of consecrations.

3.3 A Comparative Reading of Biblical Ordination Rituals

Traditionally, the purification ritual of the Levites and the sanctification ritual of the priests have been read separately. But it is remarkable that there should be no purification ritual for priests to carry out before they enter the temple itself upon arrival for their annual priestly duty. It is safe to assume that some purification ritual, involving diagnostic testing, would likely have been carried out each time a priest entered the temple. This points again to the many aspects of ritual life that we cannot access in the received Masoretic Text.

Martin Noth famously regarded the anointing of the high priest as a final indication that Leviticus 8 (and Exodus 29) is of post-exilic origin, written and conceived of in a situation in which there was no indigenous kingship and a power vacuum needed to be filled.³³ Daniel Fleming's work on Emar 369 and the anointing of the female high priest of Baal in that text clearly shows that the anointing of high priests could be carried out even when there was a king.³⁴ A critic of Fleming might point out that the political situation of Emar in the Hittite succession states was non-standard inasmuch as Emar had a king who seems to have had a mostly representative role and less political power than kings elsewhere, but there does not appear to have been a power vacuum that the high priest needed to fill.³⁵ One might add to Fleming's observation that there was a priestly class called *pašišu* which is commonly translated as "anointed."

Indeed, like the biblical high priest, the female high priest of Baal at Emar is also anointed twice (lines 3–4 and 20–21). And like in the biblical text, two different verbs are used for the two times that the new high priest is anointed:

³*ina ūmi šāšuma šamna ištu ēkalli* ⁴*u ištu bīt Ninkur ilaqqūmu an'a qaqqadiši išakkanū*

^{3–4} On the that same day they will take the oil from the palace and from the temple of Ninkur (and) apply it on her [=the new high priest's] head.

²⁰*ana pāni nubatti šamna ṭāba ša bīt Ninkur u [... an]a bāb Ba'lu bārū i[na qaqqadi]*

²¹*ša etti itabbuk*

^{20–21} Just before the evening [...] good oil from the temple of Ninkur and [...] a]t the gate of the Baal temple the diviner pours [it] on [the head] ²¹of the high priest.

³³ See M. Noth, "Amt und Berufung im Alten Testament," in *Gesammelte Studien zum Alten Testament* (vol. 1; TBü 6; Munich: Kaiser, 1957), 309–333 translated by D. Ap-Thomas as "Office and Vocation in the Old Testament," in *The Laws in the Pentateuch* (Edinburgh: Oliver & Boyd, 1966), 229–249.

³⁴ D.E. Fleming, "The Biblical Tradition of Anointing Priests," *JBL* 117 (1998): 401–414.

³⁵ Inversely, Fleming's claim that the presence of anointing in Emar 369 proves the antiquity of Leviticus 8 appears to rest on the assumption that a text is old unless we can prove that it is young.

The first anointing uses *šakānu* (“place”) while the second uses the more common *tabāku* (“pour”). In the biblical text, both Leviticus 8 and Exodus 29 first use יָצַק (“pour”) and מָשַׁח (“anoint”) and at the second place נָזַח (“sprinkle”). The ritual act implied by *šakānu* is difficult to decode as the verb can be used for almost any appropriate action. Schwemer suggests that the first time only small amounts of oil are used while the verb *tabāku* (“pour”), which is used the second time, suggests a greater amount of oil.³⁶ The biblical combination of pour and sprinkle implies the inverse. But it is remarkable that the new priests are anointed twice in both traditions.³⁷

Looking at biblical ordination rituals with an ancient Near Eastern perspective, the absence of shaving is noticeable. The nominalised D-infinitive is the standard term for an ordination ritual available in Akkadian.³⁸ Conversely, the purification ritual in Numbers 8 calls for it as part of the Levites’ ordination.³⁹ It is also a requirement to be declared fully fit to re-enter society after recovery from the skin disease צָרַעַת in Leviticus 14. This suggests not only a purifying, but also a potentially diagnostic aspect to the shaving.⁴⁰ We might speculate that a priest would have to undergo a detailed examination before being admitted into the temple, in order to ensure their physical purity as well as their physical completeness – that is, the absence of any מוֹם (“blemish”), a requirement on the priesthood according to Lev 21:17–23.⁴¹ This absence of shaving in Exodus 29 and Leviticus 8 becomes more curious when we take not only Numbers 8 and the comparative ancient Near Eastern evidence into account, but also Ezek 44:20. Most of the commentaries link the proscription of shaving the head hair of priests in Ezek 44:20 with the proscriptions against cutting hair in Lev 10:6; 19:27; 21:5; and

36 D. Schwemer, “III. Texte aus Syrien: Akkadische Texte aus Emar,” in *Omina, Orakel, Rituale und Beschwörungen* (ed. G. Wilhelm and B. Janowski; TUAT.NF 4; Gütersloh: Gütersloher Verlagshaus, 2008), 231–242, 235 n. 12. As Schwemer points out, the use of *šakānu* in the context of anointing is not unusual.

37 This observation does not support the view of Nihan, *Priestly Torah*, 128–130 that both Exod 29:21 and Lev 8:30 are secondary interpolations.

38 See, e.g., the discussion in Fleming, *Installation*, 180–182.

39 Even though the Levites are “only” purified, it is this ritual which enables them to fulfil their cultic function, and thus they are “ordained.”

40 On the use of hair manipulation see the instructive essay by H. Scheyhing, “Das Haar in Ritualen des alten Mesopotamien: Der Umgang mit Haar im Bereich von Religion und Kult,” *WO* 29 (1998): 58–79.

41 Psalm 24:3–4 asks “who may enter the mountain of YHWH” and v. 4 answers that only “he who has clean (נָקִי) hands and a pure (בָּר) heart, who has not taken a false oath by my life or sworn deceitfully” shall enter and “carry away a blessing from YHWH, a just reward from God, his deliverer” (v. 5).

21:10.⁴² Of these, the two attestations in Leviticus 21 appear to be general obligations on priests, with the first one in verse 5 directly following rules for priestly behaviour in the context of mourning. Leviticus 10:6 also gives a clear link to mourning ritual as Aaron, Eleazar and Ithamar are told not to mourn outwardly for their two deceased brothers, Nadav and Avihu. Leviticus 19:27 occurs in the context of a mixed collection of rules for priestly behaviour with the following verse also indicating the context of mourning. No such context is given in Ezekiel 44. Either we take the reasonable step to supply the same context also for Ezek 44:20, understanding it as a proscription against outward mourning, or we take seriously the marked absence of mourning here and simply see this as a behavioural rule against shaving. Shaving appears to have been one of the constants of priestly life in the ancient Near East throughout the millennia, and Ezekiel's proscription against it could be read in the wider context of chapter 44 in which the presence of people who are characterised as *בְּנֵי נֶכֶר* ("foreigner") in the temple are given as the cause of the exile (vv. 4–14). In the context of exilic literature, the insistence on indigenous temple personnel as defined by Ezekiel 44 offers the possibility of reading the ban on cutting one's hair as a way to exclude those from acting as priests who, according to Ezekiel, ought not to be considered as part of the legitimate priesthood. In my view, the polemical nature of the text further supports this reading.

If Ezekiel needs to press the absence of shaving to this degree, given the broadly attested ancient Near Eastern topos of priests having shaven hair, then the absence of any shaving in Exodus 29 and Leviticus 8 becomes noticeable and hard to interpret, as absences always are.

The view that Exodus 29 precedes Leviticus 8 historically has many adherents.⁴³ Both are normally ascribed to the Priestly source, even though frequently not as part of the original composition. Christophe Nihan's impressive work on the priestly corpus, however, furnishes us with good reason to support the view not only that Exod 28–29 are original parts of the Priestly source, but also that the original form of the Priestly source must have included a version of Leviticus 8–9.⁴⁴ Omitting the line of descent in Leviticus 8 appears surprising. Either the requirement of priestly and high priestly descent is already so ingrained that it does not require explicit men-

⁴² See, e.g., D. I. Block, *The Book of Ezekiel: Chapters 25–48* (NICOT; Grand Rapids: Eerdmans, 1998), 641; W. Zimmerli, *Ezechiel 1–24* (2nd ed.; BKAT 13/1; Neukirchen-Vluyn: Neukirchener Verlag, 1969), 1134.

⁴³ Milgrom, *Leviticus 1–16*, 545–549.

⁴⁴ Nihan, *Priestly Torah*, in particular pp. 51–58, 111–150, and the literature given there.

tion, or this is an attempt to distance high priests from this requirement. The absence in Leviticus 8 of such a requirement is, in any case, surprising.

We see, then, that Leviticus 8 is unlikely ever to have stood on its own. It requires a wider network of ritual traditions and ritual texts to allow it to function. That said, it is not only the distance which Leviticus 1–7 puts between the end of Exodus 40 and the beginning of Leviticus 8 that separates that narrative from Exodus 25–40, but also the literary character of the narrative itself. Its textual context colours its use of language and phrasing to such an extent that it is an integral part of the book of Leviticus, in spite of its content largely fitting into the context of Exodus 25–40.

4. Conclusions

In the previous pages, I have gone through the known ordination ritual texts from the Hebrew Bible. While priests and high priests must have undergone some rite of passage to mark their new status, it is clear that few if any underwent, to the letter, the ritual described either in Exodus 29 or in Leviticus 8, if for no other reason that Moses could not have anointed a new high priest in the first millennium B.C.E., and the ritual does not mention anyone who might replace Moses in his role. Because the description of the ritual activity is not always very precise in its detail, there are many different ways one could devise an ordination ritual on the basis of these texts. In other words, it is likely that a great amount of time was spent finding ways of performing the ordination ritual in a way that suited the needs of the moment but that stayed at least roughly within the confines of the text.

It is also likely that all priests and temple personnel had to undergo purification rituals at the beginning of their annual shift – rituals similar to Numbers 8. The fact that shaving is part of that ritual supports a relatively early dating of at least parts of an underlying ritual, even if the current form of Numbers 8 comes from a later date in its transmission.⁴⁵ The reason is that, if the ritual had been written at a late date, there ought to have been a special dispensation for those Levites in Numbers 8 who are Zadokite Priests, since they are banned from shaving their entire head and body hair. Pressing these observations this far may overstretch their potential to interact with each other and to reflect a modicum of ancient reality, whether imagined or observed.

45 B. A. Levine, *Numbers 1–20: A New Translation with Introduction and Commentary* (AB 4A; New York: Doubleday, 1993), 279–290.

Which brings me to the other absence – the absence of shaving in the priestly ordination ritual according to Exodus 29 and Leviticus 8. Indeed, as Klingbeil and Fleming have demonstrated, the biblical ordination ritual for priests shares many similarities with the Emarite ritual. Considering that all of these texts come from the same stream of tradition and that they all provide a solution for the same situation, namely how to mark the ordination of a high priest, this may not be overly surprising. The absence of a shaving ritual in Exodus 29 and Leviticus 8, however, is all the more surprising as even the double anointing is present in both.⁴⁶ The absence of shaving could either be the result of a cultural peculiarity or the result of creative exegesis of shaving bans in the context of mourning or more generally. If the latter is the case it may be possible speculatively to identify a scenario in which this is likely to happen: the absence of any polemic against shaving indicates that the conflict marked in Ezekiel 44 lies in the past, and that shaving as part of priestly ordination had been abandoned. Naturally, this would place the current form of the texts of Exodus 29 and Leviticus 8 *after* the writing of Ezekiel 44. Many scholars regard Ezekiel 44 as a later addition to Ezekiel's temple vision; however, the polemical nature of the priestly regulations in Ezekiel 44–48 suggests a situation of considerably more conflict than that behind Exodus 29 and Leviticus 8, 10 and 21.

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⁴⁶ As we have seen above, I would understand both Exod 29:10 and Lev 8:30 as part of the original text of their respective pericope. Indeed, one might even speculate that slightly different positioning of these rights corresponds to the slight differences in ritual stipulations between manuscripts A and B + C (on this see Fleming, "Emar's *entu* Installation"; M. Rutz, *Bodies of Knowledge in Ancient Mesopotamia: The Diviners of Late Bronze Age Emar and Their Tablet Collection* (AMD 9; Leiden: Styx, 2013), 146; W. Sallaberger, review of "The Installation of Baal's High Priestess at Emar: A Window at Ancient Syrian Religion (HSS 42; Scholars Press: Atlanta), 1992, by D.E. Fleming," *ZA* 86 (1996): 140–147. Fleming, in particular suggests that the two texts correspond to two different uses of the underlying rituals.

Jacqueline Vayntrub

Like Father, Like Son: Theorizing Transmission in Biblical Literature

Behind the literary form of testament and expressions memorializing the dead is a concept of how objects, rights, and speech pass from one generation to the next: transmission. This essay examines two interrelated phenomena that give filial succession in the biblical and Ugaritic literature its contours: first, the discourses surrounding inevitable bodily death; and second, father-to-son transmission of objects, entitlements, and instruction. Reading closely Isaac's deathbed blessing in Genesis 27, the Ugaritic tale of Aqhat, and Ruth's devotion to Naomi, the essay argues that acts of filial devotion and obedience are closely connected to cultural expectations of "truth," the faithful correspondence of speech to action.

Keywords: transmission, testament, succession, command and fulfillment, obedience.

In his essay, "Kin, Cult, Land and Afterlife – A Biblical Complex," Herbert Chanan Brichto writes "The most obvious starting point for a discussion of the biblical concept of the afterlife is Sheol, the abode of the dead."¹ One way to speak of life after death in ancient Israel is to describe a change in where – and how – a person's body occupies space. When one ceased to be physically upright among the living, they would be brought down below, to dwell among the dead. The phrase used to indicate the death of a patriarch or king, *wayyiškab* ... *im 'ābōtāyw*, "He lay with his fathers," speaks to a change in the body's physical position in the world. Formerly vertical and above ground, the individual now occupies space horizontally and underground. In ancient Israel, family members were frequently buried with their kin.² But the fate of bodies in ancient Israelite mortuary practice is only one piece of the puzzle. We must also consider how the dead continued to exist in the sense of responsibility of the living. As Elizabeth M. Bloch-Smith writes,

1 H. C. Brichto, "Kin, Cult, Land and Afterlife – A Biblical Complex," *Hebrew Union College Annual* 44 (1973): 6.

2 E. M. Bloch-Smith, "The Cult of the Dead in Judah: Interpreting the Material Remains," *JBL* 111 (1992): 217–218.

the role of the dead in the imagination of the living family is connected to the material fact that the dead family occupies space beneath their feet on their land: “the ancestral dead with supernatural powers, resid[e] in the tomb [...] a physical claim to the patrimony.”³

Connected to this is an important distinction Jon Levenson makes with respect to *where* the dead go: Sheol is not the “normal” place of the dead. He explains that Sheol is a place where one’s *unfulfilled* life is perpetuated.⁴ But for one who has lived a full life, “prolongation ... comes ... not in the form of residence in a place ... but in the form of descendants.”⁵ This prolongation, Levenson writes, “also comes in the form of the survival of the descendant’s ‘name.’”⁶ Notably, survival after one’s physical body has died depends upon living relatives to perform care of the body and memory of the dead individual.⁷ Consider Jacob’s command to his son Joseph as his time was approaching in Gen 47:29b–30:

“Be devoted and faithful to me (*wē‘āsītā ‘immādi ḥesed we’emet*), do not bury me in Egypt. I will lie down with my ancestors, you will carry me from Egypt and bury me.”
And [Joseph] said, “I will do according to your instructions.”

The passage conveys Joseph’s duty to carry out the wishes of his dying father. But these acts of post-mortem care are not merely acts of kindness. They ensure the stability of the family line from one generation to the next. The son who cares for his father and succeeds him will, in turn, be cared for by his son, who will succeed him.⁸

Expressions of succession in the Hebrew Bible and its connection to mortuary practices have already been explored by scholars. What remains

3 Ibid., 222. For this specific phrase, see J. D. Levenson, *Resurrection and the Restoration of Israel: The Ultimate Victory of the God of Life* (New Haven: Yale University Press, 2006), 74.

4 According to Levenson, what we see in the texts with respect to Sheol is “a tension between an older notion of Sheol as the ultimate destination of all mankind, on the one hand, and a bold and younger affirmation of the LORD as savior, on the other.” *Resurrection and the Restoration*, 75.

5 Ibid., 78.

6 Ibid.

7 Bloch-Smith, “The Cult of the Dead,” 223–224. See also S. L. Sanders, “The Appetites of the Dead: West Semitic Linguistic and Ritual Aspects of the Katumuwa Stele,” *BASOR* 369 (2013): 444. But see Levenson, *Resurrection and the Restoration*, 62.

8 Following Levenson’s cautions not to read ancestor worship into the biblical texts when we see scant evidence of its widespread practice, the nature of the focus on dead relatives in ancient Israelite culture should be understood to lie in the inheritance and enjoyment of promises made by Yahweh to preceding generations and continuously potent in the experience of the living, *Resurrection and the Restoration*, 66.

for further investigation is the complex of ideas that lies behind succession. This essay looks at two interrelated phenomena that give succession in the biblical texts its contours: (1) the discourses surrounding inevitable bodily death; and (2) father-to-son transmission of objects, entitlements, and instruction. Reading biblical and ancient Near Eastern expressions of transmission closely will show how acts of filial devotion and obedience are closely connected to cultural expectations of “truth,” the faithful correspondence of speech to action.

First, I consider the connections between mortal anxiety and transmission in the story of Isaac’s deathbed blessing to Jacob in Genesis 27 and in the Ugaritic tale of Aqhat. These narratives expose a concern lying at the heart of the phenomenon of succession: does the transmission of rights and responsibilities from father to son alleviate the anxiety of individual death? Outlining this concern, I connect the idea of trans-generational survival articulated in these stories to a literary pattern found in both biblical and Ugaritic narrative texts. This pattern, known as “command and fulfillment,” uses the same words to command action from a character as the words used to report the character’s completed action. I suggest that in stories whose themes focus on succession, this literary pattern reinforces an underlying cultural value for trans-generational stability. Looking at metaphorical expressions of speech transmission in Proverbs, I further connect command and fulfillment to underlying concepts of truth and deception in speech and social dimensions of father-to-son instruction. Finally, I turn to the book of Ruth to consider how the related phenomena of instruction and filial succession are evoked in this story through the relationship between Naomi and her daughter-in-law Ruth. The story is shaped by the similar themes to that of Genesis 27 and the Ugaritic tale of Aqhat. In this case, however, the same themes of filial duty and stability across generations are evoked for claims of matrilineal transmission.

Fictions of Succession

We might never know the full scope of what ancient Israelites believed happened to individuals when they died. But we do have texts and material objects that variously depict a set of ideas about survival beyond bodily death, often through the lens of a male ruling class. This evidence broadly suggests that life was conceptualized across multiple generations of a family and essentialized in the person of the *pater familias*, the male head of the household.⁹ To a certain extent, personhood is understood to be corporate:

9 Levenson, *Resurrection and the Restoration*, 78; Suriano, “Remembering Absalom’s

after bodily death, the memory and name of the individual is kept alive through a variety of practices performed by living family members. Texts and material culture indeed suggest that one strategy for surviving death in this culture was to conceive of individual life within a corporate identity of a family across generations past, present, and future. One would be memorialized through the devotional acts of living family members. Other texts and material objects suggest a somewhat different strategy for surviving death – if one had the means and social capital. In biblical narratives we observe the possibility for individual achievement as a strategy for surviving death, in the creation of objects and texts bearing the name of the memorialized person. In 2 Sam 18:18, the narrator tells us Absalom has no son to memorialize him. Instead, Absalom erects a *maṣṣēbâ* – an object that stands upright – to bear his name and memorialize him. The pillar stands in the place of a son who would occupy the space of the upright and living.¹⁰

Indeed, as Levenson notes, the dead can survive among the living through the perpetual invocation of their name and corresponding deeds, through the devotion of sons and in an implicit agreement that their own sons will do the same.¹¹ But the dead can decline to participate in an eternal chain of filial obligation, and instead depend upon objects in the space of the living to bear their name and the memory of their deeds. Reading biblical and ancient Near Eastern narratives closely, we might observe that these strategies for survival beyond bodily death exist in tension with each other. The son can become his father by assuming his rights, responsibilities, achievements, and iniquities. Or, he might rely on objects and texts to memorialize his name and individual accomplishments.¹²

These two strategies are generated through a shared concern for the memory of individuals through the preservation and invocation of their name. Absalom laments that he does not have a son who will *hazkîr šēmî*, “invoke the memory of my name.” A pillar bearing Absalom’s name, the biblical author appears to claim, can perpetually perform this task without the speak-

Death in 2 Samuel 18–19: History, Memory, and Inscription,” *HeBAI* 7 (2018): 127–155; idem, *A History of Death in the Hebrew Bible* (Oxford: Oxford University Press, 2018); K. van der Toorn, *Family Religion in Babylonia, Ugarit and Israel: Continuity and Changes in the Forms of Religious Life* (Leiden: Brill, 1996), 48; Brichto, “Kin, Cult, Land and Afterlife,” 23 ff.

¹⁰ Suriano, “Remembering Absalom’s Death.”

¹¹ Levenson, *Resurrection and the Restoration*, 78.

¹² Suriano, “Remembering Absalom’s Death”; idem, “Dynasty Building at Ugarit: The Ritual and Political Context of KTU 1.161,” *Aula Orientalis* 27 (2009): 105–123; S. L. Sanders, “Naming the Dead: Funerary Writing and Historical Change in the Iron Age Levant,” *Maraav* 19 (2012): 18.

ing voice of a living son. Behind Absalom's concern for memorialization through invocation is a concept of how objects, rights, and speech pass from one generation to the next – a concept we might identify as transmission.

Survival from one generation to the next, through the devotion of sons to their fathers in death and their subsequent succession in the place of their fathers, is a fictional *ideal* which is articulated, problematized, and reshaped in the narratives of Isaac's deathbed blessings in Genesis 27 and the Ugaritic tale of Aqhat. In reality, sons do not actually become their fathers – certainly there are changes from one generation to the next. But as depicted in these stories, the phenomenon of filial succession also assumes a necessary fiction of unchanging character and behavior across generations.

The fiction that character traits remain stable from father to son is that same notion which allows for trans-generational punishment. Jeremiah and Ezekiel both challenge the idea that sons inherit the rewards and punishments due to their fathers, along with their material property and entitlements. They cite the principle of trans-generational punishment in the form of a saying:¹³

The fathers eat sour grapes but it is the teeth of the sons which are made dull.

Jeremiah and Ezekiel are not its only voices of critique. Qohelet also challenges this underlying idea by speaking to the incoherence of a principle in which one individual “earns” material wealth but another who did not will enjoy this wealth:

A man to whom God gives riches, property, and wealth, and he wants for nothing, but God does not allow him to enjoy them, because a stranger enjoys it (*kî 'iš nokrî yô'kälennû*). This is a futility, it is a terrible ill. (Ecc 6:2–3)

The “stranger” (*'iš nokrî*) in this passage is not someone outside the family, however. It is precisely *not* the man who himself earned the riches. We know this from the context, for in the following statement, the speaker speaks of the futility of begetting “a hundred.” If this person does not enjoy the fruits of his own labor, Qohelet says, the stillborn is better off than he. Who could this stranger be, other than the son who inherits his father's wealth?

In an earlier passage, Qohelet states explicitly that the fruits of one's labor are the direct result of their own character traits:

For sometimes a person who has toiled through (their) wisdom and knowledge and skill (*bēhokēmā ûbēda'at ûbēkišrôn*) must give his entire portion to (another) person who did not toil for it. This too is futility and a great evil. (Ecc 2:21)

13 Jer 31:29–30; Ezek 18:2. Translations my own unless otherwise indicated.

Qohelet's statements amount to a forceful rejection of principles underlying filial succession. Yet unlike Jeremiah and Ezekiel's critique, Qohelet formulates his challenge without explicitly stating that the son cannot become the father.¹⁴ Instead – much like Ezekiel does in chapter 18 – Qohelet exposes an incoherence in the trans-generational meritocracy: if successes (or failures, for that matter) are the result of immutable, God-given character traits, then these successes either belong to all individuals in the chain of succession or they belong to the *one* individual endowed with those character traits. The critique of trans-generational reward and punishment is especially devastating in the voice of Qohelet, a self-proclaimed former king, since the stability of dynasties rely especially upon fictions of succession.¹⁵ As we will see, the narratives of Genesis 27 and the Ugaritic tale of Aqhat assume a stable transmission of objects, entitlements, and instruction.

At Isaac's Deathbed

In Genesis 27, Isaac, who is about to die, gives a final blessing to his sons Jacob and Esau. Isaac calls for his eldest, Esau, to come before him and Isaac gives him the following command:

wē'attā šā' nā' kēlēkā telyēkā wēqaštekā wēšē' haššādeh wēšūḏāh lī šēdā
wa'āšēh lī maṭ'ammīm ka'āšer 'āhabti wēhābī'ā lī wē'ōkēlā ba'ābūr tēbārekkā napši
bēterem 'āmūt

And now, take your weapons, your quiver, and your bow and go out into the field and hunt **game** for me. Prepare me a dish such as I like and bring it to me **so that I might eat in order that my *nefesh* might bless you** before I die. (Gen 27:3–4)¹⁶

14 Explicit discussion of fathers and sons appears absent from Ecclesiastes almost entirely. There are only two places in which the term “son” is used to indicate the actual filial relationship, in 4:8, in which the speaker refers to individuals without sons or brothers, and 5:13.

15 See Eccl 4:15, where he speaks of the “youth” who replaces the king. See M. J. Suriano, *The Politics of Dead Kings: Dynastic Ancestors in the Book of Kings and Ancient Israel* (Tübingen: Mohr Siebeck, 2010), 140–148.

16 The term *nefesh* is conventionally translated as “soul” in English, but this translation masks a wealth of distinctions between inherited Western ideas and ancient Near Eastern concepts of the self, and since it is beyond the scope of this essay to resolve the problem, I leave the term untranslated. The *nefesh* is not Isaac's “soul,” but rather his voice-passage, the physical organ through which air flows in and out and supports the embodied voice. See R. C. Steiner, *Disembodied Souls: The Nefesh in Israel and Kindred Spirits in the Ancient Near East, With an Appendix on the Katumuwa Inscription* (Atlanta: SBL, 2015), 15; and Suriano, *History of Death*.

Taking advantage of Isaac's diminished vision, Rebecca hears this and tells Jacob. She then issues her own command, in the expected form of a call to instruction:

wē'attā bēnī šēma' bēqōlī la'āšer 'ānī mēšawwā 'ōtāk
leḵ nā' 'el haššō'n wēqah lī miššām šēnē gēdāyē 'izzīm tōbīm wē'e'ēseh 'ōtām ma'ammīm
lē'ābikā ka'āšer 'āhēb
wēhēbē'tā lē'ābikā wē'ākāl ba'ābur 'āšer yēbārekḵā lipnē mōtō

Now, my son, listen to my voice as I command you.

Go to the flock and get me two choice kids, so I can make a dish from them for your father such as he prefers.

Then take (it) to your father to eat so that he may bless you before he dies. (Gen 27:8–10)

Rebecca's command comes in the form of an instruction, with an opening call to attention, *bēnī šēma' bēqōlī*, "My son, listen to my voice," and with the expected benefits of instruction, *ba'ābur 'āšer yēbārekḵā lipnē mōtō*, "so that he might bless you before he dies."¹⁷ She then instructs Jacob in the ruse necessary to deceive Isaac: he will dress himself in the skins to take on the hairy feeling of his brother. The narrator then reports Jacob's fulfillment of his mother's command in v. 14:

wayyēleḵ wayyiqqah wayyābē' lē'immō watta'as'immō ma'ammīm ka'āšer 'āhēb 'ābīw
He went and he got (them) and he brought (them) to his mother, and his mother made a dish such as his father preferred.

Jacob, having followed his mother's instructions, then presents his father Isaac with this dish, fulfilling Isaac's original request in v. 19:

wayyō'mer ya'āqōb 'el 'ābīw
'ānōḵī 'ēsāw bēkōrekā 'āsītī ka'āšer dibbartā 'ēlāy qūm nā' šēbā wē'oklā miššēdī ba'ābūr
tēbārākanni napšekā

Jacob said to his father,

"It is I, Esau, your eldest. I have done as you commanded. Sit up and eat of my game so that your *nefesh* might bless me."

This is the second command which is fulfilled in the narrative of Genesis 27. The first, Jacob's faithful fulfillment to his mother's instruction, is reported by the narrator. The second is reported in Jacob's own voice. Following the story, it is the narrator's voice we are to believe, not Jacob's: in his claim to be Esau, Jacob's fulfillment of his father's command is rendered as a deception.

17 For a discussion of the components of instructions, including its formulaic call to attention and the claim to the instruction's benefit to the instructed, see M. V. Fox, *Proverbs 1–9: A New Translation with Introduction and Commentary* (AB 18A; New York: Doubleday, 2000), 45.

The story is artfully marked by multiple upended categories. The hairless son, not the hairy one, comes before his father.¹⁸ Touch and smell – not sight and hearing – function as evidence for Isaac’s discernment between the two sons. Domesticated, not wild game is eaten. It is ultimately the mother’s command, not the father’s which is followed. And it is the younger son, not the eldest, who receives the blessing.

In his blessing, Isaac bestows Jacob with rule over nations broadly and the family more specifically. This blessing in vv. 28–29 frames a command that Jacob will hereby acquire Isaac’s central right and responsibility: *hěwēh gēbīr lě’ahēkā*, “Be lord over your brothers.”

wěyitten lēkā hā’ēlōhīm miṭṭal haššāmayim
 ūmišmannē hā’āreṣ
 wērōb dāgān wēṭirōš
 ya’abdukā ‘ammīm
 wēyištaḥwu lēkā lē’ummīm
 hěwēh gēbīr lě’ahēkā
 wēyištaḥwū lēkā bēnē ’immekā
 ’ōrērēkā ’ārūr
 ūmēbārākēkā bārūk

May God give you of the dew of heaven,
 And of the fat of the earth,
 And plenty of grain and wine.
 May peoples **serve you**,
 And nations **bow down to you**,
Be lord over your brothers,
 And may your mother’s sons **bow down to you**,
 Cursed be everyone who curses you,
 And blessed be everyone who blesses you.

This central right and responsibility ensures Jacob’s material success, outlined in v. 28b: God will give him *miṭṭal haššāmayim*, “of the dew of heaven,” *ūmišmannē hā’āreṣ*, “and of the fat of the earth,” and he will thereby experience abundance, *rōb dāgān wēṭirōš*, “plenty of grain and wine.”

When Esau returns for his blessing, Isaac cannot bestow upon him the *patria potestas* too. So Isaac gives him what remains: deprivation through subordination, with only the possibility of rejection of that subordinate state – notably, using the same terms used in Isaac’s blessing to Jacob, *mišmannē hā’āreṣ*, “of the fat of the earth” *ūmiṭṭal haššāmayim*, “and of the dew of heaven.”

18 See S. Niditch, *My Brother Esau Is a Hairy Man: Hair and Identity in Ancient Israel* (Oxford: Oxford University Press, 2008).

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hinnê mišmannê hā'āreš yihyeh mōšābekā
 ûmiṭṭal haššāmayim mē'al
 wē'al ḥarbēkā ṭihyeh
 wē'eṭ 'āhikā ta'ābōd
 wēhāyāh ka'āšer tārid
 ūpāraqtā 'ullō mē'al šawwā'rekā

See, your dwelling shall be away from the fat of the earth,
 And away from the dew of heaven on high.

By the sword you shall live,
 And your brother you shall serve,

But when you leave,
 You shall break his yoke from your neck. (Gen 27:39–40)

The contrast between Jacob's blessing of success through rule and Esau's deprivation through subordination is cleverly achieved by distinct usages of the preposition *min* on the exact same collocations.¹⁹ In Isaac's blessing to Jacob, the *min* is partitive: God will give Isaac *miṭṭal haššāmayim*, "of the dew of heaven," and *mišmannê hā'āreš*, "of the fat of the earth." But in Isaac's blessing to Esau, the preposition is privative, marking loss: Esau will be forced to live *mišmannê hā'āreš*, "away from the fat of the earth," *ûmiṭṭal haššāmayim mē'al*, "and away from the dew of heaven on high." Isaac commands Jacob to "be lord over your brother," a perpetual role he is destined to occupy in his landed realm.

By contrast, Isaac tells Esau, "You shall serve your brother," a perpetual state also tied to his location, which Esau might transcend through changing location. The incorporation of an individual into a family line after death is closely connected to the occupation of land by the living and the dead.²⁰ Isaac's blessing to Jacob bestows upon him a right to grow wealthy off of the land and to rule over his family in the land, beneath which Isaac and his other ancestors would be buried. Esau's only blessing then, is to continue as a subordinate in the land or to leave it and the family altogether.

Like Jacob's "blessings" in Genesis 49, Isaac's deathbed speeches might be better characterized as assertive knowledge claims. In these speeches, Isaac identifies contrasting categories for his two sons and their corresponding outcomes.²¹ Jacob will rule in the land, and he will enjoy its fruits. Esau will be subordinate, and he can only leave and remain far from the land and its

19 Von Rad observed this, writing, "[The] effect [of Isaac's blessing to Esau] is especially bitter because it begins with almost the same words. The contrasting meaning is expressed only by the different syntactic use of one and the same preposition." G. von Rad, *Genesis: A Commentary* (rev. ed.; Philadelphia: The Westminster Press, 1973), 279.

20 Suriano, *History of Death*; Brichto, "Kin, Cult, Land and Afterlife."

21 On Genesis 49 as a "collection of aphorisms" see von Rad, *Genesis*, 421.

riches. The *pater familias* is uniquely situated, in his dying moments, to bestow these blessings, and once spoken, they cannot be revoked. Genesis 27 is a story of succession through the transmission of the dying father's entitlements. But it is an unconventional one, upending the right of the first-born son to succeed his father.

Filial Succession in Aqhat

Similar to the story in Genesis 27, the Ugaritic tale of Aqhat presents filial succession as a conventional path to success. Unlike Jacob's story, Aqhat's tale does not include a struggle between brothers. The story opens with Dani'il's childlessness, a problem quickly resolved by the birth of his son, Aqhat. This basic plot masks a deeper concern – namely, the survival of the father through the transmission of objects and the transfer of his role as *pater familias* to his son. The related ideas of speech and object transmission and filial succession are woven through every dimension of this tale. Once Aqhat is born, the family's stability in the expected way – from one generation to the next – seems to be assured. But the story appears to present this conventional path of filial succession in order to dismantle it, offering an alternative through female characters in the story.²² In the story, Aqhat is presented with an alternative of true immortality, not trans-generational survival. But Aqhat refuses this alternative, and as a result, loses his life without securing his own heir. The survival of the tragic hero's remains beyond his bodily death – the proper recovery and burial of his corpse – is then ensured by the surprise appearance of the hero's sister, who had wisdom that clearly surpassed that of the tragic hero.

The first half of the story features a speech known as the “filial duties” passage. This speech explains to readers the son's function, which is to care for the father in life and death:²³

22 More detailed discussions of these arguments can be found in J. Vayntrub, “Transmission and Mortal Anxiety in the Tale of Aqhat,” forthcoming. A similar twist happens in T. Job, where Job transmits objects to his daughters and claims these objects to be superior to what was given to their brothers, 11:10.

23 This transcription and translation is quoted from Vayntrub, “Transmission and Mortal Anxiety,” forthcoming, which largely follows the vocalization, transliteration, and translation of KTU 1.17 I 26–33 published by P. Bordreuil and D. Pardee, *A Manual of Ugaritic* (Winona Lake: Eisenbrauns, 2009), 173–177. See also J.-M. Husser, “The Birth of a Hero: Form and Meaning of KTU 1.17 i–ii,” in *Ugarit, Religion and Culture: Proceedings of the International Colloquium on Ugarit, Religion and Culture, Edinburgh, July 1994: Essays Presented in Honour of Professor John C. L. Gibson* (ed. N. Wyatt, W. G. E. Watson,

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²⁶ nšb . skn . ilibh .	bqds ²⁷ ztr . ‘mh
lārš . mššū . qṭrh	²⁸ l‘pr . ḏmr . āṭrh
ṭbq . lḥt ²⁹ nišh	grš . d . ršy . lnh
³⁰ āḥd . ydh . bšk[r]n .	m‘msh ³¹ [k]šb‘ . yn
spū . ksmh . bt . b‘l	³² [w]m[n]th . bt . il
ṭḥ . ggh . bym ³³ [tī]ṭ	rhš . npsh . bym . rṭ

One who raises up the stela of his father's god,
 in the sanctuary the votive emblem of his clan;
 one who sends up from the earth his incense,
 from the dust the song of his place;
 one who shuts up the jaws of his detractors,
 one who drives out anyone who would do him in;
 one who takes his hand when (he is) drunk,
 one who bears him up when he is full of wine;
 one who supplies his grain(-offering) in the Temple of Ba‘lu,
 his portion in the Temple of ‘Ilū;
 one who rolls his roof when rain softens it up,
 one who washes his outfit on a muddy day.

The son helps his father make it home safely after a long night of drinking. He brings his offerings to the temple on his behalf. He attends his father regularly, keeping his roof neatly rolled and his garment freshly cleaned. But perhaps of greater importance is the son's duty to take care of his father in death. These expectations are fronted in the very first line of the “filial duties” speech. The son sets up a monument in perpetuity and performs rituals of remembrance in his honor.²⁴ He protects his father's reputation when the father's voice has ceased to be able to do so himself. He functions as his voice. The list continues with acts of substitution performed while his father is still alive.

The list is a stylized set of responsibilities of a son, not intended to cover every dimension of filial devotion. Yet all these activities share a single quality: they are acts performed in the place of the father's own actions.²⁵ The father's physical presence in the world is replaced by an upright monument.²⁶

and J. B. Lloyd; Münster: Ugarit-Verlag, 1996), 96; and D. P. Wright, *Ritual in Narrative: The Dynamics of Feasting, Mourning, and Retaliation Rites in the Ugaritic Tale of Aqhat* (Winona Lake: Eisenbrauns, 2001), 67–68.

24 Wright, *Ritual in Narrative*, 68.

25 See D. Pardee, “Marziḥu, Kispu, and the Ugaritic Funerary Cult: A Minimalist View,” in *Ugarit, Religion and Culture: Proceedings of the International Colloquium on Ugarit, Religion and Culture, Edinburgh, July 1994: Essays Presented in Honour of Professor John C. L. Gibson* (ed. N. Wyatt, W. G. E. Watson, and J. B. Lloyd; Münster: Ugarit-Verlag, 1996), 279; and Husser, “The Birth of a Hero,” 97.

26 See Pardee “Marziḥu, Kispu,” 28; idem, *The Ugaritic Texts and the Origins of West-Semitic Literary Composition* (Oxford: Oxford University Press, 2012), 90. The raising of the monument signifies the son's continuation of the family cult.

His voice protecting his name and reputation is substituted by the voice of his son. His ability to walk, when incapacitated through intoxication, is assumed by his son. His donations to the temple are performed by his son, in substitution. Even the maintenance of his dwelling place and his garment are taken up by his son. These acts of devotion also ensure that the son will beget his own son to care for him, in an infinite chain of filial responsibility.²⁷

In the story, the speech is performed four times by four different characters.²⁸ First the god Ba'al gives this speech in counsel with the god 'Il, then 'Il does so in response to Ba'al's performance, then (presumably) a messenger in the form of a birth announcement to Dani'il, proclaiming the birth of a son, Aqhat, and then finally the speech is performed by the father Dani'il himself. Save the different pronominal suffixes, from third person, to second person, to first person, the speech remains unchanged from performance to performance. The placement of the filial duties speech within the plot, and its unchanging nature throughout its transmission from one speaking character to the next formulates a primary argument: the son is the guardian and ultimately the transmitter of the father's personhood in life and in death.

Once the transmission of the blessing and the promises of a son are completed in the first half of the story, the narrative continues with the son, Aqhat, who is now grown. A divine bow is given to Dani'il, the father, who gives this object to his son Aqhat. The goddess Anat covets the bow and offers Aqhat all manner of material success and even true immortality, *blmt* "deathlessness" in exchange for it. But Aqhat declines to part with the bow for any offer, accepting his fate: *mt.kl.amt wan.mtm.amt*, "The death of all I will die, I will also surely die."

In Aqhat's exchange with Anat, the story establishes a tension between two possibilities for survival beyond bodily death. The first possibility is the conventional path of father-to-son transmission and assumption of responsibility: objects, authority, and speech are passed from one to the next without alteration and the line continues forever. Through the voice of Anat, the story presents a second possibility: immortality of the divine realm. While this possibility is conventionally inaccessible to mortals, it is extraordinarily offered to Aqhat, who foolishly refuses it to remain within the system of filial devotion.

²⁷ See Wright, *Ritual in Narrative*, 69

²⁸ See also E. C. McAfee, "The Patriarch's Longed-for Son: Biological and Social Reproduction in Ugaritic and Hebrew Epic" (ThD diss., Harvard University, 1996), 68–69; and E. L. Greenstein, "The Role of the Reader in Ugaritic Narrative," in *A Wise and Discerning Mind: Essays in Honor of Burke O. Long* (ed. S. M. Olyan and R. C. Culley; Providence, 2000), 145.

Edward L. Greenstein has pointed out that the characters in this story do not conform to their expected roles. Aqhat plays the dutiful son who refuses to give up the bow his father gave him, but loses his life in the process. The goddess Anat condemns Aqhat to death, but “seems to regret her impulsive behavior and weeps.”²⁹ And then we encounter a human woman who suddenly appears in the story: Dani’il’s daughter and Aqhat’s sister, Pughat. She appears as her brother’s blood avenger.

While the father Dani’il had sought survival through conventional means, through his son’s succession, suddenly the readers learn of the existence of a daughter. Aqhat’s rigid resistance to give up his inherited bow in exchange for immortality ironically costs him his life. His rigidity to norms is juxtaposed by his sister Pughat’s unconventional success at the end of the story. She appears to possess the wisdom to do right by the family and its name – she is called by the epithet “one who knows the course of the stars.”³⁰ As Greenstein argues, “In Aqhat, it is the foolish eponymous hero of the tale who presses for order and his transgressive sister Pughat who proves to be wise.”³¹

In this story, the mere existence of a son who performs acts of filial devotion is not sufficient to ensure survival of the trans-generational line: alternative strategies may be necessary. Unconventional acts of devotion by a female family member keep the family line intact. Father-to-son transmission is held up as an ideal, so long as it can be achieved successfully. In its extant form, the story appears to challenge this ideal in asking whether filial succession alone is reliable as a strategy for preserving the family across generations. In the ending as it presently stands, it seems that Pughat’s wisdom and character traits, acquired outside of a conventional system of father-to-son transmission, are what ultimately save the day.

“Neither add to it nor take away from it”: Stability in Transmission

Themes of filial succession and trans-generational survival in the tale of Aqhat are connected a literary pattern evident in the story’s presentation:

29 E. L. Greenstein, “Wisdom in Ugaritic,” in *Language and Nature: Papers Presented to John Huehnergard on the Occasion of This 60th Birthday* (ed. R. Hasselbach and N. Patel; Chicago: Oriental Institute of the University of Chicago, 2012), 77.

30 KTU 1.19.2.2–3, 7; 4.38. Greenstein, “Wisdom in Ugaritic,” 77.

31 Greenstein, “Wisdom in Ugaritic,” 77. See B. Margalit, “Lexicographical Notes on the ‘Aqht’ Epic (Part I: KTU 1.17–18),” *Ugarit-Forschungen* 15 (1983): 67; and J. F. Parker “Women Warriors and Devoted Daughters: The Powerful Young Woman in Ugaritic Narrative Poetry,” *Ugarit-Forschungen* 38 (2006): 557–575.

command and fulfillment.³² In command and fulfillment, the reader observes correspondence between the instructions given from one character to the next. It is by means of this literary pattern that the filial duties passage is transmitted from one speaking character to another. In the story, the passage is first spoken by Ba'al to 'Il, then by a divine messenger to Dani'il, and finally by Dani'il himself. Joel Baden has observed that, in biblical narrative, the pattern of command and fulfillment is so ubiquitous that we could characterize it as "a standard feature" of these texts.³³

In Baden's description, the pattern appears in biblical narrative as "a command issued in the imperative [...] and then the immediate fulfillment of the command using the same verb, in the same *binyan*, in the waw-consecutive."³⁴ Of particular interest is Baden's observation that, "a significant concentration [these texts] are found specifically in the narrative of Jacob stealing Esau's blessing in Genesis 27."³⁵ We might more broadly define this device as the command of one character to another and the report of fulfillment of this command in the same terminology. We find its use both in biblical and Ugaritic narrative. In this literary pattern, the speaker's commands are reported – either by a narrator or by the obedient character – as having been fulfilled without changes in the interim. It is especially significant to observe how command and fulfillment stylistically manifests an idea lying at the heart of both of these tales: stable transmission from one generation to the next.

But there is a deeper concept which gives this literary pattern its force in the construction of these stories: the value for the faithful correspondence of speech to action. In biblical literature we encounter warnings to those reading or hearing instruction that they should maintain it intact as they had received it: they are commanded to neither add to nor subtract from it.³⁶ For example, in Deut 4:2, the Israelites are told to preserve God's commandments as transmitted to them:

32 See discussion of how this structures Aqhat tale in K. Kim, *Incubation as a Type-Scene in the Aqhatu, Kirta, and Hannah Stories: A Form-Critical and Narratological Study of KTU 1.14 I-1.15 III, 1.17 I-II, and 1 Samuel 1:1–2:11* (VTSup 145; Leiden: Brill, 2011).

33 J. S. Baden, "A Narrative Pattern and Its Role in Source Criticism," *Hebrew Studies* 49 (2008): 43.

34 Ibid., 41.

35 Ibid., 44.

36 Deut 4:2; 13:1; Prov 30:5–6; Ecc 3:14; Sir 18:6; 42:21. See M. Weinfeld, *Deuteronomy 1–11: A New Translation with Introduction and Commentary* (AB 5; New York: Doubleday, 1991), 200; M. V. Fox, *Proverbs 10–31: A New Translation with Introduction and Commentary* (AB 18B; New Haven: Yale University Press, 2009), 858–859; C. L. Seow, *Ecclesiastes: A New Translation with Introduction and Commentary* (AB 18C; New York: Doubleday, 1997), 174.

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lō' tōsipū 'al haddābār 'āšer 'ānōkī mēšawweh 'etkem wēlō' tigrē'ū mimmennū lišmōr 'et
mišwōt yhw' 'ēlohēkem 'āšer 'ānōkī mēšawweh 'etkem

Neither shall you add to what I command you, nor shall you take from it, keeping the commandments of Yahweh your God which I command you.

As Moshe Weinfeld and Michael Fox observed, these warnings are also found in ancient Near Eastern treaties and instructions with the same message: those who encounter the words of the treaty or instruction may neither add to nor subtract from them.³⁷

These warnings are generally understood as statements on the completeness of instruction and its revelation to the scribe, even a scribal principle of sorts. In a colophon, the scribe of the Late Babylonian Erra epic reports receiving revelation of the words in a dream that “he did not leave out a single line, nor did he add one to it.”³⁸ Ben Sira, too, in a praise of the completeness of God’s wisdom: “Nothing added and nothing taken away, he has no need in his understanding.”³⁹ But when we encounter a version of the formula in Prov 30:5–6, we see that these statements are not limited to their concern for the fullness of God’s revelation or even the fidelity of a text to its source:

kol 'imrat' 'ēloh' šērūpāh
māgēn hū' laḥōšim bō
'al tōšēp 'al dēbārāyw
pen yōkīah bēkā wēnikzābtā

The entirety of God’s speech is pure,
he is a shield for those who trust in him.
Do not add to his words
lest he rebuke you and you be discovered a liar.

Speech abiding by this principle is “true” in the sense that the speech is reliable to its source. Adding to or subtracting from instruction renders a transmission unfaithful. These statements, in their various formulations, point to a shared notion of “truth”: the faithful correspondence of speech to action, the correspondence of the *terms* of a command to its absolute fulfillment.

In Num 23:19 Balaam’s character claims that perfect correspondence of action to speech is a characteristic properly ascribed to the Israelite deity. Humans can aspire to this quality, but cannot master it as the deity does:

lō' 'iš 'ēl wīkazzēb

37 See M. Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon, 1972), 262; idem, *Deuteronomy 1–11*, 200; Fox, *Proverbs 10–31*, 859.

38 Fox, *Proverbs 10–31*, 858, quoting Weinfeld’s translation of 5.43–44 in *Deuteronomy and the Deuteronomistic School*, 262.

39 Sir 42:21. NETS: “He was neither added to nor diminished, and he needed no one as a counselor.”

*ûben'ādām wēyitnehām
hahû' 'āmar wēlō' ya'āseh
wēḏibber wēlō' yēqimennā*

God is not a man to be insincere,
a mortal to regret,
would he say and not act,
speak and not uphold?

The instructions and interspersed poems in Proverbs 1–9 also demonstrate a sustained concern for the dangers of what is often translated as “deceptive speech” or “smooth words.”⁴⁰ We might, however, more accurately understand deceptive speech with the metaphors of crooked paths so often associated with it. In Prov 2:15, wisdom will save one from “those whose paths are twisted and who are deviant in their ways,” a statement implicitly associated with the “smooth sayings” of the foreign woman in the subsequent verse. In 4:24 the relationship between deceptive speech and the path metaphor is made explicit: the speaker instructs the son, “Turn from twisted speech and distance yourself from devious utterances.” Translations have rendered the crooked path metaphor, when applied to speech, as deception: “devious utterances.”⁴¹

What we identify as “deception” might be more accurately characterized as speech whose correspondence to action is not a straight line. Like a crooked path, this speech is ineffective in producing what it claims.⁴² It is speech which commands, but fails to fulfill. Consider, for example, the father’s instruction to his son in Prov 1:10–18, where he warns the son about the dangers of joining a gang of criminals:

*bēnî 'im yēpattūkā ḥaṭṭā'im 'al tōbē'
'im yō'mrû lēkâ 'ittānû ne'erḥâ lēḏām nišpēnâ lēnāqî ḥinnām*

...

wēhēm lēḏāmām ye'erōbû yišpēnû lēnapšōtām

My son, if sinners tempt you do not give in,
If they say, “Come with us, let us ambush for blood, let us lie in wait for an innocent for no reason”
[...]

40 For example, in Prov 2:16, wisdom will save one from *'iššā zārā*, “a strange woman,” and *noḳēriyyā*, “a foreign [woman],” who is characterized by *'āmārēhā heḫēliqāh*, “her smooth words.” See also Prov 5:3; 7:5, 21.

41 Fox notes that the meaning of *lēzûṭ* is unclear and etymology is problematic. The parallel to *'iqqēšûṭ peh* suggests a sense of deception.

42 Similarly, compare correspondence in blessing, as construed by Isa 65:21, “They shall build houses and dwell in them, they shall plant vineyards and enjoy their fruit,” with the lack of correspondence in futility curses, Deut 28:30, “If you build a house, you shall not live in it. If you plant a vineyard, you shall not harvest it.”

They ambush for their own blood, and lie in wait for their own lives.

The manner in which the father couches this danger underscores the lack of correspondence between the claims made by the “sinners,” and the ensuing actions. The sinners say, *lêkâ ’ittânû ne’erbâ lēdām nišpēnâ lēnāqî hinnām*, “Come with us, **let us ambush for blood, let us lie in wait** for an innocent for no reason” (Prov 1:11). The father tells his son that there is no correspondence between their words and the ensuing actions: *wêhēm lēdāmām ye’ērôbû yišpēnû lēnapšôtām*, “**They ambush for their own blood, and lie in wait** for their own lives” (Prov 1:18). The lesson that ill-gotten gain will ultimately harm the criminals themselves is framed as a gap between what the criminals claim will happen and what actually happens to them. The ensuing result is *their* own loss of life. Indeed, *their blood*, and *their lives*, is precisely where the deviation occurs in the text between the sinners’ claims and the father’s reported result.

The literary presentation of command and fulfillment can be further connected to the manner in which transmission is articulated in instructions: from father to son. Any of the ten instructions in Proverbs 1–9 can serve as an example of the broad contours of the instruction genre wherein the father-speaker performs life-saving speech that the son-hearer passively receives and presumably retains in its entirety. The instruction in Prov 4:1–9 is of particular interest, since the father-speaker narrates the transmission of instruction from the previous generation and quotes his father’s own instruction:⁴³

For I was a son to my father, tender and singular before my mother,
He instructed me and said to me:
“Let your mind grasp my words, keep my commandments and live [...]”

Both Mesopotamian and Egyptian instruction texts demonstrate a combination of performance and transmission narratives. In those texts, the narrative frame of the speech from the father-instructor to the son-student is common; occasionally we also observe the additional element of the wisdom’s transmission either from previous generations or from deities.⁴⁴

⁴³ See Fox, *Proverbs 1–9*, 173. Cohen notes for the Late Bronze Age instruction text, *Šimā Milka* (the instructions of *Šūpê-amēli*), that the “role [of the son in the instruction] is merely generic – he is the son of a famous sage from whom he receives counsels of wisdom,” Y. Cohen, *Wisdom from the Late Bronze Age* (Atlanta: Society of Biblical Literature, 2013), 117.

⁴⁴ The Mesopotamian *Instructions of Shuruppak*, the *Ballad of Early Rulers*, the so-called *Assyrian Collection*, and the Egyptian *Instruction of Prince Hardjedef*, *Instruction of Ptahhotep*, and *Instruction of Amenemope* all attest a performance narrative but do not include transmission in their framing. The Mesopotamian *Šimā Milka*, as discussed

Behind the transmission of instruction from a speaking father to a passive listening son lurks a material concept of speech. Speech items, and by extension texts, are described as objects acquired by the recipient without alteration.⁴⁵ These speech-items are attributed with life protecting properties, and at times, they are described as are amulets: objects fastened around one's neck, one's head, or one's fingers for their life-saving properties. For example, Prov 3:3 insists to the listening son, "Do not let devotion (*hesed*) and fidelity (*'emet*) forsake you, tie them around your neck, write them on the tablet of your mind." In Prov 7:3, the son is told, "Tie them [my words] around your fingers, write them on the tablet of your mind."

Returning to the instruction of Prov 4:1–9 with its description of the transmission of instruction across multiple generations, we note that there it is the *lēb* which "grasps" the father's words – just as one would grasp an object.⁴⁶ The *lēb* is depicted as a quasi-independent organ, and one of its functions appears to be the storage of speech-items.⁴⁷ This material description of speech perhaps also explains the multiple metaphors in biblical literature of the *lēb*, which is described variously as an inscribed tablet,⁴⁸ an immutable stone,⁴⁹ and as a repository for the collection of numerous speeches.⁵⁰

above, as well as the Egyptian *Instruction of Ankhsheshonq* attest both in their framing. Some include a response from the son at the end, such as the Egyptian *Instruction of Any*, an interesting feature of this genre which might be productively associated with the conclusion of the frame speaker in Ecclesiastes.

45 See L. L. Quick, "'To hear and to accept': A Word-Pair in the Tell Fakhariyah Bilingual Inscription," *JSS* 61/2 (2016): 413–429.

46 Prov 4:4. For example, a scepter, as in Amos 1:8.

47 On the composite nature of the body and the quasi-independence of organs, see B. Pongratz-Leisten, "Divine Agency and Astralization of Gods in Ancient Mesopotamia," in *Reconsidering the Concept of Revolutionary Monotheism* (ed. B. Pongratz-Leisten; Winona Lake: Eisenbrauns, 2011), 139–140; R. A. Di Vito, "Old Testament Anthropology and the Construction of Personal Identity," *CBQ* 61 (1999): 227–228.

48 Jer 17:1; Prov 3:3; 7:3.

49 Frequently understood as a metaphor for obstinacy, one might understand the *lēb* in this case as an engraved stone whose inscription is then unable to be altered. See variously Ezek 3:7; 11:19; 36:26; Job 41:16; Exod 7:3; Ezek 3:7; Prov 28:14.

50 Consider Solomon's "breadth of mind," *rōḥab lēb*, in 1 Kgs 5:9, and his subsequent enumerated speech contained therein, in v. 13. In Ps 119:32, the authoritative instructions of the deity "expands [the] mind," *tarḥib libbi*. In Proverbs, the *lēb* stores speech and instruction (2:10; 4:21; 7:3) as well as abstract qualities associated with speech, such as plans (16:1) and counsel (20:5). The *lēb* appears to function as a space within the body where speech is produced and stored. I thank my student Anthony Lipscomb for making a number of these observations, as well as E. L. Greenstein, "The Heart as an Organ of Speech in Biblical Hebrew" (presented at the SBL Annual Meeting, Boston, MA, 17 November, 2017). See also T. Krüger, "Das 'Herz' in der alttestamentlichen Anthropologie," in *Anthropologische Aufbrüche: alttestamentliche und interdisziplinäre Zugänge zur historischen Anthropologie* (ed. A. Wagner; Göttingen: Vandenhoeck & Ruprecht, 2009).

Against this background, in the instructions of Proverbs 1–9 the father transmits his accumulated speech-items to his silent, attentive son. This transmission takes place through the ritual of instruction. The instruction represents a moment in which speech is transmitted from one generation to the next, similar to how a father might give his son an object like a bow or the symbolic entitlements attached to such an object. Conceptualized thus, filial succession depends upon the stable and intact transmission of objects, entitlements, and speech, operating on the fiction that sons acquire them intact, preventing change from one generation to the next. It is precisely this notion of ultimate stability in transmission that Qohelet exposes for its inability to attribute any lasting significance to deeds performed by individuals in their lifetimes. And he does so brilliantly, quoting the formulation of stable transmission: *’ên lēhōšîp ūmimmennū ’ên ligrōa*, “Nothing will be added and nothing will be taken from it.”

“A Son is Born to Naomi”: Matrilineal Succession in Ruth

The themes of succession, trans-generational survival, and obedience to instruction that we find in Genesis 27 and Aqhat are also central to the book of Ruth.⁵¹ The narrative is set in the time of the Judges – perhaps an appropriately chaotic period to situate a story of new power structures occupying defunct ones.⁵² Unlike the narratives we have already examined, Ruth is not a tale of *filial* succession. Rather, it is a story about a widowed daughter-in-law’s devotion to her mother-in-law. The tale opens with the imminent failure of the line of Elimelech. Many have observed the connections to the story of Judah and Tamar in Genesis 38.⁵³ We should note an important dis-

51 Gunkel did not see a political ideology at work in Ruth, but what Nielsen describes as “simply a beautiful story about a widow’s faithfulness” (K. Nielsen, *Ruth: A Commentary* [Louisville: Westminster John Knox, 1997], 21, who discusses H. Gunkel, “Ruth,” in *Reden und Aufsätze* [Göttingen: Vandenhoeck & Ruprecht, 1913], 88–89). Nielsen, by contrast, takes the genealogy at the ending as the impetus for understanding its message, to “establish the situation in which such a genealogy could be of benefit,” Nielsen, *Ruth*, 21. Neither reading forecloses the centrality of the themes of succession, trans-generational survival, and obedience.

52 J. C. Exum, “The Centre Cannot Hold: Thematic and Textual Instabilities in Judges,” *CBQ* 52 (1990): 410–429; S. Niditch, *Judges: A Commentary* (OTL; Louisville: Westminster John Knox, 2008).

53 Gunkel, “Ruth,” 65–92; M. Burrows, “Levirate Marriage in Israel,” *JBL* 59 (1940): 23–33; D. A. Leggett, *The Levirate and Goel Institutions in the Old Testament: With Special Attention to the Book of Ruth* (Cherry Hill: Mack Publishing Company, 1974); D. R. G. Beattie, “The Book of Ruth as Evidence for Israelite Legal Practice,” *VT* 24

inction between the two stories.⁵⁴ In Genesis 38, although the expectations of levirate marriage fail in the strict sense – Tamar does not bear a child with a brother of her dead husband – the patriarch Judah remains alive to eventually beget a successor. In Ruth, this is patently not the case.

By the sixth verse of the narrative, all of the male kin have died: Elimelech and his two sons, fittingly named Mahlon and Chilion – “sickness” and “extinction.” The story tells of the plight of Naomi, the last living member of the immediate family, and her return to Judah from Moab. Commencing her journey, Naomi explains to her widowed daughters-in-law, Ruth and Orpah, that they must return to their families. This scene recalls Judah’s command to Tamar after the death of his second son, Onan: “Remain as a widow in the house of your father until my son Shelah grows up” (Gen 38:11). The narrator reports Tamar’s fulfillment of this command, “Tamar went and remained in her father’s house.” Curiously, though, Naomi tells Ruth and Orpah to return not to their father’s house, but their *mother’s* house: “Go, return each one to the house of (your) mother” (Gen 38:11). When compared to Judah’s command to Tamar, Naomi’s imperative appears to say that in this story, one is not concerned not with *patriarchs*, but rather, with *matriarchs*, who might broker for them new marriages.

But both daughters-in-law resist her command and Naomi presses further:

Return, my daughters, why should you come with me? Do I still have sons within me who can be husbands for you? Return, my daughters, for I am too old to belong to a husband, for if I said to you, I have hope, that even tonight I will belong to a husband, even if I gave birth to sons, should you wait until they grow up, and should you keep yourself from belonging to a husband? No, my daughters, for I am more embittered than you, for Yahweh has struck me. (Ruth 1:11–13)

Naomi’s logic in this passage piques curiosity. She explains that her only hope for the continuation of the male line is to marry herself and produce sons, with whom the widowed daughters-in-law might be able to bear sons. She does not indicate that this husband must be a kinsman redeemer – perhaps this is assumed by the audience. In the world of the biblical authors an

(1974): 251–267; R. Wilson, “The Old Testament Genealogies in Recent Research,” *JBL* 94 (1975): 169–189; S. Niditch, “The Wronged Woman Righted: An Analysis of Genesis 38,” *HTR* 72 (1979): 143–149; C. M. Carmichael, *Women, Law, and the Genesis Traditions* (Edinburgh: Edinburgh University Press, 1979); E. W. Davies, “Inheritance Rights and the Hebrew Levirate Marriage,” *VT* 31 (1981): 138–144, 257–268; J. M. Sasson, *Ruth: A New Translation with a Philological Commentary and a Formalist-Folklorist Interpretation* (Baltimore: Johns Hopkins University Press, 1979).

54 See discussion of S. Chavel, *Oracular Law and Priestly Historiography in the Torah* (FAT 71; Tübingen: Mohr Siebeck, 2014), 239.

audience might expect, at least from our reading of Zelophehad's daughters in Numbers 36, that a daughter can *only* inherit from her father in the case of no sons provided *she marries within the male line*.⁵⁵ Technically, Naomi cannot inherit the *property* of Elimelech, that right would belong to a hypothetical new husband, so long as he is a relative of Elimelech.

But Ruth nevertheless attaches herself to Naomi without the promise of the continuation of the male line – a kinsman of Elimelech's line will come later.⁵⁶ Ruth's pledge to Naomi is often read in traditional contexts as a declaration of "conversion" and attachment to a religious community.⁵⁷ Following broad scholarly rejection of this position, Ruth's speech is best characterized as a declaration of filial-like devotion and obedience to Naomi in her capacity of the head of the family:

Do not urge me to leave you, to turn away from you, for wherever you go, I will go, and wherever you lodge, I will lodge, your people will be my people, and your god my god, and wherever you die, I will die, and there I will be buried. (Ruth 1:16–17)

Ruth not only professes obedience to Naomi during her lifetime. She has also promised to join Naomi in death – as a member of the corporate, trans-generational family in the grave. Ruth says to Naomi, as her final claim to obedience: "Wherever you die, I will die, and there I will be buried."

Ruth concludes her speech with a promise to Naomi that not even death will separate them – she has eternally attached herself to Naomi's line. The Hebrew reads in v. 17b: *kō ya'āšeh yhw̄h lî wěḳōh yōšip kî hammāwet yaprîd bēnî ûbēnēk*. NJPS translates, "Thus and more may the LORD do to me if anything *but death* parts me from you," a translation which seems to follow an understanding not of the Hebrew, or for that matter, the Septuagint or Targum, but rather, what we find in the King James, which has "the LORD do so to me, and more also, if ought *but death* part thee and me." We might

55 Num 36:6–9; See D.H. Aaron, "The Ruse of Zelophehad's Daughters," *Hebrew Union College Annual* 80 (2009): 1–38; S. Chavel, "'Oracular Novellae' and Biblical Historiography: Through the Lens of Law and Narrative," *Clio* 39 (2009): 1–27; idem, *Oracular Law*, 239 ff.

56 Boaz as a kinsman of Elimelech's line is specified both by the narrator in Ruth 2:1 and in the character's declaration of assuming the entitlements and responsibilities of Elimelech and his sons in 4:9.

57 Smith writes that "Much of Jewish tradition has viewed Ruth's words [Ruth 1:16–17] as an expression of conversion. Scholars who address this view largely reject it. Rudolph, Edward Campbell, and Adele Berlin, for example, mention the idea of conversion, which they resist in view of the relatively minor role that religious observance and belief play in the text." Mark S Smith, "'Your People Shall Be My People': Family and Covenant in Ruth 1:16–17," *CBQ* 69 (2007): 242–258, at 243–244. See also J. Schipper, *Ruth: A New Translation with Introduction and Commentary* (New Haven: Yale University Press, 2016), 100.

trace this translation back to the Vulgate, which has “*si non sola mors me et te separaverit*,” “if death alone does not separate me and you.”⁵⁸

This particular reading, derived from the Vulgate addition of *sola*, isolates death as an exception to Ruth’s devotion to Naomi. Read this way, *only* death will separate the two. However, this reading not only mischaracterizes the sense of the Hebrew, it also obfuscates what seems to be a central message of the story. Naomi and Ruth are not to be divided ever – not in life and perhaps more importantly, not in death. Love or kindness aside, the Ruth’s declaration has a much more concrete significance in ancient Israelite culture when read against the background of filial succession and mortuary practice: Ruth has joined Naomi’s trans-generational line. The crucial component of the family line is its survival *beyond* individual death, where individuals lie down with their fathers and are gathered unto them in the family tomb.

The Hebrew captures the eternal nature of Ruth’s declaration to Naomi: *kō ya‘āšeh yhwē lī wēkōh yōšip kī hammāwet yaprīd bēnī ūbēnēk*, “Thus and more may Yahweh do to me if death parts me from you.” Consider the immediately preceding statement in 17a: “Where you die I shall die and *there I will be buried*.” Ruth’s declaration is to go with Naomi physically and in her deeds, to dwell with her in life, for her people to be Ruth’s people, and for her god to be Ruth’s god, and finally to die with her, specifically *in same place of burial*. Ruth’s speech appears to configure Naomi as the *mater familias* of the now defunct Elimelech line, to whom eventually a child will be born in Naomi’s name.

Consider Ruth’s obedience to Naomi throughout the story. Upon Naomi and Ruth’s return to Bethlehem, Ruth asks Naomi for permission to glean in the field of Boaz, Elimelech’s kinsman, and Ruth goes with Naomi’s permission (Ruth 2:2–3). Ruth had, technically speaking, attached herself to Elimelech’s line, recognizing Boaz as a kinsman. In 2:21, Boaz tells her to stay in his field by his men. But Ruth reports back to Naomi, who provides Ruth with permission in the following verse. As Ruth reports to Naomi, Boaz had said to Ruth,

‘im hannē‘ārīm ‘āšer lī tiqbāqīn ‘ad ‘im killū ‘ēt kol haqqāšār ‘āšer lī

Stay close to my boys until they have completed all my harvest.

But Naomi’s instruction to Ruth is slightly different than Boaz’ words. She says,

⁵⁸ Notably, Vetus Latina does not attest this sense. There text reads: “*si non mors separaverit inter me et inter te*,” “if death does not separate me from you.” B. Gesche, ed., *Vetus Latina: Die Reste der Altlateinischen Bibel*, 4/5 *Ruth* (Freiburg: Herder, 2005), 46.

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tôḥ bittî ki tēšē'î 'im na'ārôtāyw wêlō' yipgē'û bāk bēšādeh 'ahēr

It is better, my daughter, that you go out with **his girls**, and not be bothered in another field. (Ruth 2:22)

Not only does Naomi's instruction differ from that of Boaz precisely on gendered lines – that Ruth should not stay close to *hannē'arim*, “the boys,” but rather to *na'ārôtāyw*, “his girls” – but it is this part of Naomi's command which Ruth fulfills, according to the narrator's report:

wattiḏbaq bēna'ārôt bō'az lēlaqqēt 'ad kēlôt qēšir haššē'ōrim ūqēšir haḥittim wattēseh 'et ḥāmôtā

She stayed close to Boaz's **girls** gleaning until the completion of the barley harvest and the wheat harvest and she remained with her mother-in-law. (Ruth 2:23)

Ruth's obedience to Naomi's instruction is further highlighted as the story continues. Naomi counsels Ruth on how to approach Boaz at the threshing floor, and Ruth declares: “All that you say I will do” (Ruth 3:5). The narrator then reports in 3:6 that

wata'aš kēkōl 'āšer šiwwattā ḥāmôtā

[Ruth] did all that her mother-in-law had **commanded**.

Until this point, the narrator has only reported Naomi's interactions with Ruth as speech. Now the narrator describes this as command. The only other two times this verb is used in the book of Ruth is with Boaz as the grammatical subject. In the first instance, it is Boaz who commands the boys not to bother Ruth (Ruth 2:9). In the second instance, it is Boaz commanding the boys to allow Ruth to glean without their interference (Ruth 2:15). Boaz's commands to the boys working in his fields in chapter 2 thus anticipate the narrator's subsequent description of Naomi's commandment to Ruth in 3:15 regarding her actions on the threshing floor.

The use of the narrative pattern of command and fulfillment gives support, on the stylistic level, to a broad theme of the story: Ruth's filial-like obedience to Naomi. In 3:4, Naomi commands Ruth thus:

wihî bēšākēbô wēyāda'at 'et hammāqôm 'āšer yiškab šām ūbā't wēgillit margēlōtāyw wēšākābētēy wēhū' yaggid lāk 'et 'āšer ta'ašin

When he lies down, remember the place where he lies down, and go and uncover his leg-area, and lie down, and he will tell you what you are to do.

In v. 7, the narrator reports Ruth's fulfillment of this command using identical verbs:

wayyō'kal bō'az wayyēšet wayyitaḅ libbô wayyābô' liškab biqšêh hā'ārēmāh wattābô' ballāt wattēgal margēlōtāyw wattiškāḅ

Boaz ate and drank, and was happy, and he went to lie down at the edge of the grain pile and she came stealthily, and uncovered his leg-area and lay down.

It therefore follows that the story does not end with the explicit restoration of the male line of Elimelech. Indeed, in the genealogy given at the end of the story, it says of the son Obed that it is *Boaz* who begot him.⁵⁹ If one resolution of the story is the perpetuation of Elimelech's name, then this is not technically accomplished by the genealogy. Even more significant, perhaps, is the role the women play with respect to the birth the son of Boaz and Ruth – in particular, the role played by Naomi among the women. This section concluding the story, immediately prior to the genealogy, comes in 4:14–17. It is marked off by an *inclusio* of the speech of the women, who in vv. 14–15 bless Naomi, and who in v. 17, declare the child a “son of Naomi.” Their statement is tantamount to a declaration that the child belongs to *Naomi's* line, not to Elimelech's. This *inclusio* of the women's speech in frames Naomi's actions in v. 16:

Naomi took the child and laid him in her breast and she became his “foster mother” (*’ōmenet*).

Naomi has now incorporated not one, but two individuals into her family: first Ruth becomes like a son to her, and now Ruth's child as well. The significance of this statement centers on the meaning of the term *’ōmenet*. Does Naomi function symbolically as a wet nurse to the new heir?

Breastfeeding can symbolize a number of transmissions from mother to child, as Chapman demonstrates, one of which is kinship.⁶⁰ Chapman interprets Naomi's nursing of Obed to solidify *his* status as heir and successor in spite of Ruth's foreignness.⁶¹ But such a reading would not explain how the passage resolves the story's main crisis. If the story's main problem concerns the perpetuation the line of Elimelech – just as the story of Judah and Tamar concerns itself with the perpetuation of Judah's line – then what is the significance of Ruth's foreignness? Indeed, Tamar's origin was neither identified nor did it play any role in Genesis 38. One cannot ignore the potential implications of the concluding genealogy, which others have suggested resolves a question of King David's ancestry.⁶² But Ruth's foreign-

59 Nielsen, *Ruth*, 21; Wilson, “The Old Testament Genealogies in Recent Research”; Schipper, *Ruth*, 185.

60 Chapman, *House of the Mother*, 125 ff.

61 *Ibid.*, 144.

62 Nielsen, *Ruth*, 21.

ness does not appear to figure at all in the unfolding of the story and in the assumptions of levirate marriage and land redemption woven throughout.⁶³

We might turn to another of Chapman's insights through her study of ancient Near Eastern depictions of breastfeeding, namely, that "divine breast milk serves as the conduit for bestowing divine traits" for human kings.⁶⁴ The transmission of character traits and entitlements through breastfeeding appears to function analogously to a father's transmission of traits and entitlements to his sons. Such we saw in Isaac's transmission of lordship to Jacob and subjugation to Esau in Genesis 27. Naomi's "nursing" of Obed, if this indeed is the sense evoked by the term, may or may not alleviate concerns about Ruth's foreignness for the audience. However, we cannot ignore the symbolic work nursing, in its various evocations, seems to accomplish for Naomi's character. For the women declare that a son is born to Naomi – not to Elimelech or Boaz.⁶⁵

Conclusion

Like the tale of Aqhat, the story of Ruth works through a crisis of succession and trans-generational survival. In the case of Ruth, however, the story works through this crisis not through fathers and sons, but through mothers and daughters. This reversal of conventional paths of transmission generates further questions: Was this reversal merely conceptual? Representative of normative shifts, or perhaps, an author's ideological agenda in the wake of their contemporary political circumstances? These questions, however, lie beyond the scope of the present study. Here we simply observe the reshaping of notions of succession and transmission in the story and its literary pre-

63 Indeed she is dubbed "Ruth the Moabite" at several points in the narrative, but seemingly only for identification. In 1:22, Naomi is described as returning from Moab with Ruth the Moabite, in 2:2, the narrator describes her as Ruth the Moabite in dialogue with Naomi, who calls her בְּתִי, "my daughter." In 2:6 she is identified to Boaz by a servant as the Moabite girl who returned with Naomi, but Boaz seems to have no trouble with her foreignness, and again is identified as such by the narrator in 2:21. In 4:5 and 4:10, she is identified as Ruth the Moabite as part of the "package" in land redemption.

64 Chapman, *House of the Mother*, 130.

65 Chavel gives a helpful description of the child born of levirate marriage: "According to the terms of the law, the son of levirate marriage bears a dual affiliation [...] for the purposes of land inheritance [...] he belongs to his biological father, but genealogically, fictively, for the purposes of memory, it simultaneously falls to him to carry on the name of his father's brother," *Oracular Law*, 238.

sensation. The book of Ruth concludes with women onlookers who witness Naomi's plight and pronounce their judgement. These women bestow upon Naomi a blessing, that Ruth is better to Naomi than seven sons. Viewed through the women's pronouncements, the birth of Obed solidifies the post-mortem, trans-generational line, a line re-established through Ruth's acts of devotion to her mother-in-law. While Boaz also shows devotion, it is ultimately Ruth who is praised at the end.

We might recall that Jacob, in commanding Joseph to bury him not in Egypt but with his ancestors, expects devotion and faithfulness of his son: *wē'āšītā 'immādi ḥesed we'emet*, "Be devoted and faithful to me." Likewise, Ruth pledges her devotion to Naomi and demonstrates faithfulness in her obedience to Naomi's instructions.⁶⁶ The qualities of *ḥesed we'emet*, "devotion and faithfulness" are also ascribed to Yahweh in care for his people:

Yahweh, god of compassion and grace,
slow to anger,
great in devotion and faithfulness (*ḥesed we'emet*). (Exod 34:6)

What does it mean, in this culture, to possess the qualities of *ḥesed*, "devotion," and *'emet*, "faithfulness"? These two terms appear frequently in biblical literature as a pair,⁶⁷ and in this passage describing Yahweh's character, they frame his statement of trans-generational punishment and reward:

Protecting devotion (*ḥesed*) for the thousandth (generation),
forgiving iniquity and transgression and sin,
not entirely clearing (the guilty),
making the father's transgression count for the sons, and for the sons' sons,
for the third and fourth (generations). (Exod 34:7)

"Devotion and faithfulness" are qualities that protect the family line. Ruth is said to be better to her than seven sons, because seven sons without the

⁶⁶ In Ruth 1:8, Naomi wishes for Ruth and Orpah that Yahweh act with *ḥesed*, "devotion" towards them just as they had acted "with the dead and with me." Again, in 2:20, Yahweh is praised for his *ḥesed* towards the dead and the living. In 3:10, Boaz praises Ruth for her own act of *ḥesed*, presumably devotion towards the nearly defunct family line, which is demonstrated by her attachment to Boaz and not a man from a different family line promising a longer lifespan or greater material wealth. The term *'emet* makes no explicit appearance, though arguably the principle of faithfulness is demonstrated by Ruth's obedience to Naomi's instructions, in following through speech with action.

⁶⁷ Usually in descriptions of the deity, but also used to characterize aspirational traits of humans. See Gen 24:27, 49; 47:29, as discussed at above; Josh 2:14; 2 Sam 2:6; 2 Sam 15:20; absence of these twin qualities in Hos 4:1; Mic 7:20; frequently in Psalms in praising qualities of the deity, in Ps 25:10 and elsewhere. In Proverbs, they are qualities to which students of wisdom should aspire: Prov 3:3; 14:22; 16:6; in, 20:28, they are protective qualities of a king.

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security of their own heirs cannot secure the future of the family line – but Ruth could. *This* ending to the story upends an expectation that it is *sons* who continue the family line, in life, but more importantly, in death.

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